

Amendment Prohibiting Money from the Department of Defense from Being Spent on the Border Wall

Mr. Chairman, I have an amendment to the Defense Appropriations bill. The amendment would prohibit any money for the Department of Defense to be used to build a physical barrier on the southern border. The President in the past year has diverted a total of \$6.1 billion dollars from the Department of Defense to pay for a controversial and ineffective wall. He did it by taking money from programs and projects this Committee funded to support our men and women in uniform and their families.

First he diverted \$2.5 billion from the Fiscal Year 2019 Defense Appropriations Act for the wall using standard transfer authority we provide the Department of Defense. We provide this transfer authority to ensure that DOD has the flexibility it requires to meet the needs of the troops.

It is NOT provided by us to be used by the President as a piggy bank for his own pet projects. Second, just last week, he announced he would take \$3.6 billion more from military construction projects for the wall.

A new middle school at Fort Campbell, Kentucky, a child development center at Joint Base Andrews in Maryland, and a fire-rescue station at Tyndall Air Force base in Florida, are among the projects canceled on orders from the President. These are projects Congress determined were important and worthy of federal dollars, and that we appropriated money for.

In citing 10 U.S.C. 2808, an authority unlocked by the declaration of a national emergency, and using it to raid military construction projects to pay for the wall, the President has contorted the law beyond all recognition, and undone congressional funding decisions by fiat.

The bill before us does nothing to rein in these abuses, and in fact permits the President to raid the Defense budget *again* in Fiscal Year 2020 to continue paying for his wall.

My amendment is simple. It would prohibit the Administration from diverting any money from the Department of Defense to pay for the wall – this includes money from either the Defense Appropriations bill that we are considering today, or the Military Construction bill, which we will take up next week. After a 35-day government shutdown and tense negotiations, Congress agreed to provide \$1.375 billion for barriers on the southern border, and not a penny more. When he could not fulfill his promise for Mexico to pay for the wall, the President chose to ignore Congress and took \$6.1 billion more from our troops. We cannot stand by and let it happen again.

Setting aside how each member in this room feels about construction of a wall on the southern border – and my feelings have been made abundantly clear – we are appropriators, and everyone in this room should be outraged that this President is contorting the law and abusing the discretion we provide him to unilaterally undo the spending decisions of this Committee. We may disagree on the utility of the President's wall, but we should not disagree on the constitutional role of this Committee and the Congress.

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