

Mrs. TORRES. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 653, strike line 14 and all that follows through line 19.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. TORRES. Mr. Chairman, I rise to offer my amendment to Division E of the Make America Secure and Prosperous Appropriations Act.

Immigrant families in my district and across this country are terrified. They are afraid because of the things that President Trump has said and because of the policies that he has proposed.

President Trump has been clear about who he thinks immigrants are. He thinks immigrants are lazy. He thinks immigrants are unskilled. He thinks immigrants are dangerous criminals.

Just yesterday, he ended the DACA program, crushing the dreams of 800,000 talented and courageous young Americans.

He has promised to triple the number of ICE agents to build a deportation force to go into immigrant communities. Under President Obama, ICE was told to focus on detaining and deporting dangerous criminals. But President Trump has told ICE they should go after whomever they can find.

Now, every immigrant without papers is a target, young and old. This is why immigrants are so afraid. Democrats in Congress have been united in standing up against President Trump in his war on American immigrants. We have blocked money for the wall and for his deportation force. But we also need to put some healthy constraints on President Trump's Department of Homeland Security.

My amendment will strike section 209 of Division E, which grants the Secretary of Homeland Security authority to reprogram or transfer funds for the purpose of detaining immigrants prioritized for removal.

President Trump has made his intentions very clear. He wants to deport every one of the 11 million undocumented immigrants in this country no matter what those consequences may be.

With this bill as it is currently written, there is almost no limit how far he can go. Congress must stand up and make clear where we stand.

Mr. Chair, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chair, I rise in opposition to the amendment offered by Mrs. TORRES.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, estimating the required number of operations and detention beds is not exact

science. This reprogramming a party is essential to be able to deal with emergent and critical operation needs, like surges we have seen in 2014 and 2016.

Without sufficient funding for beds, ICE will be forced to release criminal and other illegal aliens into communities across the country and weaken the security of the United States. The proposal to restrict ICE's ability to reprogram funding for detention beds would not only endanger the safety of the American people, but it will also convey to bad actors that the United States will not detain illegal aliens, leading to increased border crossings and growing overall illegal alien operations in the United States.

Therefore, I oppose this amendment and ask my colleagues to do the same.

Mr. Chairman, I reserve the balance of my time.

Mrs. TORRES. Mr. Chairman, I appreciate the gentleman's concern for public safety. The reality is that this administration has kept Congress in the dark about immigration policy.

□ 0050

Members have found out about ICE immigration actions in their districts after the fact. The least we can do as Members of Congress is to provide oversight and keep track of how much DHS is spending. There is no question dangerous criminals should be detained and should be deported. ICE will still be able to do that. But if they need more money, they should come to this Congress and tell us why they need this money.

Mr. Chairman, I urge my colleagues to vote "yes," and I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. TORRES).

The amendment was rejected.

MODIFICATION TO AMENDMENT NO. 79 OFFERED
BY MR. CARTER OF TEXAS

Mr. CARTER of Texas. Mr. Chairman, I ask unanimous consent that amendment No. 79 printed in part B of House Report 115-295, which was adopted as part of the amendments en bloc, be modified by the modification placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 79 offered by Mr. Latta of Ohio:

Before "dollar amount" insert "first".

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is modified.

AMENDMENT NO. 80 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 80 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement, administer, or enforce the prevailing wage requirements in subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

MODIFICATION TO AMENDMENT NO. 80 OFFERED
BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment with the modification at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

After the words "this Act" insert "or Divisions A, C, D, F, or G"

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this eliminates the funding that would go to Davis-Bacon and enforcing Davis-Bacon, the Federal wage scale that advertises prevailing wage but turns out to be union scale.

We debated this twice earlier this evening. The modification for the edification of the people who might not have picked up on that rolls this Davis-Bacon amendment together with the appropriations component that we will debate tomorrow so there is clarification here on the floor.

I have long been for the repeal of Davis-Bacon. I have made a statement that the Federal Government doesn't have any business dictating to an employer and an employee what they should be able to agree to on wages.

We have been in the construction business for 42 years. We started on our 43rd year this week. We have paid Davis-Bacon wages in most of those years, if not all of those years, and it upsets the efficiency of being able to manage the job, and it interferes with that relationship.

If it is going to be prevailing wages, then let the market decide that. But the studies that we have out there, there is no study that I know of that would show where there is an imposed Davis-Bacon wage scale that it costs less money. It always costs the taxpayers more money to do a particular project.

Our records of these years run between an 8 percent greater than it

would be if we had merit shop or as high as 35 percent greater than the cost of the projects. We average it out to 20 percent. There are studies out there that say a 22 percent increase.

So I describe it this way: if the Federal Government is going to mandate union scale on construction projects, whether it be for building a wall on the southern border or an interstate or a bridge, a highway, a building, whatever it might be, you can decide whether you want to borrow money from China to build 4 miles of road or 5, if you want to build four bridges or five, or if you want to build four buildings or five. That is what it comes down to in the end. We can build five of everything instead of four if we just repeal Davis-Bacon.

So this scores well for us. The fiscally responsible people will come down on the side of eliminating Davis-Bacon. This country would not adopt such a policy if it happened today.

By the way, this is the last remaining Jim Crow law that I can find in America. As so many things are being taken down left over from that era, it is time we took down Davis-Bacon, too. So I would urge adoption of my amendment, and I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Earlier this evening, the same amendment was soundly defeated twice on this floor, so I am not sure why there is a need to go over the same worn ground again.

The Davis-Bacon Act is a long-standing law that ensures workers on federally funded construction projects are reasonably paid, no less than the wages paid for similar work in the local community. It is simply a matter of fairness that we ensure that the Federal Government pays fair wages for an honest day's work.

Mr. Chairman, I have heard the gentleman from Iowa suggest that Davis-Bacon's history is linked to discrimination. But I believe he may be misinformed in thinking that it was the cause and not the solution.

In 1927, a contractor who was employing African-American workers was building a Veterans Bureau hospital. Congressman BACON found that there were very serious issues related to the pay of low wages and the discrimination against the wages of migrant workers. He introduced Davis-Bacon initially to help make sure that these construction workers would be paid the prevailing wages in their community. As I said, these workers happened to be African American.

I urge all of my Members to, once again, vote "no" on this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Chairman, I thank my colleague for yielding. I also rise to

oppose this amendment because I support quality jobs for folks and the laws that protect them.

When I go around my district, I hear from folks who are still feeling squeezed that are ready to seize opportunities that they might not have right now. Since 1931, the Davis-Bacon Act has been there to help working men and working women earn a decent wage.

I would respond to the good gentleman's statement that Davis-Bacon is about embracing the premise that when we use taxpayer dollars to build a project, it is not just about building that project. It is about building the middle class.

I oppose this amendment because it seeks to undo three generations worth of protections that have helped our country create the strongest middle class in the world. I don't support nickeling and diming workers.

We have a responsibility to make sure the future is better for the generations to come, and if those who follow us earn less or get injured more and can't take care of their health, that is a step backward and not forward.

So I urge my colleagues, once again, to defeat this amendment.

Ms. ROYBAL-ALLARD. Mr. Chair, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Chairman, I rise in support of the gentleman's amendment, and I adopt all of his arguments that he has made.

Mr. KING of Iowa. Mr. Chairman, in response, I have heard a piece of history revisionism. Now is the first time I recall, in all these debates that we have had, that the purpose of Davis-Bacon, which does produce a result of union scales imposed by, as I said earlier this evening—it is not prevailing wage.

□ 0100

Employers that are nonunion don't report wages to the Federal Government because the union comes to organize their employees. So the thing that is called prevailing wage is a distortion of the reality. We know this.

I have been in this business 42 years. I talked to a contractor just a week ago who was a bridge contractor. He has been operating in rural Missouri. In just this past year's numbers, unskilled laborers cost him \$45 an hour. There is no way that you go down to Missouri and hire somebody that is unskilled and you have to pay them \$45 an hour. For somebody that is going to look through the chart, I should tell you it is about \$23 an hour for labor and \$22 for fringe benefits. The fringe benefits are to pay for your health insurance and your retirement program. But some of these employees are on our ObamaCare, with their premiums paid by other money that we borrow from China.

It is foolish for a fiscally responsible nation, trying to get to balance, to have a David-Bacon law in place. And I will pound on this drum until we come to our senses on this.

Mr. Chairman, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, the House has already voted twice against this amendment today, and I hope it will do so again.

Mr. Chairman, I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. KING of Iowa. Mr. Chairman, I would just conclude that this is the first time I have heard that Davis-Bacon was formed to protect minority migrant workers that came out of Alabama to work in New York. That seems to me to be Members of Congress representing the folks that are not their constituents. That would be one of the rare times also.

So that is history revisionism. This is a Jim Crow law. It needs to go. It needs to be ripped out of the code at every opportunity.

Mr. Chairman, I would urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. ROYBAL-ALLARD. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment, as modified, offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 81 OFFERED BY MR. CASTRO OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 81 printed in part B of House Report 115-295.

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to enter into contracts in fiscal year 2018 with privatized immigration detention facilities.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Texas (Mr. CASTRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment would prohibit the Department of Homeland Security from entering into contracts

with privatized immigration detention facilities for fiscal year 2018.

A study done by the Homeland Security Advisory Council's Subcommittee on Privatized Immigration Detention Facilities found that privatized detention facilities experienced a multitude of issues, including deficiencies in staffing, subpar medical care, inefficient abuse reporting systems, and a lack of transparency.

Further, an in-depth report on two of the country's private detention facilities show further injustices, such as inadequate access to legal information and services.

It is best that DHS is prohibited from doing business with these facilities until these issues are resolved and it is shown that these facilities meet ICE's Performance-Based National Detention Standards.

This amendment is necessary, as the government's reliance on privatized facilities will continue to grow, based on trends in detention. In fact, only 9.2 percent of detained individuals are in ICE-owned facilities. We must ensure that detained individuals are treated humanely and that they have access to due process.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chair, over half of the ICE detention population is housed in privately owned and operated detention facilities. Neither ICE nor State and local detention facilities can provide the number of beds required to house the detained population that we have today. Without the capacity provided by contracts with private detention facilities, ICE will be forced to dramatically scale back interior enforcement and, more seriously, release thousands of dangerous criminal aliens from custody.

Eliminating private facilities will require a significant expansion to ICE's capacity that, according to estimates, will exceed \$1.3 billion and could be as much as \$5 billion to \$6 billion.

I also note that my colleague in the minority considers detention standards to be of vital importance, yet the majority of the facilities that meet the highest and most stringent detention standards are the very same contract facilities this language would eliminate.

For these reasons, I oppose this amendment and ask for a "no" vote.

Mr. Chairman, I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, studies have shown repeatedly that these private detention centers are of a lower quality than publicly owned facilities.

There is something very perverse about an industry in the private detention and private prison industry that basically profits off of mass incarcer-

ation and that has an economic incentive to get more people into detention, into jail, into prison, and, at the same time, tries to do everything that it can to cut costs and cut corners. In doing so, it fails not only its public charge and its duty, but also terribly fails the people entrusted to it.

The fact is that these private prisons, the detention centers, the companies that own them, hired lobbyists in California, for example, within the last few years. They had 70 lobbyists. One of the companies had 70 lobbyists on staff. They lobby for harsher criminal penalties. Why? Because the more people that have to be detained, the more money they make.

That simply is not how the criminal justice system should work and that is not how we should do detention within the immigration realm.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, once again, I oppose the gentleman's amendment, and I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Chairman, this is about treating people as humanely as possible. When profit is the main thing that drives the decisions on detention, incarceration, the conditions in which people are detained, then we are doing a severe injustice to those folks. Because of that, I ask my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CASTRO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CASTRO of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 83 printed in part B of House Report 115-295.

AMENDMENT NO. 84 OFFERED BY MS. JAYAPAL

The Acting CHAIR. It is now in order to consider amendment No. 84 printed in part B of House Report 115-295.

Ms. JAYAPAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. ____ . None of the funds made available by this Act may be used for the construction or expansion of detention facilities.

The Acting CHAIR. Pursuant to House Resolution 500, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

□ 0110

Ms. JAYAPAL. Mr. Chairman, the United States already operates the largest immigration detention system in the world at a cost of \$2 billion annually. In fiscal year 2017, ICE had the capacity to detain an unprecedented 39,324 men, women, and children. Although a large amount of funding is dedicated to detain these people, the system is plagued with inhumane conditions and inadequate oversight. Mr. Chairman, my amendment imposes a moratorium on the construction and expansion of immigration detention facilities.

This year, we are seeing the highest number of deaths in ICE custody since 2011. Private, for-profit detention facilities in particular have not abided by basic standards necessary to protect civil and constitutional rights, and all of this is occurring at the same time that the administration is increasing enforcement, including expedited removals with inadequate due process, elimination of the longstanding division between local police and Federal immigration enforcement, and this is all tearing families apart.

The overreach of these detention facilities combined with an overreach on enforcement in general, instead of focusing on more practical, humane, and, frankly, economically viable options of alternatives to detention, are issues that Congress must address.

We should not be funding these dangerous overreaches by expanding immigration detention with no accountability. This amendment ensures that we focus on fixing this broken system as opposed to funding an increased detention expansion, and this is deadly. It is a deadly powder keg, and I don't use the term "deadly" lightly.

I would like to take a moment to talk about Jacinta Morales, a woman from Oregon detained at the Northwest Detention Center in Tacoma, Washington. Jacinta found out she was pregnant while she was in detention. She said: I was thrilled to be pregnant and thrilled at the prospect of being a mother again.

When she found out she would be deported, torn from her 11-year-old U.S. citizen son as well as her long-time partner, Jacinta was devastated. She experienced pain and nausea, and not long after, she woke up bleeding. After an hour, she went to the doctor, where she waited another hour. One of the people who was seen before her had a toothache.

When the doctor finally saw her, they requested an ambulance to take her to the hospital, but the ambulance didn't come for a long time, and so they took her in the back of a patrol car where she was forced to sit up, making the bleeding worse. When Jacinta finally arrived at the hospital, she learned she had a miscarriage.

Jacinta is one of 292 pregnant women ICE detained between January and

April of 2017, alone, and part of the 60 percent of detained women. Formerly detained women and their attorneys and advocates have reported that pregnant women only receive the bare minimum of services and accommodations and are routinely denied extra blankets, additional food, and adequate prenatal care.

When pregnant women are referred to outside obstetricians, ICE policy does not prohibit the shackling of pregnant women during transport. Moreover, the stress of detention and fear of miscarriage may lead detained women to abandon their asylum claims.

One of these women, I am going to call her Ana, accepted deportation back into the hands of her abuser because she was so afraid that being detained would harm her unborn child.

ICE's own detention standards and directive on the detention of pregnant women acknowledges the complexity and risks of detaining pregnant women, but implementation and oversight are not enough to protect these women.

It is irresponsible to expand detention while the agency struggles to conduct even basic oversight and hold facilities accountable for inhumane conditions. I urge my colleagues to support my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CARTER of Texas. Mr. Chairman, it seems that the minority has a very good tag team match going here. The previous amendment would eliminate, if it passes, all of the privately owned facilities, leaving us with, by the gentlewoman's own statement, 3,500 beds for detainees; whereas, our total population today ranges from 35,000 to 40,000 people that are detained, which would mean all those people would have to be released or placed in some kind of alternative of which the no-show for that alternative is horrendous.

This kind of restriction makes no sense. Even though there is nobody planning to build ICE facilities right now, to restrict the government from a possible need, should that need arise—I remind you that in 2014, in the month of August, 78,000 children came across the border, and an equal number or more of a child with a parent came across the border in the Laredo sector alone.

So we have real needs that need to be met, and quite honestly, this amendment ties the hands and everybody gets turned loose. I very much oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. JAYAPAL. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentlewoman from Washington has 45 seconds remaining.

Ms. JAYAPAL. Mr. Chairman, I will just say that we currently have almost 40,000 people in detention. We are not proposing eliminating all detention centers. We are saying we are putting a moratorium on expansion of detention centers. Those people would still be able to stay there. We could detain up to that many people.

I don't think that is the right policy for the United States of America, but I am not saying that we are going to eliminate all of that detention space. What I am saying is that we need accountability around the detention system, and as long as we don't have that accountability and we have pregnant women who are losing children in the ICE detention facilities, I believe that we should ensure that we have accountability.

I will tell you that we are continuing to detain and not hold these detention centers accountable for any of the things that happen within the detention centers, so, again, I hope that my colleagues will support this amendment and allow us to bring some accountability back to our detention system.

Mr. Chairman, I yield back the balance of my time.

Mr. CARTER of Texas. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. JAYAPAL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 85 OFFERED BY MR. ZELDIN

The Acting CHAIR. It is now in order to consider amendment No. 85 printed in part B of House Report 115-295.

Mr. ZELDIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title) insert the following:

SEC. ____ . None of the funds made available by this Act may be used by the Coast Guard to enforce Executive Order 13449 or section 697.7(b) of title 50, Code of Federal Regulations, in the Block Island Transit Zone (as that term is defined in section 697.7(b)(3) of such title).

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from New York (Mr. ZELDIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ZELDIN. Mr. Chairman, my amendment to H.R. 3354 will provide needed regulatory relief to fishermen

from the East End of Long Island and the entire region who are struggling under confusing and arbitrary Federal restrictions on striped bass fishing in Block Island Sound.

The unique maritime geography of our region means that making the 15-mile journey by boat from Montauk Point, New York, to Block Island, Rhode Island, requires passing through a segment of waters considered to be part of the EEZ known as the Block Island Transit Zone.

For recreational anglers, charter boat captains, and commercial fishermen, this shift in jurisdiction can mean the difference between a nice day on the water and committing a Federal offense.

My amendment would bar the U.S. Coast Guard from enforcing this ban on striped bass fishing in these waters so that Coast Guard resources can be focused on their important national security and safety mission.

No other species of fish besides striped bass are subject to this confusing ban which was meant to impact the high seas of the EEZ, not a small segment of local waters situated between two State boundaries.

Fishermen should be able to legally fish for striped bass in this limited area just as they currently can in adjacent State waters. A recreational angler or boat captain on the water off of Montauk Point, New York, can easily go from fishing legally and responsibly in State waters to violating Federal law once they pass over the 3-mile limit where New York State waters end and the Transit Zone begins.

Many of these individuals lack the expensive GPS technology to know if and when they have crossed the boundary, and there are no buoys to warn them. These are responsible men and women who have the greatest vested interest in preserving the striped bass fishery, but they also desperately need relief from confusing government regulations that are hurting their livelihoods and access to local fisheries.

□ 0120

Last Congress, my stand-alone bill to address this issue, H.R. 3070, the EEZ Clarification Act, passed the House with a unanimous voice vote.

This amendment is supported by the Recreational Fishing Alliance, the Long Island Commercial Fishing Association, and the Montauk Boatman & Captains Association.

On behalf of the hardworking men and women of Long Island who rely on fishing as a way of life, I ask for your support on this commonsense amendment.

Mr. Chair, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. This is not an appropriate amendment for inclusion in an annual spending bill. The

Coast Guard opposes the amendment because their mission to protect natural resources is not specific to individual regulations. Enforcement limitations on specific regulations would place a significant burden on the Coast Guard.

In addition, Congress should not be in the business of micromanaging fish conservation. The Atlantic States Marine Fisheries Commission is an interstate commission which allows Atlantic Coast States to collectively manage the conservation of their shared coastal fishery resources. We should allow the Commission to do its job in managing fish stocks.

Congress shouldn't second-guess them and micromanage fish regulations in particular locations. There is a process in place for addressing these issues at the regional level, and we should allow that process to work.

Currently, the consensus position of the Commission is that the fishing restrictions should remain in place and the stock assessment for striped bass is planned for next year. This ban was put in place after going through the Federal rulemaking process. If a change is needed, it should follow the same process.

I believe this amendment places an undue burden on the Coast Guard, and it is bad precedent for Congress to interfere with a State-driven process. For these reasons, I oppose the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. ZELDIN. Mr. Chairman, this bill removes a burden from the Coast Guard. It doesn't micromanage any local council. It actually empowers the local council. It doesn't make any changes to stock assessments. You still are subject to the management of the local fisheries. You cannot fish for any more fish than you were previously. So actually, all the logic that was used by my colleague, you could actually very much more easily argue the opposite side.

It should be further noted that my colleague from California, as she speaks about what is the right policy here on the east end of Long Island for our hardworking fishermen, voted in favor of H.R. 3070, which was unanimously passed by the last Congress.

So it wouldn't make any sense to be arguing that this bill places a burden on the Coast Guard when it is lifting it, or that it is micromanaging a local council when it empowers it to control the fishery.

Mr. Chair, I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chairman, we should allow the Atlantic States Marine Fisheries Commission to do its job, and I continue to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. ZELDIN. Mr. Chairman, I think it is a great idea to empower the Atlantic Fishery Council by passing this

amendment because if we don't pass this amendment, if we don't change the Federal law, they are not empowered. Federal law says you can't fish in the EEZ between Montauk Point and Block Island, Rhode Island. So if we do not pass this legislation, if H.R. 3070 became law in the last Congress, we wouldn't be here right now and the Council would be managing the local fishery. But Federal law prevents the regional management of the fishery. It actually just says, outright, you can't fish for striped bass at all.

So all the arguments that are now being used for the first time against this particular argument, a proposal that was passed unanimously last Congress, which is now being opposed by a colleague from California, to be telling us what the right policy is on the east end of Long Island, saying that we should be managing this fishery is an argument I absolutely agree with, and that is exactly why it is so important to pass this legislation.

My colleague, in opposing this proposal, is actually making the argument of exactly why it needs to pass. I encourage all of my colleagues to vote for it.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ZELDIN).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 87 printed in part B of House Report 115-295.

AMENDMENT NO. 88 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 88 printed in part B of House Report 115-295.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of division E (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for a new hire who has not been verified through the E-Verify program.

The Acting CHAIR. Pursuant to House Resolution 500, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

MODIFICATION TO AMENDMENT NO. 88 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I ask unanimous consent to modify my amendment by the modification at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 88 offered by Mr. King of Iowa:

After the words "this Act" insert "or Divisions A, C, D, or F"

The Acting CHAIR. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Acting CHAIR. The amendment is modified.

Mr. KING of Iowa. Mr. Chairman, I thank the gentlewoman for her consent to this unanimous consent request which will help expedite our debate here on this long appropriations discussion that we are having.

This is the amendment that requires that E-Verify be used in all new hires that are funded under this appropriation. And it is a well established debate, I think, not only throughout the years of E-Verify, but also throughout this evening.

It is all new hires, in conjunction with an offer of employment, simply run their data through E-Verify. If it comes back from E-Verify verifying that that information that is provided by the applicant identifies an individual who can work legally in the United States, that is the verification that the efficiency has gone way up into the upper 90, 99 point something percentile.

Mr. Chair, I urge the adoption of this amendment, and I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Chairman, under the OMB directive from 2007, all Federal agencies are already required to use the E-Verify system to confirm the employment eligibility of new hires. Beyond Federal employees, a 2008 executive order and a Federal acquisition regulation already require that employees of Federal contractors also be verified as eligible to work through E-Verify, so my opposition to this amendment is primarily on the basis that it is unnecessary.

Given that the current administration has proposed making the use of E-Verify mandatory for private sector hiring, it just doesn't seem likely that it would somehow weaken the current requirement for the Federal Government to use the system. This funding limitation simply is not needed.

Mr. Chair, I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Chairman, what Ms. ROYBAL-ALLARD just stated was true, but I rise in support of this gentleman's amendment because it is time the agencies and departments fully comply, and this amendment attempts to achieve that effort. Therefore, I support the gentleman's amendment.

Mr. KING of Iowa. Mr. Chairman, I would just reiterate that we are getting reports that there are gaps in this enforcement and, spending my life in a contracting business, I would remind the Members that we have general contractors, we have first tier contractors,

we have second tier subcontractors, even third tier subcontractors, and so we want to ensure that the enforcement is there of E-Verify. And I want to thank everyone for their cooperation, and I urge the adoption of my amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentleman from Iowa (Mr. KING).

The amendment, as modified, was agreed to.

□ 0130

Mr. CARTER of Texas. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KING of Iowa) having assumed the chair, Mr. MARSHALL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3354) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARRETT (at the request of Mr. MCCARTHY) for today on account of the expected birth of his child.

Mr. CURBELO of Florida (at the request of Mr. MCCARTHY) for today after 5 p.m. and for the balance of the week on account of assisting his family and constituents in preparation efforts for Hurricane Irma.

ADJOURNMENT

Mr. MARSHALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes a.m.), under its previous order, the House adjourned until today, Thursday, September 7, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2368. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Medical Device Classification Procedures; Change of Address; Technical Amendment [Docket No.: FDA-2013-N-1529] received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

2369. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, New Smyrna Beach, FL [Docket No.: USCG-2016-0205] (RIN: 1625-AA09) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2370. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Stampede TLP, Green Canyon 468, Outer Continental Shelf on the Gulf of Mexico [Docket No.: USCG-2017-0110] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2371. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cleveland Metroparks 100 Year Anniversary Fireworks Display; Lake Erie, Cleveland, OH [Docket No.: USCG-2017-0481] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2372. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Tchefuncte River, Madisonville, LA [Docket No.: USCG-2017-0578] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2373. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Safety Zones within the Captain of the Port New Orleans Zone, New Orleans to Baton Rouge, LA [Docket No.: USCG-2017-0388] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2374. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; South Branch of the Chicago River, Chicago, IL [Docket No.: USCG-2017-0702] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2375. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Great Lakes—Regulated Navigation Areas and Safety Zones [Docket No.: USCG-2015-0084] (RIN: 1625-AA00, AA11) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2376. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Demolition of SC-41 Bridge, Wando River, Charleston, SC [Docket No.: USCG-2017-0348] (RIN: 1625-AA-00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2377. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; St. Marys River, Sault Ste. Marie, MI [Docket No.: USCG-2017-0789] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5

U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2378. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Willamette River, Lake Oswego, OR [Docket No.: USCG-2017-0772] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2379. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation, Islamorada Grand Prix of the Seas, Islamorada, FL [Docket No.: USCG-2017-0556] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2380. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Choptank River, Cambridge, MD [Docket No.: USCG-2017-0571] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2381. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Mobile River, Mobile, AL [Docket No.: USCG-2017-0710] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2382. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Potomac River, National Harbor, MD [Docket No.: USCG-2017-0654] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2383. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Port Huron Float-Down, St. Clair River, Port Huron, MI [Docket No.: USCG-2017-0764] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2384. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Motor City Mile; Detroit River; Detroit, MI [Docket No.: USCG-2017-0372] (RIN: 1625-AA08) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2385. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Dunkirk Lakeshore Air Show; Lake Erie, Dunkirk, NY [Docket No.: USCG-2017-0277] (RIN: 1625-AA00) received September 1, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.