

The SPEAKER pro tempore (Mr. FARENTHOLD). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3697, CRIMINAL ALIEN GANG MEMBER REMOVAL ACT, AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 15, 2017, THROUGH SEPTEMBER 22, 2017.

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 513 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 513

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3697) to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes. All points of order against consideration of the bill are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 2. On any legislative day during the period from September 15, 2017, through September 22, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 513, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring forward this rule on behalf of the Rules Committee.

The rule provides for consideration of H.R. 3697, the Criminal Alien Gang Member Removal Act. Before I discuss the rule, Mr. Speaker, I would first like to take this opportunity to thank all the first responders who have been working tirelessly in the wake of Hurricanes Harvey and Irma, and to send my thoughts and prayers to those who have suffered loss because of these storms.

Georgia saw much of Hurricane Irma's devastation firsthand, and I would like to thank the men and women who are responding to the people in need and rebuilding our communities. I am grateful to all of those who have played and are playing a part in these recovery efforts.

As someone who is still back home without power, I understand the need that is going on in Florida all the way up through northeast Georgia. This is truly a "from the beach to the highlands" kind of issue, and we are continuing to thank our law enforcement, our first responders, and especially those that work for the power companies and others getting the utilities back on that we take for granted so many days. I just want to say thank you to them.

Mr. Speaker, the rule before us today provides for 1 hour of debate equally divided between the chairman and ranking member of the Judiciary Committee. The rule also provides for a motion to recommit.

Yesterday, the Rules Committee had the opportunity to hear from two of my colleagues on the Judiciary Committee, Mr. JOHNSON from Louisiana and Ms. LOFGREN from California. Much of H.R. 3697 received consideration by the Judiciary Committee as part of a larger bill, the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act.

After a lengthy and thorough debate, the Judiciary Committee marked up and reported favorably that legislation on May 24.

As a cosponsor and strong supporter of the Davis-Oliver Act, I hope to see that legislation pass before the full House. Today we have an opportunity to increase public safety by moving an important piece of that bill forward as H.R. 3697.

I want to recognize Representative BARBARA COMSTOCK, my colleague from Virginia, for introducing the Criminal Alien Gang Member Removal Act. I also want to thank Representative COMSTOCK and this bill's cosponsors—Chairman GOODLATTE, Chairman SESSIONS, Congressman PETER KING, and Congressman LABRADOR—for their work on this issue.

From fiscal years 2016 to 2017, ICE agents made over 8,000 gang-related criminal arrests, leading to over 2,600 convictions. America's families, friends, and neighbors are watching the

problem of transnational gang violence grow, and ICE reports that membership of these gangs is comprised largely of foreign-born nationals. Many of these gang members terrorizing our streets are here illegally.

MS-13, in particular, has experienced growth at the expense of American neighborhoods and public safety. In fact, the Department of Justice has said that MS-13, which originated in Central America, has 10,000 members in the United States, and 40,000 members worldwide. As if this wasn't a clear enough threat, the other transnational gangs are on the rise as well.

Sophisticated gang leaders have recognized that our immigration system is susceptible to exploitation and have taken advantage. MS-13 violence has hit communities in Boston, New York, Virginia, and Washington, D.C., particularly hard, but the problem is not limited to these areas.

In my home State of Georgia, ICE agents recently arrested an individual who played an active role in a murder in Virginia. In northern Virginia, at least eight murders have been attributed to MS-13 since last November. This is unacceptable.

While it is not the only step we can take, one major way we can help to address this problem is to make sure that transnational gang members who are seeking to bring their tactics to our soil do not exploit our immigration laws. We need to use all the tools in our toolbox to address this problem of gang violence, and the underlying bill we are considering today helps us do that. It recognizes that transnational gang members have taken advantage of our immigration laws while addressing existing flaws in our system.

This bill becomes clear that Congress will uphold its duty to protect the safety of the American people and provide critical tools to law enforcement.

Importantly, while this bill cracks down on criminal alien gang members and strengthens our system, it preserves due process and burden of proof protections. The Criminal Alien Gang Member Removal Act takes the commonsense step of ensuring that criminal gang members are ineligible for asylum, special immigration, juvenile status, and temporary protected status.

The bill also adds grounds of inadmissibility and deportability for criminal alien gang members, and it requires that criminal alien gang members are kept in custody prior to and during the immigration court proceedings.

Mr. Speaker, under New York City's sanctuary city policy, a criminal alien who was an admitted gang member was allowed to leave Rikers Island after serving time for another offense. This was a particularly egregious case of how flaws in the system are serving gangs, but it also highlights the clear challenge under existing statutes.

Under current law, the criminal alien's self-admission of gang affiliation is not reason enough to deport

that individual. To be deported, the alien has to be convicted of another independent crime, even if he or she admits to being part of a gang.

In Houston, two MS-13 members kidnapped three young girls, ultimately killing one. These individuals, gang members from El Salvador, were in the United States illegally.

In yet another instance, a sheriff's deputy in Frederick County, Maryland, was attacked by a known member of MS-13. This is disturbing on its own, but what makes it even more so is that the gang member had been previously apprehended and released by Customs and Border Patrol.

For each of the stories I have shared with you today, there is another that I haven't. The violent and brutal actions of transnational gangs operating on our soil have led to far too many tragedies as they prey on our vulnerable neighborhoods, recruit children, and commit unthinkable crimes.

Mr. Speaker, let me also make it clear that these violent gangs are targeting immigrant communities. According to the police chief in Maryland, MS-13 has ratcheted up its extortion of immigrant families and businesses. The gang threatens not only the individuals in the United States, but their families back home if these law-abiding immigrant individuals don't meet the gang's demands.

Concern for our fellow citizens tells us that we should not be admitting these individuals to our country, and we should be removing them when they commit crimes or yoke themselves to gangs that perpetrate violence.

These criminal alien gang members should not be let back onto the streets to victimize more people while their immigration proceedings are ongoing, and they shouldn't be allowed to exploit our laws to gain the benefits reserved for the vulnerable individuals seeking to enter our Nation.

The Criminal Alien Gang Member Removal Act makes important strides in protecting the safety of our citizens and our communities.

Mr. Speaker, we in this House are taking a stand against the senseless violence and lawlessness and the criminal enterprise that these gangs bring to our soil. We are strengthening our laws against transnational gangs and ensuring criminal alien gang members can and will be removed from this Nation.

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

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Georgia, my friend, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I echo the sentiments of my friend from Georgia with reference to the ongoing recovery period that we are experiencing in region four, and I especially offer compliments to the Federal family of agencies that have been on the ground working in all of our region.

Like my friend from Georgia, my home is without power, and we urge patience. The authorities are working with the utility companies and they really do have a lot of people on the ground, and it is expected that they will be able to restore power and we will be able to take the long-range view with reference to recovery.

Certainly, we want to thank the first responders. The local authorities have been on their game at their best, as well as the National Oceanic Weather Service that has supplied a lot of information to all of us.

Mr. Speaker, I rise today to debate the rule for H.R. 3697, the Criminal Alien Gang Member Removal Act. Today's rule brings the number of closed rules for the 115th Congress to 42. In other words, more than 50 percent of the legislation coming out of the Rules Committee has been closed off from open and honest debate; closed off by my Republican friends.

At the beginning of this Congress, we were told by my Republican colleagues and the Speaker that they would run the government and, more particularly, the people's House in an open and transparent manner. They even championed regular order. Well, that spirit has clearly been jettisoned in favor of an overtly partisan approach to governing that is indeed unfortunate.

By way of example, the bill we are discussing today was introduced last Thursday, brought to the Rules Committee last night, and is now going to be put before the House for a vote without the committee of jurisdiction holding one hearing on the bill or Members having the opportunity to offer their amendments, which is too bad, because this bill is really in desperate need of help.

During our debate last night, one of my Republican colleagues on the Rules Committee posed three hypothetical situations and asked: If this bill were to become law, what effect the bill would have in those instances?

Not surprisingly, the answers we got were confusing, convoluted, and contradictory. Now we find ourselves here today asking the entire membership of the people's House to vote on something for which no one can honestly say they know what the unintended consequences would be if this bill were to become law.

□ 1230

Bad process makes bad bills, and the process we have witnessed with this bill can't get much worse.

Mr. Speaker, challenged by their party's leader, Donald John Trump, to fix DACA, House leadership, instead, brings this bill to the floor, a bill that does nothing but peddle in the politics of fear, a bill that purports to make communities safer, when all it does is serve red meat to the Republican base and foment xenophobia.

Everyone in this House, everyone in this Nation, can agree that confronting

and defeating the perpetrators of gang violence is a good and worthy goal. In fact, we already have laws on the books that do just that. We already have task forces on gangs in virtually all of our communities.

This bill, on the other hand, will not make our communities safer. It will, however, undermine the rule of law in this country by betraying our commitment to the Constitution's guarantee of due process. The bill is also glaringly pretextual in its approach and overbroad in its effect so that it can be seen as nothing other than yet another move to implement Donald John Trump's promise to the Republican base to engage in mass deportation of immigrant communities across our country.

Mr. Speaker, there is no doubt that our immigration system is in dire need of attention. It is also clear that we should approach our work in a manner that is fair to all Americans and compassionate toward those who have fled unbelievable violence and are seeking a better life here in the United States.

We should be proud that we remain—despite the anti-immigrant rhetoric emanating from the White House—a beacon of hope for freedom-loving people around the world, and we should remain welcoming upon their arrival.

This, however, is not the tack taken by many of my Republican friends, and is certainly not the path taken by House leadership with today's bill.

As evidence of their approach, we need only to look at the despair the Republican Party has cast upon the 800,000 DREAMers who live in this country. Instead of finally making permanent the status of DREAMers in this country as full citizens, the first act the Republican majority takes after Donald John Trump tweeted that he would end DACA, then tweeted that he would revisit the issue in 6 months, the first thing that they did was to present a bill that is so broadly drafted that a group of five or more nuns could constitute a criminal gang in the eyes of the law.

Indeed, the bill's harboring provisions under section 274 of the Immigration and Nationality Act are, as Sister Simone Campbell said, "so sweeping that religious workers who provide shelter, transportation, or support to undocumented immigrants could be found liable of criminal activity. The Federal courts have found that 'harboring' includes offering a known undocumented individual a place to stay."

Sister Simone concluded with this salient point: "This statute has been used against religious workers in the past, and this bill tries to make it a weapon for the future."

Mr. Speaker, it was only a few short years ago that the Grand Old Party, in the wake of their electoral loss to President Barack Obama in 2012, issued their autopsy of what went wrong. That report concluded that Republicans must do a better job reaching out to Hispanic Americans.

Yet, instead of heeding their own advice, President Donald John Trump called Mexican Americans murderers and rapists on the very first day of his campaign. From that dark point on, Hispanic Americans have had to watch one of the two major political parties in their country descend further and further into the abyss of xenophobia.

Democrats stand ready to have a serious conversation about comprehensive immigration reform and border security, and I urge my Republican friends to put the red meat aside for the moment and work with us.

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

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN), my good friend, the distinguished ranking member of the Judiciary Committee Subcommittee on Immigration and Border Security, a clear-eyed thinker on this subject, and has been the same for a protracted period of time. Few in this body can rival her abilities on this particular subject.

Ms. LOFGREN. Mr. Speaker, the title of this bill is the Criminal Alien Gang Member Removal Act, but, as we have seen in the past, the name of a bill is not always reflected in the actual text of the bill, and that is true in this case, regrettably.

As has been mentioned, section 2(a) of the bill defines criminal gangs so broadly as to sweep in many individuals that no one would think of as a gang member.

The bill, for example, would classify any group of five that engages in harboring as a criminal gang. Now, harboring includes giving shelter to, or transporting, or providing other kinds of aid to undocumented immigrants. This means, as has been mentioned, that a religious organization that aids undocumented immigrants could be defined as a criminal gang. And any immigrant clergy or congregationalist that assists that organization would be deportable if they are a legal permanent resident, or on a religious worker visa, or the like.

Now, this isn't just a hypothetical. During the 1980s, members of the religious communities were repeatedly prosecuted for providing transportation to undocumented immigrants. In one fell swoop, this bill could turn nuns into gang members. And that is why I include in the RECORD, Mr. Speaker, the letter that Mr. HASTINGS referenced from the nuns objecting to this piece of legislation for those reasons.

NETWORK ADVOCATES FOR
CATHOLIC SOCIAL JUSTICE.

DEAR MEMBERS OF THE HOUSE OF REPRESENTATIVES: Exactly one week ago, President Trump announced the termination of the Deferred Action for Childhood Arrivals (DACA) program, putting at risk the lives and well-being of undocumented immigrant youth who are valued members of our communities. DACA has protected nearly 800,000

immigrant youth from deportation and allowed them to work, attend school, and be publicly participating members of our communities.

The President's action threatens every DACA recipient and causes great anxiety. This anxiety exists not just with the DACA youth but also in the broader community. We all are concerned about their future and fear their deportation to a country they neither know nor call home. Today, rather than taking up President Trump's challenge to "fix" DACA, the House Judiciary Committee is choosing instead to stir up politics of fear in our communities by proceeding with H.R. 3697 in an effort to criminalize the undocumented status of some members of our communities. Network Lobby for Catholic Social Justice strongly urges Members of the House to vote NO on H.R. 3697.

The faith community has vigorously opposed any bill that would promote the Trump Administration's stated goal of engaging in "mass deportation" of immigrants. The Trump agenda seeks to allow for the detention and removal of large numbers of immigrants without any criminal records. H.R. 3697 is just the latest bill targeted to achieve this goal. The bill purports to make communities safer by targeting the deportation of people involved in criminal activity in gangs. However, it is poorly drafted and overboard with sweeping generalizations. It even allows for the removal of individuals based on the mere subjective belief of an association to criminal activity. There is no requirement of a criminal conviction for deportation. This violates any principle of fairness as well as the Constitution's guarantee of due process.

As people of faith, we are called to love our neighbor and welcome the stranger. As such, we stand in solidarity with all people including our immigrant sisters and brothers. Catholic Sisters have a long history of work with immigrant communities and a commitment to their safety and security. Under this bill, religious workers who are engaged in immigrant ministry could be subject to prosecution. The bill's harboring provisions under INA 274 are so sweeping that religious workers who provide shelter, transportation or support to undocumented immigrants could be found liable of criminal activity. The federal courts have found that "harboring" includes offering a known undocumented individual a place to stay. This statute has been used against religious workers in the past, and this bill tries to make it a weapon for the future.

It is time for Congress to stop playing games with the lives of our immigrant sisters and brothers. The real problem Congress should be working on today is an effort to pass the bipartisan Dream Act of 2017 championed by Congresswoman Ros-Lehtinen (R-FL) and Congresswoman Roybal-Allard (D-CA). That bill has broad support from the faith community and is a substantive improvement to our fractured immigration system.

We urge you to vote NO on H.R. 3697. It is poorly drafted legislation that would increase the disruption in our communities! Instead, work for the common good and take up H.R. 3440 and pass the bipartisan Dream Act. Faith and patriotism demand it.

Sincerely,
SISTER SIMONE CAMPBELL, SSS,
Executive Director,
NETWORK Lobby for Catholic Social Justice.

Ms. LOFGREN. Mr. Speaker, the bill also refers to felony drug offenses. That includes, actually, use of drugs repeatedly that is lawful in the State where it has been approved, but still unlawful under Federal law.

That means, for example, in California, the voters of California first approved medical marijuana, and then marijuana more broadly. Groups of cancer patients take marijuana, and also epilepsy sufferers, to assist in their medical condition. Under this bill, those individuals who are repeatedly using marijuana in groups of five or above would be a criminal gang.

Sections 2(b) and 2(c) of the bill authorize DHS officers and immigration judges to deport any immigrant, including lawful permanent residents of the United States, without requiring a conviction or even an arrest.

Instead, the DHS would rely on evidence as minimal as the color of a person's shirt, the neighborhood they live in, the individual in their family, the belief of the officer. This is not just unreasonable, it is probably unconstitutional.

Now, Chairman GOODLATTE had an amendment that apparently recognized this fact, but it only fixes one part of the problem. His amendment, which would be effectuated through adoption of the rule, eliminates the extremely low reason-to-believe standard with respect to deportation, which applies, of course, to permanent residents and other immigrants in the United States.

But even with this amendment, the bill authorizes the broad deportation of noncriminals, including religious workers, and, as I say, users of medical marijuana. And here is the other kicker: it could deny admission, without any review, to anyone who is suspected of doing a thing outlined in the bill, for example, using marijuana or a religious worker harboring someone who is undocumented.

How would that work? If you are a legal permanent resident of the United States and you go visit your family in another country, when you try to come back in, you are stopped, and you are denied readmission, even if you have been here 10, 20, 30 years, and there is no appeal. You are out of luck.

That is not fighting MS-13. That is not about gang reduction. That is really an overreach on this bill that none of us should agree with.

There is another way this would work, which is an adjustment of status. Let's give this example: your son marries a woman from another country who is here on a legal visa, but she is part of a church that is providing sanctuary for a DREAMer. She is, therefore, suspected as being part of this criminal gang, a group of five or more, that is harboring this undocumented person.

When your son goes to petition for his now-wife to become a legal permanent resident, she is going to be denied, and it is a reasonable-belief standard, not the higher standard that Mr. GOODLATTE has tried to impose. There is no hearing. There is no appeal on that. Your daughter-in-law, and probably your son, are going to have to leave the country, and your grandchildren raised in another country.

This is really not the American way. It is unproductive. It doesn't keep us any safer, and it doesn't do anything about MS-13.

I would hope that we could vote "no" on this rule and that we could, instead, sit down together, reason together, come up with a plan that actually does something about gang violence.

I am sure that, if we work together, we could come up with a bill that meets the requirements of the Constitution; that is targeted towards gang members, not nuns; and that actually makes our country safer.

Mr. Speaker, I thank Mr. HASTINGS for allowing my comments on this. I think the bill is mistitled, and it would be a mistake to allow it to proceed without further changes.

Mr. COLLINS of Georgia. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I rise today in support of this rule and the underlying legislation, H.R. 3697, the Criminal Alien Gang Member Removal Act.

I want to thank Chairman GOODLATTE and my fellow Judiciary Committee colleagues for prioritizing cracking down on illegal immigration in the committee this year. All the time, I hear from constituents who are frustrated by this country's unwillingness to address our illegal immigration problem. They are also fed up with hearing politicians promise to do something about it, only to offer excuses later.

Mr. Speaker, I believe this Congress and this administration have shown, over the last 9 months, that we are willing to do something about illegal immigration, and this legislation is a great example of our commitment to addressing this problem.

When it comes to cracking down on illegal immigration, I believe most of us agree that we should start by targeting dangerous criminals who put Americans at risk. H.R. 3697 is a commonsense measure that does just that by amending existing law to combat gang violence by criminal aliens.

Many Americans may hear this and wonder: "What gang violence?" The most notorious Latin-American gang is known as MS-13, which began in the 1980s, and has grown to an estimated 8,000 members in the United States. They have a violent history of organized crime in the areas of drug trafficking, kidnapping, human smuggling, sex trafficking, murder, assassinations, blackmail, and extortion.

To give you an idea of just how violent MS-13 is, the English translation of their motto is: "Kill, steal, rape, control."

Mr. Speaker, gangs of criminal aliens are terrorizing American communities, and it is our responsibility to do something about it. H.R. 3697 will amend the law to finally make a person's history of involvement in a criminal gang

grounds for inadmissibility into this country—that means involvement in drugs, sex trafficking, kidnapping, murder, or any other awful crime spelled out in the law.

□ 1245

This bill would also allow law enforcement agents to automatically detain and deport anyone found to be a criminal alien gang member.

Our first priority must be to keep Americans safe. Our laws and policies should reflect our commitment to this responsibility. H.R. 3697 makes it crystal clear that criminal alien gang members are not welcome in this country, and if they should find themselves here, we are dedicated to getting them off the street.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up H.R. 3440, the DREAM Act. This bipartisan, bicameral legislation would help thousands of young people who are Americans in every way except on paper.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. BARTON). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. SÁNCHEZ) to discuss our proposal. My good friend is the distinguished vice chair of the Democratic Caucus.

Ms. SÁNCHEZ. Mr. Speaker, today's bill that is on the floor is nothing more than a harsh measure that seeks to cast a broad net and cast immigrants in general in a poor light by labeling them criminals based on the suspicions but not the actual facts. What is more, this harsh and reckless measure provides virtually no procedural safeguards for people to challenge a police officer's opinion as to whether or not they are involved in a gang. A mere suspicion can mean that somebody can be facing removal.

Instead of dealing with such draconian legislation, we should really be talking about the positive contributions that immigrants make to this country and the fact that we have over 800,000 DREAMers in this country who are waiting for this Congress to act. They have been hoping and they have been waiting for years for this Congress to provide a legislative solution to allow them to continue to live in their communities, to contribute to the economy, to pay taxes, and to be a part of a country that they consider their own.

Many of these DREAMers were brought to this country as children, and they had no say in the matter. They speak the language here, not even

that of their home countries of birth. Many of them have no families or ties there. Many of them are outstanding students who are studying law, medicine, and engineering. They want to put their talents to work for this country, and yet here today we are talking about a bill that would basically seek to condemn all immigrants as gang members and try to deport them as quickly as possible.

Mr. Speaker, I include in the RECORD a letter by the U.S. Conference of Catholic Bishops in opposition to the bill that we are debating today and in support of allowing DREAMers a legislative path to remain in this country, to continue to serve in the military to fight and die for this country, to put their God-given natural talents to work to pay into the system, and to generate good economic results.

COMMITTEE ON MIGRATION, MIGRATION AND REFUGEE SERVICES, USCCB,

Washington, DC, September 12, 2017.

DEAR REPRESENTATIVE: I write on behalf of the U.S. Conference of Catholic Bishops' Committee on Migration (USCCB/COM) to express our serious concern regarding H.R. 3697, the "Criminal Alien Gang Member Removal Act," which is being considered by the full House for a vote this Wednesday, September 13, 2017. We urge you to reject H.R. 3697 as it is a very broad bill that could contribute to victims of criminal gangs facing detention and being barred from seeking protection in the U.S.

The Catholic Church has significant interest in the protection of vulnerable immigrants and asylum seekers. The Catholic Church's work in assisting immigrants stems from the belief that every person is created in God's image and should be treated with dignity and compassion. While the Catholic Church recognizes governments' sovereign right to control their borders, we believe this right should be balanced with the right of immigrants to access safety and due process. Jesus himself was a migrant, and the Holy Family, a migrant family fleeing persecution from King Herod. The USCCB works to fulfill the teachings of the Church on migration through our work providing resettlement services to refugees, services to unaccompanied immigrant children, and case management services to human trafficking victims in the United States.

Violence in El Salvador, Honduras, and Guatemala (the Northern Triangle of Central America) remains the primary force driving citizens to flee and seek protection. We have seen firsthand from our work with unaccompanied children and their families the increasing threat posed by gangs and forcible gang recruitment in the Northern Triangle. Moreover, the United Nations' refugee-protection agency (UNHCR) found that the majority of children fleeing the Northern Triangle "were forcibly displaced because they suffered or faced harms that indicated a potential or actual need for international protection." Alarmingly, however, H.R. 3697, would deny critical protection to many of these children and their families.

H.R. 3697 establishes both an expansive definition of "criminal gang" and a low threshold for association with such a group. The bill allows those whom the government merely has "reason to believe" have ever been gang members or those who have participated in any activities of a designated group as inadmissible, deportable and subject to mandatory detention. Additionally, because of such a perceived "association" by

the government, these individuals would be unable to access several vital forms of legal relief, including asylum, Temporary Protected Status, and Special Immigrant Juvenile Status.

Given these severe consequences, we are particularly concerned that H.R. 3697 provides no exemption for children or other individuals who were victims of gangs and or individuals who were forced to engage in gang-related activities under duress. We fear that under H.R. 3697 there will be victimized children who will be considered “associated” with criminal gangs. This concern is reinforced by the stories of the children we serve daily. They are children like Mariana who was 16 when the local gang began to target and harass her in her home country of El Salvador. Mariana lived in constant fear after the gang began to threaten her and her family, ultimately forcing her to smuggle a package of drugs to another neighborhood in El Salvador. After this incident, Mariana fled to the U.S. to escape the growing daily threat of the gang and also to avoid forcible recruitment. Mariana is living with her mother now while she complies with her immigration proceedings. Sadly, we know Mariana is just one of many children from the Northern Triangle trying to flee gang violence. H.R. 3697 would deny such children safety, forcibly returning them to situations where their wellbeing and even their lives would be at risk.

We should not be turning our back on children and families who have fallen victim to and are fleeing from the very criminal organizations which our country is so diligently working to eradicate. Rather, these victims are deserving of our compassion, care, and protection and should be encouraged to tell their stories so that we may adequately bolster our prevention and child protection work. Our committee understands and appreciates your commitment to the safety and security of our nation. H.R. 3697, however, is not the answer. We must resist the urge to mischaracterize and mislabel victims in search of a safe haven. We urge you to reject H.R. 3697 and instead work towards immigration reform that addresses root causes and safe repatriation and integration. And we pray that the all victims of criminal gangs—regardless of their immigration status—find peace and justice.

Sincerely,

Most Rev. JOE S. VÁSQUEZ,
Chairman, USCCB Committee on Migration.

Ms. SÁNCHEZ. Mr. Speaker, if you look at the class of DREAMers today that contribute to this country, many of them work and go to school. Many of them are breadwinners for their families. They want to stay, and yet we have given them no opportunity to do so. They are patriotic, they are talented, and what they contribute to our country economically is tremendous.

If you think about the number of DREAMers who have bank accounts, who have credit cards, and who purchase goods that are produced here in the United States, to simply embark on a path of mass deportations isn't going to help our economy, and it is going to rip apart these families.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS. Mr. Speaker, I yield the gentlewoman from California an additional 30 seconds.

Ms. SÁNCHEZ. Speaker RYAN and House Republicans need to decide whether they will be complicit in the

Trump administration's cowardly assault on DREAMers and immigrants or whether they will join the overwhelming majority of Americans in calling on Congress to protect these courageous and patriotic young people from the Trump administration's mass deportation agenda.

Mr. Speaker, I ask my colleagues to please vote “no” on the underlying bill and please stop giving lip service to these talented young people. Provide them with a path to hope and a path to be able to contribute to this country.

Mr. COLLINS of Georgia. Mr. Speaker, I would advise my friend from Florida that I have no more speakers on this side, and I am ready to close.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I include in the RECORD statements in opposition to H.R. 3697 by the American Civil Liberties Union, the Asian Americans Advancing Justice, the Service Employees International Union, and the National Hispanic Leadership Agenda.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, September 12, 2017.

Re vote “no” on H.R. 3697, the “Criminal Alien Gang Member Removal Act”.

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union (ACLU) and our nearly two million members and supporters, we urge members of the House to oppose H.R. 3697 which is expected to be brought up for a floor vote as early as Thursday, September 14.

The American Civil Liberties Union recommends a NO vote on this bill because it will promote widespread racial profiling, violate First Amendment protections, expand mandatory detention of immigrants, raise serious constitutional questions on judicial review of government designations of certain groups, and bar humanitarian relief for individuals in violation of international treaties.

H.R. 3697 will promote widespread racial profiling, risking violation of individuals' Fifth Amendment equal protection rights.

H.R. 3697 will empower the immigration authorities to conduct dragnet sweeps of Latino communities and other communities of color. Media reports make clear that law enforcement has recently relied on questionable and unreliable evidence to assert that Latino individuals are gang members, including wearing certain kinds of clothes or doodling an area code from a Latin American country on a school notebook. Officers have alleged gang membership sometimes based on merely being seen with people who are alleged gang members or living in neighborhoods known to suffer gang activity. This bill gives DHS the latitude to arrest, detain, and deport noncitizens including long-time green card holders for the “crime” of living in an immigrant neighborhood or showing pride in their countries of origin.

Gang databases information-sharing arrangements between local law enforcement and federal immigration authorities are flawed, inaccurate, encourage biased policing, and have been repeatedly shown to be unreliable. Gang databases have extremely low thresholds for inclusion: simply living in a neighborhood where there are gang members or talking to people who are gang members often results in a young person being placed in a gang database. An audit of California's gang database CalGangs found that law enforcement could not substantiate a significant proportion of their entries into

the gang database. Reliance on gang databases will only further encourage racial profiling of young men of color living in poor neighborhoods.

H.R. 3697 seeks to deport immigrants based on a mere “reason to believe” that they have been involved in gang activities. This overly broad designation could sweep up individuals who have not engaged in criminal activity. Indeed, in many cases, H.R. 3697 could make immigrants deportable for activities protected by the First Amendment.

H.R. 3697 subjects an individual to deportation if the Secretary of Homeland Security or Attorney General “knows or has reason to believe” that an individual is a gang member. A person is also subject to deportation, if, the individual has “participated in the activities” of the “gang” knowing or having reason to know that their activities will “promote, further, aid or support” the illegal activity. This expansive language could sweep up people who have committed no criminal activity whatsoever.

Even worse, H.R. 3697 risks making people deportable for activities that are constitutionally protected under the First Amendment.

“Reason to believe” is an exceedingly low standard of proof that will subject people to deportation based on mere probable cause of gang involvement. This is especially troubling given the lack of strict rules of evidence in immigration court, where individuals may be deemed gang members based on hearsay.

H.R. 3697 includes no exception for offenses committed as a juvenile. However, the Supreme Court has recognized the broad legal consensus that juveniles should be held to different standards of culpability.

H.R. 3697 also includes no exception for having “participated in the activities of a gang under duress, which is a well-recognized defense against criminal conduct. Many vulnerable individuals may have “participated in the activities” of a gang under coercion, including for fear of their lives or those of their family members. It raises serious due process concerns to subject individuals to removable based on such conduct.

H.R. 3697 grants the Department of Homeland Security massive discretion to designate a group as a “criminal gang”, based on secret evidence, and without meaningful judicial review, which raises serious constitutional questions.

H.R. 3697 creates a vague and overbroad definition of a “criminal gang” that sweeps in lawful and constitutionally protected conduct.

H.R. 3697 grants the Secretary of Homeland extraordianarily broad discretion to designate a group a “criminal gang”, based on “classified” or ex parte evidence that the designated individuals may not access, even in a court challenge. The Government's ability to rely on secret evidence to make and defend the gang designation raises serious due process concerns.

H.R. 3697 also bars individuals from “rais[ing] any question concerning the validity of [a gang designation]” in their own removal proceedings.

H.R. 3697 provides little to no opportunity to challenge for those unjustly subject to a gang designation. A group cannot petition for revocation for two years after the designation, during which time alleged members cannot challenge the validity of that designation in removal proceedings—thereby punishing and deporting individuals over facts they cannot challenge. Similarly, groups have 30 days to file a legal challenge to the designation in court, but that judicial review cannot prevent other pieces of the act from moving forward, such as removal proceedings, until there is a final order from the

court. Whether petitioning for revocation or challenging a designation in court, this act has the effect of punishing and removing individuals without providing sufficient options for recourse or redress.

H.R. 3697 bars important forms of humanitarian relief for individuals fleeing persecution and children facing situations of abuse, which violates U.S. treaty obligations and raises serious constitutional concerns.

At the same time, H.R. 3697 bars individuals accused of gang involvement from asylum and withholding of removal, thus stripping individuals fleeing persecution—including potentially thousands of individuals fleeing gang violence in Central America—from refuge in the United States. H.R. 3697 thus violates U.S. obligations under the Refugee Convention and the international law prohibition of nonrefoulement, or the return of individuals to situations where they will face persecution or torture.

H.R. 3697 would also strip children accused of gang involvement of eligibility for Special Immigrant Juvenile Status (SIJS), which provides immigration relief to children facing abuse and neglect. To deport these children would be cruel and irrational when many of the children applying for SIJS have come to the U.S. to flee gang violence in Central America.

H.R. 3697 irrationally strips individuals of Temporary Protected Status (TPS) which is an important humanitarian protection for noncitizens.

H.R. 3697 expands the scope of mandatory detention, in violation of the Fifth Amendment's Due Process Clause.

H.R. 3697 would require the mandatory detention of immigrants accused of gang involvement, without the basic due process of a bond hearing to determine if the person even needs to be locked up in the first place.

H.R. 3697 would impose mandatory detention on individuals who seek asylum at a port-of-entry—many of whom are fleeing gang violence in Central America—by eliminating parole for asylum seekers accused of gang ties.

The detention provisions raise serious due process concerns. As the Supreme Court has held, “[i]n our society, liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.” Although the Supreme Court has upheld limited periods of mandatory immigration detention where Congress found certain categories of noncitizens to pose a heightened flight risk or risk to public safety, H.R. 3697 sweeps far beyond what is constitutionally permissible.

Separate from any relationship with gang affiliation, the TPS-specific provisions of the legislation revise the statute to allow the government to detain noncitizens with TPS “whenever appropriate under any provision of law.” This potentially raises the specter that noncitizens who have been granted protection by our government could languish in detention for prolonged periods of time, in violation of due process.

The detention provisions are a massive waste of taxpayer dollars. The immigration authorities already have full authority to detain any individual pending a removal proceeding. Individuals remain in detention unless they meet their burden of proving, either to an immigration judge at a bond hearing or to an ICE office make a parole determination, that they pose no flight risk or danger to the community.

For the above reasons the ACLU urges a NO vote on H.R. 3697, the “Criminal Alien Gang Removal Act.”

Regards,

FAIZ SHAKIR,
Director, Washington
Legislative Office.

LORELLA PRAELI,

Director of Immigration Policy and Campaigns.

ASIAN AMERICANS
ADVANCING JUSTICE.

VOTE “NO” ON H.R. 3697 “CRIMINAL ALIEN GANG MEMBERS REMOVAL ACT”

DEAR MEMBER OF CONGRESS: Asian Americans Advancing Justice—AAJC urges you to vote NO on H.R. 3697, the Criminal Alien Gang Members Removal Act. H.R. 3697 is unnecessary and would criminalize immigrants without any due process protections. Department of Homeland Security personnel would have broad authority to designate someone as a gang member without adequate justification or due process.

Additionally, it is shameful that this bill is going to the house floor but the DREAM Act is not. Congress should not vote on any immigration legislation until the Dream Act is signed into law. Less than a week ago, President Trump crossed a moral line in terminating the DACA program and leaving 800,000 immigrant youth vulnerable to deportation. When DACA is fully terminated on March 5, 1,400 Dreamers a day will lose their ability to work legally and stay in the United States. Congress must act to protect immigrant youth immediately—not to endorse legislation that promotes racial profiling and further criminalizes immigrant youth.

H.R. 3697 creates an overly broad definition of a “criminal gang” by allowing DHS to designate any individual as a gang member. This bill raises a host of due process concerns. It would allow ICE to target people who may or may not appear to be in a gang and charge all those who seem in any way connected to the individual members of the gang.

This bill includes new expansive powers to deport and block individuals from entering the U.S. and requires mandatory detention of anyone suspected of being in a gang. This bill bars individuals from asylum, withholding of removal, TPS, and SIJS. The mandatory bar would result in individuals who only have a vague connection to a potential gang member being barred from live-saving protection in the U.S.

Children arriving unaccompanied from Central America are fleeing gang violence, not bringing it. Skyrocketing levels of gender, family, and gang violence in these countries leave youths with no choice but to flee or face gang recruitment, sexual and gender-based atrocities, or murder. The United Nations refugee agency has found that the majority of children coming to the southern border merit protection under international law.

Members of Congress cannot say they support Dreamers and at the same time vote for measures like H.R. 3697 that scapegoats immigrant kids as criminals. Please vote NO on H.R. 3697.

SERVICE EMPLOYEES
INTERNATIONAL UNION,

Washington, DC, September 13, 2017.

DEAR REPRESENTATIVE: On behalf of the two million members of the Service Employees International Union (SEIU), I urge you to oppose H.R. 3697, the Criminal Alien Gang Member Removal Act.

The bill includes an overbroad definition of gangs and gang membership that would extend to efforts by good samaritans to help immigrants in need. It also fails to establish adequate due process standards to allow groups that are falsely identified as gangs to challenge the designation. Furthermore, it would require mandatory detention and would eliminate core immigration relief for persons that the Department of Homeland

Security or the Department of Justice “has reason to believe” may be a gang member. Those affected are likely to include many gang victims who often are erroneously included in gang databases.

In addition to being far too broad, H.R. 3697 would do little to reduce gang activity and could actually be counterproductive. The bill focuses on driving immigrants further underground, but that will make community policing and proven gang prevention activities harder, and the bill will have no impact on the majority of gang members who are U.S. citizens.

We therefore strongly urge a no vote on H.R. 3697, and may include this vote on our legislative scorecard.

Sincerely,

JOHN GRAY,
Legislative Director.

NATIONAL HISPANIC
LEADERSHIP AGENDA,

Washington, DC, September 12, 2017.

Re NHLA Opposition to H.R. 3697, Criminal Alien Gang Member Removal Act.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: We write on behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of 45 leading national Latino nonpartisan civil rights and advocacy organizations, to strongly urge you to vote against H.R. 3697, Criminal Alien Gang Member Removal Act. This bill further entrenches a national narrative that immigrants and Latinos are criminals. To vote on this bill on the heels of the President’s decision to rescind the Deferred Action for Childhood Arrivals program sends a clear message to our communities that we are unwelcome. NHLA recommends a “no” vote on H.R. 3697, and any similar legislation, including amendments and cloture votes. NHLA will closely monitor any votes on these matters for inclusion in future NHLA scorecards evaluating Member support for the Latino community.

The purpose of legislation like this is to categorize immigrants and Latinos as dangerous criminals, by making sweeping, false generalizations and assumptions about these populations. Studies repeatedly have shown that immigrants are less likely to be incarcerated than native-born Americans, less likely to commit crimes, and less likely to be repeat offenders. Meanwhile, the damage to immigrant and Latino communities is clear. Latinos are already reporting fewer crimes in major cities as a result of the toxic political rhetoric against Latinos and immigrants under the current administration. This proposal only serves to paint immigrants and Latinos with a broad brush as gangsters and lawbreakers.

H.R. 3697 creates a new definition under the Immigration and Nationality Act for the term “criminal gang,” and would severely penalize individuals determined by the Secretary of the Department of Homeland Security or the Attorney General to allegedly be a member of a criminal gang. This is troubling legislation for a few reasons. The expansive definition of what constitutes a “criminal gang” and “criminal gang activity” in this bill will open the door to racial profiling and lead to the criminalization of individuals who have never supported criminal behavior. The bill empowers government officials to arrest, detain, and deport any non-citizens, even lawful permanent residents, who have not been found guilty of any crime under the law, raising serious due process concerns. H.R. 3697 sets an alarmingly low evidentiary standard, whereby government officials can deport non-citizens who they “know or have reason to believe” are gang-involved. Another due process concern is that once a non-citizen receives a

gang-classification, they may be unable to apply for any legitimate relief. For example, one would be disqualified from applying for Temporary Protected Status or Special Immigrant Juvenile Status, even in cases where the child was forced to join a gang at gunpoint, as is often the case with minors fleeing Central America.

For people fleeing gender-based violence, which is occurring with much more frequency in Central America, barriers to forms of relief or protection are particularly acute as many are often forced to join gangs to save their lives.

H.R. 3697 sends a dangerous message to the country in a time when our elected officials must be standing against nativist messages, not catering to them. This bill does nothing but criminalize immigrants and bar those who have credible asylum claims from the safe haven they need. To the extent Congress seeks to address the issue of gangs in the U.S. and abroad, it must do so after careful study and with smart policy. H.R. 3697 is neither well studied nor smart. Rather, it is a misguided effort to broaden the scope of those who will be accused of gang membership and to prohibit future relief from individuals based merely on association or unreliable indicators of gang membership, or to those who were forced into gang membership under duress. Those who have never been convicted, those who are not gang members, and even those who have been extorted in an effort to save a loved one's life will be punished. In the process, immigrants and Latinos will continue to suffer the brutal consequences of policies that criminalize our communities and stereotype our people as nothing more than gang members. It is clear that this bill is intended to further demonize immigrants and will not serve to make communities safer, especially considering that law enforcement already has mechanisms in place to track gang activity.

This Congress has not only shirked its responsibility to effectively address the problems with our broken immigration system, but it is consistently moving our country in the wrong direction by fostering space for dangerous and xenophobic rhetoric and policy. Nonetheless, this body can truly make meaningful change in the immigration landscape by supporting efforts to provide a path to citizenship for undocumented immigrants like DREAMers who have contributed so much to our country.

We urge you to vote no on H.R. 3697. Thank you for your time and consideration.

Sincerely,

THOMAS A. SAENZ,
MALDEF, President
and General Counsel,
NHLA Immigration
Committee Co-Chair.

JOSE CALDERÓN,
Hispanic Federation,
President, NHLA Immigration
Committee Co-Chair.

Mr. HASTINGS. Mr. Speaker, my friend on the other side of the aisle is a multitalented person. In addition to his curriculum vitae, he carries with him the mantle of being a man of the cloth. I know he knows Matthew 25:35. It is oft quoted, and we do well to remember it. Among the things that are said in that verse are: "For I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me." This sentiment must be our guiding principle, our North Star, as we work to repair our broken immigration system.

Today's bill is in total opposition to this sentiment as it works to demonize, with one broad, careless, and probably unconstitutional stroke, an entire group of people, the vast majority of whom simply wish to find refuge from immense hardship in their country of origin.

My Republican friends should take yet another in a long line of legislative mulligans on this bill and come to the table ready to work in a sensible way to fix our immigration system. I would suggest they could start by bringing the DREAM Act to the floor for an up-or-down vote.

Mr. Speaker, I urge a "no" vote on the rule and the underlying bill, and I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I believe today's debate has made this very clear. We are talking about gang members from some of the most violent gangs in the world. We are talking about removing members of those gangs that are in this country and are attempting to come to this country illegally.

We are a nation of laws. It is our duty to uphold those laws and to strengthen those laws when necessary. This is a time when it is necessary.

We are not talking about singling out certain community groups, religious groups, or law-abiding citizens as someone said on the other side or would have you believe. We are talking about strengthening and enforcing our laws against known criminal alien gang members who are putting our communities at risk and threatening our citizens and legal residents.

The Federal Government's highest responsibility is to protect the safety of our Nation and the American people. Cracking down on illegal criminal alien gang members is one critical way we can do that.

The Criminal Alien Gang Member Removal Act takes important strides to better combat gang violence, and I look forward to supporting this rule and the underlying bill to strengthen public safety and uphold the rule of law.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to the Rule governing debate of H.R. 3697, the "Criminal Alien Gang Member Removal Act of 2017", and the underlying bill.

I oppose this unwise and irresponsible legislation because regular order was not observed in bringing this bill to the floor, the bill contains several constitutional and procedural defects, and is an unnecessary diversion and distraction from the real issues facing the American people.

As Ranking Member of the House Judiciary Crime Subcommittee, I am highly disappointed that this bill was rushed to the floor without any thorough and thoughtful consideration by the Judiciary Committee.

In particular, there was no markup or hearing on this legislation that has such wide ranging and profound effect on a mass scale.

This bill extends the definition of "criminal gangs" as defined under 18 USC section 521,

and amends the INA to now include a definition for criminal gangs as:

An ongoing group, club, organization, or association of 5 or more persons that has as one of its primary purposes the commission of certain listed offenses, including:

—a felony drug offense, including felony simple possession of marijuana (this would impact high school kids who may gather to smoke marijuana);

—bringing in and harboring certain aliens (this would cover sanctuary sites like churches that aid undocumented immigrants);

—identity fraud offenses (including knowingly possessing a false identity document);

—crimes involving obstruction of justice; and burglary.

A bill of this nature where the consequences are so severe to many innocent parties, including a 13 or 14 year old juvenile, demands a more robust dialogue with a prudent and judicious approach.

As legislators on the Judiciary Committee, we argue vigorously on behalf of the American people, as is the case in any other Committee; and in doing so, we will sometimes disagree.

So to suggest that we would not have been able to debate the merits of this bill, so instead bypass the regular process is disheartening.

Are we passionate about the issues that impact our legislative process, governance, and the American people? Yes we are! And we will continue to probe vigorously, as a legislative body having jurisdiction, notwithstanding the subject matter.

We will not stay quiet as to not offend a few when so many issues with catastrophic consequences may result if we don't speak up.

So Mr. Speaker I make no apologies for doing my job and questioning where necessary on behalf of the American people.

We should be having vigorous debate on matters such as jobs, schools, health care, victims of Charlottesville, victims of climate change, building bridges, healing broken communities, and bringing this country together for 'all' the American people, we are instead debating a damaged bill in order to advance the President's campaign promise on mass deportation, thus, distracting us from the people's business. We are also uniting in protecting the American people against violent crime.

I care deeply about crime as Ranking Member of the Judiciary Crime Subcommittee, thus, if we want to have that debate here on the floor, let's have a wholesome conversation.

The FBI reports some 33,000 violent street gangs, motorcycle gangs, and prison gangs with about 1.4 million members that are criminally active in the U.S. and Puerto Rico today.

Many are sophisticated and well organized; all use violence to control neighborhoods and boost their illegal money-making activities, which include robbery, drug and gun trafficking, prostitution and human trafficking, and fraud.

Striking, for this conversation, in these 33,000 street gangs, a significantly larger percentage were non illegal immigrants, as this bill's objective purports.

Some of those street gangs include: 211 Crew, American Front, Aryan Brotherhood of Texas, Aryan Circle, Aryan Nation, Aryan Republican Army, Born to Kill, Dead Man Incorporated, European Kindred, just to name a few here that are mainly white supremacist

gang groups. We could go on, as gangs are found everywhere, in almost every ethnic group.

As a result, I oppose this Rule and the underlying bill for several reasons; first, it has a discriminatory effect in targeting the immigrant community by criminalizing immigration, and thereby, raises due process and racial profiling concerns.

I offered an amendment which would have cured this defect by requiring a uniform legal standard in the Secretary of Homeland Security's designation of 'criminal street gang' for purposes of ICE enforcement.

Based on the government's own data via the FBI, it is clear that criminal street gangs are not exclusively limited to the immigrant community.

Second, I oppose this Rule because the bill has a sweeping effect that will criminalize and/or deport anyone remotely connected to a supposed gang member, even where there is no conviction and alarmingly, no arrest.

My second amendment would raise the standard of proof from a mere belief that someone is associated with a criminal street gang, to clear and convincing evidence.

This bill lacks a constitutional construct for how Homeland Security is to determine its designation of a 'criminal street gang'.

That is why I offered my third amendment, which would have required a uniform legal standard which will govern the identification of Criminal Street gang members for purposes of ICE enforcement.

According to this bill, 'any' immigrant, including minors, such as a 13 or 14 year old juvenile, would be subject to the harsh penalties of detention and deportation.

If we begin to criminalize people merely for their associations, then we are heading down a terribly dark road. Statistics show that the brain does not fully develop until the age of 25, and thus to punish juveniles for the mere associations they may have, is a bad idea and bad legislation.

According to the Office of Juvenile Justice and Delinquency Prevention recent report, nationally, 48,043 juvenile offenders were held in residential placement facilities as of October 28, 2015.

Due to this bill's vague nature, it would add to that alarming number, and further complicate mass incarceration.

This bill would capture individuals, even those with permanent residence status, so long as the government believes the individual is associated with a criminal street gang.

My amendments attempted to fix some of the glaring defects in this bill. In its current form, the bill is bad for our country and does not keep our communities safe, but instead does the opposite.

For all the reasons stated above, I oppose this Rule and the underlying bill.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 513 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-

term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member

who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 184, not voting 27, as follows:

[Roll No. 486]

YEAS—222

Abraham	Collins (GA)	Goodlatte
Aderholt	Collins (NY)	Gosar
Allen	Comer	Gowdy
Amash	Comstock	Granger
Amodei	Conaway	Graves (GA)
Arrington	Cook	Graves (LA)
Babin	Costello (PA)	Griffith
Bacon	Cramer	Grothman
Banks (IN)	Crawford	Guthrie
Barletta	Culberson	Handel
Barr	Davidson	Harper
Barton	Davis, Rodney	Harris
Bergman	Denham	Hartzler
Biggs	Dent	Hensarling
Bilirakis	DeSantis	Herrera Beutler
Bishop (MI)	DesJarlais	Hice, Jody B.
Bishop (UT)	Donovan	Higgins (LA)
Black	Duffy	Hill
Blackburn	Duncan (SC)	Holding
Blum	Duncan (TN)	Hollingsworth
Bost	Dunn	Hudson
Brady (TX)	Emmer	Huizenga
Brat	Estes (KS)	Hultgren
Brooks (AL)	Farenthold	Hunter
Brooks (IN)	Faso	Hurd
Buchanan	Ferguson	Issa
Buck	Fitzpatrick	Jenkins (KS)
Bucshon	Fleischmann	Jenkins (WV)
Budd	Flores	Johnson (LA)
Burgess	Fortenberry	Johnson (OH)
Byrne	Fox	Johnson, Sam
Calvert	Franks (AZ)	Jones
Carter (GA)	Frelinghuysen	Jordan
Carter (TX)	Gaetz	Joyce (OH)
Chabot	Gallagher	Katko
Cheney	Gianforte	Kelly (MS)
Coffman	Gibbs	Kelly (PA)
Cole	Gohmert	King (IA)

King (NY)	Newhouse	Smith (MO)	Walz	Waters, Maxine	Wilson (FL)	Murphy (PA)	Roskam	Tipton
Kinzinger	Noem	Smith (NE)	Wasserman	Watson Coleman	Yarmuth	Newhouse	Rothfus	Trott
Knight	Norman	Smith (NJ)	Schultz	Welch		Noem	Rouzer	Turner
Kustoff (TN)	Nunes	Smith (TX)			NOT VOTING—27	Norman	Royce (CA)	Upton
Labrador	Olson	Smucker				Nunes	Russell	Valadao
LaHood	Palazzo	Stefanik	Bridenstine	Garrett	Posey	Olson	Sanford	Wagner
LaMalfa	Paulsen	Stewart	Castor (FL)	Graves (MO)	Rooney, Francis	Palazzo	Schweikert	Walberg
Lamborn	Pearce	Stivers	Clyburn	Lawson (FL)	Ros-Lehtinen	Palmer	Scott, Austin	Walden
Lance	Perry	Taylor	Costa	Loudermilk	Ross	Paulsen	Sensenbrenner	Walker
Latta	Pittenger	Tenney	Crowley	Maloney,	Rutherford	Pearce	Sessions	Walorski
Lewis (MN)	Poliquin	Thompson (PA)	Curbelo (FL)	Carolyn B.	Scalise	Pittenger	Shimkus	Walters, Mimi
LoBiondo	Ratcliffe	Thornberry	DeLauro	McEachin	Tiberi	Poliquin	Shuster	Weber (TX)
Long	Reed	Tipton	Demings	Mitchell	Webster (FL)	Reed	Simpson	Wenstrup
Love	Reichert	Trott	Diaz-Balart	Palmer		Reichert	Smith (NE)	Westerman
Lucas	Renacci	Turner	Engel	Poe (TX)		Renacci	Smith (NJ)	Williams
Luettkemeyer	Rice (SC)	Upton				Rice (SC)	Smith (TX)	Wilson (SC)
MacArthur	Roby	Valadao				Roby	Smucker	Wittman
Marchant	Roe (TN)	Wagner				Roe (TN)	Stefanik	Womack
Marino	Rogers (AL)	Walberg				Rogers (AL)	Stewart	Woodall
Marshall	Rogers (KY)	Walden				Rogers (KY)	Stivers	Yoder
Massie	Rohrabacher	Walker				Rohrabacher	Taylor	Yoho
Mast	Rokita	Walorski				Rokita	Tenney	Young (AK)
McCarthy	Rooney, Thomas	Walters, Mimi				Rooney, Thomas	Thompson (PA)	Young (IA)
McCaul	J.	Weber (TX)				J.	Thornberry	Zeldin
McClintock	Roskam	Westerman						
McHenry	Rothfus	Westerman						
McKinley	Rouzer	Westerman						
McMorris	Royce (CA)	Williams						
Rodgers	Russell	Wilson (SC)						
McSally	Sanford	Wittman						
Meadows	Schweikert	Womack						
Meehan	Scott, Austin	Woodall						
Messer	Sensenbrenner	Yoder						
Moolenaar	Sessions	Yoho						
Mooney (WV)	Shimkus	Young (AK)						
Mullin	Shuster	Young (IA)						
Murphy (PA)	Simpson	Zeldin						

NAYS—184

Adams	Gallego	Napolitano	Abraham	Denham	Hurd	Adams	Gomez	Pallone
Aguilar	Garamendi	Neal	Aderholt	Dent	Issa	Aguilar	Gonzalez (TX)	Panetta
Barragán	Gomez	Nolan	Allen	DeSantis	Jenkins (KS)	Barragán	Gottheimer	Pascrall
Bass	Gonzalez (TX)	Norcross	Amash	DesJarlais	Jenkins (WV)	Bass	Green, Al	Payne
Beatty	Gottheimer	O'Halleran	Amodei	Donovan	Johnson (LA)	Beatty	Green, Gene	Pelosi
Bera	Green, Al	O'Rourke	Duffy	Johnson (OH)	Johnson (NY)	Bera	Grijalva	Perlmutter
Beyer	Green, Gene	Pallone	Arrington	Jordan	Clark (MA)	Beyer	Gutiérrez	Peters
Bishop (GA)	Grijalva	Panetta	Babin	Duncan (SC)	Kilmer	Bishop (GA)	Hanabusa	Peterson
Blumenauer	Gutiérrez	Pascrall	Bacon	Duncan (TN)	Connolly	Blumenauer	Hastings	Pingree
Blunt Rochester	Hanabusa	Payne	Banks (IN)	Dunn	Clarke (NY)	Blunt Rochester	Heck	Pocan
Bonamici	Hastings	Pelosi	Barletta	Emmer	Cooper	Bonamici	Higgins (NY)	Polis
Boyle, Brendan F.	Heck	Perlmutter	Raskin	Joyce (OH)	DeFazio	Boyle, Brendan F.	Hoyer	Price (NC)
Brady (PA)	Higgins (NY)	Peters	Rice (NY)	Katko	DeGette	Brady (PA)	Huffman	Quigley
Brown (MD)	Hoyer	Pingree	Barr	Estes (KS)	DeGette	Brown (MD)	Jackson Lee	Raskin
Brownley (CA)	Huffman	Pocan	Barton	Farenthold	DeGette	Brownley (CA)	Jayapal	Rice (NY)
Bustos	Jackson Lee	Polis	Bigin	Johnson, Sam	DeGette	Bustos	Jeffries	Richmond
Butterfield	Jayapal	Price (NC)	Bacon	Jones	DeGette	Butterfield	Johnson (GA)	Royal-Allard
Capuano	Jeffries	Quigley	Banks (IN)	Jordan	DeGette	Capuano	Johnston, E. B.	Ruiz
Carbajal	Johnson (GA)	Quigley	Barletta	Connolly	DeGette	Carbajal	Kaptur	Schneider
Cárdenas	Johnson, E. B.	Raskin	Emmer	Clarke (NY)	DeGette	Cárdenas	Keating	Schroder
Carson (IN)	Kaptur	Richmond	Estes (KS)	Clarke (NY)	DeGette	Carson (IN)	Kelly (IL)	Sánchez
Cartwright	Keating	Rosen	Barr	Katko	DeGette	Cartwright	Kennedy	Sánchez
Castro (TX)	Kelly (IL)	Royal-Allard	Barton	Kelly (MS)	DeGette	Castro (TX)	Khanha	Sarbanes
Chu, Judy	Kennedy	Roybal-Allard	Bigin	Kelly (PA)	DeGette	Chu, Judy	Kihuen	Schakowsky
Cicilline	Khanna	Rush	Bigin	Crist	DeGette	Cicilline	Kildee	Schiff
Clark (MA)	Kihuen	Rush	Bigin	Jordan	DeGette	Clark (MA)	Kilmer	Schneider
Clarke (NY)	Kildee	Ryan (OH)	Black	Connolly	DeGette	Clarke (NY)	Kind	Schroder
Clay	Kilmer	Sánchez	Blackburn	Conyers	DeGette	Clay	Krishnamoorthi	Scott (VA)
Cleaver	Kind	Sánchez	Boxx	Congrey	DeGette	Cleaver	Kuster (NH)	Scott, David
Cohen	Krishnamoorthi	Sánchez	Franks (AZ)	Congrey	DeGette	Cohen	Langevin	Serrano
Connolly	Kuster (NH)	Sánchez	LaHood	Congrey	DeGette	Cohen	Larsen (WA)	Larson (CT)
Conyers	Langevin	Sánchez	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Sewell (AL)
Cooper	Larsen (WA)	Sánchez	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Shea-Porter
Correa	Larson (CT)	Scott (VA)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Sherman
Courtney	Lawrence	Scott, David	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Sinema
Crist	Lee	Serrano	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Sires
Cuellar	Levin	Sewell (AL)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Slaughter
Cummings	Lewis (GA)	Shea-Porter	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Lipinski
Davis (CA)	Lieu, Ted	Sherman	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Smith (WA)
Davis, Danny	Lipinski	Sinema	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Shea-Porter
DeFazio	Loebssack	Sires	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Sherman
DeGette	Lofgren	Slaughter	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Speier
Delaney	Lowenthal	Smith (WA)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Suozzi
DelBene	Lowey	Soto	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Swalwell (CA)
DeSaulnier	Lujan Grisham, Speier	Handel	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Takano
Deutch	M.	Cheney	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Thompson (CA)
Dingell	Lujan, Ben Ray	Conaway	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Thompson (MS)
Doggett	Lynch	Cook	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Titus
Doyle, Michael F.	Maloney, Sean	Costello (PA)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Tonko
Ellison	Matsui	Collins (GA)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Torres
Eshoo	McCormick	Collins (NY)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Tsongas
Espaiplat	McNerney	Comer	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Vargas
Esty (CT)	Meeks	Comer	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Veasey
Evans	Meng	Costello (PA)	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Vela
Foster	Moore	Cramer	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Velázquez
Frankel (FL)	Moulton	Crawford	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Watson, Maxine
Fudge	Velázquez	Culberson	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Watson Coleman
Gabbard	Nadler	Davidson	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Welch
Gabbard	Nadler	Visclosky	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Wilson (FL)
		Davis, Rodney	LaHood	Congrey	DeGette	Congrey	Larsen (WA)	Yarmuth

NOT VOTING—25

Demings	Maloney, Carolyn B.
Diaz-Balart	McEachin
Garrett	McCormick
Holloway	McKinley
Mousley	Gallego
Neal	O'Halleran
Nolan	McKinley
Ortiz	Gallego
Paes	O'Rourke
Perkins	Yarmuth
Perry	Yarmuth
Poe (TX)	Yarmuth

Posey	Ross	Tiberti
Rooney, Francis	Rutherford	Webster (FL)
Ros-Lehtinen	Scalise	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARTON) (during the vote). There are 2 minutes remaining.

□ 1328

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TRIBUTE TO NADEAM ELSHAMAI

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, I proudly rise to pay tribute to a cherished member of my staff, my chief of staff, Nadeam Elshami.

My office, my colleagues, indeed, the entire Democratic Caucus, has benefited from the sharp strategic insight, steady judgment, and exceptional character and integrity of Nadeam Elshami.

Born in Nashville, spent some time in Egypt, earning his college degree in Indiana, Nadeam followed the love of his life, Stacy, to Washington, D.C.

Here, 25 years ago, Nadeam found a job in the Senate mailroom. Now, he departs as a trusted senior adviser who holds one of the top positions on Capitol Hill, who holds the respect of Members on both sides of the aisle, on both sides of the Capitol, and, indeed, even down Pennsylvania Avenue.

Nadeam has been an invaluable asset in every office he has served: for Senator Barbara Boxer; for Assistant Democratic Leader DICK DURBIN; proudly, in our House, for Congresswoman JAN SCHAKOWSKY; and for me, in my office, where he has worked for 10 years.

We are deeply grateful for Nadeam's wise counsel, his skill as a manager, and his grace under pressure in some of the most high-stakes matters to come before the Congress and the American people. He has played a vital role in improving the lives of America's working families. He has distinguished himself with the respect that Members have for his judgment, discretion, and ability.

In conclusion, Nadeam's exceptional service entailed sacrifice, not only from him, but from his beautiful family. We are especially grateful to Nadeam for the patience, love, and support of his wife, Stacy, who is here with us today. Thank you, Stacy. I hope that all the spouses of our staff recognize that recognition for Stacy, which applies to them, as well. And his children, Jena, Noah, and Layla.

Mr. Speaker, I ask my colleagues to please join me in thanking my chief of staff, a man who has served the United States Congress with honor and distinction for more than 25 years: Nadeam Elshami.

TRIBUTE TO NADEAM ELSHAMAI

(Mr. RYAN of Wisconsin asked and was given permission to address the House for 1 minute.)

Mr. RYAN of Wisconsin. Mr. Speaker, it is not often that I say this, but I rise today to agree wholeheartedly with the Democratic leader.

I know that what we do in this Chamber is often portrayed as just nothing but bitterly partisan. But in reality, making this place work, making this institution work, it really actually does depend on cooperation across the aisle every day: between our leaders, between our floor teams, and especially between our chiefs of staff.

I can tell you that Nadeam has always been first class. He can be as formidable as they come, but he is always fair, and he is always straightforward. His word is good, and that really is everything. It sets a tone of civility as we go about trying to address the big pressing issues of the day.

Mr. Speaker, I would say, especially to the staff, the example that Nadeam sets goes far beyond being the chief of staff. Here is a guy who started in the mailroom in the United States Senate and rose to one of the top positions in all of Congress. It is an incredible rise.

To put 25 years here certainly takes a deep commitment to public service. It takes a willingness to be in the arena and take everything that comes with that. It takes passing over endless great opportunities, even as you watch people around you move on. And, most of all, it takes the love and support of a beautiful family. Stacy, thank you for being here today. None of us would be here without the sacrifices that our loved ones make so we can serve and do good.

Nadeam, I just want you to know, from this side of the aisle, you will leave here with the respect of your colleagues, you will leave here with the respect of the Members, and, what is most impressive, you will leave here even with respect from the media.

On behalf of the whole House, I want to congratulate you and thank you for your 25 years to the Congress. You have devoted yourself to making this institution, and this country, better. Thank you so much, and we wish you every bit of success in the future. Thank you, Nadeam.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

The SPEAKER pro tempore. Pursuant to House Resolution 504 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3354.

Will the gentleman from Illinois (Mr. HULTGREN) kindly resume the chair.

□ 1336

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of 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, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, September 12, 2017, a request for a recorded vote on amendment No. 187 printed in House Report 115-297, offered by the gentleman from Ohio (Mr. GIBBS), had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-297 on which further proceedings were postponed, in the following order:

Amendment No. 73 by Mr. MULLIN of Oklahoma.

Amendment No. 74 by Mr. MULLIN of Oklahoma.

Amendment No. 75 by Mr. POLIS of Colorado.

Amendment No. 76 by Mr. POLIS of Colorado.

Amendment No. 77 by Mr. NORMAN of South Carolina.

The Chair will reduce to 2 minutes the time for any electronic vote in this series.

AMENDMENT NO. 73 OFFERED BY MR. MULLIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 195, not voting 20, as follows:

[Roll No. 488]

AYES—218

Abraham	Brat	Cramer
Aderholt	Brooks (AL)	Crawford
Allen	Brooks (IN)	Cuellar
Amash	Buchanan	Culberson
Amodei	Buck	Davidson
Arrington	Bucshon	Davis, Rodney
Babin	Budd	Denham
Bacon	Burgess	Dent
Banks (IN)	Byrne	DeSantis
Barletta	Calvert	DesJarlais
Barr	Carter (GA)	Donovan
Barton	Carter (TX)	Duffy
Bergman	Chabot	Duncan (SC)
Biggs	Cheney	Duncan (TN)
Bilirakis	Coffman	Dunn
Bishop (MI)	Cole	Emmer
Bishop (UT)	Collins (GA)	Estes (KS)
Black	Collins (NY)	Farenthold
Blackburn	Comer	Ferguson
Blum	Comstock	Fleischmann
Bost	Conaway	Flores
Brady (TX)	Cook	Fortenberry