

minute and to revise and extend her remarks.)

Ms. WEXTON. Madam Speaker, today in America, women still make only \$0.80, on average, for every dollar a man makes, and that disparity is even greater for women of color.

Women are the sole or co-breadwinners in two-thirds of American families with children. When we pay women less, we hurt American families, and we hurt our economy.

The pay gap isn't a myth. It is math. For a woman working full time, the current wage gap represents a loss of more than \$400,000 over the course of her career.

Tomorrow, the House of Representatives has a real opportunity to tell women in America that they deserve equal pay for equal work. Tomorrow, we can send a message that when women succeed, America succeeds.

Let's bring America into the 21st century. Let's pass H.R. 7, the Paycheck Fairness Act.

#### DO THE RIGHT THING

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, I want to speak openly to my friends and colleagues. Take a moment to look to your right as you come into this body, to the memorial that was put together by the Parkland students and other gun victims. It will pain your heart and move you to action.

It acknowledges that 722 people die every week from gun violence. It acknowledges that teenagers may lose their lives, and it has a form to indicate which teenager is next. It has flowers, and it says, "Stop killing us."

Every Member of Congress should walk by that memorial today, commit themselves to be decent and do decent things, and recognize that we should have gun safety legislation.

I rise as well to say that women who are not being paid or who are supporting families need the paycheck legislation that I will be supporting tomorrow.

I also say that this country must not accept behavior by a President as a norm, and the Mueller report and the facts must be had. We must do it quietly and respectfully, and we must have our hearings to tell the truth.

Finally, I am outraged, coming from a State that was a poster child for the persons without healthcare, that this administration would try to oppose the Affordable Care Act. We are going to fight it. We are going to try to save the lives of our children and provide healthcare for all.

#### TERMINATION OF NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. Pursuant to the order of the House of March 18, 2019, the unfinished business is the further consideration of the veto message of the President on the joint resolution (H.J. Res. 46) relating to a national emergency declared by the President on February 15, 2019.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of March 18, 2019, at page H2750.)

The SPEAKER pro tempore. The gentleman from Oregon (Mr. DEFAZIO) is recognized for 1 hour.

Mr. DEFAZIO. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Missouri (Mr. GRAVES), the ranking member of the House Committee on Transportation and Infrastructure, pending which I yield myself such time as I may consume.

#### GENERAL LEAVE

Mr. DEFAZIO. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on the veto message of the President of the United States to the joint resolution, H.J. Res. 46.

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

There was no objection.

Mr. DEFAZIO. Madam Speaker, today, we will vote to override the President's veto of Congress' bipartisan action to terminate his so-called national emergency declaration. The bottom line is that this emergency declaration is nothing more than an end run around a majority, a bipartisan majority, of both the House and the Senate, in complete disregard of our constitutional system of separation of powers.

There is no doubt that we have a broken immigration system, and comprehensive reform should be a subject of congressional deliberation. But today, in particular, we have a new crisis. It is a humanitarian crisis, but the President has said that this wall will solve that problem.

He also says that this is about drugs. Well, let's talk about that, if we could.

Here we have walls that are static. It is very old technology that has been used for many centuries, as we know. Most recently, when the French built the Maginot Line, the Germans went around it in 24 hours, similar to what the President is proposing. He wants a wall on part of the border.

If the problem were people illegally crossing, they would cross in other areas where there is no wall, but that is actually not the case. He says that this will stop the flood of people who are coming to the border. These are not the historic people who were crossing the border legally to come to the United States for the purposes of work and to remit funds home or those who were illegally smuggling drugs through remote areas. This is a humanitarian crisis.

This is recently in Tijuana, a photo of a flood of people coming to actually two areas where we have walls and fences, wanting to surrender to the Border Patrol and claim asylum, or coming to places where we don't have walls and fences, searching for Border Patrol agents so they can claim asylum.

A wall is going to do nothing to deal with the humanitarian crisis, and we need to take a much more thoughtful approach to that.

Secondly, he says it is about drugs. He makes a big deal about this contributing to the deaths in the opioid crisis, fentanyl, and all that. Of course, the Chinese are shipping in fentanyl in other ways. It is not coming across the Mexican border. Maybe we ought to do something about that.

We have tried with walls to prevent the smuggling of drugs. The drug smugglers are very creative. They have used rather primitive devices. That is a catapult. They have used drones. They frequently use tunnels.

We found out, in the trial of El Chapo Guzman, that their preferred route is not some remote area that is unwalled but, actually, to come across at the legal border crossings here. It is such a big business, they can modify a semi tractor-trailer, put in a fake floor, and send 10 in a day. We only inspect 1 out of 10. Therefore, they get nine through. They lose one truck, millions of dollars' worth of drugs in a truck, and they don't care. It is a multimillion-dollar business.

We need new tools and technology at the legal border crossings. In particular, we need that so we can scan 100 percent of the vehicles. We are going to have to reconfigure the border crossings. We have to bring in the equipment. We have to hire more personnel. These are very expensive undertakings.

Instead, we are going to waste money on a static wall, which isn't going to stop the drugs. Even more than that, the former Commandant of the Coast Guard testified that they have actionable intelligence, they think, on about 80 percent of the maritime drug shipments targeting the U.S., mostly from Central America, some from other Asia-Pacific areas.

They can only act on one-fifth of the actionable intelligence because they don't have the personnel. They don't have the ships. They don't have the helicopters. They don't have the tools they need to interdict those maritime drug shipments.

We are going to waste money on a stupid, static wall. Meanwhile, the drugs are going to flood in on a maritime basis or through the legal border crossings.

Last year, the Republicans—this is supposedly a crisis, and somehow it wasn't a crisis when the Republicans controlled the Congress up until the beginning of this year. They refused to appropriate funds for the wall. Then the President shut down the government for 35 days, the longest government shutdown in our Nation's history. More than 800,000 people were either denied coming to work or had to work without pay.

Finally, the President agreed to open the government with a short-term continuing resolution, and he said that lawmakers should come up with a comprehensive border security proposal.

Congress did that. A bipartisan group delivered compromise legislation that rejected the proposed border wall as ineffective. Alternatively, it made effective, robust investments in border security. Congress overwhelmingly passed the legislation. The President agreed to sign it. Then he issued a national emergency declaration in order to raid funds from other departments to secure funding for a border wall, which Congress has repeatedly voted against.

As I already said, he has made it about drugs; the wall will be ineffective. He made it about the humanitarian crisis; the wall will be ineffective.

How is he going to pay for it? Well, he is going to take money that the Department of Defense was going to spend on high-priority military construction projects, which will ultimately undermine the training, readiness, and quality of life for our men and women in the Armed Forces.

In fact, General Robert Neller, Commandant of the Marines, has detailed that the “unplanned/unbudgeted” shift of funds to deploy troops to the southern border last fall has forced him to cancel or reduce training exercises, delay urgent repairs, posing an “unacceptable risk” to our Armed Forces training and readiness.

Then he is also going to take, ironically, money from the DOD drug interdiction program, which will further inhibit the capability of the DOD in effectively interdicting drug shipments, in favor of a stupid, static wall.

This emergency declaration also violates a number of existing laws. The Military Construction Codification Act only authorizes the Secretary of Defense to reallocate funds for construction projects during a national emergency if the project is “necessary to support” a “use of the Armed Forces.”

Our Armed Forces are not responsible for enforcing our immigration laws. Using these funds in this way is a direct violation of existing law.

The administration would also need to seize thousands of acres of private property by eminent domain to build

this wall. This is the party of private property rights and local control, and they are going to support that activity, or some are.

Currently, more than two-thirds of border property needed to build the wall is owned by private parties or relevant States. In 1952, the Supreme Court held in *Youngstown Sheet & Tube* that President Truman's declaration of a national emergency, even in the midst of an international armed conflict, did not permit him to unilaterally seize private property.

It is unlikely that this thing will get built anyway, but we are going through this process. Because of this likely illegal overreach, the House passed a bipartisan resolution to terminate the national emergency declaration. Even the Republican-controlled Senate passed the resolution, with 12 Republican Senators breaking with the President.

With the President's decision to override this resolution, we must send a strong, clear message to the President that we live in a constitutional, representative democracy, and the President and his administration cannot ignore Congress and existing law when they don't like our actions.

We must stand up and defend our constitutional system, separation of powers, and Article I of the Constitution of the United States.

Madam Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of the President's veto of H.J. Res. 46. Keeping our Nation secure should be this President's very highest priority, and it is this President's very highest priority.

With President Trump, there is no question that he has, and he will continue to carry out, this priority. I support his efforts to build a wall on the southern border to protect our country.

He has very clearly laid out the case for a declaration for a national emergency. There is a crisis at the border, a crisis that could have been addressed much sooner or even prevented, for that matter. The open border policies in the last administration compounded this growing problem.

We are seeing the highest rates of illegal immigration since 2007. In February, there were more than double the number of illegal migrants coming into this country, as compared to last year.

Border Patrol has apprehended over 268,000 individuals since the beginning of this fiscal year. That is a 97 percent increase from the previous year.

Schools, hospitals, and other services have become overcrowded. The American workers have been hurt by reduced job opportunities and lower wages. At the same time, human and drug traffickers are thriving.

□ 1245

In many of our communities, the notorious MS-13 gang has grown, and we

have seen tragic cases of crime committed by illegal aliens who have been deported multiple times.

In my own home State of Missouri, an individual who was previously deported returned here illegally and was charged in several violent incidents. He is now suspected of murdering five individuals—or five Americans.

That should never have happened, but these kinds of tragic—and preventable—events are happening across the country. That is the very definition of a crisis.

Last Congress, we enacted legislation to deal with the devastating opioid crisis because that is, in fact, also a crisis. We can and we must slow the flow of illegal drugs into this country. The men and women who put their lives on the line every single day to secure our borders deserve all the tools they need to do the job—including a border wall.

Through President Trump's proclamation and his veto of H.J. Res. 46, he is acting decisively to finally address this crisis under the authority provided him by Congress. The National Emergencies Act is crystal clear. The provisions the President will use under title 10 explicitly provide the President with that authority. The President is well within his legal authority that Congress has provided him. That is the bottom line.

Madam Speaker, I urge my colleagues to stand with the President and to stand with law-abiding Americans and law-abiding immigrants to sustain this veto.

Madam Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), who is the chairman of the Judiciary Committee.

Mr. NADLER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise in strong support of overriding the President's veto of H.J. Res. 46.

One month ago, the House passed a bipartisan resolution to terminate the so-called national emergency declared by President Trump. The Senate has likewise voted on a broad bipartisan basis to reject that emergency declaration, leaving President Trump to issue the first veto of his Presidency.

I am more convinced than ever that the President's actions are not only unlawful, they are deeply irresponsible. A core foundation of our system of government—and of democracies across the world going back hundreds of years—is that the executive cannot unilaterally spend taxpayers' money without the legislature's consent.

The President shredded that concept when he declared an emergency after he failed to get his way in a budget negotiation. As he often does, he announced his intention to ignore Congress in plain sight for all the world to see.

Meanwhile, hundreds of Americans have started receiving letters from the Federal Government demanding entry

onto their land. Soon our fellow citizens' backyards may be seized in order to build a medieval border wall that Congress and the American people do not want.

The senseless diversion of military resources to the southern border has also created concerns about our troops' combat readiness and their ability to implement other key priorities, and the Trump administration appears to be deciding on the fly which military construction projects they are planning to raid, leaving our men and women in uniform and everyone else who might be affected in a prolonged state of uncertainty. This type of chaos and confusion is the inevitable result when the President ignores the express will of Congress.

The Judiciary Committee recently held a hearing to discuss the National Emergencies Act and to begin considering reforms to check abuses of this power. I was heartened by the enthusiasm on both sides of the aisle for such efforts, and I look forward to continuing to work with my colleagues on these proposals.

But these longer term reform efforts should not detract from our responsibility to address what the President is doing right now. President Trump's invention of a so-called national emergency to suit his political goals and to get around Congress' refusal of the funding request is intolerable, and I will be proud to cast my vote to override his veto.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. GRAVES of Missouri. Madam Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. CRAWFORD), who is also the lead Republican on the Railroads, Pipelines, and Hazardous Materials Subcommittee.

Mr. CRAWFORD. Madam Speaker, I thank the gentleman from Missouri for his leadership on this issue.

Madam Speaker, today the House will vote on whether or not to override the President's veto preserving the emergency declaration regarding the ongoing crisis at the southern border, and I am glad we finally acknowledged on a bipartisan basis that there is, in fact, a crisis on the southern border. My friend from Oregon mentioned that this humanitarian crisis exists, and I couldn't agree more.

There is also another crisis at the border. There has been a 295 percent increase in apprehensions of illegal immigrants crossing our southwest border from beyond Mexico—particularly Guatemala, Honduras, and El Salvador—over the last 10 years, roughly. There have been 266 arrests of criminal aliens in the last 2 fiscal years alone, and these include criminal aliens charged or convicted of assaults, sex crimes, and killings, and those are hardly victimless crimes.

In 2017, more than 70,000 Americans died of drug overdoses as methamphet-

amine, heroin, cocaine, and fentanyl are flooding across the border, and I would say that probably the families of those 70,000 would argue that we certainly do have a crisis attributed to the problems at our southern border. Since fiscal year 2012, CBP has seized more than 11 million pounds of drugs between ports of entry, that is compared with only 4 million pounds at ports of entry.

Make no mistake, there is a crisis at our southern border. Since October of last year, illegal crossings have spiked. In February alone, the month President Trump declared the emergency, 76,000 people illegally crossed the border. Just yesterday, the Border Patrol took the highly unusual step of closing inland border checkpoints in response to abnormally high apprehensions. All of this goes to show that we need a border wall.

The Customs and Border Protection Commissioner put it best when he said that this is clearly both a border security and a humanitarian crisis. The President attempted to remedy this crisis by declaring the emergency, an action well within his statutory authority and constitutional obligation to protect our country.

Madam Speaker, I urge my colleagues to oppose this veto override.

Mr. DEFAZIO. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Madam Speaker, President Trump continues to push for his useless, medieval wall along the southern border in defiance of Congress, despite a bipartisan vote in the House of Representatives and the Senate to reject this fraudulently invoked emergency declaration which would rob taxpayers' funds from other programs. Congress has asserted its authority, but the President is using every tool he has in his toolbox for his pet project.

Let me remind the American people: There is no emergency at the southern border or anywhere else that warrants this wall.

The head of the U.S. Northern Command, who is responsible for troops on the border, testified that border crossings do not pose a military threat. The refugees arriving on our border are families: mothers and fathers with their children. They are willingly turning themselves in to request asylum from the violence and harassment from gangs they face in their home countries. No wall no matter how high it is built would change that reality.

Madam Speaker, this is nothing more than a naked power grab, and if my colleagues on the other side of the aisle truly stand for limited executive power, I expect them all to vote to override the President's veto today.

Madam Speaker, there is no emergency on the southern border.

Mr. GRAVES of Missouri. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Madam Speaker, while most Americans—maybe not ev-

erybody on the other side of the aisle—would not deny we have a crisis at the border, some of my colleagues actually recognize the crisis, including the humanitarian crisis.

Last year, I voted for a bill that would have fully funded the wall and averted the government shutdown, to no avail. My choice this term would have been to pass the six noncontroversial bills and then pass a continuing resolution for the Department of Homeland Security so we could continue to work and negotiate on a resolution that would not have put us at this point.

Yes, the President declared a national emergency. Speaker PELOSI then proceeded to the resolution condemning President Trump's emergency declaration, which was a messaging bill by the Democrats. Voting for it would have been playing politics, which many in this Chamber chose to do. Voting today without the votes to override is yet another messaging bill, yet another game of politics which I will not support.

I agree with my colleague on the other side of the aisle: It is a constitutional question, and determination of constitutional authority is something left to the courts to decide, something the Supreme Court should decide, and not a partisan whack job in the House of Representatives.

If Congress wishes to narrow and define more clearly the National Emergencies Act, then we should do so, and, in fact, I am happy to participate in doing that. However, in the interim, we still have the issue of securing our border. It will not go away.

The crisis is not going away. As my colleagues over here have indicated, it continues to be a growing problem. So why we don't spend time addressing that rather than one more messaging vote—which appears to be the trend right now in this House since January—befuddles me.

Madam Speaker, I urge my colleagues to vote "no" on the resolution to override the veto, and I urge my colleagues on the other side of the aisle, let's get down to dealing with the problems of the American people.

Mr. DEFAZIO. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CASTRO).

Mr. CASTRO of Texas. Madam Speaker, I first want to say thank you to my colleagues in the House, Republicans and Democrats, and also in the United States Senate who voted to terminate the President's emergency declaration to build a border wall across the U.S.-Mexico border.

There is a humanitarian crisis at the border, but there isn't an invasion, and there is not an emergency of the sort that the President speaks of. What we have here is an act of constitutional vandalism, the President trying to take the power away from the House of Representatives and the U.S. Senate, the executive trying to steal the power of the purse from the Congress.

If Congress allows this to stand, then 15, 20 years, 30 years from now, we will look back upon this as a time that gave both Democratic and Republican Presidents incredible power to ignore Congress and completely go around this body to do the things that they will in terms of domestic politics.

There are landowners in Texas who are going to lose their land. This is the largest Federal land taking of Texas land, I believe, in history. Many people in Texas will lose their land. Many people will have their land values devalued, some of them very significantly, because of this.

Military construction projects in Texas are also at stake: \$265 million worth of Texas military construction; projects at Joint Base San Antonio, which includes those in my district, \$76 million; Fort Bliss, over \$50 million; \$42 million at Fort Hood; Red River, \$71.5 million; Galveston Naval Reserve, \$8.4 million gone because the President has decided—and this Congress will have submitted to his will—to go around Congress and unilaterally build a border wall.

Even those who support a wall should agree with us that this is not the way to do it. Congress funded over \$1 billion, yet the President has gone around them to do more.

Madam Speaker, I hope my colleagues will stand with us and override this veto.

Mr. GRAVES of Missouri. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, for 43 years, the President of the United States has had the statutory authority granted by Congress to declare a national emergency and to reprogram unobligated military construction funds to meet that emergency. Fifty-eight times previous Presidents have invoked this authority to address such matters as civil unrest in Sierra Leone and Burma.

Only when this President invoked his authority for the 59th time to address the most serious national security risk our country has faced in our lifetime—the collapse of our southern border—do we now hear protests from the left and its fellow travelers.

Madam Speaker, under our Constitution, the Congress appropriates money but cannot spend it, and the President spends money but cannot appropriate it. He spends it according to laws given to him by Congress. In this case, Congress appropriated funds and delegated to the President precisely the authority to spend those funds that he is now exercising.

Now, whether Congress should have delegated this authority is a separate question that no one has raised in 43 years. But while that authority exists, the President has both a right and a duty to use it to defend our country.

We also hear protests that the President's act will divert money from other military projects. Listen to what these

people are saying. They care more about defending the Iraqi border than defending our own. Such people should not be entrusted with the defense of our country.

I stand with the President, who is acting within our Constitution to defend our Nation, and against the radical left in this House who would dissolve our borders entirely if given the chance.

History warns us that nations that cannot or will not defend their borders aren't around very long. Let that not be the epitaph of the American Republic or the Constitution that created it.

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

Just in response to the gentleman, if he had been listening, he might have heard the gentleman from Texas listing bases in Texas which are going to lose funds for critical military construction projects, yet he launches off into some fantasy about Iraq—I didn't even quite get that part—and also that we are proposing open borders. I am not aware of anyone on this side of the aisle who is proposing open borders.

□ 1300

We are proposing effective, 21st century border security at the real threats to America, like drug importation through our legal ports of entry and maritime drug imports that we can't intercept because we don't have the resources, and we are wasting money on a stupid, static wall.

Madam Speaker, I yield 2 minutes to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Madam Speaker, my colleague on the other side of the aisle said this was a partisan whack job.

Yet, Congress has come together, which is rare to see these days, on a bipartisan basis, in the House and in the Senate, to vote to terminate this alleged crisis that is happening at the border.

This is a constitutional issue. This is about the separation of powers. This is about Congress' ability to appropriate money and the President saying he wants something, Congress doesn't give it to him, and him going around Congress.

Again, this is not a partisan issue. This should not be a partisan issue.

My Republican colleague in the Senate said: Never has a President asked for funding and then had Congress not provide the funding, just to have the President come right back to use the National Emergencies Act to get around Congress.

This is a dangerous precedent. This is not a messaging vote.

Again, on the House and on the Senate side, on a bipartisan basis, our colleagues are arguing today that we should stand with the President.

I urge my colleagues: Stand with the Constitution. Stand with the Constitution. Let's override this veto.

A wall will not stop the drugs that are coming in, the majority, through the ports of entry; a wall will not stop migrants who are coming to present themselves for asylum, legally, at the ports of entry; and a wall will not stop the inhumane treatment that migrants are receiving at the ports of entry.

Let's work together on a comprehensive immigration bill. Let's work together to address this problem, not to fund a wall against the will of Congress which is being done on a bipartisan and a bicameral basis.

Mr. GRAVES of Missouri. Madam Speaker, the President made it very clear that the wall is critical to address both national security and the humanitarian crisis.

DOD issued a fact sheet of the universe of projects that have not been awarded, and they totaled more than what is needed. They total a little over \$12 billion.

Just because a project is listed doesn't mean that the funding will be used. They only need \$3.6 billion.

I might add, too, that if the fiscal year 2020 budget is enacted on time and as requested, there is going to be no military construction project that is going to be delayed or canceled.

Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Madam Speaker, the President has a duty to protect our borders and our people. He has the Constitution and the law of the land on his side to declare this national emergency.

Democrats have blocked the appropriations for this border security, but they had no problem when President Obama built 130 miles of border wall. While they played political games, 76,000 people alone, in February, streamed across our borders, but the United States has endured because we are a land that believes in the rule of law.

Turning a blind eye to this law and allowing these open borders sends the wrong message to the American people and our laws.

Madam Speaker, I am a country physician who has, unfortunately, been in emergency rooms and in funeral homes with the families of those that have died of illegal opioid overdoses. When we play political games with American lives and American families, shame on us.

Madam Speaker, 85 to maybe 95 percent of these illegal opioids come across the southern border where we have no fence, we have no barrier to prevent these illegal people from bringing these drugs in.

We have got to secure this border with a wall. Let the President secure our border; let the President protect our people; and let's vote against this veto override.

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

Madam Speaker, I was just looking up that most of the deaths—or many—

are due to fentanyl, and the fentanyl, of course, is all produced in China. Some of it is shipped via UPS, FedEx, and the international postal service. We lack the screening capability to deal with that.

Much of it does go to Mexico and is then smuggled into the U.S., but it is not the classic myth of these people carrying backpacks through remote areas of the desert where, if we only put up a wall, the wall would stop them from getting the drugs into the U.S.

If people had paid attention to the extraordinary trial of El Chapo Guzman in New York, which I did, there was testimony after testimony after testimony that he is bringing and they—his successors—are bringing the drugs through our ports of entry, because they deal in volume and sophistication.

And what are we going to do? We are going to build a medieval wall over here while they continue to flood this country by modifying pickup trucks, passenger cars, and semis to smuggle humans and drugs into the United States of America.

Border Patrol is understaffed. Border Patrol does not have adequate technology. They only screen a very small percentage of the vehicles coming through, sometimes 6 percent, sometimes as high as 8 percent. Wow.

Well, then, you have got a 92 percent chance, if you are El Chapo Guzman or some other scumbag drug person from a cartel in Mexico, of getting your product in an efficient, volumetric way.

Why would you pay someone with a backpack to go through some remote area when you can just ship them in that way, or you can use FedEx or UPS if you are Chinese.

You can go online and find Chinese selling fentanyl, and they will give you advice about how you should order it from them and how you can get it into the United States.

Why aren't we doing something about that? The President is making a big deal about getting tough on China. They are producing all the fentanyl, and it is coming in here in many, many different ways, and this wall will do nothing—nothing—to deal with that.

Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding. I thank him for his enthusiastic defense of the Constitution of the United States.

Madam Speaker, I rise to join my colleagues to uphold the Constitution and defend our democracy once again.

The House and the Senate came together, in great unity and bipartisanship, to pass Congressman JOAQUIN CASTRO's resolution to reject the President's lawless power grab, yet the President chose to continue to defy the Constitution, the Congress, and the will of the American people with a veto.

At the birth of our democracy, amid revolution and war, Thomas Paine wrote that “the times have found us.”

Once again, the times have found us to defend our democracy.

The times have found us to restore the Founders' vision of balance of power, checks and balances, coequal branches of government, and restore Congress' role as Article I, the first branch; Article I, the legislative branch.

The times have found us to honor our oath to support and defend the Constitution and protect the American people.

We all know that the heart of our Constitution, the beauty of it all, is that we have a system of checks and balances.

Our Founders did not want a monarchy. That is what they had rejected. They wanted a democracy: coequal branches of government to act as a check on each other.

This Congress of the United States acted to honor the Constitution and our responsibility to protect and defend by passing legislation in our appropriations bill, showing how, in a bipartisan way, Congress would protect our borders.

We understand our responsibility to do that. We don't take that responsibility lightly. We take it seriously.

Even when the President disagreed with us, he should have accepted the bipartisan, bicameral decision to proceed. He had taken pride in a shutdown of Government for about 1 month because he didn't get his way on the border.

After 1 month, bipartisan, bicameral action by the Congress sent him a bill almost exactly like what he rejected in the first place, and he decided to reject Congress' wisdom and Congress' acting within its authority to protect our borders in a serious, effective, values-based way.

We don't take this vote here today lightly. Even when the legislative branch disagrees with the executive, we respect the office the President holds and his right to veto legislation.

But when those decisions violate the Constitution, then that must be stopped. Many of our colleagues from across the aisle joined last month to defend our democracy by passing Congressman CASTRO's privileged resolution.

That happened in the House. That happened in the United States Senate.

We call on all of our colleagues to simply show that same measure of respect for our Constitution today.

We take an oath to the Constitution, not to the President of the United States. We take an oath that we must honor.

The choice is simple, between partisanship and patriotism, between honoring our sacred oath or hypocritically, inconsistently, breaking that oath.

Madam Speaker, I urge a strong, bipartisan “yes” to override this veto.

The SPEAKER pro tempore. Members are reminded to refrain from en-

gaging in personalities toward the President.

Mr. GRAVES of Missouri. Madam Speaker, I just need to point out that, according to Customs and Border Protection, there were more illegal drugs that were captured in between those ports of entry than there were at the ports of entry.

In 2012, there were 11 million pounds of illegal drugs that were seized in between—again, in between—those ports of entry, as opposed to 4 million pounds at those ports of entry.

This is exactly why the wall is needed, so that we funnel that illegal drug trafficking to those ports rather than in between those ports of entry.

It is time that Congress gave those individuals that are on the border, risking their lives to protect the United States, the tools that they need, and that is a border wall.

Madam Speaker, I yield such time as he may consume to the gentleman from Alabama (Mr. ROGERS), who is also the lead Republican on the Committee on Homeland Security.

Mr. ROGERS of Alabama. Madam Speaker, I thank the gentleman for the time.

Today I rise in strong support of securing our borders. There is a crisis at the southwest border that can no longer be denied.

Changing demographics have created unprecedented challenges for Border Patrol agents. Today, record large groups of women and children from Central American countries are overwhelming Border Patrol facilities and undermining the safety of migrants and staff.

Family apprehensions for fiscal year 2019 are already 800 percent higher than fiscal year 2013.

Customs and Border Protection statistics indicate that border apprehensions are on pace to hit a 10-year high.

Human smugglers are exploiting loopholes in our broken immigration system and using children as visas to gain entry into the U.S.

Further, drugs are pouring through our porous borders. As you just heard the gentleman mention, in fiscal year 2018, Customs and Border Protection seized almost 900,000 pounds of drugs at the border, the majority of which were seized between the ports of entry. That includes approximately 2,000 pounds of fentanyl, which equals a lethal dose for the entire United States population.

To address this crisis, we need an all-of-the-above solution to border security that includes manpower, 21st century technology, and a barrier. With this approach, we will stem the flow of drugs that are devastating our communities. We will stop human smugglers and others from crossing hundreds of miles of open desert with innocent children.

Border security used to be a bipartisan issue. I have been on the Homeland Security Committee since it was established as a select committee after 9/11.

□ 1315

Not one time in the history of that committee has there been any partisan dispute about the need for a barrier, the wall, until Donald Trump became President, and now it is a toxic issue.

I stand by President Trump's actions to keep Americans safe, and I encourage my colleagues to do the same. Vote against the effort to override the President's veto.

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

Mr. GRAVES of Missouri. Madam Speaker, I yield myself the balance of my time.

Despite the majority's blind objection to anything this President does, the facts are clearly there to show that this is a real crisis. President Obama agreed when he requested emergency funding in 2014 to deal with the crisis on the border and when he declared a national emergency because of the transnational drug traffickers.

Since fiscal year 2012, Customs and Border Patrol has seized 4 million pounds, as I pointed out earlier, seized 4 million pounds of drugs at ports of entry but more than 11 million pounds of drugs between those ports of entry. Nearly three times as many drugs are seized in between those ports.

Many of our colleagues on the other side of the aisle recognize the need for a border wall. They voted to authorize a wall in 2006 and again they voted to authorize, under President Obama, in 2013.

Last year, we passed bipartisan legislation to address the growing impacts of opioids on our communities, drugs that continue to flow into our country through our southern border. Make no mistake, the opioid crisis is real.

Earlier this month, the Centers for Disease Control issued a report noting that deaths from fentanyl have increased from 1,663 in 2011 to 18,335 deaths in 2016. This is an increase of over 1,100 percent.

There was bipartisan agreement that there was a drug-related crisis, but now, suddenly, some are calling this a "manufactured crisis."

The National Emergencies Act has been on the books since 1976 and has been used dozens of times, but now, suddenly, some are calling it "unconstitutional."

The National Emergencies Act is clear; it is absolutely clear: The President has the authority to act. The President is using the authority Congress has given him, and the President stood firm, understanding the gravity of this crisis, and issued his first Presidential veto.

I stand with him, and I urge my colleagues to sustain the President's veto on H.J. Res. 46.

Madam Speaker, I yield back the balance of my time.

Mr. DEFAZIO. Madam Speaker, may I ask how much time remains.

The SPEAKER pro tempore. The gentleman from Oregon has 8½ minutes remaining.

Mr. DEFAZIO. Madam Speaker, I won't use that much. I yield myself such time as I may consume.

I would like to have a quote here from someone who, I think, is quite prominent: You go under; you go around; you go through it. What they need is more manpower and more technology.

That was the Acting Chief of Staff for the White House, Mick Mulvaney, when, perhaps, he was a little more independent as a Member of the United States Congress. That was August 25, 2015.

I would ask: What has changed since then? Well, he now works for the President. That is a change.

Donald Trump, during his campaign, was real hardline on immigration, but he kept forgetting to mention immigration in some of his speeches. So his staff came up with a mnemonic. They said: Well, he is a builder. If we say "wall," he will remember it.

And the President did. It was just an afterthought. It was: How are we going to get him to give his hard line on immigration during his campaign speeches and get rousing going. Let's use the wall.

The wall then became a life unto its own, as a campaign promise, not as something that is effective.

As we have talked about before, the drugs, use a trebuchet or a catapult. Use a drone, tunnels—really common, tunnels—and, of course, legal border crossings.

This is an end conclusion to a campaign promise for his base but not what is in the best interests of the United States of America in terms of preventing the shipment of illegal drugs.

Now, I don't know where the gentleman came up with that new statistic that three times as many drugs were intercepted outside the ports of entry, unless he was using the Coast Guard, which he may have been, because the Coast Guard intercepted more drugs than every other agency of the Federal Government, combined, in the maritime route.

Unfortunately, as the former Commandant of the Coast Guard said: We can identify 80 percent with our intel, 80 percent of the drug shipments coming in on a maritime basis, but the Coast Guard only has the resources to intercept 20 percent.

So I guess that is probably where that statistic came from.

The Coast Guard is doing a great job with inadequate resources. In the bipartisan compromise, they got some additional money for air and marine assets, three multi-enforcement aircraft. They could use a heck of a lot more.

Why don't we get that 80 percent? Why don't they have resources to get that 80 percent that they know about, and then let's get better intel and get the other 20 percent.

And then let's scan 100 percent of the vehicles coming across the border. I have been at the border, when, through

intuition, a Border Patrol agent found drug smuggling. I just happened to be there that day. I mean, it was just sort of a: Whoa, Congressman, you might like to see this.

The guy drove up to the border. He had a birthday cake and a bottle of tequila on the seat. The Border Patrol guy said: Hmm, something is suspicious. Take the truck over there.

They scoped out the gas tank. They found big blocks of drugs in the gas tank.

Was that because we had sophisticated technology and when the guy pulled the truck up we could use that technology? No, it was the intuition of the Border Patrol agent.

I said: How did you know to go and really search through that guy's vehicle?

He said: Well, there was nothing on his key ring. There was only one key in the ignition. He was a throwaway.

The cartel was probably paying him 10,000 bucks or something to drive that stolen or purchased pickup truck across the border concealing drugs, and the human element caught that guy.

There aren't enough Border Patrol agents. They have openings. They are not adequately compensated. They weren't paid during the shutdown, but they were still working at the border. They are the first line of defense.

But they also need new technology. We can't install all that technology to scan 100 percent of the vehicles coming through unless we invest a lot of money in improving the border crossing because we will have trucks backed up 100 miles back into Mexico because of the amount of commerce that comes across.

So what are we going to do? We are going to build a stupid, static wall over there and over there, and we are still going to let, probably, 85 percent of the vehicles go through without applying technology.

Guzman, sitting in his jail cell, is probably just chortling over this. He is saying: Boy, are those Americans stupid. Why don't they get the technology they need to scan the cargo that we are hiding in very sophisticated ways in tractor trailers, in pickup trucks, in individual passenger vehicles? Why don't they intercept the drugs that are coming in through the oceans that they even know about and they are not intercepting them?

No, we are going to build a dumb wall.

And, by the way, when the Republicans were in charge, we had a vote on that and it failed. If this was such a crisis and such a great idea when the Republicans controlled the House, the Senate, and the White House, why didn't they make it a priority?

Well, they didn't make it a priority because they thought it was a stupid idea. But now it is a political thing. This is a victory for the President. It excites his base. It energizes his base. He has to have it, so he declares a national emergency.

The emergency is political. It is not national security. It is not drugs.

We have a humanitarian crisis at the border—yes, we do—and what is a wall going to do about that?

They come to the border. They stand there and they say: We want to apply for asylum in the United States.

If they come across in a remote area, they hope they come across a Border Patrol agent because they want to surrender at the moment, right there, and get some shelter and get medical care. They are now organizing busloads to come up from Guatemala and Honduras.

We are not dealing with the root problems down there, and we are not dealing with the smugglers who are now hiring very nice, luxury buses as opposed to the old ride on that killer train that people used to take to come up, when there were smugglers who would often rape them, kill them, rob them, whatever else. Now they have converted to: Oh, let's put them in a luxury coach and they will have rest stops and everything else.

This has become big business. Why aren't we doing something about that? The wall will do nothing about that—nothing.

Why, why, why are we going to waste billions of dollars on a medieval fortress that won't work?

I urge my colleagues to vote and override the veto of the President of the United States; restore the integrity of the Congress of the United States and the appropriations process under Article I of the Constitution of the United States.

Madam Speaker, I yield back the balance of my time, and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the joint resolution, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

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

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 26, 2019.

Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,  
Washington, DC.*

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 26, 2019, at 9:21 a.m.:

That the Senate passed S. 863.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### LYTTON RANCHERIA HOMELANDS ACT OF 2019

Mr. GRIJALVA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1388) to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1388

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Lytton Rancheria Homelands Act of 2019”.

##### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Lytton Rancheria of California is a federally recognized Indian tribe that lost its homeland after its relationship to the United States was unjustly and unlawfully terminated in 1958. The Tribe was restored to Federal recognition in 1991, but the conditions of its restoration have prevented it from regaining a homeland on its original lands.

(2) Congress needs to take action to reverse historic injustices that befall the Tribe and that have prevented it from regaining a viable homeland for its people.

(3) Prior to European contact there were as many as 350,000 Indians living in what is now the State of California. By the turn of the 19th century, that number had been reduced to approximately 15,000 individuals, many of them homeless and living in scattered bands and communities.

(4) The Lytton Rancheria’s original homeland was purchased by the United States in 1926 pursuant to congressional authority designed to remedy the unique tragedy that befall the Indians of California and provide them with reservations called Rancherias to be held in trust by the United States.

(5) After the Lytton Rancheria lands were purchased by the United States, the Tribe settled on the land and sustained itself for several decades by farming and ranching.

(6) By the mid-1950s, Federal Indian policy had shifted back towards a policy of terminating the Federal relationship with Indian tribes. In 1958, Congress enacted the Rancheria Act of 1958 (72 Stat. 619), which slated 41 Rancherias in California, including the Lytton Rancheria, for termination after certain conditions were met.

(7) On August 1, 1961, the Federal Government terminated its relationship with the Lytton Rancheria. This termination was illegal because the conditions for termination under the Rancheria Act had never been met. After termination was implemented, the Tribe lost its lands and was left without any means of supporting itself.

(8) In 1987, the Tribe joined three other tribes in a lawsuit against the United States challenging the illegal termination of their Rancherias. A Stipulated Judgment in the

case, *Scotts Valley Band of Pomo Indians of the Sugar Bowl Rancheria v. United States*, No. C-86-3660 (N.D.Cal. March 22, 1991), restored the Lytton Rancheria to its status as a federally recognized Indian tribe.

(9) The Stipulated Judgment provides that the Lytton Rancheria would have the “individual and collective status and rights” which it had prior to its termination and expressly contemplated the acquisition of trust lands for the Lytton Rancheria.

(10) The Stipulated Judgment contains provisions, included at the request of the local county governments and neighboring landowners, that prohibit the Lytton Rancheria from exercising its full Federal rights on its original homeland in the Alexander Valley.

(11) In 2000, approximately 9.5 acres of land in San Pablo, California, was placed in trust status for the Lytton Rancheria for economic development purposes.

(12) The Tribe has since acquired, from willing sellers at fair market value, property in Sonoma County near the Tribe’s historic Rancheria. This property, which the Tribe holds in fee status, is suitable for a new homeland for the Tribe.

(13) On a portion of the land to be taken into trust, which portion totals approximately 124.12 acres, the Tribe plans to build housing for its members and governmental and community facilities.

(14) A portion of the land to be taken into trust is being used for viniculture, and the Tribe intends to develop more of the lands to be taken into trust for viniculture. The Tribe’s investment in the ongoing viniculture operation has reinvigorated the vineyards, which are producing high-quality wines. The Tribe is operating its vineyards on a sustainable basis and is working toward certification of sustainability.

(15) No gaming shall be conducted on the lands to be taken into trust by this Act.

(16) No gaming shall be conducted on any lands taken into trust on behalf of the Tribe in Sonoma County after the date of the enactment of this Act.

(17) By directing that these lands be taken into trust, the United States will ensure that the Lytton Rancheria will finally have a permanently protected homeland on which the Tribe can once again live communally and plan for future generations. This action is necessary to fully restore the Tribe to the status it had before it was wrongfully terminated in 1961.

(18) The Tribe and County of Sonoma have entered into a Memorandum of Agreement as amended in 2018 in which the County agrees to the lands in the County being taken into trust for the benefit of the Tribe in consideration for commitments made by the Tribe.

##### SEC. 3. DEFINITIONS.

For the purpose of this Act, the following definitions apply:

(1) COUNTY.—The term “County” means Sonoma County, California.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(3) TRIBE.—The term “Tribe” means the Lytton Rancheria of California.

##### SEC. 4. LANDS TO BE TAKEN INTO TRUST.

(a) IN GENERAL.—The land owned by the Tribe and generally depicted on the map titled “Lytton Fee Owned Property to be Taken into Trust” and dated May 1, 2015, is hereby taken into trust for the benefit of the Tribe, subject to valid existing rights, contracts, and management agreements related to easements and rights-of-way.

(b) LANDS TO BE MADE PART OF THE RESERVATION.—Lands taken into trust under subsection (a) shall be part of the Tribe’s reservation and shall be administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian tribe.