

Bridenstine Harris
 Brooks (AL) Heck (WA)
 Brooks (IN) Hensarling
 Brown (FL) Higgins
 Buchanan Himes
 Bustos Huelskamp
 Butterfield Huffman
 Byrne Hultgren
 Calvert Hurd (TX)
 Capps Hurt (VA)
 Cárdenas Issa
 Cartwright Johnson (GA)
 Castro (TX) Johnson, Sam
 Chabot Jolly
 Chu, Judy Kaptur
 Cicilline Katko
 Clark (MA) Kelly (PA)
 Clay Kennedy
 Cole Kildee
 Collins (NY) King (NY)
 Comstock Kline
 Conaway Knight
 Conyers Kuster
 Cook Labrador
 Cooper LaMalfa
 Cramer Lamborn
 Crenshaw Larsen (WA)
 Crowley Larson (CT)
 Cuellar Latta
 Culberson Lieu, Ted
 Davis (CA) Lipinski
 DeGette Loeb sack
 DeLauro Lofgren
 DelBene Loudermilk
 Dent Lowenthal
 DesJarlais Lowey
 Deutch Lucas
 Diaz-Balart Luetkemeyer
 Doggett Lujan Grisham
 Doyle, Michael F. Lummis
 Duncan (SC) Maloney,
 Duncan (TN) Carolyn
 Edwards Marino
 Emmer (MN) Massie
 Engel McCarthy
 Eshoo McCaul
 Esty McClintock
 Farr McCollum
 Fattah McHenry
 Fincher McMorris
 Fleischmann Rodgers
 Fortenberry McNeerney
 Foster Meadows
 Frelinghuysen Meng
 Gabbard Messer
 Gallego Mica
 Goodlatte Miller (MI)
 Gosar Moolenaar
 Gowdy Moore
 Graham Moulton
 Granger Mullin
 Grayson Murphy (PA)
 Griffith Nadler
 Grothman Napolitano
 Guinta Neugebauer
 Guthrie Nunes
 Gutiérrez O'Rourke
 Hahn Olson
 Hardy Palmer
 Harper Pelosi

Pitts
 Pocan
 Polis
 Pompeo
 Posey
 Price (NC)
 Rangel
 Ribble
 Richmond
 Roby
 Rogers (KY)
 Rokita
 Roskam
 Ross
 Rothfus
 Royce
 Ruppersberger
 Russell
 Ryan (WI)
 Salmon
 Sanford
 Scalise
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sherman
 Shimkus
 Simpson
 Sinema
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Stefanik
 Stewart
 Stutzman
 Takai
 Takano
 Thornberry
 Titus
 Tonko
 Trott
 Tsongas
 Upton
 Wagner
 Walker
 Walorski
 Walters, Mimi
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Miller (FL)
 Welch
 Westerman
 Westmoreland
 Whitfield
 Williams
 Wilson (SC)
 Womack
 Yarmuth
 Yoho
 Young (IA)
 Young (IN)
 Zeldin
 Zinke

Hunter
 Jackson Lee
 Jeffries
 Jenkins (KS)
 Jenkins (WV)
 Johnson (OH)
 Johnson, E. B.
 Jones
 Jordan
 Joyce
 Kelly (IL)
 Kilmer
 Kind
 Kinzinger (IL)
 Kirkpatrick
 Lance
 Langevin
 Lawrence
 Levin
 Lewis
 LoBiondo
 Love
 Lujan, Ben Ray
 (NM)
 Lynch
 MacArthur
 Maloney, Sean
 Marchant
 Roe (TN)
 McDermott
 McGovern
 McKinley
 McSally
 Meehan
 Meeks
 Miller (FL)
 Mooney (WV)

Mulvaney
 Murphy (FL)
 Neal
 Newhouse
 Noem
 Nolan
 Norcross
 Nugent
 Palazzo
 Pallone
 Pascrell
 Paulsen
 Payne
 Pearce
 Perry
 Peters
 Peterson
 Pittenger
 Poe (TX)
 Poliquin
 Price, Tom
 Ratcliffe
 Reed
 Reichert
 Renacci
 Rice (NY)
 Rice (SC)
 Rigell
 Roe (TN)
 Rogers (AL)
 Rohrabacher
 Rooney (FL)
 Ros-Lehtinen
 Rouzer
 Roybal-Allard
 Ruiz
 Rush

Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schock
 Sewell (AL)
 Shuster
 Sires
 Slaughter
 Smith (MO)
 Stivers
 Swalwell (CA)
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Tiberi
 Torres
 Valadao
 Van Hollen
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Walberg
 Walden
 Watson Coleman
 Weber (TX)
 Wenstrup
 Wilson (FL)
 Wittman
 Woodall
 Yoder
 Young (AK)

(Mr. CARTER) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

□ 1500

Ms. ROYBAL-ALLARD. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, my motion would instruct the conferees to recede to the Senate position, which is the responsible position of providing a full-year funding for the Homeland Security Department.

Secretary Johnson has warned over and over again that the Republican leadership's refusal to allow a vote on a clean bipartisan funding bill, such as the one sent to this House by the Republican-led Senate, is threatening the national security of our country. Without a full-year bill, the Secretary tells us that he is unable to move forward on key Homeland Security priorities, including new investments in border security technology, more aggressive investigations related to transnational criminal organizations that engage in drug and human smuggling and human trafficking, enhanced preparedness for responding to surges in illegal migration such as the one experienced last summer, acquisition of the Coast Guard's eighth National Security Cutter, and the construction of the National Bio and Agro-Defense Facility in Manhattan, Kansas, both of which could potentially be delayed and lead to associated higher costs.

Also at risk are the badly needed security upgrades at the White House complex and the issuing of State and local terrorism prevention and response grants so critical to supporting our local first responders. These are just a few of the negative consequences of not fully funding our Department of Homeland Security.

Madam Speaker, nothing can be gained by another stopgap funding measure, but much can be lost. We should not allow ourselves or the American people to be fooled into thinking that the House can continue to delay resolving this issue without undermining the national security of our Nation, or that the Department of Homeland Security has been doing just fine under the continuing resolution and can operate effectively under the uncertainty of a continuing resolution for even another day, much less 3 more weeks.

The dire consequences of not funding the Department of Homeland Security are not the made-up warnings of Democrats. They are the warnings of the Secretary of Homeland Security and the heads of his agencies.

Let me again read a portion of a letter sent by Secretary Johnson to the bipartisan leadership of the House and Senate regarding the dangers of either a funding lapse or another short-term continuing resolution:

A mere extension of a continuing resolution has many of the same negative impacts

ANSWERED "PRESENT"—1

Gohmert

NOT VOTING—19

Ashford
 Chaffetz
 Courtney
 Frankel (FL)
 Franks (AZ)
 Garamendi
 Hinojosa
 Hudson
 Israel
 Keating
 King (IA)
 Lee
 Long
 Perlmutter
 Pingree
 Quigley
 Speier
 Tipton
 Turner

□ 1456

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. KING of Iowa. Madam Speaker, on roll-call No. 103, had I been present, I would have voted "yes."

ANNOUNCEMENT BY THE SPEAKER
 PRO TEMPORE

The SPEAKER pro tempore. Without objection, a motion to reconsider the vote on adopting the motion offered by the gentleman from Texas (Mr. CARTER) is laid on the table.
 There was no objection.

MOTION TO INSTRUCT CONFEREES
 ON H.R. 240, DEPARTMENT OF
 HOMELAND SECURITY APPROPRIATIONS ACT, 2015

Ms. ROYBAL-ALLARD. Madam Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Roybal-Allard moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 240 be instructed to recede from disagreement with the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentlewoman from California (Ms. ROYBAL-ALLARD) and the gentleman from Texas

NOES—186

Adams
 Aguilar
 Amash
 Babin
 Barletta
 Barr
 Bass
 Beatty
 Benishkek
 Bera
 Beyer
 Bost
 Boyle, Brendan F.
 Brady (PA)
 Brownley (CA)
 Buck
 Bucshon
 Burgess
 Capuano
 Carney
 Carson (IN)
 Carter (GA)
 Carter (TX)
 Castor (FL)
 Clarke (NY)
 Clawson (FL)
 Cleaver
 Clyburn
 Coffman
 Cohen
 Collins (GA)
 Connolly
 Costa
 Costello (PA)
 Crawford
 Cummings
 Curbelo (FL)
 Davis, Danny
 Davis, Rodney
 DeFazio
 Delaney
 Denham
 DeSantis
 DeSaulnier
 Dingell
 Dold
 Duckworth
 Duffy
 Ellison
 Ellmers (NC)
 Farenthold

Fitzpatrick
 Fleming
 Flores
 Forbes
 Foxx
 Fudge
 Garrett
 Gibbs
 Gibson
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green, Al
 Green, Gene
 Grijalva
 Hanna
 Hartzler
 Hastings
 Heck (NV)
 Herrera Beutler
 Hice, Jody B.
 Hill
 Holding
 Honda
 Hoyer
 Huizenga (MI)

of a shutdown. It exacerbates the uncertainty for my workforce and puts us back in the same position on the brink of a shutdown just days from now.

The Secretary ends his letter by saying: "The American people are counting on us." Again, Madam Speaker, the American people are indeed counting on us, and so far, the House Republican leadership has let them down.

This stopgap funding measure does not fully address our national security needs. It simply represents the complete and utter abdication of our responsibility as Members of Congress to protect the American people and our country. The Senate has acted in the best interests of our Nation and sent this House a bipartisan, bicameral agreement on funding for the Department of Homeland Security.

Madam Speaker, our enemies aren't waiting around while the Republican leadership continues to delay a full-year funding for the Department of Homeland Security or for Congress to go to conference in the hope that some time in the future we may have an agreement.

Let the House, like the Senate, do the right thing and send this bill to the President. I urge my colleagues to vote for this motion to instruct conferees to bring back a clean, full-year, bipartisan funding bill for this Nation's homeland security.

Madam Speaker, I reserve the balance of my time.

Mr. CARTER of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the motion to instruct conferees. As the House and Senate come together to find a path forward on funding the Department of Homeland Security, we must reconcile our profound differences over how to handle the President's executive actions. But the minority should keep this in mind as we go to conference: the majority of American citizens oppose the President's actions on immigration, and they have asked us to fight those actions.

The House has acted decisively to fulfill that mandate. Six weeks ago, when the House approved a bill funding the Department of Homeland Security until the end of the fiscal year, the House also by large margins approved six amendments to stop the President's far-reaching actions.

The President himself has said—no fewer than 22 times—that he does not have the authority to change our immigration laws unilaterally. Now the courts have weighed in, saying that no law has given the President the power to make these sweeping changes to our immigration policies. The evidence is overwhelming on this side of the debate. Now, we can vote again, but the outcome will be the same. The American people have spoken. We must stand up against the administration's overreach on immigration.

While it is clear the President will not fulfill or act within the bounds of

the law, we in Congress are here to defend our Constitution, to provide those checks and balances that our Founding Fathers put into place to ensure the President does not act like a king.

Madam Speaker, I urge my colleagues to join me in opposing this motion to instruct, and I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Madam Speaker, how much time is remaining? The SPEAKER pro tempore. The gentlewoman from California has 25 minutes remaining.

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member on the full Appropriations Committee.

Mrs. LOWEY. Madam Speaker, I rise in support of the motion to instruct conferees to agree to a clean funding bill for the Department of Homeland Security.

Democratic and Republican negotiators reached a deal on 2015 Homeland Security funding levels and related policy issues in December. The Republican leadership made the political calculation to hold this funding hostage to ideological policy riders reversing the President's executive actions on immigration.

Having failed to extort these policy concessions, the Senate has done the right thing and moved forward to pass a clean Homeland Security funding bill that does not include poison pill immigration riders. Yet House leadership continues to dither, keeping alive the threat of a shutdown affecting the agencies that protect our ports, borders, aviation systems, communities, and more.

This motion to instruct would make clear the will of the House is for a clean full-year Homeland Security funding bill. This motion rejects spending another 3 weeks failing to give our critical agency the budget certainty it needs to hire employees, invest in new equipment and technologies, and provide preparedness grants on which our communities rely.

A \$40 billion Cabinet-level department must be able to plan more than 3 weeks in advance and must not be forced to rely on outdated funding levels or policies for 1 day longer than they already have.

Madam Speaker, enough is enough. We know that the Senate cannot and will not pass a bill that irresponsibly ties Homeland Security funding to immigration policy. We know that the President would never sign such a bill into law.

This charade is wreaking havoc on some of the most important agencies in our Federal Government. It is time, my colleagues, it is time, my friends, to move on, and the way to do that is through a clean, full-year 2015 bipartisan Homeland Security funding bill that we negotiated, Democrats and Republicans, House and Senate. Let's do it.

Mr. CARTER of Texas. Madam Speaker, at this time, I would like to

yield 3 minutes to the gentleman from Florida (Mr. JOLLY), my friend.

Mr. JOLLY. Thank you, Mr. Chairman.

Madam Speaker, I am a new member of the Appropriations Committee. I fully understand and respect the significant place that this committee sits in, Republicans and Democrats, to keep the government funded. I know that. I think the first responsibility of Congress is to keep the government open. But I take great reservation to my colleague's suggestion that somehow this is an abdication of our constitutional responsibility. Nothing could be further from the truth.

Madam Speaker, I want to make something clear to the American people today. All week I have seen signs on the House floor saying that Republicans are shutting down the Department of Homeland Security, and I have seen press conferences saying Republicans are shutting down the Department of Homeland Security, scaring the American people about something that has not happened.

Here is what we have not heard: Where are the solutions and where is the compromise? Because I will tell the American people this today: what my colleagues on the other side of the aisle have said is: It is all or nothing.

I understand the interest in a clean DHS bill. I am very sympathetic to that. But to take that position when we know that there are Members of this body who take grave, grave reservation to the constitutional overreach of the President, that is an abdication of the constitutional responsibility of this body.

All or nothing is not legislating. Signs are not legislating. Press conferences are not legislating. Legislating is reaching a compromise between two sides of the aisle with very different views of this. I will tell you, this process has not gone how I would have wished it to go. But I know this: the Nation is better and the Congress is better when we have regular order and when we legislate the way the Constitution has ordained.

Madam Speaker, we cannot abdicate our constitutional authority to recognize that we have a bicameral, bipartisan Congress with a disagreement, and what we owe to the United States Constitution is the opportunity for us to find a compromise.

So I will ask you this: What if DACA provisions were removed from the DHS bill? Does that get us votes? What if we delayed the President's executive order until final disposition by the courts? Does that get us votes? What gets us the votes we need as a body of 300 Members? Not 218 Members, but 300 Members. Where is the compromise? All or nothing is not legislating.

I will tell you it was a remarkable comment by the majority leader on the other side of this building this morning to suggest that going to conference is a waste of time. That is an abdication of the constitutional responsibility of this body.

All I am asking for, Madam Speaker, is that we recognize the difference and we ask my colleagues on the other side of the aisle: Where is the compromise? Because all or nothing is not legislating. Signs are not legislating, scare tactics are not legislating, and press conferences are not legislating.

Ms. ROYBAL-ALLARD. Madam Speaker, I would just like to point out that we have a solution, and it is the bipartisan, bicameral compromise bill that was sent by the Senate for us to vote on, and that is what we are asking for.

□ 1515

Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN), the ranking minority member of the Homeland Security Subcommittee on Immigration and Border Security.

Ms. LOFGREN. Madam Speaker, a lot of discussion has been that, somehow, the President has acted unconstitutionally or unlawfully. Nothing could be further from the truth.

There is ample legal authority for what the President has done. Prosecutorial discretion is a long-established practice in every area of the law, both civil and criminal. When a law enforcement agency has only enough resources to go after a fraction of the individuals who it suspects of violating the relevant law, it has to make choices. There is no alternative.

In the case of immigration, not only do we recognize this, Congress has specifically directed the head of the Department to set priorities, enforcement priorities, for removal.

Now, in addition to that, the Supreme Court has recognized in many cases the need—and really the authority of the executive—to make these decisions. In the Arizona case, it said Federal officials, as an initial matter, must decide whether it makes sense to pursue removal at all.

Our own Congressional Research Service has found that no court appears to have invalidated a policy of nonenforcement founded upon prosecutorial discretion on the grounds that the policy violated the take care clause.

Deferred action is nothing more than a tentative revocable signal to a non-citizen that the government does not intend to initiate removal proceedings at this time. Not only is that tentative, but the statute at U.S.C. 1182(a)(9)(B)(i) authorizes the period of stay by the Department in such cases.

Congress has expressly recognized deferred action by name repeatedly. In addition to the statute, the formal regulations of the Justice Department and Homeland Security have also expressly recognized deferred action.

In the *Reno v. American-Arab Anti-Discrimination case*, Justice Scalia said, “At each stage, the Executive has discretion to abandon the endeavor”—referring to the removal process—“and at the time IIRIA was enacted, the INS

had been engaging in a regular practice (which has come to be known as ‘deferred action’) of exercising that discretion for humanitarian reasons or simply for its own convenience.”

The arguments that somehow this is unlawful are so far wrong because nothing in the recent executive actions conflicts with either the letter or the spirit of the Immigration and Nationality Act or any other Federal statute.

I would note that the court in Texas did not find the President’s action unconstitutional. It suggested—and I think wrongly—that the Administrative Procedure Act applies to these actions. There is nothing in the history of the Administrative Procedure Act that suggests that is the case.

I would just suggest that the Republicans fund Homeland Security and let the process work through the courts.

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

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 30 seconds to the gentlewoman from Florida (Ms. BROWN), the ranking member on the Veterans’ Affairs Committee.

Ms. BROWN of Florida. Madam Speaker, let me just be clear—I am from Florida—the number one responsibility of any Member of Congress is to defend the American people, and we don’t do that by punting our responsibility to fund Homeland Security, period.

You all need to stop playing games with the safety of the American people.

Mr. JOLLY. Will the gentlewoman yield?

Ms. BROWN of Florida. You are the one that got on this floor and said it is a political football. If it is a political football, you are done playing.

Mr. JOLLY. Will the gentlewoman yield?

Ms. BROWN of Florida. My time has expired.

The SPEAKER pro tempore. Members must direct their remarks to the Chair.

Mr. CARTER of Texas. Madam Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Madam Speaker, I thank my friend from Texas not just for the time, but for the work he is doing to try to fund the responsibilities of the government.

I have been in this institution for 4 years, Madam Speaker, and I have grown to love this institution. I have grown to love the people who serve in this institution, and it is disappointing to me to see some of the tempers that boil over here and have that on display for the American people.

The truth is those tempers boil over, Madam Speaker, because folks here care. They don’t care a little; they care a lot.

What I have been grappling with as we have been going through this process—and the Appropriations Committee has been working so hard—is

how do we bring our passion to the President’s desk in a way that can make a difference for our people back home.

I look at the chairman of the Appropriations Committee here and the ranking member. For Pete’s sake, they passed a bill out of committee on this issue last summer.

To watch this debate, you would think that the Congress is so derelict that we put everything off until the eleventh hour. Not true, Madam Speaker. Last summer, the House passed this out of committee.

Now, of course, the process broke down last summer. We passed seven bills across this floor. The Senate had yet to pass one. I am tired of figuring out who to blame here. I am in the business of trying to figure out how to solve problems.

The Senate is making some progress. Golly, they have considered more amendments in the Senate so far in 2015 than they considered all of last year combined. They are making progress. We are starting to get this train back on track.

What is happening here today, though it seems so controversial, is we have got a motion to instruct, Madam Speaker, conferees. Now, I disagree with the motion to instruct. The motion says: Let’s just do what the Senate said we should do.

I don’t actually think that fulfills my constitutional obligation, but the fact that we are even in a place today to instruct conferees, it takes us back. I would argue if we took a poll outside, Madam Speaker, we could find folks all up and down Constitution Avenue, all up and down Independence Avenue, who saw that skit on “Saturday Night Live” with the bill tumbling down the stairs as folks tried to remember how a bill becomes a law.

If we can pass this 3-week continuing resolution today, we are going to be able to demonstrate how a bill becomes a law when the House has a position and the Senate has a position and they come together to work out those differences before it goes to the President’s desk.

Madam Speaker, I have been here 4 years. I can count on one hand how many times I have seen that process work. These issues are too important to say: The other body took care of it, I will just defer to them.

The Members of this body are too talented, they are too committed, they love this country too much. For the 435 of us to come together and say, We have nothing to add, let’s just do what the Senate said—I can’t count the number of colleagues I have, Madam Speaker, on the Democratic side of the aisle who love this country, care about this country on one hand. I can’t count them on two hands. I can’t count them on all of my fingers and toes because it is every single Member.

The same thing is true on my side of the aisle. I would just ask my friends, my committed patriot friends, it is 3

weeks to have an opportunity to have our collective voice heard. The American people deserve it; the Nation needs it. Our leaders on the Appropriations Committee, Republican and Democrat alike, have given us an opportunity to do it.

Let's take "yes" for an answer. Let's reject this motion to instruct, but let's do go to conference. Let's pass this continuing resolution, and let's restore some pride in a process that has served this country so well for so long.

Ms. ROYBAL-ALLARD. Madam Speaker, I yield myself such time as I may consume.

I just want to point out to the gentlemen that the ranking members and chairs of the Appropriations Subcommittees of the House and the Senate worked together on the bill that we are trying to bring for a vote, that this was a negotiated bill by both Houses.

This is not something that we are just trying to bring from the Senate without the House having any input. This was the negotiated, compromised bill of both Houses.

I now yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), a member of the Financial Services Committee.

Mr. ELLISON. Madam Speaker, I would like to thank the gentlewoman for yielding.

Madam Speaker, just for people who are watching this debate, I would like to take us back to December of 2014 when we passed this thing called the CR/Omnibus, all these spending bills together that we spent money for the American people over the course of a year to fund our government, except for the Department of Homeland Security bill, which would be funded right through midnight tonight.

Why did we single this one bill out for this short term? For one reason and one reason only: The Republican majority wanted to pick a fight with the President over the President's execution of his lawful authority to try to solve problems in the area of immigration.

Now, a Federal district court judge, who has a long history of Republican partisanship, decided that he would issue an order stopping the execution of this executive order action; so, now, why don't we let the district court handle it, pass a year-long bill, and look after the public safety of the American people?

This thing is where it should be. It is with the courts. People on the Republican side of the aisle, Madam Speaker, who say that this is unconstitutional—which it is not—now have the ball in the court they say they want it in, which is in the court's hands, so let us get about the business of protecting the homeland.

Madam Speaker, I am from Minneapolis, Minnesota, and I am proud of that, but I have got a terrorist group in Somalia talking about what they want to do to my mall. That is a fact of my district right now, and I feel very bit-

ter and resentful that we are holding up Homeland Security money.

I ask this body to not kick the ball for 3 weeks, but to get to business now, so that we can plan and protect our homeland.

This is serious business, not a political football to acquire power.

Mr. CARTER of Texas. Madam Speaker, I yield as much time as he may consume to the gentleman from the great State of Alabama (Mr. ADERHOLT), my friend.

Mr. ADERHOLT. Madam Speaker, I thank the chairman for letting me speak on this motion.

As a past chairman of this Subcommittee on Homeland Security, I know firsthand how important it is for the funding for Homeland Security to go forward. The bottom line is the House has done its job.

Back in December, the House voted to fund the Federal Government for the fiscal year. We kept the funding for the Department of Homeland Security on a continuing resolution so that it would not lapse.

By doing so, we were making a promise to the American people, a promise that once the Republicans had full control of the Senate, we would work together as a Congress to ensure that the President's unconstitutional and dangerous actions would not go unchecked.

Every President takes an oath under the Constitution that the laws of this land will be upheld; however, the concern that we have now is the President is directing Federal employees to take unlawful actions.

The House position on this bill provides proper funding. It defends the President's unlawful actions. The House has voted, the Senate has voted, and—as my colleague from Florida had said earlier—once that happens when you don't agree, you go to conference, and that is how you legislate.

I urge my fellow House Members to support the actions laid out by the Speaker so that we can move forward with this so that we can go to conference and act like true legislators in how the Founding Fathers in their wisdom meant for this to move forward.

□ 1530

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), a member of the Committee on Foreign Affairs and the Committee on Oversight and Government Reform.

Mr. BRENDAN F. BOYLE of Pennsylvania. Madam Speaker, I realize that I haven't been serving in this body very long—only 8 weeks—but today is exactly the kind of day that drives most people nuts about Congress. Even though we all agree—Senate Republicans, Senate Democrats, in a more than 2-1 vote; House Democrats and House Republicans—that we need to fund the Department of Homeland Security, yet here we are a few hours be-

fore the deadline once again playing around with the security of the United States.

Madam Speaker, we have a way to end this. We have the Senate bill in front of us. Let us adopt the bipartisan bill, get the Department of Homeland Security funded, and then we can move on and have this legitimate debate about immigration.

Mr. CARTER of Texas. I reserve the balance of my time.

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH), a member of the Committee on the Budget and the Committee on Energy and Commerce.

Mr. YARMUTH. I thank the gentlewoman for yielding.

Madam Speaker, I would like to repeat some things that I have heard over the last couple of weeks about this particular situation:

"I fully believe we should not be playing politics with a national security agency like the Department of Homeland Security, particularly given the high threat environment that we are in right now."

"The political impasse on DHS funding must end. Responsible members of both parties must work together to find some way to fund DHS without further delay."

"The worst thing we can do is let our enemies think we are backing off, that we are cutting off funding. This involves human lives, and this is too risky a game to be playing here. This is no way to run a government."

Madam Speaker, those aren't my words. Those are words from Republican Members of this body discussing the reckless game that their party is playing with the funding of the Department of Homeland Security.

Every rationale I have heard for not voting for a clean funding bill right now involves some kind of an ideological orientation. We have got a lot of constitutional lawyers, apparently, in this body because people are arguing whether it is constitutional or not. Meanwhile, we face threats day in and day out, both here and abroad, that we are not being able to cope with.

There is a great or legendary conservative thinker and writer, William F. Buckley, Jr. He once said: "Idealism is fine, but as it approaches reality, the costs become prohibitive." Right now, the costs to our defense, the security of our Nation are becoming prohibitive. Let's stop this argument. Let's do what we both agree on and fund our Nation's security apparatus.

Mr. CARTER of Texas. At this time, I yield such time as he may consume to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Madam Speaker, I rise to oppose this motion, and I would like to address the House with the reasons why.

I have been here for a year and 2 months, and I believe in my time here, this is the first time that we have actually been in the position to get a bill

back from the Senate on which they disagreed with us and that we have even the opportunity to go to a conference.

Now, when I took high school civics, it was my understanding that that is the way the process works. The bill starts in one House, goes to another House; the other House disagrees, and it comes back to the other House. If the other House wants to go and discuss it, we go to conference and discuss it.

This House took a very important position back in January to fund the Department of Homeland Security, and we added some riders. Now we need to go to conference so that our position, the House's position, can be fully discussed by the conferees for both Houses. During that discussion, we don't know what the outcome will be, but that discussion could lead to something that could get us a solution. That is what the people of America want us to try to do is to get to a solution. So far what we have tried hasn't worked.

Now, I wish the Senate had acted earlier. I wish we could have gotten this back in time enough for us not to have to go through some of the gyrations we are doing now, but we are where we are. To go to conference and to give whoever is appointed as the House conferees the opportunity to work with whoever is appointed from the Senate as their conferees to try to arrive at something like a consensus that we can all vote for—even if we don't feel 100 percent good about it—seems to be what I thought we learned in high school civics class is the way the process is supposed to work.

So I hope that we will go forward. I hope this motion is defeated for that purpose, so that we can do things in regular order, which perhaps this Congress has forgotten to do, it has been so many years since we have done it. Now that the Senate has acted—and many of us, including me, have said we wanted the Senate to act—let's take their action, go to a conference committee with them, and work on trying to get this thing worked out.

Now, some people say that this isn't going to work, that nothing is going to come of it. I tell you this: if we don't try it, absolutely it is not going to work; but if we give it a chance, then we could get something out of it that is a win not for us in this House or the Senate, but a win for the people of the United States of America, the people we are here to represent.

So I hope that the people in both Houses and both parties can come together at least long enough for us to talk with one another, not at one another, not from an ideology, not from a partisan standpoint, but from the standpoint of what is best for the people of the United States and for what is appropriate under the Constitution of the United States, because we are also here, as our oath requires, to uphold the Constitution of our country.

I believe our conferees should have an opportunity to go in there and do

the right thing to protect the people of America through the funding of the Department of Homeland Security and to do the right thing to defend the Constitution of our country. By defeating this motion and going forward with the conference, we give the process a chance to work, and to work well, in both of those regards.

So I respect the people on the other side who think we should just give in; but I don't think we should just give in, because I don't think the American people want us to just give in. I think the American people want us to do our work, to make sure we protect our country by appropriately funding the Department of Homeland Security, but that we also protect our country by defending the Constitution of the United States.

I believe the actions taken by the President are unconstitutional. A judge has stayed those actions because he has got some legal issues with them. I don't know what is going to happen in that court proceeding. I am not going to try to predict that here on the floor of the House, because a lot of times you try to predict a court proceeding, you will find out you are wrong.

In the meantime, we still have an obligation to do our job, and I think going forward with this conference committee is doing our job in the most important of senses. I appreciate the opportunity to stand here today and address this House and to urge my colleagues to defeat this motion so that we can do something we haven't done in a number of years, and that is to fulfill the obligations given to us by our forebears, do our job, get this thing done, get it done right, and make sure that we have done right by the people of the United States.

Ms. ROYBAL-ALLARD. How much time is remaining on both sides?

The SPEAKER pro tempore. The gentlewoman from California has 14 minutes remaining, and the gentleman from Texas has 14 minutes remaining.

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.

Ms. JACKSON LEE. Let me thank the gentlelady for her excellent work on the Subcommittee on Homeland Security of the Committee on Appropriations and the gentleman, Mr. CARTER.

To the statements that have been made on the floor, might I just chronicle a more correct, if I might say, articulation of really what happened.

First, it is an applause and appreciation for the work done by the gentlelady from California and the gentleman from Texas, along with the ranking member and the chairman of the Committee on Appropriations, because they had 12 appropriations bills ready to go forward.

What my good friends have missed on the other side of the aisle is they debunked the full funding of the Depart-

ment of Homeland Security because of their ire against the President's authorized constitutional executive action. That is why we are here today, for no other reason than, rather than allowing the debate on a clean funding on the omnibus bills, the 12 that have come from the House, they took out the Department of Homeland Security and left it to the side.

They took it out in the light of young women, as I indicated. Three Denver girls played hooky from school and tried to join ISIS. They took it out in the light of the FBI Director saying there is an ISIS cell in every State. They took it out in the light of the tragedies that happened in Paris, in Denmark, and have happened around the world in Australia. Boko Haram, they took it out. They took out that full funding of the Department of Homeland Security and skewed it by adding their contempt for the executive action.

But then, lo and behold, what happened is a judge didn't rule it unconstitutional in Texas. That was not the order of the court. It was that there were questions that should be decided—it was actually a stay—and that it should have gone through an administrative procedure, the APA. It did not rule it unconstitutional, but it was an action that caused, at least for the moment, a stay in the actions of the President.

What does that say, Madam Speaker? It says that today we can come and give a full funding for the Department of Homeland Security.

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

Ms. ROYBAL-ALLARD. I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the gentlelady.

Madam Speaker, that order answers their concern about the executive action. In the meantime, we have every opportunity tonight, today to vote on a clean full funding of the Department of Homeland Security until September, because that is what the Senate did. They did their work.

But now we are playing games, in spite of the letter from the Secretary of Homeland Security, and we are telling the Customs and Border Protection, we are telling the TSOs, the FAA, the ICE officers, all of them, we put a stop sign and said we no longer want to secure America.

I ask for support of this motion to instruct, and I ask for full funding for the Department of Homeland Security. Let's do our job.

Mr. CARTER of Texas. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PITTENGER).

Mr. PITTENGER. I thank the gentleman for yielding me the time.

Madam Speaker, I am here today absolutely in amazement that we are in this discussion about the Constitution of the United States. This is an issue of

the balance of powers. This is an issue of our liberties. As important as the Homeland Security bill is, we recognize today that the Congress has made its statement, the President of the United States has made his statement 22 times that he did not have the right to declare amnesty, the courts have made their statement, and yet today we are in this dialogue.

I hope the American people are watching today and seeing the miscommunication of truth. The truth is we are committed to the Constitution, and we are going to stand by the Constitution. We are not going to allow the edict of one person to commit this country to a direction unchallenged. We are here committed to that principle. We believe that the rights of the American people are founded in this Constitution, and we will submit ourselves to that.

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

Mr. CARTER of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. I thank the gentleman for yielding.

Madam Speaker, as I listened to this debate and watched as some of the people talked about what our duty was and was not as Members of Congress, I thought I might come down and read the oath that we as Members of Congress take. It is simple.

“I do solemnly swear or affirm that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God.”

□ 1545

Ladies and gentlemen, this is not about immigration. This is about whether or not the President has the ability to unilaterally run this country by creating fees and spending those fees as he sees fit. I would submit to you that he doesn't. If the President can do this and is allowed to get away with this, then, when we get a pro-life President, that pro-life President can create a fee on abortion providers and use it to fund adoption.

It seems to me that the Democratic Party, which prefers free cell phones to taking care of the men and women who protect our country in uniform, likes the rules when they are working for them but doesn't want to abide by the rules all the time.

What the President has done violates, I believe, the separation of powers. I would suggest to you that this is a very dangerous precedent, and this is well worth fighting for in maintaining our oath as Members of the United States Congress to defend the Constitution.

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Madam Speaker, let's not lose focus here. We are talking about our country's security. We heard what would happen if the homeland function were to be eliminated immediately over a shutdown even with the emergency provisions that are existing.

I want to address an important issue, and that is the issue of our security being jeopardized because of these stopgap budgets. Now, what does that mean? That means we continue to work within the constraints of last year's priorities, that we can't move beyond the funding that is there for those functions that we said were important for our security last year. The trouble with that is the terrorist threats are changing every single day. The landscape is changing under our feet, yet we are in a straightjacket in dealing with it. We cannot continue going forward. It has already jeopardized our ability to look at nuclear detection in this country because of these stopgap budgets.

My State suffered a terrible tragedy with the Boston Marathon bombing, but I think all of us agree and all of us saw the way they organized, the way they coordinated all the functions—the State, the local, and the Federal Government, the medical functions, the emergency service. We all concluded—rightfully so—that countless lives were saved because of that. Do you know why? Because there was training and preparation for what could come.

We cannot deal successfully in this country with the threats that are confronting us here today and tomorrow—terrorist attacks—with last year's priorities and without being able to shift and meet those priorities. Let's stop the stopgap budgeting. It is hurting our country. It is hurting our security. Let's do what we are supposed to do under the Constitution—make these decisions to fund it.

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

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip of the House.

Mr. HOYER. Madam Speaker, I rise in support of this motion. I also rise to lament the fact that we had an opportunity just a few hours ago, or an hour ago, to do what the Senate rationally did. After four opportunities of trying to adopt the House position, the Senate failed to do so.

Now, I heard my young friend from Texas talk about the Constitution. I have heard a lot of people say we ought to read the Constitution. I agree with that. The Constitution has provided for the resolution of the injury of which you speak so passionately, and that is Article III of the Constitution.

Marbury v. Madison said that the Supreme Court had the authority, wheth-

er it was the President or the Congress, to say that that is not constitutional. Frankly, by our passing a law and saying this is constitutional, as has been attempted and done in the past by my Republican friends, to say, “we say, by legislative fiat, this is constitutional,” unfortunately, today, we gave up the opportunity to act responsibly. My friend Mr. ROGERS, for whom I have great respect, and Mrs. LOWEY know we are going to be back here some 20 days from today with this same debate because the Senate has already said they are not going to conference. When I say “the Senate,” the Democrats are not going to give 60 votes as the Republicans would not give 60 votes to go to conference on other bills in past years.

What we did was we reversed the order of the legislation we are considering. Had we done the original order, we would have done this motion to go to conference and the motion to instruct first. As a result, we would have still had the Senate bill in the House of Representatives so as to act responsibly, but there apparently was a fear that we might do that, so that bill was sent back to the Senate before we considered the CR for 21 days.

I urge my colleagues to vote “yes” on this motion to instruct. Vote “yes” to, at some point in time, do what is the responsible and doable alternative. It is not a question of whether you like it or I like it. It is the alternative that we in the Congress can do, and that is why 68 Members of the United States Senate—Republicans and Democrats—voted to say we have tried for 6 weeks to do what we all need to do, and that is to fund the Department of Homeland Security to keep America safe. We are going to delay that; but, at a minimum, we ought to say to the conferees—and few of us on this floor believe there will be any conference. Again, the Senate will not vote to go to conference. Let us vote at least for this responsible motion made by the gentlewoman from California.

Mr. CARTER of Texas. Madam Speaker, may I inquire as to how much time I have left.

The SPEAKER pro tempore. The gentleman from Texas has 10½ minutes remaining, and the gentlewoman from California has 5½ minutes remaining.

Mr. CARTER of Texas. Madam Speaker, I would first like to say that I certainly hope that Mr. HOYER, when he referred to his young friend from Texas, was talking about me. That makes me feel really good. I appreciate that.

At this time, I yield 3 minutes to my young friend from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, I appreciated so much my friend Mr. SCOTT for bringing up that oath. It does mean a lot—in my case, taking that oath to serve in the Army for 4 years, taking, basically, the same oath to be a prosecutor in Texas, to be a judge in Texas, to be a chief justice in Texas, and now to be in Congress. It

means something. Protecting the Constitution means that, if we don't preserve the balance of power, then this little experiment in democracy—or "a Republic, madam," as Benjamin Franklin referred to—will be lost.

I appreciated what my friend from Maryland said, and I wrote it down because it was profound: "we gave up the opportunity to act responsibly."

I would humbly submit, Madam Speaker, that that has been going on for the last 6 years. Now, some of it went on during the Bush administration as the President used executive orders and took powers that probably shouldn't have been his. In talking to people who have been in Congress over the last 35 years or so, they have told me that, whether it was Gerald Ford or Richard Nixon when Goldwater went down Pennsylvania Avenue, Jimmy Carter, Ronald Reagan, George H.W. Bush, Bill Clinton, or George W. Bush, there was a willingness on both sides of the aisle to get in a car together and go down Pennsylvania Avenue and say, "Mr. President, you have usurped far too much power. We can't let you destroy the Constitution any further. We are taking a stand." We have missed that opportunity to act responsibly, but, fortunately, it is not yet too late.

If you do not know what "irresponsibility" is, then look at Judge Hanen's opinion. He spells it out. This President didn't even have the gumption to write an executive order and sign it. He spoke his new amnesty law into being, and then Jeh Johnson did a memo. That took the power of Congress away from us. So the question on acting responsibly is: Do we make that message clear that we are not having laws spoken into being in this country and having some bureaucrat—unelected—come around with a memo that undoes laws by different Congresses all these years that have been signed by different Presidents? With a memo? Come on.

It is time to act responsibly. Now is the time. Please. I know party divisions run deep, but stand with us for the Constitution.

Ms. ROYBAL-ALLARD. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader of the House.

Ms. PELOSI. I thank the gentlewoman for yielding, and I commend her and Congresswoman LOWEY for their very important motion to instruct conferees to accept the Senate language.

Madam Speaker, I want to address some of what a previous speaker had mentioned, but I am going to go to the most recent previous speaker.

If you feel so strongly—because I don't know if this is about thinking or feeling—about the immigration issue and the executive actions taken by the President, I respect that; but why are you jeopardizing the homeland security of the United States of America by attaching your emotions to this bill?

That is what this is about. If you have an argument about immigration, have an immigration bill come to the

floor, and let's have that debate. You did say that we have given up the opportunity to act responsibly. That is exactly what you are doing today. Policy differences about immigration or the rest are a legitimate debate in this great marketplace of ideas that is called the House of Representatives; but it is not for you to hold hostage the homeland security of our country, to jeopardize the opportunity to prepare, to have what is current and necessary for the realities of the threats that we are facing now instead of—3 months since December until, it would be, March 19—3-month-old funding carried over from last year. A lot has happened since then in Paris, in the Middle East, with threats in our own country.

□ 1600

Get a grip on our responsibility. Get a grip, Madam Speaker. Give us a chance to vote on a bill that passed by more than two-thirds in the United States Senate with strong bipartisan support.

As far as your criticisms of President Obama, nobody said "boo" over there when President Reagan used—justifiably so, rightfully so—his executive orders on protecting immigrants in our country. George Herbert Walker Bush, the same. President Clinton. George W. Bush, who was one of the best Presidents on immigration in our country, wasn't able to convince his Republican colleagues to respect immigration as the invigoration of our country. But, nonetheless, he led on that subject.

So you have made a mess. We have so many bills, counter bills, CRs, all the rest of it coming back, forward, and all the rest, and every time I ask all of you what is happening, everybody says: I don't know.

It is only 8 hours until the government will shut down. That can't possibly happen. And I want to address that point. Someone has said to me, Well, the President said he won't let the government shut down—that he would sign this 3-week option. That is a bad choice that we have given the President—to shut the government down or extend it for 3 weeks—when that 3-week extension is as undermining to our national security as a shutdown in government. That is just not right. It is not responsible on our part.

So I say to our colleagues, if they want to go down that path of poor choices, let the Republicans do that. If they have got multiagendas here, anti-Obama agendas here about immigration and the rest, let them go down that path. Let them put their 218 votes on the board without our associating ourselves with it.

And just because the President's person says of the two bad choices he would choose the 3 weeks if it came to his desk, don't let that deter you from voting "no" on that and "yes" on what Congresswoman ROYBAL-ALLARD and Congresswoman LOWEY are putting forth as well.

Yes, we do take that oath, as the gentleman said, whether you are a judge, whether you are in the military, whether you are in Congress, or the President of the United States, to protect and support the Constitution of the United States. We are not protecting anything with what you are doing here. We are not protecting anything. We are dragging it out.

We are sending a message that, for some historic reason, we are now taking it out on Barack Obama because we are angry about what the gentleman on the Republican side said that Reagan, Bush, Clinton, and Bush have done. Bring it up under another circumstance. Keep it off the protection of our country.

Your chairman, Mr. ROGERS, working with our ranking member, Congresswoman LOWEY, was able to put together 12 bills which were a compromise—bills that everyone was prepared to support—until you decided you were going to use immigration to hold hostage the national homeland security of our country.

And so kick the can to here. Now you have kicked the can to here, and now you are going to kick the can to March 19. What do you think is going to happen on March 19? We have already had two recesses today in this very day of congressional deliberation. What do you think you are going to accomplish later if you are not willing to grow up, bite the bullet? You made your point.

Your colleagues, the Republican Senators, do not agree to drag this out. They have given you a face-saving path. The judge in Texas gave you a face-saving path. "I am Charlie"—"Je suis Charlie"—gave you a face-saving path.

The urgency is very, very clear—well, clear to everyone except if you happen to exist in this Chamber—when your negative attitudes toward President Obama have so overwhelmed you that you are willing to jeopardize the homeland security of our country. So whether it is firefighters, the SAFER Act, FEMA, or anything where the Federal Government comes in contact with people, you are standing in the way and using immigration as the excuse. For some of you, it may be a reason. Maybe it is for some of you, but for some of you it is an excuse. And for all of you it is a shame. It is a shame.

One gentleman said: If we accept the Senate language, we are not living up to our responsibility to have a bill in the House. And then you expect them to accept your language. Doesn't it hold true both ways? If you don't want to accept their language, why do you expect them to accept your 3-week language?

Do you not understand the legislative process? This Constitution, which we value, has the legislative branch. The first article of government is the legislature, preeminent. The President can't sign what we don't send him, in terms of making the law. He can take executive action, but the law is stronger.

Let us honor our responsibilities and stop standing in the way of protecting the American people. It is about the security of the American people versus the philosophy that you have going over there, which is perfectly to be respected in another piece of legislation. Let's have that debate separate from protecting.

It is about time for us to come together to get the job done. The Senate did it. We can. Please support Congresswoman ROYBAL-ALLARD's and Congresswoman LOWEY's motion to instruct the conferees to accept the Senate bill.

The SPEAKER pro tempore. The Chair reminds Members to please direct their remarks to the Chair and not to other Members.

Mr. CARTER of Texas. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Texas has 7½ minutes remaining.

Mr. CARTER of Texas. Does the gentlewoman have other speakers?

Ms. ROYBAL-ALLARD. No. I am prepared to close.

Mr. CARTER of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have had a lot of schoolteachers shake their fingers at me and tell me things. And most of the times, I have deserved it. I have been looked right at and told I was wrong before. Many of those times, I deserved it.

But I want to make something really clear. This is not a debate on immigration. This is not a debate on whether or not we are going to fund the Department. We are funding the Department for the next 3 weeks, using the same manner that we funded this Department for years at a time when our colleagues on the other side of the aisle were in charge of this House.

The CR was one of the most popular vehicles that they used in funding our country during the period of time they ran this place. So we are not using anything that we don't all use. It funds the Department. It keeps the Border Patrol okay and keeps them paid.

But it also allows us to do something that—by the way, the gentleman is absolutely right. In what we would call recent history, going to conference was so rare—my mother used to say “rare as hen's teeth”—when they ran this place.

So we are at least doing something that was designed to be done, and we are going to conference. When you go to conference and you have two sides of the story, you are supposed to go in there and discuss the two sides of the story. What they are asking to instruct here is to just take what the Senate sent us.

Well, to some extent, I guess we should reward the Senate. This is about the first thing they have sent us in recent history where we have actually had a bipartisan vote. In fact, last year we just didn't have any votes at

all. In fact, you wondered if they even knew how.

And so here we are. We are going to conference and doing it the way it is supposed to be done. All parties will be able to participate, and maybe we will resolve our differences and maybe we won't, but the American people also ask us to try to work in a bipartisan manner. And here is our opportunity.

The Homeland Security Department will be funded. They will have a paycheck. We will address this issue in conference, and hopefully we will come to a resolution the way we are designed to with bipartisan participation.

This is not about immigration. And after having spent 4 years with some of my colleagues on the other side of the aisle and some of the colleagues over here working on immigration, I am not anti-immigration policy. This is anti-stepping on the feet of the Framers of the Constitution and walking all over that piece of paper.

And that is why we are here to fight today. We are fighting for the rights of this legislative body as we address the Executive. And we are fighting to fund the Department.

With that, I yield back the balance of my time.

Ms. ROYBAL-ALLARD. Madam Speaker, let me just say that regardless of what the other side of the aisle will have us believe, the Secretary of Homeland Security and the men and women who put their lives on the front line every day for us and to protect this country tell us that a continuing resolution jeopardizes their ability to fully and effectively protect this country.

And so I urge my colleagues to do the responsible thing and to vote for this motion to instruct conferees to bring back a clean, full-year, bipartisan funding bill that will enable the Department of Homeland Security to fully and effectively protect our Nation and the American people.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Ms. ROYBAL-ALLARD. Madam 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.

FURTHER CONTINUING APPROPRIATIONS RESOLUTION, 2015

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of the joint resolution

(H.J. Res. 35) making further continuing appropriations for fiscal year 2015, and for other purposes, will now resume.

The Clerk read the title of the joint resolution.

MOTION TO RECOMMIT

Ms. ROYBAL-ALLARD. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the joint resolution?

Ms. ROYBAL-ALLARD. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Roybal-Allard moves to recommit the joint resolution H.J. Res. 35 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Page 1, line 3, strike “That the Continuing Appropriations Resolution, 2015” and insert the following:

SECTION 1. The Continuing Appropriations Resolution, 2015

Page 1, lines 5 and 6, strike “March 19, 2015” and insert “September 30, 2015”.

Add at the end the following new section:

SEC. 2. The Continuing Appropriations Resolution, 2015 is further amended by inserting at the end (before the short title) the following:

“SEC. 152. Notwithstanding any other provision of this joint resolution, funds and other authorities made available for accounts of the Department of Homeland Security shall be available to the extent provided in, under the authority and conditions provided in, and at a rate for operations not to exceed the rate permitted by, H.R. 861, as introduced in the House of Representatives on February 11, 2015.”

Ms. ROYBAL-ALLARD (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve a point of order on the gentlewoman's motion.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

□ 1615

Ms. ROYBAL-ALLARD. Madam Speaker, this motion to recommit will not kill the resolution or send it back to committee. If adopted, the continuing resolution will immediately proceed to final passage, as amended.

Adoption of this motion to recommit will change the date of the continuing resolution to September 30, 2015, and will incorporate by reference all the funding levels and provisions of H.R. 861, the clean, bipartisan, full-year funding bill for the Department of Homeland Security.

Once again, I ask my colleagues: What is gained by further putting off a resolution to this crisis of Republicans' own making?