

Accordingly (at 7 o'clock and 33 minutes p.m.), the House stood in recess.

□ 2030

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 8 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE BILL H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-800) on the resolution (H. Res. 901) providing for consideration of the Senate amendment to the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE BILL H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 901 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 901

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

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

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. COLE. Mr. Speaker, earlier today, the Rules Committee met and reported a rule for consideration of the Senate amendment to H.R. 5325, the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act.

The rule makes in order a motion offered by the chair of the Committee on Appropriations that the House concur in the Senate amendment to H.R. 5325, with 60 minutes equally divided and controlled by the chair and the ranking member of the Committee on Appropriations.

Mr. Speaker, as a member of the Appropriations Committee, I am always disappointed when we are forced to consider continuing resolutions, especially given the work this House has done in the appropriations process this fiscal year.

For 2 years in a row, the House Appropriations Committee was able to complete all 12 appropriations bills—and complete them before the August recess. In addition, this House passed five appropriations bills. Unfortunately, just as in years past, Senate Democrats prevented consideration of many appropriations bills on the floor of that body. This leads us to the unfortunate situation of having to put forward a short-term CR to fund the government through December 9.

I hope that in the weeks and months ahead, the House, Senate, and the President can come to an agreement on a path forward which ensures we are not in this same position in December.

At the same time, I am pleased that this amendment also includes a fully conferenced MILCON-VA bill. The MILCON-VA portion provides a 4 percent increase for the VA, additional resources to address the disability claims backlog, and contains a number of important oversight provisions to make certain our veterans receive the care that they deserve.

The military construction portion provides \$7.9 billion for military family housing, Guard and Reserve facilities, and military bases both in the United States and around the world. This ensures that we can sustain quality housing for 1.3 million military families.

In addition, the MILCON-VA bill maintains a provision which prohibits the closure of Guantanamo Bay and the construction of any facilities to house detainees in the United States or its territories.

Importantly, Mr. Speaker, this amendment also provides a total of \$1.1 billion to fight Zika and offsets \$400 million of this spending. While I would have preferred offsetting the entire amount—and have supported legislation to do just that—I believe this is a reasonable compromise with both the Senate and the administration, both of

whom initially proposed no offsets at all.

When combined with funds already preprogrammed by the administration for Zika response activities, the total available resources to respond to Zika equals \$1.7 billion. This legislation provides the necessary funds for the Centers for Disease Control, the National Institutes of Health, the State Department, and USAID to develop vaccines and diagnostic tests for mosquito control and, in addition, provides healthcare resources to those areas experiencing the highest rates of Zika transmission, all while maintaining the Hyde amendment restrictions barring the use of taxpayer dollars for abortion services.

I am encouraged by the hard work of Chairman ROGERS, Ranking Member LOWEY, and, of course, the Speaker, whose leadership has made all of this possible. While a CR is not the ideal vehicle, the alternative of a government shutdown is not what we have been sent here to Washington to do.

Additionally, I am encouraged that we are finally returning to regular order and passing full-year appropriations measures by the end of the fiscal year. This is the first time since fiscal year 2006, when we passed two bills by the end of the fiscal year, that we have passed any individual appropriations bills through both Chambers of the United States Congress by the September 30 deadline. While we have a long way to go, this is a good first step that we can hopefully build upon next year.

I urge support for the rule and the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague, the gentleman from Oklahoma (Mr. COLE), for yielding me the customary 30 minutes.

Mr. Speaker, the deadline for keeping the government running has been staring us all in the face for months. Yet, the majority is using martial law rule to rush the continuing resolution to the floor just 2 days before the weekend deadline. I wish we had spent the last 4 weeks properly debating the bill under regular order.

Mr. Speaker, I am relieved that a reasonable compromise was reached on a bipartisan amendment to the Water Resources Development Act that will authorize funding for the people of Flint, Michigan, who have been forced to drink and bathe in poisoned water for years. As the only microbiologist in Congress, I can detail the many ways that this is a major public health failure.

The children that have been impacted could suffer everything from neurodevelopmental damage to behavioral changes to anemia to hypertension. These are lifelong impacts, Mr. Speaker, along with a statistically higher risk of incarceration.

This compromise is a positive step forward, but there is much more work

to do at all levels of the government to get the resources needed to help the people of Flint and the United States.

Thankfully, Mr. Speaker, the bill finally provides the resources to tackle the Zika virus more than 7 months after President Obama submitted his funding request to Congress to combat the spread of the virus and accelerate research into finding a vaccine.

I am disappointed that this continues a poison pill that would prevent the Securities and Exchange Commission from moving forward with a rule requiring publicly traded companies to disclose their political spending. This is so important. I think the fact that spending is out of control, money comes in from everywhere and we don't know how much, where it goes, and it is not a good thing for a democracy. I think it is nothing more than an attempt to hide from the American people the identities of the big corporate donors and probably people from all over the world who are sending money in here in hidden ways to affect our campaigns.

If sunlight is the best disinfectant, then we certainly should have spread some sunlight on the SEC to be able to do what we had asked them to do. We are very concerned that electoral spending is increasingly being conducted in the dark.

It is also disappointing that, despite overwhelming bipartisan, bicameral support, the continuing resolution fails to ensure that the Export-Import Bank is able to fully help businesses and workers across the country by restoring a board quorum to the bank.

This continuing resolution is going to avert a crisis in the short term, but it is a clear demonstration of the failure of the majority to do the most basic job: fund the government.

The majority has been so preoccupied with holding more than 60 votes to repeal the Affordable Care Act and investigating nonexistent scandals involving Planned Parenthood that they have allowed the body to lurch from crisis to crisis instead of enacting long-term appropriations. All the while, our infrastructure is crumbling and the cost of college education and college loans and the interest on them, which is crippling, is skyrocketing.

Mr. Speaker, CBS News has highlighted that it costs the taxpayers an estimated \$24 million a week to run the House of Representatives. It is abundantly clear that, under this leadership, taxpayers aren't getting their money's worth. Nonetheless, I am pleased to be here to be part of passing this tonight to prevent the awful crisis of a shutdown, and I think we have all learned lessons there.

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

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

Mr. Speaker, I want to begin by congratulating my friend and thanking her. I know she is committed to the resumption of regular order, and she has

worked that way tirelessly. That is a goal that we share with our friends on the other side of the aisle.

I think it is worth pointing out that you can't have regular order in the House if you don't have regular order in the Senate. The real reason we are here is because the Senate has refused consistently to take up appropriations bills that have been passed by this House.

At some point, you simply quit passing the bills because the Senate isn't going to deal with you. Once we finally have a Senate that will work in regular order—and I hope we do at the beginning of next January—perhaps we can overcome this and get back to the system that I know my friend from New York and I want to see on this floor: passing each individual appropriations bill, doing so in a way that Members can participate, conferences with our friends in the Senate, and then moving forward.

As to Zika, I think it is worth pointing out that nothing has not been done for lack of money. The reality is, when the administration made its initial request for Zika funds, they immediately received a letter from Chairman ROGERS, from Subcommittee Chairman GRANGER on State-Foreign Operations, and from myself, saying: Look, we know this is an emergency. We agree with you. You have billions of dollars of funds. Start spending that money—a bowl of money, so-called—and we will replace that money.

Frankly, they have done that, to their credit. They set aside \$600 million, not all of which has been spent, but that was the responsible thing to do, as Congress studied and look at this problem.

Chairman ROGERS actually led a codel that went to Brazil, Peru, and some of the areas that have suffered from this disease, and we have continued to work. We have twice put on this floor hundreds of millions of dollars for Zika response that our friends on the other side didn't see fit to vote for.

Zika didn't get funded because, frankly, our friends just simply didn't want to pay for it. That has actually been the essence of the dispute, in my opinion. It has not been about Zika. It has been about whether or not you pay for Zika.

The original request from the administration was for \$1.9 billion over a 2-year period to come out of State-Foreign Operations and Labor-HHS, two committees that, in that same period, have \$425 billion to spend. It is not hard to pay for \$1.9 billion out of \$425 billion.

Still, at the end of the day, my friend is absolutely correct: we are here. We have not failed to do anything, but we do need to provide a framework to go forward with guaranteed continuity. I am pleased and proud this does that. Frankly, we reserve the option next fiscal year to look at actually covering other parts of the unfunded spending on Zika.

□ 2045

In terms of the Export-Import Bank, I am going to agree with my friend. I don't know that this was the appropriate vehicle, but I think the point she makes is exactly right. We need to restore this particular institution to full functioning. That has been a matter of some partisan debate, but, actually, I agree with my friends. I support the Export-Import Bank, and I think we need to re-establish it. And if we could have done it in this bill, that would have been fine with me.

But I trust the people that negotiated the final product, and they did try to remove a lot of issues that were controversial and divisive so that, hopefully, we could get a substantial majority of both parties to vote for continuing the government.

I want to end by saying that, again, I want to invite our friends in the Senate to participate in regular order. In some ways they have done that. I want to give them credit for last year and this year passing all 12 appropriations bills at least through the full committee level.

But it was a decision by their leadership not to allow those bills to come to the floor that actually gummed up the works. It is not anything that was done in the House. Indeed, we didn't give up on that process until it became abundantly clear that the Senate wasn't going to move.

We are now, however, at the last moment. My friend is correct in that. I am pleased that we have negotiated together in good faith, frankly, within this body, across the rotunda with the other body, and with the administration, to arrive at something that will get us through the election and give us the time when we return from the election to sit down.

In that period of time, I want to commit to my friend that I will be looking forward to working with her and her colleagues to make sure we fully finish the appropriations process.

There are some in this body that don't want to do that. They want to simply CR or do a continuing resolution to some point in the future next year, dumping off the work of this Congress and this administration on the next administration and the next Congress. That would be a big mistake, in my opinion.

I know my friend feels exactly the same way, so I commit to her, I will do everything I can on my side of the aisle—I know she will on her side—to make sure that we continue the full appropriations process, and we make sure fiscal year 2017 is funded.

The new administration, when it shows up, is going to have a lot to do, whoever that person is. They are going to have to advance their agenda. They are going to have to name the Cabinet members. They are going to have to get them confirmed. They are going to have to write a budget for FY18 by the middle of February. We will have a debt ceiling crisis in March, and we

will have, frankly, the sequester to deal with which, like Halley's Comet, will return on schedule on time. That is plenty for a new President and a new Congress to do.

I would hope we do our job in the so-called lameduck session and make sure that they don't have the additional task of picking up and doing the work that this Congress and this President should have done on their own. So my friend is right on that point.

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

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

Mr. Speaker, the House of Representatives has been in session for the last 4 weeks, more than enough time to properly debate the continuing resolution under regular order. But, instead, we have taken up a lot of one-House bills that will never become law.

Mr. Speaker, you can't run the United States Government in 3-month tranches. The majority should get back to focusing on the issues the American people care about, like repairing our roads and bridges and bringing down the cost of college education.

Also, let's end the brinksmanship that my colleague spoke of—and I accept his offer to work and look forward to working with him—and the temporary stopgap measures and the threats of a government shutdown always hanging over us by getting back to enacting long-term appropriations. That is something that I would be happy to join him in because, frankly, what we have done now is no way to run our government.

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

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

I want to begin by thanking my good friend for her debate and her cooperation and her hard work in this exercise that has been genuinely valuable and significant.

And I want to agree with her basic point. We need to do our business. I wish it would have all been done by this point. It has extended into the period after the election, but that is a place that I hope we finish our business. I know my friend will be working to that end; certainly, I will as well.

Mr. Speaker, passage of this legislation is critical to prevent a government shutdown, to provide the necessary funds to address the Zika virus, and to demonstrate to the American people that Congress can actually govern.

While I would have much preferred considering 12 individual appropriations bills, I am encouraged that at least one fully conferenced bill is included in the legislation before us today. So I want to urge my colleagues to support this rule and the underlying legislation.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5325, and that I may include tabular material on the same.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 901, I call up the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause, and insert in lieu thereof:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act".

SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Statement of appropriations.
- Sec. 5. Availability of funds.
- Sec. 6. Explanatory statement.

DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

- Title I—Department of Defense
- Title II—Department of Veterans Affairs
- Title III—Related agencies
- Title IV—Overseas contingency operations
- Title V—General provisions

DIVISION B—ZIKA RESPONSE AND PREPAREDNESS

- Title I—Department of Health and Human Services
- Title II—Department of State
- Title III—General Provisions—This Division

DIVISION C—CONTINUING APPROPRIATIONS ACT, 2017

DIVISION D—RESCISSIONS OF FUNDS

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017.

SEC. 5. AVAILABILITY OF FUNDS.

Each amount designated in this Act by the Congress as an emergency requirement pursuant

to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 6. EXPLANATORY STATEMENT.

(a) *The explanatory statement regarding this Act, printed in the Senate section of the Congressional Record on or about September 22, 2016, by the Chairman of the Committee on Appropriations of the Senate, shall have the same effect with respect to the allocation of funds and implementation of divisions A through D of this Act as if it were a joint explanatory statement of a committee of conference.*

(b) *Any reference to the "joint explanatory statement accompanying this Act" contained in division A of this Act shall be considered to be a reference to the explanatory statement described in subsection (a).*

DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$513,459,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed \$98,159,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,021,580,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed \$88,230,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,491,058,000, to remain available until September 30, 2021: Provided, That of this amount, not to exceed \$143,582,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That none of the funds made available under this heading shall be for construction of the Joint Intelligence Analysis Complex Consolidation, Phase 3, at Royal Air Force