

million people voted illegally in the 2016 Presidential election and, further, expending tax dollars to establish a commission to investigate his claim, to wit:

On November 27, 2016, Donald John Trump made the widely reported claim that:

In addition to winning the electoral college in a landslide, I won the popular vote if you deduct the millions of people who voted illegally . . . in Virginia, New Hampshire, and California. So why isn't the media reporting on this? Serious bias. Big problem.

On January 25, 2017, Donald John Trump made the widely reported claim that:

I will be asking for a major investigation into voter fraud, including those registered to vote in two States, and who are illegal and . . .

On July 1, 2017, Donald John Trump made the widely reported claim that:

Numerous States were refusing to give information to the very distinguished voter fraud panel. What are they trying to hide?

On June 28, 2017, according to highly reported news stories, the commission previously referenced by Donald John Trump requested detailed voter registration data from all 50 States, including names, addresses, and other sensitive data from every voter in the country. Several States refused to send the information, and some States have been prevented by courts from turning over the information.

In so doing, the aforementioned Donald John Trump, unmindful of the high duties of his high office and the dignity and proprieties thereof, has undermined the integrity of his office and has brought disrepute on the Presidency and has betrayed his trust as President to the manifest injury of the people of the United States of America, and is unfit to be President.

Therefore, Donald John Trump, by betraying his trust as President, warrants impeachment, trial, and removal from office and disqualification to hold any office of honor, trust, or profit under the United States of America.

Article IV: Donald John Trump, President of the United States of America, unmindful of the high duties of his high office and of the dignity and proprieties thereof, and of the harmony and courtesies which ought to exist and be maintained in American society, while aware of the widely reported history of unlawful abuses and brutality perpetrated by many, not all, police officers against innocent persons in the United States of America, did betray his trust as President, bringing shame and dishonor to the office of the Presidency by encouraging law enforcement officials to violate the constitutional rights of suspects in their custody and control, to wit:

On July 28, 2017, Donald John Trump, in a speech in front of the Suffolk County Police Department in Long Island, New York, stated that:

And when you see these towns and when you see these thugs being thrown into the back of a paddy wagon, you just see them

thrown in—rough. I said, "Please don't be too nice." Like when you guys put somebody in the car and you're protecting their head, you know, the way you put their hand over? Like, don't hit their head, and they've just killed somebody—don't hit their head. I said, "You can take the hand away, okay?"

This statement is injurious not only to the rule of law, which presumes innocence until guilt is proven in a court of law, but also to the administration of justice, which requires that care is given to persons held in the custody of law enforcement. Our Nation is founded upon a social contract where the constitutional rights of the individual are not surrendered because he or she is accused of a crime. To speak to the contrary is a violation of the Presidential oath of office to which Donald John Trump is bound.

In so doing, the aforementioned Donald John Trump, unmindful of the high duties of his high office and the dignity and the proprieties thereof, and of his oath of office, to "faithfully execute the Office of President of the United States of America, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States," has undermined the integrity of his office, has brought disrepute on the Presidency, has betrayed his trust as President to the manifest injury of the people of the United States of America, and is unfit to be President.

Therefore, Donald John Trump, by betraying his trust as President, warrants impeachment, trial, and removal from office and disqualification to hold any office of high honor, trust, or profit under the United States of America.

The SPEAKER pro tempore (Mr. FRANKS of Arizona). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Texas will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 1245

PROVIDING FOR CONSIDERATION OF S. 585, DR. CHRIS KIRKPATRICK WHISTLEBLOWER PROTECTION ACT OF 2017; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM OCTOBER 16, 2017, THROUGH OCTOBER 20, 2017; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 562

and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 562

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (S. 585) to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any 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 Oversight and Government Reform; and (2) one motion to recommend.

SEC. 2. On any legislative day during the period from October 16, 2017, through October 20, 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.

SEC. 4. It shall be in order at any time on the legislative day of October 12, 2017, or October 13, 2017, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

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 Colorado (Mr. POLIS), 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 have 5 legislative days to revise and extend their remarks and to include extraneous material on House Resolution 562, 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 this rule forward on behalf of the Rules Committee.

Yesterday, the Rules Committee heard testimony from our colleagues, Congressman PAUL MITCHELL, Oversight and Government Reform Committee Ranking Member ELIJAH CUMMINGS, and Congresswoman ANN KUSTER.

This rule provides for the consideration of S. 585, the Dr. Chris Kirkpatrick Whistleblower Protection Act. The rule provides for 1 hour of debate equally divided and controlled by the chairman and the ranking member of the Oversight and Government Reform Committee, and provides for a motion to recommit.

S. 585 was authored by Senator JOHN-SON in the Senate, and the House companion was introduced by my friend, Congressman SEAN DUFFY. I want to thank my colleagues from Wisconsin for their leadership on this legislation.

Mr. Speaker, this bill addresses a problem that is, unfortunately, far too common. When Federal employees blow the whistle on questionable practices, they face risk of retaliation and intimidation from their own employers, even though the current Federal law is supposed to protect them. In fact, the underlying legislation provided for by this rule is named after an individual who ultimately took his own life after he became the victim of retaliation related to his whistleblowing.

Dr. Chris Kirkpatrick was a Department of Veterans Affairs doctor who raised concerns that the VA might be overmedicating patients. A later VA investigation found that Dr. Kirkpatrick's concerns were warranted, but it was too late. Dr. Kirkpatrick had already suffered retribution from within the VA and was eventually dismissed from the agency. On the day of his termination, Dr. Kirkpatrick took his own life.

Dr. Kirkpatrick's story is a tragedy, one that none of us ever wants to see repeated.

The Department of Veterans Affairs has become a de facto poster child for hostility toward whistleblowers. In fact, according to the Office of Special Counsel—the agency tasked with investigation and redressing whistleblower retaliation—the OSC has seen a sharp increase in the number of whistleblower cases from VA employees.

OSC Special Counsel Carolyn Lerner went on to say that: "... it is clear that the workplace culture in many VA facilities is hostile to whistleblowers and actively discourages them from coming forward with what is often critical information."

This disturbing trend may be most visible at the VA, but the problem of backlash against whistleblowers persists across the Federal Government.

Let me make something clear. There are good actors and bad actors within each agency. There are good actors who shine light on the legitimate concerns in order to help their colleagues and the American people. There are also good actors who listen to those concerns and address them with integrity, and treat whistleblowers with respect.

Unfortunately, there are also bad actors. These are the ones that this legislation seeks to address, and the problem they create is the one that the underlying bill works to solve.

The underlying legislation provides for better training for Federal employees so that they understand Federal whistleblower protections. It also sets minimum disciplinary standards across all agencies for retaliation against whistleblowers while increasing protections for people who have the courage to speak up when they discover a problem.

The bill specifically requires the Department of Veterans Affairs to determine a plan to restrict unauthorized employee access to medical files, which—and it disturbs me to say this—has been used as a method of retaliation against whistleblowers.

This legislation would make much-needed changes to ensure that those who come forward with information necessary to maintain and increase accountability within our government do not suffer backlash as well.

Importantly, the bill also helps these individuals to know their rights and what protections and recourse are available to them.

It is unfortunate that we need this legislation, but evidence has indicated that we do. The underlying legislation puts bullies who have made their nest in government agencies on notice that their behavior won't stand. It defends brave whistleblowers and puts the bad actor Federal employees on notice: hostile work environments that target whistleblowers are on the bureaucracy's endangered species list.

The Dr. Chris Kirkpatrick Whistleblower Protection Act also builds on the work the current administration is doing to address retribution levied against whistleblowers at the Department of Veterans Affairs.

Importantly, I have colleagues on both sides of the aisle who agree that we need to address this problem and that the time to do so is now.

The Dr. Chris Kirkpatrick Whistleblower Protection Act passed the Senate by unanimous consent on May 25, 2017. We need to continue their good work here today.

On behalf of the whistleblowers who have risked their careers and safety to right wrongs in our government, we need to support this strong and timely legislation. Calling for attention and action to address improper behavior within the United States Government should not be considered a risky undertaking.

Many Federal employees work day in and day out on behalf of the American people, yet some feel threatened when they try in earnest to make things better.

We need to continue the Senate's work on behalf of these individuals and the Americans that they serve. Everyone deserves a government that is accountable for its own decisions and for the actions of its agents.

Today we have a chance to make strides towards a more accountable government. We have the opportunity to address the most pressing problems facing whistleblowers at the Depart-

ment of Veterans Affairs and across the Federal Government.

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

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule. As my colleague noted, Dr. Kirkpatrick was a psychologist at a VA medical center in Wisconsin. In 2009, he was fired from his job after allegedly questioning the overmedication of his patients, particularly related to opioids. Tragically, that very same day, Dr. Kirkpatrick committed suicide.

I think we can all agree that protecting whistleblowers helps to ensure that waste, fraud, and abuse in our government does not go unnoticed or ignored.

It is our responsibility to empower and encourage whistleblowers to come forward and speak out when something isn't right. No one should have to live in fear of retaliation for bringing the truth to light. No one should fear losing their job or career or their life simply for following the rules.

The Dr. Chris Kirkpatrick Whistleblower Protection Act increases accountability by enacting mandatory punishments for any manager or superior at an agency who has been found to have retaliated against a whistleblower.

The bill also contains VA-specific reforms to better protect the privacy of medical records. Employee medical records would now be prohibited from being accessed in the case of potential retaliation cases, which adds an additional level of accountability for supervisors; and protecting the whistleblower from attacks and threats based on their personal medical history, which would be completely inappropriate.

Mr. Speaker, while there are strong and necessary reforms in this bill, I want to make sure that you know that legislation can always be improved through the amendment process or at least through conducting a hearing and markup of a bill.

Sadly, but unsurprisingly in this Congress, this bill didn't have a markup in committee; didn't have a hearing; is considered under a closed rule, where amendments that were brought forward aren't even allowed to be debated on the House floor.

This might be a surprise even to the chairman of the Committee on Oversight and Government Reform, who himself requested a structured rule that allowed for debate on amendments.

Much of my statement today echoes the sentiment of Oversight and Government Reform Ranking Member CUMMINGS and his testimony yesterday evening in the Rules Committee. Though this bill isn't perfect, it can be improved and strengthened by a few relatively straightforward amendments, which, unfortunately, were shut

down in the Rules Committee last night.

The first amendment, which was blocked today, would have addressed the bill's constitutional concerns first raised by the Office of Personnel Management by revising the mandatory disciplinary procedures to allow supervisors their constitutional rights to due process in responding to accusations of retaliation. It would have improved the bill and made it more likely to stand up in court to challenge.

An amendment reaffirming the right to due process would have been something at least worth voting on, and, in fact, could have preserved the constitutionality of the core elements of this bill, ensuring that it stays in place to protect whistleblowers.

Another amendment blocked under this rule would have addressed privacy concerns contained in the bill. Specifically, the amendment would have protected the privacy of a whistleblower who commits suicide, by requiring the permission of the whistleblower's next of kin before an agency can share information regarding the suicide.

Again, it seems like a straightforward fix to protect the privacy of whistleblowers and their families. At the very least, even if Members of this body disagreed with it, why didn't we at least bring it forward for debate and a vote?

Another amendment that was blocked today contained the text of Mr. CUMMINGS' bill, H.R. 702, which was passed by the House of Representatives unanimously. As you know, this bill would expand protections for employees who face discrimination, and it solidifies our commitment to protecting whistleblowers and other employees from retaliation. It was a bipartisan bill. It passed the House unanimously. We simply should have allowed it under this bill to become part of a related effort.

Now, I know that my colleagues on the other side will say: Oh, the Senate is slow. They won't take up this bill on time. It is better for us to pass something now than have to wait for their approval.

But it only takes 10 minutes usually to debate an amendment. So we could have allowed three amendments and spent no more than 30 minutes debating them and still reported this bill out expeditiously.

Now, I happen to think that, while there are many on the other side of the aisle who would agree the House needs to return to regular order, it is time that Members actually started by voting according to what they are saying. By voting "no" on this rule and rejecting it, we can send the message to House leadership that we want an open, regular order process.

Bills should come out of committee through markups. Republicans and Democrats should have the opportunity to amend bills on the floor of the House. Perhaps if we did that more often, the Senate would not simply

cast aside many of the bills that have passed the House, knowing that they went through the process of deliberate consideration by our body, rather than a bill that appears fully formed where Members of this body simply get an up-or-down vote.

This bill will enjoy bipartisan support when it passes the House later today, as it should, but it also begs the question of: Why are we spending valuable time debating a noncontroversial bill, especially if it is considered under a closed rule? Why not have simply put it up on suspension in the first place?

To say things bluntly, we are actually running out of time this year. By my count, we only have 30 legislative days left in the first half of the 115th Congress, yet we are faced with so many important issues we need to move forward on.

Nine million children face losing their health insurance because Congress has not yet acted to reauthorize CHIP. Almost 1 million young, aspiring Americans have no idea what their lives will look like 6 months from now because of the President's decision to end DACA and Congress's continued inability to make it permanent law. The citizens of Puerto Rico, American citizens, still have not been granted a Federal aid package and are suffering from a lack of food, clean water, healthcare supplies, and electricity, jeopardizing many of their lives today.

Yet here we are debating a bill without even allowing an amendment process that we could have passed under suspension vote yesterday so we could move on to CHIP, to Puerto Rico, to DACA today, rather than spend one of our 30 remaining days of business this year avoiding the topics that the American people want us to take on.

Despite the important goals we have left to accomplish this year, it is misleading to assume that regular order isn't feasible. We have all seen how fast Congress can work when we are pushed right up to the edge. It is past time that we show that same urgency and commitment in considering legislation under regular order, even if it means we have to stay here on Thursdays and Fridays, even if it means we are working until 8 or 9 or 10 or midnight. The American people deserve no less.

Make no mistake, the Whistleblower Protection Act is an important piece of legislation that will help protect whistleblowers and hold Federal agencies accountable, but if we are going to devote this much time to legislation that protects employees, let's take it a step further and talk about expanding worker protections for an even greater number of Americans.

For example, my legislation, the Giving Workers a Fair Shot Act—which I introduced last session and this session, and has yet to receive a hearing, no less a markup in the Education and Workforce Committee—would protect workers from wage theft, prevent taxpayer funds from going towards union busting, and establish first contract ar-

bitration to prevent companies from dragging on labor negotiations unnecessarily to the detriment of workers.

□ 1300

We don't have time to waste. If we are going to consider an issue, let's dive in. We can protect whistleblowers from retaliation and strengthen the rights of workers at the same time. Given the minimal amount of time we have left to work with, 30 days this year, we have an obligation to do both.

By the way, the fact that we only work 30 more days this year here in the United States Congress probably comes as a great surprise to many hard-working Americans who are accustomed to working 5 days a week. We have the rest of the month of October, November, December. Well, many Americans might get Christmas Day off, perhaps even Christmas Eve, but I don't think Americans realize that Congress is only going to work 30 days out of the next 78 days. That is less than a half-time job, Mr. Speaker.

I think the American people deserve more from us in this body, especially when so many issues like CHIP, like DACA, like Puerto Rico, and many others have gone unanswered by us in this body, the House of Representatives, or by colleagues across the way in the Senate.

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

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 for yielding me time.

Mr. Speaker, I rise today to urge my colleagues to support this rule and the underlying bill, S. 585, the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017.

This bill strengthens penalties against those who retaliate against whistleblowers, adds protections and opportunities for whistleblowers placed on probation, and ensures Federal employees have a greater knowledge of whistleblower rights and protections.

Specifically, this bill forbids a supervisor from taking or threatening to take action against an employee because they refuse to obey an order that would violate a law, rule, or regulation.

I want to thank Senator RON JOHN-SON for his persistence in pushing this legislation even after the former Senator Harry Reid shut it down last Congress.

What a poignant and meaningful gesture to name this bill after Dr. Chris Kirkpatrick, a VA employee who took his own life after being subjected to cruel retaliation from VA officials. I hope it puts in perspective the immense emotional burdens that victims of retaliation face.

Mr. Speaker, this issue is personal for me. Unfortunately, I have seen exactly what retaliation against whistleblowers looks like, how easy it is to get

away with it, and why we have to put a stop to it.

Last week marked the 3-year anniversary since the director of the central Alabama VA became the first senior manager in the country fired as a result of the wait-list scandal. That was a major step towards turning around one of the Nation's worst VA systems and restoring trust with the veteran population it serves.

Mr. Speaker, I can say, beyond a shadow of a doubt, that it would have never happened without brave whistleblowers inside the VA telling me the truth.

Two brave individuals in particular, Sheila Meuse and Rich Tremaine, told me the truth about major instances of misconduct and mismanagement when no one else would. Seeing no other way to achieve change, they finally told their story to the media, at great personal risk to their careers.

The stories that emerged from these exposures were almost unbelievable:

More than 1,000 X-ray cancer screenings were lost and unread for years, even though some showed malignancies. When alerted to the problem, top administrators tried to cover this up.

A pulmonologist manipulated more than 1,200 patient records but, even after being caught twice, was still given a satisfactory review.

A central Alabama VA employee took a recovering veteran to a crack house and bought him drugs and prostitutes in order to extort his VA payments. Even when caught, this employee was not fired until a year and a half later when we exposed it in the newspaper.

Mr. Speaker, this behavior is egregious, and, trust me, there is a lot more where it came from.

However, had it not been for the courage of those on the inside to expose this wrongdoing, the world might not have ever known. To me and to the veterans whose lives they might have saved, they are heroes. But that is not how they were treated by VA officials. They were treated as enemies and outcasts, all because they tried to do the right thing.

Rich Tremaine actually testified here before the Veterans' Affairs Committee, detailing the systemic way that some VA officials attempted to silence and marginalize him. The effects of him blowing the whistle on wrongdoing follow him to this day, far away from Montgomery, Alabama.

Mr. Speaker, my experience working to clean house at the VA taught me a fascinating and frustrating truth about the culture in some parts of the VA. The system routinely goes out of its way to protect those who don't do their jobs or even harm veterans, but then goes after those who try to stop that misbehavior.

For years, because of poorly written civil service laws and powerful unions, too many VA employees got the message that misconduct, negligence, and

poor performance would be tolerated, but blowing the whistle on that kind of behavior would not be.

I have seen it too many times. All too frequently, VA employees caught for doing the wrong thing are reprimanded, shuffled around to different jobs, or allowed to quietly retire, but those who try to do the right thing by our veterans by shining a light on misconduct are persecuted, intimidated, or worse.

While I am proud of the work that we have done for the last 3 years to put an end to this unacceptable culture at the VA, there is much work left to be done.

Mr. Speaker, there is a reason why Federal employees face retaliation for speaking up. It is not because people are just naturally mean or because there is some kind of misunderstanding. The reason whistleblowers face systemic retaliation is because it works. When a brave whistleblower faces intimidation or persecution for their action, every other employee sees it, and they know what will happen to them if they tell the truth. It has a powerful, chilling effect—one we saw firsthand in Montgomery.

They retaliate because it works. That is just wrong, and it is time to punish those who do it with harsher penalties. We need to rethink our civil service laws in this country to make sure public servants live up to the honor and responsibility of the public trust, and I believe that this bill is another positive step in that direction. Mr. Speaker, that is why I urge my colleagues to bring it to the floor by supporting this rule.

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

Mr. Speaker, President Trump has been relentless on his attack on immigrant Americans, generally, and, in particular, DREAMers since he took office. Yet 82 percent of American voters, including about 70 percent of Republicans, believe DREAMers should be allowed to stay in the U.S. and apply for citizenship. Yet President Trump has continued to turn his back on these innocent young people.

Mr. Speaker, here is our chance to rectify President Trump's decision and restore the American people's faith in us and our faith in our aspiring Americans.

When we defeat the previous question, I will 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 de facto Americans in every way except for 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. THOMPSON of Pennsylvania). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, by defeating the previous question today, we can

bring forward the Dream Act, which I am confident would pass on the floor of the House probably by a good margin.

What the Dream Act does is it allows young people who grew up in our country, who know no other country, a pathway to become citizens. They have gone to our schools, they have been on the football team or cheerleaders like your own kids or grandkids, Mr. Speaker.

They are able to work legally in our country because of the deferred action program, which is scheduled by President Trump to be canceled in 4½ months. We need to act now to give these young people the certainty they need to live their lives as Americans, the only country they know, and the only country that they are loyal to.

We simply don't have time to waste. We need to give these young de facto Americans the certainty they need to continue with their lives to be able to contribute to our country, join our military, pay taxes, and all of the other responsibilities that Americans have.

Of course, Mr. Speaker, protecting whistleblowers is important. It is critical to ensure that our democracy functions honestly and with accountability and government is truly working in the best interests of the people that it serves. But we could get there a better way, by having an open process that allows Democrats and Republicans to suggest further improvements to whistleblower protection rather than having a bill that was never marked up in committee, that simply appeared fully formed for the full House to consider without the opportunity for Democrats or Republicans to make it any better.

The Dr. Chris Kirkpatrick Whistleblower Protection Act will strengthen the rights of whistleblowers and reaffirm their value and importance to our country. But once again, this bill should have gone through a regular process that allowed us to amend it.

The fact that this bill passed the Senate with bipartisan support shouldn't stop us from making changes in this body, the House of Representatives, to improve the bill and make it work even better. We have an obligation to our constituents to thoughtfully consider every piece of legislation in front of us and to amend where we see fit.

As we move forward on addressing the pressing issues in front of us, such as finding a path forward on deferred action, which we will present if we can defeat the previous question, reauthorizing CHIP, or making improvements in our healthcare system, let's do it through a regular process that allows Democrats and Republicans, the 435 of us who serve here, to bring forward our ideas, not just the ideas of leadership in making the country a better place.

We have good, smart, deliberate Members on both sides of the aisle who want to work, want to legislate. It is ridiculous that we only have 30 days out of the next 78 in which Congress

will even be working, and I suspect for most of the 30 days, like today, Democrats and Republicans won't even be able to offer their ideas and have them considered. The American people deserve better.

We as an institution, as the United States Congress, can do better, and we can begin by defeating the previous question and defeating the rule.

Mr. Speaker, that is why I urge my colleagues to oppose the rule, and I yield back the balance of my time.

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

Mr. Speaker, I appreciate the gentleman's concern, especially for the piece of legislation that is before us. I think it is a step forward and things that we should be doing and things that are the oversight role of this Congress, especially when we are dealing with the issue of whistleblowers and the value that they bring, and also the culture that seems to have pervaded.

I so appreciate the gentlewoman from Alabama and her stories. We, in Georgia, have had similar issues. We had that in the Augusta medical center. We also had it in others.

I think the issue here today, though, and I want to be very clear, Mr. Speaker, many times when we come to the floor, there is this discussion and it gets circulated that we are actually against all Federal employees, or that every Federal employee is bad, and that none of the Federal employees are worth their payment or whatever. That is just not true. The work of the vast majority of the VA employees, the workers of the vast majority of the agencies, although we may have philosophical differences on how big some of our agencies should be or if they should be in the role of Federal Government, at the end of the day, the value and the worth of the Federal employee is never questioned, at least by this Member.

But when we find bad actors, when we find bad policies, when we find bad procedures, when we find things that inherently are wrong and they are kept wrong, as the gentlewoman from Alabama so well pointed out, that when the culture becomes protecting the bad and punishing the good, then we have an issue that has developed far beyond the scope of what it should be.

These are some of the things that we are discussing today, and I think it is worth the time on this floor, it is worth the time on the Senate floor, as they have already passed this bill, and I think the concerns raised are the discussion of which has been addressed in this.

I think what we look at today is today's bill is a necessary step, but I believe toward integrity, Mr. Speaker. My colleagues and I owe it to our neighbors and to Federal employees who serve to increase whistleblower protections. We need a clear path for public servants to serve Americans with the knowledge that we will honor their good character and courage. They

should not feel alone in their resolve to improve the VA or any other agency. Yet too often, we have seen the current law leave them at the mercy of bad actors. We must strengthen the existing statutes to address the litany of retaliations aimed at whistleblowers.

The bill today will deter agency officials from targeting whistleblowers for shining a light on dark flaws in their organization. Bad actors are even today evading discipline while whistleblowers who strive to do what is right too often endure punishment for their brave actions.

The whistleblowers are on the losing end of a system that often favors mischief, which means that the American public also suffers. This bill will bring relief to Federal truth tellers and the everyday Americans who depend on their services.

We best serve the American people by protecting whistleblowers, addressing their concerns properly, and investigating their claims with transparency.

□ 1315

The Federal Government exists to protect its citizens by holding wrongdoers accountable. It is designed to support those who work to root out wrongs in the system.

The underlying legislation brings us closer to a Federal system run by the people and for the benefit of the people, not for the benefit of a few bad actors who exploit its structure. It delivers justice to both victims and bad actors, protects whistleblowers who act in good faith, and ensures that the American Government better serves the American people.

At the end of the day, Mr. Speaker, is that not what it is all about? At the end of the day, is it not what we as a Congress and as a House and a Senate should be about, and that is assuring that the people who we are elected to serve are best served by their own tax dollars through the agencies and processes of the Federal Government to provide basic services to our veterans, who serve in our other agencies, who, at the core of this, actually comes down—to me, this is a protection of whistleblowers. But in a bigger role, it is actually a protection of the currency that is the best that can be used in our Federal agencies, and that is the trust of the American people.

When we are in the discussion of trust in the American people, right now, many times, if you look around, the Federal Government may not be in that trusted role because many times they see the actions of the bad actors as opposed to many times the very shining lights of the good actors. Those good actors who are willing to participate and to step forward and to be a part of the solution and not a part of the problem need that protection.

We cannot continue to perpetuate and turn a blind eye when this is so relevant in our government. When we do this, we stand for those whom we serve.

We stand, not only for the districts in which we are elected, but the American people who have taken to this institution to say: I expect my trust to be exemplified in the employees of the Federal Government and through the stewardship of their tax dollars.

The question for us today is not do we continue to protect the system that is broken, but the question for us is to vote "yes" on this previous question, to move this rule, and to move this bill, because this is saying we value that integrity currency, we value those who are willing to step forward at risk of themselves, in courage, to say: This is wrong, we need to fix it, and let the chips fall where they may.

We protect the right. We punish the wrong. That is what this bill does.

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

AN AMENDMENT TO H. RES. 562 OFFERED BY
MR. POLIS

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

SEC. 5. 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. 6. 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. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 2(a)(1) of rule IX, the

Speaker designates this as the time for the offering of the resolution noticed by the gentleman from Texas (Mr. AL GREEN).

The resolution has not been offered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 562, and

Adoption of the resolution, if ordered.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PROVIDING FOR CONSIDERATION OF S. 585, DR. CHRIS KIRKPATRICK WHISTLEBLOWER PROTECTION ACT OF 2017; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM OCTOBER 16, 2017, THROUGH OCTOBER 20, 2017; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 562) providing for consideration of the bill (S. 585) to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes; providing for proceedings during the period from October 16, 2017, through October 20, 2017; and providing for consideration of motions to suspend the rules, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 227, nays 190, not voting 16, as follows:

[Roll No. 560]

YEAS—227

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black

Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot

Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham

Dent
DeSantis
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan

Joyce (OH)
Katko
Kelly (MS)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Correa
Costa

Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva

Gutiérrez
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Loftgren
Lowenthal
Lowey