

Mr. WHITFIELD. Mr. Speaker, I rise in opposition to the gentleman's motion to commit.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes in opposition to the motion to commit.

Mr. WHITFIELD. Mr. Speaker, the main objection here and the basis of the motion to commit relates to climate change. Contrary to the gentleman's statement that the House does not recognize climate change, all of us recognize that the climate is changing.

We do, however, have some significant differences with the President of the United States and with some other Members of the House and Senate in that we, many people, do not believe that climate change is the number one issue facing mankind. There are many other issues as well.

The United States does not have to take a backseat to anyone on this issue. The Congressional Research Service recently reported that over 18 Federal agencies are already administering climate change programs. There are over 67 individual climate change programs in the Federal Government. We are already spending in excess of \$15 billion a year on climate change.

One of the problems that we have is that the President has been acting unilaterally on this issue. He went to Copenhagen and made agreements. He went to Paris and unilaterally entered the United States into an agreement without there being any consultation with the U.S. Congress, without discussing it with U.S. Congress on what he was agreeing to. He used that agreement in order to have the EPA issue its Clean Power Plan.

In the Clean Power Plan, the EPA arbitrarily sets CO₂ limits for every State in America and each State would have had to have had its State implementation plan adopted by this September except that, since Congress was not involved and since many people throughout the country were vitally concerned about this unilateral action, they took the only thing available to them, and that was to file a lawsuit to stop it.

What happened? It went all the way to the United States Supreme Court.

I might add that the Supreme Court issued an injunction to prohibit the implementation of the President's clean energy plan until there could be further discussion about it.

I might also say that Congress had many hearings on the clean energy plan. That was our only involvement. We certainly were not a part of the plan. It was interesting that a professor from Harvard University who is generally considered pretty liberal and who taught the President constitutional law came to Congress and testified that the President's clean energy plan, to use not the President's words, but the professor's words, "was like tearing up the Constitution and throwing it away."

We agree that climate change is an issue. We simply disagree with this President's unilateral action in trying to decide the way it is addressed.

We are amending the Senate bill because we want to use some common-sense approaches so that we can continue to bring down CO₂ emissions. We can also allow our economy to expand, to create jobs, and we don't have to take a backseat to any country in the world. The U.S. is doing as much as any country in the world on climate change.

I might also say that we expect that our carbon dioxide emissions will remain below our 2005 levels through the year 2040. Now, if you look at India, if you look at China, if you look at many developing countries and even at parts of Europe, they do not meet that standard.

Let's be pragmatic. Let's use common sense. That is precisely what we attempt to do with our amendments to S. 2012, the Energy Policy Modernization Act of 2016.

I would respectfully request that we deny this motion to commit.

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

□ 1545

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

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

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

Mr. PETERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

CLARIFYING CONGRESSIONAL INTENT IN PROVIDING FOR DC HOME RULE ACT OF 2016

Mr. CHAFFETZ. Mr. Speaker, pursuant to House Resolution 744, I call up the bill (H.R. 5233) to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes, and ask for its immediate consideration in the House.

The Clerk will report the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 744, the bill is considered read.

The text of the bill is as follows:

H.R. 5233

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016".

SEC. 2. REPEAL OF LOCAL BUDGET AUTONOMY AMENDMENT ACT OF 2012.

Effective with respect to fiscal year 2013 and each succeeding fiscal year, the Local Budget Autonomy Amendment Act of 2012 (D.C. Law 19-321) is hereby repealed, and any provision of law amended or repealed by such Act shall be restored or revived as if such Act had not been enacted into law.

SEC. 3. CLARIFICATION OF ROLES OF DISTRICT GOVERNMENT AND CONGRESS IN LOCAL BUDGET PROCESS.

(a) CLARIFICATION OF APPLICATION OF FEDERAL APPROPRIATIONS PROCESS TO GENERAL FUND.—Section 450 of the District of Columbia Home Rule Act (sec. 1-204.50, D.C. Official Code) is amended—

(1) in the first sentence, by striking "The General Fund" and inserting "(a) IN GENERAL.—The General Fund"; and

(2) by adding at the end the following new subsection:

"(b) APPLICATION OF FEDERAL APPROPRIATIONS PROCESS.—Nothing in this Act shall be construed as creating a continuing appropriation of the General Fund described in subsection (a). All funds provided for the District of Columbia shall be appropriated on an annual fiscal year basis through the Federal appropriations process. For each fiscal year, the District shall be subject to all applicable requirements of subchapter III of chapter 13 and subchapter II of chapter 15 of title 31, United States Code (commonly known as the 'Anti-Deficiency Act'), the Budget and Accounting Act of 1921, and all other requirements and restrictions applicable to appropriations for such fiscal year."

(b) CLARIFICATION OF LIMITATION ON AUTHORITY OF DISTRICT OF COLUMBIA TO CHANGE EXISTING BUDGET PROCESS LAWS.—Section 603(a) of such Act (sec. 1-206.03(a), D.C. Official Code) is amended—

(1) by striking "existing"; and

(2) by striking the period at the end and inserting the following: ", or as authorizing the District of Columbia to make any such change."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the District of Columbia Home Rule Act.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from the District of Columbia (Ms. NORTON), each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on H.R. 5233.

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

There was no objection.

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

I want to start, Mr. Speaker, by thanking the Delegate from the District of Columbia (Ms. NORTON). She pours her heart and soul into her passion for this country and certainly for the District itself. We happen to disagree probably on this issue. We have

agreed on some issues, on some topics; and we disagree on others. But I just want to note, Mr. Speaker, how much I appreciate her passion, her commitment, and her desire to represent her constituents as vigorously as she does.

I also thank the gentleman from North Carolina (Mr. MEADOWS) for introducing H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016, and his leadership on this issue. He is the subcommittee chairman who deals with this issue. He has spent a considerable amount of time working on this topic, working with city leaders, getting to know the city, and working with them. I appreciate his proactive approach and the manner in which he approaches this and his thoughtfulness on this sensitive but important topic.

We are here today to discuss the bill that would do, just as the title says: clarify the congressional intent behind the D.C. Home Rule Act passed in 1974.

First, a little bit of background about the need for this legislation. In December of 2012, the District of Columbia Council disregarded clear limitations found in the Home Rule Act of 1973. In doing so, it passed the Local Budget Autonomy Act, or the LBAA, in an attempt to remove Congress from the District's budgeting process.

If the bill is implemented, it would allow the District government to appropriate money without the need for any Federal action. In doing so, the Council violated clear legislative authority granted to Congress by the Constitution.

Article I, section 8, clause 17 of the Constitution gives Congress plenary authority over the District of Columbia. As with its other powers, Congress may delegate some of its authority to the local District government, which it did when it passed the Home Rule Act back in 1974. Absent the congressional delegation, the District has no legislative power.

As enacted more than 40 years ago, the Home Rule Act was designed to allow the District to self-govern on truly local matters. At the same time, Home Rule preserved a necessary role of Congress in matters that could affect the Federal Government, including congressional authority over the District's overall budget. The LBAA, however, violates the Home Rule Act and removes Congress from the District's budgeting process.

Today's legislation clarifies the original intent behind the Home Rule Act and reinforces the intent of Congress, our Founding Fathers, and the Constitution.

Importantly, the language of the Home Rule Act makes it clear it is not authorizing the District authority over its budget.

In fact, Mr. Jacques DePuy, then counsel to the House subcommittee that drafted the Home Rule Act, testified this month at our committee. He said: "Congress did not intend to delegate the D.C. Council or District voters

any authority over local revenues through the charter amendment or any other process." And then it went on.

His recollections are supported by the legislative history, particularly a dear colleague letter sent by then-Chairman Diggs. Chairman Diggs' letter indicated the comprise language that became the Home Rule Act was drafted with the explicit intention of maintaining the congressional appropriations process for the District funds.

I believe Chairman Diggs' letter leaves no confusion as to whether Congress intended to give the District budget autonomy in the Home Rule Act. Therefore, it is clear the District acted beyond its own authority to grant itself budget authority.

Today's legislation will clarify the original intent of the Home Rule Act and address any pending legal questions currently working their way through the courts.

H.R. 5233 will make clear the Local Budget Autonomy Act of 2012 is not legally valid and will ensure the congressional intent behind the Home Rule Act is preserved. It will also prevent a potential violation of the Antideficiency Act protecting District government employees from administrative and criminal penalties.

Ultimately, the unilateral action, as taken by the District in this instance, to subsume congressional authority is unacceptable. H.R. 5233 recognizes this need for exclusive congressional authority and stewardship.

I, therefore, urge my colleagues to support the bill and place budget authority for the District firmly back in the hands of Congress, the sole place where it was intended to be located.

I reserve the balance of my time.

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

I am happy to speak of my friendship with the chairman of our full committee, and I thank him for his kind words. I only hope he will come to where the two past immediate Republican chairs of the committee—former-Chairman Davis and former-Chairman DARRELL ISSA—have come and, that is, to support budget autonomy for the District of Columbia.

I rise in strong opposition to this bill. This bill, that would repeal a law approved by 83 percent of the District of Columbia voters, would nullify a court ruling and would permanently take away the authority of the 700,000 D.C. citizens and their elected officials to spend their local funds without congressional approval.

This bill manages to be unprincipled and impractical at the same time. It is profoundly undemocratic for any Member of Congress in the 21st century to declare that he has authority over any other jurisdiction except his own. It also would harm the finances and operations of the District of Columbia.

As a matter of fact, the District of Columbia Budget Autonomy Act is already in effect. The District Council has begun the process of passing its

first local budget without the assistance of Federal overseers. Therefore, this bill would be the most significant reduction in the District's authority to govern itself since Congress granted the District limited home rule in 1973.

Now, as a lawyer myself, I am the first to concede that lawyers differ about the validity of the Budget Autonomy Act, even when the District was in the process of enacting it.

What is indisputable, though, Mr. Speaker, is that the Budget Autonomy Act is now law; the Budget Autonomy Act has been litigated; and there is only one judicial opinion in effect.

In March, the D.C. Superior Court upheld the Budget Autonomy Act. Do you believe in the rule of law? It upheld the Budget Autonomy Act. No appeal was filed, and the court ordered D.C. officials to implement it.

The Superior Court of the District of Columbia then evaluated each and every legal and constitutional argument you will hear brought forward today about whether the Budget Autonomy Act violates the U.S. Constitution, the District of Columbia Home Rule Act, the Federal Antideficiency Act, and the Federal Budget and Accounting Act. All of that, every last one of it, every last provision has been litigated.

The House leadership made the very same arguments in an amicus brief they filed. There are a whole gang of Members anxious to see that this one jurisdiction can't handle its own money. The court, nevertheless, found—indeed, disposed of—all of these arguments.

Specifically, the court upheld the Budget Autonomy Act and held that the Home Rule Act preserved the then-existing 1973 budget process, but did not—and this is essential here—did not prohibit the District from changing the local process in the future. The charter does not. The charter is like the Constitution. Congress knew how to say: Don't change budget matters discussed in this document. It did not do so. So it had to be interpreted, and it was interpreted by the District.

The Senate of the United States, at the time of the Home Rule Act, passed budget autonomy for the District of Columbia. So you can cite the Diggs Compromise all you want to. The compromise was that budget control now is in the hands of the Congress. But you will note they have left room in the charter for budget control to come from the District. That was the compromise.

There was no compromise that said that the District can never have any jurisdiction, any final say, over its local budget.

This is, after all, the country that went to war over taxation without representation. Imagine saying: you folks, you can raise all the money you want to; but it doesn't mean anything unless the Congress of the United States passes your budget.

The District followed the charter procedure that was in the Diggs budget

to pass the Budget Autonomy Act. And as the court noted, Congress had the authority to pass a disapproval resolution while the referendum was in the Congress for 30 days but this Congress did not disapprove it.

The Federal courts also have evaluated the validity of the Budget Autonomy Act. A Federal district court, indeed, did find the act to be invalid.

But then look at what the U.S. Court of Appeals for the District of Columbia did. After receiving briefs, reading them hopefully and hearing oral argument, the higher court, the Court of Appeals for the District of Columbia, vacated the district court decision altogether, meaning that that initial decision against the Budget Autonomy Act had no force or effect.

□ 1600

Instead of issuing a decision on the merits or sending the case back to the lower Federal court, the Federal appeals court, without explanation, simply remanded the case to the Superior Court of the District of Columbia, which then issued the only existing court ruling on the validity of the D.C. Budget Autonomy Act.

Is there a rational reason for opposition to budget autonomy?

After all, budget autonomy is not statehood, it is not independence, it doesn't take away any of your much-vaunted power. The D.C. budget autonomy act has no effect, indeed, on congressional authority over the District.

Under the Budget Autonomy Act, the D.C. Council must transmit the local D.C. budget to Congress for a review period before that budget would take effect, like all other D.C. legislation under the Home Rule Act, and that is about to happen, as I speak. During the review period Congress can use expedited procedures to disapprove the budget.

You see, what the District was doing here was not committing revolution. It was using the procedures in place in order to gain greater control over its own local budget. In addition, under the U.S. Constitution, Congress has total legislative authority over the District. Congress can legislate on any District matter at any time, but Congress can also delegate any or all of its legislative authority over the District, and it can take back any delegated authority at any time.

In 1973, under the Home Rule Act, Congress did just that. It delegated most of its authority, its legislative authority over the District to an elected local government. Congress can delegate more or it can delegate less authority than provided in the Home Rule Act. It can repeal the Home Rule Act at any time. It can even abolish the government of the District of Columbia.

My friends, I ask you: Is that enough authority for you? Over 700,000 American citizens who are not your constituents, is that enough for you? Is that enough power? Why is that not

enough to satisfy any Congress of the United States?

Until this Congress, Democrats were not alone in supporting budget autonomy. President George W. Bush supported D.C. budget autonomy. The Republican-controlled Senate passed a budget autonomy bill by unanimous consent in 2003. The last two Republican chairmen, of whom I spoke today as I began to speak myself, who had the jurisdiction that Chairman CHAFFETZ now has—Tom Davis and DARRELL ISSA—actually fought for, not simply supported, but fought for budget autonomy. I think they recognized that this is a set of principles we have in common.

I always thought that local control was a cardinal principle of the Republican Party. Even the Republicans' own witnesses at the hearing on this bill who took a position on the policy of budget autonomy—and that was most of them—supported budget action.

Control over the dollars raised by local taxpayers is a much-cited principle of congressional Republicans, and it happens to be central to our form of government as held by Democrats and Republicans. The exalted status of local control for Republicans, though, keeps being announced as if we need to be retaught.

The Republicans did so again in their recently released budget. I quote you only one sentence: "We are humble enough," Republicans said, "to admit that the Federal Government does not have all the answers." That was their latest abeyance to local control for every single American jurisdiction, except the American jurisdiction that happens to be the capital of the United States.

Beyond this core principle, budget autonomy has practical benefits that I don't see how any Member of Congress can ignore. In a recent amicus brief filed by former Congressman Davis: "The benefits of budget autonomy for the District are numerous, real, and much needed. There is no drawback."

One of the other signatories of the brief was Alice Rivlin, a former Director of the Congressional Budget Office, also a former Director of the White House Office of Management and Budget.

It is with some irony and real pain that I see come to this floor even to speak against this bill Members whose budgets are not as large as the budget of the District of Columbia, even though they come from entire, big States. The District's budget is bigger than the budgets of 14 States. We raise that money ourselves. The District raises more than \$7 billion in local funds. The District contributes more Federal taxes to the Treasury of the United States than 22 States. The District of Columbia is number one in federal taxes per capita paid to the Federal Government, and the District is in better financial shape than most cities and States in the United States, with a rainy day fund of \$2.17 billion on a

total budget of \$13.4 billion. Budget autonomy will make the District—which, after all, has no State to fall back on—even stronger.

How?

Budget autonomy gives the District what every other local government in the United States enjoys: lower borrowing costs on Wall Street. Imagine having to do what the District has to do: pay a penalty because your budget has to come to a Congress that knows nothing of your city or your budget, and they get to vote on it even though your own Member does not. D.C. will also have improved agency operations, and in D.C.'s case, the removal of the threat of Federal Government shut-downs, shutting down the entire D.C. government just because Members of Congress can't figure out what to do about the Federal Government. The Federal Government has benefits, too. Congress would no longer waste time on a budget it never amends.

So budget autonomy has no downside. I am trying to figure out why anybody would want to deal with my budget. Heavens.

Don't Members have enough to do?

Congress maintains total legislative control over the District, with all the Federal financial controls in place. Congress has nothing to lose, can step in at anytime they don't like it. We are not asking for very much. It is for some loosening of Congressional control. So, for example, we would not have to pay more when we borrow on Wall Street because we are seen as involved in a two-step budgetary process; one, I might add, that is far more problematic, the Federal process, than the other, the local process. It also is ironic to note that Congress granted D.C. budget autonomy during its early years.

Yesterday the Committee on Rules prevented my amendment to make the text of the Budget Autonomy Act Federal law from getting a vote. Today the appropriations subcommittee passed an appropriation rider containing the text of the very bill that is before us on this floor right now. That makes 2 days, 2 identical provisions. Just in case—just in case anybody would think that Republicans don't mean it, they are doing it twice.

What do they need? An insurance policy of identical language in case, God forbid, the Senate does not pass this bill?

I predict that the Senate won't pass this bill. So it is on you, Members of the House of Representatives, the people's House, to take the lead in denying for the people who live in your Nation's Capital the same control over their local budget that you, yourselves, hold so dear. You can stand on what you do today, but you won't stand up straight because what you do today, if you vote to take away our budget autonomy bill, will not be standing on principle.

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

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the

gentleman from North Carolina (Mr. MEADOWS), the chief sponsor of this bill.

Mr. MEADOWS. Mr. Speaker, I would like to thank the gentleman from Utah, Chairman CHAFFETZ, for his strong statement in support of H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

As we begin debate on this important bill, I would like to first take the opportunity to reiterate that I firmly believe that the Local Budget Autonomy Act is, indeed, unlawful and null and void. The Home Rule Act clearly provides that the District's budget shall pass through the Federal appropriations process, preserving Congress' role in the passage of that budget.

However, because of the precedent that allowing the District to usurp the congressional authority may set, and the potential negative consequences that the District government employees may face for enforcing the Local Budget Autonomy Act, I have introduced H.R. 5233.

I would further say that my good friend, the Delegate from the District of Columbia, Ms. ELEANOR HOLMES NORTON, indeed is a friend, and I appreciate her passionate way that she always represents her constituency. While we disagree on the debate and the merits of that debate, I can't help but acknowledge my friendship with her and, truly, her passion for the people who she serves.

H.R. 5233 will repeal the Local Budget Autonomy Act and reinforce Congress' intended role in the budgetary process. As many of you know, Congress was granted that exclusive legislative authority over the District in Article 1, section 8, clause 17. This exclusive authority was explained further in the Federalist 43 as being a crucial component in keeping the Federal Government free from potential influence by any State housing the government's seat.

There was a distinct worry that placing the seat of the Federal Government in a territory where Congress was not the sole sovereign would, indeed, impact its integrity. Therefore, the Founding Fathers saw fit to authorize Congress to create the District and act as the sole legislative authority for the District.

As seen in Federalist 43, the Founding Fathers believed that Congress would delegate some of those exclusive authorities to the District, specifically the power to deal with solely local matters. In 1973, Congress made a decision to enact such legislation when they passed the Home Rule Act.

□ 1615

In that act, Congress provided the District with the authority to have the jurisdiction over legislative matters on a limited basis. But—and this is a critically important point—Congress reserved for itself, and prohibited the District from altering, the role of Congress in the budgetary process.

There can be little doubt that Congress intended to reserve that power for itself. The language of the Home Rule Act itself is clear. Both the former and the current attorney general for the District, as well as the former Mayor, believe the Local Budget Autonomy Act to be unlawful and contrary to the Home Rule Act.

Mr. Irvin Nathan, the former attorney general, testified before the House Committee on Oversight and Government Reform that numerous sections of the Home Rule Act prohibit the District's action.

Mr. Nathan, who supports the policy, as my good friend acknowledged, who actually supports the policy of budget autonomy, even stated that he believed the Federal District Court's opinion invalidating the Local Budget Autonomy Act was, indeed, a correct opinion.

Beyond the clear language, the legislative history makes it clear, Mr. Speaker, that Congress had no intent to delegate to the District the authority for the budgetary process. In fact, Mr. Jacques DePuy, who participated in the drafting of the Home Rule Act itself, made it clear in testimony before Congress that, indeed, Congress did not intend to delegate the appropriations powers to the District. The legislative record of the Home Rule Act supports Mr. DePuy.

One such piece of the record is, indeed, the Diggs letter, which the chairman referenced earlier, that was issued by Chairman Charles Diggs. The letter describes how it was clarifying the intent of Congress by making several changes, including reserving Congress' role in the budgetary process.

The Diggs letter highlighted a pivotal aspect of the congressional intent in the Home Rule Act. It represents a compromise in response to the Senate's Home Rule Act, which actually included a form of budget autonomy.

The compromise does not indicate that Congress intended to grant the District budget autonomy. To the contrary, what the Diggs compromise represents is that there could be no Home Rule Act, absent an express reservation of the role of Congress in the District's budget process.

I believe there can be no stronger statement that Congress intended to reserve its appropriation role than the fact that the Home Rule Act would have failed, absent that reservation.

Importantly, both of these men, Mr. Irvin and Mr. DePuy, who support budget autonomy further believe that the District's action is illegal and, therefore, null and void.

I want to be clear on this. We are not here today to make a power grab against the District, as some would suggest. We are here, Mr. Speaker, to uphold the rule of law.

At the committee's hearing, even the chairman of the Council of the District of Columbia was forced to acknowledge that it was clear that the majority of the Members of Congress who passed the Home Rule Act intended to reserve

the complete appropriations for Congress. Again, another individual who supports budget autonomy recognizes the intent of Congress.

So, in moving ahead with the Local Budget Autonomy Act, the District government is usurping congressional authority, and inaction would undermine not only this institution, but all organs of government across this Nation.

To suggest that any city council's action, whether it be here in the District or in any other city in the country, could unilaterally overturn the intent of Congress would set a bad precedent. Regardless of the precedent, however, such action by local government is a blatant violation of the Supremacy Clause and, therefore, unconstitutional.

Moreover, as a result of the unlawful way in which the budget autonomy is purported to have been achieved, District government employees are now at risk of the Antideficiency Act and the sanctions therein.

Under the Antideficiency Act, absent a congressional appropriation, the District may not expend or obligate funds. Doing so will result in potential criminal or administrative penalties for not only the District's elected officials, but the line level employees charged with purchasing items for the District.

The GAO testified that they maintain that the Local Budget Autonomy Act violates the Home Rule Act and the Antideficiency Act, despite the superior court's decision. H.R. 5233 would repeal the Local Budget Autonomy Act and prevent the District government employees from having to worry that the purchases they make on behalf of the District may indeed violate the law.

H.R. 5233 will also augment the already clear prohibitions on the District in altering the role of Congress in the budget process, ensuring that Congress' intent and constitutional authority, Mr. Speaker, remains in place.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER) the Democratic Whip and my good friend from a neighboring jurisdiction.

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding, and I thank the gentleman from North Carolina for outlining his position.

We are a nation of laws. The gentleman has indicated a court has ruled on this issue—an opinion with which he disagrees—and we have a mechanism for overturning or clarifying or changing such a ruling, and that is the court system. That case may well reach the Supreme Court.

I rise in opposition to this piece of legislation, which, in my opinion, is an exercise in hypocrisy. Why do I say that? That can be a harsh word. We are witnessing the party that proclaims itself to be the champion of local autonomy and less Federal Government

involvement in local affairs—we hear that all the time—bring to this floor legislation that would do exactly the opposite.

The District of Columbia's over 700,000 American citizens deserve a form of home rule not characterized by constant and intrusive micromanaging by congressional Republicans or Democrats.

Now, if I were to ask unanimous consent that we substitute the District of Columbia and perhaps include Milwaukee, Wisconsin—now, I am not going to ask for that—I am sure I would get objection. Or, if I might ask that Salt Lake City be substituted or perhaps even Baltimore, Maryland, my own city in my State, or maybe even Charlotte, North Carolina, those of us who represent those four cities would stand and say: This is not your role, Congress of the United States.

Speaker RYAN just released a statement in which he said: "The current D.C. government needs to be reined in."

From where? From balanced budgets? From surpluses in their budgets? Reined in? They are a model, I would suggest, of fiscal responsibility. Not always, but today. But then again, none of our jurisdictions have always been such a model.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

Mr. CHAFFETZ. Mr. Speaker, I yield an additional 1 minute to the gentleman from Maryland.

Mr. HOYER. I would say to the Speaker, in response, quite the opposite. The government and the people of the District of Columbia need to be allowed to chart their own course, which is what I think most of you say on a regular basis.

It is a mystery to me—and ought to be a mystery to every American who believes in the premise that people ought to govern themselves—why House Republicans are determined to strip that ability from the 700,000 Americans who live in our Nation's Capital. They pay taxes. They pay taxes to their local government. And we want to make that decision.

I understand what the court has said and that courts may rule that way, but shouldn't we have the patience to let the court system decide whether or not this referendum of the people of the District of Columbia is adjudged to be appropriate? The locally raised revenues from taxes and fees do not originate from the Federal Government, but from the hardworking residents of Washington.

The District of Columbia has proven Congress' wisdom in enacting the 1973 D.C. Home Rule Act time and again by managing its affairs in a fiscally responsible, democratic way.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CHAFFETZ. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. The gentleman is very generous, and I appreciate it.

I would say to my friends, the District of Columbia deserves the same respect that any of our governments deserve and that, in fact, we demand for them. And I always lament how the District is demeaned.

When I was the majority leader, I made sure that Ms. NORTON had a vote on the floor of this House and that the Virgin Islands' Representative had a vote on the floor of this House. One of the first things you did when you took the majority was take that away.

It was not a vote that made a difference. It was a vote that was symbolic. But it gave them the opportunity to have their name as our equals, as Americans, on that board and express their opinion.

Let us not take this degree of autonomy away from them. Let us respect these local citizens as you would want your local citizens respected.

I urge the defeat of this legislation. If the courts tell us that they could not do this, so be it, but let us let the system work its will.

Mr. Speaker, I rise in opposition to this bill, which is an exercise in Republican hypocrisy.

We are witnessing the party that proclaims itself to be a champion of local autonomy and less Federal Government involvement in local affairs bring to this floor legislation that would do exactly the opposite.

The District of Columbia deserves a form of home rule not characterized by constant and intrusive micromanaging by congressional Republicans.

Speaker Ryan just released a statement in which he said—and I quote: "The current D.C. Government needs to be reined in."

I would say to the Speaker in response: Quite the opposite; the government and people of the District of Columbia need to be allowed to chart their own course.

It is a mystery to me—and ought to be a mystery to every American who believes in the premise that people ought to govern themselves—Why House Republicans are determined to strip that ability away from the 670,000 Americans who live in our Nation's Capital.

The locally raised revenues from taxes and fees do not originate from the Federal Government but from hardworking residents of Washington.

The District of Columbia has proven Congress's wisdom in enacting the 1973 D.C. Home Rule Act time and again by managing its affairs in a fiscally responsible, democratic way.

That is what this bill is, Mr. Speaker—a reminder to the people of this city that they remain unrepresented in this House and a Federal colony within a nation dedicated to democracy and fair representation.

When Democrats were in the majority, we worked to give District of Columbia residents a greater voice in the Committee of the Whole.

And when Republicans took the majority, one of the first acts was taking this small but important democratic tool and indication of respect away from the District's representative and the other representatives of our U.S. territories.

Now Republicans want to erode the District of Columbia's hard-earned right to govern itself.

I thank my friend the gentlewoman from the District of Columbia, Ms. HOLMES NORTON, for her impassioned defense of Washingtonians' unalienable right to have a say.

And I will continue to stand with her to demand that right be recognized—and in seeking for the District of Columbia the real budget autonomy, home rule, and representation in Congress that its people deserve.

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

Mr. CHAFFETZ. Mr. Chairman, I have no additional speakers, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. The gentlewoman from the District of Columbia has 8 minutes remaining. The gentleman from Utah has 1 minute remaining.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT), my very good friend.

Ms. PLASKETT. Mr. Speaker, I thank the gentlewoman from the District of Columbia, and I thank all of the speakers here today for expressing their opinions.

Today, I rise in support of retaining local budget autonomy for the District of Columbia and to express my strong opposition to H.R. 5233, Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

Now, this partisan bill would repeal a District of Columbia referendum that allowed the District to implement its own local budget without affirmative congressional approval.

While this bill passed the Oversight and Government Reform Committee on a party-line vote of 22-14, I would remind this body that the committee's last four chairmen—including Republican Chairmen, Representatives Tom Davis and DARRELL ISSA, who have studied and had substantial oversight over the D.C. government—each worked to give the District of Columbia budget autonomy.

Now, some of my colleagues here may argue that the District of Columbia will lose its financial discipline under budget autonomy; however, this could not be further from the truth. Budget autonomy actually improves the operations and finances for the District of Columbia government because the District would employ financial budget experts who are focused solely on the economic growth, fiscal soundness, and stability of the District, not Members of Congress intent on ideological posturing or voting on budgets of constituencies that are not their own, with Members of those districts or those jurisdictions prohibited from voting on those measures.

□ 1630

Autonomy would, in fact, lower borrowing costs, allow more accurate revenue and expenditure forecasts, improve agency operations and the removal of the threat that the Federal Government shutdowns would also shut down the District of Columbia's government.

Congress also loses no authority under budget autonomy because this body can use expedited procedures during the 30-day review period or other measures that are in there.

The U.S. Constitution also provides for Congress to retain authority to legislate any D.C. matter, including its local budget, at any time.

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

Ms. NORTON. I yield the gentlewoman an additional 30 seconds.

Ms. PLASKETT. Now, I fear, when we leave the well-being of the District of Columbia to this body, this body seems to lack the will or fortitude to make equitable decisions for everyday people of this country or, more particularly, the historically disenfranchised people.

This Congress seems intent on stripping away what little power those who don't have a vote on this floor have been able to wring from the hands of the majority.

It is my belief that Congress should stop wasting its time debating legislation that continues to subjugate the District of Columbia to its authority and work on passing a Federal budget that would boost the economy of the entire American people.

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

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

Before I recognize the ranking member of the Committee on Oversight and Government Reform, I cannot help but note, when I listen to my friend, Ms. PLASKETT, speak up for the District of Columbia, she, who comes from what is known as a territory, the Virgin Islands—isn't it interesting—and I know she must understand it—that the Virgin Islands does not have to submit a budget to the Congress of the United States. I never have had to debate the gentlewoman's budget here. I have never had to debate the gentlewoman's legislation here.

There is a unique denial here in the District of Columbia. That is one reason it is so roundly resented.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CUMMINGS), my good friend, the ranking member of the Oversight and Government Reform Committee.

Mr. CUMMINGS. I thank the gentlewoman for yielding.

Mr. Speaker, I strongly oppose this bill, which would repeal the District of Columbia's Local Budget Autonomy Act and prohibit D.C. from passing such laws in the future.

I do not believe there is a Member of Congress who would stand for the Fed-

eral Government dictating the local budget of a city in his or her district, and D.C. should be treated no differently.

Granting D.C. local budget autonomy is not only the right thing to do, it would also have significant financial benefits for the District, such as lowering borrowing costs.

It would also mean an end to the threat of a cutoff of D.C. municipal services in the event of a Federal Government shutdown.

I also want to express my disappointment that some Members have threatened jail for D.C. employees who implement the Autonomy Act. The threat is backwards. The only court ruling in effect on this law upheld it and ordered all District employees to implement it.

House Republicans have taken a regrettable turn in their approach to D.C. home rule. The last four chairmen of the Oversight and Government Reform Committee, including Republicans Tom Davis and DARRELL ISSA, sought to give the District more home rule and more budget autonomy, not less.

Yet, in this Congress, the Oversight and Government Reform Committee has passed legislation to overturn a District law that prohibits employment discriminating based on reproductive health decisions and launched an investigation into the District's marijuana legalization initiative. This bill is not only unprincipled. It is simply bad policy.

The former counsel for the District of Columbia Committee and the majority's own hearing witness said this: "It is the duly elected representatives for the citizens of the District of Columbia who should determine how taxpayer money is spent."

We hear a lot of rhetoric about devolving authority to local governments. Yet, this bill tramples on local government and the will of their local citizens.

Mr. Speaker, I urge Members to reject this bill.

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

I want to be clear about my motives and intentions. I find it curious when other Members try to prescribe my feelings and my approach to this issue.

It is my belief, and support of this legislation is based on the Constitution. It is that simple to me. Article I, section 8, clause 17, says: "To exercise exclusive Legislation in all Cases whatsoever, over such District," and it continues on.

The District of Columbia is more than just a local jurisdiction. It is more than just a local city. It is our Nation's Capital.

I think what the founders were intending to do was to understand and allow participation for Members all over this country in the affairs of the city. That was the intention, and that is what is in the Constitution.

Don't be confused or misled or allow anybody else to prescribe my motives

and my motivation, my belief, in the District of Columbia because it is rooted, first and foremost, in the Constitution.

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

Ms. NORTON. Mr. Speaker, how much time remains on both sides, please?

The SPEAKER pro tempore. The gentlewoman from the District of Columbia has 2 minutes remaining. The gentleman from Utah has 13 minutes remaining.

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

Just as lawyers have disagreed about whether or not the District could proceed with budget autonomy, lawyers have disagreed from the beginning of our Nation on what the Constitution says.

I would take at his word what James Madison said in speaking of the District of Columbia: "A municipal legislature for local purposes, derived from their own suffrages, will of course be allowed to them."

That is what, according to Madison, the Constitution said.

Now, my friends have cited all manner of lawyers and their own views on whether this matter is legal or constitutional. They have even cited the interpretation of staff who helped draft the Home Rule Act.

Well, we stand this afternoon on the only authoritative opinion, the opinion of the Superior Court and its court order. And I leave with you that order.

Ordered that all members of the Council of the District of Columbia, Mayor Muriel E. Bowser, Chief Financial Officer, Jeffrey S. DeWitt, their successors in office, and all officers, agents, servants, employees, and all persons in active concert or participation with the Government of the District of Columbia shall forthwith enforce all provisions of the Local Budget Autonomy Act of 2012.

That is the law. Respect the rule of law.

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

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

Mr. Speaker, I stand in support of H.R. 5233. I am proud of the fact that, in the Oversight and Government Reform Committee, we had a hearing, we had a proper markup, and we are bringing it here to the floor today for all Members to vote on.

I would urge my colleagues to adhere to the Constitution. Do what the Constitution says and support the bill, H.R. 5233.

I want to thank again Mr. MEADOWS for his work and leadership on this and getting us to this point. I urge its passage.

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

Mr. HASTINGS. Mr. Speaker, I rise today in strong opposition to H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016.

The legislation seeks to overturn a local statute in Washington, D.C., the Local Budget Autonomy Amendment Act of 2012, a measure that was passed by the Washington, D.C.

City Council, approved by the Mayor, and subsequently ratified by D.C. voters by ballot initiative with an overwhelming 83 percent of the vote.

The Local Budget Autonomy Amendment Act of 2012, the BAA, gave the District of Columbia authority to determine its own budget without getting approval from Congress. H.R. 5233 removes this authority and prohibits D.C. from passing any budget autonomy legislation in the future.

Washington, D.C. voters want budget autonomy. Washington D.C. voters deserve budget autonomy. They have already voted for it, passed it, and ratified it. When it was challenged by the Government Accountability Office (GAO), the U.S. Court of Appeals for the District of Columbia Circuit and the D.C. Superior Court upheld its validity. This should be a done deal.

But instead of focusing on the critical issues facing this body—passing a budget for instance, which we were required by law to do last month—the House of Representatives has decided to focus on this.

I remind those here today and watching at home that Washington D.C. is a Federal District. Congress maintains the power to overturn laws approved by the D.C. Council and can vote to impose laws on the district, as it is trying to do right with this particular measure. Washington D.C.'s Delegate to the House of Representatives, my good friend ELEANOR HOLMES NORTON, who has served in this body for 24 years, is not permitted to vote on final passage of any legislation, let alone legislation directly intended to govern the jurisdiction which she was elected to serve.

Congresswoman NORTON described the measure in question as “the most significant abuse of congressional authority over the District of Columbia since passage of the Home Rule Act in 1973.”

One might hope that Congress would consider the wishes of the sole Representative of Washington, D.C. and the nearly 700,000 residents of the District. But, as we see today, that simply isn't the case.

Congress is currently undergoing its own appropriations process, and I need not remind everyone here that Republicans haven't even passed a budget. We have missed deadline after deadline and are now moving ahead without setting a budget at all. How can anyone tell me that the District of Columbia should yield to the budgetary wisdom of the House Majority when they can't even get their own act together to pass a budget?

The issue of Home Rule has come up before in this body. In recent years, House Republicans have challenged the District of Columbia on issues ranging from the legalization of marijuana, access to reproductive health care, and charter schools, in all three instances forcing their will over the desires of the residents of D.C. This needs to stop.

Given the numerous pressing and time-sensitive matters facing this body, I can't help but feel bewildered as to why we are spending our time on this measure. What is more confusing is our current efforts to undo a measure that was passed by an overwhelming majority of D.C. residents and subsequently upheld in the courts.

Meanwhile, Republicans continue to ignore our nation's crumbling infrastructure, income inequality, the need for jobs, immigration reform, and sensible gun control, not to mention

the Federal budget, yet we are debating a measure that would further roll-back the clock on the rights of D.C. residents. Where are our priorities?

Let me put it another way—why should Congressional dysfunction keep the District government from using tax revenues paid by District residents to pick up trash? Why should Congressional dysfunction keep the District from spending its own money on its own priorities?

I will note that Representatives Tom Davis and DARRELL ISSA, both members of the Majority and former Chairmen of the House Committee on Oversight and Government Reform each supported the idea of budget autonomy for Washington, D.C.

Budget autonomy means lower borrowing costs and more accurate revenue and expenditure forecasts. It means improved government operations and removing the threat of government shutdown for Washington, D.C.'s local government. It means streamlining Congressional operations. Most importantly, it means giving residents of Washington, D.C., the right to make decisions for themselves.

These are all things we should all be overwhelmingly support of. We should move on and focus on the real issues before us. It is past time for Congress to get out of the way of the will of the residents of D.C.

Ms. NORTON. Mr. Speaker, I submit the following:

MAY 25, 2016.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate.
Hon. PAUL RYAN,
Speaker, House of Representatives.
Hon. HARRY REID,
Democratic Leader, U.S. Senate.
Hon. NANCY PELOSI,
Democratic Leader, House of Representatives.

DEAR MAJORITY LEADER MCCONNELL, DEMOCRATIC LEADER REID, SPEAKER RYAN, AND DEMOCRATIC LEADER PELOSI: This week, the House of Representatives is voting on H.R. 5233, the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016. I strongly oppose this legislation as well as any effort to overturn the District of Columbia's budget autonomy law with a rider to any appropriations bill.

Budget autonomy was approved by the voters and upheld in the courts. I have proposed our 21st consecutive balanced budget in accordance with the prevailing law and I expect the Council of the District of Columbia to do the same. As is the case with all DC laws, the approved 2017 DC budget will be submitted to Congress for passive review. The American people expect their congressional representatives to focus on the issues affecting our nation—safety and security, fair wages, and growing the middle class—not on the local budget of DC.

The District has a strong track record of administering our government finances responsibly. We have passed and implemented a balanced budget every year for the last 21 years and our General Fund balance—which currently stands at \$2.17 billion—is the envy of other jurisdictions. Our bond rating is AA by S&P and Fitch and Aa1 by Moody's as a result of the District's strong, institutionalized and disciplined financial management and long track record of balanced budgets and clean audits. Our debt obligations remain within the 12 percent limit of total General Fund expenditures and the District's pension and Other Post-Employment Benefit Plan (OPEB) remain well-funded.

The vast majority of the District of Columbia's budget is locally-generated revenue

(such as property and sales taxes) or federal grant funds received in the same manner as any other state. In fact, the vast majority of our \$13.4 billion budget is raised locally. In recent years, only about one percent, or about \$130 million, has been a direct federal payment to the District, and that amount remains subject to active appropriation by Congress. About 25 percent of our budget, or \$3.3 billion, is federal grants and Medicaid payments that are made to every other state.

The District of Columbia operates as a state, county, and city, administering federal block grant programs, health and human services programs, transportation infrastructure, homeland security services, and other governmental duties typically overseen by governors. It is time that Congress recognizes the District's financial maturity and responsibility and allows us to approve our own budget without first seeking a congressional appropriation.

Budget autonomy also supports good government by helping the District of Columbia plan its finances more efficiently. For instance, tying our budgeting process to the congressional appropriations process requires us to rely on outdated revenue and uncertain expenditure projections, which in turn results in more uncertainty and budget reprogramming. Also, Congress has not completed its appropriations process on time since 1996. Without budget autonomy, each time congressional appropriations are delayed, the finalization of the District's budget is also delayed. If the District cannot spend its own locally-raised revenue (as occurred in 2013) by the start of the fiscal year, the operations of the District and the well-being of its residents are put at risk. Budget autonomy relieves us of this inefficiency and uncertainty.

Budget autonomy will also improve our already excellent bond ratings. The rating agencies are keenly interested in predictability. Tying the District's budget to the congressional appropriations process hurts our credit rating which unjustly punishes District taxpayers who have no voting representation in either the U.S. House of Representatives or the U.S. Senate.

Further, it is important to note that budget autonomy does not exclude Congress from the District's budget approval process. Each annual budget for the District of Columbia will be submitted to Congress for a 30-day period of review under the Home Rule Act. During that time period (and, for that matter, even after that time period), Congress is able to reject the District's budget or modify it as Congress sees fit. Budget autonomy does not mean that Congress no longer has a say in the District's budget. It just means that we have a more efficient and productive way of passing our budget and thus a more efficient and productive way to serve the residents, visitors, and businesses in the District.

With the move to pass H.R. 5233, Congress is unnecessarily restricting local government control and further denying democracy to the residents of the District of Columbia. I ask for your support in putting aside any attempts to overturn local control of our budget and our ability to operate our government more efficiently.

Sincerely,

MURIEL BOWSER,
Mayor.

SUPERIOR COURT OF THE DISTRICT OF
COLUMBIA CIVIL DIVISION

Council of the District of Columbia, Plaintiff, and Muriel E. Bowser, in her official capacity as Mayor of the District of Columbia, Intervenor-Plaintiff, v. Jeffrey S. DeWitt, in

his official capacity as Chief Financial Officer of the District of Columbia, Defendant.

Case No. 2014 CA 2371 B, Calendar 12, Judge Brian F. Holeman.

ORDER OF JUDGMENT

Upon consideration of the Omnibus Order of March 18, 2016, it is on this 18th day of March 2016, hereby

ORDERED, that Judgment is entered in favor of Plaintiff Council of the District of Columbia and Intervenor-Plaintiff Muriel E. Bowser, in her official capacity as Mayor of the District of Columbia and against Defendant Jeffrey S. DeWitt, in his official capacity as Chief Financial Officer of the District of Columbia; and it is further

ORDERED, that all members of the Council of the District of Columbia, Mayor Muriel E. Bowser, Chief Financial Officer Jeffrey S. DeWitt, their successors in office, and all officers, agents, servants, employees, and all persons in active concert or participation with the Government of the District of Columbia SHALL FORTHWITH enforce all provisions of the Local Budget Autonomy Act of 2012.

BRIAN F. HOLEMAN,
Judge.

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

Pursuant to House Resolution 744, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CONNOLLY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CONNOLLY. I am in its current form.

Mr. MEADOWS. Mr. Speaker, I reserve a point of order.

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

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Connolly moves to recommit the bill H.R. 5233 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

In section 2 of the bill—

(1) strike “Effective with respect to fiscal year 2013” and insert “(a) REPEAL.—Except as provided in subsection (b), effective with respect to fiscal year 2013”; and

(2) add at the end the following new subsection:

(b) EXCEPTION FOR USE OF LOCAL FUNDS TO PREVENT AND TREAT ZIKA.—The Local Budget Autonomy Amendment Act of 2012, together with any applicable provision of law amended or repealed by such Act, shall remain in effect with respect to the use of local funds by the District of Columbia government to prevent and treat the Zika virus.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia is recognized for 5 minutes in support of his motion.

Mr. CONNOLLY. Mr. Speaker, I have listened with great, rapt attention this afternoon to my friends, Mr. CHAFFETZ and Mr. MEADOWS, who have gone on eloquently about protecting the Constitution of the United States at, of

course, the collateral expense of the people of the District of Columbia.

They cite the Constitution as if the Constitution and the Founders who wrote it were fully cognizant of the evolution that was going to take place in the District of Columbia when we know, as a historical fact, the Constitution was actually written before there was a District of Columbia, let alone almost 700,000 American citizens still denied voting representation in this body today.

In fact, that very Constitution my friends cite protected slavery, decided that certain people of color were only worth three-fifths of the normal mortal, but allowed the South to count them for the purposes of representation in this body.

The same Constitution. We changed it. We took cognizance of changes in reality. The fact that you exercise your will over an entire city just because you can does not make it right or noble.

In fact, if we follow the logic of my friends on the other side of the aisle, why not just take over the day-to-day mechanics of running the government of the city?

So let’s do rezoning. Let’s do emergency preparedness. Let’s run the police department. Let’s run the EMT and the fire department. Let’s take over mental health facilities and human services.

Why go only halfway? Why go only halfway? I am curious. What is it about the budget that is so sacred? All the rest you are going to let go.

This final amendment, Mr. Speaker, will preserve a small modicum of the District’s control over local taxpayer dollars to prevent and treat the emerging threat of Zika. If adopted, we can move to immediate final passage of the bill.

Although we may disagree—and do—on the underlying purpose of the bill, surely we can agree on the seriousness of the Zika threat. There have already been 4 reported cases of travel-associated Zika here in the District, 15 in the Commonwealth of Virginia, my home State, and 17 in Maryland.

It may seem foreign to some of my colleagues on the other side of the aisle, but in the National Capital Region, the two States, D.C., and the region’s local governments actually have a rich tradition of working together, including in public health.

Working through the Council of Governments, which I used to chair, our local and State partners regularly come together. The District of Columbia needs to be a full partner in those regional efforts so that it cannot be placed in a position of having to come to Congress to actually ask for permission before spending its own local dollars on Zika prevention and education.

□ 1645

I might add, it is not just the people of the District of Columbia who will be at risk if we are not addressing Zika in

an efficacious way; it is the 12 million constituents, the people my friend from North Carolina (Mr. MEADOWS) represents and that I represent who come to this city every year to visit the Nation’s Capital. Will we protect them? Or will we dither here in Congress?

There is irony in that, isn’t there? Because we can’t get our own budget together. We can’t pass our own appropriations bills, but we are going to second-guess the local government here in the District of Columbia because somehow we do it better? I don’t think there is a neutral observer who would conclude that.

But we are going to do it cloaked in the respectability of a constitutional argument that is, I believe, false and antiquated—not because the Constitution is antiquated, but because what was known in the late 18th century at the time of the writing of the Constitution is different today.

Are we going to return to the plantation mentality Congress used to have with respect to the District of Columbia? Or are we actually going to act on principle here, not ideology? We are not going to fire up our base or the right-wing radio talk show hosts. We are actually going to do the right thing—the right thing for 700,000 fellow citizens—and let them have an ounce of decency with respect to their own self-determination.

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

Mr. MEADOWS. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. MEADOWS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MEADOWS. Mr. Speaker, my friend opposite—and I say that in the most authentic and complete terms because, indeed, the gentleman is my friend—raises a point of debate about the Constitution and the fact that explicitly in the Constitution, our Founding Fathers reserved this particular authority in Article I, section 8, clause 17, which shows the wisdom of our Founding Fathers to anticipate what, indeed, we are debating here today.

For many of the other arguments that my good friend has made in terms of what we need to change, there is the appropriate place for those changes to be made, and that is exactly what this debate has been about. It is about the rule of law; it is about the Constitution; and it is about this institution being the proper place to make those determinations on behalf of the will of We the People.

Now, the motion to recommit talks about Zika funding. And I might remind the gentleman that, indeed, in this very body within the last few days,

we have already passed funding to address the Zika virus' potential healthcare concern; and, indeed, this is the correct body for us to do that. It is not the District of Columbia or any other municipality across the country. It is, indeed, this body, the role for this particular body that has been reserved constitutionally; and it has been that way since the very founding of this great country we all call home.

I would also add that, as we start to look at this, the debate has been over local control. And when we start to see the debate that continues to play out, this particular issue was reserved in the Constitution, and it was solely that of Congress to have all legislative power over the District.

Now, is that somehow inconsistent with the fact that we want to make sure that all control is local? It is not. Because as we look at that, we must, indeed, make sure that we stand up.

And I would ask all of my colleagues to look at the very foundation of who we are as an institution, as Members of Congress. To allow the Budget Autonomy Act to stand in place would not only usurp the authority—the congressional authority—that has been given to us in our Constitution but, indeed, it would undermine it for future Congresses to come.

So it is with great humility, but also with great passion, that I would urge my colleagues to defeat the motion to recommit, knowing that we have already addressed the particular funding requirement that the gentleman from Virginia brings up—defeat the motion to recommit, and support the underlying bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. CONNOLLY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX and the order of the House of today, this 15-minute vote on adoption of the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; adoption of the motion to commit on S. 2012; and passage of S. 2012, if ordered.

The vote was taken by electronic device, and there were—yeas 179, nays 239, not voting 15, as follows:

[Roll No. 247]

YEAS—179

Adams	Blumenauer	Capuano
Aguilar	Bonamici	Carney
Ashford	Boyle, Brendan	Carson (IN)
Bass	F.	Cartwright
Beatty	Brady (PA)	Castor (FL)
Becerra	Brown (FL)	Chu, Judy
Bera	Brownley (CA)	Cicilline
Beyer	Butterfield	Clark (MA)
Bishop (GA)	Capps	Clarke (NY)

Clay	Israel	Pelosi
Cleaver	Jackson Lee	Perlmutter
Clyburn	Jeffries	Peters
Cohen	Johnson (GA)	Peterson
Connolly	Johnson, E. B.	Pingree
Conyers	Kaptur	Pocan
Cooper	Keating	Polis
Costa	Kelly (IL)	Price (NC)
Courtney	Kennedy	Quigley
DeFazio	Kildee	Rangel
DeGette	Kilmer	Richmond
Delaney	Kind	Roybal-Allard
DeLauro	Kirkpatrick	Ruiz
DeBene	Kuster	Ruppersberger
DeSaulnier	Langevin	Rush
Deutch	Larsen (WA)	Ryan (OH)
Dingell	Larsen (CT)	Sánchez, Linda
Doggett	Lawrence	T.
Doyle, Michael	Lee	Sánchez, Loretta
F.	Levin	Sarbanes
Duckworth	Lewis	Schakowsky
Edwards	Lieu, Ted	Schiff
Ellison	Lipinski	Schrader
Engel	Loebback	Scott (VA)
Eshoo	Lofgren	Scott, David
Eshoo	Lowenthal	Serrano
Esty	Lowey	Sewell (AL)
Farr	Lujan Grisham	Sherman
Foster	(NM)	Sinema
Frankel (FL)	Luján, Ben Ray	Sires
Fudge	(NM)	Slaughter
Gabbard	Lynch	Smith (WA)
Gallego	Maloney,	Swalwell (CA)
Gallego	Carolyn	Takano
Garamendi	Maloney, Sean	Thompson (CA)
Graham	Matsui	Thompson (MS)
Grayson	McColum	Titus
Green, Al	McDermott	Tonko
Green, Gene	McGovern	Torres
Grijalva	McNerney	Tsongas
Gutiérrez	Meeks	Van Hollen
Hahn	Meng	Vargas
Hastings	Moore	Veasey
Heck (WA)	Moulton	Vela
Higgins	Murphy (FL)	Velázquez
Himes	Nadler	Visclosky
Hinojosa	Napolitano	Walz
Honda	Neal	Wasserman
Hoyer	Nolan	Schultz
Huffman	Norcross	Waters, Maxine
	Pallone	Watson Coleman
	Pascrell	Welch
	Payne	Wilson (FL)

NAYS—239

Abraham	Crenshaw	Heck (NV)
Aderholt	Culberson	Hensarling
Allen	Curbelo (FL)	Hice, Jody B.
Amash	Davis, Rodney	Hill
Amodei	Denham	Holding
Babin	Dent	Hudson
Barletta	DeSantis	Huelskamp
Barr	DesJarlais	Huizenga (MI)
Barton	Diaz-Balart	Hultgren
Benishek	Dold	Hunter
Bilirakis	Donovan	Hurd (TX)
Bishop (MI)	Duffy	Hurt (VA)
Bishop (UT)	Duncan (SC)	Issa
Black	Duncan (TN)	Jenkins (WV)
Blackburn	Ellmers (NC)	Johnson (OH)
Blum	Emmer (MN)	Johnson, Sam
Bost	Farenthold	Jolly
Boustany	Fitzpatrick	Jones
Brady (TX)	Fleischmann	Jordan
Brat	Fleming	Joyce
Bridenstine	Flores	Katko
Brooks (AL)	Forbes	Kelly (MS)
Brooks (IN)	Fortenberry	Kelly (PA)
Buchanan	Foxx	King (IA)
Buck	Franks (AZ)	King (NY)
Bucshon	Frelinghuysen	Kinzinger (IL)
Burgess	Garrett	Kline
Byrne	Gibbs	Knight
Calvert	Gibson	Labrador
Carter (GA)	Gohmert	LaHood
Carter (TX)	Goodlatte	LaMalfa
Chabot	Gosar	Lamborn
Chaffetz	Gowdy	Lance
Clawson (FL)	Graves (GA)	Latta
Coffman	Graves (LA)	LoBiondo
Cole	Graves (MO)	Long
Collins (GA)	Griffith	Loudermilk
Collins (NY)	Grothman	Love
Comstock	Guinta	Lucas
Conaway	Guthrie	Luetkemeyer
Cook	Hardy	Lummis
Costello (PA)	Harper	MacArthur
Cramer	Harris	Marchant
Crawford	Hartzler	Marino

Massie	Price, Tom	Stefanik
McCarthy	Ratcliffe	Stewart
McCaul	Reed	Stivers
McClintock	Reichert	Stutzman
McHenry	Renacci	Thompson (PA)
McKinley	Ribble	Thornberry
McMorris	Rice (SC)	Tiberi
Rodgers	Rigell	Tipton
McSally	Roby	Trott
Meadows	Roe (TN)	Turner
Meehan	Rogers (AL)	Upton
Messer	Rogers (KY)	Valadao
Mica	Rohrabacher	Wagner
Miller (FL)	Rokita	Walberg
Miller (MI)	Rooney (FL)	Walden
Moolenaar	Ros-Lehtinen	Walker
Mullin	Roskam	Walorski
Mulvaney	Ross	Walters, Jimmy
Murphy (PA)	Rothfus	Weber (TX)
Neugebauer	Rouzer	Webster (FL)
Newhouse	Royce	Wenstrup
Noem	Russell	Westerman
Nugent	Salmon	Westmoreland
Nunes	Sanford	Whitfield
Olson	Scalise	Williams
Palazzo	Schweikert	Wilson (SC)
Palmer	Scott, Austin	Wittman
Paulsen	Sensenbrenner	Womack
Pearce	Sessions	Woodall
Perry	Shimkus	Yoder
Pittenger	Shuster	Yoho
Pitts	Simpson	Young (AK)
Poe (TX)	Smith (MO)	Young (IA)
Poliquin	Smith (NE)	Young (IN)
Pompeo	Smith (NJ)	Zeldin
Posey	Smith (TX)	Zinke

NOT VOTING—15

Bustos	Granger	O'Rourke
Cárdenas	Hanna	Rice (NY)
Castro (TX)	Herrera Beutler	Speier
Fattah	Jenkins (KS)	Takai
Fincher	Mooney (WV)	Yarmuth

□ 1711

Messrs. NEUGEBAUER and FITZPATRICK changed their vote from "yea" to "nay."

Messrs. VARGAS, COHEN, PRICE of North Carolina, and POCAN changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. BUSTOS. Mr. Speaker, on the Legislative Day of May 25, 2016, a series of votes was held. Had I been present for these rollcall votes, I would have cast the following vote:

Rollcall 247—I vote "yes."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Ms. NORTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, noes 179, not voting 14, as follows:

[Roll No. 248]

AYES—240

Abraham	Bishop (MI)	Buchanan
Aderholt	Bishop (UT)	Buck
Allen	Black	Bucshon
Amash	Blackburn	Burgess
Amodei	Blum	Byrne
Ashford	Bost	Calvert
Babin	Boustany	Carter (GA)
Barletta	Brady (TX)	Carter (TX)
Barr	Brat	Chabot
Barton	Bridenstine	Chaffetz
Benishek	Brooks (AL)	Clawson (FL)
Bilirakis	Brooks (IN)	Coffman

Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam

NOES—179

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay

Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Lance
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Moore
Moulton
Murphy (FL)
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney
Caroly n
Maloney, Sean
Matsui
McCollum
McDermott
McGovern

NOT VOTING—14
Cárdenas
Castro (TX)
Fattah
Fincher
Granger

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.
□ 1717
So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.
Stated for:
Mr. GROTHMAN. Mr. Speaker, on rollcall No. 248, I was in a very important meeting. Had I been present, I would have voted “yes.”

ENERGY POLICY MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to commit on the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes, offered by the gentleman from California (Mr. PETERS), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.
The Clerk redesignated the motion.
The SPEAKER pro tempore. The question is on the motion to commit.
This is a 5-minute vote.
The vote was taken by electronic device, and there were—yeas 178, nays 239, not voting 16, as follows:

[Roll No. 249]
YEAS—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)

Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Billirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)

Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kueller
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Pallone
Pascrell

Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sánchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sevel (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie

Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love