

The yeas and nays were ordered.

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

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 949, I call up the bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, 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 the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, design work, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects, and related efforts; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$126,522,000, to remain available until expended.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related projects authorized by law; for conducting detailed studies, design work, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,813,649,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums

as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: Provided, That funds made available under this heading for shore protection may be prioritized for projects in areas that have suffered severe beach erosion requiring additional sand placement outside of the normal beach renourishment cycle or in which the normal beach renourishment cycle has been delayed.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$368,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, and aquatic ecosystem restoration projects, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$3,173,829,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Army Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas managed by the Army Corps of Engineers at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities: Provided further, That of the funds provided herein, for any Corps of Engineers project located in a State in which a Bureau of Reclamation project is also located, any non-Federal project regulated for flood control by the Secretary of the Army located in a State in which a Bureau of Reclamation project is also located, or any Bureau of Reclamation facilities regulated for flood control by the Secretary of the Army, the Secretary of the Army shall fund all or a portion of the costs to review or revise operational documents, including water control plans, water control manuals, water control diagrams, release schedules, rule curves, operational agreements with non-Federal entities,

and any associated environmental documentation.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$200,000,000, to remain available until September 30, 2018.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$103,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$30,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the Army Corps of Engineers headquarters and the division offices; and for costs allocable to the civil works program of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center, \$180,000,000, to remain available until September 30, 2018, of which not more than \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund such activities in the Army Corps of Engineers headquarters and division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2018.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2017, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over \$100,000, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: Provided, That for a base level less than \$100,000, the reprogramming limit is \$25,000: Provided further, That up

to \$25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over \$2,000,000, reprogramming of 15 percent of the base amount up to a limit of \$3,000,000 per project, study or activity is allowed: Provided, That for a base level less than \$2,000,000, the reprogramming limit is \$300,000: Provided further, That up to \$3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: Provided further, That up to \$300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: Provided, That the Chief of Engineers shall notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: Provided further, That for a base level over \$1,000,000, reprogramming of 15 percent of the base amount up to a limit of \$5,000,000 per project, study, or activity is allowed: Provided further, That for a base level less than \$1,000,000, the reprogramming limit is \$150,000: Provided further, That \$150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than \$50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level; and

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

(e) The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the report of the Committee on Appropriations accompanying this Act, including the determination and designation of new starts.

(f) None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 102. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$5,400,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers civil works projects.

SEC. 103. None of the funds made available in this or any other Act making appropriations for Energy and Water Development for any fiscal year may be used by the Corps of Engineers during the fiscal year ending September 30, 2017, to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms "fill material" or "discharge of fill material" for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 104. None of the funds provided in this act may be used for open lake disposal of dredged sediment in Lake Erie unless such disposal meets water and environmental standards agreed to by the administrator of a State's water permitting agency and is consistent with a State's Coastal Zone Management Plan. If this standard is not met, the Corps of Engineers will maintain its long-standing funding obligations for upland placement of dredged material with cost sharing as specified in section 101 of the Water Resources Development Act of 1986, Public Law 99-662, as amended by section 201 of the Water Resources Development Act of 1196, Public Law 104-303 (33 U.S.C. 2211) and section 217(d) of the Water Resources Development Act of 1996, Public Law 104-303, as amended by section 2005 of the Water Resources Development Act of 2007, Public Law 110-300 (33 U.S.C. 2326a(d)).

SEC. 105. None of the funds made available by this title may be used for any acquisition that is not consistent with section 225.7007 of title 48, Code of Federal Regulations.

SEC. 106. Of the amounts made available under this title for operation and maintenance, \$2,000,000 shall be available for Upper Missouri River Basin flood and drought monitoring under section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1310).

SEC. 107. Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting "in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project" after "community"; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting "or of a community that is located in the region to be served by the project and that will rely on the project" after "community";

(B) in paragraph (4), by striking "local population" and inserting "regional population to be served by the project"; and

(C) in paragraph (5), by striking "community" and inserting "local community or to a community that is located in the region to be served by the project and that will rely on the project".

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$10,000,000, to remain available until expended, of which \$1,300,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, \$1,350,000 shall be available until September 30, 2018, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2017, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$1,114,394,000, to remain available until expended, of which \$158,841,000 shall be available for additional funding for work and are authorized to be used consistent with activities described in the Commissioner's transmittal to Congress dated February 8, 2016; \$22,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$55,606,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$36,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in

the five regions of the Bureau of Reclamation, to remain available until September 30, 2018, \$59,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2017, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity unless the program, project or activity has received no appropriated funding for at least five fiscal years;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$400,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term transfer means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Inte-

rior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program—Alternative Repayment Plan" and the "SJVDP—Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Title I of Public Law 108-361 (the Calfed Bay-Delta Authorization Act) (118 Stat. 1681), as amended by section 210 of Public Law 111-85, is amended by striking "2017" each place it appears and inserting "2019".

SEC. 204. Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking "\$350,000,000" and inserting "\$450,000,000, on the condition that of that amount, \$50,000,000 is used to carry out section 206 of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235)".

SEC. 205. Section 205 of the Energy and Water Development and Related Agencies Appropriations Act, 2016 (Public Law 114-113; 129 Stat. 2242), is amended—

(1) in paragraph (2)—

(A) by striking "feasibility studies described in clauses (i)(I) and (ii)(I)" and inserting "feasibility study described in clause (i)(I)"; and

(B) by striking "such studies" and inserting "such study";

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

"(3) not later than November 30, 2017, complete and submit to the appropriate committees of the House of Representatives and the Senate the feasibility study described in section 103(d)(1)(A)(ii)(I) of the Calfed Bay-Delta Authorization Act (Public Law 108-361; 118 Stat. 1684)."

SEC. 206. (a) The Secretary of the Interior, in coordination with the Secretary of the Army and the Secretary of Agriculture, may enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a comprehensive study, to be completed not later than 1 year after the date of enactment of this Act, on the effectiveness and environmental impact of salt cedar control efforts (including biological control) in increasing water supplies, restoring riparian habitat, and improving flood management.

(b) Not later than 1 year after the date of completion of the study under subsection (a), the Secretary of the Interior, in coordination with the Secretary of Agriculture, may prepare a plan for the removal of salt cedar from all Federal land in the Lower Colorado River basin based on the findings and recommendations of the study conducted by the National Academy of Sciences that includes—

(1) provisions for revegetating Federal land with native vegetation;

(2) provisions for adapting to the increasing presence of biological control in the Lower Colorado River basin;

(3) provisions for removing salt cedar from Federal land during post-wildfire recovery activities;

(4) strategies for developing partnerships with State, tribal, and local governmental entities in the eradication of salt cedar; and

(5) budget estimates and completion timelines for the implementation of plan elements.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,073,000,000, to remain available until expended: Provided, That of such amount, \$153,500,000 shall be available until September 30, 2018, for program direction: Provided further, That of such amount \$220,600,000 shall be available for the Weatherization Assistance Program, of which \$6,000,000 shall be derived by transfer from the amount otherwise available for Building Technologies: Provided further, That of such amount, \$95,400,000 shall be available for wind energy.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$206,000,000, to remain available until expended: Provided, That of such amount, \$28,500,000 shall be available until September 30, 2018, for program direction.

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of no more than three emergency service vehicles for replacement only, \$1,057,903,000, to remain available until expended: Provided, That of such amount, the Secretary of Energy may obligate up to \$10,000,000 under existing authorities, for contracting for the management of used nuclear fuel to which the Secretary holds the title or has a contract to accept title: Provided further, That of such amount, \$80,000,000 shall be available until September 30, 2018, for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$632,000,000, to remain available until expended: Provided, That of the amount made available under this heading in this Act, \$60,000,000 shall be available until September 30, 2018, for program direction.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, \$14,950,000, to remain available until expended: Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$200,000,000, to remain available until expended. Provided, That as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114-74), the Secretary of the Department of Energy shall drawdown and sell not to exceed \$375,400,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2017: Provided further, That the proceeds from such drawdown and sale shall be deposited into the Energy Security and Infrastructure Modernization Fund during fiscal year 2017 and shall remain available until expended for necessary expenses in carrying out construction, operations, maintenance, repair, and replacement activities of the Strategic Petroleum Reserve.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$6,500,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, \$122,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$255,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, \$717,741,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$30,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 17 passenger motor vehicles for replacement only, including one ambulance and one bus, \$5,400,000,000, to remain available until expended: Provided, That of such amount, \$191,500,000 shall be available until September 30, 2018, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110-69), \$325,000,000, to remain available until expended: Provided, That of such amount, \$29,250,000 shall be available until September 30, 2018, for program direction.

OFFICE OF INDIAN ENERGY

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$20,000,000, to remain available until expended: Provided, That, of the amount appropriated under this heading, \$4,800,000 shall be available until September 30, 2018, for program direction.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For the cost of loan guarantees provided under section 2602(c) of the Energy Policy Act of 1992 (25 U.S.C. 3502(c)), \$8,500,000, to remain available until expended: Provided, That the cost of those loan guarantees (including the costs of modifying loans, as applicable) shall be determined in accordance with section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That, for necessary administrative expenses to carry out that program, \$500,000 is appropriated, to remain available until expended: Provided further, That, of the subsidy amounts provided by section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112-10; 125 Stat. 126), for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513), \$9,000,000 is permanently canceled.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses to carry out this Loan Guarantee program, \$37,000,000 is appropriated from fees collected in prior years pursuant to section 1702(h) of the Energy Policy Act of 2005 which are not otherwise appropriated, to remain available until September 30, 2018: Provided further, That if the amount in the previous proviso is not available from such fees, an amount for such purposes is also appropriated from the general fund so as to result in a total amount appropriated for such purpose of no more than \$37,000,000: Provided further, That fees collected pursuant to such section 1702(h) for fiscal year 2017 shall be credited as offsetting collections under this heading and shall not be available until appropriated: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$5,000,000, to remain available until September 30, 2018.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$232,142,000, to remain available until September 30, 2018, including the hire of passenger motor vehicles and official reception

and representation expenses not to exceed \$30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$103,000,000 in fiscal year 2017 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than \$129,142,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$44,424,000, to remain available until September 30, 2018.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY

ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$9,285,147,000, to remain available until expended: Provided, That of such amount, \$106,600,000 shall be available until September 30, 2018, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,821,916,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,351,520,000, to remain available until expended: Provided, That of such amount, \$47,100,000 shall be available until September 30, 2018, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, \$408,603,000, to remain available until September 30, 2018, including official reception and representation expenses not to exceed \$12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the

acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one fire apparatus pump-truck, one aerial lift truck, one refuse truck, and one semi-truck for replacement only, \$5,379,018,000, to remain available until expended: Provided, That of such amount \$290,050,000 shall be available until September 30, 2018, for program direction.

DEFENSE URANIUM ENRICHMENT
DECONTAMINATION AND DECOMMISSIONING
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for atomic energy defense environmental cleanup activities for Department of Energy contributions for uranium enrichment decontamination and decommissioning activities, \$717,741,000, to be deposited into the Defense Environmental Cleanup account which shall be transferred to the "Uranium Enrichment Decontamination and Decommissioning Fund".

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$791,552,000, to remain available until expended: Provided, That of such amount, \$258,061,000 shall be available until September 30, 2018, for program direction.

POWER MARKETING ADMINISTRATIONS
BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$5,000: Provided, That during fiscal year 2017, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN
POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$1,000,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$1,000,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than \$0: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$60,760,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN
POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$45,643,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$34,586,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than \$11,057,000: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$73,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION
AND MAINTENANCE, WESTERN AREA POWER
ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, \$307,144,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended, of which \$299,742,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$211,563,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than \$95,581,000, of which \$88,179,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$367,009,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND
MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$4,070,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$3,838,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2017 appropriation estimated at not more than \$232,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2017, the Administrator of the Western Area Power Administration may accept up to \$323,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION
SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed \$3,000, and the hire of passenger motor vehicles, \$346,800,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$346,800,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2017 shall be retained and used for expenses necessary in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF
ENERGY

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both

Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling \$1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling \$1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than \$1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading “Department of Energy—Energy Programs”, enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government’s obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the “Final Bill” column in the “Department of Energy” table included under the heading “Title III—Department of Energy” in the report of the Committee on Appropriations accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as

soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. (a) Unobligated balances available from appropriations are hereby permanently rescinded from the following accounts of the Department of Energy in the specified amounts:

(1) “Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities”, \$50,400,000.

(2) “Atomic Energy Defense Activities—National Nuclear Security Administration—Defense Nuclear Nonproliferation”, \$14,000,000.

(3) “Energy Program—Fossil Energy Research and Development”, \$240,000,000.

(4) “Energy Program—Title 17 Innovative Technology Loan Guarantee Program”, \$9,500,000.

(5) “Energy Program—Energy Efficiency and Renewable Energy”, \$20,600,000.

(6) “Energy Program—Nuclear Energy”, \$231,000.

(7) “Energy Program—Strategic Petroleum Reserve”, \$150,000.

(8) “Energy Program—Naval Petroleum and Oil Shale Reserves”, \$150,000.

(9) “Energy Program—Science”, \$1,700,000.

(b) No amounts may be rescinded by this section from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 303. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

SEC. 304. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 305. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 306. (a) DEFINITIONS.—In this section:

(1) AFFECTED INDIAN TRIBE.—The term “affected Indian tribe” has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(2) HIGH-LEVEL RADIOACTIVE WASTE.—The term “high-level radioactive waste” has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(3) NUCLEAR WASTE FUND.—The term “Nuclear Waste Fund” means the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)).

(4) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(5) SPENT NUCLEAR FUEL.—The term “spent nuclear fuel” has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(b) PILOT PROGRAM.—Notwithstanding any provision of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.), the Secretary is authorized, in the current fiscal year and subsequent fiscal years, to conduct a pilot program, through 1 or more private sector partners, to license, construct, and operate 1 or more government or privately owned consolidated storage facilities to provide interim storage as needed for spent nuclear fuel and high-level radioactive waste, with priority for storage given to spent nuclear fuel located on sites without an operating nuclear reactor.

(c) REQUESTS FOR PROPOSALS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for cooperative agreements—

(1) to obtain any license necessary from the Nuclear Regulatory Commission for the construction of 1 or more consolidated storage facilities;

(2) to demonstrate the safe transportation of spent nuclear fuel and high-level radioactive waste, as applicable; and

(3) to demonstrate the safe storage of spent nuclear fuel and high-level radioactive waste, as applicable, at the 1 or more consolidated storage facilities pending the construction and operation of deep geologic disposal capacity for the permanent disposal of the spent nuclear fuel.

(d) CONSENT-BASED APPROVAL.—Prior to siting a consolidated storage facility pursuant to this section, the Secretary shall enter into an agreement to host the facility with—

(1) the Governor of the State;

(2) each unit of local government within the jurisdiction of which the facility is proposed to be located; and

(3) each affected Indian tribe.

(e) APPLICABILITY.—In executing this section, the Secretary shall comply with—

(1) all licensing requirements and regulations of the Nuclear Regulatory Commission; and

(2) all other applicable laws (including regulations).

(f) PILOT PROGRAM PLAN.—Not later than 120 days after the date on which the Secretary issues the request for proposals under subsection (c), the Secretary shall submit to Congress a plan to carry out this section that includes—

(1) an estimate of the cost of licensing, constructing, and operating a consolidated storage facility, including the transportation costs, on an annual basis, over the expected lifetime of the facility;

(2) a schedule for—

(A) obtaining any license necessary to construct and operate a consolidated storage facility from the Nuclear Regulatory Commission;

(B) constructing the facility;

(C) transporting spent fuel to the facility; and

(D) removing the spent fuel and decommissioning the facility; and

(3) an estimate of the cost of any financial assistance, compensation, or incentives proposed to be paid to the host State, Indian tribe, or local government;

(4) an estimate of any future reductions in the damages expected to be paid by the United States for the delay of the Department of Energy in accepting spent fuel expected to result from the pilot program;

(5) recommendations for any additional legislation needed to authorize and implement the pilot program; and

(6) recommendations for a mechanism to ensure that any spent nuclear fuel or high-level radioactive waste stored at a consolidated storage facility pursuant to this section shall move to deep geologic disposal capacity, following a consent-based approval process for that deep geologic disposal capacity consistent with subsection (d), within a reasonable time after the issuance of a license to construct and operate the consolidated storage facility.

(g) PUBLIC PARTICIPATION.—Prior to choosing a site for the construction of a consolidated storage facility under this section, the Secretary

shall conduct 1 or more public hearings in the vicinity of each potential site and in at least 1 other location within the State in which the site is located to solicit public comments and recommendations.

(h) **USE OF NUCLEAR WASTE FUND.**—The Secretary may make expenditures from the Nuclear Waste Fund to carry out this section, subject to appropriations.

SEC. 307. (a) Not later than 30 days after the date of enactment of this Act, the Administrator of the Western Area Power Administration shall submit to the appropriate committees of Congress a report that—

(1) examines the use of a provision described in subsection (b) in any power contracts of the Western Area Power Administration that were executed before or on the date of enactment of this Act; and

(2) explains the circumstances for not including a provision described in subsection (b) in power contracts of the Western Area Power Administration executed before or on the date of enactment of this Act.

(b) A provision referred to in subsection (a) is a termination clause described in section 11 of the general power contract provisions of the Western Power Administration, effective September 1, 2007.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$151,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$31,000,000, to remain available until September 30, 2018.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382C(b)(2), 382F(d), 382M, and 382N of said Act, \$25,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$15,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105-277), as amended by section 701 of appendix D, title VII, Public Law 106-113 (713 Stat. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities: Provided further, That, notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activi-

ties authorized by subtitle V of title 40, United States Code, \$10,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

NUCLEAR REGULATORY COMMISSION SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$939,000,000, including official representation expenses not to exceed \$25,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than \$7,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2018, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at \$822,240,000 in fiscal year 2017 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That of the amounts appropriated under this heading, not less than \$5,000,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, and \$5,000,000 of that amount shall not be available from fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than \$116,760,000: Provided further, That of the amounts appropriated under this heading, not less than \$543,000 shall be used to implement the requirements of the Digital Accountability and Transparency Act of 2014 (Public Law 113-101; 128 Stat. 1146).

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$12,129,000, to remain available until September 30, 2018: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at \$10,044,000 in fiscal year 2017 shall be retained and be available until September 30, 2018, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2017 so as to result in a final fiscal year 2017 appropriation estimated at not more than \$2,085,000: Provided further, That of the amounts appropriated under this heading, \$969,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2018.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for “Nuclear Regulatory Commission—Salaries and Expenses” shall be expended as directed in the report accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

- (1) total budget authority;
- (2) total unobligated balances; and
- (3) total unliquidated obligations.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report of the Committee on Appropriations accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semi-annual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2017”.

MOTION OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Speaker, I have a motion at the desk. The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. ROGERS of Kentucky moves that the House concur in the Senate amendment to H.R. 2028 with an amendment consisting of the text of Rules Committee Print 114-70 modified by the amendment printed in House Report 114-849.

The text of the House amendment to the Senate amendment to the text is as follows:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited the “Further Continuing and Security Assistance Appropriations Act, 2017”.

SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Availability of funds.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2017

DIVISION B—SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017

Title I—Department of Defense

Title II—Department of State, Foreign Operations, and Related Agencies

SEC. 3. REFERENCES.

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

SEC. 4. AVAILABILITY OF FUNDS.

(a) Each amount designated in this Act, or in an amendment made by this Act, by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

(b) Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) 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.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2017

SEC. 101. The Continuing Appropriations Act, 2017 (division C of Public Law 114-223) is amended by—

- (1) striking the date specified in section 106(3) and inserting “April 28, 2017”;
- (2) striking “0.496 percent” in section 101(b) and inserting “0.1901 percent”; and
- (3) inserting after section 145 the following new sections:

“SEC. 146. Amounts made available by section 101 for ‘Department of Agriculture—Farm Service Agency—Agricultural Credit Insurance Fund Program Account’ may be apportioned up to the rate for operations necessary to fund loans for which applications are approved.

“SEC. 147. Amounts made available by section 101 for ‘Department of Agriculture—Food and Nutrition Service—Child Nutrition Programs’ to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Pub-

lic Law 111-80) may be apportioned up to the rate for operations necessary to ensure that the program can be fully operational by May, 2017.

“SEC. 148. Section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking ‘2010 through 2016’ and inserting ‘2010 through 2017’.

“SEC. 149. Amounts made available by section 101 for ‘Department of Agriculture—Rural Utilities Service’ may be transferred between appropriations under such heading as necessary for the cost of direct telecommunications loans authorized by section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935).

“SEC. 150. Amounts made available by Section 101 for ‘Department of Agriculture—Rural Housing Service—Rural Housing Insurance Fund Program Account’ for the section 538 Guaranteed Multi-Family Housing Loan Program may be apportioned up to the rate necessary to fund loans for which applications are approved.

“SEC. 151. Amounts made available by section 101 for ‘Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction’ may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System.

“SEC. 152. Amounts made available by section 101 for ‘Department of Commerce—Bureau of the Census—Periodic Censuses and Programs’ may be apportioned up to the rate for operations necessary to maintain the schedule and deliver the required data according to statutory deadlines in the 2020 Decennial Census Program.

“SEC. 153. Amounts made available by section 101 for ‘National Aeronautics and Space Administration—Exploration’ may be apportioned up to the rate for operations necessary to maintain the planned launch capability schedules for the Space Launch System launch vehicle, Exploration Ground Systems, and Orion Multi-Purpose Crew Vehicle programs.

“SEC. 154. In addition to the amount otherwise provided by section 101, and notwithstanding section 104 and section 109, for ‘Department of Justice—State and Local Law Enforcement Activities—Office of Justice Programs—State and Local Law Enforcement Assistance’, there is appropriated \$7,000,000, for an additional amount for the Edward Byrne Memorial Justice Assistance Grant program for the purpose of providing reimbursement of extraordinary law enforcement overtime costs directly and solely associated with protection of the President-elect incurred from November 9, 2016 until the inauguration of the President-elect as President: *Provided*, That reimbursement shall be provided only for overtime costs that a State or local law enforcement agency can document as being over and above normal law enforcement operations and directly attributable to security for the President-elect.

“SEC. 155. Notwithstanding sections 101, 102, and 104 of this Act, from within amounts provided for ‘Department of Defense—Procurement—Shipbuilding and Conversion, Navy’, funds are provided for ‘Ohio Replacement Submarine (AP)’ at a rate for operations of \$773,138,000.

“SEC. 156. (a) Notwithstanding sections 102 and 104 of this Act, amounts made available pursuant to section 101 may be used for multiyear procurement contracts, including advance procurement, for the AH-64E Attack Helicopter and the UH-60M Black Hawk Helicopter.

“(b) The Secretary of the Army may exercise the authority conferred in subsection (a) notwithstanding subsection (i)(1) of section

2306b of title 10, United States Code, until the date of enactment of an Act authorizing appropriations for fiscal year 2017 for military activities of the Department of Defense, subject to satisfaction of all other requirements of such section 2306b.

“SEC. 157. Notwithstanding section 102, funds made available pursuant to section 101 for ‘Department of Defense—Procurement—Aircraft Procurement, Air Force’ are provided for the KC-46A Tanker up to the rate for operations necessary to support the production rate specified in the President’s fiscal year 2017 budget request.

“SEC. 158. Notwithstanding section 101, section 301(d) of division D of Public Law 114-113 shall not apply to amounts made available by this Act for ‘Department of Energy—Atomic Energy Defense Activities—National Nuclear Security Administration—Weapons Activities’: *Provided*, That the Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 15 days after funds made available by this Act for such account are allotted to a Department of Energy program, project, or activity at a rate for operations that differs from that provided under such heading in division D of Public Law 114-113 by more than \$5,000,000 or 10 percent.

“SEC. 159. As authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed \$375,400,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2017: *Provided*, That the proceeds from such drawdown and sale shall be deposited into the ‘Energy Security and Infrastructure Modernization Fund’ (in this section referred to as the ‘Fund’) during fiscal year 2017: *Provided further*, That in addition to amounts otherwise made available by section 101, and notwithstanding section 104, any amounts deposited in the Fund shall be made available and shall remain available until expended at a rate for operations of \$375,400,000, for necessary expenses in carrying out the Life Extension II project for the Strategic Petroleum Reserve.

“SEC. 160. (a) Notwithstanding section 101, amounts are provided for ‘Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund’ at a rate for operations of \$767,014,000: *Provided*, That such amounts may not be reprogrammed below the levels provided in the table referred to in section 301(d) of division D of Public Law 114-113.

“(b) As of the date of the enactment of this section, section 123 of this Act shall not be in effect.

“SEC. 161. In addition to amounts provided by section 101, amounts are provided for ‘General Services Administration—Allowances and Office Staff for Former Presidents’ for the pension of the outgoing President at a rate for operations of \$157,000.

“SEC. 162. (a) SHORT TITLE.—This section may be cited as the ‘SOAR Funding Availability Act’.

“(b) REQUIREMENT OF FUNDS REMAINING UNOBLIGATED FROM PREVIOUS FISCAL YEARS.—Section 3007 of the Scholarships for Opportunity and Results Act (sec. 38-1853.07, D.C. Official Code) is amended by adding at the end the following:

“(e) REQUIREMENT OF FUNDS REMAINING UNOBLIGATED FROM PREVIOUS FISCAL YEARS.—

“(1) IN GENERAL.—To the extent that any funds appropriated for the opportunity scholarship program under this division for any fiscal year remain available for subsequent fiscal years under section 3014(c), the Secretary shall make such funds available to eligible entities receiving grants under section

3004(a) for the uses described in paragraph (2)—

“(A) in the case of any remaining funds that were appropriated before the date of enactment of the SOAR Funding Availability Act, beginning on the date of enactment of such Act; and

“(B) in the case of any remaining funds appropriated on or after the date of enactment of such Act, by the first day of the first subsequent fiscal year.

“(2) USE OF FUNDS.—If an eligible entity to which the Secretary provided additional funds under paragraph (1) elects to use such funds during a fiscal year, the eligible entity shall use—

“(A) not less than 95 percent of such additional funds to provide additional scholarships for eligible students under subsection (a), or to increase the amount of the scholarships, during such year; and

“(B) not more than a total of 5 percent of such additional funds for administrative expenses, parental assistance, or tutoring, as described in subsections (b), (c), and (d), during such year.

“(3) SPECIAL RULE.—Any amounts made available for administrative expenses, parental assistance, or tutoring under paragraph (2)(B) shall be in addition to any other amounts made available for such purposes in accordance with subsections (b), (c), and (d).”

“(c) AVAILABILITY OF FUNDS.—Section 3014 of such Act (sec. 38–1853.14, D.C. Official Code) is amended by adding at the end the following:

“(c) AVAILABILITY.—Amounts appropriated under subsection (a)(1), including amounts appropriated and available under such subsection before the date of enactment of the SOAR Funding Availability Act, shall remain available until expended.”

“(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this section.

“SEC. 163. Amounts made available by section 101 for ‘U.S. Customs and Border Protection—Operations and Support’, ‘U.S. Immigration and Customs Enforcement—Operations and Support’, ‘Transportation Security Administration—Operations and Support’, and ‘United States Secret Service—Operations and Support’ accounts of the Department of Homeland Security shall be apportioned at a rate for operations as necessary, and apportioned to provide staffing levels as necessary, to ensure border security, fulfill immigration enforcement priorities, maintain aviation security activities, and carry out the mission associated with the protection of the President-elect.

“SEC. 164. Amounts made available by section 101 for ‘National Gallery of Art—Salaries and Expenses’ may be apportioned up to the rate for operations necessary to provide for staffing, maintenance, security, and administrative expenses for the recently reopened galleries.

“SEC. 165. Amounts made available by section 101 for ‘Smithsonian Institution—Salaries and Expenses’ may be apportioned up to the rate for operations necessary to provide for facilities maintenance, facilities operations, security, and support at the National Museum of African American History and Culture.

“SEC. 166. Amounts made available by section 101 for ‘Department of Health and Human Services—Indian Health Service—Indian Health Services’ and for ‘Department of Health and Human Services—Indian Health Service—Indian Health Facilities’, respectively, may be apportioned up to the rate for operations necessary to provide for costs of staffing and operating newly constructed facilities.

“SEC. 167. MINERS HEALTH BENEFITS.—

“(a) IN GENERAL.—This section may be cited as the ‘Continued Health Benefits for Miners Act’.

“(b) INCLUSION OF CERTAIN RETIREES IN THE MULTIEMPLOYER HEALTH BENEFIT PLAN.—Section 402(h)(2)(C) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)) is amended—

“(1) by striking ‘A transfer’ and inserting the following:

“(i) TRANSFER TO THE PLAN.—A transfer’;
“(2) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and moving such subclauses 2 ems to the right; and

“(3) by striking the matter following such subclause (II) (as so redesignated) and inserting the following:

“(ii) CALCULATION OF EXCESS.—The excess determined under clause (i) shall be calculated—

“(I) except as provided in subclause (II), by taking into account only those beneficiaries actually enrolled in the Plan as of December 31, 2006, who are eligible to receive health benefits under the Plan on the first day of the calendar year for which the transfer is made; and

“(II) for purposes of the transfer made for fiscal year 2017, as if, for the period beginning January 1, 2017, and ending April 30, 2017, only—

“(aa) those beneficiaries actually enrolled in the Plan as of the date of the enactment of the Continued Health Benefits for Miners Act who are eligible to receive health benefits under the Plan on January 1, 2017, other than those beneficiaries enrolled in the Plan under the terms of a participation agreement with the current or former employer of such beneficiaries; and

“(bb) those beneficiaries whose health benefits, defined as those benefits payable directly following death or retirement or upon a finding of disability by an employer in the bituminous coal industry under a coal wage agreement (as defined in section 9701(b)(1) of the Internal Revenue Code of 1986), would be denied or reduced as a result of a bankruptcy proceeding commenced in 2012 or 2015, were taken into account, and for any other period during such fiscal year, only the beneficiaries described in subclause (I) were taken into account.

“(iii) ELIGIBILITY OF CERTAIN RETIREES.—Individuals referred to in clause (ii)(I)(bb) shall be treated as eligible to receive health benefits under the Plan for the plan year that includes January 1, 2017.

“(iv) REQUIREMENTS FOR TRANSFER.—The amount of the transfer otherwise determined under this subparagraph for fiscal year 2017 shall be reduced by any amount transferred for the fiscal year to the Plan, to pay benefits required under the Plan, from a voluntary employees’ beneficiary association established as a result of a bankruptcy proceeding described in clause (ii)(I).

“(v) VEBA TRANSFER.—The administrator of such voluntary employees’ beneficiary association shall transfer to the Plan any amounts received as a result of such bankruptcy proceeding, reduced by an amount for administrative costs of such association.”

“(c) PRESERVATION OF PAYMENTS TO STATES AND INDIAN TRIBES.—Subparagraph (B) of section 402(i)(3) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(i)(3)) is amended—

“(1) by striking ‘so that’ and inserting ‘under paragraph (1) so that’;

“(2) by striking ‘each transfer’ in clause (i) and inserting ‘each such transfer’; and

“(3) by striking ‘this subsection’ in clause (iii) and inserting ‘paragraph (1)’.

“(d) BUDGETARY EFFECTS.—

“(1) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this section shall not be

entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

“(2) SENATE PAYGO SCORECARDS.—The budgetary effects of this section shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

“(3) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

“(A) for purposes of section 251 of such Act; and

“(B) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

“SEC. 168. Notwithstanding section 111, the fourth proviso under the heading ‘Department of Labor—Office of Workers’ Compensation Programs—Special Benefits’ shall be applied by substituting ‘\$66,675,000’ for ‘\$62,170,000’, ‘\$22,740,000’ for ‘\$21,140,000’, ‘\$16,866,000’ for ‘\$16,668,000’ and ‘\$4,101,000’ for ‘\$1,394,000’.

“SEC. 169. Section 458(a)(4) of the Higher Education Act of 1965 (20 U.S.C. 1087h(a)(4)) shall be applied by substituting ‘2017’ for ‘2016’.

“SEC. 170. (a) Notwithstanding any other provision of law, the Secretary of Health and Human Services (referred to in this section as the ‘Secretary’) may transfer up to \$300,000,000 from the Fund established by section 223 of the Department of Health and Human Services Appropriations Act, 2008 (42 U.S.C. 3514a) to ‘Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance’ only for activities authorized under section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279) and section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232): *Provided*, That such funds transferred shall not be available for obligation prior to February 1, 2017.

“(b) In addition to amounts provided by subsection (a), if after March 1, 2017, and before the date specified in section 106(3), the Secretary, in consultation with the Secretary of Homeland Security, determines that the percentage increase in the cumulative number of cases transferred to the custody of the Secretary pursuant to such sections 462 and 235 for the current fiscal year over the number transferred through the comparable date in the previous fiscal year exceeds 40 percent, an amount not to exceed \$200,000,000 may be made available to ‘Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance’ only for activities authorized under such sections 462 and 235.

“(c) The Committees on Appropriations of the House of Representatives and the Senate shall be notified at least 15 days in advance of any funds being made available under subsection (a).

“(d) Of the unobligated balances available in the Fund established by section 223 of the Department of Health and Human Services Appropriations Act, 2008 (42 U.S.C. 3514a), \$100,000,000 is hereby rescinded.

“SEC. 171. Notwithstanding any other provision of this Act, within 10 days of the enactment of this section, the Secretary of Health and Human Services shall transfer funds appropriated for fiscal year 2017 under section 4002 of Public Law 111–148 (42 U.S.C. 300u–11) to the accounts specified, in the

amounts specified, and for the activities specified in subsection (a) of section 221 of division H of Public Law 114-113, except that the Secretary shall adjust the amounts transferred to the Centers for Disease Control and Prevention under this section to result in a total amount transferred to such agency under this section that is \$1,000,000 less than the total amount transferred to such agency under such section 221: *Provided*, That subsections (b) and (c) of such section 221 shall apply to amounts transferred under this section.

“SEC. 172. The fifth proviso under the heading ‘Social Security Administration—Limitation on Administrative Expenses’ in division H of Public Law 114-113 shall be applied during the period covered by this Act by substituting ‘shall be used for activities to address the hearing backlog within the Office of Disability Adjudication and Review’ for ‘shall be for necessary expenses for the renovation and modernization of the Arthur J. Altmeyer Building’.

“SEC. 173. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b)) shall continue through the date specified in section 106(3) of this Act in the manner authorized for fiscal year 2016, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

“SEC. 174. The Secretary of Health and Human Services may use discretionary amounts appropriated in this Act for the Department of Health and Human Services to carry out section 399V-6 of the Public Health Service Act (42 U.S.C. 280g-17).

“SEC. 175. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2017.

“SEC. 176. TRANSFER OF O’NEILL BUILDING TO HOUSE OF REPRESENTATIVES.—(a) TRANSFER.—Effective upon the expiration of the 180-day period that begins on the date of the enactment of this section—

“(1) the building described in subsection (e) shall become an office building of the House of Representatives;

“(2) the Administrator of General Services shall transfer custody, control, and administrative jurisdiction over the building to the Architect of the Capitol; and

“(3) the Architect of the Capitol shall exercise custody, control, and administrative jurisdiction over the building subject to the direction of the House Office Building Commission.

“(b) TREATMENT AS HOUSE OFFICE BUILDING AND PART OF CAPITOL GROUNDS.—Upon the transfer of custody, control, and administrative jurisdiction under subsection (a), the building and grounds described in subsection (e) shall be treated as a House Office Building and as part of the United States Capitol Grounds for purposes of all laws, rules, and regulations applicable to the House Office Buildings and the Capitol Grounds, including—

“(1) chapter 51 of title 40, United States Code (relating to the administration of the United States Capitol Buildings and Grounds); and

“(2) section 9 of the Act entitled ‘An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes’, approved July 31, 1946 (2 U.S.C. 1961) (relating to the authority of the United States Capitol Police to police the United States Capitol Buildings and Grounds).

“(c) AUTHORITY OF ARCHITECT OF THE CAPITOL TO ENTER INTO LEASES AND OTHER

AGREEMENTS WITH FEDERAL DEPARTMENTS AND AGENCIES FOR USE OF BUILDING.—

“(1) AUTHORITY DESCRIBED.—The Architect of the Capitol is authorized to enter into leases and other agreements with departments and agencies of the Federal Government for the use of the building described in subsection (e) (or portions thereof), subject to the approval of the House Office Building Commission.

“(2) COLLECTION OF PAYMENTS.—Pursuant to a lease or other agreement entered into between the Architect of the Capitol and a department or agency of the Federal Government under the authority described in paragraph (1), the Architect of the Capitol is authorized to collect payments from such department or agency and such department or agency is authorized to make payments to the Architect of the Capitol, including payments of commercially-equivalent rent.

“(3) TREATMENT OF PAYMENTS.—Any payments received by the Architect of the Capitol pursuant to any lease or other agreement entered into under this subsection shall be deposited to the appropriation available to the Architect of the Capitol from the House Office Buildings Fund established under subsection (d) and shall be subject to future appropriation.

“(d) HOUSE OFFICE BUILDINGS FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ‘House Office Buildings Fund’ (hereafter in this section referred to as the ‘Fund’).

“(2) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

“(A) Amounts transferred by the Architect of the Capitol under paragraph (3) of subsection (c).

“(B) Interest earned on the balance of the Fund.

“(C) Such other amounts as may be appropriated by law.

“(3) USE OF FUND.—Amounts in the Fund shall be available to the Architect of the Capitol for the maintenance, care, and operation of the House office buildings, and may be used to reimburse the United States Capitol Police, the House of Representatives, or any other office of the legislative branch which provides goods or services for the maintenance, care, and operation of the building and grounds described in subsection (e), in such amounts as may be appropriated under law.

“(4) NOTIFICATION TO COMMITTEE ON APPROPRIATIONS.—Upon making any obligation or expenditure of any amount in the Fund, the Architect of the Capitol shall notify the Committee on Appropriations of the House of Representatives of the amount and purpose of the obligation or expenditure.

“(5) CONTINUING AVAILABILITY OF FUNDS.—Amounts in the Fund are available without regard to fiscal year limitation.

“(e) DESCRIPTION OF BUILDING AND GROUNDS.—

“(1) DESCRIPTION.—The building and grounds described in this subsection is the Federal building located in the District of Columbia which is commonly known as the ‘Thomas P. O’Neill Jr. Federal Building’, and which is more particularly described as follows: Square 579, Lot 827, at 200 C Street Southwest, bounded by C Street Southwest on the north, by 2nd Street Southwest on the east, by D Street Southwest on the south, and by 3rd Street Southwest on the west, and by all that area contiguous to and surrounding Square 579 from the property line thereof to the west curb of 3rd Street Southwest, the north curb of C Street Southwest, the east curb of 2nd Street Southwest, and the south curb of D Street Southwest.

“(2) RETENTION OF RESPONSIBILITIES OF DISTRICT OF COLUMBIA.—The Mayor of the Dis-

trict of Columbia will retain responsibility for the maintenance and improvement of those portions of the streets which are situated between the curb lines of the streets referenced in paragraph (1).

“SEC. 177. (a) During the 115th Congress—
“(1) amounts made available for the Office of the Secretary of the Conference of the Minority of the Senate shall be available for the Office of the Assistant Minority Leader of the Senate; and

“(2) the duties and authorities of the Secretary of the Conference of the Minority of the Senate under section 3 of title I of division H of the Consolidated Appropriations Act, 2008 (2 U.S.C. 6154), section 101 of chapter VIII of title I of the Supplemental Appropriations Act, 1979 (2 U.S.C. 6156), or any other provision of law shall be duties and authorities of the Assistant Minority Leader of the Senate.

“(b) For purposes of any individual employed by the Office of the Assistant Minority Leader of the Senate during the 115th Congress—

“(1) section 506(e) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 6314(e)) shall be applied by substituting ‘Assistant Minority Leader’ for ‘Secretary of the Conference of the Minority’;

“(2) section 207(e)(9)(M) of title 18, United States Code, shall be applied by substituting ‘Assistant Minority Leader’ for ‘secretary of the Conference of the Minority’; and

“(3) subsection (b) of the first section of S. Res. 458 (98th Congress) shall be applied by substituting ‘Assistant Minority Leader’ for ‘Secretary of the Conference of the Minority’.

“(c) For purposes of any individual employed by the Office of the Assistant Minority Leader of the Senate during the 115th Congress, with respect to any practice that occurs during that Congress, section 220(e)(2)(C) of the Congressional Accountability Act of 1995 (2 U.S.C. 1351(e)(2)(C)) shall be applied by substituting ‘the Office of the Assistant Minority Leader of the Senate’ for ‘the Office of the Secretary of the Conference of the Minority of the Senate’.

“(d) Nothing in this section shall be construed to have any effect on the continuation of any procedure or action initiated under the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) or section 207 of title 18, United States Code.

“SEC. 178. Section 21(d) of Senate Resolution 64 of the One Hundred Thirteenth Congress, 1st session (agreed to on March 5, 2013) is amended by striking ‘December 31, 2016’ and inserting ‘December 31, 2018’.

“SEC. 179. EXPEDITED CONSIDERATION OF CERTAIN LEGISLATION.—

“(a) QUALIFYING LEGISLATION DEFINED.—In this section, the term ‘qualifying legislation’ means a Senate bill or joint resolution—

“(1) that is introduced in the Senate during the 30-calendar day period beginning on the date on which Congress convenes the First Session of the 115th Congress;

“(2) the title of which is as follows: ‘To provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.’; and

“(3) the matter after the enacting or resolving clause of which is as follows:

“SECTION 1. EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS REGULAR COMMISSIONED OFFICERS OF THE ARMED FORCES.

“(a) IN GENERAL.—Notwithstanding the second sentence of section 113(a) of title 10, United States Code, the first person appointed, by and with the advice and consent

of the Senate, as Secretary of Defense after the date of the enactment of this Act may be a person who is, on the date of appointment, within seven years after relief, but not within three years after relief, from active duty as a commissioned officer of a regular component of the Armed Forces.

“(b) LIMITED EXCEPTION.—This section applies only to the first person appointed as Secretary of Defense as described in subsection (a) after the date of the enactment of this Act, and to no other person.”

“(b) INTRODUCTION.—During the 30-calendar day period described in subsection (a)(1), qualifying legislation may be introduced in the Senate by the Majority Leader (or the Majority Leader’s designee), the Minority Leader (or the Minority Leader’s designee), the Chairman of the Committee on Armed Services, or the Ranking Minority Member of the Committee on Armed Services.

“(c) CONSIDERATION IN THE SENATE.—

“(1) COMMITTEE REFERRAL.—Qualifying legislation introduced in the Senate shall be referred to the Committee on Armed Services.

“(2) REPORTING AND DISCHARGE.—If the Committee on Armed Services has not reported the qualifying legislation within 5 session days after the date of referral of the legislation, the Committee shall be discharged from further consideration of the legislation, and the qualifying legislation shall be placed on the appropriate calendar.

“(3) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Armed Services reports the qualifying legislation to the Senate or has been discharged from its consideration (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the qualifying legislation, and all points of order against the qualifying legislation (and against consideration of the qualifying legislation) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qualifying legislation is agreed to, the qualifying legislation shall remain the unfinished business until disposed of.

“(4) CONSIDERATION.—Consideration of the qualifying legislation, and all debate, debatable motions, and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between, and controlled by, the Majority Leader and the Minority Leader or their designees. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the qualifying legislation is not in order.

“(5) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the qualifying legislation and a single quorum call at the conclusion of the debate, if requested in accordance with the rules of the Senate. Passage of the qualifying legislation shall require an affirmative vote of three-fifths of the Members, duly chosen and sworn.

“(6) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to qualifying legislation shall be decided without debate.

“(7) CONSIDERATION OF VETO MESSAGES.—Consideration in the Senate of any veto message with respect to the qualifying legislation, including all debate, debatable motions, and appeals in connection therewith, shall be limited to 10 hours, to be equally di-

vided between, and controlled by, the Majority Leader and the Minority Leader or their designees.

“(d) RULES OF THE SENATE.—This section is enacted—

“(1) as an exercise of the rulemaking power of the Senate and as such is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of qualifying legislation described in subsection (a), and supercedes other rules only to the extent that this section is inconsistent with such rules; and

“(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

“SEC. 180. Section 133 of division L, title I of the Consolidated Appropriations Act, 2016, Public Law 114–113, is amended to read as follows:

“(a) None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, administer, or enforce the requirement for two off-duty periods from 1:00 a.m. to 5:00 a.m. under paragraph 395.3(c) or the restriction on use of more than one restart during a 168-hour period under paragraph 395.3(d) of title 49, Code of Federal Regulations, and those provisions shall have no force or effect upon submission of the final report issued by the Secretary of Transportation, as required by section 133 of division K of Public Law 113–235, unless the Secretary and the Inspector General of the Department of Transportation each review and determine that the final report

“(1) meets the statutory requirements set forth in such section; and

“(2) establishes that commercial motor vehicle drivers who operated under the restart provisions in operational effect between July 1, 2013, and the day before the date of enactment of such Public Law demonstrated statistically significant improvement in all outcomes related to safety, operator fatigue, driver health and longevity, and work schedules, in comparison to commercial motor vehicle drivers who operated under the restart provisions in operational effect on June 30, 2013.

“(b) If the Secretary and the Inspector General do not each make the findings outlined in subsection (a) of this section with respect to the final report, hereafter, the 34-hour restart rule in operational effect on June 30, 2013 shall be restored to full force and effect on the date that the Secretary submits the final report to the Committees on Appropriations of the House of Representatives and the Senate, and funds appropriated or otherwise made available by this Act or any other Act shall be available to implement, administer, or enforce the rule.”

“SEC. 181. (a) Funds made available by section 101 for ‘Department of Transportation—Federal Aviation Administration—Operations’ may be apportioned up to the rate for operations necessary to avoid disruption of continuing projects or activities funded by this appropriation.

“(b) Notwithstanding section 101, the matter preceding the first proviso under the heading ‘Department of Transportation—Federal Aviation Administration—Facilities and Equipment’ in division L of Public Law 114–113 shall be applied by substituting ‘\$479,412,000’ for ‘\$470,049,000’ and ‘\$2,375,588,000’ for ‘\$2,384,951,000’.

“SEC. 182. (a) Amounts available under section 101 for ‘Department of Transportation—Maritime Administration—Operations and Training’ for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy, and any available prior year balances

for the Student Incentive Program at State Maritime Academies may, either in whole or part, be used for costs associated with the midshipmen Sea Year training program of the Academy without regard to any limitations on reprogramming or transfer under division L of Public Law 114–113 or otherwise applicable under a provision of this Act.

“(b) The matter under the heading ‘Department of Transportation—Maritime Administration—Operations and Training’ in division L of Public Law 114–113 is amended by striking the third proviso (relating to an Academy spending plan).

“SEC. 183. Amounts made available by section 101 for ‘Department of Housing and Urban Development—Public and Indian Housing—Tenant-Based Rental Assistance’ may be apportioned up to the rate for operations necessary to renew grants for rental assistance and administrative costs that were provided pursuant to the third through tenth provisos of paragraph (5) under such heading in title II of division K of Public Law 113–235 (128 Stat. 2732).

“SEC. 184. Notwithstanding any other provision of law, if not later than 10 days after the end of the Second Session of the 114th Congress, the Office of Management and Budget (‘OMB’) determines that the total of enacted appropriations for fiscal year 2017 subject to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, excluding any appropriations that would result in adjustments under section 251(b)(2) of such Act, does not exceed the sum of the unadjusted discretionary spending limits for fiscal year 2017 in section 251(c)(4) of such Act and provides written notification of that determination, then the final sequestration report for fiscal year 2017 under section 254(f)(1) of such Act and any order for fiscal year 2017 under section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 106(3) of this Act and, for OMB, 15 days after the date specified in section 106(3) of this Act: *Provided*, That the written notification required by this section shall include the total dollar amount and estimated uniform percentage that would be required to eliminate a breach within a category if OMB were to issue such final sequestration report and order pursuant to the timetable in section 254(a) of such Act.

“SEC. 185. Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101 for the ‘Emergency Watershed Protection Program’, there is appropriated \$103,140,000 for an additional amount for fiscal year 2017, to remain available until expended, and for the ‘Emergency Conservation Program’, there is appropriated \$102,978,524 for an additional amount for fiscal year 2017, to remain available until expended: *Provided*, That all amounts made available by this section are designated 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.

“SEC. 186. Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101, there is appropriated \$74,700,000 for an additional amount for fiscal year 2017, to remain available until expended, for ‘National Aeronautics and Space Administration—Construction and Environmental Compliance and Restoration’ for repairs at National Aeronautics and Space Administration facilities damaged by Hurricane Matthew: *Provided*, That such amount is designated 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.

“SEC. 187. Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101, there is appropriated \$54,827,000 for ‘Corps of Engineers—Civil—Construction’ for an additional amount for fiscal year 2017, to remain available until expended, for necessary expenses to address emergency situations at Corps of Engineers projects, and to rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters: *Provided*, That such amount is designated 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: *Provided further*, That beginning not later than 60 days after the date of enactment of this section, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

“SEC. 188. Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101, there is appropriated \$290,708,000 for ‘Corps of Engineers—Civil—Mississippi River and Tributaries’ for an additional amount for fiscal year 2017, to remain available until expended, for necessary expenses to dredge navigation projects in response to, and repair damages to Corps of Engineers projects caused by, natural disasters: *Provided*, That such amount is designated 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: *Provided further*, That beginning not later than 60 days after the date of enactment of this section, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

“SEC. 189. Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101, there is appropriated \$259,574,000 for ‘Corps of Engineers—Civil—Operation and Maintenance’ for an additional amount for fiscal year 2017, to remain available until expended, for necessary expenses to dredge navigation projects in response to, and repair damages to Corps of Engineers projects caused by, natural disasters: *Provided*, That such amount is designated 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: *Provided further*, That beginning not later than 60 days after the date of enactment of this section, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

“SEC. 190. Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101, there is appropriated \$419,891,000 for ‘Corps of Engineers—Civil—Flood Control and Coastal Emergencies’, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for an additional amount for fiscal year 2017, to remain available until expended, for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law: *Provided*, That such amount is designated 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: *Provided further*, That beginning not later than

60 days after the date of enactment of this section, the Assistant Secretary of the Army for Civil Works shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

“SEC. 191. Notwithstanding any other provision of this Act, and in addition to any amount otherwise provided by section 101 for the ‘Emergency Relief Program’, as authorized by section 125 of title 23, United States Code, there is appropriated \$1,004,017,000 for fiscal year 2017, to remain available until expended: *Provided*, That such amount is designated 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.

“SEC. 192. (a) Notwithstanding any other provision of this Act, and in addition to the amount otherwise provided by section 101 for ‘Department of Housing and Urban Development—Community Planning and Development—Community Development Fund’, there is appropriated \$1,808,976,000 for an additional amount for fiscal year 2017, to remain available until expended, that is identical to the additional appropriation for fiscal year 2016 in section 145(a) of this Act (except that ‘enactment of this Act’ shall be treated as referring to enactment of this section, and except for the last proviso under such subsection), and with respect to which the same authority and conditions shall be in effect: *Provided*, That of the amount made available by this subsection, \$1,416,000,000 is designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, and \$392,976,000 is designated 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.

“(b) Of the amounts made available by subsection (a) and designated 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, up to \$3,000,000 may be transferred, in aggregate, to ‘Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development’ for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts in section 145 and all amounts in this section.

“SEC. 193. Notwithstanding any other provision of this Act, and in addition to amounts otherwise provided by section 101, an additional amount for fiscal year 2017 of \$20,000,000, to remain available until expended, is provided for ‘Department of Health and Human Services—Food and Drug Administration—FDA Innovation Account’ (in this section referred to as the ‘Account’): *Provided*, That such amounts are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, are for the necessary expenses to carry out the purposes described under section 1002(b)(4) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for ‘Department of Health and Human Services—Food and Drug Administration—Salaries and Expenses’ solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: *Provided further*, That this transfer authority is in addition to any other transfer authority provided by law.

“SEC. 194. Notwithstanding any other provision of this Act, and in addition to amounts otherwise provided by section 101, an additional amount for fiscal year 2017 of \$352,000,000, to remain available until expended, is provided for ‘Department of Health and Human Services—National Institutes of Health—NIH Innovation Account’ (in this section referred to as the ‘Account’): *Provided*, That such amounts are appropriated pursuant to section 1001(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act, are for the necessary expenses to carry out the purposes described in section 1001(b)(4) of such Act and in the amounts provided for fiscal year 2017 in such section 1001(b)(4), and may be transferred by the Director of the National Institutes of Health to other accounts of the National Institutes of Health solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Director that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: *Provided further*, That this transfer authority is in addition to any other transfer authority provided by law.

“SEC. 195. Notwithstanding any other provision of this Act, and in addition to amounts otherwise provided by section 101, an additional amount for fiscal year 2017 of \$500,000,000, to remain available until expended, is provided for ‘Department of Health and Human Services—Office of the Secretary—Account For the State Response to the Opioid Abuse Crisis’ (in this section referred to as the ‘Account’): *Provided*, That such amounts are appropriated pursuant to section 1003(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1003(b)(2)(A) of such Act, are for the necessary expenses to carry out the purposes described under section 1003(c) of such Act, and may be transferred by the Secretary of Health and Human Services to other accounts of the Department solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Secretary that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: *Provided further*, That this transfer authority is in addition to any other transfer authority provided by law.

“SEC. 196. (a) Notwithstanding any other provision of this Act, in addition to the amount otherwise provided by section 101 for ‘Environmental Protection Agency—State and Tribal Assistance Grants’, there is appropriated \$100,000,000 for an additional amount for fiscal year 2017, to remain available until expended, for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act pursuant to section 2201 of the Water and Waste Act of 2016.

“(b) The last proviso of paragraph (1) under the heading ‘Environmental Protection Agency—State and Tribal Assistance Grants’ in division G of Public Law 114-113 shall be applied to amounts made available by this section by substituting for ‘only where such debt was incurred on or after the date of enactment of this Act’ the following: ‘where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened

exposure to lead in a municipal drinking water supply before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients’.

“SEC. 197. (a) Notwithstanding any other provision of this Act, there is provided for ‘Environmental Protection Agency—Water Infrastructure Finance and Innovation Program Account’ for the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.), \$20,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed \$2,073,000,000.

“(b) In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908 and 3909) shall be credited to the appropriation made by this section to remain available until expended.

“(c) Of the amounts provided under subsection (a), not to exceed \$3,000,000 shall be for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3912).

“SEC. 198. Notwithstanding any other provision of this Act, in addition to the amount otherwise provided by section 101 for ‘Department of Health and Human Services—Centers for Disease Control and Prevention—Environmental Health’, for carrying out section 2203 of the Water and Waste Act of 2016, there is appropriated \$20,000,000, to remain available until September 30, 2020, of which \$17,500,000 shall be for carrying out section 2203(b) of the Water and Waste Act of 2016 and \$2,500,000 shall be for carrying out section 2203(c) of the Water and Waste Act of 2016: *Provided*, That such funds may be made available to the Agency for Toxic Substances and Disease Registry or the Centers for Disease Control and Prevention, at the discretion of the Secretary of Health and Human Services, for carrying out such sections of the Water and Waste Act of 2016.

“SEC. 199. Notwithstanding any other provision of this Act, in addition to the amount otherwise provided by section 101 for ‘Department of Health and Human Services—Centers for Disease Control and Prevention—Environmental Health’, for carrying out section 2204(a) of the Water and Waste Act of 2016, there is appropriated \$15,000,000, to remain available until September 30, 2018, for childhood lead poisoning prevention programs authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b-1).

“SEC. 200. Notwithstanding any other provision of this Act, in addition to the amount otherwise provided by section 101 for ‘Department of Health and Human Services—Health Resources and Services Administration—Maternal and Child Health’, for carrying out section 2204(b) of the Water and Waste Act of 2016, there is appropriated \$15,000,000, to remain available until September 30, 2018, for the Healthy Start Initiative authorized under section 330H of the Public Health Service Act (42 U.S.C. 254c-8).

“SEC. 201. (a) Of any available amounts appropriated under section 301(b)(3) of Public

Law 114-10, \$170,000,000 is rescinded immediately upon enactment of this section.

“(b) In the Senate, the budgetary effects of this section shall not count for purposes of the amount in section 3103(b)(3) of the concurrent resolution on the budget for fiscal year 2016 (S. Con. Res. 11) when determining points of order pursuant to section 3103(b)(1) of that section of that concurrent resolution.”.

This division may be cited as the “Further Continuing Appropriations Act, 2017”.

DIVISION B—SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$196,964,000, of which \$94,034,000 is to support counter-terrorism operations and \$102,930,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$10,484,000, of which \$7,354,000 is to support counter-terrorism operations and \$3,130,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$5,840,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$51,830,000, of which \$37,640,000 is to support counter-terrorism operations and \$14,190,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, \$3,173,679,000, of which \$2,734,952,000 is to support counter-terrorism operations and \$438,727,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, \$97,881,000, of which \$95,531,000 is to support counter-terrorism operations and \$2,350,000 is to support the European Reassurance Initiative: *Pro-*

vided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, \$180,546,000, of which \$168,446,000 is to support counter-terrorism operations and \$12,100,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, \$428,046,000, of which \$382,496,000 is to support counter-terrorism operations and \$45,550,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, \$446,283,000, of which \$412,959,000 is to support counter-terrorism operations and \$33,324,000 is to support the European Reassurance Initiative: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

IRAQ TRAIN AND EQUIP FUND

For an additional amount for “Iraq Train and Equip Fund”, \$289,500,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, \$229,100,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for “Other Procurement, Army”, \$72,000,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for “Procurement of Ammunition, Air Force”, \$201,563,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for “Missile Procurement, Air Force”, \$83,900,000, to support

counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for “Other Procurement, Air Force”, \$137,884,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for “Research, Development, Test and Evaluation, Army”, \$78,700,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for “Research, Development, Test and Evaluation, Defense-Wide”, \$3,000,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

JOINT IMPROVED EXPLOSIVE DEVICE DEFEAT FUND

For an additional amount for “Joint Improved Explosive Device Defeat Fund”, \$87,800,000, to support counter-terrorism operations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for “Diplomatic and Consular Programs”, \$1,052,400,000 to remain available until September 30, 2018, of which \$927,189,000 is for Worldwide Security Protection and shall remain available until expended: *Provided*, That such funds are for operational and security requirements to support activities to counter the Islamic State of Iraq and the Levant, other terrorist organizations, and violent extremism in Africa, Europe and Eurasia, the Middle East, and South and Central Asia, and to counter Russian influence: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$2,500,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section

251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for “Embassy Security, Construction, and Maintenance”, \$654,411,000, to remain available until expended, for construction of, and security enhancements for, United States diplomatic facilities in Africa, Europe and Eurasia, the Middle East, and South and Central Asia, of which \$618,411,000 is for Worldwide Security Upgrades: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT OPERATING EXPENSES

For an additional amount for “Operating Expenses”, \$5,000,000, to remain available until September 30, 2018, for operational and security requirements to support activities to counter the Islamic State of Iraq and the Levant, other terrorist organizations, and violent extremism in Africa, Europe and Eurasia, the Middle East, and South and Central Asia: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL INVESTMENT FUND

For an additional amount for “Capital Investment Fund”, \$25,000,000, to remain available until expended, for the Capital Security Cost Sharing Program: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, \$2,500,000, to remain available until September 30, 2018: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for “International Disaster Assistance”, \$616,100,000, to remain available until expended, for international disaster relief, rehabilitation, and reconstruction assistance, including in Africa, Europe and Eurasia, the Middle East, and South and Central Asia: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TRANSITION INITIATIVES

For an additional amount for “Transition Initiatives”, \$50,234,000, to remain available until expended, for programs to counter the Islamic State of Iraq and the Levant, other terrorist organizations, and violent extremism, and address the needs of populations impacted by such organizations: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ECONOMIC SUPPORT FUND

For an additional amount for “Economic Support Fund”, \$1,030,555,000, to remain

available until September 30, 2018, for programs to counter the Islamic State of Iraq and the Levant, other terrorist organizations, and violent extremism, and address the needs of populations impacted by such organizations: *Provided*, That funds appropriated under this heading shall be made available for programs that include activities to document, investigate, and prosecute genocide, crimes against humanity, war crimes, and other human rights violations in Iraq and Syria, including to build capacity of Syrian and Iraqi investigators; atrocity prevention, transitional justice, reconciliation, and reintegration programs for vulnerable and persecuted minorities and ethnic groups in the Middle East and North Africa; and support for higher education institutions in Iraq: *Provided further*, That such funds shall also be made available for assistance for major non-North Atlantic Treaty Organization allies in the Middle East and North Africa, including Jordan and Tunisia: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

For an additional amount for “Assistance for Europe, Eurasia and Central Asia”, \$157,000,000, to remain available until September 30, 2018, for programs to counter Russian influence: *Provided*, That funds appropriated under this heading shall be made available for assistance for Ukraine, Georgia, and other countries affected by Russian aggression: *Provided further*, That of the funds appropriated under this heading, up to \$6,000,000 may be transferred to, and merged with, funds appropriated under the heading “Broadcasting Board of Governors—International Broadcasting Operations” for programs to counter Russian influence: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for “Migration and Refugee Assistance”, \$300,000,000, to remain available until expended, to respond to refugee and migration crises, including in Africa, Europe and Eurasia, the Middle East, and South and Central Asia, except that such funds shall not be made available for the resettlement costs of refugees in the United States: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for “International Narcotics Control and Law Enforcement”, \$26,300,000, to remain available until September 30, 2018, for programs in Africa, Europe and Eurasia, and the Middle East: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for “Nonproliferation, Anti-terrorism, Demining and

Related Programs”, \$128,000,000, to remain available until September 30, 2018, for anti-terrorism, demining and related programs and activities in Africa and the Middle East: *Provided*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PEACEKEEPING OPERATIONS

For an additional amount for “Peacekeeping Operations”, \$50,000,000, to remain available until September 30, 2018, for equipment, training, logistics, and related support for peacekeeping, stabilization, and counterterrorism programs in Africa and the Middle East: *Provided*, That funds appropriated under this heading may be made available for a United States contribution to the Multinational Force and Observers mission in the Sinai: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for “Foreign Military Financing Program”, \$200,000,000, to remain available until September 30, 2018, for assistance for countries in Africa, Europe and Eurasia, and the Middle East: *Provided*, That funds appropriated under this heading shall be made available for assistance for Ukraine, Georgia, the Baltic states, Tunisia, and Jordan: *Provided further*, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

EXTENSION OF AUTHORITIES AND CONDITIONS

SEC. 201. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts in this Act shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2017.

NOTIFICATION REQUIREMENT

SEC. 202. Funds appropriated by this title shall not be available for obligation unless the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, has notified the Committees on Appropriations in writing at least 15 days in advance of such obligation: *Provided*, That the requirement of this section shall not apply to funds made available by this title under the headings “Department of State—Administration of Foreign Affairs—Office of Inspector General”, “United States Agency for International Development—Funds Appropriated to the President—Office of Inspector General”, “Bilateral Economic Assistance—Funds Appropriated to the President—International Disaster Assistance”, and “Bilateral Economic Assistance—Department of State—Migration and Refugee Assistance”.

TRANSFER AUTHORITY

SEC. 203. (a) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, including for Worldwide Security Protection, and “Embassy Security, Construction, and Maintenance” may be transferred to, and merged with, funds appropriated by this title under such headings if the Secretary of State determines and reports to the Committees on Appropriations that to do so is necessary to implement the recommendations of the Benghazi Account-

ability Review Board, or to prevent or respond to security situations and requirements.

(b) Funds appropriated by this title under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” may be transferred to, and merged with, funds appropriated by this title under such headings.

(c) Funds appropriated by this title under the headings “Economic Support Fund” and “Assistance for Europe, Eurasia and Central Asia” may be transferred to, and merged with, funds appropriated by this title under the heading “International Disaster Assistance”.

(d) Funds appropriated by this title under the headings “International Narcotics Control and Law Enforcement”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “Peacekeeping Operations”, and “Foreign Military Financing Program” may be transferred to, and merged with, funds appropriated by this title under such headings.

(e) The transfer authority provided by this section shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided*, That such transfer authority is in addition to any transfer authority otherwise available under any other provision of law.

CONSOLIDATED REPORTING REQUIREMENT

SEC. 204. Not later than 45 days after enactment of this Act and prior to the initial obligation of funds made available by this title, the Secretary of State and the Administrator of the United States Agency for International Development shall submit a consolidated report to the Committees on Appropriations on the anticipated uses of such funds on a country and project basis for which the obligation of funds is anticipated, including estimated personnel and administrative costs: *Provided*, That such report shall be updated and submitted to such Committees every 60 days until September 30, 2018, and every 180 days thereafter until all funds have been expended: *Provided further*, That funds appropriated by this title under the headings “International Disaster Assistance” and “Migration and Refugee Assistance” may be obligated prior to submission of the report required by this section.

LOAN AUTHORITY

SEC. 205. (a) Funds appropriated by this title under the heading “Economic Support Fund” and in prior Acts making appropriations for the Department of State, foreign operations, and related programs under such heading may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of loan guarantees for Iraq, which are authorized to be provided: *Provided*, That amounts made available under this subsection for the costs of such guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to a country: *Provided further*, That the Secretary of State should obtain a commitment from the Government of Iraq that such government will make available the proceeds of such financing to regions and governorates, including the Kurdistan Region of Iraq, in a manner consistent with the principles of equitable share of national revenues contained in clause “Third” of Article 121 of the Constitution of Iraq: *Provided further*, That such funds shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations, except that any such notification shall include a detailed summary of the terms and conditions of such financing and an assessment of the extent to which the proposed financing agreement between the Governments of the United States and Iraq supports the constitutional principles of eq-

uitable share of national revenues to regions and governorates, including the Kurdistan Region of Iraq.

(b) Notwithstanding any provision of this Act, the authority provided by section 1101 of division O of the Consolidated Appropriations Act, 2016 (Public Law 114-113) shall continue in effect through fiscal year 2017: *Provided*, That any notification submitted pursuant to such section shall include a detailed summary of the terms and conditions of such loan and an assessment of the extent to which use of the proposed loan proceeds would place special emphasis on the Kurdish Peshmerga, Sunni tribal security forces, or other local security forces, with a national security mission.

(c) Funds made available pursuant to this section and section 7034(o)(1) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114-113) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act and shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

PERSONAL SERVICES CONTRACTS

SEC. 206. Funds appropriated by this title to support counter-terrorism and countering violent extremism programs, including activities to counter the Islamic State of Iraq and the Levant, may be used to enter into contracts with individuals for the provision of personal services (as described in section 37.104 of title 48, Code of Federal Regulations (48 CFR 37.104)) in the United States or abroad: *Provided*, That such individuals may not be deemed employees of the United States for the purposes of any law administered by the Office of Personnel Management: *Provided further*, That the authority made available pursuant to this section shall expire on September 30, 2018.

This division may be cited as the “Security Assistance Appropriations Act, 2017”.

The SPEAKER pro tempore. Pursuant to House Resolution 949, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

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. 2028, and that I may include tabular material on the same.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise before you today to present the second Fiscal Year 2017 Continuing Resolution this year, which will fund the Federal Government through April 28 of 2017.

This bill is a necessary measure to continue vital government programs and services, like our national defense. It keeps the lights on in our government, preventing the uncertainty and harm of a shutdown. Our current continuing resolution expires tomorrow, so we must act today.

This continuing resolution is a responsible compromise, making only limited adjustments where required to preserve the security of the Nation, to prevent serious lapses in government services, and to ensure the careful expenditure of taxpayer dollars.

To highlight a few of these changes: we take care of our troops by increasing overseas contingency operations resources, and include provisions that accelerate production rates for critical defense equipment and systems, like the Ohio replacement submarine, the Apache helicopter, and the KC-46A

tanker. The bill also maintains adequate funding for the Department of Homeland Security to keep our Nation safe.

In addition to these changes, the bill includes necessary funding to help communities recover from recent natural disasters, like Hurricane Matthew, flooding in States like Louisiana and West Virginia, and devastating droughts.

The legislation also includes \$170 million for important health and water infrastructure improvements, as well as \$872 million for the House-passed 21st Century Cures Act, including \$500 million to respond to the opioid abuse epidemic. These items are both fully offset.

As I have said on this floor many times over the past 6 years, standing in this exact spot, a continuing resolution is a last resort. It is not what I would prefer to bring to the floor as my final bill as chairman of the Appropriations Committee.

At the end of the day, a CR is simply a Band-Aid on a gushing wound. This is

no way to run a railroad. It is bad for Congress, bad for the Federal Government, and bad for our country. A CR extends outdated policies and funding levels, wasting money, and preventing good changes from being made. A CR also creates uncertainty in Federal budgets and in our economy. Lastly, it diminishes the Congress' power of the purse, giving away the people's voice in how the government uses their tax dollars.

I truly hope that in the near future we can stop lurching from CR to CR and return to regular order, for the sake of our national security, our economy, and the well-being of all Americans.

However, at this point, this is our best and only path forward. It is absolutely imperative that we complete the work on the 11 remaining appropriations bills as soon as possible when Congress returns.

This is a good bill, and I urge my colleagues to vote "yes" on the CR.

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

SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017
 (DIV. B, HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2028)
 (Amounts in thousands)

| | FY 2017 Request | Final Bill | Bill vs. Request |
|---|--------------------|---------------|---------------------|
| ----- | | | |
| TITLE I | | | |
| DEPARTMENT OF DEFENSE | | | |
| Military Personnel | | | |
| Military Personnel, Army (Overseas Contingency Operations/Global War on Terrorism)..... | 94,034 | 196,964 | +102,930 |
| Military Personnel, Navy (Overseas Contingency Operations/Global War on Terrorism)..... | 7,354 | 10,484 | +3,130 |
| Military Personnel, Marine Corps (Overseas Contingency Operations/Global War on Terrorism)..... | 5,840 | 5,840 | --- |
| Military Personnel, Air Force (Overseas Contingency Operations/Global War on Terrorism)..... | 37,640 | 51,830 | +14,190 |
| Subtotal..... | 144,868 | 265,118 | +120,250 |
| Operations and Maintenance | | | |
| Operations and Maintenance, Army (Overseas Contingency Operations/Global War on Terrorism)..... | 2,934,269 | 3,173,679 | +239,410 |
| Operations and Maintenance, Navy (Overseas Contingency Operations/Global War on Terrorism)..... | 95,531 | 97,881 | +2,350 |
| Operations and Maintenance, Marine Corps (Overseas Contingency Operations/Global War on Terrorism)..... | 168,446 | 180,546 | +12,100 |
| Operations and Maintenance, Air Force (Overseas Contingency Operations/Global War on Terrorism)..... | 382,496 | 428,046 | +45,550 |
| Operations and Maintenance, Defense-Wide (Overseas Contingency Operations/Global War on Terrorism)..... | 412,959 | 446,283 | +33,324 |
| Defense Health Program (Overseas Contingency Operations/Global War on Terrorism)..... | 2,547 | --- | -2,547 |
| Afghanistan Security Forces Fund (Overseas Contingency Operations/Global War on Terrorism)..... | 814,500 | --- | -814,500 |
| Iraq Train and Equip Fund (Overseas Contingency Operations/Global War on Terrorism)..... | 289,500 | 289,500 | --- |
| Subtotal..... | 5,100,248 | 4,615,935 | -484,313 |
| Procurement | | | |
| Missile Procurement, Army (Overseas Contingency Operations/Global War on Terrorism)..... | 46,500 | 229,100 | +182,600 |
| Other Procurement, Army (Overseas Contingency Operations/Global War on Terrorism)..... | 98,500 | 72,000 | -26,500 |
| Other Procurement, Navy (Overseas Contingency Operations/Global War on Terrorism)..... | 5,000 | --- | -5,000 |
| Procurement of Ammunition, Air Force (Overseas Contingency Operations/Global War on Terrorism)..... | --- | 201,563 | +201,563 |
| Missile Procurement, Air Force (Overseas Contingency Operations/Global War on Terrorism)..... | --- | 83,900 | +83,900 |
| Other Procurement, Air Force (Overseas Contingency Operations/Global War on Terrorism)..... | 137,884 | 137,884 | --- |
| Subtotal..... | 287,884 | 724,447 | +436,563 |
| Research, Development, Test and Evaluation | | | |
| Research, Development, Test and Evaluation, Army (Overseas Contingency Operations/Global War on Terrorism)..... | 139,200 | 78,700 | -60,500 |
| Research, Development, Test and Evaluation, Defense-Wide (Overseas Contingency Operations/Global War on Terrorism)..... | 3,000 | 3,000 | --- |
| Subtotal..... | 142,200 | 81,700 | -60,500 |

SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017
 (DIV. B, HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2028)
 (Amounts in thousands)

| | FY 2017 Request | Final Bill | Bill vs. Request |
|---|--------------------|---------------|---------------------|
| ----- | | | |
| Other Department of Defense Programs | | | |
| Joint Improvised Explosive Device Defeat Fund (Overseas Contingency Operations/Global War on Terrorism)..... | 99,800 | 87,800 | -12,000 |
| | ===== | ===== | ===== |
| Total, Title I, Department of Defense..... | 5,775,000 | 5,775,000 | --- |
| | ===== | ===== | ===== |
| TITLE II | | | |
| DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS | | | |
| Department of State | | | |
| Administration of Foreign Affairs | | | |
| Diplomatic and Consular Programs (Overseas Contingency Operations/Global War on Terrorism)..... | 746,210 | 1,052,400 | +306,190 |
| Office of Inspector General (Overseas Contingency Operations/Global War on Terrorism)..... | 2,500 | 2,500 | --- |
| Embassy, Security, Construction, and Maintenance (Overseas Contingency Operations/Global War on Terrorism)..... | 1,024,000 | 654,411 | -369,589 |
| Subtotal..... | 1,772,710 | 1,709,311 | -63,399 |
| UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT | | | |
| Funds Appropriated to the President | | | |
| Operating Expenses (Overseas Contingency Operations/Global War on Terrorism)..... | 15,000 | 5,000 | -10,000 |
| Capital Investment Fund (Overseas Contingency Operations/Global War on Terrorism)..... | --- | 25,000 | +25,000 |
| Office of Inspector General (Overseas Contingency Operations/Global War on Terrorism)..... | 2,500 | 2,500 | --- |
| Subtotal..... | 17,500 | 32,500 | +15,000 |
| BILATERAL ECONOMIC ASSISTANCE | | | |
| Funds Appropriated to the President | | | |
| International Disaster Assistance (Overseas Contingency Operations/Global War on Terrorism)..... | 953,200 | 616,100 | -337,100 |
| Transition Initiatives (Overseas Contingency Operations/Global War on Terrorism)..... | 73,490 | 50,234 | -23,256 |
| Economic Support Fund (Overseas Contingency Operations/Global War on Terrorism)..... | 2,640,400 | 1,030,555 | -1,609,845 |
| Assistance for Europe, Eurasia, and Central Asia (Overseas Contingency Operations/Global War on Terrorism)..... | --- | 157,000 | +157,000 |
| Department of State | | | |
| Migration and Refugee Assistance (Overseas Contingency Operations/Global War on Terrorism)..... | 260,400 | 300,000 | +39,600 |
| Subtotal..... | 3,927,490 | 2,153,889 | -1,773,601 |

SECURITY ASSISTANCE APPROPRIATIONS ACT, 2017
 (DIV. B, HOUSE AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2028)
 (Amounts in thousands)

| | FY 2017 Request | Final Bill | Bill vs. Request |
|---|--------------------|---------------|---------------------|
| ----- | | | |
| INTERNATIONAL SECURITY ASSISTANCE | | | |
| Department of State | | | |
| International Narcotics Control and Law Enforcement (Overseas Contingency Operations/Global War on Terrorism)..... | 19,300 | 26,300 | +7,000 |
| Non-Proliferation, Anti-Terrorism, Demining and Related Programs (Overseas Contingency Operations/Global War on Terrorism)..... | 128,000 | 128,000 | --- |
| Peacekeeping Operations (Overseas Contingency Operations/Global War on Terrorism)..... | 90,000 | 50,000 | -40,000 |
| Funds Appropriated to the President | | | |
| Foreign Military Financing Program (Overseas Contingency Operations/Global War on Terrorism)..... | --- | 200,000 | +200,000 |
| Subtotal..... | 237,300 | 404,300 | +167,000 |
| | ===== | ===== | ===== |
| Total, Title II, Department of State, Foreign Operations, and Related Programs..... | 5,955,000 | 4,300,000 | -1,655,000 |
| | ===== | ===== | ===== |
| Grand Total..... | 11,730,000 | 10,075,000 | -1,655,000 |
| Overseas Contingency Operations/Global War on Terrorism..... | (11,730,000) | (10,075,000) | (-1,655,000) |
| (Defense)..... | (5,775,000) | (5,775,000) | --- |
| (Non-Defense)..... | (5,955,000) | (4,300,000) | (-1,655,000) |

□ 1230

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

Today we consider the second continuing resolution to keep most of the government open. To say that I am disappointed in this Band-aid approach to operating the government would be an understatement. The legislation before us is an abdication of responsibility for the entire Congress. It is a disgrace that more than 2 months into the new fiscal year, Congress will kick the can down the road nearly another 5 months for purely partisan reasons.

Having already failed this year to adopt a budget, pass appropriation bills, and restore regular order, the majority's failure to enact full-year funding is not surprising, but nonetheless shameful. Several administration requests were either not included or were drastically discounted. The Commodity Futures Trading Commission would be frozen under this CR, likely causing staff furloughs and making it impossible to adequately protect market participants.

I am extremely concerned about the majority including just \$7 million—one-fifth of the amount requested by the administration and by New York City—to reimburse New York for the cost of helping New York and other State and local governments protect the President-elect until his inauguration. Local and State taxpayers should not be forced to foot the bill for the Federal responsibility of protecting the President-elect. I view the amount in the CR as a down payment, and I am putting the majority on notice that a future funding bill must fully cover these costs.

At a time when economic hardship is common among those who have worked in unsafe and unhealthy coal mines, this Congress should be united in ensuring these men and women have both the health and pension benefits they have earned. These hardworking individuals need more than empty promises.

I am pleased the CR provides additional funding to respond to natural disasters, to assist Flint, Michigan, in recovering from a lead crisis, to respond to threats abroad, to prevent opioid addiction, and to support biomedical research; however, we should have made these investments along with a full-year bill that would have dealt with every government program.

Finally, this bill should not include the provision that would limit debate on providing a waiver to allow the next Secretary of Defense to have been retired from Active Duty for less than the current requirement of 7 years. Civilian leadership of the military is a bedrock principle of our democracy, and any new standard deserves full debate by the Congress.

I know Chairman ROGERS worked to have the Appropriations Committee return to regular order. I tried to be a partner with him because I think the American people want us to do our job

of keeping the government operating. Notwithstanding the constraints facing the chairman, the bill we consider today should be a bipartisan, full-year spending measure.

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), who will assume the chair of the Appropriations Committee come January and in whom I have great confidence and pride.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise to urge support of the continuing resolution. But first I must pay tribute to the gentleman from Kentucky (Mr. ROGERS) as he manages his last appropriations bill as full committee chairman.

I know I speak for Ranking Member LOWEY and all members of the committee, Republicans and Democrats, and our remarkable professional staff when I say that this body and this Nation owe a tremendous debt of gratitude for his many contributions on the Appropriations Committee for 30 years and as its chairman for the last 6. No one understands better than HAL ROGERS the House's constitutional duty to responsibly fund the Federal Government. No one has defended this body's power of the purse with more vigor. He has always supported rigorous oversight.

Under Chairman ROGERS' leadership, the committee has held over 600 public hearings to ensure that Federal tax dollars are well spent, and the committee has earned results, cutting wasteful spending to the tune of \$126 billion since fiscal year 2010. In fact, the chairman has worked tirelessly to restore public trust in our Federal funding process, all with professionalism, good humor, and class.

Mr. Speaker, I know I speak for all members of the committee and all Members of the House in extending to you our heartfelt thanks for your continued service on the committee and your remarkable service as chairman.

On the resolution, briefly—and this is relative to national security—the reality is we are a nation at war, engaged with enemies in Syria, Iraq, Afghanistan, and elsewhere, and we have no greater responsibility than to ensure that our men and women in uniform have the resources that this continuing resolution assures so they can carry out their missions and return home safely.

In this regard, we have scrubbed the President's budget amendment \$5.8 billion for overseas operations. In doing so, we have redirected funding to replenish our stocks of various munitions that our troops need to fight ISIS and the Taliban; and in light of increased activity on behalf of the Russians, we have provided funding for our NATO allies. This resolution needs to be supported for national defense and homeland security.

Again, I salute Chairman ROGERS for his leadership.

Mrs. LOWEY. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. VISCLOSKEY), who is the ranking member of the Defense Subcommittee on the Appropriations Committee.

Mr. VISCLOSKEY. Mr. Speaker, I am sorely disappointed that, despite the very best efforts of Chairman ROGERS, Mrs. LOWEY, and all of the members of our committee, we yet again find ourselves in the position of considering another continuing resolution.

In June, on the floor, I stated that our fiscal year begins on October 1, 2016, and not May 1, 2017, and that it is the responsibility of those of us holding office in this session of this Congress to execute the 2017 appropriations process. We should not foist our responsibility upon the next. Unfortunately, almost 6 months later, it is appropriate to repeat myself.

As the ranking member on the Defense Subcommittee, I feel it is important to highlight some of the complications that we are compounding for next year, again, despite the very best efforts of Chairman FRELINGHUYSEN and the members of our subcommittee and the full committee.

First, the CR hinders the DoD from adapting to emergency conditions around the globe. Although we have included a few adjustments in this CR, many more programs and initiatives were not addressed, and we will have created unforeseen but real impacts to our warfighters and their families.

Second, the defense budget that we are deferring was planned for back in late 2015. Our actions to complete the fiscal year 2017 appropriations process by April 28 will present the Department with a fundamental management challenge.

Third, it will require a significant amount of interchange with the DOD for Congress to complete the work for the remainder of this fiscal year's appropriation into spring. Those same individuals and offices in the Department will simultaneously be making adjustments to the 2018 budget for the new administration. While it is likely that a 2018 budget request will be delayed beyond the normal first week in February, the two activities will overlap significantly, and it creates inefficiencies.

Let me also point out the Department will be well into the development of its fiscal year 2019 budget at the same time. The Department will be presenting the fiscal year 2018 budget to the Congress. At the same time, it will patiently be waiting for the resolution of this budget, all the while operating under 2016 levels that we have now extended with two consecutive CRs.

This CR has the likelihood of being particularly disruptive because it also coincides with the change in the executive branch. So while claiming to recognize the difficulty the new President faces, we add a much greater burden to the incoming administration and the next Congress by not completing our work now.

In closing, I again appreciate the work of the chairman, the ranking member, the staff, and the committee. I regret that we find ourselves on the House floor again creating manufactured uncertainty.

I am sorely disappointed that despite the very best efforts of Chairman ROGERS, Ranking Member LOWEY, and the members of our committee, we yet again find ourselves in the position of considering another Continuing Resolution (CR).

In June, during the debate on the House floor for H.R. 5293, the Fiscal Year 2017 Defense Appropriations Act, I expressed my concerns with that bill because it did not provide enough funding to support the warfighter for the full fiscal year. Specifically, I stated that our “fiscal year begins on October 1, 2016, not May 1, 2017, and it is the responsibility of those of us holding office in the 2nd session of the 114th Congress to execute the FY 2017 appropriations process,” and that we should demonstrate some legislative pragmatism and not foist our responsibility upon the 115th Congress. Unfortunately, almost exactly six months later, it is appropriate to repeat myself. Only in this circumstance it is applicable to nearly the entire federal government and not just a small portion of the Defense Appropriations Bill.

With regard to the CR, I grant that it has some positive aspects. Most notably it averts a government shutdown until at least April 28, 2017. It provides much needed funding to the Department of Defense for Overseas Contingency Operations and the European Reassurance Initiative. And it contains \$170 million to address the infrastructure and health needs of those communities affected by contaminated drinking water.

However, CRs are no way to run a nation and I wholeheartedly agree with Ranking Member LOWEY that there is no practical reason that two months into a fiscal year, we are kicking the can down the road for another five months. Congress has no credibility to demand good government if it is incapable of providing appropriations to the whole of the federal government in a timely and predictable manner.

As the Ranking Member on the Defense Subcommittee, I feel it is important to highlight some of the complications we are compounding in 2017 should the Department of Defense have to operate under a CR for a total of 6 months and 28 days.

First, CRs hinder the DoD from adapting to emerging conditions around the globe. Although we are including a few anomalies and adjustments in this CR, many more programs and initiatives simply did not make the “cutlist” and we will have created unforeseen but real impacts to our warfighters and their families.

Second, the defense budget we are deferring was planned for back in late 2015. Our actions to complete the FY 2017 appropriations by April 28, 2017, will be challenged in synchronizing a final budget solution that is at a minimum 16 months later than when it was drafted and planned by the Defense Department.

Third, it will require a significant amount of interchange with the DoD for Congress to complete the work on the remainder of the FY 2017 appropriations in the spring. Those same individuals and offices in the Department will

simultaneously be making adjustments to the FY 2018 budget for the new administration. And while it is likely that the FY 2018 budget request will be delayed beyond the normal first Tuesday in February delivery, the two activities will overlap significantly, which is incredibly inefficient.

Let me just further that thought by acknowledging that the Department will be well into their development of the FY 2019 budget at that same time. They will be presenting the FY 2018 budget to this Congress. And patiently waiting for resolution of this FY 2017 budget. All the while operating at FY 2016 levels that we extended in two consecutive CRs because we cannot find the initiative and political will to complete our jobs.

And this CR has the likelihood of being particularly disruptive because it also coincides with a change in the Executive Branch. As has been pointed out, no incoming Administration has ever had to inherit a Department of Defense operating under a CR. So while claiming to recognize the difficulty a new President faces by including a provision to allow the expedited consideration in the Senate of legislation that overrides current law in the appointment of the next Secretary of Defense, we add a much greater burden to the incoming administration and Congress by not completing the FY 2017 Appropriation process.

I understand that Chairman ROGERS has described the legislation before us as just a Band-Aid to give us time to complete the annual appropriations process. That is unfortunately a refrain we have heard too often in recent Congresses. In what fiscal year will we stop putting Band-Aids over our self-inflicted wounds to the appropriations process? The American people deserve so much more.

In closing, I regret that we again find ourselves on the House floor creating manufactured uncertainty. It is imperative that we bring an end to the reliance on CRs and get back into the habit of completing our budgetary work in a timely manner.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), who chairs the largest civilian piece of the Federal budget, the Labor, Health and Human Services, Education, and Related Agencies Subcommittee, on our committee. The gentleman is the most articulate member of our committee, I would say, and one of the great Members of this body.

Mr. COLE. Mr. Speaker, I certainly thank the gentleman for yielding and those extremely kind and gracious words, and I certainly rise in support of this very important bill. I want to echo the praise that has been offered on this floor by members of both parties for our chairman, who is bringing his last full appropriations bill to the floor as the full committee chairman, and just tell him what a pleasure it has been to work under his leadership and to learn, frankly, at his knee, and usually with a pretty good cigar at the same time. So I have enjoyed that, and I think he has done a great job.

I also want to congratulate my friend, the ranking member. This is a chairman and a ranking member that, frankly, have done their jobs the last 2 years. All 12 bills were reported out of

the Appropriations Committee most years, and all 12 should have been on this floor and dealt with, and I regret that they were not.

There are a lot of good things in this continuing resolution—as has been mentioned earlier, the additional funds for biomedical research, the adjustments and extra funding for defense at a critical time for our country, and certainly the disaster relief funds which certain parts of our country share—but I know this is not the bill that Chairman ROGERS wanted to bring to this floor. Frankly, we have got to get out of this.

I couldn't agree more with my friend from Indiana who said it pretty well: this is not this committee's fault. It is a failure in this Congress. This is the responsibility of this Congress and this administration to write the bill for next year. This is a failure to meet that responsibility. It is a necessary step, and I certainly will support it, but we have simply got to get back to the point of regular order.

Next year, believe me, I will push very hard to make sure we don't have another CR on April 28 and that we actually do the appropriations for FY17—we shouldn't be doing it in FY17, but that would be better than another CR—and then we will push to make sure that we do the FY18. I know the chairman has done everything humanly possible to do that, and I know he has had a willing partner in that in the ranking member.

So let's all make a New Year's resolution. Let's pass this bill, but let's get back to regular order. Let's restore things. There is a bipartisan sense of frustration on the Appropriations Committee, and, frankly, the leadership on both sides in this body need to work to achieve that. It is not an Appropriations Committee failure. This is the failure of Congress—the House of Representatives and the Senate—to do its job. That should not happen again.

Mr. Speaker, I urge support for the measure.

Mrs. LOWEY. Mr. Speaker, I rise to enter into a colloquy with Chairman ROGERS.

Mr. Speaker, section 170(b) of the continuing resolution creates a contingency fund which could make available an additional \$200 million after March 1.

Can you clarify if the additional funds in section 170(b) will be available for obligation for three fiscal years, the same period of time as other fiscal year 2017 funds appropriated to carry out the same purpose?

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mrs. LOWEY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The answer is yes.

Mrs. LOWEY. Thank you, Mr. Chairman.

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY) for the purpose of a colloquy.

Mr. MCKINLEY. Thank you, Mr. Chairman, for this opportunity to discuss this short-term healthcare provision for coal miners that is in the CR.

A few months ago, approximately 20,000 retired coal miners and their families received notices that they would lose their health benefits at the end of this year—not for anything that they did, but because of President Obama's war on coal and the excessive regulations that have forced their former employers into bankruptcy.

□ 1245

Remember, these men and women did nothing to cause this problem. The extension of their healthcare benefits will give these families, unfortunately, little relief. It is for only 4 months, not any longer.

After this bill passes, in just a few short weeks, they will be back in the same position. They will get the same notice.

I am deeply disturbed that this bill does not include a long-term solution. Some in the Senate are even willing to kill this bill, but, in so doing, they would be abandoning the 20,000 coal miners. We can't do that. We have to accept what we have. We can't turn our back on these families.

Stopping this CR would put 20,000 people in harm's way. So I am supporting its passage, extending my hand to the leadership, and asking that they work with me when we return next Congress to find a long-term solution. Our coal miners deserve the peace of mind to know that their benefits will not be threatened in the future. I am willing to work with leadership, and anyone else, in Congress to get that done.

Mr. Chairman, I have enjoyed very much working with you for the last 6 years. So my question to you is: Is it your understanding that we will have the opportunity to pursue a long-term solution and fund the healthcare benefits of retired coal miners in the first months of the 115th Congress and before the CR expires?

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. MCKINLEY. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Yes, that is my understanding. Just across the river from you, in my home State of Kentucky, there are thousands of retired miners who will be impacted by the expiration of these healthcare benefits, many of them in my district. These miners have worked hard their entire lives to earn these benefits, and they deserve to know that the promises made to them, while working day in and day out in the mines, will be honored.

I am committed to working with you and other Members representing coal country to arrive at a lasting solution

to this problem in the new Congress and to provide some lasting relief to our coalfields, which have suffered so much in the last 8 years.

Mr. MCKINLEY. Reclaiming my time, thank you, Mr. Speaker. I look forward to working with you. You have been very honorable, and someone that I have truly enjoyed working with. As we proceed on this in the next year, I think we can be successful. With incoming Chairman FRELINGHUYSEN, I am even more excited. This is a way to get a final resolution.

Mrs. LOWEY. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 22 minutes remaining.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Ms. KAPTUR), the ranking member of the Energy and Water Subcommittee on Appropriations.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding and compliment her on her work as ranking member, and to the chairman of our full committee, Mr. ROGERS, an incredible chairman. Both of them did their work.

I rise today—as the underlying bill that all of this is attached to is our energy and water bill—appalled at this Christmas tree bill that the Republican leadership has foisted on this Congress in the last minute. This is exactly the type of bill the public hates.

The top brass over there literally disrespected our committee work and produced, instead, a rotten egg. Today, we will take a vote that forces us to choose between shutting the government down 2 weeks before Christmas or supporting a disgrace of a funding bill, laced with nongermane, controversial provisions.

What kind of choice is this? What happened to the Republican's top priority of funding the government under regular order? It is not our committee's fault. We did our job. What happened to voting on 12 appropriations bills and allowing amendments under regular order? We want to do that, but we are being handcuffed.

I will tell you what happened. The Republican leaders threw out our up-to-date bills. They threw them in the trash, and they replaced them with yet another bill that looks in the rearview mirror with numbers that are 2 years old and doesn't meet America's current realities. It forces our government agencies, including Defense, which Republicans claim to care so passionately about, to operate without any predictability or stability. This is disgraceful. No wonder Americans are so mad at us.

If Republicans wanted to take care of the military, they have failed. The military has never, ever operated under a continuing resolution during a Presidential transition until now. Imagine how the commanders in the field feel when the April deadline hits. What is going to happen in May?

If Republicans wanted to take care of American workers, they have failed.

This resolution abandons hardworking coal miners after years of faithful service, right at Christmastime. Gosh, what a Christmas present.

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

Mrs. LOWEY. I yield the gentleman an additional 1 minute.

Ms. KAPTUR. If Republicans wanted to run the House under regular order, they have failed. They only brought up half of the 2017 bills to the floor for a vote. Where are the other six?

If Republicans wanted to fund the government in a responsible and efficient way, they have failed.

This resolution will likely cost us millions of dollars more in delayed projects, contract breaches, and lost American jobs. Is this a sign of what is to come? What happens on April 28 when this filthy Band-Aid falls off?

If we can't pass bills under regular order this year—when we had a bipartisan budget agreement and a Republican majority—what will we do in May when we have not only the rest of the 2017 budget to fix but also the 2018 budget and the debt ceiling to address?

I wonder what chaotic path the Republican leaders will lead us down in the new year? This is certainly a sign, a terrible sign, of what is to come.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the outstanding chairman of the House Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, first, I must join a long line of folks congratulating our friend and chairman of the important Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS), for great service, assembling a wonderful, hardworking staff, and making sure that, particularly at Christmastime now, we are not going to be looking at shutting down the government.

I rise in support of this CR, the continuing resolution. I want to just inform a couple of my colleagues of some of the very important provisions that are included in this package, including funding to begin some of the work enacting 21st Century Cures and relief for families in Flint, Michigan, and elsewhere around the country.

There is not a single person in this Chamber watching at home today who has not been touched by disease in some way. We have said all too many goodbyes to the people that we hold dear. Every day, countless folks living vibrant lives are delivered unexpected diagnoses. It is a cycle that repeats itself over and over in every community. Life can change in an instant, and hope seems sometimes out of reach. Whether it be Alzheimer's, lupus, MS, cancer, you name the disease—diabetes.

That is why both the House and the Senate overwhelmingly passed the bipartisan 21st Century Cures Act with 392 votes in the House and 94 in the Senate just yesterday. It is set to be signed into law next week, and our effort will help change the conversation

on innovation and research. But it is patients that it is going to help the most.

This bill fulfills our commitment to hit the ground running immediately in our effort to deliver cures now, delivering valuable funds in this fiscal year, something that was critical as we worked together on both sides of the aisle in both the House and the Senate to get it done.

The bill also fulfills our commitment to the folks of Flint, Michigan. Again, an issue that we have dealt with. I commend Mr. KILDEE, who is on the floor, for working with him in a bipartisan way. The system failed them at every level of government. But that is not what the folks in Flint wanted to hear. They wanted answers. This bill finally delivers that, and it has been a long struggle. And, again, I commend the gentleman from Michigan (Mr. KILDEE) for his leadership on this. We worked together. This bill provides the effort to right those past wrongs. They want answers and results, and this bill delivers exactly that.

I urge my colleagues on both sides of the aisle to pass this bill and send it to the Senate and then to the President.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. SERRANO), the ranking member of the Appropriations Subcommittee on Financial Services and General Government.

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

Mr. SERRANO. Mr. Speaker, I thank the gentlewoman.

I rise to join my voice to those from New York and other places who continue to ask: Why not fairness in reimbursing New York City for the work that it is doing, the money that it is spending, to take care of the President-elect? We don't have a problem with safeguarding him, but someone should pay, other than the local government.

I must remind you, or warn you, that he loves New York, and that is fine. I suspect this will be a President who will spend a lot of time in New York City, rather than in the White House. That might sell well on some TV networks, but it won't sell well for the taxpayers of New York.

So I think it is important for us now to be able to get New York the \$35 million it has already paid. Now, there is \$7 million in the bill, and some will say, I can't vote for this because it only has \$7 million. I am looking at Chairman ROGERS, I am looking at Chairman FRELINGHUYSEN, and I suspect that this is a downpayment on what is to come, and that the negotiations will get better.

As I close, let me just take a second to say, HAL, you have been a great chairman. Every time I get up and you look to your right, which is not difficult for you to do, but when you look to your right and you single me out to speak, I have always felt that I am part of the team. You are not leaving the

Congress, but you are leaving the chairmanship. We are going to miss you in that position, but you are replaced by a friend who now has to sit closer to me when I travel on the train so I can tell him all of my thoughts. I thank you.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), a member of the Armed Services Subcommittee on Appropriations.

Mr. WOMACK. Mr. Speaker, I thank the gentleman from Kentucky for giving me a couple of minutes here to speak on behalf of this bill.

I am not real sure, Mr. Speaker, how much more constructive I could be on this discussion of this underlying bill. The truth has already been spoken by both sides. It is not the bill that we wanted to bring to the floor. It is not the bills that we have marked up after some very serious oversight meetings and discussions within the Appropriations Committee.

As has already been mentioned, we have moved each of the 12 bills through committee. Only half of them have made it through the floor of the House. So it is not the final product that any of us on the Appropriations Committee, and I would guess most of the people in our Congress, would have wanted to bring.

But it is the bill that is on the floor today, and it is quite essential that we pass it and leave for the holidays without turning Washington upside down or our economy upside down. So I support the underlying bill, and I would recommend that it get a thunderous amount of approval here within in the Congress.

Before I close, I can't help but remember back 6 years ago, Mr. Speaker, when I came to this Congress. During the orientation period, I had an opportunity to engage in conversation with my friend from Kentucky, HAL ROGERS.

I told him then that I wanted to be on his committee. I knew he was committed to regular order, and I knew he understood the process. I had the desire to serve on a committee that was actually going to do something that Washington is not real familiar with, and that is cut spending. He has done that.

I promised him that I would be willing to take the tough votes, and that I would be standing there with him and the rest of my colleagues on the Appropriations Committee to do our job—to restore regular order and, really, the Article I powers that the Congress should enjoy.

□ 1300

He has never failed me, nor has he failed our committee. Our Congress—our House—should appreciate what this gentleman has done with this regard.

I thank the gentleman from Kentucky for the leadership he has given our committee, and I thank him for the time here to express my feelings publicly on the floor of the House.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentleman from North

Carolina (Mr. PRICE), the ranking member on the Transportation, Housing and Urban Development, and Related Agencies Appropriations Subcommittee.

Mr. PRICE of North Carolina. I thank our ranking member, and I associate myself with the kind remarks others have made regarding our departing chairman, with whom I also share many years of productive and cooperative work in this institution.

Mr. Speaker, I am pleased that this continuing resolution includes significant funding to help ensure that North Carolina and other affected States have the resources necessary to recover and rebuild in the wake of Hurricane Matthew and other major storms that struck earlier this year.

As North Carolina's only member on the Appropriations Committee, securing this funding has been my top priority since Hurricane Matthew made landfall, and I am grateful for the bipartisan cooperation of our State's congressional delegation and also of the Appropriations Committee leadership throughout this entire process.

The bill before us also includes critical funding to address the Flint water crisis, our national opioid epidemic, and Vice President BIDEN's Cancer Moonshot initiative.

It is heartening to see these efforts bear fruit, but this bipartisan success stands in stark contrast to how the Republican leadership of this House has managed the appropriations end game this year. Rather than work in a productive way with Democrats to finalize our fiscal year 2017 appropriations bills, Republican leaders of the House have, again, decided, this time in connivance with the Trump transition, to abandon the appropriations bills we negotiated in good faith in favor of yet another stopgap measure, this one arbitrarily lasting for 5 months.

This doesn't bode well for the appropriations process. We have heard the alarm bells sounded here today by appropriations leaders from both sides of the aisle.

Make no mistake, there are some immediate consequences as well. This CR will damage HUD programs that serve our most vulnerable populations. It will prevent States from receiving new highway and transit funding called for in the bipartisan FAST Act. The CR also contains a partisan anti-safety provision that would block overnight rest requirements for commercial truck drivers, endangering highway travel for millions of drivers across the country.

Perhaps the most egregious, as well as unprecedented, is the inclusion of a waiver for President-elect Trump's nominee for Secretary of Defense. Whatever the merits of this nomination, setting aside the 7-year waiting period that is designed to protect the civilian control of the military deserves more deliberation and debate than a CR provides.

Mr. Speaker, as we enter this period of political uncertainty, I hope that we

can commit in future fiscal years to an appropriations process that allows us to exercise the power of the purse—this body's essential constitutional power—in a measured and bipartisan way.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. SIMPSON), who chairs the all-important Energy and Water Development, and Related Agencies Subcommittee on our committee.

Mr. SIMPSON. I thank the chairman for the time.

Mr. Speaker, first, let me thank the chairman for the job he has done over the last 6 years of leading this committee. It is a difficult job. We have to make tough choices, and this committee has been willing to do this. I appreciate the leadership that the chairman and Ranking Member LOWEY have provided for this committee and for the direction in which we have been able to go.

Let me say also, Mr. Speaker, that I don't really like what we are doing here. I don't think anybody on the Appropriations Committee likes what we are doing here. We all know it is necessary because we don't want the government to shut down, but it is amazing to listen to the number of people who come on the floor. I know all of the Appropriations Committee members want to get back to regular order and do individual bills, conference them, and then do individual conference reports of all of the bills. That is what should be done. That is called regular order. The last time that was done was in 1994; 22 years ago. Under Republican and Democrat leadership, we have not been able to do it in the last 22 years, and it is time we do.

It is amazing the number of people who come to the floor and who aren't on the Appropriations Committee who say, Man, we need to get back to regular order.

We all agree with that.

So how do we do it?

I will tell you how we do it. It takes a commitment. It takes a commitment of Republican and Democratic leadership that, if you are going to have open rules, which is when any amendment can be offered—a lot of these appropriations bills come to the floor, and we have 100 or 150 amendments offered—they take a lot of time to pass. That is okay, but we have got to have a commitment that we are going to spend the time on the floor to do these appropriations bills. We are willing to do that, but it takes a commitment from leadership that we are going to have the floor time.

We used to have a time when, all during the month of June and the first of July, it was called appropriations season. We were here for 6 weeks in a row, 5 days a week—sometimes until very late at night and early in the morning—doing the appropriations bills. We don't do that anymore. We have a new schedule because the district work period is very important also, and I understand that for a lot of Members. At

about every third week, we go home and do work in our districts. That time is important, but we are elected to do a job. We have got to be in Washington, and we have got to be on the floor, and we have got to be debating these bills if we want to get back to regular order. We act as if it comes down from on high that, geez, this just can't happen, like it is not in our control. It is in our control. We on both sides of the aisle need to make a commitment that we will get back to regular order and do individual appropriations bills because that is the way this place is supposed to work.

I thank the chairman for all of the job and all of the effort that he and Ranking Member LOWEY have done to bring us back to regular order to the extent we can, and, hopefully, we will keep moving forward.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FARR), the ranking member of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee on Appropriations.

Mr. FARR. I thank the ranking member for yielding.

Mr. Speaker, this is a very bitter-sweet moment for me. It is the last time I will speak on this floor after 23 years of serving in the House of Representatives.

It is sweet because it is about the appropriations process and the wonderful camaraderie on that committee, which, I think, is the most important committee and the most exciting committee in Congress because you deal with all aspects of how government operates. You really do the policy work, the technical stuff, the drilling down—all of those words we use in order to understand how government works and how much it is going to cost. You have just heard this incredible bipartisanship of people—those dedicated to the job they were elected to do on the committees they serve on—do the appropriations process. All of that has developed this incredible friendship and, I think, professional respect we have for one another regardless of our philosophies.

The bitterness of it is that you have just heard everyone so eloquently speak about the failure of the process in that we are doing a CR that nobody wants to do.

Why is that?

Frankly—and they are not saying it—I think this is the first test of how the Congress is going to respond to the new President-elect Trump's agenda. It was our former Member—now Vice President-elect—Mike Pence who said: We want a CR.

He served in this House, and he knows the process. We were all in agreement. We were going to do a comprehensive bill. We have caved to this request, and we shouldn't have, because this is the only place in which you do checks and balances. The abuses of the administration can be only

checked and balanced mostly on this committee.

It is going to be a tough year next year, Mr. Speaker. It is going to be a tough year. Some of the proposals being made are really radical. They are going to cut a lot of things and hurt a lot of people if this Congress doesn't correct them. We have a sense of how to do that, but we can't do it with a CR.

So I leave here really appreciative of the incredible responsibility that my electorate has given me to be here—the privilege of being in the House of Representatives. I really have loved the opportunity to be on the Appropriations Committee. I respect, through the leadership of our chair and of our ranking member, they have been able to produce some remarkable appropriations bills.

I will just say to my colleagues: Take back your power. Be what the electorate wants. Be what the Constitution asks us to do. Be that serious-minded, representational government that really drills down on how all of government is going to operate. Don't cave in to CRs.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. FARR. I yield to the gentleman.

Mr. ROGERS of Kentucky. Mr. Speaker, the gentleman and I do not agree on many issues, but I think all of us agree that he has been an outstanding Member of the Congress. He has been a workhorse on our committee, and we are going to miss him.

Congratulations to you on a great career. Thank you for serving.

Mr. FARR. In reclaiming my time, I thank the chairman. I really appreciate those kind remarks.

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member of the Interior, Environment, and Related Agencies Appropriations Subcommittee.

Ms. MCCOLLUM. Mr. Speaker, once again, this Congress has abandoned its responsibility to provide a full-year appropriation. Months of hard work were thrown away, pushing important funding decisions down the road. I have heard from families and business leaders in my district who are worried about the uncertainty that continuing resolutions create in their daily lives. It is not a good way to govern. It is not a good way forward for our country.

As the ranking member of the Interior, Environment, and Related Agencies Subcommittee, I am disappointed that this bill only provides 5 months of funding for priorities like clean air, clean water, national parks, and our treaty obligations.

We need to secure funding for hospitals and for schools in Indian Country, and it should be for a full year. We need to manage our national forests and parks and the Environmental Protection Agency's monitoring of toxins

that threaten the health of our families. The decision that we have before us today only allows these programs to continue for 5 months and be in jeopardy again in April. This bill does take one important step, however, to assist with the lead poisoning crisis in Flint; although, it is less than what is needed and it comes far too late.

I thank, however, Chairman CALVERT and Chairman ROGERS, and I thank Ranking Member LOWEY for their work to ensure that this bill does not contain any new policy riders that would impact the Interior, Environment, and Related Agencies Subcommittee's jurisdiction.

My biggest concern with this legislation, however, is not interior-related, but, instead, involves the fundamental principle of our democracy. The decision by Republican leadership to include language that would limit a full public debate on Senate confirmation for the nominee of Secretary of Defense is alarming. Civilian control of our military has been a cornerstone of American democracy since our country's founding. When the Secretary of Defense position was created in 1947, this principle was enshrined into law. I think the decision moving forward in this bill is deeply concerning to all Americans.

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Committee on Financial Services.

Mr. KILDEE. I thank my friend and colleague, the ranking member, for yielding and for her work on behalf of my hometown of Flint. She has been one of the strong advocates.

Mr. Speaker, no piece of legislation that I have yet seen in the 4 years I have been in Congress and that has come before this floor is perfect, and this bill is included; but the people of Flint today—the people of my hometown—cannot drink their water because of actions by the State government and, frankly, as we know, because of the failure of the Federal Government, through the EPA, to alert the citizens of Flint to the crisis. The fact that their water had been poisoned has caused this community to face the biggest crisis that it has faced in all of its years.

□ 1315

I am a product of Flint, Michigan. I grew up in Flint. Everything I have, everything I am, I owe to that community—and it has faced some terrible struggles over the years: the loss of manufacturing jobs, 90 percent of those manufacturing jobs are gone; the loss of half of its population, blight and abandonment. It is a community that had just begun to rebuild itself when this water crisis caused Flint to face the toughest times it has ever faced. It needs every level of government to step up to provide relief.

This bill includes necessary funding to put Flint back on a path that allows its citizens to have the basic human right of clean drinking water. So I ask my colleagues, as we go forward, obviously consider all of the elements of all legislation, but also keep in mind this is the last day of this session of Congress in the House of Representatives, this is our last chance to provide that much-needed help to my hometown. This is why I was sent to Congress: to fight for the people whom I represent, to make sure they have what they need, and to make sure, at this moment of their greatest need, that every level of government responds to them. That is why I will support this bill, and I would hope my colleagues will join me in that.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. CARTER), who chairs the all-important Homeland Security Subcommittee on our committee.

Mr. CARTER of Texas. I thank the chairman for yielding.

Mr. Speaker, I am a proud member of the Appropriations Committee. I have one of the most difficult areas as far as current events in the country, and that is homeland security.

I don't like a CR any more than any other appropriator likes a CR, but our job is to fund the government. The Constitution tells us we are to fund the government, and we have hardworking people like HAL ROGERS, who reads the Constitution and realizes we have got to take the best medium we can for now and fund the government. So, of course, I am going to support this CR and I hope all my colleagues will.

I want to tell you, all of us on the Appropriations Committee go through the entire process of doing the best we can for the departments we represent, to give them suggestions of leadership and direction to fund the projects that they need, to take care of the employees who work there and take care of the mission of every department we have. To have to see cede all that to a CR is painful, but reality is reality. The government must go on, and at this point in this time the government will go on with a CR.

I also wanted to get up and say, as you go through these battles, wonderful people like my chairman and ranking member, Mr. ROGERS and Mrs. LOWEY, fight through the frustrations through the entire committee, and we do this. Yet these great minds like HAL ROGERS know what it takes to make things work around here, and they are willing to put in the time and the effort to get it done no matter how it has to be done. Our preference is to pass all appropriations bills into law. A necessity at this time is a CR, and I trust absolutely that my chairman is doing the right thing.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), from the Committee on the Judiciary and the Committee on Homeland Security.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from New York for yielding, and I thank her for her leadership.

I want to associate myself with the words about the chairman, Mr. ROGERS, and thank him for his years of commitment and dedication to this Nation.

I also want to acknowledge my good friend SAM FARR, and I thank him so very much for being so strong and committed to the right things of this body and the Nation. I thank him for his service.

I join with my colleagues. Many have said this is the wrong way to fund the government, that appropriations legislation done by the Appropriations Committee was ready and done. I join my colleague who says that we caved. We conceded to not doing our job in the 114th Congress, and for that reason, I am very concerned.

Earlier today we had the WRDA bill, and I support that bill for the many projects that are going to help the citizens of Texas. I wish I could say the same thing as we go into the continuing resolution, for, yes, we have suffered in the State of Texas. There is \$1 billion for the Army Corps of Engineers, \$1.8 billion for the Community Development Block Grant, and \$1 billion for the Federal highway.

Certainly, I would say, in the WRDA bill is the authorization for helping the people of Flint and a reform of the Safe Drinking Water Act to make sure we protect our children from lead-filled water. That is a good thing, but it is not a good thing to only put \$100 million in for Flint. But I support my colleague from Michigan (Mr. KILDEE) because this money is needed, and it is needed now.

I think there is more we can do, and we should have done it in regular order; and if we had done regular order, a few more days, we would have passed appropriations bills.

Let me also say that what really skews and takes this bill, the CR, off its wheels is the waiver, the expedited process of trying to move forward a nominee of the incoming President, violating statutory law that has not been utilized in 66 years since the famous General Marshall was selected. Why not regular order—hearings, legislation, understanding what this will do to the military-civilian separation?

Mr. Speaker, let me simply say we have got to do our job the right way. The CR is not the right way. The American people need us to do our job the right way.

Mr. Speaker, I rise to speak about Senate Amendment to H.R. 2028, the "Energy and Water and Related Agencies Appropriations Act of 2016."

This bill is an imperfect vehicle for appropriations for FY 2017, because it does not fully fund the government for the entire fiscal year; it includes language to change a law that is unrelated to the budgetary or appropriations process; and it keeps in place sequestration.

The leadership of the House is using the last day the 114th Congress will be in session

to do work that should take 8 months to complete in a regular appropriations process.

Senate Amendment to H.R. 2028 goes against sound fiscal practice by including the budget gimmickry known as sequestration, a fiscal bludgeon that makes across the board cuts in funding for the valuable services depended upon by American children, seniors, workers, veterans, students, and small businesses.

Mr. Speaker, the Continuing Resolution before us extends current Fiscal Year 2017 government funding through April 28, 2017, at its current rate, which includes an across-the-board cut of .19% for all accounts, defense and non-defense.

Senate Amendment to H.R. 2028 also does something very serious, and has nothing to do with funding the federal government; this bill changes the number of years a retired member of the armed services must wait before being considered for the position of Secretary of Defense.

The bill's critical imperfection has nothing to do with funding the federal government—it is a change in law that would allow a retired military person to serve after only 3 years of retirement instead of 7.

The service to our nation and the honor and integrity of the person under consideration at present to be the next Secretary of Defense is not in question—it is the reason why there is a waiting period and why that is important.

By placing this change in a continuing resolution—a bill designed not to allow more than an hour of debate and no changes is not the vehicle we should use to make this change.

If President Obama had suggested a change in law to be accomplished in a continuing resolution appropriations bill, his request would have been denied.

The politicization of the legislative process has seriously undermined the credibility of the Congress to do the important work of funding the federal government.

Mr. Speaker, I am disappointed that we have again been placed in the position of having to fund the government through the device of a continuing resolution rather than through the normal appropriations process of considering and voting on the twelve separate spending bills reported by the Committee on Appropriations.

The use of this appropriations measure to further a political objective adds further insult to this body and the appropriations process.

There are oversight committees with the knowledge, expertise and experience to make the determination on whether this change is prudent and if they determine that it is—to make the appropriate changes in law.

Senate Amendment to H.R. 2028 is not perfect—far from it—but it is a modest and positive step toward preventing Republicans from shutting down the government again and manufacturing crises that only harm our economy, destroy jobs, and weaken our middle class.

The government shutdown of 2013, which was manufactured by the Republican majority, lasted 16 days and cost taxpayers \$24 billion.

The cost to federal employees and the people they serve cannot be calculated.

Mr. Speaker, as with any compromise there are some things in the agreement that I support and some things that I strongly oppose.

For example, I support the provisions in the Continuing Resolution ensuring that funding for appropriated entitlements continue at a

rate maintaining program levels under current law.

The Continuing Resolution provides \$4 billion in emergency funding for disaster relief for damage caused by Hurricane Matthew in North Carolina, South Carolina, and Florida; and severe flooding that occurred in Texas, Louisiana, West Virginia, and elsewhere.

Funding includes:

\$1 billion for the Army Corps of Engineers to repair damage to federal projects resulting from recent severe storms;

\$1.8 billion for the Community Development Block Grant;

\$1 billion for the Federal Highway Administration's Emergency Relief program to rebuild infrastructure after natural disasters;

The Continuing Resolution includes \$5.8 billion in Overseas Contingency Operations (OCO) funding for defense priorities from the budget amendment submitted in November:

\$5.1 billion is to support counterterrorism operations; and

\$652 million is to support the European Reassurance Initiative.

The Continuing Resolution includes \$4.3 billion in Overseas Contingency Operations funding for non-defense priorities, including:

\$1.6 billion for Embassy Security;

\$1.2 billion for Economic and Stabilization Assistance, including countering Russian influence;

\$916 million for Humanitarian Assistance to respond to 65 million displaced persons;

\$160 million for State Department and USAID operations; and

\$404 million in Security Assistance for civilian police training and judicial aid, anti-terrorism training and explosive ordnance removal, peacekeeping and stabilization programs in Africa and the Middle East;

The Continuing Resolution provides:

\$100 million for making capitalization grants to Flint, Michigan under the Drinking Water State Revolving Funds. These funds will address lead or other contaminants in drinking water, including repair and replacement of lead service lines and public water system infrastructure;

\$20 million for Water Infrastructure Finance and Innovation (WIFIA) Grants to finance water infrastructure efforts, including those to address lead and other contaminants in drinking water systems;

\$20 million for a Lead Exposure Registry to collect data on lead exposure and an Advisory Committee to review programs, services, and research related to lead poisoning prevention;

\$15 million in additional funding for CDC's Childhood Lead Poisoning Prevention Program to conduct screenings and referrals for children with elevated blood lead levels; and

\$15 million in additional funding for HRSA's Healthy Start Program to reduce infant mortality and improve perinatal outcomes.

The Continuing Resolution appropriates \$872 million from accounts funded by the 21st Century Cures Act, including:

\$500 million to support grants to States to respond to the opioid abuse crisis; and

\$352 million to support biomedical research at the National Institutes of Health.

Mr. Speaker, to illustrate how strongly I feel about the need to end sequestration, let me chronicle the severity of the suffering and pain inflicted by sequestration on the most vulnerable residents of Texas and the constituents that I serve.

Head Start and Early Head Start services were eliminated or severely impacted with approximately 4,800 children being impacted throughout the state of Texas.

Families in my district who rely on Federal Government programs like Head Start are hurting.

The pain did not start with the 2013 shutdown, but with sequestration which hit Head Start programs for 3 to 4 year olds in the Houston area hard: \$5,341 million cut; 109 Employees cut; 699 Slots for children cut.

Head Start and Early Head Start Programs were further stressed by the federal government shutdown.

My support of Head Start and Early Head Start is based on what I have seen and heard about programs like the AVANCE-Houston Early Head Start program serving parents and children in the 18th Congressional District.

The AVANCE-Houston Early Head Start is a program serving low income families in my Houston, Texas District.

I have visited with AVANCE-Houston administrators many times to get an update on how low-income families with infants and toddlers and pregnant women served by the program were doing.

The AVANCE-Houston Early Head Start's mission is simple: AVANCE-Houston works for healthy prenatal outcomes for pregnant women, enhances the development of very young children, and promotes healthy family functioning.

AVANCE-Houston serves nearly 1,800 children citywide; each of these families and their children are suffering the effect of the sequestration.

Sequestration has cost AVANCE-Houston over \$842,518 in Head Start and Early Head Start lost funding and put on hold the head start on the future our children deserve.

As I stated, Mr. Speaker, this Continuing Resolution is not perfect and it only funds the government until April 28, 2017.

For that reason, I renew my call that all members of the House and Senate work together to reach agreement on an appropriate budget framework that ends sequestration but does not harm our economy or require draconian cuts to the nation's priorities.

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

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from the State of California (Ms. PELOSI), the distinguished Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding, and I commend her for her excellent leadership as the ranking Democratic member on the Appropriations Committee.

As an appropriator myself, I understand the culture. I understand the camaraderie between parties. For that reason, I want to commend our distinguished chairman, Mr. ROGERS, for his wonderful service as the chairman of the Appropriations Committee. I served with him for many years on the committee. I know firsthand his concern for the American people, and I thank him for his service. I know he will continue as an appropriator, but I thank him for his leadership as chairman.

I join in commending one of our Members who is leaving, SAM FARR, for

his always looking out for America's children, whether it was their health or education, especially in terms of their access to food security. I thank Mr. FARR for his leadership.

Mr. Speaker, it is with great regret that I come to the floor to express my personal disappointment with this legislation, and I will be voting "no." My colleagues have asked me what I think about it. I am not urging them to do anything, but I am telling you why I think this is a missed opportunity.

While we all recognize that it was a moral challenge for us to do something for the children of Flint, the manner in which it was done, in a bifurcated way, was used to get votes for another bill, which I think was wrong. But not to dwell on process—not to dwell on process—let's just look at the facts. The facts are these:

This will probably be billed at over \$1.5 trillion, over \$1.5 trillion. There could have been \$170 million appropriated for the children of Flint in this bill. Some would say that is not authorized. Probably \$250 billion to \$300 billion in this bill is not authorized, so why should the children of Flint have to step over a higher barrier? And that is just exemplary of the partisan nature of the bill.

We have always worked in a bipartisan way, House and Senate appropriations, and then especially as we come to the end of the year. But this year it was Republican-Republican, House and Senate.

Again, forget process. But what does that mean in terms of priorities? It means that Families First, an initiative to help foster kids in our country, something that had bipartisan support in the House and Senate, was rejected from consideration. It means, again, that the miners and the families of coal miners who needed—suppose that business that you work for, Mr. Speaker, went bankrupt or declared themselves insolvent and, therefore, your pension and your health care benefits disappeared. How would you feel? Well, that is just what happened to the miners, and what was needed was long-term security for them that Mr. MCKINLEY, a Republican, put forth in his legislation that we hoped could be taken up and be part of this. But it was rejected by our Republican colleagues.

It is interesting, because one of the other things that is not in this bill that we hoped would be is a correction to last year's bill for extenders for renewable energy. I was told by Republicans that we don't want to do that for renewable energy because we are fossil fuel guys. Well, if you are fossil fuel guys, take care of the miners and their families.

The anticipation would be that there could be a 5-year proposal for pension and healthcare benefits. Right now, there is a 4-month provision for health care—4 months, not 5 years—not pensions and benefits, just health care.

Why? Why is that so unimportant when we are talking about people who

are part of a culture of coal mining in our country, which is fading, and they need help, and we should be here to help them?

So, as we reject any proposals for renewables that might provide many, many jobs for these same people, we are also rejecting their right to their health benefits and their pensions.

The list goes on, but it is really so sad that the Flint issue should have been all in one bill. It was bifurcated for reasons I can't explain, and that is why, if I can't explain it, I am not voting for it. That is why I call upon my colleagues.

Recognizing the many good things in the bill but not meeting the needs of the American people, foster kids had bipartisan support in the House and Senate, but it was rejected—rejected.

Now, there is funding for the opioids in this legislation, and I am pleased about that. I have been told that I should be happy about that because that was one of our requests. I think it was a bipartisan request of everyone, House and Senate, to have funding for opioids. That is what I thought. That is what I thought, and I am glad it is in the bill.

So, in any event, for the opportunity lost, for the ignoring of some very legitimate proposals to help the American people, for the rejection of Republican suggestions in terms of the miners, for these and other reasons, I will be voting against this, regretfully. We have tried to work in a bipartisan way in the past, but this year, instead of four-poster, it is two; and that has had an impact on the content of what this is, and that content has an impact on the lives of the American people.

With that, Mr. Speaker, I will just say that that is why I am not voting for the bill. Members will have to make their own decisions. But we cannot go down the path of missed opportunities and just roll over and not speak out and say this isn't the best that we can do for the American people. We owe them much better than this bill.

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

□ 1330

Mrs. LOWEY. I yield myself such time as I may consume.

Mr. Speaker, as we conclude debate on the CR, I want to take a moment to acknowledge the service of Chairman ROGERS. This may be the last bill Mr. ROGERS will manage as full committee chairman. I have appreciated his partnership and his friendship. I support his ultimate goal as chairman, to pass individual spending bills, allowing Members to exercise their constitutional duty of providing funding for government programs. It may be an understatement to say he has faced political headwinds each year that made regular order out of reach, but I know he will remain as a senior member of the committee, and he will continue to work to pass full-year bills. I thank him for your partnership.

Finally, I would be remiss if I didn't take a moment to recognize my departing colleagues on the committee. For 23 years, SAM FARR has worked tirelessly to support agriculture, ensure the safety of our food and medicine, and protect the vitality and cleanliness of our oceans. He has also been a tireless defender of our military veterans, the Peace Corps, and the institution of Congress itself.

We are also losing the ranking member of the Commerce, Justice, Science Subcommittee, MIKE HONDA. MIKE's life experiences, including his early years with his family in a Japanese American internment camp, helped shape his efforts addressing income inequality, LGBTQ equity, and technology issues that are vital to his Silicon Valley district.

New York and all of America's middle class are losing one of their strongest advocates with STEVE ISRAEL, who has been a champion of our Armed Forces, clean air and water, and the U.S.-Israel relationship.

On the Republican side, we will miss SCOTT RIGELL, DAVID JOLLY, and especially my good friend, chairman of the Subcommittee on Financial Services and General Government, ANDER CRENSHAW.

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

Mr. ROGERS of Kentucky. Mr. Speaker, may I inquire how much time is remaining.

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

Mr. ROGERS of Kentucky. I yield myself the balance of my time.

Mr. Speaker, as I noted earlier, this may be the last time I speak before the body as chairman of the House Committee on Appropriations. Let me first say how much I appreciate the friendship and the camaraderie with the gentlewoman from New York (Mrs. LOWEY). She has been a pleasure to work with. She is perceptive; she is persistent; she is a personal friend; and we enjoy a great friendship.

Without a doubt, the last 6 years have had their ups and downs, but I have always been proud to serve the people of Kentucky, the people of this Nation, the Committee on Appropriations, and this great institution that we admire.

Let me highlight, Mr. Speaker, just a few of these ups and downs that I mentioned with one of my favorite exercises, a by-the-numbers reflection on our many shared experiences. Here is my by-the-numbers recollection of my last 6 years at the helm of the Committee on Appropriations:

650, the number of hearings held by appropriations subcommittees.

140, the number of appropriations bills considered on the House floor.

19, the number of appropriations bills considered on the floor in just 1 month, October of 2013.

12, the number of appropriations bills we should pass every year.

2,122, the number of floor amendments considered to appropriations bills.

555 and counting, the number of floor hours spent debating appropriations bills.

70, the number of appropriations bills enacted into law. Hopefully this will make it 71.

Two trillion, the number of dollars saved in discretionary outlays as a direct result of our appropriations work.

Too many to count, the number of cigars smoked in my office. And they were not only me.

Number 1, the number of basketball championships won by the University of Kentucky.

70, the number of mighty fine Members who have served on the committee over the last 6 years.

Incalculable, the number of hours our staff—the best on the Hill—have put into their tireless work on behalf of all of us. This includes late nights, weekends, holidays, you name it. When we need them, they are there, and they have done a wonderful job.

In particular, Mr. Speaker, let me take a moment to thank Will Smith, sitting beside me here. Will worked up the ranks in my personal office, serving as my chief of staff before moving to the committee in 2011, first as deputy staff director and now as staff director. He has been with me for so long and through so much, it is hard to calculate. In any year, he is a first-round draft pick, and I am fortunate to have had him by my side these past 6 years. He has done a wonderful, wonderful job.

Thanks also to Mrs. LOWEY and our Senate counterparts, Chairman COCHRAN and Ranking Member MIKULSKI, for all their partnership throughout the process, and the great work that they have done.

Today is a bittersweet day, but I am deeply honored to have served this institution at the head of the committee I love. I hope this institution and the people we serve are better off now because of our work over the last 6 years. I know that under the steadfast leadership of our new chairman, my dear friend, RODNEY FRELINGHUYSEN, the progress we have made will only continue to grow.

In addition to Will, let me thank the front office staff of the committee: Will Smith, Jim Kulikowski, Dale Oak, Stephen Sepp, Jennifer Hing, Matt Leffingwell, Marta Hernandez, Tammy Hughes, Kaitlyn Eisner-Poor, Victoria Luck, Kelicia Rice, and Brad Allen. Thank you also to the clerks of the subcommittees, the people who really do the hard work: Tom O'Brien, John Martens, Rob Blair, Donna Shahbaz, Winnie Chang, Valerie Baldwin, Dave LesStrang, Susan Ross, Liz Dawson, Maureen Holohan, Craig Higgins, Dena Baron, and all of the staff who work with them in the subcommittees and in the full committee.

Mr. Speaker, in closing, let me thank you for the help that you have given

me as chairman of the committee over the years, both on the committee and off, the friendships that we have developed, the camaraderie that develops and exists on our committee and throughout the body. It has been a great honor to serve in this role. I look forward to continuing to work in the committee to do the Nation's work. Thank you all for your collaboration, consideration, and your companionship over the last 6 years.

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

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

Pursuant to House Resolution 949, the previous question is ordered.

The question is on the motion offered by the gentleman from Kentucky (Mr. ROGERS).

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

Mr. ROGERS of Kentucky. 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, this 15-minute vote on adoption of the motion will be followed by 5-minute votes on adoption of the motion to recommit on S. 612; passage of S. 612, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 326, nays 96, not voting 11, as follows:

[Roll No. 620]
YEAS—326

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barietta
Barr
Barton
Beatty
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Cárdenas
Carney
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clawson (FL)

Clay
Clever
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DeBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Duffy
Edwards
Ellison
Ellmers (NC)
Emmer (MN)

Engel
Esty
Evans
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Frelinghuysen
Gabbard
Garamendi
Garrett
Gibbs
Goodlatte
Gosar
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Griffith
Grothman
Guinta
Guthrie
Hanabusa
Hanna
Hardy
Harper
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Hoyer

Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lieu, Ted
Lipinski
LoBiondo
Loeb
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lummis
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaull
McClintock
McHenry

McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Payne
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poliquin
Pompeo
Posey
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Lucas
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Salmon
Sánchez, Linda
T.

NAYS—96

Amash
Bass
Becerra
Beyer
Blum
Blumenauer
Boyle, Brendan
F.
Bridenstine
Brooks (AL)
Buck
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Clark (MA)
Clarke (NY)
Crowley
DeFazio
DeSaulnier
DesJarlais
Dingelt
Doyle, Michael
F.
Duckworth
Duncan (SC)
Duncan (TN)
Eshoo
Farr

Franks (AZ)
Fudge
Gallego
Gibson
Gohmert
Gowdy
Green, Al
Grijalva
Gutiérrez
Harris
Hastings
Honda
Huelskamp
Huffman
Jackson Lee
Jeffries
Johnson, Sam
Jones
Kaptur
Kelly (IL)
Kind
King (IA)
Labrador
Lee
Lewis
Lofgren
Massie
McCollum
McDermott
McGovern
Meeks

Sanford
Sarbanes
Scalise
Schiff
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Torres
Trott
Tsongas
Turner
Upton
Valadao
Valadez
Van Hollen
Veasey
Vela
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Welch
Wenstrup
Westerman
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Watson Coleman Webster (FL) Wittman
Weber (TX) Williams Yarmuth

NOT VOTING—11

Clyburn Kirkpatrick Sanchez, Loretta
Fincher Poe (TX) Westmoreland
Forbes Price, Tom Wilson (FL)
Green, Gene Rush

□ 1403

Ms. ESHOO, Mr. TAKANO, Ms. MOORE, Messrs. GUTIEREZ, JEFFRIES, GOWDY, DESAULNIER, WEBER of Texas, and WALKER changed their vote from “yea” to “nay.”

Mr. ELLISON, Mses. SEWELL of Alabama, ROYBAL-ALLARD, and DEGETTE changed their vote from “nay” to “yea.”

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (S. 612) to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”, offered by the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), 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 recommit. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 184, nays 236, not voting 13, as follows:

[Roll No. 621]

YEAS—184

| | | |
|-------------------|-------------------|----------------|
| Adams | Cleaver | Frankel (FL) |
| Aguilar | Cohen | Fudge |
| Ashford | Connolly | Gabbard |
| Bass | Conyers | Gallego |
| Beatty | Cooper | Garamendi |
| Becerra | Courtney | Graham |
| Bera | Crowley | Grayson |
| Beyer | Cuellar | Green, Al |
| Bishop (GA) | Cummings | Grijalva |
| Blumenauer | Davis (CA) | Gutiérrez |
| Bonamici | Davis, Danny | Hanabusa |
| Boyle, Brendan F. | DeFazio | Hastings |
| Brady (PA) | DeGette | Heck (WA) |
| Brooks (AL) | Delaney | Higgins |
| Brown (FL) | DeLauro | Himes |
| Brownley (CA) | DelBene | Hinojosa |
| Bustos | DeSaulnier | Honda |
| Butterfield | Deutch | Hoyer |
| Capps | Dingell | Huffman |
| Capuano | Doggett | Israel |
| Cárdenas | Doyle, Michael F. | Jackson Lee |
| Carney | Duckworth | Jeffries |
| Carson (IN) | Duncan (TN) | Johnson (GA) |
| Cartwright | Edwards | Johnson, E. B. |
| Castor (FL) | Ellison | Jones |
| Castro (TX) | Engel | Kaptur |
| Chu, Judy | Eshoo | Keating |
| Cicilline | Esty | Kelly (IL) |
| Clark (MA) | Evans | Kennedy |
| Clarke (NY) | Farr | Kildee |
| Clay | Foster | Kilmer |
| | | Kind |

| | | |
|---------------------|-------------------|----------------|
| Kuster | Napolitano | Scott, David |
| Langevin | Neal | Serrano |
| Larsen (WA) | Nolan | Sewell (AL) |
| Larson (CT) | Norcross | Sherman |
| Lawrence | O'Rourke | Sinema |
| Lee | Pallone | Sires |
| Levin | Pascrell | Slaughter |
| Lewis | Payne | Smith (WA) |
| Lieu, Ted | Pelosi | Speier |
| Lipinski | Perlmutter | Swalwell (CA) |
| Loeb sack | Peters | Takano |
| Lofgren | Peterson | Thompson (CA) |
| Lowenthal | Pingree | Thompson (MS) |
| Lowe y | Pocan | Titus |
| Lujan Grisham (NM) | Polis | Tonko |
| Lujan, Ben Ray (NM) | Price (NC) | Torres |
| Lynch | Quigley | Tsongas |
| Maloney, Carolyn | Rangel | Van Hollen |
| Maloney, Sean | Rice (NY) | Vargas |
| Matsui | Richmond | Veasey |
| McCollum | Roybal-Allard | Vela |
| McGovern | Ruiz | Velázquez |
| McNerney | Ruppersberger | Visclosky |
| Meeks | Rush | Walz |
| Meng | Ryan (OH) | Wasserman |
| Moore | Sánchez, Linda T. | Schultz |
| Moulton | Sarbanes | Waters, Maxine |
| Murphy (FL) | Schakowsky | Watson Coleman |
| Nadler | Schiff | Welch |
| | Schrader | Wilson (FL) |
| | Scott (VA) | Yarmuth |

NAYS—236

| | | |
|---------------|-----------------|---------------|
| Abraham | Flores | Lummis |
| Aderholt | Fortenberry | MacArthur |
| Allen | Fox | Marchant |
| Amash | Franks (AZ) | Marino |
| Amodei | Frelinghuysen | Massie |
| Babin | Garrett | McCarthy |
| Barletta | Gibbs | McCaul |
| Barr | Gibson | McClintock |
| Barton | Gohmert | McHenry |
| Benishek | Goodlatte | McKinley |
| Billirakis | Gosar | McMorris |
| Bishop (MI) | Gowdy | Rodgers |
| Bishop (UT) | Granger | McSally |
| Black | Graves (GA) | Meadows |
| Blackburn | Graves (LA) | Meehan |
| Blum | Graves (MO) | Messer |
| Bost | Griffith | Mica |
| Boustany | Grothman | Miller (FL) |
| Brady (TX) | Guinta | Miller (MI) |
| Brat | Guthrie | Moolenaar |
| Bridenstine | Hanna | Mooney (WV) |
| Brooks (IN) | Harper | Mullin |
| Buchanan | Harris | Mulvaney |
| Buck | Hartzler | Murphy (PA) |
| Bucshon | Heck (NV) | Neugebauer |
| Burgess | Hensarling | Newhouse |
| Byrne | Herrera Beutler | Noem |
| Calvert | Hice, Jody B. | Nugent |
| Carter (GA) | Hill | Nunes |
| Carter (TX) | Holding | Olson |
| Chabot | Hudson | Palazzo |
| Chaffetz | Huelskamp | Palmer |
| Clawson (FL) | Huizenga (MI) | Paulsen |
| Coffman | Hultgren | Pearce |
| Cole | Hunter | Perry |
| Collins (GA) | Hurd (TX) | Pittenger |
| Collins (NY) | Hurt (VA) | Pitts |
| Comer | Issa | Poliquin |
| Comstock | Jenkins (KS) | Pompeo |
| Conaway | Jenkins (WV) | Posey |
| Cook | Johnson (OH) | Ratcliffe |
| Costa | Johnson, Sam | Reed |
| Costello (PA) | Jolly | Reichert |
| Cramer | Jordan | Ribble |
| Crawford | Joyce | Rice (SC) |
| Crenshaw | Katko | Rigell |
| Culberson | Kelly (MS) | Roby |
| Curbelo (FL) | Kelly (PA) | Roe (TN) |
| Davidson | King (IA) | Rogers (AL) |
| Davis, Rodney | King (NY) | Rogers (KY) |
| Denham | Kinzinger (IL) | Rohrabacher |
| Dent | Kline | Rokita |
| DeSantis | Knight | Rooney (FL) |
| DesJarlais | Labrador | Ros-Lehtinen |
| Diaz-Balart | LaHood | Roskam |
| Dold | LaMalfa | Ross |
| Donovan | Lamborn | Rothfus |
| Duffy | Lance | Rouzer |
| Duncan (SC) | Latta | Royce |
| Ellmers (NC) | LoBiondo | Russell |
| Emmer (MN) | Long | Salmon |
| Farenthold | Loudermilk | Sanford |
| Fitzpatrick | Love | Scalise |
| Fleischmann | Lucas | Schweikert |
| Fleming | Luettkemeyer | Scott, Austin |

| | | |
|---------------|---------------|-------------|
| Sensenbrenner | Tiberi | Wenstrup |
| Sessions | Tipton | Westerman |
| Shimkus | Trott | Williams |
| Shuster | Turner | Wilson (SC) |
| Simpson | Upton | Wittman |
| Smith (MO) | Valadao | Womack |
| Smith (NE) | Wagner | Woodall |
| Smith (TX) | Walberg | Yoder |
| Stefanik | Walden | Yoho |
| Stewart | Walker | Young (AK) |
| Stivers | Walorski | Young (IA) |
| Stutzman | Walters, Mimi | Young (IN) |
| Thompson (PA) | Weber (TX) | Zeldin |
| Thornberry | Webster (FL) | Zinke |

NOT VOTING—13

| | | |
|-------------|-------------|------------------|
| Clyburn | Kirkpatrick | Sanchez, Loretta |
| Fincher | McDermott | Smith (NJ) |
| Forbes | Poe (TX) | Westmoreland |
| Green, Gene | Price, Tom | |
| Hardy | Renacci | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1410

Mr. MARCHANT changed his vote from “yea” to “nay.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 621.

(By unanimous consent, Mr. MCCARTHY was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. MCCARTHY. Mr. Speaker, I rise today to inform my colleagues that, upon completion of our work today, the House will no longer be in session next week, and these will be the last votes expected in the 114th Congress.

Additionally, I would like to recognize those Members who will not be returning next Congress. To those Members, we wish to say thank you for your hard work and for your service to this great body.

Lastly, I would like to wish everyone a very Merry Christmas and Happy New Year.

To those Members who are returning next Congress, I would say this: You can expect a very busy legislative schedule. You need to get your rest because in the House we will be working to make America great again.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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 ayes appeared to have it.

RECORDED VOTE

Mr. MCCARTHY. 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—ayes 360, noes 61, not voting 12, as follows: