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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
December 3, 2014.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2014, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

NATIONAL OZONE POLLUTION STANDARDS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, since the Clean Air Act was enacted into law more than 40 years ago, we have seen tremendous progress in cleaning up our air and in protecting thousands of communities around the country.

Unfortunately, many Americans are still living in communities where poor air quality puts them and their loved ones' health at risk. That is why I am proud to support the EPA's new standard for ground level ozone pollution.

Whether we work outdoors or simply want our children to be able to play outside, the EPA's recent national ozone pollution standards bring us one step closer to cleaner, healthier communities for everyone to enjoy. This proposal would lower the current standard of 75 parts per billion to a standard in the range of 65 to 70 parts per billion, while taking public comments on a level as low as 60.

Despite what many of my colleagues seem to believe, successful public health protection depends on the latest scientific data, and as many Members have been so eager to point out, we are not scientists. All we can do is rely on the best data out there from experts in the field, and in this case the data is quite clear.

A significantly expanded body of scientific evidence, including more than 1,000 new studies since the last review of the standards, show that ozone can cause harmful effects to health and the environment. Health experts, epidemiologists, and numerous medical organizations have clearly stated that the existing EPA smog standard of 75 parts per billion is not adequate to protect public health, particularly for vulnerable populations such as children, the elderly, outdoor workers, and those with chronic medical conditions like asthma. In all, 147 million people in the U.S., almost half of the country, are breathing unhealthy air.

Earlier this year the American Lung Association's State of the Air 2014 ranked Chicago as the 14th most polluted city in the Nation for short-term particle pollution. The city also ranked 20th for most ozone-polluted and for year-round particle pollution. In fact, nearly half of all Americans live in counties where ozone or particle pollution levels make the air unhealthy to breathe.

Studies have linked breathing ozone to an increased risk of premature deaths and difficulty breathing, as well as other serious illnesses. In the U.S. today, one child in 10 already suffers from asthma, and ozone pollution only makes things worse.

When asked what steps need to be taken to reduce the air pollution, the American Lung Association said that Federal action, including the EPA setting strong, health-based standards to limit ozone pollution, is one of the most important action steps we can take.

When we update our national ozone pollution standards, we are not only cleaning up our air but also protecting those most at risk. These changes would have a lasting and positive impact on my home State of Illinois, where 1.2 million adults and 13 percent of children suffer from smog-related asthma, well above the national average.

President Theodore Roosevelt once said, ''In any moment of decision, the best thing you can do is the right thing. The worst thing you can do is nothing.'' Knowing the tremendous impact ozone pollution has on our environment and community health, the decision to do nothing is not a viable option.

Per usual, there are those here attacking this new proposal with claims of job loss and economic harm. According to science deniers and special interests, this proposal will cause the sky to fall. The facts, however, state otherwise.

Since 1970 we have cut harmful air pollution by almost 70 percent while the U.S. economy has more than tripled. An ozone standard in the proposed range of 65 to 70 parts per billion has public health benefits worth billions of dollars. Reducing ozone and particle pollution nationwide will avoid countless premature deaths and thousands of asthma-related emergency room visits, not to mention fewer missed school and work days.

The impact of ozone on agricultural workers is also important in its own

right. A reduction in the ozone standard would translate into an annual cost savings of approximately $1 billion in labor expenditure.

We have countless scientific studies that clearly display the negative health risks associated with unregulated ozone pollution. Nevertheless, critics continue to play a dangerous role in denouncing the science and the law EPA has used for more than 40 years.

The science cannot be ignored. Now is the time to protect the most vulnerable among us. Now is the time to fight for better air quality across the country. Now is the time for action to protect American health and the environment.

We cannot afford to wait. Clean air is essential to a healthy community and a strong economy.

GENIUS OF THE CONSTITUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, the genius of our Constitution can be found in the separation of powers that has preserved our freedom for 225 years.

The American Founders recognized that what had gone so terribly wrong in Europe was that the same organ of government that made the law also enforced that law and adjudicated it. All the powers were in the same hands. They wanted to protect their new Nation from such a fate.

So they divided the powers of government. Congress, and Congress alone, makes the law. ''All legislative power herein granted shall be vested in a Congress of the United States.''

You want many voices in that decisionmaking process. You want a great, big, messy debate. That is the Congress.

Once that decision is made, it needs to be carried out by a single will, a single branch, headed by one individual whom the Constitution commands to ''take care that the laws be faithfully executed.'' One person does not get to make the law in this Republic. The President is called upon to enforce the law.

Fundamentally, that means he does not get to pick and choose which laws he will enforce and which laws he will ignore. He does not get to pick and choose who must obey the law and who gets to live above the law. And he does not get to change laws or make laws by decree.

That is the difference between the American Republic that prides itself on being a nation of laws and not of men and the European despots of old who boasted that the law was in their mouths.

Mr. Speaker, last week the President asserted an entirely unconstitutional power to nullify existing immigration law by ordering the executive branch to simply ignore it. Further, he has ordered 34 million green cards to allow businesses to hire illegal immigrants, despite Federal law that explicitly forbids their employment.

Throughout our Nation's history, executives have tested the limits of their power, but this act crosses a very bright line. Fortunately, the American Founders anticipated that some day a President might attempt to subvert the Constitution in this manner, and they provided a variety of defenses available to both the legislative and the judicial branches.

The legislative branch has the power of the purse, but that power is temporarily constrained by the partisan division between the House and the Senate. Fortunately, the American people have acted to end that division in January.

But I fear that any confrontation between the executive and the legislative branches could ultimately end in stalemate. The third branch of government, the judiciary, must be brought into this process.

Since our earliest days, the Supreme Court has guarded our Nation from unconstitutional acts by both the legislative and executive branches, and that role is desperately needed now. I believe there is no substitute for Congress doing everything within its power to invoke judicial intervention.

I cannot believe that even the most devoted liberals on the bench can be comfortable with this brazen act of usurpation. Assuming the Court stands with the Constitution, the President would have no choice but to back down or face a catastrophic public and congressional backlash.

Whether we choose to recognize it, this is a full-fledged constitutional crisis. If allowed to stand, this precedent renders meaningless the separation of powers and the checks and balances that comprise the fundamental architecture of our Constitution. If it stands, every future President, Republican and Democrat, will cite it as justification for lawmaking by decree.

The seizure of legislative authority by the executive is fatal to a republic such as ours. Indeed, it was Julius Caesar's usurpation of the Roman senate's legislative prerogatives that brought down the Roman republic and began four centuries of dictatorship. Once the rule of one man is established over the rule of law, it is a very difficult thing to stop.

Unlike every law that is passed under our Constitution, the Constitution itself has no penalties for those who break it. The reason is that the Constitution was written to be self-enforcing, but that only happens if the powers of government are evenly balanced. The Founders relied on each branch acting to keep those powers in balance. Now, in our time, that responsibility is ours.

ASSESSMENTS IN EDUCATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Oregon (Ms. BONAMICI) for 5 minutes.

Ms. BONAMICI. Mr. Speaker, I am here this morning to discuss an important issue that we hear about when we talk with teachers, parents, students, and school administrators. In conversation after conversation, they have expressed concern about what seems like an endless stream of tests that, in many cases, do little, if anything, to improve learning or classroom instruction.

Of course, assessments play an important role in education, and high-quality assessments are valuable for informing meaningful instruction. Nonetheless, too much time is devoted to redundant, low-quality, or unnecessary tests.

In many cases, teachers administer tests, but the results aren't made available for months, and hardworking educators have little opportunity to design individualized support based on the results of those tests.

Furthermore, some of the tests are redundant. They take up time that could be used on meaningful instruction, use resources best spent elsewhere, and cause students undue stress. In other schools, too much time is dedicated to preparing for tests that are not well-aligned with State standards. Simply put, unnecessary assessments have hindered our progress as a global leader in education.

We know that the Federal Government mandates several tests each year, and States and school districts often require even more tests. Does this all make sense? Do all of these tests improve instruction, improve public education?

Today, I rise to discuss legislation that I am working on to help States and local districts implement good, reliable assessments aligned to standards, and importantly, eliminate redundant, poor-quality assessments that take valuable time from teachers and students, time that could be used on meaningful instruction.

We don't need more tests. We need better tests. My bill will use an existing grant to provide States with funding to develop assessment systems that ensure the best use of students' test results and that align assessments with college and career-ready standards.

The transition to rigorous content standards is hard work, and my bill will support States as they implement high-quality assessments linked to those standards.

Working with local educational agencies, States will create assessment plans outlining how they will improve the quality of their tests, how they will use the assessment data, and how they will make the data more accessible to educators, students, and parents.

This legislation will also support States and local districts that want to lead the way on developing more sensible assessment systems. States will be able to volunteer to audit their assessment systems and use the results to design plans to eliminate unnecessary and redundant testing.

Many State school chiefs and district superintendents have recently made a commitment to this effort. My legislation will make available much-needed Federal support.

□ 1015

The focus in the classroom should be on the student. This bill will help States improve their assessments and make better use of the results, so they can draw valuable conclusions about students and give educators the data they need, so they can do what they do best: teach.

Ultimately, we must address the culture of testing that has created stress for students, parents, and teachers. This bill is a strong first step. It keeps control in the hands of the States and school districts, and it provides the funding to streamline assessment systems and make sure that the remaining assessments are high quality and useful.

My bill offers this support through an existing funding stream, and it will help put the focus back on our students. I urge my colleagues to support this bill.

OPPOSITION TO UNESCO FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to speak against a push by the administration and its allies here in Congress to ignore U.S. law—this time, to ignore the legal prohibition on using U.S. taxpayer dollars to fund UNESCO.

Frankly, it is an indictment against the administration and some of our colleagues that we have to go through this song and dance every year or whenever a funding measure is set to come to the floor; yet here we are again, as some in Congress want to help President Obama circumvent and undermine U.S. law and restore at least partial funding for UNESCO, so that that body can continue to push its anti-U.S./anti-Israel agenda.

Time and again, the President has taken unilateral action meant to get around congressional opposition and has openly stated that he will continue to do so.

Since 1990, U.S. law has prohibited any funding to the U.N. or to any U.N. agency that gives the PLO membership status and recognizes the nonexistent State of Palestine.

UNESCO was well aware of our laws when its members voted to include this so-called Palestine among its ranks, triggering the U.S. funding prohibition. President Obama knew this when we cut off UNESCO's funding in response because it is the law; however, since then, he has sought ways to undermine and circumvent this law to not only restore funding to UNESCO, but to also pay dues in arrears which now would amount to over $300 million in U.S. taxpayer dollars.

This is the very same body that allows the likes of Cuba—the antithesis of freedom and the respect for human rights and the rule of law—on its executive board. When UNESCO admitted a nonexistent Palestine, it undermined the peace process and only emboldened Abu Mazen even further to move forward with his unilateral push for statehood at the U.N.

There cannot be a legitimate Palestinian state unless it comes about as the result of direct negotiations between the Israelis and the Palestinians. This unilateral scheme by Abu Mazen is a way for him to use that U.N. body to gain de facto statehood without having to first come to an agreement with Israel.

If President Obama and his enablers in Congress have their way and U.S. funding for UNESCO is restored, it will signal that the U.S. supports this unilateral push for statehood, and we will have sold out our closest friend and ally: the democratic Jewish State of Israel.

We must make it clear to the administration in no uncertain terms that Congress will not allow it to continue to circumvent and undermine congressional authority or the law and that we will not allow it once again to fund UNESCO.

Giving the administration the authority it seeks to fund UNESCO would not only set a dangerous precedent by showing those with an anti-Israel agenda at the U.N. that the U.S. does not have the courage of its convictions or the fortitude to enforce our own laws, but it would also give the green light to the rest of the bodies at the U.N. to follow UNESCO's lead and also admit Palestine.

Abu Mazen has already signaled that he will seek further recognition at the U.N., and unless we make it absolutely certain to the entire U.N. system that admitting Palestine has very real and tangible negative consequences, the bodies at the U.N. will fall in line with this dangerous scheme, and that would cause irreparable harm to the peace process.

Instead of President Obama's looking for ways to spend hundreds of millions of taxpayer dollars at an anti-U.S./anti-Israel body at the U.N., which is in violation of U.S. law, the President should perhaps instead focus on institutions at the U.N. that do work and that are effective.

This month, for example, the World Food Programme, WFP, was forced to suspend its assistance to millions of refugees who fled the crisis in Syria and went to Jordan, to Lebanon, to Iraq, to Turkey; as a result, millions could go hungry as they are set to face the harsh winter.

Our money would be better spent helping an institution we know works because it relies on voluntary contributions only, and we should be doing more to ensure that the WFP, the World Food Programme, can continue its good work to assist these millions of refugees around the world.

THIS CONGRESS MUST VOTE TO AUTHORIZE THE WARS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I rise today to express my great frustration and anger that this Congress—the 113th Congress—continues to ignore its constitutional responsibilities to debate and vote on whether to authorize the U.S. war against Islamic State forces in Iraq and Syria.

On July 25, this House voted 370–40 that, if the United States engages in sustained combat operations in Iraq, then the House would need to authorize such actions. Let me read exactly what this House approved by such an overwhelming, bipartisan majority:

> The President shall not deploy or maintain United States Armed Forces in a sustained combat role in Iraq without specific statutory authorization for such use enacted after the date of the adoption of this concurrent resolution.

That vote, supported by 180 Republicans and 190 Democrats, was taken nearly 4.5 months ago.

What has happened since then? On August 8, just 2 weeks after the House vote, the U.S. began bombing Islamic State forces in Iraq. We are now bombing Iraq to protect infrastructure, as part of coordinated military operations with Kurdish and Iraqi military forces, and to take back or to hold cities, towns, and other territory. We are flying dozens of bombing sorties nearly every day in Iraq.

Mr. Speaker, we have also escalated the number of U.S. troops in Iraq, ostensibly as trainers and advisers. On November 7, the President announced yet another escalation in the number of U.S. troops deployed to Iraq, sending roughly an additional 1,500 troops to the region for a ''comprehensive training effort'' for Iraq's army.

When they arrive, this will put the number of American troops in Iraq at around 3,000. The U.S. Central Command is also working on setting up new ''expeditionary advise-and-assist operation centers'' far outside the cities of Baghdad and Erbil.

What else has happened since July? We expanded the war to Syria. On September 17, this House voted to include in the short-term continuing resolution authority to arm and train certain Syrian rebel forces, ostensibly to provide ground troops inside Syria to fight Islamic State forces.

Five days later, the U.S. began bombing inside Syria. We have flown scores of bombing missions inside Syrian territory against the Islamic State and—and this should come as no surprise—other radical groups like the Khorasan Group.

This week, we are in military negotiations with Turkey to establish a safe zone—a no-fly zone—along the northern border of Syria that will cover territory inside of Syria and inside Turkey.

The President has asked for an additional $5.6 billion from Congress to augment the Pentagon's overseas contingency operations account, the OCO. About $3.4 billion of that would go to the operations against the Islamic State, and another $1.6 billion would directly support the Iraqi training and equipping mission. I have no doubt that all or most of those funds will be included in the omnibus appropriations bill next week.

Mr. Speaker, if this doesn't add up to our forces being engaged in sustained military combat operations, then what in the world does? Many Members keep talking about prohibiting U.S. troops from having boots on the ground.

Mr. Speaker, we already have nearly 3,000 pairs of boots on the ground in Iraq, and I don't know how many people we have supporting and carrying out bombing missions because the Pentagon and the White House haven't told us.

Enough is enough. This House needs to draft, debate, and vote on whether to authorize this vast array of military operations known as Operation Inherent Resolve before we adjourn this year.

This war began under this Congress, the 113th Congress. It has escalated under the 113th Congress. It has expanded from Iraq to Syria and now to Turkey under the 113th Congress. It is the responsibility of the 113th Congress to authorize it or not. We need to take care of our business—real, serious, life-and-death business—before we walk out the door next week. We need to do our jobs.

No more excuses, no more whining about how the White House should send Congress a request. It is the institutional and constitutional duty of the Congress of the United States to decide matters of war and peace. It is time for the leadership of this House to step up to the plate and bring an authorization to the floor to be debated and voted on before we adjourn.

If not, then shame on this House and shame on the leadership for failing to carry out our most sacred duty to our uniformed men and women, their families, and the American people.

IN HONOR OF THE BRAVERY OF PRIVATE JOHN SIPE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 5 minutes.

Mr. PERRY. Mr. Speaker, I call attention to the bravery exhibited during the Civil War by Private John Sipe during the Battle of Fort Stedman.

In addition, I recognize and commend the tireless efforts by his great-grandson, Mr. Reuben Troutman, a constituent of Pennsylvania's Fourth District, who has advocated for over a decade for the consideration of his great-grandfather to receive the Medal of Honor.

On March 25, 1865, Private Sipe's selfless actions in the face of grave danger exhibited unparalleled bravery while fighting at the Battle of Fort Stedman with the 205th Regiment Pennsylvania Volunteers.

After Confederate forces succeeded in capturing Fort Stedman, the 205th Regiment made a gallant charge to counter the rebel attack. Although still considered to be in training status at that time, these brave Pennsylvanians managed to force the opposition back into Fort Stedman, halting the Confederate onslaught.

During the intense hand-to-hand combat that occurred in retaking the fort, Private Sipe displayed extreme heroism when, without concern for his own safety, he fearlessly charged the rebel lines and captured the Confederate flag.

The commander of the IX Army Corps, Major General John G. Parke, recommended to Army headquarters that Private Sipe be awarded the Medal of Honor for his valor and selflessness in capturing the enemy flag.

Mr. Speaker, I must explain that capturing this flag at the time was not like this game that you might have heard about of capturing the flag. At the time of the Civil War, just imagine the fire and the sound of cannonade, muskets, the screams of compatriots on either side of the line in trying to manage the battle.

It was the flag, it was the guidon, it was the standard, that showed the soldiers what action their unit was taking, and without it, it would render them impotent because there was no communication. There were no radios during the Civil War, so capturing the flag meant everything; not only was it symbolic, but it had a huge purpose in determining what that unit could, would, or would not do.

Although recommended to receive the award by the commanding general, according to the National Archives and Records Administration, Private Sipe, however, never received the Medal of Honor.

In a process that has spanned more than a decade, Private Sipe's only living relative—his great-grandson Reuben Troutman of Mechanicsburg, Pennsylvania—has worked with our office and the office of my predecessors to ensure that Private Sipe was given fair consideration for the Medal of Honor for which he was recommended.

Unfortunately, the Department of Defense determined this year that a lack of existing evidence precludes the award of the Medal of Honor for Private Sipe's bravery and service. Private Sipe's heroism warrants recognition, nonetheless.

Additionally, Reuben Troutman has dedicated an extensive amount of time over many years in researching his great-grandfather's contribution at the Battle of Fort Stedman, and he has worked diligently and tirelessly to bring to light historical facts of Private Sipe's military record.

I commend Reuben for his attention to detail, persistence, tenacity, and zeal in seeking to honor his family heritage and for a valiant attempt at obtaining recognition for his great-grandfather's honorable and courageous service during the Civil War.

As a proud servicemember myself and as a combat veteran and on behalf of the millions of other uniformed personnel who have served after him, I thank not only Private Sipe, but also Mr. Troutman, for their selfless service and dedication to our Nation.

□ 1030

HUMAN DIGNITY FOR ALL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, in this season of reflection for many across the Nation, I will take a moment, first of all, to speak to my constituent Zeph to remind him that I have always supported the human dignity of all persons, and I will never fail to do so. I thank him for his warm embrace of those values and our commitment that we will continue to work together, which brings me to my concern of an ailing American who has continuously been held in Cuba.

I ask today on the floor of the House for the leadership of this government to continue to work diligently in the efforts to return Alan Gross to his family. I hope that we will join together, Republicans and Democrats, to work for his release and his return. I would note, Mr. Speaker, that I do not speak of the conditions of such, the reasons for such; just an American who is in failing health whom we need to work to bring home.

I think that is the kind of spirit of mercy that I would like to continue to speak of as we try to work our way through the understanding of the President's action on the executive order regarding immigration. It follows the directive of the Speaker of the House, who said:

> A comprehensive approach to immigration reform is long overdue; and I am confident that the President, myself, and others can find the common ground to take care of this issue once and for all.

Spoken by Speaker BOEHNER in 2012.

Now, as we approach the new year, 2015, 3 years later, there has not been one vote on the floor of the House to bring mercy or relief to those who have been languishing in the shadows—not opening the borders, Mr. Speaker, but to really provide a framework for those who are here in the United States, almost as if there was a temporary pardon.

This is not, as the Judiciary Committee pounded over and over again yesterday, a change in the law. This is a work within the confines of the law under article II executive powers of the President and the language to take care. It is actually a recognition to frame, if you will, the interpretation that is given to laws of the land—

might I say, civil laws as well. Because in a civil law, there is punishment; under immigration laws, you can be deported, a civil penalty.

So the President has said, in an executive order narrowly confined and reviewed by legal counsel and constitutional experts, supported by 136 scholars, that said that the President is within his rights to stop deportation of store owners and childcare workers and high-tech workers, and particularly the parents of children who are, in fact, citizen children of legal permanent residents.

It is important for the American people to understand, there is no illegality here. There is no runaway Presidency here. There is an understanding that those who have status—not immigration status, not pathway to citizenship, but a temporary reprieve—almost like a pardon, yet it is more temporary, those children who have been deferred, all he did was to say that it should be 3 years and not 2 years. He has asked that the ICE officers be made, if you will, equal to other Federal law enforcement officers. I celebrate that. That is exciting.

Let me quickly say this, Mr. Speaker. I want to travel in the pathway of Reverend Dr. Sharon Stanley-Rea about immigration reform. Her words are, as I paraphrase them: We should choose our values for people over politics, community safety over partisan strategies, family unity and welcome over fear of foreigners, and humanitarian compassion for children and families above rhetoric and rancor.

Let me finally, Mr. Speaker, say that I want to, again, as I move to another topic, thank and compliment the protesters that were peaceful regarding the issue of Ferguson. I ask for people to understand these young people. I went out in Houston in the march and applauded them for the peacefulness of their protests. Now they are asking for us as legislators and policymakers to make a difference in their lives. I publicly say on the floor of the House they will not be forgotten.

I want AJ to know, who is an intern in my office from St. Louis, shot in gang fights, that he will not be forgotten. The work that he is doing will be remembered.

I ask the National Association of Chiefs of Police to join us in a discussion on how we best walk through these concerns. There are many legislative initiatives, but it has to be a combination of law enforcement, policymakers, civil rights leaders.

And to our police unions, let me say there are none of us that have not worked and stood alongside of you.

I want to say in closing, Mr. Speaker, on H.R. 5550, that I hope my colleagues will join me in making sure that funding is not used by local communities through their various traffic stops to fund their communities.

Let's make a difference on Ferguson, Mr. Speaker.

IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, the issue is no longer whether Congress and the President can agree on immigration policy. The question is: Does a President have the power to alter our Nation's laws without passing new statutes?

Throughout the history of this great country, since the time of our Founding Fathers, the answer to this question has been ''no.'' Yet President Obama struck a blow to the system of checks and balances that has been at the heart of our government and our Constitution for over 200 years.

The constitutionality of the President's actions are in question as the President has said time and time again that he does not have the constitutional authority to change our Nation's immigration laws on his own. From 2008 up to this August, at least 22 times the President has said that he couldn't ignore the laws on the books or create his own immigration laws.

In 2011, the President said: ''America is a nation of laws, which means I, as the President, am obligated to enforce the law. I don't have a choice about that. That's part of my job.

''We've got three branches of government. Congress passes the law. The executive branch's job is to enforce and implement those laws. And then the judiciary has to interpret the laws. There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply, through executive order, ignore those congressional mandates would not conform with my appropriate role as President.''

Very well spoken, President Obama, the constitutional scholar that he is.

Mr. Speaker, this is the framework of our Nation's system of checks and balances. The Constitution is clear. It is clear that it is Congress' duty to write the laws, and it is the President's responsibility to enforce them.

While law enforcement agencies do have the inherent power to exercise prosecutorial discretion, the authority as to whether to enforce or not enforce the law against particular individuals, this power must be used judiciously and isn't an invitation to violate or ignore a law in its entirety. By granting amnesty to 5 million illegal immigrants, this administration has crossed the line from any justifiable use of its executive authority to a failure to faithfully execute the laws.

Mr. Speaker, whether you are a Democrat or a Republican, whether you agree or disagree with the President's policy on illegal immigrants and immigration, you cannot agree with the President's actions. No one is vested with the power to be both President and legislator.

INJUSTICE ANYWHERE IS A THREAT TO JUSTICE EVERYWHERE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise today to say thank you to the many persons who serve in law enforcement. They have difficult jobs, and they do their jobs well. I salute them.

I also salute the many persons who have been engaged in peaceful protests. What they have been attempting to do, I support. A peaceful protest is the best protest. Peaceful protests can make a difference in the lives of people. I know, because I stand here today because of peaceful protests.

I would like to continue what I started on yesterday, when I indicated that I would give a response today to a query that was made on Morning Joe. And I want my colleagues to know that I don't believe the query was made with malice aforethought. I think it was a genuine expression of concern. While intonations and expressions may connote otherwise to some, I believe that this is a question that should have been asked and that needs to be answered.

The question was: What is wrong with these people?—meaning three Members of Congress. What is wrong with these people that they would come to the well of the House of Representatives and they would hold their hands up? What is wrong with them?

Here is the answer, my dear brother: the same thing that was wrong with the Pilgrims and caused them to come to Plymouth Rock; the same thing that caused persons to throw tea into the Boston Harbor; the same thing that caused farmers to traverse the country on tractors and come to the United States Capitol to protest; the same thing that caused Rosa Parks to take a seat on a bus against the law; the same thing that caused Dr. King to march from Selma to Montgomery; the same thing that caused them to cross the Edmund Pettus Bridge on what is known as Bloody Sunday.

What is wrong with these people? They refuse to accept injustice. I refuse to accept injustice. What happened in Ferguson was an injustice. I refuse to accept injustice. Injustice anywhere is still a threat to justice everywhere. Dr. King was right. Injustice in Ferguson is a threat to justice in Houston, a threat to justice in Boston. Injustice anywhere is still a threat to justice everywhere.

And so I will continue to hold my hands up. I will continue to support those who engage in peaceful protest. Because holding one's hands up is an indication that you don't have anything that will be harmful, an indication that you are willing to move freely and give an opinion about something that you believe to be important. I think that this will symbolize a movement that will metamorphose far beyond the initial reason for it being developed. I am absolutely convinced

that this will not eviscerate, this will not evaporate, that it is not going to go away. It is going to become part of the protest movement.

I also want to note that what happened with the Rams players was a seminal moment, and I want to legitimize what they did. I have already said that I will have flags flown over the Capitol of the United States of America in each person's name.

Somebody is going to say, well, what about the people who may have committed a crime? Washington wasn't perfect, but we honored him. Jefferson wasn't perfect; we honor him. I am going to honor them for what they did at that seminal moment, just as I believe John Carlos and Tommie Smith should be honored for what they did when they held their hands up, indicating that they were protesting at the Olympics in '68.

So I, Mr. Speaker, am honored to have this opportunity today to indicate to the world, finally, that Dr. King was right when he said the truest measure of the person is not where the person stands in times of comfort and convenience, when everybody is patting you on the back, when everybody loves you, all your bills are paid, when things couldn't be better. The truest measure of the person is not where you stand in times of comfort and convenience. The truest measure of the person is where do you stand in times of challenge and controversy, when people are throwing the slings and arrows of life at you because you took a simple stand against injustice.

And it was injustice. I can explain it. I regret that I wasn't invited on the program to give my point of view. So I had to take to the floor of the House of Representatives to give what I would have given, if given the opportunity.

God bless you, Mr. Speaker.

THE 2015 NATIONAL DEFENSE AUTHORIZATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CARTER) for 5 minutes.

Mr. CARTER. Mr. Speaker, I rise in support of the 2015 National Defense Authorization Act this House will consider later this week.

I am very proud to represent Fort Hood, the largest military base in the world. On November 5, 2009, 5 years ago, our community suffered an unthinkable tragedy when a radicalized Islamic extremist named Nidal Hassan opened fire on Fort Hood and fatally shot 15 men and women and 1 unborn child.

□ 1045

More than 30 others were wounded that day. Hasan's radicalization was well known to the FBI and the DOD as early as 2005. Hasan plotted with the known terrorist Anwar al-Awlaki, and he expressed his radical views to his classmates. This administration dismissed these concerns in the name of political correctness.

Five years ago the President promised to take care of the victims of this shooting, but shortly thereafter, he turned his back on them and declared the attack to be workplace violence. These victims and their families are still waiting for justice. Our communities have suffered long enough in the name of political correctness.

I am very proud that my colleagues in the House and Senator CORNYN and Senator CRUZ have not dropped the ball. We have stood for the Fort Hood community and the victims of this terrorist act even as the President failed to act. The House and Senate have agreed on this legislation that will allow these heroes to receive Purple Hearts and make them eligible for the benefits they deserve. The victims and their families will soon receive justice and closure. I am proud to support this legislation.

Mr. Speaker, I would like to yield to the gentleman from Texas, ROGER WILLIAMS, my strong partner in this effort.

Mr. WILLIAMS. Mr. Speaker, I want to thank my colleague, Congressman JOHN CARTER, for his words, but, more importantly, for the many years of hard work he has put forth to care for the soldiers at Fort Hood.

Mr. Speaker, the 2009 terrorist attack at Fort Hood was an unthinkable tragedy. At that time it was the only story the news reported for days. Who was this murderer? Why did he do it? Could there be more like him? Are our other military installations at increased risk of this type of attack too? How did we not see this coming?

After the attacks on September 11 we asked these same questions. That is the difference between workplace violence and a terrorist attack. The Fort Hood shooter was not a disgruntled employee who took his anger out on his colleagues. He was a hate-filled, vengeful Islamic extremist who intentionally planned the horrendous terrorist attack and carried it out with no remorse.

Islamic extremists like him want us to fear them every single day. They want to hit us where it hurts—by taking innocent American lives and waging war on our military members. They have zero regard for human life—not even their own. That is why our response to terrorist attacks on American soil must be consistently tough, precise, and without hesitation.

At the memorial service honoring the lives of 13 Americans and one unborn, President Obama pledged to take care of those who were injured and the families of those killed. Yet 5 years later he has completely neglected them. Because President Obama designated the attack workplace violence, these men and women are not eligible to receive the benefits, treatment, and compensation that combat troops killed and injured in combat zones receive.

This negligence has caused many injured victims to have to pay their own out-of-pocket expenses for treatment, costing some hundreds of thousands of dollars. One victim was pulled off Active Duty. Her paycheck went from $1,400 a month to $200 a month, and she lost her military health insurance. Others scrape by on disability payments but still have to pay the remainder of their medical bills from their own pocket. My friend Sergeant Alonso Lunsford was shot seven times but was turned away when he tried to check into an Army PTSD clinic due to the fact that he was not injured in combat.

This is not my definition of taking care of our Nation's heroes. However, the National Defense Authorization Act gives the Obama administration yet another opportunity to honor his pledge to provide for these men and women who were victims of terrorism.

This bicameral, bipartisan bill provides authorization for awarding the Purple Heart to members of the Armed Forces killed or wounded in a domestic attack inspired by a foreign terrorist organization. This is a commonsense solution that should have happened immediately following the attack at Fort Hood.

I want to thank Chairman MCKEON and again Congressman CARTER for their tireless work on behalf of their troops, and the many of my Texas colleagues who have joined the fight to restore justice. Just as we united as a country after these senseless attacks, let's once again unite as Americans to fight for the truth and honor of our fallen and demand justice for the victims of terrorism. In God we trust.

WAR POWERS OF CONGRESS AND THE PRESIDENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. MCDERMOTT) for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, I want to begin by associating myself with the remarks of my colleague, Mr. MCGOVERN.

It is difficult to fathom the daunting array of foreign policy challenges President Obama has had to weather since the start of his administration, challenges which are not the result of any misjudgment on his part.

Few modern leaders have had to contend with such an assortment of diverse global challenges, and the President deserves immense credit, which he rarely receives, for confronting them judiciously.

At nearly every turn, the 44th President has boldly promoted a global vision of peace and security defined by negotiation with allies and adversaries alike. The President's tenacious pursuit of a diplomatic solution to the Iranian nuclear program is the hallmark of that doctrine. Moreover, he has held fast to these principles in the face of Republican and even some Democrat charges of weakness, arrogance, and treachery.

I admire the President and appreciate what an unenviable position he is faced with in Iraq. However, like Mr.

MCGOVERN, I am alarmed by the recent developments in what is becoming, in my mind, a full-fledged military campaign in Iraq. The situation in Iraq may be difficult, but that excuse does not merit the President's overreliance on war powers and the two outdated authorizations for use of force. When it comes to war and peace, the authority remains firmly with this body, the United States Congress.

Last month we heard that the White House planned to double the number of troops in Iraq, bringing the total to 3,000, despite the President's own promise not to put U.S. troops on the ground. On Monday another 250 paratroopers were called up from the 82nd Airborne for service in Iraq, and Congress is poised to give the President his $5.6 billion request to combat ISIS with virtually no debate scheduled on this House floor.

Mr. Speaker, I rise to implore the President to come to Congress and explain his strategy for this new campaign in Iraq. Even the last President, who was far less sensible, sought congressional authority. It is in President Obama's best interest to address not just those relevant committees apt to grant him the legal leeway the White House weakly asserts but all 435 Members who have congressional authority and constitutional authority to send our Nation's sons and daughters to war.

The President must tread carefully going forward, and not just because our recent military history in Iraq is poor but also because he now faces a Republican Congress. Those recklessly clamoring for greater military involvement against ISIS would like nothing more than to blame what could easily become a wider conflict, likely doomed to fail, squarely on the President's head. I trust this President, and I have faith that he will make the decisions in the best interest of the American people, as he understands them.

Let me be clear: it is in the American people's best interest for the President to ask the people's representatives—us in the House of Representatives—for a proper authorization for the use of military force. Then JOHN BOEHNER should lead the debate on such an authorization—a debate at great length and with complete transparency, not behind closed doors, not in committees, not somewhere in conference reports, but out here on the floor in front of the American people.

Mr. Speaker, we have wandered down this road in Iraq before with a far less thoughtful President. What our goal was in Iraq is long since lost. Whatever President Bush said it was, it never turned out to be what we were there about. And here we are doing the same thing again, unfortunately. It is time we learned from our mistakes and that we, as Members of Congress, take responsibility for sending our people over there to die. There will be deaths, make no mistake about it. Generals have already said if we go over there a little bit, we are going to be there for the next 2 years. It is time for us to vote on this issue after a lengthy debate.

NANNY STATE LUNCHES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the Federal food police are whipping up their latest batch of distasteful government regulations. With a government fist around an iron spatula, the Federal Government has become the new Mr. Bumble from the book ''Oliver Twist.''

The food police have placed unhealthy and illogical regulations on menus for government school lunches across the fruited plain. This is just more unneeded, unnecessary, and unwarranted Federal Government invasion of what school kids eat. The Federal Government now is trying to raise America's children.

In an effort to control, dictate, and give children a nanny state society, school lunches have gotten watered down to a skimpy new low. After strict portion control and outlandish so-called nutrition standards, school lunches have become as exciting as detention. The food is unappealing and lacking in nutrition.

So what have students done? They have taken their frustrations to Twitter, taking photos of government-dictated school lunches. An Oklahoma school student tweeted a picture of a few chicken nuggets, a half an apple, and a piece of bread, complaining, ''Thanks for the fulfilling lunch.'' More and more students are catching on, saying sarcastically, ''I will be full for days,'' and ''Thanks for the delicious lunch, sure was filling.''

A parent eating lunch with their child at school was stunned after seeing the lunch portions. And here she took a photograph of the lunch. Here it is. And she said correctly, ''This is sad.'' Here you have a little condiment package. Here you have a bun with a something in between, and then you have a half a fruit over on the other side. Isn't this a lovely lunch? If a parent had anything to do with this, the Federal Government would probably accuse them of child neglect.

There is a 350-calorie limit in place for entrees. So that means taking two packets of ketchup or mayonnaise would put the student over the allowed limit. Kids find themselves in an ''Oliver Twist'' situation with the workhouse headmaster, Mr. Bumble, and having to fearfully ask, ''More please, sir?'' And of course just like in the book, the answer is a loud ''No.''

Kids need the energy to learn, to pay attention, and to focus. That energy comes from food. The cafeteria takeover by the Federal Government is leaving students—believe it or not—hungry.

How can we expect children operating on a lunch of no more than 350 calories to make it through the day? What about athletes and afterschool programs? Whether the student plays football or plays an instrument in the marching band, a dinky lunch just won't cut it.

Meghan Hellrood, a student at D.C. Everest High School in Wisconsin, is protesting the required ''healthy'' lunches by promising other students unlimited condiments that she herself will bring to school. Now, I wonder if the Federal Government will charge her with smuggling the forbidden condiments. Who knows?

Students all over the United States have started to speak out. Pictures of a lunch with two pieces of cauliflower, some ham, and a piece of cheese have surfaced, or three cherry tomatoes, skim milk, and some cheesy bread. This sounds more like the tasteless gruel Oliver Twist was served in the book ''Oliver Twist.''

Kids who buy their lunch but opt out of the side of fruits or vegetables are still charged for the whole meal, resulting in wasted food. There has been an 84 percent increase in wasted school lunches that are just thrown in the trash.

These regulations just aren't working. So what is next? Is the government going to force-feed kids who don't eat the government food lunches? The level of Federal Government intrusion is foolish, and it seems to be arrogant.

The time is now to protect schools from Mr. Bumble bureaucrats. Interestingly enough, some of the bureaucrats in Washington making the rules for government schools send their kids to private schools, which are not under the same absurd food regulations.

Mere calorie counting is not a viable healthy option. More physical activities in schools may be needed. In any event, it is the duty and responsibility of parents and local schools to decide what their kids eat in school, not the nanny, Mr. Bumble, and the bureaucrats in Washington.

Parents should raise their kids, not the Federal Government. Federal food police don't belong in a local school cafeteria.

And that is just the way it is.

□ 1100

THE GAS TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, 1 year ago today, I introduced the first gas tax increase in over 20 years. I was joined by a broad coalition in announcing the bill, supported by the AFL–CIO, the U.S. Chamber of Commerce, building and construction industries and their unions, local governments, AAA and the truckers, environmentalists, transit, and cyclists. It was gratifying to have that broad base of support. One year later, the only thing that has

changed is that the need, if anything, is greater and the path forward is even easier.

I just completed a press conference with my good friend TOM PETRI and with President Ronald Reagan. President Reagan, in 1982, in his Thanksgiving Day radio address, explained why we needed to raise the gas tax.

He said: ''One of our greatest material blessings is the outstanding network of roads and highways that spreads across this great continent. Freedom of travel and the romance of the road are vital parts of our heritage, and they help make America great.

''We simply cannot allow this magnificent system to deteriorate beyond repair. The time has come to preserve what Americans spent so much time and effort to create, and that means a nationwide conservation effort in the best sense of the word.

''So I am asking Congress when it reconvenes next week to approve a new highway program that will enable us to complete construction of the interstate system and at the same time get on with the job of renovating existing highways. The program will not increase the Federal deficit or add to the taxes that you and I pay on April 15. It will be paid for by those of us who use the system, and it will cost the average car owner only about $30 a year. That is less than the cost of a couple of shock absorbers.

''So what we are proposing is to add the equivalent of 5 cents a gallon to the existing highway user fee, the gas tax, which hasn't been increased in the last 23 years. The cost to the average motorist will be small, but the benefit to our transportation system will be immense. The program will stimulate 170,000 jobs, not make-work projects, but in real, worthwhile work in hard-hit construction industries, and an additional 150,000 jobs in related industries.

''Perhaps most important, we will be preserving for future generations of Americans a highway system that has long been the envy of the world and has truly made the average American driver king of the road.

''Thanks for listening, and until next time, God bless you.''

That is a speech that could be given by any of us or by President Obama—and should be. Congress did return after that holiday, and President Reagan and Tip O'Neill more than doubled the gas tax. What has not changed is that we haven't raised the gas tax in 22 years. It costs the average family $377 per year in damage to their cars.

If we increase the gas tax according to my proposal, H.R. 3636, it won't create 300,000 jobs; it will create 1.5 million family-wage jobs across the country.

Mr. Speaker, I understand people don't like the gas tax. I don't like the gas tax. I want to raise it, index it, and then abolish it and replace it with something that is sustainable. But in the meantime, raising the gas tax is the only viable approach, as verified by two Presidential commissions that reported to President Bush.

We have been asleep at the switch. It is time for us to step up. At a time of dramatically falling gas prices—23 cents on average in the last month, and they are projected to continue going down—now is the perfect time to step up, to raise the gas tax slowly over the next 3 years, rebuild and renew America, put family-wage jobs across the spectrum, and make our communities more livable, our families safer, healthier, and more economically secure.

All it takes is a little leadership and courage. Like Ronald Reagan and Tip O'Neill did 32 years ago, I think we can do that now, and we should.

RANGER CHAPLAIN

The SPEAKER pro tempore (Mr. POE of Texas). The Chair recognizes the gentleman from Georgia (Mr. COLLINS) for 5 minutes.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to speak on something very dear to my heart. The duty of a military chaplain is to help guide the hearts and minds of the soldiers that he serves with or she serves with, and that comes from a perspective of a background of their own faith, but also the respect of the faiths of others that they serve with, making sure that all feel a responsibility to not only do their job, their mission, but also to themselves, that they are being all that they can be in their own careers, in their own missions.

But just again, here we go again, as the old saying goes. Recently, in my district, an Army chaplain gave a suicide awareness and prevention brief as required by the Army and received a letter of concern in his official record. A letter of concern is a means to admonish a soldier's actions.

The chaplain did not infringe upon anyone's rights, did not receive any complaints from anyone being briefed that day; but after the chaplain's actions were reviewed, he was considered to have not violated any Army regulation or policy, yet his negative counseling remains, simply because at a time in which our society is dealing with soldiers and airmen who are struggling with depression and struggling with suicide rates, he had the audacity to share his own experience with depression and how his faith helped him.

What is a chaplain supposed to do except to share from his own heart in a way that is encouraging to others whether they have faith or no faith? I hope—no, I pray—this counseling record will reflect soon his innocence.

The Military Association of Atheists & Freethinkers decided to characterize the chaplain's briefing as evangelism in mental health training. The MAAF goes on to say that receiving Christian doctrine as a way to combat depression and suicidal thoughts would increase the amount of suicides in the military. This statement belittles the belief of soldiers who feel their faith may help them through difficult and troubling times.

Apparently, the MAAF feel only their systems of beliefs are worth propagating and any others are irrelevant, if not damaging, to a soldier's emotional health.

As a military chaplain, all I have to say to the MAAF is that if it protects and helps someone value life, keep their own life, then what they need to do is be reminded that they have an opinion, and so does everyone else.

It is time that they lived up to their own thoughts, that thoughts matter, and that what this chaplain did should be reversed. It should not reflect on his record. When you have someone actually in the game trying to help, it is not the time for little people on the outside to criticize. They need to get a new direction and a new focus, and this chaplain needs to be restored and this letter removed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4924. An act to direct the Secretary of the Interior to enter into the Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, to provide for the lease of certain land located within Planet Ranch on the Bill Williams River in the State of Arizona to benefit the Lower Colorado River Multi-Species Conservation Program, and to provide for the settlement of specific water rights claims in the Bill Williams River watershed in the State of Arizona.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2917. An act to expand the program of priority review to encourage treatments for tropical diseases.

SUPPORTING THE ABLE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Dakota (Mr. CRAMER) for 5 minutes.

Mr. CRAMER. Mr. Speaker, my intention this morning was to get up and try to be eloquent when talking about the ABLE Act, Achieving a Better Life Experience, which we will vote on later today, but since yesterday, I have received four emails from parents in North Dakota whose words are far more eloquent than mine could ever be.

I will submit all of their words into the RECORD, but I want to share a few of the highlights from these important emails from my constituents.

Roxane Romanick writes:

How exciting that we are at this point where the dreams of the act passing may come true in the next days.

After writing a bit about the legislation itself, she writes this about her 15-year-old daughter, Elizabeth:

Due to her diagnosis of Down syndrome, she has the support of an individual education plan at school. The school will start working on a transition plan for her within a few months. Passage of the ABLE Act will mean that we can start a savings account for her in much the same way that we did for her brother.

Jamie Christensen writes:

Every parent of a child with special needs has a unique journey, but one thing is universal. We try to do the best we can to ensure a life well-lived for our child. Our unique journeys have another similarity—many of us agonize about the future.

She talks about their journey with their 7-year-old son, Grady, who has crystal blue eyes and a full head of hair. She writes:

Like many families, we want to care for our children equally, doing what we can to give them tools to help them reach their full potential. Shortly after Grady was born, I opened a 529 College SAVE account for Grady's big sister. It was then that I realized I had no idea how to plan for Grady's future. The ABLE Act is a huge step forward in easing this anxiety.

Aaron and Rachel Schuler from Bismarck, who I know very well, have a 4-year-old daughter, Ella. Actually, Ella will turn 4 years old on Christmas Eve. Ella has two siblings, Isaac and Clara. They talk about Ella with great hope. They write:

She will be a crazy teenager, graduate and go to college, work a full-time job and have a real, meaningful relationship. We believe this for her. That is what makes the ABLE Act so important to Ella and to people all over our great country. It will help her reach and fulfill the goals she desires.

How awesome.

And just while I have been sitting here in the Chamber, Marijo Schwengler of Fargo writes about their journey, about their 2-year-old son, David, one of four sons, who is diagnosed with Down syndrome. She writes:

I pray that seven weekly therapy appointments with an early intervention teacher, physical therapist, occupational therapist, and speech therapist will help him be the best that he can be. We dream big for David. Why shouldn't we?

Indeed, why shouldn't they? But she cites this fact:

David must remain ''poor'' in order to receive the services he needs. The ABLE Act would mean that we could start saving for David's future today.

What an awesome promise that is.

My words would be inadequate, Mr. Speaker, but I submit these and the extended comments in these emails that I received in the last two days on behalf of Elizabeth and Grady and Ella and David and their peers, the thousands and thousands of families around our country who, in many respects, have a bias against them because they are disabled or have disabled children.

The ABLE Act that we will vote on this afternoon, Achieving a Better Life Experience Act, will go a long ways toward leveling that playing field, improving their lives, and improving the lives of our entire country.

DESIGNER GENES,
A DOWN SYNDROME SUPPORT NETWORK,
December 2, 2014.

Hon. KEVIN CRAMER,
Washington, DC.

DEAR REP. CRAMER: Many thanks to you and everyone in your office for all of the work that you've done on the Achieving a Better Life Experience (ABLE) Act. How exciting that we are at this point where the dreams of the act passing may come true in the next days.

As you know, Designer Genes of North Dakota has been actively following the progress of the ABLE Act with many of our other Down syndrome association partners across the country. We believe that the opportunities that the ABLE Act affords to our individuals with Down syndrome will make a world of difference to their futures.

Last spring, my own daughter, Elizabeth, turned 15. Due to her diagnosis of Down syndrome, she has the support of an Individual Education Plan at school. Required by law, the school will start working on a transition plan for her within a few short months. Passage of the ABLE Act will mean that we can start a savings account for her in much the same way that we did for her brother. For too long we've treated individuals with significant disabilities with an institutional bias meaning that their need for support and care is based on old history of requiring institutionalization which included extreme poverty. Since birth, Elizabeth has had the opportunities afforded to her by the Individuals with Disabilities Education Act and the Americans with Disabilities Act and has been fully included in her community. These two laws establish support without impoverishment and help to equal the playing field for persons with disabilities. The ABLE Act will now do the same because it recognizes that needing support is inherent to persons with disabilities but does not require that they should live a life without realizing their hope and dreams.

Elizabeth is a go-getter. Every day she has a new dream and just yesterday she was googling recording equipment on the internet because she's decided she wants to own a recording studio. I have no idea where this dream has come from but it's very real. She's convinced she's moving out of the house when she's 18 and heading to college. I wish with all my might that the dream will come true for her (well maybe not the moving out of the house part). These dreams come because every day she walks, learns, and belongs beside her peers at Century High School, because someone fought for her right to do so.

Thank you for your work on this effort, Rep. Cramer!

ROXANE ROMANICK.

Every parent of a child with special needs has a unique journey, but one thing is universal. We try to do the best we can to ensure a life well-lived for our child. Our unique journeys have another similarity—many of us agonize about the future.

Our journey includes being blessed seven years ago with a beautiful baby boy with crystal blue eyes and a massive amount of blonde hair. His name is Grady and he has Down syndrome. Like many families, we want to care for our children equally, doing what we can to give them tools to help them reach their full potential. Shortly after Grady was born, I opened a 529 College SAVE account for Grady's big sister. It was then that I realized I had no idea how to plan for Grady's future.

After attending informational sessions, agonizing over it and meeting with a lawyer, we learned that we really had little to no options to help ensure a life well-lived for Grady. A few years later I lost my dad who was just 56, and my anxiety heightened. Just what would Grady's future look like if my husband and I died?

The ABLE Act is a huge step forward in easing this anxiety. It comes down to simple things, like making sure there is enough money for things like his over-the-counter allergy medicine and expensive lotion that are not covered by insurance, and assistive technology if communication continues to be a struggle for him into adulthood. And it means really big things, too, such as allowing us to dream about a future that could include college, work and independence. This dream just became more real because we now have a vehicle to save for supports such as education, housing, a job coach and transportation.

And specifically for Grady, it allows him some of the same rights and opportunities to work and save for his own future, just like the rest of his peers. Doing so will help him to reach his full potential, ensuring a life well-lived that all parents want for their children.

JAMIE CHRISTENSEN.

Our daughter Ella was born on Christmas Eve just about 4 years ago. Her birth was both shocking and confusing as she was born with Down Syndrome. Quickly we began to realize what a blessing she is through her smile, laugh, and genuine love for others. While we understand that Ella's life will carry certain hardships, we know that she is an absolute gift and bright light to this entire world. Our lives have been fully enriched by Ella and we plan to give her every opportunity to grow and chase her dreams. She will be a crazy teenager, graduate and go to college, work a full-time job, and have real meaningful relationship. We believe this for her.

That is what makes the Able act so important to Ella and to people all over our great country. Our goal from the beginning is to provide every opportunity for Ella. The Able Act will help her to reach and fulfill the goals she desires to do. We must do everything we can to protect the benefits Ella and others with Down Syndrome will receive, while giving them every opportunity in life.

AARON SCHULER.

Last night at supper table, I told my family of 6, I am going to write a letter of support for the ABLE Act. They asked why so I told them. Without even considering that David's disability may limit his workability, my 8 and 10 year olds replied, ''Well mom, if David can't save his own money when he is older [he is 2 years old now], can't he just give us his money and then we can save it for him. And when he needs his money we can give it back to him?'' Hmmmm. . . .

My name is Marijo Schwengler and I am mom of 4 wonderful boys ages 10, 8, 5, and 2. My youngest son David has Down syndrome. My husband and I were not expecting this diagnosis and we were not prepared. At first, we cried and mourned the loss of the dreams we had had for him. We did not understand what it means to have Down syndrome. We worried about how we would tell his older brothers. I worried about my older sons hating me because we have now burdened them with a 'special needs' brother. As scared as we were we promised to love David and give him the best of everything just like his older brothers.

In the days, weeks, months, following David's birth, we've learned he was just like our other boys he just does things on his schedule. He plays, he wrestles, he cries, he knows what he likes and doesn't like. He

loves books, balls, and super heroes. He knows over 30 sign language words. And just like my other children at his age, I do not know where his cognitive ability will be when he grows up. What I do know is all individuals with Down syndrome experience some kind of cognitive delay. I pray that 7 weekly therapy appointments with an early intervention teacher, physical therapist, occupational therapist and speech therapist will help him be the best that he can be. We dream BIG for David! Why shouldn't we?

My son is young and only time will tell what services and programs he may or may not need when he is an adult But one message is clear: David must remain 'poor' in order receive the services. Even if the services may not provide for all his needs adequately. We can't save for David in the same way we can for his brothers. We can't teach David to save his money. As child, I grew up in family that lived paycheck to paycheck, I promised myself to change that for my kids. lam in a position to do that but David's little extra chromosome prevents me from saving in a 529 for him or letting him have his own little savings account at the local bank

The ABLE Act would mean that we could start saving for David's future today. We could teach David the importance of saving We could make sure that David's brothers do not have to feel financially burdened by the cost of taking care of their littlest brother The fear of my son's hating me because of David's Down syndrome was silly, his brothers love him to pieces and they would do anything for him. David and everyone with Down syndrome or any other special need deserves the right to save money for their future. Even my 8 and 10 year old boys get it! Please pass the ABLE Act.

MARIJO, JASON, JACOB,
ANDREW, SIMON AND
DAVID SCHWENGLER,
Fargo, ND.

CONGRATULATING ROBERT CASHELL ON HIS RETIREMENT

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The Chair recognizes the gentleman from Nevada (Mr. AMODEI) for 5 minutes.

Mr. AMODEI. Mr. Speaker, I rise today to commemorate the retirement of a member of Nevada's public service varsity team, Reno mayor Bob Cashell. Bob was not a native of Nevada, but like most people in Nevada, he got there as quick as he could.

He has been there for a long time and has had various titles during his public service career: chairman of the board of regents of the university system, Lieutenant Governor of the State of Nevada, and finally—maybe finally—as the mayor of the city of Reno.

Bob is one of those folks who is blessed with vision that does not have many shades of gray. It is pretty black and white with the mayor when you talk to him, whether formally, informally, or whatever.

Words like ''gosh'' and ''gee whiz'' are not used in his vocabulary much. He possesses an incredible volume to his voice, uses it often, and is happy to share with you his thoughts.

Bob also has the support of an outstanding family: his wife and partner in life, Nancy, and his sons. His family has been key in terms of the fabric of the community of Truckee Meadows in northern Nevada for half a century or more.

In the resort hospitality industry, Bob was involved with properties, ownership-management—whatever—in Reno, Winnemucca, Carson City, and that little town where they do a little bit of the gaming business in the south known as Las Vegas. He was an outstanding participant in all of those.

A native of the Lone Star State, we were lucky to have Mayor Cashell come and make Nevada his home for all of his adult life and raise his family. Mr. Speaker, I thank Bob Cashell very much for his public service.

We appreciate it, and I look forward to hopefully being able to speak about him not here on the floor of the House of Representatives, but in a roast in the Truckee Meadows some time where I can pay him back for when he spoke at my roast upon my retirement from the legislature.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Eung Yul David Ryoo, Korean Central Presbyterian Church, Centreville, Virginia, offered the following prayer:

Merciful God, we give our thanksgiving and praise to You, the triune God and the Creator of the universe, for offering salvation through Jesus Christ and guidance through the Holy Spirit.

We pray that humankind would be united in mutual brotherhood under Your love. We pray for Your blessing upon the United States of America, so that it would live according to Your Word as one Nation under God.

Bless the Members of the House of Representatives who have gathered here today. Etch within their hearts a fierce calling towards their motherland, within their heads the wisdom to complete their tasks with integrity, and within their lives the courage to sacrifice for the people of our country.

We pray that all here would experience the glorious joy of serving this country and its people with all that You have bestowed upon them.

We pray in the name of Jesus.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. FOXX. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

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

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. PAYNE) come forward and lead the House in the Pledge of Allegiance.

Mr. PAYNE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND EUNG YUL DAVID RYOO

The SPEAKER. Without objection, the gentleman from Virginia (Mr. CONNOLLY) is recognized for 1 minute.

There was no objection.

Mr. CONNOLLY. Mr. Speaker, I am pleased to join you in welcoming our pastor, Pastor Ryoo, from the Korean Central Presbyterian Church, located in Centreville, Virginia, and the 11th Congressional District, for today's invocation.

This church has been active in our community since it was founded 41 years ago in Vienna. Prior to my election to Congress, I served as chairman of the Fairfax County Board of Supervisors, where I had the opportunity to collaborate with the congregation on the construction of its new sanctuary and on many of its activities throughout our community.

Within its many outreach ministries, the church founded a senior center 20 years ago, offering meals, recreation, skills training, and computerization for our senior population.

Under the direction of Heisung Lee, the center is now independently run and has been recognized by the Commonwealth of Virginia and the Republic of Korea as an outstanding volunteer organization.

This and the many other activities of the congregation exemplify the tremendous contributions the Korean American community are making throughout the United States.

Mr. Speaker, I am proud to represent one of the most vibrant Korean American communities in the United States and to continue our partnership here in Congress as cochair of the Korea Caucus.

I thank you, again, for joining us in welcoming Pastor Ryoo who, I think, really is emblematic of the success of the immigrant population in the United States. He represents our future.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KINGSTON). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

ISRAEL

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today, I rise to acknowledge the special relationship between the United States and Israel.

This year, we have witnessed yet another ugly chapter in the history of Israel's enduring fight to defend her sovereign borders and protect her people from terrorist attacks.

On August 1, Congress approved a measure to deliver an additional $225 million in aid to Israel, with the aim of replenishing funds for the Iron Dome antimissile defense system in the midst of the conflict between Israel and Hamas.

It was absolutely the right thing to do because America's national security interests are directly tied to developments in the Middle East and specifically to Israel's own security. Strategic cooperation between the U.S. and Israel is vital to the well-being of both countries.

The simple truth is, throughout history, Israel has made numerous concessions in the pursuit of peace while seeking only the right to exist. The country is a beacon of democracy in a sea of violence and hostility, and its ability to function and defend itself against terrorism is in no small part due to the support from the United States.

GAS TAX PRESS CONFERENCE

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, 1 year ago today, I introduced the first gas tax increase in 21 years. The only thing that has changed in that year is that the need is greater and the path forward is even easier. Everyone knows that America is falling apart and falling behind while gas prices have dropped dramatically.

I am joined this afternoon by Ronald Reagan who 32 years ago, on Thanksgiving, made a powerful radio address, explaining why he more than doubled the gas tax—actually, a user fee, he pointed out. The same speech could and should be made by President Obama tomorrow.

I urge you, my colleagues, to join me and Ronald Reagan in fixing the bankrupt highway trust fund, increasing the gas tax so we can rebuild and renew America and put hundreds of thousands of people to work at family-wage jobs all across this great land.

With the need getting worse and gas prices falling, there will never be a better time. All it takes is a little leadership and courage from the President and Congress.

THE ABLE ACT

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, I rise today in support of the ABLE Act.

I am a cosponsor of this bill because I believe that we need to make it easier for families with individuals with disabilities to save money for their care and to not be penalized for doing so. This legislation also makes an important improvement to 529 plans that will give parents more control over their children's savings.

It is rare for a bill to gain as much bipartisan support in both the House and the Senate as the ABLE Act has. This is because advocates for the ABLE Act have worked tirelessly over the past several years to ensure that it crosses the finish line.

I am pleased that many of them are here today, and I congratulate them on their hard work.

HONORING ENI FALEOMAVAEGA

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Mr. Speaker, I rise today to recognize and honor my colleague and friend, Congressman ENI FALEOMAVAEGA of American Samoa.

ENI has served on Capitol Hill for nearly four decades, starting as a congressional staff member and eventually being elected to Congress for 13 straight terms.

Throughout his distinguished career, ENI has broken many barriers. He is the first Asian Pacific American ever to chair the Foreign Affairs Subcommittee on Asia and the Pacific, and he is the longest-serving Samoan Member of Congress. He is also a Vietnam war veteran; an author; a musician; and a devoted husband, father, and grandfather.

Over the years, I have had the privilege to work with ENI through the Congressional Asian Pacific American Caucus, and I have witnessed firsthand his unwavering commitment to the well-being of his constituents and to the broader Asian Pacific American community.

Thank you, ENI, for your lifetime of leadership and service. I wish you all the best.

IN TRIBUTE TO MARION RAMSEY

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to acknowledge the retirement of Marion Ramsey of Rogers, Arkansas, and the closing of her business, Marion's Donuts, that became part of my daily routine 35 years ago.

The ''doughnut shop,'' as I affectionately called it, was my favorite place to catch up on the latest city news—oftentimes, just plain ole gossip—and hear about the aches and pains and the latest trials and tribulations of those who frequented the establishment over time.

I have taken my boys there since birth, and it was nostalgic for all three of them to join me last Sunday, her last day of business, for old times' sake.

The Bible tells us there is a season for everything. I am sad that the ''season'' has come and gone for Marion's Donuts because, while I will find another place for my morning coffee, I am not sure how I will fill the void on the friendships forged down through the years.

Enjoy your retirement, Marion. Your customers are grateful for our time together.

PEARL HARBOR DAY

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, this Sunday, December 7, is the 73rd anniversary of the attack on the American naval base at Pearl Harbor. That day, over 2,000 American soldiers and sailors lost their lives, and another 1,000 were wounded.

South Buffalo native, Army Corporal Earl Wickett, witnessed the horrors of that day; fought bravely for this Nation; and was fortunate to make it back, raise a family, and serve his community as a Buffalo firefighter. Sadly, Earl passed away this year, but his stories and the bravery of all of those who served that day must always be remembered.

On Sunday, West Seneca American Legion Post 735 will be among those recognizing Pearl Harbor Day and honoring the promise to never forget the sacrifices and service of those who were there on that day.

Today, I join them and others in paying tribute to all of those who faced the unthinkable at Pearl Harbor, to survivors, like Earl Wickett, and to the many who never made it back.

THE ABLE ACT

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I rise in support of the ABLE Act, with over 380 cosponsors.

It is a wonderful piece of legislation that is going to help American families, and there is a key provision of this act which is going to fix a broken problem. I came to Congress to fix broken problems with commonsense solutions.

Earlier this year, this body, the Senate, and the President passed the water resources bill, which fundamentally fixed the problem of the inland waterway trust fund, but it was still underfunded.

I want to thank colleagues on both sides of this House for working with me—for working hard—to get an industry-supported user fee of 9 cents. What that will mean is that locks like the Chickamauga Lock in Chattanooga, which is near and dear to our district, and locks all over this country will now be able to be properly funded in the way in which they were intended.

Together, we can work hard to fix these problems. I urge the support of the ABLE Act, and I thank my colleagues for working hard to support this industry-supported user fee.

□ 1215

IMMIGRATION REFORM

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, more than 18 months ago, the Senate passed a comprehensive and bipartisan immigration bill that would strengthen neighborhoods across the country, further secure our borders, inject certainty into our economy, boost our STEM and tech community, create jobs, protect employers, keep families together, our deficit would be reduced by nearly $1 trillion, and fix our Nation's broken immigration system. That was 18 months ago.

More than a year ago, we introduced H.R. 15, the Border Security, Economic Opportunity, and Immigration Modernization Act, which would have moved comprehensive immigration reform forward, a debate so far that has been dominated by partisan politics and obstruction.

All we are asking for is the chance to vote on the bill in this body, a simple up-or-down vote. That is all we ask. We are running out of time to act on immigration reform and pass legislation that an overwhelming majority of Americans have asked the House to approve for more than a year.

Again, I ask this body to put the interests of the country above those of party politics and give H.R. 15 the up-or-down vote it truly deserves.

McKINNEY, NUMBER 1 SMALL CITY IN AMERICA

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, Money magazine recently ranked America's best small cities. 781 cities were evaluated. The 35 top-scoring cities were visited by reporters. And wouldn't you know it, McKinney, Texas, was ranked number one as the best place in the United States to live.

It is worth noting that McKinney joined the list in 2008 and has steadily climbed each year. As Money magazine stated: ''Underlying McKinney's homey southern charm is a thoroughly modern city. The area is a hotbed for growth-industry jobs.''

McKinney certainly embodies its motto, ''Unique by Nature.'' It is both a business-friendly and family-friendly place. And perhaps most significant, it places emphasis on both preserving history and ensuring a vibrant future.

I am proud to represent McKinney and the Third District of Texas. McKinney deserves this honor. It is my privilege to recognize their outstanding service to the community.

POLICE BODY CAMERAS

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, hands up; don't shoot.

The recent events in Ferguson have brought to light many of the problems that still exist in our Nation: racial divides, mistrust of law enforcement, a judicial system that disproportionately incarcerates black men, and the unfortunate way that we view one another—not as Americans, but as us versus them.

I am encouraged by President Obama's initiative that will help purchase body cameras for police departments. This will increase accountability of law enforcement, and it will protect our officers by deterring wrongdoing.

I am proud that the two cities in my district, Newark and Jersey City, are taking the lead to acquire cameras for their police officers, because members of the community deserve to feel law enforcement is protecting them and not out to get them; and, in turn, our protectors deserve to be protected as well. This will be a step in the right direction.

TRIBUTE TO AIR FORCE CAPTAIN WILLIAM H. DuBOIS

(Mr. TIPTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIPTON. Mr. Speaker, I rise today in honor of Air Force Captain William H. DuBois, whose life was tragically lost in support of Operation Inherent Resolve on December 1, 2014. Captain DuBois grew up in New Castle, Colorado.

On Monday, December 1, 2014, Captain DuBois took off from a U.S. coalition air base for a combat mission in Operation Inherent Resolve, when the F–16 he was flying began to experience mechanical problems. Captain DuBois attempted to return to the air base and was unable to eject before his plane crashed.

Captain DuBois was only 30 years old and was recently married to his wife, Ashley. The number of lives touched by this courageous young man are innumerable, and the love and memories he shared with his friends and family still linger today.

The death of Captain DuBois is an unfortunate reminder of the dangers our servicemen and -women face every day as they defend our country, as well as many sacrifices made to protect freedoms and our way of life.

Captain DuBois served his country with great distinction and honor, something that he always had dreamed of. He will be greatly missed by his family, friends, and his squadron.

Mr. Speaker, it is an honor to recognize Captain William H. DuBois. His dedication to our country and the way he selflessly lived his life serve as an inspiration to a grateful Nation as well as the State of Colorado.

PORT NEGOTIATIONS

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise to acknowledge the hardworking men and women employed at our west coast ports who are responsible for two-thirds of our Nation's international trade. Their hard work supports 5 million jobs nationwide and is the lifeblood of our economy.

But they have been working for months without a contract and without knowing what the future holds for them. Contract negotiations are ongoing, and I encourage both sides to stay at the table. Failure to resolve their differences could be traumatic for our economy, and I sincerely hope that it will not come to that.

Many people are aware that we still have congestion issues at our ports. There are clearly underlying problems that must be addressed, but it is important to keep in mind that these issues will still exist even if a contract agreement is reached today.

Our ports drive our Nation's economy, and it is critical that we find solutions to the congestion issues at our ports and in our overall freight network.

NATIONAL MINERS DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today as the proud grandson of Oscar Thompson, a surface miner, to recognize National Miners Day, which is celebrated on December 6. On this day, we recognize the important role our Nation's miners continue to play across the Nation.

In the Commonwealth of Pennsylvania, my home State, the mining industry—the coal industry, in particular—is a vital contributor to the State's economy, with direct, indirect, and induced impacts that are responsible for family-sustaining jobs and billions in economic output. In 2011, Pennsylvania produced more than 67 million tons of coal from close to 500 mines, making it the fourth-largest producer of coal and the second-largest producer of electricity among all the States.

Today, coal is used to generate more electricity than any other resource in Pennsylvania, being responsible for 44 percent of the State's electricity generation.

On National Miners Day, we commemorate the work and sacrifice of miners, past and present, and recognize the contributions they make to our economy, the Nation's energy security, and our shared prosperity.

THE AMOS HOUSE

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise to salute the work of Amos House and its mission to end hunger and homelessness in my home State of Rhode Island. Having just celebrated Thanksgiving, it is a good reminder of how important it is to remember those who are less fortunate and to give back to the communities we live in.

Led by Eileen Hayes, Amos House and its dedicated staff give back to Rhode Island every single day and provide life-giving services to those most in need. Since its founding in 1976, Amos House has grown from a small soup kitchen to a vibrant and essential multiservice center. This week I was proud to help break ground on a new project that will give Amos House a new home and help this wonderful organization further its important work.

Amos House serves hundreds of meals daily to the hungry, provides shelter for homeless men and women, substance abuse counseling, job training, and money management classes. I salute Amos House, Eileen, and her hardworking staff for the important contributions they make to those most in need in my home State of Rhode Island.

CELEBRATING FORMER REPRESENTATIVE RALPH REGULA'S 90TH BIRTHDAY

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, I rise today to celebrate the 90th birthday of former Representative Ralph Regula.

Ralph Straus Regula was born in Beach City, Ohio, on December 3, 1924. Prior to his election to Congress, Mr. Regula served in the United States Navy; worked as a schoolteacher and a principal in Stark County schools; and served in the Ohio State House, Senate, and on the Ohio State Board of Education. In 1973, Mr. Regula was elected to Congress and served 18 consecutive terms, until his retirement in 2009.

During his tenure in Congress, Mr. Regula served as chairman of the House Appropriations Subcommittee for Labor, Health and Human Services, and Education, where he worked across party lines to improve educational opportunities, workforce training programs, and health care. He was a passionate advocate for research and the advancement of science.

Congressman Regula billed himself a ''regular'' guy. He was the son of a dairy farmer and part of a high school graduating class of only 25, where he developed a strong work ethic and love of community. Ralph loved serving here because he cared about people and helping improve the quality of their lives. In this House, he was a pragmatic leader willing to find solutions to tough problems.

I have personally known Ralph for over three decades and have many fond memories meeting with him both here and back in Ohio as my Congressman. Like many others, I have learned so much from Congressman Ralph Regula over the years. To that, I say thank you.

Today I ask my colleagues to join me in recognizing the great life and career of Mr. Ralph Regula, wishing him a very happy 90th birthday.

AFFORDABLE CARE ACT

(Ms. ADAMS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ADAMS. Mr. Speaker, I rise today in support of the Affordable Care Act. One year after implementing the health care exchanges, the number of uninsured in this country has decreased dramatically. North Carolina had one of the top five highest enrollments; and in my congressional district alone, the number of uninsured has declined by 14 percent, not to mention the incredible impact this legislation has had on the lives of working families.

Through the Affordable Care Act, 208,000 individuals in my congressional district now have access to health insurance. Young adults and college students can now stay on their parents' plans until age 26, which resulted in nearly 10,000 young adults retaining health insurance in my congressional district. Additionally, seniors in my district have received Medicare part D prescription drug discounts worth $11.1 million, and being a woman is no longer considered a preexisting condition.

The Affordable Care Act has had a dramatic effect on unemployment, creating 9.6 million private sector jobs. My congressional district's unemployment rate is 13.9 percent. So, for me, this is not only about health, but jobs and our economy.

These tangible benefits cannot be ignored. I urge my colleagues on the other side of the aisle to end talks of repeal and, instead, work with Democrats to strengthen the law to provide even greater access to health insurance. States like North Carolina must reconsider their decision to reject the Medicaid expansion. This purely political decision has had real effects, leaving half a million North Carolinians uninsured. As legislators, we should make the lives of our constituents better; and, Mr. Speaker, the Affordable Care Act is making the lives of our citizens better.

So I urge folks in my congressional district and around the country to take advantage of the open enrollment period and get insured. There are 77 new insurers offering coverage in 2015, and the deadline to sign up is February 15, 2015. Let's continue the progress that the Affordable Care Act has made and get more people covered.

AIR REFUELING GROUP RAINCROSS AWARD

(Mr. POMPEO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMPEO. Mr. Speaker, today I rise to congratulate the 931st Air Refueling Group—McConnell Air Force Base's reserve unit—on receiving the Raincross Trophy, which recognizes it as the best unit in the 4th Air Force.

I have spent a lot of time with the fantastic airmen out of McConnell, and I am not surprised, but I am extremely pleased to see that they have been granted this outstanding award. It is only fitting that the 931st has been selected as the first reserve unit in the Air Force to fly and maintain America's new KC–46 tankers. McConnell-based tankers flew nearly half of all missions of Air Mobility Command's total KC–135 flying hours over the past year, and many of this unit's soldiers and airmen were deployed in support of operations all around the world.

This award is a wonderful recognition of the hard work of Colonel Mark Larson, Chief Master Sergeant Kathleen E. Lowman, and all the men and women of the 931st Air Refueling Group.

I know I speak for all Kansans in saying we are proud of the 931st and the entire McConnell family. November Kilo Alpha Whiskey Tango Golf.

NATIONAL 3–D PRINTING DAY

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, I rise today to urge my colleagues to support my resolution to establish December 3 as National 3–D Printing Day. As an entrepreneur, myself, who built a manufacturing company from the ground

up, I know firsthand how invaluable this technology is. Advances in 3–D printing are creating unprecedented opportunities for entrepreneurs and manufacturers to develop new products and bring their ideas to life.

When I think of the long hours that my brother and I spent in the machine shop building parts for our first prototype, parts that could now be built quickly and easily with 3–D printing, it makes me envious of today's startups.

From biotechnology to food production to advanced manufacturing, 3–D printing is creating endless opportunities for innovation. Additionally, 3–D printing technology is a great teaching tool for students. There is nothing like the look of awe on students' faces as they watch a 3–D printer build something that they designed, something that started out as their idea that they can now hold in their hand. It is also a great way of teaching them the value of coordinate geometry.

So it is critical that we continue to develop this technology and recognize the importance in the modern economy and in inspiring the next generation to pursue careers in STEM and advanced manufacturing.

Again, I urge my colleagues to join me in recognizing December 3 as National 3–D Printing Day.

□ 1230

RECOGNIZING TOM BERTRAND AS THE 2015 ILLINOIS SUPERINTENDENT OF THE YEAR

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Tom Bertrand as the 2015 Illinois Superintendent of the Year. For the last 13 years, Mr. Bertrand has served as superintendent of the Rochester Community Unit District in Rochester, Illinois. In his time with Rochester, he has served the school district as a teacher, coach, principal, and assistant superintendent before taking on his current role.

His dedication to the students and his many accomplishments in his time with the Rochester district make him a deserving recipient of this award. He has developed a nationally recognized anti-bullying program and has worked to improve the use of technology in the school district by both students and faculty.

I am proud to represent Mr. Bertrand and the Rochester school district. His commitment to his students is something to be recognized. I thank him for his service to the district and his dedication to public education.

Mr. Bertrand, congratulations on being named the 2015 Illinois Superintendent of the Year.

EXPANDING EDUCATION SUPPORT FOR VETERANS

(Ms. TITUS asked and was given permission to address the House for 1 minute.)

Ms. TITUS. Mr. Speaker, as a country, we have a responsibility to help our veterans transition back from active military duty by giving them the tools they need to succeed in civilian life.

Sadly, far too many of the men and women who have sacrificed so much on our behalf return home to find they must struggle to get housing, secure employment, and provide for themselves and their families. We can and must do better. That is why I am proud to partner with my Republican colleague, DAVID MCKINLEY, to introduce legislation that honors our commitment by providing resources to help veterans pursue higher education and gain the skills and training they need to succeed in STEM careers.

The ability to analyze, communicate, and motivate—honed during their military training—makes veterans ideal candidates in the fields related to science, technology, math, and engineering. With growth in the STEM fields for jobs that are expected to outpace other professions in the next two decades, this legislation will help to meet the demands for the high-skilled workforce that we need to be competitive in the global economy.

So I would urge my colleagues to join Mr. MCKINLEY and me in upholding our promise to our Nation's heroes and support the GI Bill STEM Extension Act of 2014.

SUPPORTING ALZHEIMER'S RESEARCH

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, like many Americans, I am all too familiar with Alzheimer's, having lost my mom to complications from this dreadful disease nearly 4 years ago.

The Alzheimer's Association reports that over 5 million Americans are living with Alzheimer's, including nearly half a million in my home State of Florida.

Alzheimer's not only impacts seniors and their families, it is costing our Nation billions of dollars every year, with only a fraction of 1 percent of these costs spent on research toward better treatment options and potential cures. Our seniors, their loved ones, and their caregivers deserve better. American taxpayers deserve better.

Mr. Speaker, I urge everyone to go to alz.org and learn more about Alzheimer's and how new research can help make a big difference in improving the lives of patients, their families, and America's budget.

ISRAEL

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Mr. Speaker, I rise today about my concern for the safety and security of Israel, the Middle East, and the U.S.

Negotiations for Iran to end its pursuit of a nuclear weapon were recently extended without assurances that Iran would slow or abandon this program. This delay tactic also allows Iran to escape many economic sanctions. This should be of grave concern to Americans who care about the regional security of the Middle East.

Mr. Speaker, I respect the administration's goals and intent during these negotiations, but I urge that we continue to utilize all methods of influence throughout negotiations. We must fully use diplomacy, legal sanctions, and economic pressure to move toward a peaceful and secure situation in this critically important region to the world and our country.

THE THREAT OF A NUCLEAR IRAN

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise to express concern over the state of our negotiations with Iran and the threat of Iranian nuclear capability.

I am disappointed and extremely concerned with the extension of negotiations over Iran's nuclear program and the continued relaxing of economic sanctions against Tehran. Every day that we ease sanctions or fail to apply new ones is another day Iran races toward a nuclear weapons capability.

Iran currently has 10,000 operational centrifuges, each working hard toward a nuclear Iran. As the administration continues to cede ground in this area of negotiations, we must remember that Iran has threatened America and called for the total annihilation of our ally, Israel. The instability and unrest in this region would only be compounded should Iran achieve its goals.

Sanctions brought Iran to the negotiating table in the first place, and these sanctions must be strengthened to convince them to stop their treacherous quest for nuclear weapons. I believe Congress must put renewed pressure on Iran. The Senate needs to pass the Nuclear Weapon Free Iran Act before going home. We cannot allow Iran to hold the world hostage with nuclear weapons. Now is the time to act.

NAHASDA

(Ms. HANABUSA asked and was given permission to address the House for 1 minute.)

Ms. HANABUSA. Mr. Speaker, yesterday, this body reauthorized the Native American Housing Assistance and Self-Determination Act of 1996, a true

bipartisan effort and, more importantly, the right thing to do for all our Native people.

In it we reauthorized title 8, which addressed the Native people of my State, the Native Hawaiians. NAHASDA had expired for Native Hawaiians in 2005, and it has taken almost 10 years to make this right. Now they are authorized to the year 2019.

Home, land, or ''Aina,'' as it is called in Hawaiian, is critical to all people, especially our Native people. This Congress in 1921 passed the Hawaiian Homes Commission Act of 1920, and this reauthorization will bring us closer to meeting the dreams of those who are 50 percent blood quantum or more.

I thank my colleagues for the voice vote and ask them to join me in asking the Senate to pass this reauthorization for housing assistance for all Native people.

ISIL THREATENS AMERICAN MILITARY FAMILIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Sunday both the FBI and the Department of Homeland Security issued warnings to American military personnel regarding possible attacks by ISIL here at home. Sadly, this comes after Homeland Security Secretary Jeh Johnson incorrectly announced in New York on September 14, ''At present we have no credible information that ISIS is planning to attack the homeland of the United States.'' The Secretary was wrong on the attacks, and equally, he has been wrong on the unconstitutional review of illegal aliens, which destroys jobs.

I appreciate yesterday national radio talk show host Kim Komando, the Digital Pro, who restated the FBI and DHS warnings of ISIS threats here in America to military families. She is a dedicated friend of the military.

The President should identify and stop the grotesque threats to conduct mass murder of American military families on U.S. soil.

In conclusion, God bless our troops, and the President should take action to never forget September the 11th in the global war on terrorism.

Our sympathy to the family of Captain William H. DuBois of Shaw Air Force Base, South Carolina.

LONG-TERM TAX POLICIES

(Ms. CLARK of Massachusetts asked and was given permission to address the House for 1 minute.)

Ms. CLARK of Massachusetts. Mr. Speaker, over the Thanksgiving holiday, I was able to spend time not only with my extended family but with the families of my district. And it struck me—not for the first time—how disconnected much of the conversation in Washington is from the concerns of typical families.

At the beginning of this week, we had an opportunity for a bipartisan agreement on making tax credits for working families permanent. But that has been derailed by cynical posturing.

In 2012, the earned income tax credit and the child tax credit helped lift 10.1 million people out of poverty. These programs work for working families. But instead of voting on a broader bill today to help working families and businesses alike, we are kicking the can down the road once again. This is a process that benefits the status quo and holds the needs of working families hostage to another time when it is politically convenient—and it is no way to govern.

Mr. Speaker, I urge my colleagues on both sides of the aisle to continue working towards long-term tax policies that will help families who cannot afford to wait any longer for Congress to do right by them.

FISCAL INSANITY

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, I am discouraged to stand here and to announce a milestone that we reached recently, a very discouraging milestone, and that was in the last few days we have now surpassed $18 trillion in debt. If you want to know how much money that is, take every American taxpayer, from the young man who just got his first job to every mother and father who are struggling to take care of their families, and give them a bill for $150,000. It is simply unsustainable.

If we continue down this current path, we will commit fiscal national suicide by our spending and our debt. Remember, a nation that is bankrupt cannot provide for the security of its people, a nation that is bankrupt cannot provide for the needy among them, and a nation that is bankrupt cannot provide for the children in the next generation.

Now is the time to restore fiscal sanity. We must have the courage to reclaim the American Dream. Tax reform, entitlement reform, and a balanced budget—we must have the courage to make these a reality. But we can fix this. We must fix this. I hope we will have the courage to do this, even if it is hard.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

HOWARD COBLE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2014

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5769) to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5769

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Howard Coble Coast Guard and Maritime Transportation Act of 2014''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is the following:

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for fiscal year 2015 for necessary expenses of the Coast Guard as follows:

(1) For the operation and maintenance of the Coast Guard, $6,981,036,000.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, $1,546,448,000, to remain available until expended.

(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, $140,016,000.

(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance), $16,701,000, to remain available until expended.

(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard's mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, $19,890,000.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Alteration of Bridges Program, $16,000,000.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 43,000 for fiscal year 2015.

(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads for fiscal year 2015 as follows:

(1) For recruit and special training, 2,500 student years.

(2) For flight training, 165 student years.

(3) For professional training in military and civilian institutions, 350 student years.

(4) For officer acquisition, 1,200 student years.

TITLE II—COAST GUARD

SEC. 201. COMMISSIONED OFFICERS.

Section 42(a) of title 14, United States Code, is amended by striking ''7,200'' and inserting ''6,900''.

SEC. 202. COMMANDANT; APPOINTMENT.

Section 44 of title 14, United States Code, is amended by inserting after the first sentence the following: ''The term of an appointment, and any reappointment, shall begin on June 1 of the appropriate year and end on May 31 of the appropriate year, except that, in the event of death, retirement, resignation, or reassignment, or when the needs of the Service demand, the Secretary may alter the date on which a term begins or ends if the alteration does not result in the term exceeding a period of 4 years.''.

SEC. 203. PREVENTION AND RESPONSE WORKFORCES.

Section 57 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by striking ''or'' at the end;

(B) in paragraph (3) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

''(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.'';

(2) in subsection (c) by striking ''or marine safety engineer'' and inserting ''marine safety engineer, waterways operations manager, or port and facility safety and security specialist''; and

(3) in subsection (f)(2) by striking ''investigator or marine safety engineer.'' and inserting ''investigator, marine safety engineer, waterways operations manager, or port and facility safety and security specialist.''.

SEC. 204. CENTERS OF EXPERTISE.

Section 58(b) of title 14, United States Code, is amended to read as follows:

''(b) MISSIONS.—Any center established under subsection (a) shall—

''(1) promote, facilitate, and conduct—

''(A) education;

''(B) training; and

''(C) activities authorized under section 93(a)(4);

''(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established; and

''(3) perform and support the mission for which the center was established.''.

SEC. 205. PENALTIES.

(a) AIDS TO NAVIGATION AND FALSE DISTRESS MESSAGES.—Chapter 5 of title 14, United States Code, is amended—

(1) in section 83 by striking ''$100'' and inserting ''$1,500'';

(2) in section 84 by striking ''$500'' and inserting ''$1,500'';

(3) in section 85 by striking ''$100'' and inserting ''$1,500''; and

(4) in section 88(c)(2) by striking ''$5,000'' and inserting ''$10,000''.

(b) UNAUTHORIZED USE OF WORDS ''COAST GUARD''.—Section 639 of title 14, United States Code, is amended by striking ''$1,000'' and inserting ''$10,000''.

SEC. 206. AGREEMENTS.

(a) IN GENERAL.—Section 93(a)(4) of title 14, United States Code, is amended—

(1) by striking '', investigate'' and inserting ''and investigate''; and

(2) by striking '', and cooperate and coordinate such activities with other Government agencies and with private agencies''.

(b) AUTHORITY.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 102. Agreements

''(a) IN GENERAL.—In carrying out section 93(a)(4), the Commandant may—

''(1) enter into cooperative agreements, contracts, and other agreements with—

''(A) Federal entities;

''(B) other public or private entities in the United States, including academic entities; and

''(C) foreign governments with the concurrence of the Secretary of State; and

''(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.

''(b) DEPOSIT AND USE OF FEES.—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93(a)(4).''.

(c) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''102. Agreements.''.

SEC. 207. TUITION ASSISTANCE PROGRAM COVERAGE OF TEXTBOOKS AND OTHER EDUCATIONAL MATERIALS.

Section 93(a)(7) of title 14, United States Code, is amended by inserting ''and the textbooks, manuals, and other materials required as part of such training or course of instruction'' after ''correspondence courses''.

SEC. 208. COAST GUARD HOUSING.

(a) COMMANDANT; GENERAL POWERS.—Section 93(a)(13) of title 14, United States Code, is amended by striking ''the Treasury'' and inserting ''the fund established under section 687''.

(b) LIGHTHOUSE PROPERTY.—Section 672a(b) of title 14, United States Code, is amended by striking ''the Treasury'' and inserting ''the fund established under section 687''.

(c) CONFORMING AMENDMENT.—Section 687(b) of title 14, United States Code, is amended by adding at the end the following:

''(4) Monies received under section 93(a)(13).

''(5) Amounts received under section 672a(b).''.

SEC. 209. LEASE AUTHORITY.

Section 93 of title 14, United States Code, is amended by adding at the end the following:

''(f) LEASING OF TIDELANDS AND SUBMERGED LANDS.—

''(1) AUTHORITY.—The Commandant may lease under subsection (a)(13) submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that subsection with respect to lease duration.

''(2) LIMITATION.—The Commandant may lease submerged lands and tidelands under paragraph (1) only if—

''(A) lease payments are—

''(i) received exclusively in the form of cash;

''(ii) equal to the fair market value of the use of the leased submerged lands or tidelands for the period during which such lands are leased, as determined by the Commandant; and

''(iii) deposited in the fund established under section 687; and

''(B) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.''.

SEC. 210. NOTIFICATION OF CERTAIN DETERMINATIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 103. Notification of certain determinations

''(a) IN GENERAL.—At least 90 days prior to making a final determination that a waterway, or a portion thereof, is navigable for purposes of the jurisdiction of the Coast Guard, the Commandant shall provide notification regarding the proposed determination to—

''(1) the Governor of each State in which such waterway, or portion thereof, is located;

''(2) the public; and

''(3) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(b) CONTENT REQUIREMENT.—Each notification provided under subsection (a) to an entity specified in paragraph (3) of that subsection shall include—

''(1) an analysis of whether vessels operating on the waterway, or portion thereof, subject to the proposed determination are subject to inspection or similar regulation by State or local officials;

''(2) an analysis of whether operators of commercial vessels on such waterway, or portion thereof, are subject to licensing or similar regulation by State or local officials; and

''(3) an estimate of the annual costs that the Coast Guard may incur in conducting operations on such waterway, or portion thereof.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

''103. Notification of certain determinations.''.

SEC. 211. ANNUAL BOARD OF VISITORS.

Section 194 of title 14, United States Code, is amended to read as follows:

''§ 194. Annual Board of Visitors

''(a) IN GENERAL.—A Board of Visitors to the Coast Guard Academy is established to review and make recommendations on the operation of the Academy.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The membership of the Board shall consist of the following:

''(A) The chairman of the Committee on Commerce, Science, and Transportation of the Senate, or the chairman's designee.

''(B) The chairman of the Committee on Transportation and Infrastructure of the House of Representatives, or the chairman's designee.

''(C) 3 Members of the Senate designated by the Vice President.

''(D) 4 Members of the House of Representatives designated by the Speaker of the House of Representatives.

''(E) 6 individuals designated by the President.

''(2) LENGTH OF SERVICE.—

''(A) MEMBERS OF CONGRESS.—A Member of Congress designated under subparagraph (C) or (D) of paragraph (1) as a member of the Board shall be designated as a member in the First Session of a Congress and serve for the duration of that Congress.

''(B) INDIVIDUALS DESIGNATED BY THE PRESIDENT.—Each individual designated by the President under subparagraph (E) of paragraph (1) shall serve as a member of the Board for 3 years, except that any such member whose term of office has expired shall continue to serve until a successor is appointed.

''(3) DEATH OR RESIGNATION OF A MEMBER.—If a member of the Board dies or resigns, a successor shall be designated for any unexpired portion of the term of the member by the official who designated the member.

''(c) ACADEMY VISITS.—

''(1) ANNUAL VISIT.—The Board shall visit the Academy annually to review the operation of the Academy.

''(2) ADDITIONAL VISITS.—With the approval of the Secretary, the Board or individual members of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

''(d) SCOPE OF REVIEW.—The Board shall review, with respect to the Academy—

''(1) the state of morale and discipline;

''(2) the curriculum;

''(3) instruction;

''(4) physical equipment;

''(5) fiscal affairs; and

''(6) other matters relating to the Academy that the Board determines appropriate.

''(e) REPORT.—Not later than 60 days after the date of an annual visit of the Board under subsection (c)(1), the Board shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions of the Board during such visit and the recommendations of the Board pertaining to the Academy.

''(f) ADVISORS.—If approved by the Secretary, the Board may consult with advisors in carrying out this section.

''(g) REIMBURSEMENT.—Each member of the Board and each adviser consulted by the Board under subsection (f) shall be reimbursed, to the extent permitted by law, by the Coast Guard for actual expenses incurred while engaged in duties as a member or adviser.''.

SEC. 212. FLAG OFFICERS.

(a) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 295 the following:

''§ 296. Flag officers

''During any period in which the Coast Guard is not operating as a service in the Navy, section 1216(d) of title 10 does not apply with respect to flag officers of the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 295 the following:

''296. Flag officers.''.

SEC. 213. REPEAL OF LIMITATION ON MEDALS OF HONOR.

Section 494 of title 14, United States Code, is amended by striking ''medal of honor,'' each place it appears.

SEC. 214. COAST GUARD FAMILY SUPPORT AND CHILD CARE.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after chapter 13 the following:

''CHAPTER 14—COAST GUARD FAMILY SUPPORT AND CHILD CARE

''SUBCHAPTER I—GENERAL PROVISIONS

''§ 531. Work-life policies and programs

''The Commandant is authorized—

''(1) to establish an office for the purpose of developing, promulgating, and coordinating policies, programs, and activities related to the families of Coast Guard members;

''(2) to implement and oversee policies, programs, and activities described in paragraph (1) as the Commandant considers necessary; and

''(3) to perform such other duties as the Commandant considers necessary.

''§ 532. Surveys of Coast Guard families

''(a) AUTHORITY.—The Commandant, in order to determine the effectiveness of Federal policies, programs, and activities related to the families of Coast Guard members, may survey—

''(1) any Coast Guard member;

''(2) any retired Coast Guard member;

''(3) the immediate family of any Coast Guard member or retired Coast Guard member; and

''(4) any survivor of a deceased Coast Guard member.

''(b) VOLUNTARY PARTICIPATION.—Participation in any survey conducted under subsection (a) shall be voluntary.

''(c) FEDERAL RECORDKEEPING.—Each person surveyed under subsection (a) shall be considered an employee of the United States for purposes of section 3502(3)(A)(i) of title 44.

''SUBCHAPTER II—COAST GUARD FAMILY SUPPORT

''§ 542. Education and training opportunities for Coast Guard spouses

''(a) TUITION ASSISTANCE.—The Commandant may provide, subject to the availability of appropriations, tuition assistance to an eligible spouse to facilitate the acquisition of—

''(1) education and training required for a degree or credential at an accredited college, university, or technical school in the United States that expands employment and portable career opportunities for the spouse; or

''(2) education prerequisites and a professional license or credential required, by a government or government-sanctioned licensing body, for an occupation that expands employment and portable career opportunities for the spouse.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) ELIGIBLE SPOUSE.—

''(A) IN GENERAL.—The term 'eligible spouse' means the spouse of a member of the Coast Guard who is serving on active duty and includes a spouse who receives transitional compensation under section 1059 of title 10.

''(B) EXCLUSION.—The term 'eligible spouse' does not include a person who—

''(i) is married to, but legally separated from, a member of the Coast Guard under a court order or statute of any State or territorial possession of the United States; or

''(ii) is eligible for tuition assistance as a member of the Armed Forces.

''(2) PORTABLE CAREER.—The term 'portable career' includes an occupation that requires education, training, or both that results in a credential that is recognized by an industry, profession, or specific type of business.

''§ 543. Youth sponsorship initiatives

''(a) IN GENERAL.—The Commandant is authorized to establish, within any Coast Guard unit, an initiative to help integrate into new surroundings the dependent children of members of the Coast Guard who received permanent change of station orders.

''(b) DESCRIPTION OF INITIATIVE.—An initiative established under subsection (a) shall—

''(1) provide for the involvement of a dependent child of a member of the Coast Guard in the dependent child's new Coast Guard community; and

''(2) primarily focus on preteen and teenaged children.

''(c) AUTHORITY.—In carrying out an initiative under subsection (a), the Commandant may—

''(1) provide to a dependent child of a member of the Coast Guard information on youth programs and activities available in the dependent child's new Coast Guard community; and

''(2) enter into agreements with nonprofit entities to provide youth programs and activities to such child.

''SUBCHAPTER III—COAST GUARD CHILD CARE

''§ 551. Definitions

''In this subchapter, the following definitions apply:

''(1) CHILD ABUSE AND NEGLECT.—The term 'child abuse and neglect' has the meaning given that term in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note).

''(2) CHILD DEVELOPMENT CENTER EMPLOYEE.—The term 'child development center employee' means a civilian employee of the Coast Guard who is employed to work in a Coast Guard child development center without regard to whether the employee is paid from appropriated or nonappropriated funds.

''(3) COAST GUARD CHILD DEVELOPMENT CENTER.—The term 'Coast Guard child development center' means a facility on Coast Guard property or on property under the jurisdiction of the commander of a Coast Guard unit at which child care services are provided for members of the Coast Guard.

''(4) COMPETITIVE SERVICE POSITION.—The term 'competitive service position' means a position in the competitive service (as defined in section 2102 of title 5).

''(5) FAMILY HOME DAYCARE.—The term 'family home daycare' means home-based child care services provided for a member of the Coast Guard by an individual who—

''(A) is certified by the Commandant as qualified to provide home-based child care services; and

''(B) provides home-based child care services on a regular basis in exchange for monetary compensation.

''§ 553. Child development center standards and inspections

''(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center.

''(b) INSPECTIONS.—The Commandant shall provide for regular and unannounced inspections of each Coast Guard child development center to ensure compliance with this section.

''(c) NATIONAL REPORTING.—

''(1) IN GENERAL.—The Commandant shall maintain and publicize a means by which an individual can report, with respect to a Coast Guard child development center or a family home daycare—

''(A) any suspected violation of—

''(i) standards established under subsection (a); or

''(ii) any other applicable law or standard;

''(B) suspected child abuse or neglect; or

''(C) any other deficiency.

''(2) ANONYMOUS REPORTING.—The Commandant shall ensure that an individual making a report pursuant to paragraph (1) may do so anonymously if so desired by the individual.

''(3) PROCEDURES.—The Commandant shall establish procedures for investigating reports made pursuant to paragraph (1).

''§ 554. Child development center employees

''(a) TRAINING.—

''(1) IN GENERAL.—The Commandant shall establish a training program for Coast Guard child development center employees and satisfactory completion of the training program shall be a condition of employment for each employee of a Coast Guard child development center.

''(2) TIMING FOR NEW HIRES.—The Commandant shall require each employee of a Coast Guard child development center to complete the training program established under paragraph (1) not later than 6 months after the date on which the employee is hired.

''(3) MINIMUM REQUIREMENTS.—The training program established under paragraph (1) shall include, at a minimum, instruction with respect to—

''(A) early childhood development;

''(B) activities and disciplinary techniques appropriate to children of different ages;

''(C) child abuse and neglect prevention and detection; and

''(D) cardiopulmonary resuscitation and other emergency medical procedures.

''(4) USE OF DEPARTMENT OF DEFENSE PROGRAMS.—The Commandant may use Department of Defense training programs, on a reimbursable or nonreimbursable basis, for purposes of this subsection.

''(b) TRAINING AND CURRICULUM SPECIALISTS.—

''(1) SPECIALIST REQUIRED.—The Commandant shall require that at least 1 employee at each Coast Guard child development center be a specialist in training and curriculum development with appropriate credentials and experience.

''(2) DUTIES.—The duties of the specialist described in paragraph (1) shall include—

''(A) special teaching activities;

''(B) daily oversight and instruction of other child care employees;

''(C) daily assistance in the preparation of lesson plans;

''(D) assisting with child abuse and neglect prevention and detection; and

''(E) advising the director of the center on the performance of the other child care employees.

''(3) COMPETITIVE SERVICE.—Each specialist described in paragraph (1) shall be an employee in a competitive service position.

''§ 555. Parent partnerships with child development centers

''(a) PARENT BOARDS.—

''(1) FORMATION.—The Commandant shall require that there be formed at each Coast Guard child development center a board of parents, to be composed of parents of children attending the center.

''(2) FUNCTIONS.—Each board of parents formed under paragraph (1) shall—

''(A) meet periodically with the staff of the center at which the board is formed and the commander of the unit served by the center, for the purpose of discussing problems and concerns; and

''(B) be responsible, together with the staff of the center, for coordinating any parent participation initiative established under subsection (b).

''(3) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a board of parents formed under paragraph (1).

''(b) PARENT PARTICIPATION INITIATIVE.—The Commandant is authorized to establish a parent participation initiative at each Coast Guard child development center to encourage and facilitate parent participation in educational and related activities at the center.''.

(b) TRANSFER OF PROVISIONS.—

(1) IN GENERAL.—

(A) REIMBURSEMENT FOR ADOPTION EXPENSES.—Section 514 of title 14, United States Code, is redesignated as section 541 and transferred to appear before section 542 of such title, as added by subsection (a) of this section.

(B) CHILD DEVELOPMENT SERVICES.—Section 515 of title 14, United States Code—

(i) is redesignated as section 552 and transferred to appear after section 551 of such title, as added by subsection (a) of this section; and

(ii) is amended—

(I) in subsection (b)(2)(B) by inserting ''and whether a family is participating in an initiative established under section 555(b)'' after ''family income'';

(II) by striking subsections (c) and (e); and

(III) by redesignating subsection (d) as subsection (c).

(C) DEPENDENT SCHOOL CHILDREN.—Section 657 of title 14, United States Code—

(i) is redesignated as section 544 and transferred to appear after section 543 of such title, as added by subsection (a) of this section; and

(ii) is amended in subsection (a) by striking ''Except as otherwise'' and all that follows through ''the Secretary may'' and inserting ''The Secretary may''.

(2) CONFORMING AMENDMENTS.—

(A) PART I.—The analysis for part I of title 14, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Coast Guard Family Support and Child Care ..... 531''.

(B) CHAPTER 13.—The analysis for chapter 13 of title 14, United States Code, is amended—

(i) by striking the item relating to section 514; and

(ii) by striking the item relating to section 515.

(C) CHAPTER 14.—The analysis for chapter 14 of title 14, United States Code, as added by subsection (a) of this section, is amended by inserting—

(i) before the item relating to section 542 the following:

''541. Reimbursement for adoption expenses.'';

(ii) after the item relating to section 551 the following:

''552. Child development services.''; and

(iii) after the item relating to section 543 the following:

''544. Dependent school children.''.

(D) CHAPTER 17.—The analysis for chapter 17 of title 14, United States Code, is amended by striking the item relating to section 657.

(c) COMMANDANT; GENERAL POWERS.—Section 93(a)(7) of title 14, United States Code, as amended by this Act, is further amended by inserting '', and to eligible spouses as defined under section 542,'' after ''Coast Guard''.

(d) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the amount of funds appropriated for a fiscal year for operating expenses related to Coast Guard child development services should not be less than the amount of the child development center fee receipts estimated to be collected by the Coast Guard during that fiscal year.

(2) CHILD DEVELOPMENT CENTER FEE RECEIPTS DEFINED.—In this subsection, the term ''child development center fee receipts'' means fees paid by members of the Coast Guard for child care services provided at Coast Guard child development centers.

SEC. 215. MISSION NEED STATEMENT.

(a) IN GENERAL.—Section 569 of title 14, United States Code, is amended to read as follows:

''§ 569. Mission need statement

''(a) IN GENERAL.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an integrated major acquisition mission need statement.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) INTEGRATED MAJOR ACQUISITION MISSION NEED STATEMENT.—The term 'integrated major acquisition mission need statement' means a document that—

''(A) identifies current and projected gaps in Coast Guard mission capabilities using mission hour targets;

''(B) explains how each major acquisition program addresses gaps identified under subparagraph (A) if funded at the levels provided for such program in the most recently submitted capital investment plan; and

''(C) describes the missions the Coast Guard will not be able to achieve, by fiscal year, for each gap identified under subparagraph (A).

''(2) MAJOR ACQUISITION PROGRAM.—The term 'major acquisition program' has the meaning given that term in section 569a(e).

''(3) CAPITAL INVESTMENT PLAN.—The term 'capital investment plan' means the plan required under section 663(a)(1).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 15 of title 14, United States Code, is amended by striking the item relating to section 569 and inserting the following:

''569. Mission need statement.''.

SEC. 216. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.

(a) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after section 662 the following:

''§ 662a. Transmission of annual Coast Guard authorization request

''(a) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a Coast Guard authorization request with respect to such fiscal year.

''(b) COAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term 'Coast Guard authorization request' means a proposal for legislation that, with respect to the Coast Guard for the relevant fiscal year—

''(1) recommends end strengths for personnel for that fiscal year, as described in section 661;

''(2) recommends authorizations of appropriations for that fiscal year, including with respect to matters described in section 662; and

''(3) addresses any other matter that the Secretary determines is appropriate for inclusion in a Coast Guard authorization bill.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 662 the following:

''662a. Transmission of annual Coast Guard authorization request.''.

SEC. 217. INVENTORY OF REAL PROPERTY.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

''§ 679. Inventory of real property

''(a) IN GENERAL.—Not later than September 30, 2015, the Commandant shall establish an inventory of all real property, including submerged lands, under the control of the Coast Guard, which shall include—

''(1) the size, the location, and any other appropriate description of each unit of such property;

''(2) an assessment of the physical condition of each unit of such property, excluding lands;

''(3) a determination of whether each unit of such property should be—

''(A) retained to fulfill a current or projected Coast Guard mission requirement; or

''(B) subject to divestiture; and

''(4) other information the Commandant considers appropriate.

''(b) INVENTORY MAINTENANCE.—The Commandant shall—

''(1) maintain the inventory required under subsection (a) on an ongoing basis; and

''(2) update information on each unit of real property included in such inventory not later than 30 days after any change relating to the control of such property.

''(c) RECOMMENDATIONS TO CONGRESS.—Not later than March 30, 2016, and every 5 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

''(1) a list of all real property under the control of the Coast Guard and the location of such property by property type;

''(2) recommendations for divestiture with respect to any units of such property; and

''(3) recommendations for consolidating any units of such property, including—

''(A) an estimate of the costs or savings associated with each recommended consolidation; and

''(B) a discussion of the impact that such consolidation would have on Coast Guard mission effectiveness.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by adding at the end the following:

''679. Inventory of real property.''.

SEC. 218. RETIRED SERVICE MEMBERS AND DEPENDENTS SERVING ON ADVISORY COMMITTEES.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

''§ 680. Retired service members and dependents serving on advisory committees

''A committee that—

''(1) advises or assists the Coast Guard with respect to a function that affects a member of the Coast Guard or a dependent of such a member; and

''(2) includes in its membership a retired Coast Guard member or a dependent of such a retired member;

shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) solely because of such membership.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter, as amended by this Act, is further amended by inserting after the item relating to section 679 the following:

''680. Retired service members and dependents serving on advisory committees.''.

SEC. 219. ACTIVE DUTY FOR EMERGENCY AUGMENTATION OF REGULAR FORCES.

Section 712(a) of title 14, United States Code, is amended by striking ''not more than 60 days in any 4-month period and''.

SEC. 220. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

Section 404(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2951) is amended by striking ''2015'' and inserting ''2017''.

SEC. 221. COAST GUARD ADMINISTRATIVE SAVINGS.

(a) ELIMINATION OF OUTDATED AND DUPLICATIVE REPORTS.—

(1) MARINE INDUSTRY TRAINING.—Section 59 of title 14, United States Code, is amended—

(A) by striking ''(a) IN GENERAL.—The Commandant'' and inserting ''The Commandant''; and

(B) by striking subsection (b).

(2) OPERATIONS AND EXPENDITURES.—Section 651 of title 14, United States Code, and the item relating to such section in the analysis for chapter 17 of such title, are repealed.

(3) DRUG INTERDICTION.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note), and the item relating to that section in the table of contents in section 2 of that Act, are repealed.

(4) NATIONAL DEFENSE.—Section 426 of the Maritime Transportation Security Act of 2002 (14 U.S.C. 2 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

(5) LIVING MARINE RESOURCES.—Section 4(b) of the Cruise Vessel Security and Safety Act of 2010 (16 U.S.C. 1828 note) is amended by adding at the end the following: ''No report shall be required under this subsection, including that no report shall be required under section 224 of the Coast Guard and Maritime Transportation Act of 2004 or section 804 of the Coast Guard and Maritime Transportation Act of 2006, for fiscal years beginning after fiscal year 2014.''.

(b) CONSOLIDATION AND REFORM OF REPORTING REQUIREMENTS.—

(1) MARINE SAFETY.—

(A) IN GENERAL.—Section 2116(d)(2)(B) of title 46, United States Code, is amended to read as follows:

''(B) on the program's mission performance in achieving numerical measurable goals established under subsection (b), including—

''(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and

''(ii) an identification of marine safety positions that are understaffed to meet the workload required to accomplish each activity included in the strategy and plans under subsection (a); and''.

(B) CONFORMING AMENDMENT.—Section 57 of title 14, United States Code, as amended by this Act, is further amended—

(i) by striking subsection (e); and

(ii) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g) respectively.

(2) MINOR CONSTRUCTION.—Section 656(d)(2) of title 14, United States Code, is amended to read as follows:

''(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than $1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.''.

SEC. 222. TECHNICAL CORRECTIONS TO TITLE 14.

Title 14, United States Code, as amended by this Act, is further amended—

(1) in section 93(b)(1) by striking ''Notwithstanding subsection (a)(14)'' and inserting ''Notwithstanding subsection (a)(13)''; and

(2) in section 197(b) by striking ''of Homeland Security''.

SEC. 223. MULTIYEAR PROCUREMENT AUTHORITY FOR OFFSHORE PATROL CUTTERS.

In fiscal year 2015 and each fiscal year thereafter, the Secretary of the department in which the Coast Guard is operating may enter into, in accordance with section 2306b of title 10, United States Code, multiyear contracts for the procurement of Offshore Patrol Cutters and associated equipment.

SEC. 224. MAINTAINING MEDIUM ENDURANCE CUTTER MISSION CAPABILITY.

Not later than 120 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a schedule and plan for decommissioning, not later than September 30, 2029, each of the 210-foot, Reliance-Class Cutters operated by the Coast Guard on the date of enactment of this Act;

(2) a schedule and plan for enhancing the maintenance or extending the service life of each of the 270-foot, Famous-Class Cutters operated by the Coast Guard on the date of enactment of this Act—

(A) to maintain the capability of the Coast Guard to carry out sea-going missions with respect to such Cutters at the level of capability existing on September 30, 2013; and

(B) for the period beginning on the date of enactment of this Act and ending on the date on which the final Offshore Patrol Cutter is scheduled to be commissioned under paragraph (4);

(3) an identification of the number of Offshore Patrol Cutters capable of sea state 5 operations that, if 8 National Security Cutters are commissioned, are necessary to return the sea state 5 operating capability of the Coast Guard to the level of capability that existed prior to the decommissioning of the first High Endurance Cutter in fiscal year 2011;

(4) a schedule and plan for commissioning the number of Offshore Patrol Cutters identified under paragraph (3); and

(5) a schedule and plan for commissioning, not later than September 30, 2034, a number of Offshore Patrol Cutters not capable of sea state 5 operations that is equal to—

(A) 25; less

(B) the number of Offshore Patrol Cutters identified under paragraph (3).

SEC. 225. AVIATION CAPABILITY IN THE GREAT LAKES REGION.

The Secretary of the department in which the Coast Guard is operating may—

(1) request and accept through a direct military-to-military transfer under section 2571 of title 10, United States Code, such H–60 helicopters as may be necessary to establish a year-round operational capability in the Coast Guard's Ninth District; and

(2) use funds provided under section 101 of this Act to convert such helicopters to Coast Guard MH–60T configuration.

SEC. 226. GAPS IN WRITINGS ON COAST GUARD HISTORY.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on any gaps that exist in writings on the history of the Coast Guard. The report shall address, at a minimum, operations, broad topics, and biographies with respect to the Coast Guard.

SEC. 227. OFFICER EVALUATION REPORTS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written assessment of the Coast Guard's officer evaluation reporting system.

(b) CONTENTS OF ASSESSMENT.—The assessment required under subsection (a) shall include, at a minimum, an analysis of—

(1) the extent to which the Coast Guard's officer evaluation reports differ in length, form, and content from the officer fitness reports used by the Navy and other branches of the Armed Forces;

(2) the extent to which differences determined pursuant to paragraph (1) are the result of inherent differences between—

(A) the Coast Guard and the Navy; and

(B) the Coast Guard and other branches of the Armed Forces;

(3) the feasibility of more closely aligning and conforming the Coast Guard's officer evaluation reports with the officer fitness reports of the Navy and other branches of the Armed Forces; and

(4) the costs and benefits of the alignment and conformity described in paragraph (3), including with respect to—

(A) Coast Guard administrative efficiency;

(B) fairness and equity for Coast Guard officers; and

(C) carrying out the Coast Guard's statutory mission of defense readiness, including when operating as a service in the Navy.

SEC. 228. IMPROVED SAFETY INFORMATION FOR VESSELS.

Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish a process that allows an operator of a marine exchange or other non-Federal vessel traffic information service to use the automatic identification system to transmit weather, ice, and other important navigation safety information to vessels.

SEC. 229. E–LORAN.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not carry out activities related to the dismantling or disposal of infrastructure that supported the former LORAN system until the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date on which the Secretary provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate notice of a determination by the Secretary that such infrastructure is not required to provide a positioning, navigation, and timing system to provide redundant capability in the event GPS signals are disrupted.

(b) EXCEPTION.—Subsection (a) does not apply to activities necessary for the safety of human life.

(c) AGREEMENTS.—The Secretary may enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, navigation, and timing system, including an enhanced LORAN system, to provide redundant capability in the event GPS signals are disrupted.

SEC. 230. ANALYSIS OF RESOURCE DEFICIENCIES WITH RESPECT TO MARITIME BORDER SECURITY.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report describing any Coast Guard resource deficiencies related to—

(1) securing maritime borders with respect to the Great Lakes and the coastal areas of the Southeastern and Southwestern United States, including with respect to Florida, California, Puerto Rico, and the United States Virgin Islands;

(2) patrolling and monitoring maritime approaches to the areas described in paragraph (1); and

(3) patrolling and monitoring relevant portions of the Western Hemisphere Drug Transit Zone.

(b) SCOPE.—In preparing the report under subsection (a), the Commandant shall consider, at a minimum—

(1) the Coast Guard's statutory missions with respect to migrant interdiction, drug interdiction, defense readiness, living marine resources, and ports, waterways, and coastal security;

(2) whether Coast Guard missions are being executed to meet national performance targets set under the National Drug Control Strategy;

(3) the number and types of cutters and other vessels required to effectively execute Coast Guard missions;

(4) the number and types of aircraft, including unmanned aircraft, required to effectively execute Coast Guard missions;

(5) the number of assets that require upgraded sensor and communications systems to effectively execute Coast Guard missions;

(6) the Deployable Specialized Forces required to effectively execute Coast Guard missions; and

(7) whether additional shoreside facilities are required to accommodate Coast Guard personnel and assets in support of Coast Guard missions.

SEC. 231. MODERNIZATION OF NATIONAL DISTRESS AND RESPONSE SYSTEM.

(a) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the implementation of the Rescue 21 project in Alaska and in Coast Guard sectors Upper Mississippi River, Lower Mississippi River, and Ohio River Valley.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) describe what improvements are being made to the distress response system in the areas specified in subsection (a), including information on which areas will receive digital selective calling and direction finding capability;

(2) describe the impediments to installing digital selective calling and direction finding capability in areas where such technology will not be installed;

(3) identify locations in the areas specified in subsection (a) where communication gaps will continue to present a risk to mariners after completion of the Rescue 21 project;

(4) include a list of all reported marine accidents, casualties, and fatalities occurring in the locations identified under paragraph (3) since 1990; and

(5) provide an estimate of the costs associated with installing the technology necessary to close communication gaps in the locations identified under paragraph (3).

SEC. 232. REPORT RECONCILING MAINTENANCE AND OPERATIONAL PRIORITIES ON THE MISSOURI RIVER.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that outlines a course of action to reconcile general maintenance priorities for cutters with operational priorities on the Missouri River.

SEC. 233. MARITIME SEARCH AND RESCUE ASSISTANCE POLICY ASSESSMENT.

(a) IN GENERAL.—The Commandant of the Coast Guard shall assess the Maritime Search and Rescue Assistance Policy as it relates to State and local responders.

(b) SCOPE.—The assessment under subsection (a) shall consider, at a minimum—

(1) the extent to which Coast Guard search and rescue coordinators have entered into domestic search and rescue agreements with State and local responders under the National Search and Rescue Plan;

(2) whether the domestic search and rescue agreements include the Maritime Search and Rescue Assistance Policy; and

(3) the extent to which Coast Guard sectors coordinate with 911 emergency centers, including ensuring the dissemination of appropriate maritime distress check-sheets.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit a report on the assessment under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. REPEAL.

Chapter 555 of title 46, United States Code, is amended—

(1) by repealing section 55501;

(2) by redesignating section 55502 as section 55501; and

(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

''55501. United States Committee on the Marine Transportation System.''.

SEC. 302. DONATION OF HISTORICAL PROPERTY.

Section 51103 of title 46, United States Code, is amended by adding at the end the following:

''(e) DONATION FOR HISTORICAL PURPOSES.—

''(1) IN GENERAL.—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

''(A) the Secretary determines that such property is not needed by the Maritime Administration; and

''(B) the recipient—

''(i) is a nonprofit organization, a State, or a political subdivision of a State;

''(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;

''(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

''(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

''(v) agrees that when the recipient no longer requires the property, the recipient shall—

''(I) return the property to the Secretary, at the recipient's expense and in the same condition as received except for ordinary wear and tear; or

''(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and

''(vi) agrees to any additional terms the Secretary considers appropriate.

''(2) REVERSION.—The Secretary shall include in any conveyance under this subsection terms under which all right, title, and interest conveyed by the Secretary shall revert to the Government if the Secretary determines the property has been used other than as approved by the Secretary under paragraph (1)(B)(iii).''.

SEC. 303. SMALL SHIPYARDS.

Section 54101(i) of title 46, United States Code, is amended by striking ''2009 through 2013'' and inserting ''2015 through 2017''.

SEC. 304. DRUG TESTING REPORTING.

Section 7706 of title 46, United States Code, is amended—

(1) in subsection (a), by inserting ''an applicant for employment by a Federal agency,'' after ''Federal agency,''; and

(2) in subsection (c), by—

(A) inserting ''or an applicant for employment by a Federal agency'' after ''an employee''; and

(B) striking ''the employee.'' and inserting ''the employee or the applicant.''.

SEC. 305. OPPORTUNITIES FOR SEA SERVICE VETERANS.

(a) ENDORSEMENTS FOR VETERANS.—Section 7101 of title 46, United States Code, is amended by adding at the end the following:

''(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—

''(1) has at least 3 months of qualifying service on vessels of the uniformed services (as that term is defined in section 101(a) of title 10) of appropriate tonnage or horsepower within the 7-year period immediately preceding the date of application; and

''(2) satisfies all other requirements for such a license.''.

(b) SEA SERVICE LETTERS.—

(1) IN GENERAL.—Title 14, United States Code, is amended by inserting after section 427 the following:

''§ 428. Sea service letters

''(a) IN GENERAL.—The Secretary shall provide a sea service letter to a member or former member of the Coast Guard who—

''(1) accumulated sea service on a vessel of the armed forces (as such term is defined in section 101(a) of title 10); and

''(2) requests such letter.

''(b) DEADLINE.—Not later than 30 days after receiving a request for a sea service letter from a member or former member of the Coast Guard under subsection (a), the Secretary shall provide such letter to such member or former member if such member or former member satisfies the requirement under subsection (a)(1).''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 427 the following:

''428. Sea service letters.''.

(c) CREDITING OF UNITED STATES ARMED FORCES SERVICE, TRAINING, AND QUALIFICATIONS.—

(1) MAXIMIZING CREDITABILITY.—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, shall maximize the extent to which United States Armed Forces service, training, and qualifications are creditable toward meeting the requirements of such laws and such Convention.

(2) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the steps taken to implement this subsection.

(d) MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.

SEC. 306. CLARIFICATION OF HIGH-RISK WATERS.

Section 55305(e) of title 46, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''provide armed personnel aboard'' and inserting ''reimburse, subject to the availability of appropriations, the owners or operators of''; and

(B) by inserting ''for the cost of providing armed personnel aboard such vessels'' before ''if''; and

(2) by striking paragraphs (2) and (3) and inserting the following:

''(2) In this subsection, the term 'high-risk waters' means waters so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on the date on which an applicable voyage begins, if the Secretary of Transportation—

''(A) determines that an act of piracy occurred in the 12-month period preceding the date the voyage begins; or

''(B) in such period, issued an advisory warning that an act of piracy is possible in such waters.''.

SEC. 307. TECHNICAL CORRECTIONS.

(a) TITLE 46.—Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking ''section 93(c)'' and inserting ''section 93(c) of title 14''.

(b) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Section 304(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241; 33 U.S.C. 1503 note) is amended by inserting ''and from'' before ''the United States''.

(c) DEEPWATER PORT ACT OF 1974.—Section 4(i) of the Deepwater Port Act of 1974 (33 U.S.C. 1503(i)) is amended by inserting ''or that will supply'' after ''be supplied with''.

SEC. 308. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquified natural gas exported from the United States were required to be carried—

(1) before December 31, 2018, on vessels documented under the laws of the United States; and

(2) on and after such date, on vessels documented under the laws of the United States and constructed in the United States.

SEC. 309. FISHING SAFETY GRANT PROGRAMS.

(a) FISHING SAFETY TRAINING GRANT PROGRAM.—Section 4502(i)(4) of title 46, United States Code, is amended by striking ''2010 through 2014'' and inserting ''2015 through 2017''.

(b) FISHING SAFETY RESEARCH GRANT PROGRAM.—Section 4502(j)(4) of title 46, United States Code, is amended by striking ''2010 through 2014'' and inserting ''2015 through 2017''.

SEC. 310. ESTABLISHMENT OF MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Chapter 81 of title 46, United States Code, is amended by adding at the end the following:

''§ 8108. Merchant Marine Personnel Advisory Committee

''(a) ESTABLISHMENT.—The Secretary shall establish a Merchant Marine Personnel Advisory Committee (in this section referred to as 'the Committee'). The Committee—

''(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast Guard on matters relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;

''(2) shall review and comment on proposed Coast Guard regulations and policies relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards;

''(3) may be given special assignments by the Secretary and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments;

''(4) shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary;

''(5) shall meet not less than twice each year; and

''(6) may make available to Congress recommendations that the Committee makes to the Secretary.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Committee shall consist of not more than 19 members who are appointed by and serve terms of a duration determined by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

''(2) REQUIRED MEMBERS.—Subject to paragraph (3), the Secretary shall appoint as members of the Committee—

''(A) 9 United States citizens with active licenses or certificates issued under chapter 71 or merchant mariner documents issued under chapter 73, including—

''(i) 3 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

''(I) 2 shall be licensed for oceans any gross tons;

''(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

''(III) 2 shall have a master's license or a master of towing vessels license;

''(IV) 1 shall have significant tanker experience; and

''(V) to the extent practicable—

''(aa) 1 shall represent the viewpoint of labor; and

''(bb) another shall represent a management perspective;

''(ii) 3 engineering officers who represent the viewpoint of merchant marine engineering officers, of whom—

''(I) 2 shall be licensed as chief engineer any horsepower;

''(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

''(III) to the extent practicable—

''(aa) 1 shall represent a labor viewpoint; and

''(bb) another shall represent a management perspective;

''(iii) 2 unlicensed seamen, of whom—

''(I) 1 shall represent the viewpoint of ablebodied seamen; and

''(II) another shall represent the viewpoint of qualified members of the engine department; and

''(iv) 1 pilot who represents the viewpoint of merchant marine pilots;

''(B) 6 marine educators, including—

''(i) 3 marine educators who represent the viewpoint of maritime academies, including—

''(I) 2 who represent the viewpoint of State maritime academies and are jointly recommended by such State maritime academies; and

''(II) 1 who represents either the viewpoint of the State maritime academies or the United States Merchant Marine Academy; and

''(ii) 3 marine educators who represent the viewpoint of other maritime training institutions, 1 of whom shall represent the viewpoint of the small vessel industry;

''(C) 2 individuals who represent the viewpoint of shipping companies employed in ship operation management; and

''(D) 2 members who are appointed from the general public.

''(3) CONSULTATION.—The Secretary shall consult with the Secretary of Transportation in making an appointment under paragraph (2)(B)(i)(II).

''(c) CHAIRMAN AND VICE CHAIRMAN.—The Secretary shall designate one member of the Committee as the Chairman and one member of the Committee as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

''(d) SUBCOMMITTEES.—The Committee may establish and disestablish subcommittees and working groups for any purpose consistent with this section, subject to conditions imposed by the Committee. Members of the Committee and additional persons drawn from the general public may be assigned to such subcommittees and working groups. Only Committee members may chair subcommittee or working groups.

''(e) TERMINATION.—The Committee shall terminate on September 30, 2020.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''8108. Merchant Marine Personnel Advisory Committee.''.

SEC. 311. TRAVEL AND SUBSISTENCE COSTS FOR PREVENTION SERVICES.

(a) TITLE 46, UNITED STATES CODE.—Section 2110 of title 46, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b)(1) In addition to the collection of fees and charges established under subsection (a), in providing a service or thing of value under this subtitle the Secretary may accept in-kind transportation, travel, and subsistence.

''(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.''; and

(2) in subsection (c), by striking ''subsections (a) and (b),'' and inserting ''subsection (a),''.

(b) TITLE 14, UNITED STATES CODE.—Section 664 of title 14, United States Code, is amended by redesignating subsections (e) though (g) as subsections (f) through (h), respectively, and by inserting after subsection (d) the following:

''(e)(1) In addition to the collection of fees and charges established under this section, in the provision of a service or thing of value by the Coast Guard the Secretary may accept in-kind transportation, travel, and subsistence.

''(2) The value of in-kind transportation, travel, and subsistence accepted under this paragraph may not exceed applicable per diem rates set forth in regulations prescribed under section 464 of title 37.''.

(c) LIMITATION.—The Secretary of the Department in which the Coast Guard is operating may not accept in-kind transportation, travel, or subsistence under section 664(e) of title 14, United States Code, or section 2110(d)(4) of title 46, United States Code, as amended by this section, until the Commandant of the Coast Guard—

(1) amends the Standards of Ethical Conduct for members and employees of the Coast Guard to include regulations governing the acceptance of in-kind reimbursements; and

(2) notifies the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the amendments made under paragraph (1).

SEC. 312. PROMPT INTERGOVERNMENTAL NOTICE OF MARINE CASUALTIES.

Section 6101 of title 46, United States Code, is amended—

(1) by inserting after subsection (b) the following:

''(c) NOTICE TO STATE AND TRIBAL GOVERNMENTS.—Not later than 24 hours after receiving a notice of a major marine casualty under this section, the Secretary shall notify each State or federally recognized Indian tribe that is, or may reasonably be expected to be, affected by such marine casualty.'';

(2) in subsection (h)—

(A) by striking ''(1)''; and

(B) by redesignating subsection (h)(2) as subsection (i) of section 6101, and in such subsection—

(i) by striking ''paragraph,'' and inserting ''section,''; and

(ii) by redesignating subparagraphs (A) through (D) as paragraphs (1) through (4); and

(3) by redesignating the last subsection as subsection (j).

SEC. 313. AREA CONTINGENCY PLANS.

Section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) is amended—

(1) in subparagraph (A), by striking ''qualified personnel of Federal, State, and local agencies.'' and inserting ''qualified—

''(i) personnel of Federal, State, and local agencies; and

''(ii) members of federally recognized Indian tribes, where applicable.'';

(2) in subparagraph (B)(ii)—

(A) by striking ''and local'' and inserting '', local, and tribal''; and

(B) by striking ''wildlife;'' and inserting ''wildlife, including advance planning with respect to the closing and reopening of fishing areas following a discharge;'';

(3) in subparagraph (B)(iii), by striking ''and local'' and inserting '', local, and tribal''; and

(4) in subparagraph (C)—

(A) in clause (iv), by striking ''and Federal, State, and local agencies'' and inserting '', Federal, State, and local agencies, and tribal governments'';

(B) by redesignating clauses (vii) and (viii) as clauses (viii) and (ix), respectively; and

(C) by inserting after clause (vi) the following:

''(vii) include a framework for advance planning and decisionmaking with respect to the closing and reopening of fishing areas following a discharge, including protocols and standards for the closing and reopening of fishing areas;''.

SEC. 314. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Chapter 803 of title 46, United States Code, is amended—

(1) in section 80301, by adding at the end the following:

''(c) PAYMENTS.—Payments received pursuant to subsection (b)(1) shall be credited to the appropriation for operating expenses of the Coast Guard.'';

(2) in section 80302—

(A) in subsection (b), by striking ''An ice patrol vessel'' and inserting ''The ice patrol'';

(B) in subsection (c)(1), by striking ''An ice patrol vessel'' and inserting ''The ice patrol''; and

(C) in the first sentence of subsection (d), by striking ''vessels'' and inserting ''aircraft''; and

(3) by adding at the end the following:

''§ 80304. Limitation on ice patrol data

''Notwithstanding sections 80301 and 80302, data collected by an ice patrol conducted by the Coast Guard under this chapter may not be disseminated to a vessel unless such vessel is—

''(1) documented under the laws of the United States; or

''(2) documented under the laws of a foreign country that made the payment or contribution required under section 80301(b) for the year preceding the year in which the data is collected.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''80304. Limitation on ice patrol data.''.

(c) EFFECTIVE DATE.—This section shall take effect on January 1, 2017.

SEC. 315. OFFSHORE SUPPLY VESSEL THIRD-PARTY INSPECTION.

Section 3316 of title 46, United States Code, is amended by redesignating subsection (f) as subsection (g), and by inserting after subsection (e) the following:

''(f)(1) Upon request of an owner or operator of an offshore supply vessel, the Secretary shall delegate the authorities set forth in paragraph (1) of subsection (b) with respect to such vessel to a classification society to which a delegation is authorized under that paragraph. A delegation by the Secretary under this subsection shall be used for any vessel inspection and examination function carried out by the Secretary, including the issuance of certificates of inspection and all other related documents.

''(2) If the Secretary determines that a certificate of inspection or related document issued under authority delegated under paragraph (1) of this subsection with respect to a vessel has reduced the operational safety of that vessel, the Secretary may terminate the certificate or document, respectively.

''(3) Not later than 2 years after the date of the enactment of the Howard Coble Coast Guard and Maritime Transportation Act of 2014, and for each year of the subsequent 2-year period, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

''(A) the number of vessels for which a delegation was made under paragraph (1);

''(B) any savings in personnel and operational costs incurred by the Coast Guard that resulted from the delegations; and

''(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the delegations were made, and on the crew on those vessels.''.

SEC. 316. WATCHES.

Section 8104 of title 46, United States Code, is amended—

(1) in subsection (d), by striking ''coal passers, firemen, oilers, and water tenders'' and inserting ''and oilers''; and

(2) in subsection (g)(1), by striking ''(except the coal passers, firemen, oilers, and water tenders)''.

SEC. 317. COAST GUARD RESPONSE PLAN REQUIREMENTS.

(a) VESSEL RESPONSE PLAN CONTENTS.—The Secretary of the department in which the Coast Guard is operating shall require that each vessel response plan prepared for a mobile offshore drilling unit includes information from the facility response plan prepared for the mobile offshore drilling unit regarding the planned response to a worst case discharge, and to a threat of such a discharge.

(b) DEFINITIONS.—In this section:

(1) MOBILE OFFSHORE DRILLING UNIT.—The term ''mobile offshore drilling unit'' has the meaning given that term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(2) RESPONSE PLAN.—The term ''response plan'' means a response plan prepared under section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(3) WORST CASE DISCHARGE.—The term ''worst case discharge'' has the meaning given that term under section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Coast Guard to review or approve a facility response plan for a mobile offshore drilling unit.

SEC. 318. REGIONAL CITIZENS' ADVISORY COUNCIL.

Section 5002(k)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2732(k)(3)) is amended by striking ''not more than $1,000,000'' and inserting ''not less than $1,400,000''.

SEC. 319. UNINSPECTED PASSENGER VESSELS IN THE UNITED STATES VIRGIN ISLANDS.

(a) IN GENERAL.—Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b)(1) In applying this title with respect to an uninspected vessel of less than 24 meters overall in length that carries passengers to or from a port in the United States Virgin Islands, the Secretary shall substitute '12 passengers' for '6 passengers' each place it appears in section 2101(42) if the Secretary determines that the vessel complies with, as applicable to the vessel—

''(A) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred to as the 'Yellow Code'), as published by the U.K. Maritime and Coastguard Agency and in effect on January 1, 2014; or

''(B) the Code of Practice for the Safety of Small Commercial Sailing Vessels (commonly referred to as the 'Blue Code'), as published by such agency and in effect on such date.

''(2) If the Secretary establishes standards to carry out this subsection—

''(A) such standards shall be identical to those established in the Codes of Practice referred to in paragraph (1); and

''(B) on any dates before the date on which such standards are in effect, the Codes of Practice referred to in paragraph (1) shall apply with respect to the vessels referred to in paragraph (1).''.

(b) TECHNICAL CORRECTION.—Section 4105(c) of title 46, United States Code, as redesignated by subsection (a)(1) of this section, is amended by striking ''Within twenty-four months of the date of enactment of this subsection, the'' and inserting ''The''.

SEC. 320. TREATMENT OF ABANDONED SEAFARERS.

(a) IN GENERAL.—Chapter 111 of title 46, United States Code, is amended by adding at the end the following:

''§ 11113. Treatment of abandoned seafarers

''(a) ABANDONED SEAFARERS FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a separate account to be known as the Abandoned Seafarers Fund.

''(2) AUTHORIZED USES.—Amounts in the Fund may be appropriated to the Secretary for use—

''(A) to pay necessary support of a seafarer—

''(i) who—

''(I) was paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), or for whom the Secretary has requested parole under such section; and

''(II) is involved in an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard; or

''(ii) who—

''(I) is physically present in the United States;

''(II) the Secretary determines was abandoned in the United States; and

''(III) has not applied for asylum under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

''(B) to reimburse a vessel owner or operator for the costs of necessary support of a seafarer who has been paroled into the United States to facilitate an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard, if—

''(i) the vessel owner or operator is not convicted of a criminal offense related to such matter; or

''(ii) the Secretary determines that reimbursement is appropriate.

''(3) CREDITING OF AMOUNTS TO FUND.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), there shall be credited to the Fund the following:

''(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908).

''(ii) Amounts reimbursed or recovered under subsection (c).

''(B) LIMITATION.—Amounts may be credited to the Fund under subparagraph (A) only if the unobligated balance of the Fund is less than $5,000,000.

''(4) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

''(A) the amounts credited to the Fund under paragraph (2) for the preceding fiscal year; and

''(B) amounts in the Fund that were expended for the preceding fiscal year.

''(b) LIMITATION.—Nothing in this section shall be construed—

''(1) to create a private right of action or any other right, benefit, or entitlement to necessary support for any person; or

''(2) to compel the Secretary to pay or reimburse the cost of necessary support.

''(c) REIMBURSEMENT; RECOVERY.—

''(1) IN GENERAL.—A vessel owner or operator shall reimburse the Fund an amount equal to the total amount paid from the Fund for necessary support of a seafarer, if—

''(A) the vessel owner or operator—

''(i) during the course of an investigation, reporting, documentation, or adjudication of any matter under this Act that the Coast Guard referred to a United States attorney or the Attorney General, fails to provide necessary support of a seafarer who was paroled into the United States to facilitate the investigation, reporting, documentation, or adjudication; and

''(ii) subsequently is—

''(I) convicted of a criminal offense related to such matter; or

''(II) required to reimburse the Fund pursuant to a court order or negotiated settlement related to such matter; or

''(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.

''(2) ENFORCEMENT.—If a vessel owner or operator fails to reimburse the Fund under paragraph (1) within 60 days after receiving a written, itemized description of reimbursable expenses and a demand for payment, the Secretary may—

''(A) proceed in rem against the vessel on which the seafarer served in the Federal district court for the district in which the vessel is found; and

''(B) withhold or revoke the clearance required under section 60105 for the vessel and any other vessel operated by the same operator (as that term is defined in section 2(9)(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(9)(a)) as the vessel on which the seafarer served.

''(3) OBTAINING CLEARANCE.—A vessel may obtain clearance from the Secretary after it is withheld or revoked under paragraph (2)(B) if the vessel owner or operator—

''(A) reimburses the Fund the amount required under paragraph (1); or

''(B) provides a bond, or other evidence of financial responsibility, sufficient to meet the amount required to be reimbursed under paragraph (1).

''(4) NOTIFICATION REQUIRED.—The Secretary shall notify the vessel at least 72 hours before taking any action under paragraph (2)(B).

''(d) DEFINITIONS.—In this section:

''(1) ABANDONS; ABANDONED.—Each of the terms 'abandons' and 'abandoned' means—

''(A) a vessel owner's or operator's unilateral severance of ties with a seafarer; or

''(B) a vessel owner's or operator's failure to provide necessary support of a seafarer.

''(2) FUND.—The term 'Fund' means the Abandoned Seafarers Fund established under this section.

''(3) NECESSARY SUPPORT.—The term 'necessary support' means normal wages and expenses the Secretary considers reasonable for lodging, subsistence, clothing, medical care (including hospitalization), repatriation, and any other support the Secretary considers to be appropriate.

''(4) SEAFARER.—The term 'seafarer' means an alien crew member who is employed or engaged in any capacity on board a vessel subject to the jurisdiction of the United States.

''(5) VESSEL SUBJECT TO THE JURISDICTION OF THE UNITED STATES.—The term 'vessel subject to the jurisdiction of the United States' has the meaning given that term in section 70502(c), except that it does not include a vessel that is—

''(A) owned, or operated under a bareboat charter, by the United States, a State or political subdivision thereof, or a foreign nation; and

''(B) not engaged in commerce.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''11113. Treatment of abandoned seafarers.''.

(c) CONFORMING AMENDMENT.—Section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908) is amended by adding at the end the following:

''(g) Any penalty collected under subsection (a) or (b) that is not paid under that subsection to the person giving information leading to the conviction or assessment of such penalties shall be deposited in the Abandoned Seafarers Fund established under section 11113 of title 46, United States Code.''.

SEC. 321. ENFORCEMENT.

(a) IN GENERAL.—Section 55305(d) of title 46, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

''(1) Each department or agency that has responsibility for a program under this section shall administer that program consistent with this section and any regulations and guidance issued by the Secretary of Transportation concerning this section.'';

(2) by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following:

''(2)(A) The Secretary shall have exclusive authority for determining the applicability of this section to a program of a Federal department or agency.

''(B) The head of a Federal department or agency shall request the Secretary to determine the applicability of this section to a program of such department or agency if the department or agency is uncertain of such applicability. Not later than 30 days after receiving such a request, the Secretary shall make such determination.

''(C) Subparagraph (B) shall not be construed to limit the authority of the Secretary to make a determination regarding the applicability of this section to a program administered by a Federal department or agency.

''(D) A determination made by the Secretary under this paragraph regarding a program shall remain in effect until the Secretary determines that this section no longer applies to such program.'';

(3) in paragraph (3), as so redesignated, by amending subparagraph (A) to read as follows:

''(A) shall conduct an annual review of the administration of programs subject to the requirements of this section to determine compliance with the requirements of this section;''; and

(4) by adding at the end the following:

''(4) On the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Secretary shall make available on the Internet website of the Department of Transportation a report that—

''(A) lists the programs that were subject to determinations made by the Secretary under paragraph (2) in the preceding year; and

''(B) describes the results of the most recent annual review required by paragraph (3)(A), including identification of the departments and agencies that transported cargo in violation of this section and any action the Secretary took under paragraph (3) with respect to each violation.''.

(b) DEADLINE FOR FIRST REVIEW.—The Secretary of Transportation shall complete the first review required under the amendment made by subsection (a)(1)(C) by not later than December 31, 2015.

(c) CONFORMING AMENDMENT.—Section 3511(c) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (46 U.S.C. 55305 note) is repealed.

SEC. 322. COAST GUARD REGULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an analysis of the Coast Guard's proposed promulgation of safety and environmental management system requirements for vessels engaged in Outer Continental Shelf activities. The analysis shall include—

(1) a discussion of any new operational, management, design and construction, financial, and other mandates that would be imposed on vessel owners and operators;

(2) an estimate of all associated direct and indirect operational, management, personnel, training, vessel design and construction, record keeping, and other costs;

(3) an identification and justification of any of such proposed requirements that exceed those in international conventions applicable to the design, construction, operation, and management of vessels engaging in United States Outer Continental Shelf activities; and

(4) an identification of exemptions to the proposed requirements, that are based upon vessel classification, tonnage, offshore activity or function, alternative certifications, or any other appropriate criteria.

(b) LIMITATION.—The Secretary may not issue proposed regulations relating to safety and environmental management system requirements for vessels on the United States Outer Continental Shelf for which noticed was published on September 10, 2013 (78 Fed. Reg. 55230) earlier than 6 months after the submittal of the analysis required by subsection (a).

SEC. 323. WEBSITE.

(a) REPORTS TO SECRETARY OF TRANSPORTATION; INCIDENTS AND DETAILS.—Section 3507(g)(3)(A) of title 46, United States Code, is amended—

(1) in clause (ii) by striking ''the incident to an Internet based portal maintained by the Secretary'' and inserting ''each incident specified in clause (i) to the Internet website maintained by the Secretary of Transportation under paragraph (4)(A)''; and

(2) in clause (iii) by striking ''based portal maintained by the Secretary'' and inserting

''website maintained by the Secretary of Transportation under paragraph (4)(A)''.

(b) AVAILABILITY OF INCIDENT DATA ON INTERNET.—Section 3507(g)(4) of title 46, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) WEBSITE.—

''(i) IN GENERAL.—The Secretary of Transportation shall maintain a statistical compilation of all incidents on board a cruise vessel specified in paragraph (3)(A)(i) on an Internet website that provides a numerical accounting of the missing persons and alleged crimes reported under that paragraph without regard to the investigative status of the incident.

''(ii) UPDATES AND OTHER REQUIREMENTS.—The compilation under clause (i) shall—

''(I) be updated not less frequently than quarterly;

''(II) be able to be sorted by cruise line;

''(III) identify each cruise line by name;

''(IV) identify each crime or alleged crime committed or allegedly committed by a passenger or crewmember; and

''(V) identify the number of individuals alleged overboard.

''(iii) USER-FRIENDLY FORMAT.—The Secretary of Transportation shall ensure that the compilation, data, and any other information provided on the Internet website maintained under this subparagraph are in a user-friendly format.''; and

(2) in subparagraph (B) by striking ''Secretary'' and inserting ''Secretary of Transportation''.

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Federal Maritime Commission $24,700,000 for fiscal year 2015.

SEC. 402. AWARD OF REPARATIONS.

Section 41305 of title 46, United States Code, is amended—

(1) in subsection (b), by striking '', plus reasonable attorney fees''; and

(2) by adding at the end the following:

''(e) ATTORNEY FEES.—In any action brought under section 41301, the prevailing party may be awarded reasonable attorney fees.''.

SEC. 403. TERMS OF COMMISSIONERS.

(a) IN GENERAL.—Section 301(b) of title 46, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

''(2) TERMS.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (3), no individual may serve more than 2 terms.''; and

(2) by redesignating paragraph (3) as paragraph (5), and inserting after paragraph (2) the following:

''(3) VACANCIES.—A vacancy shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy is appointed only for the unexpired term of the individual being succeeded. An individual appointed to fill a vacancy may serve 2 terms in addition to the remainder of the term for which the predecessor of that individual was appointed.

''(4) CONFLICTS OF INTEREST.—

''(A) LIMITATION ON RELATIONSHIPS WITH REGULATED ENTITIES.—A Commissioner may not have a pecuniary interest in, hold an official relation to, or own stocks or bonds of any entity the Commission regulates under chapter 401 of this title.

''(B) LIMITATION ON OTHER ACTIVITIES.—A Commissioner may not engage in another business, vocation, or employment.''.

(b) APPLICABILITY.—The amendment made by subsection (a)(1) does not apply with respect to a Commissioner of the Federal Maritime Commission appointed and confirmed by the Senate before the date of the enactment of this Act.

TITLE V—ARCTIC MARITIME TRANSPORTATION

SEC. 501. ARCTIC MARITIME TRANSPORTATION.

(a) ARCTIC MARITIME TRANSPORTATION.—Chapter 5 of title 14, United States Code, is amended by inserting after section 89 the following:

''§ 90. Arctic maritime transportation

''(a) PURPOSE.—The purpose of this section is to ensure safe and secure maritime shipping in the Arctic including the availability of aids to navigation, vessel escorts, spill response capability, and maritime search and rescue in the Arctic.

''(b) INTERNATIONAL MARITIME ORGANIZATION AGREEMENTS.—To carry out the purpose of this section, the Secretary is encouraged to enter into negotiations through the International Maritime Organization to conclude and execute agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic—

''(1) placement and maintenance of aids to navigation;

''(2) appropriate marine safety, tug, and salvage capabilities;

''(3) oil spill prevention and response capability;

''(4) maritime domain awareness, including long-range vessel tracking; and

''(5) search and rescue.

''(c) COORDINATION BY COMMITTEE ON THE MARITIME TRANSPORTATION SYSTEM.—The Committee on the Maritime Transportation System established under section 55501 of title 46, United States Code, shall coordinate the establishment of domestic transportation policies in the Arctic necessary to carry out the purpose of this section.

''(d) AGREEMENTS AND CONTRACTS.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements, contracts, or other agreements with, or make grants to, individuals and governments to carry out the purpose of this section or any agreements established under subsection (b).

''(e) ICEBREAKING.—The Secretary shall promote safe maritime navigation by means of icebreaking where necessary, feasible, and effective to carry out the purposes of this section.

''(f) ARCTIC DEFINITION.—In this section, the term 'Arctic' has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 89 the following:

''90. Arctic maritime transportation''.

(c) CONFORMING AMENDMENT.—Section 307 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 14 U.S.C. 92 note) is repealed.

SEC. 502. ARCTIC MARITIME DOMAIN AWARENESS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

''§ 154. Arctic maritime domain awareness

''(a) IN GENERAL.—The Commandant shall improve maritime domain awareness in the Arctic—

''(1) by promoting interagency cooperation and coordination;

''(2) by employing joint, interagency, and international capabilities; and

''(3) by facilitating the sharing of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and departments and agencies listed in subsection (b).

''(b) COORDINATION.—The Commandant shall seek to coordinate the collection, sharing, and use of information, intelligence, and data related to the Arctic maritime domain between the Coast Guard and the following:

''(1) The Department of Homeland Security.

''(2) The Department of Defense.

''(3) The Department of Transportation.

''(4) The Department of State.

''(5) The Department of the Interior.

''(6) The National Aeronautics and Space Administration.

''(7) The National Oceanic and Atmospheric Administration.

''(8) The Environmental Protection Agency.

''(9) The National Science Foundation.

''(10) The Arctic Research Commission.

''(11) Any Federal agency or commission or State the Commandant determines is appropriate.

''(c) COOPERATION.—The Commandant and the head of a department or agency listed in subsection (b) may by agreement, on a reimbursable basis or otherwise, share personnel, services, equipment, and facilities to carry out the requirements of this section.

''(d) 5-YEAR STRATEGIC PLAN.—Not later than January 1, 2016 and every 5 years thereafter, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a 5-year strategic plan to guide interagency and international intergovernmental cooperation and coordination for the purpose of improving maritime domain awareness in the Arctic

''(e) DEFINITIONS.—In this section the term 'Arctic' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 153 the following:

''154. Arctic maritime domain awareness.''.

SEC. 503. IMO POLAR CODE NEGOTIATIONS.

Not later than 30 days after the date of the enactment of this Act, and thereafter with the submission of the budget proposal submitted for each of fiscal years 2016, 2017, and 2018 under section 1105 of title 31, United States Code, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) the status of the negotiations at the International Maritime Organization regarding the establishment of a draft international code of safety for ships operating in polar waters, popularly known as the Polar Code, and any amendments proposed by such a code to be made to the International Convention for the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships;

(2) the coming into effect of such a code and such amendments for nations that are parties to those conventions;

(3) impacts, for coastal communities located in the Arctic (as that term is defined in the section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111)) of such a code or such amendments, on—

(A) the costs of delivering fuel and freight; and

(B) the safety of maritime transportation; and

(4) actions the Secretary must take to implement the requirements of such a code and such amendments.

SEC. 504. FORWARD OPERATING FACILITIES.

The Secretary of the department in which the Coast Guard is operating may construct facilities in the Arctic (as that term is defined in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111). The facilities shall—

(1) support aircraft maintenance, including exhaust ventilation, heat, an engine wash system, fuel, ground support services, and electrical power;

(2) provide shelter for both current helicopter assets and those projected to be located at Air Station Kodiak, Alaska, for at least 20 years; and

(3) include accommodations for personnel.

SEC. 505. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

(A) in the paragraph heading by striking ''; BRIDGING STRATEGY''; and

(B) by striking ''Commandant of the Coast Guard'' and all that follows through the period at the end and inserting ''Commandant of the Coast Guard may decommission the Polar Sea.'';

(2) by adding at the end of subsection (d) the following:

''(3) RESULT OF NO DETERMINATION.—If in the analysis submitted under this section the Secretary does not make a determination under subsection (a)(5) regarding whether it is cost effective to reactivate the Polar Sea, then—

''(A) the Commandant of the Coast Guard may decommission the Polar Sea; or

''(B) the Secretary may make such determination, not later than 90 days after the date of the enactment of Howard Coble Coast Guard and Maritime Transportation Act of 2014, and take actions in accordance with this subsection as though such determination was made in the analysis previously submitted.'';

(3) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(4) by inserting after subsection (d) the following:

''(e) STRATEGIES.—

''(1) IN GENERAL.—Not later than 180 days after the date on which the analysis required under subsection (a) is submitted, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

''(A) unless the Secretary makes a determination under this section that it is cost effective to reactivate the Polar Sea, a bridging strategy for maintaining the Coast Guard's polar icebreaking services until at least September 30, 2024;

''(B) a strategy to meet the Coast Guard's Arctic ice operations needs through September 30, 2050; and

''(C) a strategy to meet the Coast Guard's Antarctic ice operations needs through September 30, 2050.

''(2) REQUIREMENT.—The strategies required under paragraph (1) shall include a business case analysis comparing the leasing and purchasing of icebreakers to maintain the needs and services described in that paragraph.''.

(b) CUTTER ''POLAR SEA''.—Upon the submission of a service life extension plan in accordance with section 222(d)(1)(C) of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560), the Secretary of the department in which the Coast Guard is operating may use funds authorized under section 101 of this Act to conduct a service life extension of 7 to 10 years for the Coast Guard Cutter Polar Sea (WAGB 11) in accordance with such plan.

(c) LIMITATION.—

(1) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not expend amounts appropriated for the Coast Guard for any of fiscal years 2015 through 2024, for—

(A) design activities related to a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of another Federal department or agency, except for amounts appropriated for design activities for a fiscal year before fiscal year 2016; or

(B) long-lead-time materials, production, or post-delivery activities related to such a capability.

(2) OTHER AMOUNTS.—Amounts made available to the Secretary under an agreement with another Federal department or agency and expended on a capability of a Polar-Class Icebreaker that is based solely on an operational requirement of that or another Federal department or agency shall not be treated as amounts expended by the Secretary for purposes of the limitation established under paragraph (1).

SEC. 506. ICEBREAKING IN POLAR REGIONS.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 86 the following:

''§ 87. Icebreaking in polar regions

''The President shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers as needed to support the statutory missions of the Coast Guard in the polar regions by allocating all funds to support icebreaking operations in such regions, except for recurring incremental costs associated with specific projects, to the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 86 the following:

''87. Icebreaking in polar regions.''.

TITLE VI—MISCELLANEOUS

SEC. 601. DISTANT WATER TUNA FLEET.

Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (46 U.S.C. 8103 note) is amended—

(1) by striking subsections (c) and (e); and

(2) by redesignating subsections (d) and (f) as subsections (c) and (d), respectively.

SEC. 602. EXTENSION OF MORATORIUM.

Section 2(a) of Public Law 110–299 (33 U.S.C. 1342 note) is amended by striking ''2014'' and inserting ''2015''.

SEC. 603. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) Federal regulations and policies that reduce the competitiveness of United States flag vessels in international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

(A) make United States flag vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States flag vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of third-party inspection and certification authorities to inspect and certify vessels;

(E) increase the use of short sea transportation routes, including routes designated under section 55601(c) of title 46, United States Code, to enhance intermodal freight movements; and

(F) enhance United States shipbuilding capability.

SEC. 604. WAIVERS.

(a) ''JOHN CRAIG''.—

(1) IN GENERAL.—Section 8902 of title 46, United States Code, shall not apply to the vessel John Craig (United States official number D1110613) when such vessel is operating on the portion of the Kentucky River, Kentucky, located at approximately mile point 158, in Pool Number 9, between Lock and Dam Number 9 and Lock and Dam Number 10.

(2) APPLICATION.—Paragraph (1) shall apply on and after the date on which the Secretary of the department in which the Coast Guard is operating determines that a licensing requirement has been established under Kentucky State law that applies to an operator of the vessel John Craig.

(b) ''F/V WESTERN CHALLENGER''.—Notwithstanding section 12132 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the F/V Western Challenger (IMO number 5388108).

SEC. 605. COMPETITION BY UNITED STATES FLAG VESSELS.

(a) IN GENERAL.—The Commandant of the Coast Guard shall enter into an arrangement with the National Academy of Sciences to conduct an assessment of authorities under subtitle II of title 46, United States Code, that have been delegated to the Coast Guard and that impact the ability of vessels documented under the laws of the United States to effectively compete in international transportation markets.

(b) REVIEW OF DIFFERENCES WITH IMO STANDARDS.—The assessment under subsection (a) shall include a review of differences between United States laws, policies, regulations, and guidance governing the inspection of vessels documented under the laws of the United States and standards set by the International Maritime Organization governing the inspection of vessels.

(c) DEADLINE.—Not later than 180 days after the date on which the Commandant enters into an arrangement with the National Academy of Sciences under subsection (a), the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the assessment required under such subsection.

SEC. 606. VESSEL REQUIREMENTS FOR NOTICES OF ARRIVAL AND DEPARTURE AND AUTOMATIC IDENTIFICATION SYSTEM.

Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the

Senate of the status of the final rule that relates to the notice of proposed rulemaking titled ''Vessel Requirements for Notices of Arrival and Departure, and Automatic Identification System'' and published in the Federal Register on December 16, 2008 (73 Fed. Reg. 76295).

SEC. 607. CONVEYANCE OF COAST GUARD PROPERTY IN ROCHESTER, NEW YORK.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard is authorized to convey, at fair market value, all right, title, and interest of the United States in and to a parcel of real property, consisting of approximately 0.2 acres, that is under the administrative control of the Coast Guard and located at 527 River Street in Rochester, New York.

(b) RIGHT OF FIRST REFUSAL.—The City of Rochester, New York, shall have the right of first refusal with respect to the purchase, at fair market value, of the real property described in subsection (a).

(c) SURVEY.—The exact acreage and legal description of the property described in subsection (a) shall be determined by a survey satisfactory to the Commandant.

(d) FAIR MARKET VALUE.—The fair market value of the property described in subsection (a) shall—

(1) be determined by appraisal; and

(2) be subject to the approval of the Commandant.

(e) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under subsection (a) shall be determined by the Commandant and the purchaser.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(g) DEPOSIT OF PROCEEDS.—Any proceeds from a conveyance under subsection (a) shall be deposited in the fund established under section 687 of title 14, United States Code.

SEC. 608. CONVEYANCE OF CERTAIN PROPERTY IN GIG HARBOR, WASHINGTON.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) CITY.—The term ''City'' means the city of Gig Harbor, Washington.

(2) PROPERTY.—The term ''Property'' means the parcel of real property, together with any improvements thereon, consisting of approximately 0.86 acres of fast lands commonly identified as tract 65 of lot 1 of section 8, township 21 north, range 2 east, Willamette Meridian, on the north side of the entrance of Gig Harbor, narrows of Puget Sound, Washington.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) CONVEYANCE.—

(1) AUTHORITY TO CONVEY.—Not later than 30 days after the date on which the Secretary of the department in which the Coast Guard is operating relinquishes the reservation of the Property for lighthouse purposes, at the request of the City and subject to the requirements of this section, the Secretary shall convey to the City all right, title, and interest of the United States in and to the Property, notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713).

(2) TERMS OF CONVEYANCE.—A conveyance made under paragraph (1) shall be made—

(A) subject to valid existing rights;

(B) at the fair market value as described in subsection (c); and

(C) subject to any other condition that the Secretary may consider appropriate to protect the interests of the United States.

(3) COSTS.—The City shall pay any transaction or administrative costs associated with a conveyance under paragraph (1), including the costs of the appraisal, title searches, maps, and boundary and cadastral surveys.

(4) CONVEYANCE IS NOT A MAJOR FEDERAL ACTION.—A conveyance under paragraph (1) shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(c) FAIR MARKET VALUE.—

(1) DETERMINATION.—The fair market value of the Property shall be—

(A) determined by an appraisal conducted by an independent appraiser selected by the Secretary; and

(B) approved by the Secretary in accordance with paragraph (3).

(2) REQUIREMENTS.—An appraisal conducted under paragraph (1) shall—

(A) be conducted in accordance with nationally recognized appraisal standards, including—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice; and

(B) shall reflect the equitable considerations described in paragraph (3).

(3) EQUITABLE CONSIDERATIONS.—In approving the fair market value of the Property under this subsection, the Secretary shall take into consideration matters of equity and fairness, including the City's past and current lease of the Property, any maintenance or improvements by the City to the Property, and such other factors as the Secretary considers appropriate.

(d) REVOCATION; REVERSION.—Effective on and after the date on which a conveyance of the Property is made under subsection (b)(1)—

(1) Executive Order 3528, dated August 9, 1921, is revoked; and

(2) the use of the tide and shore lands belonging to the State of Washington and adjoining and bordering the Property, that were granted to the Government of the United States pursuant to the Act of the Legislature, State of Washington, approved March 13, 1909, the same being chapter 110 of the Session Laws of 1909, shall revert to the State of Washington.

SEC. 609. VESSEL DETERMINATION.

The vessel assigned United States official number 1205366 is deemed a new vessel effective on the date of delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

SEC. 610. SAFE VESSEL OPERATION IN THUNDER BAY.

The Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency may not prohibit a vessel operating within the existing boundaries and any future expanded boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve from taking up or discharging ballast water to allow for safe and efficient vessel operation if the uptake or discharge meets all Federal and State ballast water management requirements that would apply if the area were not a marine sanctuary.

SEC. 611. PARKING FACILITIES.

(a) ALLOCATION AND ASSIGNMENT.—

(1) IN GENERAL.—Subject to the requirements of this section, the Administrator of General Services, in coordination with the Commandant of the Coast Guard, shall allocate and assign the spaces in parking facilities at the Department of Homeland Security St. Elizabeths Campus to allow any member or employee of the Coast Guard, who is assigned to the Campus, to use such spaces.

(2) TIMING.—In carrying out paragraph (1), and in addition to the parking spaces allocated and assigned to Coast Guard members and employees in fiscal year 2014, the Administrator shall allocate and assign not less than—

(A) 300 parking spaces not later than September 30, 2015;

(B) 700 parking spaces not later than September 30, 2016; and

(C) 1,042 parking spaces not later than September 30, 2017.

(b) TRANSPORTATION MANAGEMENT REPORT.—Not later than 1 year after the date of the enactment of this Act, and each fiscal year thereafter in which spaces are allocated and assigned under subsection (a)(2), the Administrator shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the impact of assigning and allocating parking spaces under subsection (a) on the congestion of roads connecting the St. Elizabeths Campus to the portions of Suitland Parkway and I–295 located in the Anacostia section of the District of Columbia; and

(2) progress made toward completion of essential transportation improvements identified in the Transportation Management Program for the St. Elizabeths Campus.

(c) REALLOCATION.—Notwithstanding subsection (a), the Administrator may revise the allocation and assignment of spaces to members and employees of the Coast Guard made under subsection (a) as necessary to accommodate employees of the Department of Homeland Security, other than the Coast Guard, when such employees are assigned to the St. Elizabeths Campus.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. HUNTER. 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 H.R. 5769.

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

There was no objection.

Mr. HUNTER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act of 2014, reauthorizes funding for the Coast Guard through fiscal year 2015 at levels that are fiscally responsible and that will reverse the misguided cuts proposed by the current administration.

The President proposed to slash the service's acquisition budget by over 20 percent, reduce the number of servicemembers by over 1,300, undermine readiness by cutting program hours for aircraft, and jeopardize the success of the

search-and-rescue mission by taking fixed-wing air aircraft crews off alert status. The President's budget request will only worsen the Coast Guard's growing gaps in mission performance, increase acquisition delays, drive up the cost of new assets, and deny our servicemembers the critical resources needed to perform their duties.

□ 1245

H.R. 5769 authorizes sufficient funding to ensure these cuts do not happen and the service has what it needs to successfully conduct its missions. The bill also makes several reforms to the Coast Guard authorities, as well as laws governing shipping and navigation.

Specifically, H.R. 5769 supports Coast Guard servicemembers by ensuring the members of the Coast Guard are offered the same benefits available to members of the other armed services. It improves Coast Guard mission effectiveness by replacing and modernizing Coast Guard assets in a cost-effective manner.

It enhances oversight of the Coast Guard, reduces inefficient operations, and saves taxpayer dollars by making commonsense reforms to Coast Guard missions and administration. It helps veterans make the transition from service in the military to good-paying jobs in the maritime industry.

It includes an Arctic maritime transportation title, which provides the Coast Guard the authorities it needs to successfully carry out missions in the Arctic, as well as prepare for the safe operation of commercial vessels and increased human activity in the region.

It encourages job growth in the maritime sector by conducting regulatory burdens on job creators, and lastly, it reauthorizes and reforms the structure and operations of the FMC.

Mr. Speaker, with respect to section 323 of the bill, it is the committee's intent that the Department of Transportation use the Web site currently operated by the Coast Guard to the greatest extent possible. The data presented on the Web site should be limited only to that required by statute and shown in a simple, easily used format.

The committee does not intend to use anything other than commercial off-the-shelf technology to establish the Web site or independently develop new software or acquire new hardware in operating the site.

H.R. 5769 presents a strong bipartisan and bicameral agreement. I want to thank Senators ROCKEFELLER, THUNE, BEGICH, and RUBIO for working with us on this important legislation. I also want to thank Ranking Member RAHALL and the subcommittee ranking member, Representative GARAMENDI, for their efforts, and Chairman SHUSTER for his leadership.

Finally, I want to take a minute to point out that this will be the last Coast Guard authorization bill that will benefit from the advice and support of the only Member of Congress with service in the Coast Guard, our colleague and friend, HOWARD COBLE.

HOWARD is a Korean war veteran with 5 years of active duty in the Coast Guard and another 18 years in the Coast Guard Reserve. He is the founder of the Congressional Coast Guard Caucus, as well as an active member and former chairman of the Subcommittee on Coast Guard and Maritime Transportation.

Throughout his career in Congress, HOWARD has been a tireless advocate for the men and women of the Coast Guard. I thank and commend him for this service to our Nation and for his contributions to this and past Coast Guard authorizations.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 3, 2014.

Hon. BILL SHUSTER,
Chairman, House Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: I write to you regarding the jurisdictional interest of the Committee on Homeland Security in H.R. 5769, the ''Howard Coble Coast Guard and Maritime Transportation Act of 2014.'' The bill contains certain provisions that fall within the jurisdiction of the Committee.

In the interest of permitting the Committee on Transportation and Infrastructure to proceed expeditiously to the House floor, I will not seek a sequential referral of H.R. 5769. However, I do so only with the mutual understanding that the jurisdiction of the Committee on Homeland Security over matters concerning the United States Coast Guard in this or similar legislation is in no way diminished. I further request that you urge the Speaker to name Members of this Committee to any conference committee that is named to consider such provisions.

Finally, I request you include this letter and your response into the Congressional Record during consideration of H.R. 5769 on the House floor. Thank you for your cooperation.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 3, 2014.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: Thank you for your letter regarding the Committee on Homeland Security's jurisdictional interest in H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act of 2014.

I look forward to working with you concerning provisions in H.R. 5769, or similar legislation, that are within the jurisdiction of the Committee on Homeland Security. Finally, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters in the Congressional Record during House floor consideration of the bill. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

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

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

Mr. RAHALL. Mr. Speaker, I rise today in strong support of H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act of 2014. This legislation was developed, as Mr. HUNTER has said, through very cooperative, bipartisan, and bicameral negotiations over the past 2 months.

That we are here today considering this legislation on the suspension calendar demonstrates again that, when we put aside partisan differences, we can find agreement on substantive legislation that serves the greater interests of the American public.

I commend full committee Chairman SHUSTER for his leadership in reaching out to the other body to initiate the process that has culminated in producing the outstanding bill that is before the House today.

I also want to thank and acknowledge the chairman of the Coast Guard and Maritime Transportation Subcommittee, DUNCAN HUNTER, and the ranking Democratic member of our Coast Guard and Maritime Transportation Subcommittee, Mr. JOHN GARAMENDI, for their tireless efforts to advance this important legislation.

As well, to our colleague HOWARD COBLE, whom I have served with on the Transportation and Infrastructure Committee since he was first elected to the House in 1984.

It is truly fitting that the pending bill will be named after HOWARD. He is a true gentleman in every sense of the word, a gentleman of this House, and a superb friend to myself, as well as to many of our colleagues.

The U.S. Coast Guard, one of our Nation's five military services, remains an agency that is as indispensable today as it was 100 years ago. Whether maintaining the safety of maritime commerce on the high seas, securing our ports, harbors, and inland waterways, or when protecting life at sea, the Coast Guard stands ready and able to serve whenever called.

I am pleased that this legislation will provide sufficient authorized funding to ensure that the Coast Guard has the resources and the personnel that it needs to accomplish its many missions, and most importantly, this legislation provides adequate funding to allow the Coast Guard to maintain progress in recapitalizing its offshore fleet of cutters, which is a very high priority.

I am also pleased that this legislation will advance several policies to support our merchant marine, especially a provision that will strengthen the enforcement of cargo preference requirements and ensure that the transport of U.S. Government cargoes continue to provide jobs for U.S. seafarers.

In general, this legislation will do much to advance our maritime industries and ensure that our maritime economy remains a vibrant contributor

and source of jobs for millions of Americans.

This legislation is noncontroversial. It does have solid bipartisan and bicameral support, and I urge Members to support this worthy bill.

I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, there are a few people I want to thank, too. I want to thank John and Jeff, who are here in this room, for the work that they have put into this. I want to thank Victoria Middleton, who is my chief of staff. This will be her last year. This is her first Coast Guard bill that we are getting done here. They have put in so much work and so much time.

For myself, this is my first piece of legislation that I am going to be passing in this Coast Guard and Maritime Transportation Subcommittee with Mr. GARAMENDI. It has been a great time working with everybody.

I want to thank, lastly, the men and women of the Coast Guard. They have been fantastic. They have really opened up their arms to us. We have been able to see what they do, how they do it, and what they have to do, day in and day out, for the people of this country and, frankly, people of every country.

If you are on the open seas and something bad happens to you, it is going to be the U.S. Coast Guard that comes and saves you. If you are a bad guy running drugs from South America up to Florida, it is going to be a U.S. Coast Guard vessel that interdicts.

I just want to thank the U.S. Coast Guard for what they do for this Nation because they are kind of the redheaded stepchild. They are a military service, but they are also a law enforcement entity. They get to do both things, and that is one of the things that makes them such a great organization.

With that, Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman from California, and I will be very brief. I thank the ranking member, Mr. RAHALL, and the chairman of the subcommittee for your generous words. I am not sure that I am deserving, but I am appreciative. I appreciate the diligence which the Coast Guard men and women display daily in the discharge of their duties.

There is an old adage that is as old as the Coast Guard, and that is when distress calls are received, the Coast Guard must go out. It says nothing about them coming back. Most of them do come back, but on occasion, they don't. We should always remember that very clearly.

Again, I thank you for this honor.

Mr. RAHALL. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from California (Mr. GARAMENDI), the ranking member of the Subcommittee on Coast Guard and Maritime Transportation.

Mr. GARAMENDI. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act.

As explained by previous speakers, this bill is bipartisan, bicameral, and is noncontroversial. It reauthorizes the Coast Guard and the Coast Guard Reserve and the Federal Maritime Commission. The legislation includes many important provisions that were contained in H.R. 4005, the Coast Guard authorization legislation that was passed and reported by voice vote from the committee, as well as overwhelming support here on the floor on April 1 of this year.

Maintaining a safe, reliable, and efficient maritime commerce that enables our foreign and domestic trade to fuel the U.S. economy remains as important today as it was in 1790, when former Treasury Secretary Alexander Hamilton established the U.S. Revenue Cutter Service, the predecessor to the U.S. Coast Guard.

This new legislation will provide our Coast Guard with the resources and policy tools they need to meet the challenges presented by an ever-evolving economy and security demands of our Nation.

First, let me explain. A sincere gratitude to my colleague, DUNCAN HUNTER, the chair of the subcommittee, for the work that he and his extraordinary staff have done in putting together this bill. Working together, I think we have accomplished something useful.

Mr. RAHALL's leadership on our side was exemplary. He gave us the resources, the time, and the encouragement to get this job done, and that was repeated by Mr. SHUSTER on the other side. We have a great team, and I am proud to be part of it.

This is a compromise to be sure, but it is a good one. First and foremost, the bill includes several noncontroversial administrative and management directives to better align the Coast Guard missions and needs with the long-term capital planning and annual budget requests.

Additionally, the bill would grant the Coast Guard with greater flexibility to augment Active Duty forces and provide explicit cooperative agreement authority to enhance the Coast Guard's ability to develop beneficial partnerships with other maritime stakeholders. The bill provides new guidance to the Coast Guard as it continues to rebuild its fleet of offshore cutters.

I am particularly pleased this legislation would advance several positive initiatives to reinvigorate the U.S. merchant marine and improve maritime transportation. Most noteworthy, this legislation would advance several positive policy initiatives, among them the enforcement of cargo preference laws and regulations, a move that is long overdue.

Additionally, the legislation requires the Department of Transportation to develop a new maritime strategy and direct the Government Accountability Office to conduct an assessment of how future export trade can be augmented.

I welcome the opportunities to chart new courses forward to improve the competitiveness of the U.S. flag fleet on the high seas, to increase opportunities for short sea shipping, and to expand our commercial shipbuilding industrial base.

I am pleased that this legislation will advance significant new policies already discussed by Mr. HUNTER to finally force the Federal Government and the Coast Guard especially to take constructive actions to address the implications of the thawing of the Arctic Ocean and the imminent demands for commercial maritime transportation and resource development across that vast region. A particular shout-out to Mr. HUNTER for leading the charge on this very important effort.

In closing, this bill is responsible legislation that would provide budget stability for the Coast Guard, advance sensible policy reforms, and promote our merchant marine. The bill deserves support from Members from both sides of the aisle.

Mr. HUNTER. Mr. Speaker, this bill would not have happened without the leadership of Mr. RAHALL and the full committee chairman, BILL SHUSTER from Pennsylvania. They did a lot of work on this bill.

I am honored to yield such time as he may consume to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Speaker, I thank the gentlemen from California, Mr. HUNTER and Mr. GARAMENDI, for their great work. There were a couple of rough patches, but in the House, we were able to figure it out. In the Senate, I especially thank Senator ROCKEFELLER for working through this. I know Senator ROCKEFELLER is retiring, so it is fitting that, as he leaves, this bill and his work is complete, and so we congratulate and thank him for his work.

This bill that Chairman HUNTER and Mr. GARAMENDI put together is truly bipartisan and bicameral. There are a lot of great reforms in it. The men and women of the Coast Guard that help to keep this country safe and enforce our laws, this is a tribute to them for what they do.

They risk their lives to save people and to save property, and so my hat goes off to them and to thank them again for the great work that they do protecting the American people on the waterways and on the high seas and the marine natural resources that they also help to protect. They have a huge job.

I am very, very proud that the Howard Coble Coast Guard and Maritime Transportation Act is going to pass today. As I said, a lot of bipartisan reforms are in the bill that will help to streamline and ensure that our Coast Guard can do their job more efficiently and with less red tape, giving them the resources that they need.

Again, a special thanks to HOWARD COBLE, who the bill is named for. This

is his final bill. We wish him well in his future journey. Being the only Member of Congress that is a coastie, we thank him for all of his years of service back to 1985.

I think I am one of the few Members who has known HOWARD COBLE since 1985—not that I was a Member then, but my father served with HOWARD on the committee. I was with my father last night, and I told him that we are doing the bill today, and he sends his best to you, HOWARD, and congratulates you on your retirement.

You have been a tireless worker for the interests of the Coast Guard and for the security of America, and we can't thank you enough for that.

□ 1300

In addition, the ranking member, Mr. RAHALL, I believe this will be the final bill that he moves through the committee. I want to thank him for his friendship and for working with me the past 2 years. It has been a great partnership.

I have got a lot of great stories. As we went through the WRDA bill, a lot of great successes. A couple of them I can't tell, or I can't tell them on the House floor, but they are all clean. They are all good. But, again, we really worked well together on that, and I wish you the best in your future endeavors. You will be missed here in Washington. And again, a family friend for almost 40 years, serving with my father and with me; and again, we can't thank you enough for the great work that you have done in your 38 years here.

Mr. COBLE. Will the gentleman yield?

Mr. SHUSTER. I yield to the gentleman from North Carolina.

Mr. COBLE. I will be very brief.

In thanking Mr. RAHALL and Mr. HUNTER, I failed to thank the chairman. That is a mistake you should never commit. So I thank you as well, Mr. SHUSTER. Thanks to all of you.

Mr. SHUSTER. I was more than happy to let Mr. COBLE come up. He didn't have to thank me. His hard work is thanks enough. But, again, a fine member of the committee and a Member of Congress. We are going to miss him greatly.

So, again, as I want to sum up, Chairman HUNTER, Ranking Member GARAMENDI, great work on this bill. I encourage all of my colleagues to vote for this, and hopefully we will get a vote in the Senate next week, and we can get this to the President's desk and he can sign it for Christmas. So, again, thanks to all.

I want to thank the staff for their great work, not only on the subcommittee but on the full committee. As we worked through the past 2 years, the staff has had a lot of good action together, and I want to thank the staff and wish them a Merry Christmas, a happy holiday, and a happy new year. If we don't see you, then we will see you around the first of the year.

I am particularly pleased that the bill includes a provision which equalizes the regulatory treatment among similar vessels which operate out of the British and U.S. Virgin Islands.

Current law puts certain vessels operating out of the U.S. Virgin Islands at a competitive disadvantage with similar vessels operating out of the British Virgin Islands. H.R. 5769 establishes an equal playing field for these vessels.

It allows vessels operating out of the U.S. Virgin Islands which meet safety requirements identical to those in effect for similar vessels operating out of the British Virgin Islands to carry an equal number of passengers.

It is clear the provision comes into effect on the date of enactment. The Coast Guard may write standards to implement the provision, but, again, the provision is clear, any such standards must be identical to those imposed on BVI vessels; and during any period prior to the implementation of such standards, vessels operating out of the U.S. Virgin Islands which meet the standards referenced in section 319, uninspected passenger vessels in the United States Virgin Islands, of H.R. 5769 shall be allowed to carry an equal number of passengers as those operating out of the British Virgin Islands.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, first of all, I want to thank Ranking Member RAHALL for this time. I also thank him for his work on this legislation and for his decades of service to our great Nation. He will be sorely missed in the Transportation Committee and, indeed, in the Congress.

I also want to thank Chairman SHUSTER, Chairman HUNTER, and Ranking Member GARAMENDI for all of their hard work on this legislation.

I rise today in support of this measure, H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act of 2014.

And it is interesting that Mr. COBLE just got up to make sure that he thanked everybody, but I want to thank him. When I served as the chairman of the subcommittee, he was one of my staunchest supporters. He was the epitome of bipartisanship. He always made it clear that the Coast Guard was sometimes not put on the front burner, was on the back burner, and he wanted to make sure that they were on the front burner, and I want to thank him for this. This is so very, very significant, and I want to thank him for his friendship over the many years.

This measure includes critical provisions strengthening the Department of Transportation's, DOT, authority to enforce cargo preference requirements to ensure that government-impelled cargoes are carried on U.S.-flagged vessels. Section 321 of this legislation clarifies that the DOT has exclusive authority to determine whether a government-impelled cargo is subject to these requirements.

Section 321 also requires the DOT to conduct an annual review to determine whether government programs are in compliance with cargo preference requirements. According to the Maritime Administration, the number of U.S.-flagged vessels operating in international trade has declined nearly 25 percent in just the last 3 years, falling from 106 in January of 2012 to just 81 as of this month.

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

Mr. RAHALL. Mr. Speaker, I yield the gentleman another minute.

Mr. CUMMINGS. It is not an exaggeration to say that if we don't take deliberate and swift steps to preserve the U.S. Merchant Marine, we will lose it, leaving our Nation dependent for merchant sealift capacity on foreign-flagged vessels and foreign mariners. Despite what some may claim, reserving the carriage of the U.S. Government-impelled cargoes is not unlike any other government program designed to ensure that the expenditure of U.S. taxpayer funds benefits Americans.

Again, this is a very important piece of legislation. I urge all the Members to vote for it. To all of those who have been a part of this in making it happen, I express my appreciation. On behalf of the Coast Guard, I express my appreciation.

Mr. HUNTER. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ROYCE), my good friend and colleague and the full committee chairman of the Foreign Affairs Committee.

Mr. ROYCE. Mr. Speaker, I want to recognize the efforts of the Transportation and Infrastructure Committee. Its leadership should be commended for this bipartisan effort to strengthen the Coast Guard in a time of heightened security threats to the United States.

The Foreign Affairs Committee has been working in a bipartisan way to reform international food assistance, so I particularly appreciate the fact that this legislation does not include a provision that would have raised the cargo preference requirements for these programs from 50 percent to 75 percent. A provision like this would cost U.S. taxpayers millions more and slow lifesaving assistance by months.

Lives are at stake, and I appreciate that the committee heard our view, and I also appreciate the assurances provided by the Transportation Committee that nothing in section 321 will drastically alter the existing consultation requirements for enforcement of cargo preference. I also understand that nothing in the bill will have the effect of raising cargo preference above an annual global threshold of 50 percent, particularly for the Food for Peace program.

Again, congratulations to Chairman HUNTER and his colleagues for crafting this important legislation and also Mr. COBLE and Mr. RAHALL for their work.

Mr. RAHALL. Mr. Speaker, may I have a time check, please.

The SPEAKER pro tempore. The gentleman from West Virginia has 10 minutes remaining. The gentleman from California has 9½ minutes remaining.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN), the distinguished ranking member of our Subcommittee on Aviation.

Mr. LARSEN of Washington. Mr. Speaker, I rise in support of H.R. 5769, the Howard Coble Coast Guard and Maritime Transportation Act of 2014.

As a former ranking member of the Coast Guard Subcommittee, I am very pleased that this bill provides the necessary resources to keep the men and women of the Coast Guard on the job. I am also pleased this bill makes needed advancements in our Nation's engagement in the Arctic.

Our country faces a steep opportunity curve when it comes to the Arctic. We haven't made the needed investments in that region to protect our environment, our economic interests, and our national security. But as our country gets ready to take over the chairmanship of the Arctic Council in 2015, this bill signals that our country is ready to engage further in Arctic issues. It requires the Coast Guard to come up with a plan for moving our icebreaker fleet forward; it encourages the development of forward operating bases for the Coast Guard in the region; and it improves the ability of the Coast Guard to monitor, patrol, and protect our Nation's Arctic waters.

I am hopeful that this bill will finally push the Coast Guard to reactivate the mothballed Polar Sea icebreaker so that it can act as a bridge towards a new icebreaker fleet. In the longer term, funding a new icebreaker fleet will require a whole of government approach. The Coast Guard simply does not have the acquisition budget to build a new icebreaker fleet on its own.

The Department of Defense, Coast Guard, and National Science Foundation need to work together to develop a funding strategy for assets they will all use. This bill endorses such a strategy.

Finally, I am very pleased that this bill includes $10 million for the Small Shipyard Grant Program, a successful effort that provides infrastructure spending to shipyards in the Pacific Northwest and around the country that creates jobs and supports local economies.

With that, I urge my colleagues to support this legislation.

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

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

Mr. Speaker, again, I want to commend our full committee chairman, Mr. SHUSTER; the subcommittee chair, Mr. HUNTER; our ranking member, Mr. GARAMENDI; and our staffs, as well, for the tremendous work that has gone in to producing this legislation.

Under Chairman SHUSTER's leadership, our Transportation and Infrastructure Committee is indeed demonstrating once again today what bipartisanship can do and the productive manner in which we can work for the American people in what is often described as a dysfunctional city. I know that in the years ahead, the Transportation and Infrastructure Committee will step up to the plate and do its work again, especially in addressing a major transportation bill next year and a major aviation bill that is on its agenda.

I guess it is kind of fitting, Mr. Speaker, that the last bill that Senator ROCKEFELLER and myself are in part being managed by West Virginians. Both of us will be leaving this Congress. West Virginia is the great seafaring State that it is. But I do salute Senator ROCKEFELLER as well for his tremendous leadership as chairman of the Senate Commerce Committee, for his leadership on this legislation and so many other pieces of legislation that have benefited our State of West Virginia in a more direct way, perhaps, but also a benefit to this great country. He is one that has been concerned for all of us, as we all are, about producing jobs for America, and that is what our Transportation and Infrastructure Committee is about.

I commend the staffs and I commend my dear friend Mr. COBLE that so much has been said about and for whom this legislation is named. We have traveled together on a few occasions. During my entire time here, I have not seen any Member of this body conduct themselves in such a true gentleman fashion as HOWARD COBLE does. We all call him our dear friend.

With that, Mr. Speaker, I urge my colleagues to support this legislation and, again, commend Chairman HUNTER and Chairman SHUSTER for their bipartisan and cooperative manner in which they have worked on this and so many pieces of legislation.

I yield back the balance of my time.

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

Again, I want to thank the gentleman from West Virginia and my colleague from California (Mr. GARAMENDI) and the great staffs that spent time on this and, of course, the great HOWARD COBLE, who said in one of his elections probably about 10 years ago when he was down by a few hundred votes, I called him up on it election night and his answer was, ''Look good, feel good.'' That is the great HOWARD COBLE.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. HAHN. Mr. Speaker, today the House will vote on the bipartisan Howard Coble Coast Guard & Maritime Transportation Act of 2014. This bill is a great step for our nation's Coast Guard and federal maritime transportation. Under the constraints of limited resources, this important agreement will continue to provide our Coast Guard and Federal Maritime Commission with the ability to protect our nation's international borders while promoting American commerce around the world.

Having served the people of Los Angeles for nearly 15 years on the City Council and now in Congress, I have long appreciated the work of our Coast Guard and Federal Maritime Commission officials who support the largest port complex in the United States. America relies on the Ports of Los Angeles and Long Beach, which is the gateway for forty percent of all maritime commerce, and providing security to these ports keeps goods flowing across the nation.

In addition, this act provides new incentives for the employment of veterans on U.S. flagged vessels, and directs the Secretary of Transportation to work with Congress to create a national maritime strategy to promote the competitiveness of the U.S. flagged fleet, increase the use of short seas shipping, and enhance U.S. shipbuilding capacity. Our nation's ports and maritime commerce drive all aspects of our economy, and this agreement will provide our nation's maritime gateways the federal support to ensure American ports remain the safest and most economical for shippers around the world.

I am pleased this strong agreement bears the name of our colleague HOWARD COBLE, a fellow member of the Transportation & Infrastructure Committee and a great friend of mine, who has long been a champion of America's Coast Guard and ports. Congress will miss his leadership. I urge the Senate to consider this legislation immediately and send it to the President's desk for his signature.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 5769.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HUNTER. 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, further proceedings on this motion will be postponed.

□ 1315

PROVIDING FOR CONSIDERATION OF H.R. 5771, TAX INCREASE PREVENTION ACT OF 2014, AND PROVIDING FOR CONSIDERATION OF H.R. 647, ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 766 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 766

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, and for other purposes. All points

of order against consideration of the bill are waived. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. In the engrossment of H.R. 5771 the Clerk shall—

(a) add the text of H.R. 647, as passed by the House, as new matter at the end of H.R. 5771;

(b) conform the title of H.R. 5771 to reflect the addition of H.R. 647, as passed by the House, to the engrossment;

(c) assign appropriate designations to provisions within the engrossment; and

(d) conform cross-references and provisions for short titles within the engrossment.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, as the calendar year comes to an end, America's small businesses and taxpayers are looking to Congress for certainty before they file their taxes in April of 2015. While far from perfect, the Tax Increase Prevention Act will provide certainty by extending for 1 more year a number of tax relief provisions that simply would have expired at the end of this year. Put simply, this bill will prevent tax increases on millions of families that would happen if we were not bringing it to the floor today.

And to Mr. KINGSTON, I thank you for your years of service to this body on behalf of the American people and the people of Georgia.

In an ideal world, Mr. Speaker, the House would be debating a more comprehensive approach to tax reform. We would be worried and focusing our activities on growing jobs in America and giving the American people more of their hard-earned money back so they could invest either in their family or in their business—an opportunity to grow our economy to keep America strong—but our Tax Code is holding back America from being competitive and from providing America with more jobs.

American taxpayers deserve what we are doing today, which is an opportunity to work incrementally on a better, simpler, easy-to-navigate Tax Code with certainty, but only for 1 more year. We should be making long-range plans by working with the United States Senate and the President to make sure the American people come up winners. The United States tax rate is currently the highest in the world, and I would prefer to be debating reform, but we are here today for 1 more year's worth of opportunity to keep America where she and her citizens are prepared for the future.

Thanks to the leadership of the chairman of the Ways and Means Committee, DAVE CAMP from Michigan, we almost had a chance to fix these issues today, but he came to the rescue and said, ''I am going to work with Republicans and Democrats and anybody who will work with me''—meaning the chairman of the Ways and Means Committee—''on helping American business be stronger.''

The bottom line is that I believe we are going to work together, and it starts in the House of Representatives to get that work done. So just like the deal that DAVE CAMP started, we are here for the process today of jumpstarting American business for yet another year.

Sadly, reports tell us that the President's veto threat undermines these bipartisan negotiations. The things Chairman DAVE CAMP is working on to make American jobs stronger and a reality—and working on in a bipartisan effort—the President of the United States is threatening to veto that very legislation. So, today, despite the veto threat, we are here to do our work.

Today, you will see, Mr. Speaker, Republicans and Democrats certainly have things in the bill which are special and important to them but that, more importantly, are about the American people and opportunities to save and grow jobs.

Earlier this year, and certainly last year, the House passed a number of permanent extensions of these policies on a bipartisan basis. That means, Mr. Speaker, Republicans and Democrats tried to work together. But the failure of leadership on the Senate side meant those bills were not ever even brought before the Senate to debate them. Worse yet, the President of the United States opposes those efforts.

We are here for one simple reason today. By taking the leadership opportunity, we think we can gain the ability, on a bipartisan basis in the House of Representatives, to give the Senate and the President one more whack at it.

Let me be clear. Even if this legislation is not as ambitious as it could have been, it is still vitally important. I think what we are doing here, under the leadership of JOHN BOEHNER, is to say to the American people that we know what our job is, even if we are not as wildly successful as we want to be. America's small businesses and families actually need, and rely upon, Congress to do its job.

Mr. Speaker, as the Representative of the 32nd Congressional District of Texas, which is essentially Dallas, Texas, and some suburbs, I regularly meet with small businesses—important businesses—that employ people. Earlier in the year, I met with Jamey Rentfrow of Ascend Custom Extrusions in Wylie, Texas. Jamey's company manufactures and designs custom aluminum extrusions for industry. It was a most interesting visit. They call this manufacturing in America.

On the same day, I also met with JoAnn Gardner, a young woman who owns Savage Precision Fabrication. They make parts for military aircraft. They count on us to be able to get our job done to buy the newest and best equipment. It goes to help not only aerospace and military but other civilian needs also. They know that if we do this, the option for them to expense 50 percent of the purchase price of their assets can be taken care of. They can write it off when they want to rather than when the Tax Code wants.

In March, I met with Frank Millsap. It was a most interesting visit. He runs a rod car store called Sachse Rod Shop. He explained to me how our onerous Tax Code prevented him from employing more people.

Mr. Speaker, that is why we are here today. We are here to make sure we take care of the people in our home districts, many of them companies that are small mom-and-pop shops, but others that employ hundreds of people.

The bill would also affect a minority-owned business called Aluma Graphics, which is located in Wylie, Texas, and owned by Randall Williams, a young man who played professional football. When he got out, he decided he was going to go into business. He is realizing how tough it is to manufacture labels and decals for industrial products. This bill would help him and his employees.

These businesses, not just in the 32nd Congressional District but all over our

country, are important, as they provide people the honesty of hard work and the return of continuing to come to work the next day because their company can make the money to get it done.

What we are doing today will extend for only 1 more year the tax provisions, but it will help millions and millions of people.

Additionally, Mr. Speaker, this rule contains a great bill that's called the ABLE Act, which represents, I believe, what our country can do best when Republicans and Democrats and people who care in the United States Congress work together.

Almost every single person in America, I believe, knows someone with a disability: a family member, a best friend, perhaps a brother or sister, or maybe even an aunt or uncle. But we all know that it is only fair that we pay attention to the people we dearly love.

So, today is a game-changer. Today, we are removing what I think is a glass ceiling for disabled people who are held at a disadvantage in our Tax Code. The ABLE Act would make 529 tax-free savings accounts available so that families can cover important expenses such as postsecondary education, housing, career development, and medical expenses not covered by private insurance, Medicaid, or other benefits that might be available to them offered by government.

These tax-free savings accounts will empower families so that their loved ones can have opportunities they have not had in the past. It is personal to me because as my father looks at all of his grandchildren, he can have the opportunity of helping out in their education, but not for Alex Sessions, his grandson with Down syndrome. He can help all the grandkids, but not Alex.

This happens millions of times in our country. There are millions of people with disabilities who count on going into a program or being enrolled in something that the Federal Government pays for, but we discriminate against them. When this gets signed into law, my father, Judge Sessions, will be able to treat Alex as he does his other grandchildren. What is amazing is that Alex needs it more than all of them combined, but he is the one that we wanted to keep in his place because he has a disability called Down syndrome.

Mr. Speaker, this bill is important. It is important to the people whom it impacts. It is important to our families. But more importantly, it is important to our country. The gentleman, ANDER CRENSHAW from Jacksonville, has worked on this bill for 8 years. We are finding a way to put it into a piece of legislation. To help millions of people with their jobs, it needs to pass.

Mr. Speaker, that is why we are here today. We are here doing important work for millions of people. It does matter, and I think we make a huge difference.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Today, we have two bills before us: one extending tax relief measures and another for helping our brothers and sisters and family members with disabilities. These bills, considered under two more closed rules, which I feel I must point out, adds to the tally of the most closed Congress in American history.

□ 1330

First, H.R. 5771, the Tax Increase Prevention Act of 2014. This 1-year extension will cover approximately 60 temporary Tax Code provisions that expired at the end of 2013 or during 2014. Many of the provisions have been previously extended with broad bipartisan support.

This bill is far from perfect, but it provides us a sorely-needed stopgap measure. Our economy has finally emerged from the shadow of the Great Recession, but playing games like this, lurching from one short-term measure to another, will certainly harm that recovery.

This bill will ensure some consistency in the Tax Code that will help the American people avail themselves of the tax credits that they depend on, just in time for the tax filing season.

However, of particular note, left out of this package is the health coverage tax credit, which is made available to workers who have lost their jobs as a result of unfair trade deals and retirees who are at risk of losing their pensions.

In my district, in Rochester, the retirees of Delphi and other local companies depend on the health coverage tax credit to cover their health care bills, and they have been fighting mightily for some relief from the fact that they have lost their pensions and their health care. This is all that they have, the government program.

Denying a critical tax credit to families who have been hit hardest by unfair foreign competition and a tough economy here at home is a mistake, and one I will fight hard to correct.

The second bill we have before us today is H.R. 647, the ABLE Act. This bill will right an injustice that has been impacting millions of Americans with disabilities, their families, and their caregivers.

Under current law, the individuals with disabilities can qualify to receive Social Security Disability Insurance, but there is an asset limit of $2,000, meaning that if you have more cash than that on hand, your SSDI benefits will be reduced.

This disincentivizes work and saving, creates an unnecessary economic uncertainty, and it does nothing to better the circumstances of our Nation's most vulnerable.

The ABLE Act will change that by creating a tax-free savings account, with an annual cap on contributions of $14,000, ensuring that people with disabilities have a better sense of security and ways that friends and family can contribute to their education, transportation, medical expenses, employment support, housing, and more without risking their eligibility for the badly-needed disability insurance.

I am pleased to see this come to the floor with such strong support because my district in Rochester has a vibrant and involved community of people with disabilities.

I commend my colleagues on both sides of the aisle, my friend, the chairman of the Rules Committee, in particular, for the diligent, passionate, and careful work on this important issue.

Mr. Speaker, I have some reservations about these bills, the first bill anyway, but stabilizing the Tax Code and ensuring financial independence for our brothers and sisters does provide much-needed support. So I urge my colleagues to do the best they can on the rule and the bill.

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

Mr. SESSIONS. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Jackson County, North Carolina (Mr. MEADOWS).

Mr. MEADOWS. Mr. Speaker, I thank the chairman of the Rules Committee for his leadership and his vision and his passion and his great words.

I also want to thank the gentleman from Jacksonville, Florida (Mr. CRENSHAW). He is a true leader, and I am proud to be a cosponsor of the ABLE Act.

Today, we can talk about taxes, we can talk about legislation, but really, what we are talking about is people, Mr. Speaker.

I want to share two personal stories because, for me, I don't have to deal with children with disabilities on a daily basis. I was blessed with two kids that didn't have some of those same challenges.

What I have had is I have experienced the love and the compassion that two children with special needs have given to me over and over.

The first one of those is a young lady, 21 years of age, with Down syndrome named Chloe. Chloe is not only a dear friend but also is someone who has been able to share with me the struggles in her life, the passion in her life, the vision. She has a part-time job.

But the other part of that story is the difficulties that sometimes families with special needs have. What I have seen over and over again is that, even though I was able to experience the love firsthand, that there is a 24-hour, 7-day a week job that parents have to deal with, and some of those challenges are monumental.

We need to address that as a body. We need to partner with those moms and dads across America to make sure that, indeed, what they have to face is

not really handicapped because of a Tax Code that penalizes them.

So the ABLE Act, after 8 long years of work by the gentleman from Florida (Mr. CRENSHAW), hopefully, will be voted on and passed in this very House to provide the needs and the help that those parents so desperately need.

But I also want to share another story about a young lady from my home district who has just turned 1 named Holland Burleson, because, indeed, Down syndrome, whether it is with Chloe or this young lady, has a profound effect; same love, same compassion that I got to experience.

But yet, what happened is that those parents went out, funded a 5K run to bring the awareness to a community up in the mountains of western North Carolina, and overwhelmingly, that community came together, raising funds not just for the benefit of the Burleson family but for the benefit of all of those families.

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

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

Mr. MEADOWS. I thank the gentleman.

What happened is lives were transformed in that small little town. And so I am here today to speak on behalf of not only great work, but great vision and a partnership in which we can partner with families, moms and dads across this country, to do a job that should have been done long ago, to allow the special needs of those special families to be addressed.

Ms. SLAUGHTER. Mr. Speaker, I have one request for time, and so I yield such time as he may consume to the gentleman from Vermont (Mr. WELCH), within the parameters of the debate time, and provided that no one else shows up who requests time.

Mr. WELCH. I thank the gentlelady.

Mr. Speaker, I just want to reiterate what Mr. SESSIONS said, and thank you for your tremendous service here in this body. So thank you for acknowledging that too.

Mr. Speaker, Congress is broken. We know it, and the American people know it. The difference between us and them is that we can actually do something about it. In fact, that is our job.

But here we go again, ducking our responsibility and not doing our job. We ducked when we failed to pass a long-term transportation bill. We ducked when we failed to meet our constitutional responsibility to debate a new, long-term military commitment in the Middle East.

And now, here we go again with this tax extender bill.

We need tax reform. 435 Members of Congress agree. Both parties agree. This year we had an opportunity. The Ways and Means Committee, under Chairman DAVE CAMP, presented a real plan, real simplification and lower rates, and all of it was paid for.

There were many points of disagreement, as well as agreement in that bill. In a functioning legislature, we would have debated the Camp bill, modified it, and passed some version of it to move America forward.

Instead, Speaker BOEHNER said the Camp bill was dead on arrival. No discussion, no debate, no progress. More ducking and dodging instead of Congress doing its job.

This tax extender package adds insult to the American people who want tax reform to the injury Congress inflicts by failing to do its job. When we pass tax extenders instead of tax reform, Congress, once again, is back to doing business as usual.

This bill, considered on December 3, is retroactive to January. How can we expect businesses and families to plan when we don't let them know what the rules for the tax year are until the year is nearly over?

It is business as usual when we preach fiscal responsibility, pledging allegiance to a balanced budget, and then pass a bill which adds $44.7 billion to the taxpayers' credit card.

Mr. Speaker, how can Congress assert today that we will do tax reform next year, tax reform that the American people are demanding, when we are about to repeat the irresponsible practice of passing short-term, retroactive bills, something Congress has been doing year in and year out?

This bill says to the American people that Congress is up to its old tricks. Meet the new Congress—same as the old Congress. Congress says one thing: ''We need tax reform,'' but Congress does another, kicks the can down the road.

Mr. Speaker, I do support some of the provisions in this bill and I would like to vote for them, but Congress must do its job, not dodge its responsibilities.

Mr. Speaker, I urge a ''no'' vote.

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

Mr. Speaker, we are going to take the gentleman from Vermont up on, really, his issues. We are going to have a Republican House, a Republican Senate, that is able to effectively work with each other, look each other in the eye and find progress for the American people. So I promise the gentleman, he is going to get what he wants and more so that we can grow our economy.

Mr. Speaker, I would like to have as our next speaker a gentleman who, for 8 years, has toiled on the ABLE Act. He is the chief sponsor. He is the young man who has made so many conversations and discussions, not just among our Members here, but also among people all around this country, disability groups.

I earlier accused him of being from Texas. He is actually from Jacksonville, Florida, so I am sure I will get lots of cards and letters about that. We wish he were a Texan, but he is from Florida.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Speaker, I thank the gentleman for yielding the time. I thank Chairman SESSIONS for the work that he has done all along the way.

Mr. Speaker, I want to urge the adoption of this rule and the underlying legislation, particularly the ABLE Act, which the chairman just talked about.

Eight years ago I first filed this legislation, and an awful lot of people have spent a lot of time and a lot of energy bringing us to where we are today.

The gentleman before me spoke about how Congress is often dysfunctional. As we look at the ABLE Act today, I think we will have a chance to see what can happen when people work together, when Democrats and Republicans come together, when the House and the Senate work together to do what is best for the people of our country.

I think it is a great illustration of what we can do, and the fact that we have over 380 cosponsors in the House, over 70 sponsors in the United States Senate, is a demonstration of that, what can be accomplished when we put our minds to it and work together.

It has been pointed out that most of us know someone with a severe disability, might be Down syndrome, might be autism. But sometimes it is hard for us to understand the difficulties that they have to go through, along with their families. They face challenges that we can hardly even imagine sometimes.

The ABLE Act seeks to try to remedy that situation, to bring justice, to bring peace of mind to millions of American families who have to live with disabilities every day. It does that by creating these tax-free savings accounts, allows the money that they set aside to grow tax-free as long as they use those proceeds for qualified expenses. And what that does is it simply gives those individuals with disabilities a chance for the American Dream.

They have hopes and dreams just like we all do, and this will give them the tool to open the door to a brighter future, the way to realize their full potential.

□ 1345

We help other people save for college by creating 529 tax-advantaged accounts. We allow people to save for their health care by creating health savings accounts. We allow people to save for their retirements through individual retirement accounts and 401(k)'s.

It seems only fair that we offer individuals with disabilities the same tax-advantaged tools, so they can realize their dreams, maybe get a job, maybe save for the future, maybe go to college.

I just hope that, as we adopt this rule and as we move into the ABLE Act, that we will all continue to work together because I can't think of anything more special, as more of a privilege, than for us as a Congress to speak up for those who so often can't speak for themselves.

I urge the adoption of the rule and of the underlying bill as well.

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

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

A number of people who asked to speak today are on their way here, and we will do that.

I really want to stand up for just a few minutes, pending those several Members coming here, to say to you and to the American people, Mr. Speaker, that this country—America—is a great, great, great country. It is great because of its people. There is a lot that has been said today and on other days about some of our frailties, about some of our warts, about some of the problems that we have.

I think what Mr. CRENSHAW said in his remarks is most appropriate because you have a man who has a number of very important issues that he carries on behalf of his congressional district in Jacksonville, Florida. He spoke about also taking the time to be a voice for millions of people across this country, not just for those whom he saw specifically in Jacksonville.

You heard the gentleman, Mr. MEADOWS, speak very plainly about two Down syndrome young women of our country who are key assets to our country. We weren't asking for anything else today through this ABLE Act that Mr. CRENSHAW has so ably moved forward—it has taken 8 years—than for people to have equity or fairness.

In the larger scheme of things, as a parent of a Down syndrome young man, I looked at where we stood, and said, ''Why wouldn't we allow the fairness?''

Really, let's look at it another way. Why would we want to keep these disabled individuals from having fairness? Why do we want to keep them poor and in the same circumstances they are in? Why would we want everyone else to be treated under one set of rules and, because they are disabled, they are treated another way?

These are questions and discussions that have been in my family now for 20 years. I don't know why Alex is my special gift. He is perfect. God made every child perfect in His image. We are the ones who struggle.

Today, we are working together as the House of Representatives for a bill that Mr. CRENSHAW saw a need for, and he had the fortitude and the opportunity today because of JOHN BOEHNER. Yes, CHRIS VAN HOLLEN, a Democrat Member of this body; yes, some United States Senators, including Senator HARKIN of Iowa and, yes, Senator CASEY from Pennsylvania; yes, CATHY MCMORRIS RODGERS, a senior member of our Republican leadership team who, by the way, has a Down syndrome son, Cole—we all worked together. This is a special thing.

I think, today, it ought to be a pat on the back for us, an opportunity for us to say this is important and this is good. That is what we should remember from today, in that we may not go to sleep knowing our job is done, but that we did something right by coming together as a body.

My dear colleague LOUISE SLAUGHTER, who is from New York, very clearly understood a long time ago, as she put her name on the bill, that this is a good bill. Members of the Rules Committee, who typically don't put their names on bills, put their names on this bill—380 Members of this body. See, there are good things that happen.

I do want to thank my colleague, Ms. SLAUGHTER. I do want to thank people because this is a bipartisan effort. This is a chance for us to work together, and I think we did a good job today.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I have no further requests for time.

Mr. SESSIONS. Mr. Speaker, in reply to the gentlewoman, I will let her make her closing arguments, and then I will do the same.

Ms. SLAUGHTER. Mr. Speaker, in closing, the Democrats have reservations on these bills, but extending tax credits to ensure continuity in the Tax Code is very important to us, even though we know that large pieces of America have been left out of this bill.

It causes us great sadness, but nonetheless, we recognize the need to get this done. All of us appreciate the opportunity for the brothers and sisters with disabilities to have the stability that they need, and we are certainly in concert with that.

I yield back the balance of my time.

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

It has been mentioned a couple of times today, but I also want to thank you, Mr. Speaker, the gentleman from Georgia, for your distinguished service, not only to the people of Georgia in your district, but also to the people—your friends—who are in this body, who have benefited from your service on the Appropriations Committee and who knew that you took time, just as we are doing here today, to deal with the intricacies of NIH, to deal with the intricacies of cancer, to deal with the intricacies of disabilities, to deal with the intricacies of our working together as a country and as a body and as Americans to make life better for people.

Mr. Speaker, your years of service here—some 20 years of service that you have given—have been of distinguished service. I have known you for a long time and have admired you.

I want to thank the gentleman, JACK KINGSTON, for his great service to America, which is exactly in line with what we are doing today.

Thank you, sir. I appreciate your hard work. Your being in the chair as we do this is not by accident. It is on purpose. With the distinguished opportunity that you have of serving as the Speaker pro tempore today, I appreciate your great service.

Mr. Speaker, we have made the case today of what we are trying to do. We are on the floor to bring certainty to the Tax Code for one more year. It is not perfect—the gentleman from Vermont noted that—but it is an opportunity as best as we can do in the environment that we are in, and that is what this is about. It is the knowledge that we are going to wake up and do the best that we can for the American people.

Today is about the American people and their Tax Code. Today is about the ABLE Act and about millions of people with disabilities who are attempting as best as they can to make due with what they have but who, tomorrow, can get fairness and equity in that process. It is about an opportunity for families not to question why but to dig in and help.

Today is yet another opportunity when not only the gentlewoman, Ms. SLAUGHTER, and I may work together in our tutelage as chairman and ranking member of the Rules Committee but when we can have a common sense of purpose. This is not perfect, but the world can be better today and tomorrow.

I would ask my fellow Members to understand that we are here asking for everybody to vote ''yes'' on the rule. They can do what they want to do on the underlying legislation, but today is an opportunity to give thanks for the opportunities that lie ahead of us that are about others instead of ourselves.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Ms. SLAUGHTER. 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, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1440

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 2 o'clock and 40 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of H. Res. 766, by the yeas and nays;

Motion to suspend the rules on H.R. 5769, by the yeas and nays;

Approval of the Journal, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5771, TAX INCREASE PREVENTION ACT OF 2014, AND PROVIDING FOR CONSIDERATION OF H.R. 647, ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 766) providing for consideration of the bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, and for other purposes, and providing for consideration of the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 231, nays 192, not voting 11, as follows:

[Roll No. 540]

YEAS—231

Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McAllister
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—192

Adams
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dingell
Doggett
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Aderholt
Bishop (UT)
Capuano
Doyle
Duckworth
Gingrey (GA)
Hall
McCarthy (NY)
Miller, Gary
Negrete McLeod
Price (GA)

□ 1510

Messrs. SCHNEIDER, DINGELL, STOCKMAN, Ms. DELAURO, and Mr. BISHOP of Georgia changed their vote from ''yea'' to ''nay.''

Mr. MCINTYRE and Ms. SINEMA changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOWARD COBLE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5769) to authorize appropriations for the Coast Guard for fiscal year 2015, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 413, nays 3, not voting 18, as follows:

[Roll No. 541]

YEAS—413

Adams
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah

Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—3

Bonamici
DeFazio
Schrader

NOT VOTING—18

Aderholt
Bishop (UT)
Capps
Capuano
Cole
Costa
Davis, Rodney
Doyle
Duckworth
Gingrey (GA)
Hall
Issa
Joyce
McCarthy (NY)
Miller, Gary
Negrete McLeod
Rogers (AL)
Woodall

□ 1517

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COSTA. Mr. Speaker, on rollcall No. 541, had I been present, I would have voted "aye."

Mr. ROGERS of Alabama. Mr. Speaker, on rollcall No. 541, I was off the floor in a meeting and missed this second vote in the series. Had I been present, I would have voted "yes."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 275, nays 137, answered ''present'' 2, not voting 20, as follows:

[Roll No. 542]

YEAS—275

Adams
Amodei
Bachmann
Bachus
Barber
Barletta
Barrow (GA)
Barton
Beatty
Becerra
Bilirakis
Bishop (GA)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Cárdenas
Carson (IN)
Carter
Cassidy
Castro (TX)
Chabot
Chu
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Coble
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cook
Cooper
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Dent
DesJarlais
Deutch
Dingell
Doggett
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Farenthold
Farr
Fattah
Fincher
Fleischmann
Fortenberry
Foster
Frankel (FL)
Gabbard
Gallego
Garrett
Gerlach
Gibbs
Goodlatte
Gowdy
Granger
Graves (GA)
Grayson
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Horsford
Huelskamp
Huffman
Hultgren
Hunter
Hurt
Issa
Johnson (GA)
Johnson, Sam
Jolly
Joyce
Kaptur
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Marchant
Marino
Massie
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McHenry
McKeon
McMorris Rodgers
McNerney
Meadows
Meehan
Meng
Messer
Mica
Michaud
Miller (MI)
Moore
Moran
Mullin
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pascrell
Payne
Pearce
Pelosi
Perlmutter
Petri
Pingree (ME)
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ribble
Rice (SC)
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schneider
Schock
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stutzman
Takano
Thornberry
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Vela
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yarmuth
Yoho
Young (IN)

NAYS—137

Amash
Barr
Bass
Benishek
Bentivolio
Bera (CA)
Bishop (NY)
Brady (PA)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Carney
Cartwright
Castor (FL)
Chaffetz
Clarke (NY)
Clyburn
Coffman
Collins (GA)
Conaway
Costa
Cotton
Crowley
Davis, Rodney
DeFazio
Delaney
Denham
DeSantis
Duffy
Ellison
Esty
Fitzpatrick
Fleming
Flores
Forbes
Foxx
Frelinghuysen
Fudge
Garamendi
Garcia
Gardner
Gibson
Gosar
Graves (MO)
Green, Al
Green, Gene
Hanna
Hastings (FL)
Heck (NV)
Herrera Beutler
Holding
Holt
Honda
Hoyer
Hudson
Huizenga (MI)
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Keating
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Lee (CA)
Lewis
LoBiondo
Lynch
Maffei
Maloney, Sean
Matheson
McDermott
McGovern
McKinley
Meeks
Miller (FL)
Miller, George
Mulvaney
Murphy (FL)
Norcross
Nugent
Pallone
Pastor (AZ)
Paulsen
Perry
Peters (CA)
Peters (MI)
Peterson
Pittenger
Poe (TX)
Price (GA)
Rahall
Reed
Reichert
Renacci
Richmond
Rigell
Roe (TN)
Ros-Lehtinen
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Sewell (AL)
Sires
Slaughter
Stivers
Stockman
Swalwell (CA)
Terry
Thompson (CA)

Thompson (MS)	Valadao	Weber (TX)
Thompson (PA)	Veasey	Wittman
Tiberi	Velázquez	Woodall
Tipton	Visclosky	Yoder
Upton	Walberg	Young (AK)

ANSWERED ''PRESENT''—2

Gohmert	Owens

NOT VOTING—20

Aderholt	Doyle	McIntyre
Bishop (UT)	Duckworth	Miller, Gary
Brady (TX)	Franks (AZ)	Negrete McLeod
Braley (IA)	Gingrey (GA)	Nolan
Capps	Grijalva	Schwartz
Capuano	Hall	Turner
Diaz-Balart	McCarthy (NY)	

□ 1524

So the Journal was approved.

The result of the vote was announced as above recorded.

ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 766, I call up the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to H. Res. 766, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, the amendment in the nature of a substitute printed in part B of House Report 113–643 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 647

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

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Achieving a Better Life Experience Act of 2014'' or the ''ABLE Act of 2014''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—QUALIFIED ABLE PROGRAMS

SEC. 101. PURPOSES.

The purposes of this title are as follows:

(1) To encourage and assist individuals and families in saving private funds for the purpose of supporting individuals with disabilities to maintain health, independence, and quality of life.

(2) To provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will supplement, but not supplant, benefits provided through private insurance, the Medicaid program under title XIX of the Social Security Act, the supplemental security income program under title XVI of such Act, the beneficiary's employment, and other sources.

SEC. 102. QUALIFIED ABLE PROGRAMS.

(a) IN GENERAL.—Subchapter F of chapter 1 is amended by inserting after section 529 the following new section:

''SEC. 529A. QUALIFIED ABLE PROGRAMS.

''(a) GENERAL RULE.—A qualified ABLE program shall be exempt from taxation under this subtitle. Notwithstanding the preceding sentence, such program shall be subject to the taxes imposed by section 511 (relating to imposition of tax on unrelated business income of charitable organizations).

''(b) QUALIFIED ABLE PROGRAM.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified ABLE program' means a program established and maintained by a State, or agency or instrumentality thereof—

''(A) under which a person may make contributions for a taxable year, for the benefit of an individual who is an eligible individual for such taxable year, to an ABLE account which is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account,

''(B) which limits a designated beneficiary to 1 ABLE account for purposes of this section,

''(C) which allows for the establishment of an ABLE account only for a designated beneficiary who is a resident of such State or a resident of a contracting State, and

''(D) which meets the other requirements of this section.

''(2) CASH CONTRIBUTIONS.—A program shall not be treated as a qualified ABLE program unless it provides that no contribution will be accepted—

''(A) unless it is in cash, or

''(B) except in the case of contributions under subsection (c)(1)(C), if such contribution to an ABLE account would result in aggregate contributions from all contributors to the ABLE account for the taxable year exceeding the amount in effect under section 2503(b) for the calendar year in which the taxable year begins.

For purposes of this paragraph, rules similar to the rules of section 408(d)(4) (determined without regard to subparagraph (B) thereof) shall apply.

''(3) SEPARATE ACCOUNTING.—A program shall not be treated as a qualified ABLE program unless it provides separate accounting for each designated beneficiary.

''(4) LIMITED INVESTMENT DIRECTION.—A program shall not be treated as a qualified ABLE program unless it provides that any designated beneficiary under such program may, directly or indirectly, direct the investment of any contributions to the program (or any earnings thereon) no more than 2 times in any calendar year.

''(5) NO PLEDGING OF INTEREST AS SECURITY.—A program shall not be treated as a qualified ABLE program if it allows any interest in the program or any portion thereof to be used as security for a loan.

''(6) PROHIBITION ON EXCESS CONTRIBUTIONS.—A program shall not be treated as a qualified ABLE program unless it provides adequate safeguards to prevent aggregate contributions on behalf of a designated beneficiary in excess of the limit established by the State under section 529(b)(6). For purposes of the preceding sentence, aggregate contributions include contributions under any prior qualified ABLE program of any State or agency or instrumentality thereof.

''(c) TAX TREATMENT.—

''(1) DISTRIBUTIONS.—

''(A) IN GENERAL.—Any distribution under a qualified ABLE program shall be includible in the gross income of the distributee in the manner as provided under section 72 to the extent not excluded from gross income under any other provision of this chapter.

''(B) DISTRIBUTIONS FOR QUALIFIED DISABILITY EXPENSES.—For purposes of this paragraph, if distributions from a qualified ABLE program—

''(i) do not exceed the qualified disability expenses of the designated beneficiary, no amount shall be includible in gross income, and

''(ii) in any other case, the amount otherwise includible in gross income shall be reduced by an amount which bears the same ratio to such amount as such expenses bear to such distributions.

''(C) CHANGE IN DESIGNATED BENEFICIARIES OR PROGRAMS.—

''(i) ROLLOVERS FROM ABLE ACCOUNTS.—Subparagraph (A) shall not apply to any amount paid or distributed from an ABLE account to the extent that the amount received is paid, not later than the 60th day after the date of such payment or distribution, into another ABLE account for the benefit of the same designated beneficiary or an eligible individual who is a family member of the designated beneficiary.

''(ii) CHANGE IN DESIGNATED BENEFICIARIES.—Any change in the designated beneficiary of an interest in a qualified ABLE program during a taxable year shall not be treated as a distribution for purposes of subparagraph (A) if the new beneficiary is an eligible individual for such taxable year and a member of the family of the former beneficiary.

''(iii) LIMITATION ON CERTAIN ROLLOVERS.—Clause (i) shall not apply to any transfer if such transfer occurs within 12 months from the date of a previous transfer to any qualified ABLE program for the benefit of the designated beneficiary.

''(D) OPERATING RULES.—For purposes of applying section 72—

''(i) except to the extent provided by the Secretary, all distributions during a taxable year shall be treated as one distribution, and

''(ii) except to the extent provided by the Secretary, the value of the contract, income on the contract, and investment in the contract shall be computed as of the close of the calendar year in which the taxable year begins.

''(2) GIFT TAX RULES.—For purposes of chapters 12 and 13—

''(A) CONTRIBUTIONS.—Any contribution to a qualified ABLE program on behalf of any designated beneficiary—

''(i) shall be treated as a completed gift to such designated beneficiary which is not a future interest in property, and

''(ii) shall not be treated as a qualified transfer under section 2503(e).

''(B) TREATMENT OF DISTRIBUTIONS.—In no event shall a distribution from an ABLE account to such account's designated beneficiary be treated as a taxable gift.

''(C) TREATMENT OF TRANSFER TO NEW DESIGNATED BENEFICIARY.—The taxes imposed by chapters 12 and 13 shall not apply to a transfer by reason of a change in the designated beneficiary under subsection (c)(1)(C).

''(3) ADDITIONAL TAX FOR DISTRIBUTIONS NOT USED FOR DISABILITY EXPENSES.—

''(A) IN GENERAL.—The tax imposed by this chapter for any taxable year on any taxpayer who receives a distribution from a qualified ABLE program which is includible in gross income shall be increased by 10 percent of the amount which is so includible.

''(B) EXCEPTION.—Subparagraph (A) shall not apply if the payment or distribution is made to a beneficiary (or to the estate of the designated beneficiary) on or after the death of the designated beneficiary.

''(C) CONTRIBUTIONS RETURNED BEFORE CERTAIN DATE.—Subparagraph (A) shall not apply to the distribution of any contribution made during a taxable year on behalf of the designated beneficiary if—

''(i) such distribution is received on or before the day prescribed by law (including extensions of time) for filing such designated beneficiary's return for such taxable year, and

''(ii) such distribution is accompanied by the amount of net income attributable to such excess contribution.

Any net income described in clause (ii) shall be included in gross income for the taxable year in which such excess contribution was made.

''(4) LOSS OF ABLE ACCOUNT TREATMENT.—If an ABLE account is established for a designated beneficiary, no account subsequently established for such beneficiary shall be treated as an ABLE account. The preceding sentence shall not apply in the case of an account established for purposes of a rollover described in paragraph (1)(C)(i) of this section if the transferor account is closed as of the end of the 60th day referred to in paragraph (1)(C)(i).

''(d) REPORTS.—

''(1) IN GENERAL.—Each officer or employee having control of the qualified ABLE program or their designee shall make such reports regarding such program to the Secretary and to designated beneficiaries with respect to contributions, distributions, the return of excess contributions, and such other matters as the Secretary may require.

''(2) CERTAIN AGGREGATED INFORMATION.—For research purposes, the Secretary shall make available to the public reports containing aggregate information, by diagnosis and other relevant characteristics, on contributions and distributions from the qualified ABLE program. In carrying out the preceding sentence an item may not be made available to the public if such item can be associated with, or otherwise identify, directly or indirectly, a particular individual.

''(3) NOTICE OF ESTABLISHMENT OF ABLE ACCOUNT.—A qualified ABLE program shall submit a notice to the Secretary upon the establishment of an ABLE account. Such notice shall contain the name and State of residence of the designated beneficiary and such other information as the Secretary may require.

''(4) ELECTRONIC DISTRIBUTION STATEMENTS.—For purposes of section 4 of the Achieving a Better Life Experience Act of 2014, States shall submit electronically on a monthly basis to the Commissioner of Social Security, in the manner specified by the Commissioner, statements on relevant distributions and account balances from all ABLE accounts.

''(5) REQUIREMENTS.—The reports and notices required by paragraphs (1), (2), and (3) shall be filed at such time and in such manner and furnished to such individuals at such time and in such manner as may be required by the Secretary.

''(e) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) ELIGIBLE INDIVIDUAL.—An individual is an eligible individual for a taxable year if during such taxable year—

''(A) the individual is entitled to benefits based on blindness or disability under title II or XVI of the Social Security Act, and such blindness or disability occurred before the date on which the individual attained age 26, or

''(B) a disability certification with respect to such individual is filed with the Secretary for such taxable year.

''(2) DISABILITY CERTIFICATION.—

''(A) IN GENERAL.—The term 'disability certification' means, with respect to an individual, a certification to the satisfaction of the Secretary by the individual or the parent or guardian of the individual that—

''(i) certifies that—

''(I) the individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months, or is blind (within the meaning of section 1614(a)(2) of the Social Security Act), and

''(II) such blindness or disability occurred before the date on which the individual attained age 26, and

''(ii) includes a copy of the individual's diagnosis relating to the individual's relevant impairment or impairments, signed by a physician meeting the criteria of section 1861(r)(1) of the Social Security Act.

''(B) RESTRICTION ON USE OF CERTIFICATION.—No inference may be drawn from a disability certification for purposes of establishing eligibility for benefits under title II, XVI, or XIX of the Social Security Act.

''(3) DESIGNATED BENEFICIARY.—The term 'designated beneficiary' in connection with an ABLE account established under a qualified ABLE program means the eligible individual who established an ABLE account and is the owner of such account.

''(4) MEMBER OF FAMILY.—The term 'member of the family' means, with respect to any designated beneficiary, an individual who bears a relationship to such beneficiary which is described in subparagraph section 152(d)(2)(B). For purposes of the preceding sentence, a rule similar to the rule of section 152(f)(1)(B) shall apply.

''(5) QUALIFIED DISABILITY EXPENSES.—The term 'qualified disability expenses' means any expenses related to the eligible individual's blindness or disability which are made for the benefit of an eligible individual who is the designated beneficiary, including the following expenses: education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness, financial management and administrative services, legal fees, expenses for oversight and monitoring, funeral and burial expenses, and other expenses, which are approved by the Secretary under regulations and consistent with the purposes of this section.

''(6) ABLE ACCOUNT.—The term 'ABLE account' means an account established by an eligible individual, owned by such eligible individual, and maintained under a qualified ABLE program.

''(7) CONTRACTING STATE.—The term 'contracting State' means a State without a qualified ABLE program which has entered into a contract with a State with a qualified ABLE program to provide residents of the contracting State access to a qualified ABLE program.

''(f) TRANSFER TO STATE.—Subject to any outstanding payments due for qualified disability expenses, upon the death of the designated beneficiary, all amounts remaining in the qualified ABLE account not in excess of the amount equal to the total medical assistance paid for the designated beneficiary after the establishment of the account, net of any premiums paid from the account or paid by or on behalf of the beneficiary to a Medicaid Buy-In program under any State Medicaid plan established under title XIX of the Social Security Act, shall be distributed to such State upon filing of a claim for payment by such State. For purposes of this paragraph, the State shall be a creditor of an ABLE account and not a beneficiary. Subsection (c)(3) shall not apply to a distribution under the preceding sentence.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this section, including regulations—

''(1) to enforce the 1 ABLE account per eligible individual limit,

''(2) providing for the information required to be presented to open an ABLE account,

''(3) to generally define qualified disability expenses,

''(4) developed in consultation with the Commissioner of Social Security, relating to disability certifications and determinations of disability, including those conditions deemed to meet the requirements of subsection (e)(1)(B),

''(5) to prevent fraud and abuse with respect to amounts claimed as qualified disability expenses,

''(6) under chapters 11, 12, and 13 of this title, and

''(7) to allow for transfers from one ABLE account to another ABLE account.''.

(b) TAX ON EXCESS CONTRIBUTIONS.—

(1) IN GENERAL.—Subsection (a) of section 4973 (relating to tax on excess contributions to certain tax-favored accounts and annuities) is amended by striking ''or'' at the end of paragraph (4), by inserting ''or'' at the end of paragraph (5), and by inserting after paragraph (5) the following new paragraph:

''(6) an ABLE account (within the meaning of section 529A),''.

(2) EXCESS CONTRIBUTION.—Section 4973 is amended by adding at the end the following new subsection:

''(h) EXCESS CONTRIBUTIONS TO ABLE ACCOUNT.—For purposes of this section—

''(1) IN GENERAL.—In the case of an ABLE account (within the meaning of section 529A), the term 'excess contributions' means the amount by which the amount contributed for the taxable year to such account (other than contributions under section 529A(c)(1)(C)) exceeds the contribution limit under section 529A(b)(2)(B).

''(2) SPECIAL RULE.—For purposes of this subsection, any contribution which is distributed out of the ABLE account in a distribution to which the last sentence of section 529A(b)(2) applies shall be treated as an amount not contributed.''.

(c) PENALTY FOR FAILURE TO FILE REPORTS.—Section 6693(a)(2) is amended by striking ''and'' at the end of subparagraph (D), by redesignating subparagraph (E) as subparagraph (F), and by inserting after subparagraph (D) the following:

''(E) section 529A(d) (relating to qualified ABLE programs), and''.

(d) RECORDS.—Section 552a(a)(8)(B) of title 5, United States Code, is amended—

(1) in clause (viii), by striking ''or'' at the end;

(2) in clause (ix), by adding ''or'' at the end; and

(3) by adding at the end the following new clause:

''(x) matches performed pursuant to section 3(d)(4) of the Achieving a Better Life Experience Act of 2014;''.

(e) OTHER CONFORMING AMENDMENTS.—

(1) Section 26(b)(2) is amended by striking ''and'' at the end of subparagraph (W), by striking the period at the end of subparagraph (X) and inserting '', and'', and by inserting after subparagraph (X) the following:

''(Y) section 529A(c)(3)(A) (relating to additional tax on ABLE account distributions not used for qualified disability expenses).''.

(2) Section 877A is amended—

(A) in subsection (e)(2) by inserting ''a qualified ABLE program (as defined in section 529A),'' after ''529),'', and

(B) in subsection (g)(6) by inserting ''529A(c)(3),'' after ''529(c)(6),''.

(3) Section 4965(c) is amended by striking ''or'' at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting '', or'', and by inserting after paragraph (7) the following new paragraph:

''(8) a program described in section 529A.''.

(4) The heading for part VIII of subchapter F of chapter 1 is amended by striking ''**HIGHER EDUCATION**'' and inserting ''**CERTAIN**''.

(5) The item in the table of parts for subchapter F of chapter 1 relating to part VIII is amended to read as follows:

''PART VIII. CERTAIN SAVINGS ENTITIES.''.

(6) The table of sections for part VIII of subchapter F of chapter 1 is amended by inserting after the item relating to section 529 the following new item:

''Sec. 529A. Qualified ABLE programs.''.

(7) Paragraph (4) of section 1027(g) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5517(g)(4)) is amended by inserting '', 529A'' after ''529''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

(2) REGULATIONS.—The Secretary of the Treasury (or the Secretary's designee) shall promulgate the regulations or other guidance required under section 529A(g) of the Internal Revenue Code of 1986, as added by subsection (a), not later than 6 months after the date of the enactment of this Act.

SEC. 103. TREATMENT OF ABLE ACCOUNTS UNDER CERTAIN FEDERAL PROGRAMS.

(a) ACCOUNT FUNDS DISREGARDED FOR PURPOSES OF CERTAIN OTHER MEANS-TESTED FEDERAL PROGRAMS.—Notwithstanding any other provision of Federal law that requires consideration of 1 or more financial circumstances of an individual, for the purpose of determining eligibility to receive, or the amount of, any assistance or benefit authorized by such provision to be provided to or for the benefit of such individual, any amount (including earnings thereon) in the ABLE account (within the meaning of section 529A of the Internal Revenue Code of 1986) of such individual, any contributions to the ABLE account of the individual, and any distribution for qualified disability expenses (as defined in subsection (e)(5) of such section) shall be disregarded for such purpose with respect to any period during which such individual maintains, makes contributions to, or receives distributions from such ABLE account, except that, in the case of the supplemental security income program under title XVI of the Social Security Act—

(1) a distribution for housing expenses (within the meaning of such subsection) shall not be so disregarded, and

(2) in the case of such program, any amount (including such earnings) in such ABLE account shall be considered a resource of the designated beneficiary to the extent that such amount exceeds $100,000.

(b) SUSPENSION OF SSI BENEFITS DURING PERIODS OF EXCESSIVE ACCOUNT FUNDS.—

(1) IN GENERAL.—The benefits of an individual under the supplemental security income program under title XVI of the Social Security Act shall not be terminated, but shall be suspended, by reason of excess resources of the individual attributable to an amount in the ABLE account (within the meaning of section 529A of the Internal Revenue Code of 1986) of the individual not disregarded under subsection (a) of this section.

(2) NO IMPACT ON MEDICAID ELIGIBILITY.—An individual who would be receiving payment of such supplemental security income benefits but for the application of paragraph (1) shall be treated for purposes of title XIX of the Social Security Act as if the individual continued to be receiving payment of such benefits.

(c) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

SEC. 104. TREATMENT OF ABLE ACCOUNTS IN BANKRUPTCY.

(a) EXCLUSION FROM PROPERTY OF THE ESTATE.—Section 541(b) of the title 11, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by inserting after paragraph (9) the following:

''(10) funds placed in an account of a qualified ABLE program (as defined in section 529A(b) of the Internal Revenue Code of 1986) not later than 365 days before the date of the filing of the petition in a case under this title, but—

''(A) only if the designated beneficiary of such account was a child, stepchild, grandchild, or stepgrandchild of the debtor for the taxable year for which funds were placed in such account;

''(B) only to the extent that such funds—

''(i) are not pledged or promised to any entity in connection with any extension of credit; and

''(ii) are not excess contributions (as described in section 4973(h) of the Internal Revenue Code of 1986); and

''(C) in the case of funds placed in all such accounts having the same designated beneficiary not earlier than 720 days nor later than 365 days before such date, only so much of such funds as does not exceed $6,225.''.

(b) DEBTOR'S MONTHLY EXPENSES.—Section 707(b)(2)(A)(ii)(II) of title 11, United States Code, is amended by adding at the end ''Such monthly expenses may include, if applicable, contributions to an account of a qualified ABLE program to the extent such contributions are not excess contributions (as described in section 4973(h) of the Internal Revenue Code of 1986) and if the designated beneficiary of such account is a child, stepchild, grandchild, or stepgrandchild of the debtor.''.

(c) RECORD OF DEBTOR'S INTEREST.—Section 521(c) of title 11, United States Code, is amended by inserting '', an interest in an account in a qualified ABLE program (as defined in section 529A(b) of such Code,'' after ''Internal Revenue Code of 1986)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to cases commenced under title 11, United States Code, on or after the date of the enactment of this Act.

SEC. 105. INVESTMENT DIRECTION RULE FOR 529 PLANS.

(a) AMENDMENTS RELATING TO INVESTMENT DIRECTION RULE FOR 529 PLANS.—

(1) Paragraph (4) of section 529(b) is amended by striking ''may not directly or indirectly'' and all that follows and inserting ''may, directly or indirectly, direct the investment of any contributions to the program (or any earnings thereon) no more than 2 times in any calendar year.''.

(2) The heading of paragraph (4) of section 529(b)is amended by striking ''NO'' and inserting ''LIMITED''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

TITLE II—OFFSETS

SEC. 201. CORRECTION TO WORKERS COMPENSATION OFFSET AGE.

(a) RETIREMENT AGE.—Section 224(a) of the Social Security Act (42 U.S.C. 424a(a)) is amended, in the matter preceding paragraph (1), by striking ''the age of 65'' and inserting ''retirement age (as defined in section 216(l)(1))''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any individual who attains 65 years of age on or after the date that is 12 months after the date of the enactment of this Act.

SEC. 202. ACCELERATED APPLICATION OF RELATIVE VALUE TARGETS FOR MISVALUED SERVICES IN THE MEDICARE PHYSICIAN FEE SCHEDULE.

Section 1848(c) of the Social Security Act (42 U.S.C. 1395w–4(c)) is amended—

(1) in subclause (VIII) of paragraph (2)(B)(v), as added by section 220(d)(2) of the Protecting Access to Medicare Act of 2014 (Public Law 113–93)—

(A) by striking ''2017'' and inserting ''2016''; and

(B) by redesignating such subclause as subclause (IX);

(2) in paragraph (2)(O)—

(A) in the matter preceding clause (i), by striking ''2017 through 2020'' and inserting ''2016 through 2018'';

(B) in clause (iii), by striking ''2017'' and inserting ''2016''; and

(C) in clause (v), by inserting ''(or, for 2016, 1.0 percent)'' after ''0.5 percent''; and

(3) in paragraph (7), by striking ''2017'' and inserting ''2016''.

SEC. 203. CONSISTENT TREATMENT OF VACUUM ERECTION SYSTEMS IN MEDICARE PARTS B AND D.

Section 1834(a)(1) of the Social Security Act (42 U.S.C. 1395m(a)(1)) is amended by adding at the end the following new subparagraph:

''(I) TREATMENT OF VACUUM ERECTION SYSTEMS.—Effective for items and services furnished on and after July 1, 2015, vacuum erection systems described as prosthetic devices described in section 1861(s)(8) shall be treated in the same manner as erectile dysfunction drugs are treated for purposes of section 1860D-2(e)(2)(A).''.

SEC. 204. ONE-YEAR DELAY OF IMPLEMENTATION OF ORAL-ONLY POLICY UNDER MEDICARE ESRD PROSPECTIVE PAYMENT SYSTEM.

Section 632(b)(1) of the American Taxpayer Relief Act of 2012 (42 U.S.C. 1395rr note), as amended by section 217(a)(1) of the Protecting Access to Medicare Act of 2014 (Public Law 113-93), is amended by striking ''2024'' and inserting ''2025''.

SEC. 205. MODIFICATION RELATING TO INLAND WATERWAYS TRUST FUND FINANCING RATE.

(a) IN GENERAL.—Section 4042(b)(2)(A) is amended to read as follows:

''(A) The Inland Waterways Trust Fund financing rate is 29 cents per gallon.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuel used after March 31, 2015.

SEC. 206. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.

(a) EMPLOYMENT TAXES.—Chapter 25 is amended by adding at the end the following new section:

''SEC. 3511. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.

''(a) GENERAL RULES.—For purposes of the taxes, and other obligations, imposed by this subtitle—

''(1) a certified professional employer organization shall be treated as the employer (and no other person shall be treated as the employer) of any work site employee performing services for any customer of such organization, but only with respect to remuneration remitted by such organization to such work site employee, and

''(2) the exemptions, exclusions, definitions, and other rules which are based on type of employer and which would (but for paragraph (1)) apply shall apply with respect to such taxes imposed on such remuneration.

''(b) SUCCESSOR EMPLOYER STATUS.—For purposes of sections 3121(a)(1), 3231(e)(2)(C), and 3306(b)(1)—

''(1) a certified professional employer organization entering into a service contract with a

customer with respect to a work site employee shall be treated as a successor employer and the customer shall be treated as a predecessor employer during the term of such service contract, and

''(2) a customer whose service contract with a certified professional employer organization is terminated with respect to a work site employee shall be treated as a successor employer and the certified professional employer organization shall be treated as a predecessor employer.

''(c) LIABILITY OF CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATION.—Solely for purposes of its liability for the taxes and other obligations imposed by this subtitle—

''(1) a certified professional employer organization shall be treated as the employer of any individual (other than a work site employee or a person described in subsection (f)) who is performing services covered by a contract meeting the requirements of section 7705(e)(2), but only with respect to remuneration remitted by such organization to such individual, and

''(2) the exemptions, exclusions, definitions, and other rules which are based on type of employer and which would (but for paragraph (1)) apply shall apply with respect to such taxes imposed on such remuneration.

''(d) TREATMENT OF CREDITS.—

''(1) IN GENERAL.—For purposes of any credit specified in paragraph (2)—

''(A) such credit with respect to a work site employee performing services for the customer applies to the customer, not the certified professional employer organization,

''(B) the customer, and not the certified professional employer organization, shall take into account wages and employment taxes—

''(i) paid by the certified professional employer organization with respect to the work site employee, and

''(ii) for which the certified professional employer organization receives payment from the customer, and

''(C) the certified professional employer organization shall furnish the customer and the Secretary with any information necessary for the customer to claim such credit.

''(2) CREDITS SPECIFIED.—A credit is specified in this paragraph if such credit is allowed under—

''(A) section 41 (credit for increasing research activity),

''(B) section 45A (Indian employment credit),

''(C) section 45B (credit for portion of employer social security taxes paid with respect to employee cash tips),

''(D) section 45C (clinical testing expenses for certain drugs for rare diseases or conditions),

''(E) section 45R (employee health insurance expenses of small employers),

''(F) section 51 (work opportunity credit),

''(G) section 1396 (empowerment zone employment credit), and

''(H) any other section as provided by the Secretary.

''(e) SPECIAL RULE FOR RELATED PARTY.—This section shall not apply in the case of a customer which bears a relationship to a certified professional employer organization described in section 267(b) or 707(b). For purposes of the preceding sentence, such sections shall be applied by substituting '10 percent' for '50 percent'.

''(f) SPECIAL RULE FOR CERTAIN INDIVIDUALS.—For purposes of the taxes imposed under this subtitle, an individual with net earnings from self-employment derived from the customer's trade or business (including a partner in a partnership that is a customer) is not a work site employee with respect to remuneration paid by a certified professional employer organization.

''(g) REPORTING REQUIREMENTS AND OBLIGATIONS.—The Secretary shall develop such reporting and recordkeeping rules, regulations, and procedures as the Secretary determines necessary or appropriate to ensure compliance with this title by certified professional employer organizations or persons that have been so certified. Such rules shall include—

''(1) notification of the Secretary in such manner as the Secretary shall prescribe in the case of the commencement or termination of a service contract described in section 7705(e)(2) between such a person and a customer, and the employer identification number of such customer,

''(2) such information as the Secretary determines necessary for the customer to claim the credits identified in subsection (d) and the manner in which such information is to be provided, as prescribed by the Secretary, and

''(3) such other information as the Secretary determines is essential to promote compliance with respect to the credits identified in subsection (d) and section 3302, and

shall be designed in a manner which streamlines, to the extent possible, the application of requirements of this section and section 7705, the exchange of information between a certified professional employer organization and its customers, and the reporting and recordkeeping obligations of the certified professional employer organization.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.''.

(b) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATION DEFINED.—Chapter 79 is amended by adding at the end the following new section:

''SEC. 7705. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.

''(a) IN GENERAL.—For purposes of this title, the term 'certified professional employer organization' means a person who applies to be treated as a certified professional employer organization for purposes of section 3511 and has been certified by the Secretary as meeting the requirements of subsection (b).

''(b) CERTIFICATION REQUIREMENTS.—A person meets the requirements of this subsection if such person—

''(1) demonstrates that such person (and any owner, officer, and other persons as may be specified in regulations) meets such requirements as the Secretary shall establish, including requirements with respect to tax status, background, experience, business location, and annual financial audits,

''(2) agrees that it will satisfy the bond and independent financial review requirements of subsection (c) on an ongoing basis,

''(3) agrees that it will satisfy such reporting obligations as may be imposed by the Secretary,

''(4) computes its taxable income using an accrual method of accounting unless the Secretary approves another method,

''(5) agrees to verify on such periodic basis as the Secretary may prescribe that it continues to meet the requirements of this subsection, and

''(6) agrees to notify the Secretary in writing within such time as the Secretary may prescribe of any change that materially affects the continuing accuracy of any agreement or information that was previously made or provided under this subsection.

''(c) BOND AND INDEPENDENT FINANCIAL REVIEW.—

''(1) IN GENERAL.—An organization meets the requirements of this paragraph if such organization—

''(A) meets the bond requirements of paragraph (2), and

''(B) meets the independent financial review requirements of paragraph (3).

''(2) BOND.—

''(A) IN GENERAL.—A certified professional employer organization meets the requirements of this paragraph if the organization has posted a bond for the payment of taxes under subtitle C (in a form acceptable to the Secretary) that is in an amount at least equal to the amount specified in subparagraph (B).

''(B) AMOUNT OF BOND.—For the period April 1 of any calendar year through March 31 of the following calendar year, the amount of the bond required is equal to the greater of—

''(i) 5 percent of the organization's liability under section 3511 for taxes imposed by subtitle C during the preceding calendar year (but not to exceed $1,000,000), or

''(ii) $50,000.

''(3) INDEPENDENT FINANCIAL REVIEW REQUIREMENTS.—A certified professional employer organization meets the requirements of this paragraph if such organization—

''(A) has, as of the most recent audit date, caused to be prepared and provided to the Secretary (in such manner as the Secretary may prescribe) an opinion of an independent certified public accountant as to whether the certified professional employer organization's financial statements are presented fairly in accordance with generally accepted accounting principles, and

''(B) provides to the Secretary an assertion regarding Federal employment tax payments and an examination level attestation on such assertion from an independent certified public accountant not later than the last day of the second month beginning after the end of each calendar quarter.

Such assertion shall state that the organization has withheld and made deposits of all taxes imposed by chapters 21, 22, and 24 in accordance with regulations imposed by the Secretary for such calendar quarter and such examination level attestation shall state that such assertion is fairly stated, in all material respects.

''(4) CONTROLLED GROUP RULES.—For purposes of the requirements of paragraphs (2) and (3), all certified professional employer organizations that are members of a controlled group within the meaning of sections 414(b) and (c) shall be treated as a single organization.

''(5) FAILURE TO FILE ASSERTION AND ATTESTATION.—If the certified professional employer organization fails to file the assertion and attestation required by paragraph (3) with respect to any calendar quarter, then the requirements of paragraph (3) with respect to such failure shall be treated as not satisfied for the period beginning on the due date for such attestation.

''(6) AUDIT DATE.—For purposes of paragraph (3)(A), the audit date shall be six months after the completion of the organization's fiscal year.

''(d) SUSPENSION AND REVOCATION AUTHORITY.—The Secretary may suspend or revoke a certification of any person under subsection (b) for purposes of section 3511 if the Secretary determines that such person is not satisfying the agreements or requirements of subsections (b) or (c), or fails to satisfy applicable accounting, reporting, payment, or deposit requirements.

''(e) WORK SITE EMPLOYEE.—For purposes of this title—

''(1) IN GENERAL.—The term 'work site employee' means, with respect to a certified professional employer organization, an individual who—

''(A) performs services for a customer pursuant to a contract which is between such customer and the certified professional employer organization and which meets the requirements of paragraph (2), and

''(B) performs services at a work site meeting the requirements of paragraph (3).

''(2) SERVICE CONTRACT REQUIREMENTS.—A contract meets the requirements of this paragraph with respect to an individual performing services for a customer if such contract is in writing and provides that the certified professional employer organization shall—

''(A) assume responsibility for payment of wages to such individual, without regard to the receipt or adequacy of payment from the customer for such services,

''(B) assume responsibility for reporting, withholding, and paying any applicable taxes under subtitle C, with respect to such individual's wages, without regard to the receipt or adequacy of payment from the customer for such services,

''(C) assume responsibility for any employee benefits which the service contract may require the certified professional employer organization to provide, without regard to the receipt or adequacy of payment from the customer for such benefits,

''(D) assume responsibility for recruiting, hiring, and firing workers in addition to the customer's responsibility for recruiting, hiring, and firing workers,

''(E) maintain employee records relating to such individual, and

''(F) agree to be treated as a certified professional employer organization for purposes of section 3511 with respect to such individual.

''(3) WORK SITE COVERAGE REQUIREMENT.—The requirements of this paragraph are met with respect to an individual if at least 85 percent of the individuals performing services for the customer at the work site where such individual performs services are subject to 1 or more contracts with the certified professional employer organization which meet the requirements of paragraph (2) (but not taking into account those individuals who are excluded employees within the meaning of section 414(q)(5)).

''(f) PUBLIC DISCLOSURE.—The Secretary shall make available to the public the name and address of—

''(1) each person certified as a professional employer organization under subsection (a), and

''(2) each person whose certification as a professional employer organization is suspended or revoked under subsection (d).

''(g) DETERMINATION OF EMPLOYMENT STATUS.—Except to the extent necessary for purposes of section 3511, nothing in this section shall be construed to affect the determination of who is an employee or employer for purposes of this title.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 3302 is amended by adding at the end the following new subsection:

''(h) TREATMENT OF CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—If a certified professional employer organization (as defined in section 7705), or a customer of such organization, makes a contribution to the State's unemployment fund with respect to wages paid to a work site employee, such certified professional employer organization shall be eligible for the credits available under this section with respect to such contribution.''.

(2) Section 3303(a) is amended—

(A) by striking the period at the end of paragraph (3) and inserting ''; and'' and by inserting after paragraph (3) the following new paragraph:

''(4) if the taxpayer is a certified professional employer organization (as defined in section 7705) that is treated as the employer under section 3511, such certified professional employer organization is permitted to collect and remit, in accordance with paragraphs (1), (2), and (3), contributions during the taxable year to the State unemployment fund with respect to a work site employee.'', and

(B) in the last sentence—

(i) by striking ''paragraphs (1), (2), and (3)'' and inserting ''paragraphs (1), (2), (3), and (4)'', and

(ii) by striking ''paragraph (1), (2), or (3)'' and inserting ''paragraph (1), (2), (3), or (4)''.

(3) Section 6053(c) is amended by adding at the end the following new paragraph:

''(8) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—For purposes of any report required by this subsection, in the case of a certified professional employer organization that is treated under section 3511 as the employer of a work site employee, the customer with respect to whom a work site employee performs services shall be the employer for purposes of reporting under this section and the certified professional employer organization shall furnish to the customer and the Secretary any information the Secretary prescribes as necessary to complete such reporting no later than such time as the Secretary shall prescribe.''.

(4) Section 6652 is amended by adding at the end the following new subsection:

''(n) FAILURE TO MAKE REPORTS REQUIRED UNDER SECTIONS 3511, 6053(c)(8), AND 7705.—In the case of a failure to make a report required under section 3511, 6053(c)(8), or 7705 which contains the information required by such section on the date prescribed therefor (determined with regard to any extension of time for filing), there shall be paid (on notice and demand by the Secretary and in the same manner as tax) by the person failing to make such report, an amount equal to $50 for each report with respect to which there was such a failure. In the case of any failure due to negligence or intentional disregard the preceding sentence shall be applied by substituting '$100' for '$50'.''.

(d) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 25 is amended by adding at the end the following new item:

''Sec. 3511. Certified professional employer organizations.''.

(2) The table of sections for chapter 79 is amended by inserting after the item relating to section 7704 the following new item:

''Sec. 7705. Certified professional employer organizations.''.

(f) USER FEES.—Section 7528(b) is amended by adding at the end the following new paragraph:

''(4) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—The fee charged under the program in connection with the certification by the Secretary of a professional employer organization under section 7705 shall be an annual fee not to exceed $1,000 per year.''.

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to wages for services performed on or after January 1 of the first calendar year beginning more than 12 months after the date of the enactment of this Act.

(2) CERTIFICATION PROGRAM.—The Secretary of the Treasury shall establish the certification program described in section 7705(b) of the Internal Revenue Code of 1986, as added by subsection (b), not later than 6 months before the effective date determined under paragraph (1).

(h) NO INFERENCE.—Nothing contained in this section or the amendments made by this section shall be construed to create any inference with respect to the determination of who is an employee or employer—

(1) for Federal tax purposes (other than the purposes set forth in the amendments made by this section), or

(2) for purposes of any other provision of law.

SEC. 207. EXCLUSION OF DIVIDENDS FROM CONTROLLED FOREIGN CORPORATIONS FROM THE DEFINITION OF PERSONAL HOLDING COMPANY INCOME FOR PURPOSES OF THE PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Section 543(a)(1) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and

(2) by inserting after subparagraph (B) the following:

''(C) dividends received by a United States shareholder (as defined in section 951(b)) from a controlled foreign corporation (as defined in section 957(a)),''.

(b) EFFECTIVE DATE.—The amendments made by this Act shall apply to taxable years ending on or after the date of the enactment of this Act.

SEC. 208. INFLATION ADJUSTMENT FOR CERTAIN CIVIL PENALTIES UNDER THE INTERNAL REVENUE CODE OF 1986.

(a) FAILURE TO FILE TAX RETURN OR PAY TAX.—Section 6651 is amended by adding at the end the following new subsection:

''(i) ADJUSTMENT FOR INFLATION.—

''(1) IN GENERAL.—In the case of any return required to be filed in a calendar year beginning after 2014, the $135 dollar amount under subsection (a) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount adjusted under paragraph (1) is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.''.

(b) FAILURE TO FILE CERTAIN INFORMATION RETURNS, REGISTRATION STATEMENTS, ETC.—

(1) IN GENERAL.—Section 6652(c) is amended by adding at the end the following new paragraph:

''(6) ADJUSTMENT FOR INFLATION.—

''(A) IN GENERAL.—In the case of any failure relating to a return required to be filed in a calendar year beginning after 2014, each of the dollar amounts under paragraphs (1), (2), and (3) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount adjusted under subparagraph (A)—

''(i) is not less than $5,000 and is not a multiple of $500, such amount shall be rounded to the next lowest multiple of $500, and

''(ii) is not described in clause (i) and is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.''.

(2) CONFORMING AMENDMENTS.—

(A) The last sentence of section 6652(c)(1)(A) is amended by striking ''the first sentence of this subparagraph shall be applied by substituting '$100' for '$20' and'' and inserting ''in applying the first sentence of this subparagraph, the amount of the penalty for each day during which a failure continues shall be $100 in lieu of the amount otherwise specified, and''.

(B) Section 6652(c)(2)(C)(ii) is amended by striking ''the first sentence of paragraph (1)(A)'' and all that follows and inserting ''in applying the first sentence of paragraph (1)(A), the amount of the penalty for each day during which a failure continues shall be $100 in lieu of the amount otherwise specified, and in lieu of applying the second sentence of paragraph (1)(A), the maximum penalty under paragraph (1)(A) shall not exceed $50,000, and''.

(c) OTHER ASSESSABLE PENALTIES WITH RESPECT TO THE PREPARATION OF TAX RETURNS FOR OTHER PERSONS.—Section 6695 is amended by adding at the end the following new subsection:

''(h) ADJUSTMENT FOR INFLATION.—

''(1) IN GENERAL.—In the case of any failure relating to a return or claim for refund filed in a calendar year beginning after 2014, each of the dollar amounts under subsections (a), (b), (c), (d), (e), (f), and (g) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount adjusted under subparagraph (A)—

''(A) is not less than $5,000 and is not a multiple of $500, such amount shall be rounded to the next lowest multiple of $500, and

''(B) is not described in clause (i) and is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.''.

(d) FAILURE TO FILE PARTNERSHIP RETURN.—Section 6698 is amended by adding at the end the following new subsection:

''(e) ADJUSTMENT FOR INFLATION.—

''(1) IN GENERAL.—In the case of any return required to be filed in a calendar year beginning after 2014, the $195 dollar amount under subsection (b)(1) shall be increased by such dollar

amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount adjusted under paragraph (1) is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.''.

(e) FAILURE TO FILE S CORPORATION RETURN.—Section 6699 is amended by adding at the end the following new subsection:

''(e) ADJUSTMENT FOR INFLATION.—

''(1) IN GENERAL.—In the case of any return required to be filed in a calendar year beginning after 2014, the $195 dollar amount under subsection (b)(1) shall be increased by such dollar amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount adjusted under paragraph (1) is not a multiple of $5, such amount shall be rounded to the next lowest multiple of $5.''.

(f) FAILURE TO FILE CORRECT INFORMATION RETURNS.—Section 6721(f)(1) is amended by striking ''For each fifth calendar year beginning after 2012'' and inserting ''In the case of any failure relating to a return required to be filed in a calendar year beginning after 2014''.

(g) FAILURE TO FURNISH CORRECT PAYEE STATEMENTS.—Section 6722(f)(1) is amended by striking ''For each fifth calendar year beginning after 2012'' and inserting ''In the case of any failure relating to a statement required to be furnished in a calendar year beginning after 2014''.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed after December 31, 2014.

SEC. 209. INCREASE IN CONTINUOUS LEVY.

(a) IN GENERAL.—Paragraph (3) of section 6331(h) is amended by striking the period at the end and inserting ''and by substituting '30 percent' for '15 percent' in the case of any specified payment due to a Medicare provider or supplier under title XVIII of the Social Security Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 647.

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

There was no objection.

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

Mr. Speaker, many of us know the joys and responsibilities of being a parent. We spend years ensuring our children have the skills and education to reach their full potential as they grow and enter adulthood.

Many of these everyday responsibilities parents face can and often do increase tremendously when they have a child with a disability. Today, we have an opportunity to ease some of those challenges.

The Achieving a Better Life Experience Act, commonly known as the ABLE Act, will allow those with disabilities and their caregivers to have the stability and security of knowing that they can save and provide for their education, housing, and medical expenses in the future.

In short, the ABLE Act lets those with disabilities set up tax-free savings accounts to help them manage the costs of medical care, housing, transportation, and continued education. This will allow those who are on Medicaid and SSI to work, earn, and save more while still receiving these important benefits.

It is important to note that these savings accounts will be available to all individuals with disabilities and their caretakers, not just those on Medicaid and SSI.

This is a commonsense bill that will aid those with disabilities and their caretakers so they can live more fulfilling, happy lives and have the ability to provide for a better future.

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At the same time, this will not burden taxpayers since the cost of the ABLE Act is fully offset by the savings provisions in this bill. These offsets are a balanced and fair mix of savings provisions that all Members should be able to support.

This bill is supported by more than 70 leading organizations and health care professionals, including the American Association of People with Disabilities, the Autism Society of America, Autism Speaks, the Brain Injury Association of America, Easter Seals, the National Association of Councils on Developmental Disabilities, the National Disability Institute, the National Down Syndrome Society, the National Federation of the Blind, and The Arc.

They support this bill because they know it will help more disabled individuals help themselves. That is all I can ask for—that is all anyone can ask for—and it is something I am pleased this legislation provides. This is why the ABLE Act has 380 cosponsors in the House and 74 cosponsors in the Senate.

I want to particularly thank the sponsor of this legislation, my good friend from Florida, Representative ANDER CRENSHAW, as well as Representatives SESSIONS, MCMORRIS RODGERS, and VAN HOLLEN for their diligence in helping us bring this legislation to the floor today.

Mr. Speaker, it is not every day that we have a chance to clear major hurdles in front of people who simply need a hand up. That is what this bill does, and I encourage all Members to support it.

I reserve the balance of my time.

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

With this bill, we can help millions of Americans who are living with disabilities become more financially secure. Just as families today can open tax-free accounts to save for the future costs of college for their children, this legislation would make it easier for families to save money for disability-related expenses like transportation, housing, and health prevention and wellness. The ABLE Act aims to ease the financial burden on these individuals and their families.

I applaud the efforts of Congressmen CRENSHAW, VAN HOLLEN, SESSIONS, and you, Chairman CAMP, among others.

The CBO estimates the cost of the bill will be $2 billion over 10 years. The bill is paid for through $638 million in revenue offsets and $1.4 billion in spending cuts.

There has been active bipartisan work on paying for this bill, and there is broad agreement on the revenue offsets. There is some opposition to the Medicare offsets included in the bill because the legislation uses Medicare savings for nonhealth purposes.

We have challenges ahead, including important work on SGR. I understand the concern about Medicare offsets. I think it is important as we proceed on this bill to stress that it must not be considered a precedent for using Medicare savings to pay for unrelated costs associated with tax changes.

The ABLE Act provides much-needed relief, as we have said, to families and their children with disabilities. This is an important step forward for them in a very personal way. I support its passage.

I reserve the balance of my time.

Mr. CAMP. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. CRENSHAW), who is the sponsor of the bill.

Mr. CRENSHAW. Mr. Speaker, I thank the gentleman for yielding the time.

Let me first just say thank you to Chairman CAMP, the chairman of the Ways and Means Committee, for his hard work in bringing this bill out of the Ways and Means Committee with a unanimous vote. I thank him and his staff who have worked long and hard to bring this bill to the floor today.

On a personal note, as Chairman CAMP leaves the Congress this year, I want to express my thanks and gratitude for his friendship over the years and for his leadership not only for the people of Michigan, but for the people of America. You will be missed.

Mr. Speaker, when we talk about the ABLE Act, I think that this is a great example of what can be accomplished when people work together. People say we don't always work together, but here is a case where people have come together—Democrats and Republicans, the House working with the Senate—for the common good of the people of America.

I think all of us probably know somebody, either a family member or maybe a friend of the family—somebody—who has a disability. It might be Down syndrome, or it might be autism, or it might be some other disability, but sometimes, I don't think we understand the difficulty and the challenges

that those individuals and their families face. They are beyond our comprehension sometimes because we are lucky in the way that we can live.

The ABLE Act seeks to address that inequity. It seeks to help those people who so often society overlooks or maybe the government overlooks. The ABLE Act is very simple, it is very straightforward, it is understandable, and we have come to this after 8 years of hard work.

When I first filed the bill in 2006, there were very few cosponsors of this legislation, but over the years, an awful lot of people on both sides of the aisle have worked long and hard to make this legislation better. Some of the individuals who have these disabilities come to Washington every year. They have gone out, and they have talked to their individual Representatives.

That is one of the reasons we have 380 cosponsors in the House. It is because those individuals have gone to an office and have sat down and have said, ''This is something that would make a difference in my life.'' And those Members have said, ''We want to help.'' The same thing has happened in the Senate.

You heard Chairman CAMP talk about how that takes place. Individuals with disabilities can create a tax-free savings account, put their own money in that account, and have a chance to actually save for their futures.

Those dollars grow tax free, and as long as they are used for qualified expenses, such as medical expenses or maybe educational or job training expenses, they can use those proceeds. We already allow folks to help themselves by setting up tax-free savings accounts to save for college. It is called a 529.

We allow people to save for their retirements through a tax-free savings account called an IRA or a 401(k), and we allow people to save for their health insurance by the creation of health savings accounts. It only seems fair to me and to all of us that we would provide the same sort of treatment to those individuals who are less fortunate than we are.

Now, we have a situation in which the ABLE accounts will open a door to a bright future to millions of Americans. It will give those individuals a chance to realize their hopes and their dreams, to be part of the American Dream, and to be able to achieve their full potential.

I can't think of anything that is more rewarding. I can't think of any greater privilege than to speak out for people who can't always speak for themselves. This ABLE Act will bring justice, and it will bring peace of mind to millions of American families who live with disabilities every day. I think that is something worth fighting for.

Mr. LEVIN. Mr. Speaker, it is now my real pleasure to yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), another person like Mr. CRENSHAW and others who have been working so hard on this issue for a long time.

Mr. VAN HOLLEN. Mr. Speaker, let me start by thanking my colleague, Ranking Member LEVIN, for yielding but, most importantly, for his partnership on this important bipartisan legislation.

I also want to thank my colleagues on the other side of the aisle. Chairman CAMP, thank you for all of your efforts and diligence in getting us to this point. To our fellow cosponsors—Congressman CRENSHAW, Congresswoman MCMORRIS RODGERS, Congressman SESSIONS, and others—thank you for all you have done to get us to this point.

To our colleagues on the other side of the Capitol, Senator BOB CASEY and Senator RICHARD BURR, this has been a team effort.

Mr. Speaker, like Congressman CRENSHAW, I want to especially recognize and honor those families from across the country who actually worked so hard over so many years to get us to this point. Many of those families are in the gallery today. Others are watching from around the country.

At a time when there is deep cynicism about the ability or lack of ability of Congress and the government to function, they broke through that cynicism and are an example to others of what we can do and can accomplish by working together.

Because of their efforts, as we heard, we have 380 cosponsors, Republicans and Democrats, in the House and 74 United States Senators, Republicans and Democrats. With that broad bipartisan and bicameral support, everyone worked together to get to this point.

We have heard what this does. It provides an opportunity for families with kids or other members of the families with disabilities to put aside a little money, tax free, to help defray some of the extra medical costs that are incurred by those families.

It is a benefit available to families who are sending their kids to college, and we should make sure that we provide that kind of benefit to families who are trying to make sure their loved ones are cared for.

That is what this does. It is about equity. It is about fairness. It is about making sure that every child has the opportunity to reach his or her full potential. It is a time-honored American value, and that is why this has attracted such broad support.

Mr. Speaker, no single piece of legislation—nothing we can do here—can single-handedly eliminate the additional medical and financial burdens faced by families living and loving and caring for their children with disabilities every day, but this act, this ABLE Act, can help ease that financial burden and can help assist families in some small way in ensuring that their children receive the love and care they deserve.

I thank my colleagues for coming together on this important effort, and I hope it gets through the Senate and to the President's desk, where it can be signed soon.

Thank you, Mr. Chairman, and thank you, everybody, for being a part of this effort.

The SPEAKER pro tempore (Mr. YODER). The Chair would remind all Members that the rules require Members to refrain from referencing occupants in the gallery.

Mr. CAMP. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington State (Mrs. MCMORRIS RODGERS), the distinguished chair of the House Republican Conference.

Mrs. MCMORRIS RODGERS. Thank you very much, Mr. Chairman, and thank you for your tremendous leadership.

To my colleagues on both sides of the aisle in the House and in the Senate, I thank them for their tremendous support.

Mr. Speaker, I join in rising in strong support of H.R. 647, the Achieving a Better Life Experience Act, the ABLE Act, which will help millions of Americans and families save for their futures.

Today is the day we have been waiting for, for a long time, and I am so proud to stand here with my colleagues, with the advocates who are here, with the families across the Nation who have spent countless days, weeks, years pushing us across the finish line.

For me, personally, this bill is about a little boy who was diagnosed with Down syndrome 3 days after he was born. His diagnosis came with a list of future complications: endless doctors' visits and therapy sessions, potential heart defects, even early Alzheimer's.

Seven years later, as the mom of that little boy, nothing has given me greater joy than watching Cole grow and the tremendous impact that he is already having on this world.

When Cole was born, my husband and I were told don't put any assets in his name because he may need to qualify for one of these programs in the future. That is the wrong message to send to parents who are ready to save—who are ready to sacrifice—to ensure that their children have an opportunity for a better life.

The ABLE Act is going to change this. It is going to empower individuals with disabilities and empower their families through tax-free savings accounts to save for college, retirement, and other future expenses.

As a part of America's new Congress, we are here to advance real solutions, solutions to make people's lives better, solutions that will empower all Americans no matter where you come from, no matter how much money to your name, or what challenges you face.

The ABLE Act is one of the many ways that we are going to do that. It is going to empower millions, including my son Cole, with the opportunity for a better life.

I encourage my colleagues on both sides of the aisle to support H.R. 647.

Mr. LEVIN. Mr. Speaker, I now yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT), another distinguished member of our committee.

□ 1545

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

Mr. MCDERMOTT. Mr. Speaker, I want to begin by being very clear. I support the ABLE Act itself. It is a compassionate bill that seeks to expand the common good by providing tax-free savings accounts for disabled Americans. If we were voting on that bill today, I would strongly support it. But the ABLE Act isn't the issue here. The issue is how we are going to pay for it. And the proposal we are considering today is just one that jeopardizes the future of our safety net.

Newt Gingrich talked about wanting to have Medicare wither on the vine. That has always been the desire of the Republicans. So today we are setting out on an unprecedented and dangerous course in the funding of this bill.

In a last-minute development, the Congress is now considering using cuts to Medicare to offset the cost of this legislation, taking away from the old people and giving it to these folks. That is their idea of a balanced act.

There has been no serious debate. There has never been a hearing and no thoughtful discussion of the implications of this proposal. If we vote to make these cuts, we will take the first step down a slippery slope that directly undermines the social safety net.

I have checked with the experts in the nonpartisan Congressional Research Service and couldn't find one example in which Congress has used Medicare as a piggy bank to pay for a tax bill. And that is what this bill is, basically, a tax exemption. It is a good idea, but are we going to use Medicare to pay for it? Because, mark my words, when it comes time to offer another tax break, my colleagues on the other side will come after Medicare again; and the next time, the cut will be deeper and easier because we did it today.

I believe that we should not be a part of beginning to rip Medicare at the very bottom. It looks like just a little bit. And they will say, oh, it is only a tiny bit, and it is not going to affect anybody. But you are establishing a precedent that you will hear again on this floor. For that reason, I intend to vote ''no.''

AARP,
Washington, DC, December 3, 2014.

DEAR REPRESENTATIVE: As the largest nonprofit, nonpartisan organization representing the interests of Americans age 50 and older and their families, AARP urges you to reject using Medicare savings as an offset to pay for non-healthcare programs, including the cost of the Achieving a Better Life Experience (ABLE) Act of 2014.

AARP has consistently advocated against using permanent reductions in Medicare to pay for other unrelated government spending. While we agree it is important to help individuals with disabilities maintain health, independence, and quality of life, we oppose using Medicare savings to finance tax expenditures or other non-healthcare programs.

The ABLE Act establishes tax-exempt savings plans for persons with disabilities, making it much easier for them and their families to save for future expenses. Although ABLE accounts are only available for individuals under the age of 26, the savings accrued will help with living expenses as the person ages. This is especially important because at ages 50–64, adults with disabilities are less than half as likely to be employed as those without disabilities.

However, establishing the ABLE program should not be achieved by tapping into Medicare savings. This is especially true at a time when Medicare faces its own long term funding needs, and when Congress will shortly need to find savings to pay for either permanent Medicare SGR reform or another temporary ''doc fix'' in 2015. We urge you to remove Medicare offsets from the ABLE Act.

Sincerely,

NANCY A. LEAMOND,
Executive Vice President, State & National Group.

Mr. CAMP. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Washington State (Mr. REICHERT), a member of the Ways and Means Committee and chairman of the Human Resources Subcommittee.

I also ask unanimous consent that the gentleman from Washington control the remainder of my time.

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

There was no objection.

Mr. REICHERT. Mr. Speaker, I thank Chairman CAMP for yielding and for all of his hard work on this legislation and for bringing it forward today.

I thank the gentleman from Florida (Mr. CRENSHAW), too, for his hard work.

Mr. Speaker, I rise today in strong support of H.R. 647, as amended, also known as the ABLE Act. And we have heard what ABLE stands for, but let me just repeat it very slowly so people can understand really what this is about: achieving better life experience for people who have special needs and who are disabled.

We all strive to have better lives, but some people in this world need a little help, and that is what we are doing today. Some people might disagree with some of the ways we are going about this. The bottom line is we are helping people that need a little special help, a little extra help from us, and we are going to step up and do that.

This is a bipartisan piece of legislation. It is designed to help those individuals with disabilities overcome the hurdles that they often face holding a job and trying to live independently.

Here is the problem: if someone with a disability works and achieves even a modest level of savings, they lose their assets to certain safety net programs, such as Medicaid and SSI. This can discourage individuals from pursuing work opportunities and gaining the independence that comes through work.

Here is the solution: this legislation today. This is the solution, Mr. Speaker. It helps individuals, regardless of disability, to achieve the best possible quality of life by ensuring continued access to essential safety net programs as well as tax-free savings accounts, allowing them to pursue independence and community involvement.

These ABLE accounts would be used to cover a wide variety of expenses related to addressing and overcoming the disabilities, and they would grow tax-free. These costs quickly add up, as needs can range from uncovered health care needs, education costs, housing needs, transportation costs, assistive technology, speech-generating devices and other technology, and personal support services.

This bill is critical because it allows individuals with ABLE accounts to maintain their eligibility for benefits while working and saving more for their future needs. ABLE account balances and withdrawals are completely excluded for purposes of Medicaid; and under the SSI program, the first $100,000 in account balances would be excluded from being counted as resources, meaning disabled individuals could save far more than today, while remaining eligible for benefits along the way.

This bill is about real people—we have heard some of the stories already this afternoon—real people who have real hopes and real dreams, dreams of being able to support themselves and plan for the future, dreams for a better life, and people like my godson, Kyle.

Now, Kyle today is 20 years old, but Kyle weighs 60 pounds and is in a wheelchair. Kyle was diagnosed at 18 months old with cancer. He can't speak. Up to this point, Kyle has only been able to save $2,000. And once you reach that $2,000 level, that is it. If you go over that, you don't get the benefits. Imagine if you were the parents of Kyle, trying to save for his future, to maybe get a speech device so Mom and Dad can hear Kyle say ''I love you,'' because he hasn't been able to say that. Imagine not being able to hear your child say, ''I love you, Mom. I love you, Dad.''

This savings account allows people to save that money for their children, to buy that technology, to get that wheelchair that costs $20,000. Some of us who are able-bodied and don't understand the disability that people live with every day, you see a wheelchair and there is no cost attached. We see people in wheelchairs, $20,000 and more for people who can only use maybe their index finger and a thumb to operate the toggle switch on a wheelchair so they can go from point A to point B.

I am proud to be Kyle's godfather. When you wheel Kyle into a room, he lights up the room, and we want to give him a better life. That is what this bill does.

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

Mr. REICHERT. Mr. Speaker, I yield myself an additional 30 seconds.

I would like to thank the cosponsors of this bill, the 379 Members. But more than anyone, I would really like to especially thank the families that have been working on this for years. It has been an honor to visit with them, to

get to know them, and to get to know their families.

I urge a ''yes'' vote on this legislation.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I now yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I think everyone here would agree that the goals of the ABLE Act are worthy. The bill's title stands for achieving better life experience, and it would allow for the creation of tax-free savings accounts to benefit individuals with disabilities. These accounts would provide a way for families raising children with disabilities to set aside savings for their child's care.

What I am concerned about is the offsets. The bill before us today uses Medicare cuts to pay for a tax break. Medicare is a program that seniors and people with disabilities depend upon for their health care, and we should not be cutting Medicare to pay for this bill.

Meanwhile, we all know that our efforts to permanently repeal and replace the SGR in the lameduck are, unfortunately, falling flat. And while I hope we can still pass SGR this month, if it does not get done, we are going to have a Medicare bill that will cost tens of billions of dollars in March, and Republicans will force us to pay for every last dime, and here we are, using $1.2 billion in health offsets for non-health bills.

In addition to the Medicare offsets, there are other offsets included in this bill that are troublesome. The provision on certified professional employer organizations could have a negative effect on worker rights, including collective bargaining and organizing and worker protections.

I say again, the goals of the ABLE Act are laudable. I hope that our Senate colleagues will send the bill back to us without these offensive offsets so that we can enact a good law that we can all be proud of.

Mr. REICHERT. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM), a distinguished member of the Ways and Means Committee.

Mr. ROSKAM. Mr. Speaker, I thank the gentleman for yielding.

Imagine that sense when you get the word that a new baby has been diagnosed with something that was completely unanticipated. That has been a situation that has been present in the lives of constituents, family, friends, and those of us who are nearby.

I think there is a hopefulness today, Mr. Speaker, about what we are talking about. And there are so many people that have run for office with the idea of trying to get something done, the notion that you have this strong of a voice all coming together saying, You know what? We may not be able to agree about what time of day it is in this Congress, but we can agree that we all ought to come together to help those who are unable to help themselves or to help those who want to care for the ones who are around them. So it is also a good lesson to learn about the tenacity of Americans who have decided to substantively engage this place over a period of years.

A number of minutes ago, we heard from the gentleman from Florida, Representative CRENSHAW, who talked about introducing this back in 2006. He was tenacious, and he was joined by others, and they pushed and they pushed. Now they have accomplished something, and we are on the verge of, actually, a great moment.

So I am here to celebrate. I am here to celebrate with my colleagues who took the initiative. I am here to celebrate others who came alongside. But most of all, Mr. Speaker, we are here to celebrate the lives of those who are being supported by this act.

Mr. LEVIN. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlelady from the District of Columbia, ELEANOR HOLMES NORTON.

Ms. NORTON. Mr. Speaker, I have been working with Mr. CRENSHAW, with Senator CASEY, and I congratulate them on this bill. But I want to say how deeply I regret that there are extraneous provisions in the bill concerning worker protections and offsets that keep it from being the bipartisan bill that it means to be, or else we wouldn't have seen virtually the whole House on the bill. So I have come to speak for the underlying bill and to hope that those provisions will somehow be swept aside and we can have the bill that I think most who signed on thought they were signing.

We talk on both sides of the aisle, as well we should, about personal responsibility, but what we have been doing until this time was leaving the disabled dependent on their own parents or on charities without any way to liberate themselves from others. I think about the parents of 20-year-old autistic brothers who kept them locked up and had no way to liberate them or to care for them.

Most woeful is dependence on charities who, themselves, get tax exemptions to take care of people who need them, and they do an excellent job. But, if we are going to give a tax break to people who take care of disabled people, surely there should be a tax benefit for them to take care of themselves.

And just consider this: most disabled people, truly disabled people, are unable to find jobs of any kind; but if they do, they will not be the kinds of jobs normally that leave them able to open savings accounts, prepare for their own retirement, and the rest. So even if they were able to be employed, they still, of course, must look to other sources of income

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

Mr. LEVIN. I yield the gentlelady an additional 2 minutes.

Ms. NORTON. That is why this bill, in many ways, is so sensitive. It doesn't supplant any of the assistance that is necessary, like Medicaid and their own insurance that they may have or SSI.

My own daughter, Katherine Felicia Norton, was the Global Down Syndrome ambassador this year. Katherine will probably not need one of these savings accounts. But I am here this afternoon to speak for all of those who do—and there are millions in our country—and to thank particularly the sponsors for what they are trying to do with this bill.

I thank my good friend for yielding to me.

□ 1600

Mr. REICHERT. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. HOLDING), who is a cosponsor of the bill.

Mr. HOLDING. Mr. Speaker, I thank the gentleman for the time.

Earlier today I had the privilege of meeting with Kenneth Kelty and his mother, Jacqueline. They are from my district, and this is a family who would benefit directly from the ABLE Act and who shared their support of this important bill with me just this afternoon. Kenneth recently graduated from the University Participant Program at Western Carolina University, a program that allows students with disabilities to study side-by-side with other students at the university. In Kenneth's words, it was ''a chance to do all the same things as everyone else with nothing holding us back.'' Kenneth joined a fraternity, had a good time, learned a lot, was able to come back, has a job.

Mr. Speaker, just as the University Participant Program helps people with disabilities like Kenneth, so will this bipartisan ABLE Act. This bill will allow tax-free savings accounts for expenses such as housing, education, employment training. Similar to a 529 program college savings account, these accounts will help provide families with some peace of mind when trying to save for their children's long-term expenses.

So, Mr. Speaker, I encourage my colleagues to support the ABLE Act.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the manager, Mr. LEVIN, for his kindness, as well as the manager for the majority, Mr. CRENSHAW, and Mr. VAN HOLLEN, and the many others who, along with myself, cosponsored this legislation.

It is very moving to have a moment of family on the floor of the House as I listen to Members recount their individual stories of those in their families and those of us who encounter our constituents with wonderful, beautiful children, many of whom fit squarely in this relief that is being given.

As I watched two twins grow up who are prized and special in our community, I could just imagine what their

mother and their late father would say about this opportunity. This legislation, H.R. 647, squarely answers our concerns.

I want to get to two points that I think are so important. We hear it all the time: it seems as if these are rich people trying to get money, but they are not. They may be working families and middle class families, and to be able to not deny them eligibility for Medicaid when there are severe health issues that many of these young people and children face, and also for them to be able to have SSI, which is sometimes a lifeline, to be able to put aside this savings that will help them in education and transportation—I hear it so often, training for employment; any of us who have dealt with Goodwill and seen what Goodwill does with young people whose parents bring them there—yet they need other ways of being able to respond, and they should not be denied higher education.

This bill allows the savings to be part of the higher education efforts that these parents want for their children, and sometimes the ability for independence with primary residence, what it says is that these young people, as they grow, have developmental possibilities and opportunities, and that there are no throwaway children, there are no throwaway young people.

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

Mr. LEVIN. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. I thank the gentleman. There are no throwaway young people, and we should not throw them away.

I agree with my colleagues who have mentioned items that we would hope would be reframed, if you will, impacting workers' conditions and rights, provisions that may, in fact, impact Medicare. None of us who have committed ourselves to the strength of Medicare want to see that undermined. But I will say that the goodness of this legislation for my neighbors and my constituents whom I personally know, individuals whom I personally know—this is a lifeline.

I am very glad to speak on H.R. 647 for the lifeline that it provides for people who deserve it, and they do not in any way have the need or the desire to see the opportunities for their children and their young people be determined only by the limitations of their ability to provide for them.

This is an account. It is more than a savings account. It is a lifeline account to help give every American, no matter who they are, this equal opportunity and particularly those with disabilities.

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

Mr. Speaker, we have heard a lot of stories today about people in need, about people with disabilities and special needs, and we have had some names attached to those stories, which really touches the hearts of those people that know those individuals, and I hope touches the hearts of the Members here in this Chamber when they hear the stories of people in need who need that special attention.

One key challenge for disabled individuals is that their access to certain safety net programs can be lost if they work. I want to just repeat that. It can be lost if they work and achieve even a modest level of savings. To overcome that challenge, the ABLE Act would help more individuals with disabilities save and live independently without losing access to critical programs like Medicaid and SSI.

Now, starting in 2015, States could create an ABLE program under which individuals with disabilities could start an ABLE account modeled after current section 529 savings accounts. Anyone—parents, grandparents, and other family members, and friends—could contribute to that account, which would grow tax free. Then when they need to withdraw from that account, those withdrawals would be tax free if spent on a wide variety of expenses related to helping them address and overcome their disability. That includes expenses like uncovered health care, education costs, housing needs, transportation costs, assistive technology, and others that I have mentioned earlier.

ABLE ACCOUNT DETAILS

One key challenge for disabled individuals is that their access to certain safety-net programs can be lost if they work and achieve even a modest level of savings.

To overcome that challenge, the ABLE Act would help more individuals with disabilities save and live independently without losing access to critical programs like Medicaid and SSI.

Starting in 2015, States could create an ABLE program, under which individuals with disabilities could start an ABLE account, modeled after current Section 529 savings accounts.

Anyone—parents, grandparents, and other family and friends—could contribute to their ABLE account, which would grow tax-free.

Then when they need to withdraw from the account, those withdrawals would be tax free if spent on a wide variety of expenses related to helping them address and overcome their disability.

That includes expenses like uncovered health care, education costs, housing needs, transportation costs, assistive technology, and personal support services.

Critically, individuals with ABLE accounts could maintain their eligibility for means-tested benefits while working and saving more for their future needs.

ABLE account balances and withdrawals are completely excluded for purposes of Medicaid.

And under the SSI program, the first $100,000 in account balances would be excluded from being counted as resources, meaning disabled individuals could save far more than today while remaining eligible for benefits along the way.

This change will go a long way to easing the minds of disabled individuals and those around them.

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

Mr. LEVIN. Let me ask my colleague if he is ready to close?

Mr. REICHERT. I am waiting for one other speaker. If the gentleman has another speaker, it would be helpful.

Mr. LEVIN. I do not.

Mr. REICHERT. I guess we are ready to close then, Mr. Speaker.

Mr. LEVIN. Okay. I would like to give your colleague a chance, but shall we proceed? Is that okay?

Mr. REICHERT. Yes, we are prepared to close.

Mr. LEVIN. Okay. I can do so very briefly. I think we face a somewhat unusual situation here. We have an opportunity to help people who have some very major challenges, including challenges related to their health, and so on balance I think there is a need for us to act, and so therefore I support this bill.

I just want us to remember, in a sense, the unusual opportunity that we have here to help millions of people who are living with disabilities that affect their lives, including their basic health status.

I yield back the balance of our time.

Mr. REICHERT. Mr. Speaker, I yield myself the remaining time.

I thank the gentleman for his comments and words of support and, again, thank all 379 cosponsors of this bipartisan bill. I thank the Senate, which has worked with the Members of the House on this bill, making it a bicameral bill, and I think it is also important, Mr. Speaker, to point out the outside support that this bill has garnered.

Let me just name a few of those: the American Association of People With Disabilities, Autism Society of America, Autism Speaks, the Brain Injury Association of America, Easter Seals, National Association of Councils on Developmental Disabilities, National Disability Institute, National Down Syndrome Society, National Federation of the Blind, and the Arc, and that is just to name a few of the outside organizations and groups that support this legislation.

Again, this is important legislation designed to help individuals with disabilities overcome the hurdles that they often face in holding a job and living independently, and I appreciate again the comments of the ranking member, Mr. LEVIN, and urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of the ABLE Act. I would like to commend the efforts of my colleagues Representative ANDER CRENSHAW and Representative CHRIS VAN HOLLEN for their leadership and steadfast commitment to moving this legislation forward. This is truly a great bipartisan effort that will help families across this country and I've been proud to join the hundreds of members of Congress who support it as a cosponsor.

For years, I have heard from constituents like Andrew and Tamara Selinger from West Hartford, who have advocated not only on behalf of their own family, but for families across

Connecticut and the country. Their two children have Fragile X syndrome and all they are asking for are the same opportunities for their children that other families have with the 529 plan, to have a savings mechanism that would enhance their lives and pay for non-covered medical expenses, while not minimizing the services that they receive. I have heard from people like Bob and Rosie Shea and Shannon Knall from our local Autism Speaks chapter and many others from families and groups advocating on behalf of individuals with disabilities, who have spoken so passionately about why this legislation is so important.

In spite of the partisan rancor that often dominates this building, this bill shows that we can come together in a meaningful way to act in a positive manner on behalf of the American people. It is truly inspiring how many advocates and families have made their voice heard on this legislation and I urge my colleagues to support this bill and finally get it across the finish line on behalf of families across this country.

Mr. PRICE of Georgia. Mr. Speaker, I strongly support the ABLE Act and its intent to promote greater independence and freedoms to disabled and handicapped Americans. However, I have great concerns with the policy that is being used to pay for this legislation because it would seek to further decrease Medicare reimbursement for physicians—an action that could threaten seniors' access to health care.

Since the passage of the Medicare Modernization Act of 2003 and the creation of the sustainable growth rate (SGR) formula, Congress has passed 17 ''doc-fixes'' to prevent further cuts to physicians providing care for our seniors. Each year, the entire medical community must pick up the tab to prevent the disastrous cuts that would be implemented if the SGR was to take effect. The result? Medicare reimbursement for physicians has decreased by 17% when adjusted for inflation, while the cost of care continues to rise.

In the most recent ''doc fix'' passed in March of this year, a controversial provision required the annual re-evaluation of codes matching 0.5% of total physician spending from 2017 through 2020. If this target is not met, the difference would be taken in the form of an across the board cut. The proposed offset included in the ABLE Act would shift these targets forward and compress them, requiring CMS to identify misvalued services equal to at least 1% of total physician spending in 2016, and 0.5% in 2017 and 2018. Moving the target to 2016 and frontloading it to require the identification of 1% of total physician spending in the first year would make it extremely difficult to meet the target.

However, CMS has no intention of implementing this law. In the 2015 Medicare Fee Schedule Final Rule, CMS finalized a proposal to transition 10- and 90-day global period codes to 0-day global period codes in 2017, and 2018, respectively, yet CMS has not developed a methodology for how that transition will be made. This is a major overhaul of close to half of the currently existing CPT codes and will dramatically reform how physicians are paid. Because CMS has not yet developed a methodology for how this transition will occur, the nature of the impact is currently unknown, leading to further instability in physician payments. CMS notes in the Rule that due to the work necessary to make this change, they will not have resources to review certain other potentially misvalued services for the ''next several years'', almost certainly resulting in an across the board cut to all physicians caring for Medicare patients.

This continuous pursuit by our Congress and CMS to re-evaluate codes within the physician fee schedule will be detrimental to the medical community and to ensuring access for our Medicare beneficiaries. A 1% cut may not sound like much, but when taken in conjunction with the combined maximum penalties for not meeting the PQRS, physician value-based payment modifier, and EHR programs, the total potential cut faced by physicians will be −9% in 2016, and −11.5% in 2017. This does not even take into account the cuts required by the unresolved SGR.

Despite these concerns, I will support the ABLE Act today with the hope that my colleagues on both sides of the aisle will recommit themselves in the new Congress to securing the Medicare program for all Americans.

Mr. PAULSEN. Mr. Speaker, more than 37 million people in the United States have a disability, including more than 500,000 in Minnesota. For parents raising a child with a disability, it is both emotionally and financially draining.

While, individuals with disabilities are living longer and more productive lives than ever before, they still face barriers to finding and holding employment, living independently, and taking care of their daily needs. We can make it easier for these families to bear this financial burden.

The bipartisan ABLE Act, or Achieving a Better Life Experience, will give individuals with disabilities new opportunities for them to save and pay for the costs of their disabilities. Using an ABLE account, they and their families are able to put aside money tax free and then use it to cover qualified expenses such as health, education, housing, and transportation.

For eight years, this legislation has been proposed, talked about, and pending in Congress. I became an early advocate for the ABLE Act when I was first elected to the House. It is supported by more than 70 health care and disability organizations. Now's the time to get this across the finish line and pass the ABLE Act to help families and individuals most in need.

Ms. DUCKWORTH. Mr. Speaker, as a proud cosponsor of H.R. 647, the ABLE Act, I urge all of my colleagues to vote in favor of this legislation today. If enacted, it would allow Americans living with a disability and their families to establish tax-exempt financial accounts so they can finance qualified expenses including education, housing, transportation, employment support, medical care and other personal necessities. Critically, it would not jeopardize eligibility for other important federal benefits like Medicaid and Social Security.

As a disabled American myself, I understand the financial strain a disability can have on individuals and their families. Not only do disabled Americans often face higher costs and lower incomes, but they are currently penalized for saving for their future. The ABLE Act will allow millions of Americans with disabilities to invest in their futures, live fulfilling lives and become more independent and less reliant on public benefits. It will empower them to build a better economic future for themselves and their families.

Disabled Americans deserve every opportunity to achieve their dreams. I urge the House to pass this important legislation as quickly as possible.

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to express my strong support for the Achieving a Better Life Experience Act or ''the ABLE Act,'' legislation I cosponsored that is designed to improve the quality of life for individuals with disabilities by assisting in long-term financial planning.

As the founder and co-chair of the Coalition for Autism Research and Education, I understand the financial demands of raising a child with support needs. Education, housing, transportation, employment support, medical care, and other life expenses can quickly add up for persons with disabilities.

A study published this year in the Journal of the American Medical Association (JAMA) Pediatrics found that the lifetime cost for an individual with ASD averages $1.4 million. These costs jump to $2.4 million when autism involves intellectual disability—an estimated 40 percent of individuals with autism also have intellectual disability.

Unfortunately, under current law, saving more than $2,000 jeopardizes access to services and supports, such as Social Security and Medicaid. If enacted, the ABLE Act—which establishes tax-exempt accounts, similar to the current 529 Education Savings Plans—will no longer force parents to choose between saving for their child's future and sacrificing the assistance their child requires.

I commend Speaker BOEHNER for bringing this bill to the floor today. It is especially timely for the autism community as we continue to address the looming crisis of aging out. Every year, 50,000 age-out of their support system and into a society that disincentivizes employment and financial security. Enactment of my legislation—the Autism CARES Act—earlier this year began the conversation of how to better address the needs of individuals with ASD who are aging out and we have much work to do.

The ABLE Act is a step in the right direction. While I have concerns regarding the Medicare physician services offsets, ABLE accounts are a sensible and fiscally responsible tool that will benefit some of the most vulnerable members of our society. It is a smart piece of legislation to assist families in saving and planning for the long-term needs of individuals with disabilities and a more secure future. I urge my colleagues to support this bill.

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

Pursuant to House Resolution 766, the previous question is ordered on the bill, as amended.

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

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

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.

Mr. REICHERT. 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, further proceedings on this question will be postponed.

TAX INCREASE PREVENTION ACT OF 2014

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 766, I call up the bill (H.R. 5771) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions and make technical corrections, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 766, the amendment printed in part A of House Report 113–643 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5771

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

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the ''Tax Increase Prevention Act of 2014''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—CERTAIN EXPIRING PROVISIONS

Subtitle A—Individual Tax Extenders

SEC. 101. EXTENSION OF DEDUCTION FOR CERTAIN EXPENSES OF ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Subparagraph (D) of section 62(a)(2) is amended by striking ''or 2013'' and inserting ''2013, or 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 102. EXTENSION OF EXCLUSION FROM GROSS INCOME OF DISCHARGE OF QUALIFIED PRINCIPAL RESIDENCE INDEBTEDNESS.

(a) IN GENERAL.—Subparagraph (E) of section 108(a)(1) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to indebtedness discharged after December 31, 2013.

SEC. 103. EXTENSION OF PARITY FOR EMPLOYER-PROVIDED MASS TRANSIT AND PARKING BENEFITS.

(a) IN GENERAL.—Paragraph (2) of section 132(f) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months after December 31, 2013.

SEC. 104. EXTENSION OF MORTGAGE INSURANCE PREMIUMS TREATED AS QUALIFIED RESIDENCE INTEREST.

(a) IN GENERAL.—Subclause (I) of section 163(h)(3)(E)(iv) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to amounts paid or accrued after December 31, 2013.

SEC. 105. EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 106. EXTENSION OF SPECIAL RULE FOR CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES.

(a) IN GENERAL.—Clause (vi) of section 170(b)(1)(E) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) CONTRIBUTIONS BY CERTAIN CORPORATE FARMERS AND RANCHERS.—Clause (iii) of section 170(b)(2)(B) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 107. EXTENSION OF ABOVE-THE-LINE DEDUCTION FOR QUALIFIED TUITION AND RELATED EXPENSES.

(a) IN GENERAL.—Subsection (e) of section 222 is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 108. EXTENSION OF TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT PLANS FOR CHARITABLE PURPOSES.

(a) IN GENERAL.—Subparagraph (F) of section 408(d)(8) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2013.

Subtitle B—Business Tax Extenders

SEC. 111. EXTENSION OF RESEARCH CREDIT.

(a) IN GENERAL.—Paragraph (1) of section 41(h) is amended by striking ''paid or incurred'' and all that follows and inserting ''paid or incurred after December 31, 2014.''.

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) is amended to read as follows:

''(D) SPECIAL RULE.—If section 41 is not in effect for any period, such section shall be deemed to remain in effect for such period for purposes of this paragraph.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2013.

SEC. 112. EXTENSION OF TEMPORARY MINIMUM LOW-INCOME HOUSING TAX CREDIT RATE FOR NON-FEDERALLY SUBSIDIZED BUILDINGS.

(a) IN GENERAL.—Subparagraph (A) of section 42(b)(2) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2014.

SEC. 113. EXTENSION OF MILITARY HOUSING ALLOWANCE EXCLUSION FOR DETERMINING WHETHER A TENANT IN CERTAIN COUNTIES IS LOW-INCOME.

(a) IN GENERAL.—Subsection (b) of section 3005 of the Housing Assistance Tax Act of 2008 is amended by striking ''January 1, 2014'' each place it appears and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of section 3005 of the Housing Assistance Tax Act of 2008.

SEC. 114. EXTENSION OF INDIAN EMPLOYMENT TAX CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45A is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 115. EXTENSION OF NEW MARKETS TAX CREDIT.

(a) IN GENERAL.—Subparagraph (G) of section 45D(f)(1) is amended by striking ''and 2013'' and inserting ''2013, and 2014''.

(b) CARRYOVER OF UNUSED LIMITATION.—Paragraph (3) of section 45D(f) is amended by striking ''2018'' and inserting ''2019''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after December 31, 2013.

SEC. 116. EXTENSION OF RAILROAD TRACK MAINTENANCE CREDIT.

(a) IN GENERAL.—Subsection (f) of section 45G is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2013.

SEC. 117. EXTENSION OF MINE RESCUE TEAM TRAINING CREDIT.

(a) IN GENERAL.—Subsection (e) of section 45N is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 118. EXTENSION OF EMPLOYER WAGE CREDIT FOR EMPLOYEES WHO ARE ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Subsection (f) of section 45P is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made after December 31, 2013.

SEC. 119. EXTENSION OF WORK OPPORTUNITY TAX CREDIT.

(a) IN GENERAL.—Paragraph (4) of section 51(c) is amended by striking ''for the employer'' and all that follows and inserting ''for the employer after December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to individuals who begin work for the employer after December 31, 2013.

SEC. 120. EXTENSION OF QUALIFIED ZONE ACADEMY BONDS.

(a) EXTENSION.—Paragraph (1) of section 54E(c) is amended by striking ''and 2013'' and inserting ''2013, and 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to obligations issued after December 31, 2013.

SEC. 121. EXTENSION OF CLASSIFICATION OF CERTAIN RACE HORSES AS 3-YEAR PROPERTY.

(a) IN GENERAL.—Clause (i) of section 168(e)(3)(A) is amended—

(1) by striking ''January 1, 2014'' in subclause (I) and inserting ''January 1, 2015'', and

(2) by striking ''December 31, 2013'' in subclause (II) and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013.

SEC. 122. EXTENSION OF 15-YEAR STRAIGHT-LINE COST RECOVERY FOR QUALIFIED LEASEHOLD IMPROVEMENTS, QUALIFIED RESTAURANT BUILDINGS AND IMPROVEMENTS, AND QUALIFIED RETAIL IMPROVEMENTS.

(a) IN GENERAL.—Clauses (iv), (v), and (ix) of section 168(e)(3)(E) are each amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013.

SEC. 123. EXTENSION OF 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS ENTERTAINMENT COMPLEXES.

(a) IN GENERAL.—Subparagraph (D) of section 168(i)(15) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 124. EXTENSION OF ACCELERATED DEPRECIATION FOR BUSINESS PROPERTY ON AN INDIAN RESERVATION.

(a) IN GENERAL.—Paragraph (8) of section 168(j) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 125. EXTENSION OF BONUS DEPRECIATION.

(a) IN GENERAL.—Paragraph (2) of section 168(k) is amended—

(1) by striking ''January 1, 2015'' in subparagraph (A)(iv) and inserting ''January 1, 2016'', and

(2) by striking ''January 1, 2014'' each place it appears and inserting ''January 1, 2015''.

(b) SPECIAL RULE FOR FEDERAL LONG-TERM CONTRACTS.—Clause (ii) of section 460(c)(6)(B) is amended by striking ''January 1, 2014 (January 1, 2015'' and inserting ''January 1, 2015 (January 1, 2016''.

(c) EXTENSION OF ELECTION TO ACCELERATE THE AMT CREDIT IN LIEU OF BONUS DEPRECIATION.—

(1) IN GENERAL.—Subclause (II) of section 168(k)(4)(D)(iii) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(2) ROUND 4 EXTENSION PROPERTY.—Paragraph (4) of section 168(k) is amended by adding at the end the following new subparagraph:

''(K) SPECIAL RULES FOR ROUND 4 EXTENSION PROPERTY.—

''(i) IN GENERAL.—In the case of round 4 extension property, in applying this paragraph to any taxpayer—

''(I) the limitation described in subparagraph (B)(i) and the business credit increase

amount under subparagraph (E)(iii) thereof shall not apply, and

''(II) the bonus depreciation amount, maximum amount, and maximum increase amount shall be computed separately from amounts computed with respect to eligible qualified property which is not round 4 extension property.

''(ii) ELECTION.—

''(I) A taxpayer who has an election in effect under this paragraph for round 3 extension property shall be treated as having an election in effect for round 4 extension property unless the taxpayer elects to not have this paragraph apply to round 4 extension property.

''(II) A taxpayer who does not have an election in effect under this paragraph for round 3 extension property may elect to have this paragraph apply to round 4 extension property.

''(iii) ROUND 4 EXTENSION PROPERTY.—For purposes of this subparagraph, the term 'round 4 extension property' means property which is eligible qualified property solely by reason of the extension of the application of the special allowance under paragraph (1) pursuant to the amendments made by section 125(a) of the Tax Increase Prevention Act of 2014 (and the application of such extension to this paragraph pursuant to the amendment made by section 125(c) of such Act).''.

(d) CONFORMING AMENDMENTS.—

(1) The heading for subsection (k) of section 168 is amended by striking ''JANUARY 1, 2014'' and inserting ''JANUARY 1, 2015''.

(2) The heading for clause (ii) of section 168(k)(2)(B) is amended by striking ''PRE-JANUARY 1, 2014'' and inserting ''PRE-JANUARY 1, 2015''.

(3) Subparagraph (C) of section 168(n)(2) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(4) Subparagraph (D) of section 1400L(b)(2) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(5) Subparagraph (B) of section 1400N(d)(3) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after December 31, 2013, in taxable years ending after such date.

SEC. 126. EXTENSION OF ENHANCED CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Clause (iv) of section 170(e)(3)(C) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after December 31, 2013.

SEC. 127. EXTENSION OF INCREASED EXPENSING LIMITATIONS AND TREATMENT OF CERTAIN REAL PROPERTY AS SECTION 179 PROPERTY.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) is amended—

(A) by striking ''beginning in 2010, 2011, 2012, or 2013'' in subparagraph (B) and inserting ''beginning after 2009 and before 2015'', and

(B) by striking ''2013'' in subparagraph (C) and inserting ''2014''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) is amended—

(A) by striking ''beginning in 2010, 2011, 2012, or 2013'' in subparagraph (B) and inserting ''beginning after 2009 and before 2015'', and

(B) by striking ''2013'' in subparagraph (C) and inserting ''2014''.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) is amended by striking ''2014'' and inserting ''2015''.

(c) ELECTION.—Section 179(c)(2) is amended by striking ''2014'' and inserting ''2015''.

(d) SPECIAL RULES FOR TREATMENT OF QUALIFIED REAL PROPERTY.—

(1) IN GENERAL.—Section 179(f)(1) is amended by striking ''beginning in 2010, 2011, 2012, or 2013'' and inserting ''beginning after 2009 and before 2015''.

(2) CARRYOVER LIMITATION.—

(A) IN GENERAL.—Section 179(f)(4) is amended by striking ''2013'' each place it appears and inserting ''2014''.

(B) CONFORMING AMENDMENT.—The heading of subparagraph (C) of section 179(f)(4) is amended by striking ''2011 AND 2012'' and inserting ''2011, 2012, AND 2013''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 128. EXTENSION OF ELECTION TO EXPENSE MINE SAFETY EQUIPMENT.

(a) IN GENERAL.—Subsection (g) of section 179E is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 129. EXTENSION OF SPECIAL EXPENSING RULES FOR CERTAIN FILM AND TELEVISION PRODUCTIONS.

(a) IN GENERAL.—Subsection (f) of section 181 is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATES.—The amendment made by this section shall apply to productions commencing after December 31, 2013.

SEC. 130. EXTENSION OF DEDUCTION ALLOWABLE WITH RESPECT TO INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION ACTIVITIES IN PUERTO RICO.

(a) IN GENERAL.—Subparagraph (C) of section 199(d)(8) is amended—

(1) by striking ''first 8 taxable years'' and inserting ''first 9 taxable years'', and

(2) by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 131. EXTENSION OF MODIFICATION OF TAX TREATMENT OF CERTAIN PAYMENTS TO CONTROLLING EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Clause (iv) of section 512(b)(13)(E) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments received or accrued after December 31, 2013.

SEC. 132. EXTENSION OF TREATMENT OF CERTAIN DIVIDENDS OF REGULATED INVESTMENT COMPANIES.

(a) IN GENERAL.—Paragraphs (1)(C)(v) and (2)(C)(v) of section 871(k) are each amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 133. EXTENSION OF RIC QUALIFIED INVESTMENT ENTITY TREATMENT UNDER FIRPTA.

(a) IN GENERAL.—Clause (ii) of section 897(h)(4)(A) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by this section shall take effect on January 1, 2014. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before the date of the enactment of this Act.

(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

(A) which makes a distribution after December 31, 2013, and before the date of the enactment of this Act, and

(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.

SEC. 134. EXTENSION OF SUBPART F EXCEPTION FOR ACTIVE FINANCING INCOME.

(a) EXEMPT INSURANCE INCOME.—Paragraph (10) of section 953(e) is amended—

(1) by striking ''January 1, 2014'' and inserting ''January 1, 2015'', and

(2) by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) SPECIAL RULE FOR INCOME DERIVED IN THE ACTIVE CONDUCT OF BANKING, FINANCING, OR SIMILAR BUSINESSES.—Paragraph (9) of section 954(h) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2013, and to taxable years of United States shareholders with or within which any such taxable year of such foreign corporation ends.

SEC. 135. EXTENSION OF LOOK-THRU TREATMENT OF PAYMENTS BETWEEN RELATED CONTROLLED FOREIGN CORPORATIONS UNDER FOREIGN PERSONAL HOLDING COMPANY RULES.

(a) IN GENERAL.—Subparagraph (C) of section 954(c)(6) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years of foreign corporations beginning after December 31, 2013, and to taxable years of United States shareholders with or within which such taxable years of foreign corporations end.

SEC. 136. EXTENSION OF TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Paragraph (4) of section 1202(a) is amended—

(1) by striking ''January 1, 2014'' and inserting ''January 1, 2015'', and

(2) by striking ''AND 2013'' in the heading and inserting ''2013, AND 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after December 31, 2013.

SEC. 137. EXTENSION OF BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 1367(a) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 138. EXTENSION OF REDUCTION IN S-CORPORATION RECOGNITION PERIOD FOR BUILT-IN GAINS TAX.

(a) IN GENERAL.—Subparagraph (C) of section 1374(d)(7) is amended—

(1) by striking ''2012 or 2013'' and inserting ''2012, 2013, or 2014'', and

(2) by striking ''2012 AND 2013'' in the heading and inserting ''2012, 2013, AND 2014''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SEC. 139. EXTENSION OF EMPOWERMENT ZONE TAX INCENTIVES.

(a) IN GENERAL.—Clause (i) of section 1391(d)(1)(A) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) TREATMENT OF CERTAIN TERMINATION DATES SPECIFIED IN NOMINATIONS.—In the

case of a designation of an empowerment zone the nomination for which included a termination date which is contemporaneous with the date specified in subparagraph (A)(i) of section 1391(d)(1) of the Internal Revenue Code of 1986 (as in effect before the enactment of this Act), subparagraph (B) of such section shall not apply with respect to such designation if, after the date of the enactment of this section, the entity which made such nomination amends the nomination to provide for a new termination date in such manner as the Secretary of the Treasury (or the Secretary's designee) may provide.

(c) EFFECTIVE DATES.—The amendment made by this section shall apply to periods after December 31, 2013.

SEC. 140. EXTENSION OF TEMPORARY INCREASE IN LIMIT ON COVER OVER OF RUM EXCISE TAXES TO PUERTO RICO AND THE VIRGIN ISLANDS.

(a) IN GENERAL.—Paragraph (1) of section 7652(f) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distilled spirits brought into the United States after December 31, 2013.

SEC. 141. EXTENSION OF AMERICAN SAMOA ECONOMIC DEVELOPMENT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 119 of division A of the Tax Relief and Health Care Act of 2006 is amended—

(1) by striking ''January 1, 2014'' each place it appears and inserting ''January 1, 2015'',

(2) by striking ''first 8 taxable years'' in paragraph (1) and inserting ''first 9 taxable years'', and

(3) by striking ''first 2 taxable years'' in paragraph (2) and inserting ''first 3 taxable years''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

Subtitle C—Energy Tax Extenders

SEC. 151. EXTENSION OF CREDIT FOR NONBUSINESS ENERGY PROPERTY.

(a) IN GENERAL.—Paragraph (2) of section 25C(g) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 152. EXTENSION OF SECOND GENERATION BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Clause (i) of section 40(b)(6)(J) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to qualified second generation biofuel production after December 31, 2013.

SEC. 153. EXTENSION OF INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuel sold or used after December 31, 2013.

SEC. 154. EXTENSION OF PRODUCTION CREDIT FOR INDIAN COAL FACILITIES PLACED IN SERVICE BEFORE 2009.

(a) IN GENERAL.—Subparagraph (A) of section 45(e)(10) is amended by striking ''8-year period'' each place it appears and inserting ''9-year period''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to coal produced after December 31, 2013.

SEC. 155. EXTENSION OF CREDITS WITH RESPECT TO FACILITIES PRODUCING ENERGY FROM CERTAIN RENEWABLE RESOURCES.

(a) IN GENERAL.—The following provisions of section 45(d) are each amended by striking ''January 1, 2014'' each place it appears and inserting ''January 1, 2015'':

(1) Paragraph (1).
(2) Paragraph (2)(A).
(3) Paragraph (3)(A).
(4) Paragraph (4)(B).
(5) Paragraph (6).
(6) Paragraph (7).
(7) Paragraph (9).
(8) Paragraph (11)(B).

(b) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.—Clause (ii) of section 48(a)(5)(C) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on January 1, 2014.

SEC. 156. EXTENSION OF CREDIT FOR ENERGY-EFFICIENT NEW HOMES.

(a) IN GENERAL.—Subsection (g) of section 45L is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to homes acquired after December 31, 2013.

SEC. 157. EXTENSION OF SPECIAL ALLOWANCE FOR SECOND GENERATION BIOFUEL PLANT PROPERTY.

(a) IN GENERAL.—Subparagraph (D) of section 168(l)(2) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 158. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

(a) IN GENERAL.—Subsection (h) of section 179D is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

SEC. 159. EXTENSION OF SPECIAL RULE FOR SALES OR DISPOSITIONS TO IMPLEMENT FERC OR STATE ELECTRIC RESTRUCTURING POLICY FOR QUALIFIED ELECTRIC UTILITIES.

(a) IN GENERAL.—Paragraph (3) of section 451(i) is amended by striking ''January 1, 2014'' and inserting ''January 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dispositions after December 31, 2013.

SEC. 160. EXTENSION OF EXCISE TAX CREDITS RELATING TO CERTAIN FUELS.

(a) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(2) Subparagraph (B) of section 6427(e)(6) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(b) EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3) are each amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Subparagraph (C) of section 6427(e)(6) is amended by striking ''December 31, 2013'' and inserting ''December 31, 2014''.

(c) EXTENSION OF ALTERNATIVE FUELS EXCISE TAX CREDITS RELATING TO LIQUEFIED HYDROGEN.—

(1) IN GENERAL.—Sections 6426(d)(5) and 6426(e)(3), as amended by subsection (b), are each amended by striking ''(September 30, 2014 in the case of any sale or use involving liquefied hydrogen)''.

(2) OUTLAY PAYMENTS FOR ALTERNATIVE FUELS.—Paragraph (6) of section 6427(e) is amended—

(A) by striking ''except as provided in subparagraph (D), any'' in subparagraph (C), as amended by this Act, and inserting ''any'',

(B) by striking the comma at the end of subparagraph (C) and inserting '', and'', and

(C) by striking subparagraph (D) and redesignating subparagraph (E) as subparagraph (D).

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel sold or used after December 31, 2013.

(2) LIQUEFIED HYDROGEN.—The amendments made by subsection (c) shall apply to fuel sold or used after September 30, 2014.

(e) SPECIAL RULE FOR CERTAIN PERIODS DURING 2014.—Notwithstanding any other provision of law, in the case of—

(1) any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for periods after December 31, 2013, and before the date of the enactment of this Act, and

(2) any alternative fuel credit properly determined under section 6426(d) of such Code for such periods,

such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary's delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

SEC. 161. EXTENSION OF CREDIT FOR ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.

(a) IN GENERAL.—Subsection (g) of section 30C is amended by striking ''placed in service'' and all that follows and inserting ''placed in service after December 31, 2014.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

Subtitle D—Extenders Relating to Multiemployer Defined Benefit Pension Plans

SEC. 171. EXTENSION OF AUTOMATIC EXTENSION OF AMORTIZATION PERIODS.

(a) IN GENERAL.—Subparagraph (C) of section 431(d)(1) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

(b) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Subparagraph (C) of section 304(d)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084(d)(1)(C)) is amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to applications submitted under section 431(d)(1)(A) of the Internal Revenue Code of 1986 and section 304(d)(1)(C) of the Employee Retirement Income Security Act of 1974 after December 31, 2014.

SEC. 172. EXTENSION OF SHORTFALL FUNDING METHOD AND ENDANGERED AND CRITICAL RULES.

(a) IN GENERAL.—Paragraphs (1) and (2) of section 221(c) of the Pension Protection Act of 2006 are each amended by striking ''December 31, 2014'' and inserting ''December 31, 2015''.

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 221(c) of the Pension Protection Act of 2006 is amended by striking ''January 1, 2015'' and inserting ''January 1, 2016''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2014.

TITLE II—TECHNICAL CORRECTIONS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Tax Technical Corrections Act of 2014''.

SEC. 202. AMENDMENTS RELATING TO AMERICAN TAXPAYER RELIEF ACT OF 2012.

(a) AMENDMENT RELATING TO SECTION 101(b).—Subclause (I) of section 642(b)(2)(C)(i) is amended by striking ''section 151(d)(3)(C)(iii)'' and inserting ''section 68(b)(1)(C)''.

(b) AMENDMENT RELATING TO SECTION 102.—Clause (ii) of section 911(f)(2)(B) is amended by striking ''described in section 1(h)(1)(B) shall be treated as a reference to such excess as determined'' and inserting ''described in section 1(h)(1)(B), and the reference in section 55(b)(3)(C)(ii) to the excess described in section 1(h)(1)(C)(ii), shall each be treated as a reference to each such excess as determined''.

(c) AMENDMENTS RELATING TO SECTION 104.—

(1) Clause (ii) of section 55(d)(4)(B) is amended by inserting ''subparagraphs (A), (B), and (D) of'' before ''paragraph (1)''.

(2) Subparagraph (C) of section 55(d)(4) is amended by striking ''increase'' and inserting ''increased amount''.

(d) AMENDMENTS RELATING TO SECTION 310.—Clause (iii) of section 6431(f)(3)(A) is amended—

(1) by striking ''2011'' and inserting ''years after 2010'', and

(2) by striking ''of such allocation'' and inserting ''of any such allocation''.

(e) AMENDMENT RELATING TO SECTION 331.—Clause (iii) of section 168(k)(4)(J) is amended by striking ''any taxable year'' and inserting ''its first taxable year''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the American Taxpayer Relief Act of 2012 to which they relate.

SEC. 203. AMENDMENT RELATING TO MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.

(a) AMENDMENT RELATING TO SECTION 7001.—Paragraph (1) of section 7001 of the Middle Class Tax Relief and Job Creation Act of 2012 is amended by striking ''201(b)'' and inserting ''202(b)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 7001 of the Middle Class Tax Relief and Job Creation Act of 2012.

SEC. 204. AMENDMENT RELATING TO FAA MODERNIZATION AND REFORM ACT OF 2012.

(a) AMENDMENT RELATING TO SECTION 1107.—Section 4281 is amended to read as follows:

''SEC. 4281. SMALL AIRCRAFT ON NONESTABLISHED LINES.

''(a) IN GENERAL.—The taxes imposed by sections 4261 and 4271 shall not apply to transportation by an aircraft having a maximum certificated takeoff weight of 6,000 pounds or less, except when such aircraft is operated on an established line or when such aircraft is a jet aircraft.

''(b) MAXIMUM CERTIFICATED TAKEOFF WEIGHT.—For purposes of this section, the term 'maximum certificated takeoff weight' means the maximum such weight contained in the type certificate or airworthiness certificate.

''(c) SIGHTSEEING.—For purposes of this section, an aircraft shall not be considered as operated on an established line at any time during which such aircraft is being operated on a flight the sole purpose of which is sightseeing.

''(d) JET AIRCRAFT.—For purposes of this section, the term 'jet aircraft' shall not include any aircraft which is a rotorcraft or propeller aircraft.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 1107 of the FAA Modernization and Reform Act of 2012.

SEC. 205. AMENDMENTS RELATING TO REGULATED INVESTMENT COMPANY MODERNIZATION ACT OF 2010.

(a) AMENDMENTS RELATING TO SECTION 101.—

(1) Subsection (c) of section 101 of the Regulated Investment Company Modernization Act of 2010 is amended—

(A) by striking ''paragraph (2)'' in paragraph (1) and inserting ''paragraphs (2) and (3)'', and

(B) by adding at the end the following new paragraph:

''(3) EXCISE TAX.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), for purposes of section 4982 of the Internal Revenue Code of 1986, paragraphs (1) and (2) shall apply by substituting 'the 1-year periods taken into account under subsection (b)(1)(B) of such section with respect to calendar years beginning after December 31, 2010' for 'taxable years beginning after the date of the enactment of this Act'.

''(B) ELECTION.—A regulated investment company may elect to apply subparagraph (A) by substituting '2011' for '2010'. Such election shall be made at such time and in such form and manner as the Secretary of the Treasury (or the Secretary's delegate) shall prescribe.''.

(2) The first sentence of paragraph (2) of section 852(c) is amended—

(A) by striking ''and without regard to'' and inserting '', without regard to'', and

(B) by inserting '', and without regard to any capital loss arising on the first day of the taxable year by reason of clauses (ii) and (iii) of section 1212(a)(3)(A)'' before the period at the end.

(b) AMENDMENT RELATING TO SECTION 304.—Paragraph (1) of section 855(a) is amended by inserting ''on or'' before ''before''.

(c) AMENDMENTS RELATING TO SECTION 308.—

(1) Paragraph (8) of section 852(b) is amended by redesignating subparagraph (E) as subparagraph (G) and by striking subparagraphs (C) and (D) and inserting the following new subparagraphs:

''(C) POST-OCTOBER CAPITAL LOSS.—For purposes of this paragraph, the term 'post-October capital loss' means—

''(i) any net capital loss attributable to the portion of the taxable year after October 31, or

''(ii) if there is no such loss—

''(I) any net long-term capital loss attributable to such portion of the taxable year, or

''(II) any net short-term capital loss attributable to such portion of the taxable year.

''(D) LATE-YEAR ORDINARY LOSS.—For purposes of this paragraph, the term 'late-year ordinary loss' means the sum of any post-October specified loss and any post-December ordinary loss.

''(E) POST-OCTOBER SPECIFIED LOSS.—For purposes of this paragraph, the term 'post-October specified loss' means the excess (if any) of—

''(i) the specified losses (as defined in section 4982(e)(5)(B)(ii)) attributable to the portion of the taxable year after October 31, over

''(ii) the specified gains (as defined in section 4982(e)(5)(B)(i)) attributable to such portion of the taxable year.

''(F) POST-DECEMBER ORDINARY LOSS.—For purposes of this paragraph, the term 'post-December ordinary loss' means the excess (if any) of—

''(i) the ordinary losses not described in subparagraph (E)(i) and attributable to the portion of the taxable year after December 31, over

''(ii) the ordinary income not described in subparagraph (E)(ii) and attributable to such portion of the taxable year.''.

(2) Subparagraph (G) of section 852(b)(8), as so redesignated, is amended by striking '', (D)(i)(I), and (D)(ii)(I)'' and inserting ''and (E)''.

(3) The first sentence of paragraph (2) of section 852(c), as amended by subsection (a), is amended—

(A) by striking '', and without regard to'' and inserting '', without regard to'', and

(B) by inserting '', and with such other adjustments as the Secretary may prescribe'' before the period at the end.

(d) AMENDMENTS RELATING TO SECTION 402.—

(1) Subparagraph (B) of section 4982(e)(6) is amended by inserting before the period at the end the following: ''or which determines income by reference to the value of an item on the last day of the taxable year''.

(2) Subparagraph (A) of section 4982(e)(7) is amended by striking ''such company'' and all that follows through ''any net ordinary loss'' and inserting ''such company may elect to determine its ordinary income and net ordinary loss (as defined in paragraph (2)(C)(ii)) for the calendar year without regard to any portion of any net ordinary loss''.

(e) CLERICAL AMENDMENT RELATING TO SECTION 201.—Subparagraph (A) of section 851(d)(2) is amended by inserting ''of this paragraph'' after ''subparagraph (B)(i)''.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect as if included in the provision of the Regulated Investment Company Modernization Act of 2010 to which they relate.

(2) SAVINGS PROVISION.—In the case of an election by a regulated investment company under section 852(b)(8) of the Internal Revenue Code of 1986 with respect to any taxable year beginning before the date of the enactment of this Act, such company may treat the amendments made by paragraphs (1) and (2) of subsection (c) as not applying with respect to any such election.

SEC. 206. AMENDMENTS RELATING TO TAX RELIEF, UNEMPLOYMENT INSURANCE REAUTHORIZATION, AND JOB CREATION ACT OF 2010.

(a) AMENDMENT RELATING TO SECTION 103.—Clause (ii) of section 32(b)(3)(B) is amended by striking ''in 2010'' and inserting ''after 2009''.

(b) CLERICAL AMENDMENTS RELATING TO SECTION 302.—

(1) Paragraph (1) of section 2801(a) is amended by striking ''(or, if greater, the highest rate of tax specified in the table applicable under section 2502(a) as in effect on the date)''.

(2) Subsection (f) of section 302 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 is amended by striking ''subsection'' and inserting ''section''.

(c) AMENDMENTS RELATING TO SECTION 753.—Subparagraph (A) of section 1397B(b)(1) is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following new clause:

''(iv) the day after the date set forth in section 1391(d)(1)(A)(i) were substituted for 'January 1, 2010' each place it appears.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if

included in the provisions of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 to which they relate.

SEC. 207. AMENDMENTS RELATING TO CREATING SMALL BUSINESS JOBS ACT OF 2010.

(a) AMENDMENTS RELATING TO SECTION 2102.—

(1) Subsection (h) of section 2102 of the Creating Small Business Jobs Act of 2010 is amended by inserting '', and payee statements required to be furnished,'' after ''information returns required to be filed''.

(2) Paragraphs (1) and (2) of subsection (b), and subsection (c)(1)(C), of section 6722 are each amended by striking ''the required filing date'' and inserting ''the date prescribed for furnishing such statement''.

(3) Subparagraph (B) of section 6722(c)(2) is amended by striking ''filed'' and inserting ''furnished''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the Creating Small Business Jobs Act of 2010 to which they relate.

SEC. 208. CLERICAL AMENDMENT RELATING TO HIRING INCENTIVES TO RESTORE EMPLOYMENT ACT.

(a) AMENDMENT RELATING TO SECTION 512.—Paragraph (1) of section 512(a) of the Hiring Incentives to Restore Employment Act is amended by striking ''after paragraph (6)'' and inserting ''after paragraph (5)''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provision of the Hiring Incentives to Restore Employment Act to which it relates.

SEC. 209. AMENDMENTS RELATING TO AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009.

(a) AMENDMENT RELATING TO SECTION 1003.—Paragraph (4) of section 24(d) is amended to read as follows:

''(4) SPECIAL RULE FOR CERTAIN YEARS.—In the case of any taxable year beginning after 2008 and before 2018, paragraph (1)(B)(i) shall be applied by substituting '$3,000' for '$10,000'.''.

(b) AMENDMENT RELATING TO SECTION 1004.—Paragraph (3) of section 25A(i) is amended by striking ''Subsection (f)(1)(A) shall be applied'' and inserting ''For purposes of determining the Hope Scholarship Credit, subsection (f)(1)(A) shall be applied''.

(c) AMENDMENTS RELATING TO SECTION 1008.—

(1) Paragraph (6) of section 164(b) is amended by striking subparagraph (E) and by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively.

(2) Subparagraphs (E) and (F) of section 164(b)(6), as so redesignated, are each amended by striking ''This paragraph'' and inserting ''Subsection (a)(6)''.

(d) AMENDMENT RELATING TO SECTION 1104.—Subparagraph (A) of section 48(d)(3) is amended by inserting ''or alternative minimum taxable income'' after ''includible in the gross income''.

(e) AMENDMENTS RELATING TO SECTION 1141.—

(1) Subsection (f) of section 30D is amended—

(A) by inserting ''(determined without regard to subsection (c))'' before the period at the end of paragraph (1), and

(B) by inserting ''(determined without regard to subsection (c))'' before the period at the end of paragraph (2).

(2) Paragraph (3) of section 30D(f) is amended by adding at the end the following: ''For purposes of subsection (c), property to which this paragraph applies shall be treated as of a character subject to an allowance for depreciation.''.

(f) AMENDMENTS RELATING TO SECTION 1142.—

(1) Subsection (b) of section 38 is amended by striking ''plus'' at the end of paragraph (35), by redesignating paragraph (36) as paragraph (37), and by inserting after paragraph (35) the following new paragraph:

''(36) the portion of the qualified plug-in electric vehicle credit to which section 30(c)(1) applies, plus''.

(2)(A) Subsection (e) of section 30 is amended—

(i) by inserting ''(determined without regard to subsection (c))'' before the period at the end of paragraph (1), and

(ii) by inserting ''(determined without regard to subsection (c))'' before the period at the end of paragraph (2).

(B) Paragraph (3) of section 30(e) is amended by adding at the end the following: ''For purposes of subsection (c), property to which this paragraph applies shall be treated as of a character subject to an allowance for depreciation.''.

(g) AMENDMENT RELATING TO SECTION 1302.—Paragraph (3) of section 48C(b) is amended by inserting ''as the qualified investment'' after ''The amount which is treated''.

(h) AMENDMENTS RELATED TO SECTION 1541.—

(1) Paragraph (2) of section 853A(a) is amended by inserting ''(determined after the application of this section)'' before the comma at the end.

(2) Subsection (a) of section 853A is amended—

(A) by striking ''with respect to credits'' and inserting ''with respect to some or all of the credits'', and

(B) by inserting ''(determined without regard to this section and sections 54(c), 54A(c)(1), 54AA(c)(1), and 1397E(c))'' after ''credits allowable''.

(3) Subsection (b) of section 853A is amended to read as follows:

''(b) EFFECT OF ELECTION.—If the election provided in subsection (a) is in effect with respect to any credits for any taxable year—

''(1) the regulated investment company—

''(A) shall not be allowed such credits,

''(B) shall include in gross income (as interest) for such taxable year the amount which would have been so included with respect to such credits had the application of this section not been elected,

''(C) shall include in earnings and profits the amount so included in gross income, and

''(D) shall be treated as making one or more distributions of money with respect to its stock equal to the amount of such credits on the date or dates (on or after the applicable date for any such credit) during such taxable year (or following the close of the taxable year pursuant to section 855) selected by the company, and

''(2) each shareholder of such investment company shall—

''(A) be treated as receiving such shareholder's proportionate share of any distribution of money which is treated as made by such investment company under paragraph (1)(D), and

''(B) be allowed credits against the tax imposed by this chapter equal to the amount of such distribution, subject to the provisions of this title applicable to the credit involved.''.

(4) Subsection (c) of section 853A is amended to read as follows:

''(c) NOTICE TO SHAREHOLDERS.—The amount treated as a distribution of money received by a shareholder under subsection (b)(2)(A) (and as credits allowed to such shareholder under subsection (b)(2)(B)) shall not exceed the amount so reported by the regulated investment company in a written statement furnished to such shareholder.''.

(5) Clause (ii) of section 853A(e)(1)(A) is amended by inserting ''other than a qualified bond described in section 54AA(g)'' after ''as defined in section 54AA(d))''.

(i) AMENDMENTS RELATING TO SECTION 2202.—

(1) Subparagraph (A) of section 2202(b)(1) of division B of the American Recovery and Reinvestment Act of 2009 is amended by inserting ''political subdivision of a State,'' after ''any State,''.

(2) Section 2202 of division B of the American Recovery and Reinvestment Act of 2009 is amended by adding at the end the following new subsection:

''(e) TREATMENT OF POSSESSIONS.—

''(1) PAYMENTS TO MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of credits allowed under subsection (a) with respect to taxable years beginning in 2009. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

''(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes for any taxable year under this section to any person to whom a credit is allowed against taxes imposed by the possession by reason of the credit allowed under subsection (a) for such taxable year.

''(3) DEFINITIONS AND SPECIAL RULES.—

''(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term 'possession of the United States' includes the Commonwealth of the Northern Mariana Islands.

''(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term 'mirror code tax system' means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

''(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from the credit allowed under section 36A of the Internal Revenue Code of 1986 (as added by this Act).''.

(j) CLERICAL AMENDMENTS.—

(1) AMENDMENT RELATING TO SECTION 1131.—Paragraph (2) of section 45Q(d) is amended by striking ''Administrator of the Environmental Protection Agency'' and all that follows through ''shall establish'' and inserting ''Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of the Interior, shall establish''.

(2) AMENDMENT RELATING TO SECTION 1141.—Paragraph (37) of section 1016(a) is amended by striking ''section 30D(e)(4)'' and inserting ''section 30D(f)(1)''.

(3) AMENDMENT RELATING TO SECTION 3001.—Subparagraph (A) of section 3001(a)(14) of the American Recovery and Reinvestment Act of 2009 is amended by striking ''is amended by redesignating paragraph (9) as paragraph (10)'' and inserting '', as amended by this Act, is amended by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively,''.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the American Recovery and Reinvestment Tax Act of 2009 to which they relate.

SEC. 210. AMENDMENTS RELATING TO ENERGY IMPROVEMENT AND EXTENSION ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 108.—Subparagraph (E) of section 45K(g)(2) is amended to read as follows:

''(E) COORDINATION WITH SECTION 45.—No credit shall be allowed with respect to any coke or coke gas which is produced using steel industry fuel (as defined in section 45(c)(7)) as feedstock if a credit is allowed to any taxpayer under section 45 with respect to the production of such steel industry fuel.''.

(b) AMENDMENT RELATING TO SECTION 113.—Paragraph (1) of section 113(b) of the Energy Improvement and Extension Act of 2008 is amended by adding at the end the following new subparagraph:

''(F) TRUST FUND.—The term 'Trust Fund' means the Black Lung Disability Trust Fund established under section 9501 of the Internal Revenue Code of 1986.''.

(c) AMENDMENTS RELATING TO SECTION 306.—

(1) Clause (ii) of section 168(i)(18)(A) is amended by striking ''10 years'' and inserting ''16 years''.

(2) Clause (ii) of section 168(i)(19)(A) is amended by striking ''10 years'' and inserting ''16 years''.

(d) AMENDMENT RELATING TO SECTION 308.—Clause (i) of section 168(m)(2)(B) is amended by striking ''section 168(k)'' and inserting ''subsection (k) (determined without regard to paragraph (4) thereof)''.

(e) AMENDMENT RELATING TO SECTION 402.—Subparagraph (A) of section 907(f)(4) is amended by striking ''this subsection shall be applied'' and all that follows through the period at the end and inserting the following: ''this subsection, as in effect on the day before the date of the enactment of the Energy Improvement and Extension Act of 2008, shall apply to unused oil and gas extraction taxes carried from such unused credit year to a taxable year beginning after December 31, 2008.''.

(f) AMENDMENTS RELATING TO SECTION 403.—

(1) Subsection (c) of section 1012 is amended—

(A) by striking ''FUNDS'' in the heading for paragraph (2) and inserting ''REGULATED INVESTMENT COMPANIES'',

(B) by striking ''FUND'' in the heading for paragraph (2)(B), and

(C) by striking ''fund'' each place it appears in paragraph (2) and inserting ''regulated investment company''.

(2) Paragraph (1) of section 1012(d) is amended—

(A) by striking ''December 31, 2010'' and inserting ''December 31, 2011'', and

(B) by striking ''an open-end fund'' and inserting ''a regulated investment company''.

(3) Paragraph (3) of section 1012(d) is amended to read as follows:

''(3) SEPARATE ACCOUNTS; ELECTION FOR TREATMENT AS SINGLE ACCOUNT.—

''(A) IN GENERAL.—Rules similar to the rules of subsection (c)(2) shall apply for purposes of this subsection.

''(B) AVERAGE BASIS METHOD.—Notwithstanding paragraph (1), in the case of an election under rules similar to the rules of subsection (c)(2)(B) with respect to stock held in connection with a dividend reinvestment plan, the average basis method is permissible with respect to all such stock without regard to the date of the acquisition of such stock.''.

(4) Subsection (g) of section 6045 is amended by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR CERTAIN STOCK HELD IN CONNECTION WITH DIVIDEND REINVESTMENT PLAN.—For purposes of this subsection, stock acquired before January 1, 2012, in connection with a dividend reinvestment plan shall be treated as stock described in clause (ii) of paragraph (3)(C) (unless the broker with respect to such stock elects not to have this paragraph apply with respect to such stock).''.

(g) CLERICAL AMENDMENTS.—

(1) AMENDMENT RELATING TO SECTION 108.—Paragraph (2) of section 45(b) is amended by striking ''$3 amount'' and inserting ''$2 amount''.

(2) AMENDMENT RELATING TO SECTION 306.—

(A) Paragraph (5) of section 168(b) is amended by striking ''(2)(C)'' and inserting ''(2)(D)''.

(B) The last sentence of section 168(k)(4)(C)(i) is amended by striking ''(b)(2)(C)'' and inserting ''(b)(2)(D)''.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Energy Improvement and Extension Act of 2008 to which they relate.

SEC. 211. AMENDMENTS RELATING TO TAX EXTENDERS AND ALTERNATIVE MINIMUM TAX RELIEF ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 208.—Subsection (b) of section 208 of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 is amended to read as follows:

''(b) EFFECTIVE DATE.—

''(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on January 1, 2008. Notwithstanding the preceding sentence, such amendment shall not apply with respect to the withholding requirement under section 1445 of the Internal Revenue Code of 1986 for any payment made before October 4, 2008.

''(2) AMOUNTS WITHHELD ON OR BEFORE DATE OF ENACTMENT.—In the case of a regulated investment company—

''(A) which makes a distribution after December 31, 2007, and before October 4, 2008, and

''(B) which would (but for the second sentence of paragraph (1)) have been required to withhold with respect to such distribution under section 1445 of such Code,

such investment company shall not be liable to any person to whom such distribution was made for any amount so withheld and paid over to the Secretary of the Treasury.''.

(b) AMENDMENTS RELATING TO SECTION 305.—Paragraphs (7)(B) and (8)(D) of section 168(e) are each amended by inserting ''which is not qualified leasehold improvement property'' after ''Property described in this paragraph''.

(c) CLERICAL AMENDMENTS.—

(1) AMENDMENTS RELATING TO SECTION 706.—

(A) Paragraph (2) of section 1033(h) is amended by inserting ''is'' before ''compulsorily''.

(B) Subclause (II) of section 172(b)(1)(F)(ii) is amended by striking ''subsection (h)(3)(C)(i)'' and inserting ''section 165(h)(3)(C)(i)''.

(C) The heading for paragraph (1) of section 165(h) is amended by striking ''$100'' and inserting ''DOLLAR''.

(2) AMENDMENT RELATING TO SECTION 709.—Subsection (k) of section 143 is amended by redesignating the second paragraph (12) (relating to special rules for residences destroyed in Federally declared disasters) as paragraph (13).

(3) AMENDMENT RELATING TO SECTION 712.—Section 712 of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 is amended by striking ''section 702(c)(1)(A)'' and inserting ''section 702(b)(1)(A)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 to which they relate.

SEC. 212. CLERICAL AMENDMENTS RELATING TO HOUSING ASSISTANCE TAX ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 3002.—Paragraph (1) of section 42(b) is amended by striking ''For purposes of this section, the term'' and inserting the following: ''For purposes of this section—

''(A) IN GENERAL.—The term''.

(b) AMENDMENT RELATING TO SECTION 3081.—Clause (iv) of section 168(k)(4)(E) is amended by striking ''adjusted minimum tax'' and inserting ''adjusted net minimum tax''.

(c) AMENDMENT RELATING TO SECTION 3092.—Subsection (b) of section 121 is amended by redesignating the second paragraph (4) (relating to exclusion of gain allocated to nonqualified use) as paragraph (5).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Housing Assistance Tax Act of 2008 to which they relate.

SEC. 213. AMENDMENTS AND PROVISION RELATING TO HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008.

(a) AMENDMENT RELATING TO SECTION 106.—Paragraph (2) of section 106(c) of the Heroes Earnings Assistance and Relief Tax Act of 2008 is amended by striking ''substituting for'' and inserting ''substituting 'June 17, 2008' for''.

(b) AMENDMENT RELATING TO SECTION 114.—Paragraph (1) of section 125(h) is amended by inserting ''(and shall not fail to be treated as an accident or health plan)'' before ''merely''.

(c) CLERICAL AMENDMENTS.—

(1) AMENDMENT RELATING TO SECTION 110.—Subparagraph (B) of section 121(d)(12) is amended by inserting ''of paragraph (9)'' after ''and (D)''.

(2) AMENDMENT RELATING TO SECTION 301.—Paragraph (2) of section 877(e) is amended by striking ''subparagraph (A) or (B) of''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Heroes Earnings Assistance and Relief Tax Act of 2008 to which they relate.

SEC. 214. AMENDMENTS RELATING TO ECONOMIC STIMULUS ACT OF 2008.

(a) AMENDMENTS RELATING TO SECTION 101.—Paragraph (2) of section 6213(g) is amended—

(1) by striking ''32, or 6428'' in subparagraph (L) and inserting ''or 32'', and

(2) by striking ''and'' at the end of subparagraph (O), by striking the period at the end of subparagraph (P) and inserting '', and'', and by inserting after subparagraph (P) the following new subparagraph:

''(Q) an omission of a correct valid identification number required under section 6428(h) (relating to 2008 recovery rebates for individuals) to be included on a return.''.

(b) CLERICAL AMENDMENT RELATING TO SECTION 103.—Subclause (IV) of section 168(k)(2)(B)(i) is amended by striking ''clauses also apply'' and inserting ''clause also applies''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Economic Stimulus Act of 2008 to which they relate.

SEC. 215. AMENDMENTS RELATING TO TAX TECHNICAL CORRECTIONS ACT OF 2007.

(a) AMENDMENT RELATING TO SECTION 4(c).—Paragraph (1) of section 911(f) is amended by adding at the end the following flush sentence:

''For purposes of this paragraph, the amount excluded under subsection (a) shall be reduced by the aggregate amount of any deductions or exclusions disallowed under subsection (d)(6) with respect to such excluded amount.''.

(b) CLERICAL AMENDMENT RELATING TO SECTION 11(g).—Clause (iv) of section 56(g)(4)(C)

is amended by striking ''a cooperative described in section 927(a)(4)'' and inserting ''an organization to which part I of subchapter T (relating to tax treatment of cooperatives) applies which is engaged in the marketing of agricultural or horticultural products''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of the Tax Technical Corrections Act of 2007 to which they relate.

SEC. 216. AMENDMENT RELATING TO TAX RELIEF AND HEALTH CARE ACT OF 2006.

(a) AMENDMENT RELATING TO SECTION 105.—Subparagraph (B) of section 45A(b)(1) is amended by adding at the end the following: ''If any portion of wages are taken into account under subsection (e)(1)(A) of section 51, the preceding sentence shall be applied by substituting '2-year period' for '1-year period'.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provision of the Tax Relief and Health Care Act of 2006 to which it relates.

SEC. 217. AMENDMENT RELATING TO SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT OF 2005: A LEGACY FOR USERS.

(a) AMENDMENT RELATING TO SECTION 11161.—Paragraph (1) of section 9503(b) is amended by inserting before the period at the end the following: ''and taxes received under section 4081 shall be determined without regard to tax receipts attributable to the rate specified in section 4081(a)(2)(C)''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the provision of the Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2005: A Legacy for Users to which it relates.

SEC. 218. AMENDMENTS RELATING TO ENERGY TAX INCENTIVES ACT OF 2005.

(a) AMENDMENT RELATING TO SECTION 1341.—Subparagraph (B) of section 30B(h)(5) is amended by inserting ''(determined without regard to subsection (g))'' before the period at the end.

(b) AMENDMENT RELATING TO SECTION 1342.—Paragraph (1) of section 30C(e) is amended to read as follows:

''(1) REDUCTION IN BASIS.—For purposes of this subtitle, the basis of any property for which a credit is allowable under subsection (a) shall be reduced by the amount of such credit so allowed (determined without regard to subsection (d)).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the Energy Tax Incentives Act of 2005 to which it relates.

SEC. 219. AMENDMENTS RELATING TO AMERICAN JOBS CREATION ACT OF 2004.

(a) AMENDMENT RELATING TO SECTION 101.—Subsection (d) of section 101 of the American Jobs Creation Act of 2004 is amended by adding at the end the following new paragraph:

''(3) COORDINATION WITH SECTION 199.—This subsection shall be applied without regard to any deduction allowable under section 199.''.

(b) AMENDMENTS RELATING TO SECTION 102.—Paragraph (3) of section 199(b) is amended—

(1) by inserting ''of a short taxable year or'' after ''in cases'', and

(2) by striking ''AND DISPOSITIONS'' and inserting '', DISPOSITIONS, AND SHORT TAXABLE YEARS''.

(c) CLERICAL AMENDMENT RELATING TO SECTION 413.—Paragraph (7) of section 904(h) is amended by striking ''as ordinary income under section 1246 or''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provision of the American Jobs Creation Act of 2004 to which they relate.

SEC. 220. OTHER CLERICAL CORRECTIONS.

(a) Paragraph (8) of section 30B(h) is amended by striking ''vehicle)., except that'' and inserting ''vehicle), except that''.

(b) Subparagraph (A) of section 38(c)(2) is amended by striking ''credit credit'' and inserting ''credit''.

(c) Section 46 is amended by adding a comma at the end of paragraph (4).

(d) Subparagraph (E) of section 50(a)(2) is amended by inserting '', 48A(b)(3), 48B(b)(3), 48C(b)(2), or 48D(b)(4)'' after ''in section 48(b)''.

(e) Clause (i) of section 54A(d)(2)(A) is amended by striking ''100 percent or more'' and inserting ''100 percent''.

(f) Paragraph (2) of section 125(b) is amended by striking ''statutory nontaxable benefits'' each place it appears and inserting ''qualified benefits''.

(g) Paragraph (2) of section 125(h) is amended by striking ''means, any'' and inserting ''means any''.

(h) Subparagraph (F) of section 163(h)(4) is amended by striking ''Veterans Administration or the Rural Housing Administration'' and inserting ''Department of Veterans Affairs or the Rural Housing Service''.

(i) Subsection (a) of section 249 is amended by striking ''1563(a)(1)'' and inserting ''1563(a)(1))''.

(j) Paragraphs (8) and (10) of section 280F(d) are each amended by striking ''subsection (a)(2)'' and inserting ''subsection (a)(1)''.

(k) Clause (iii) of section 402A(c)(4)(E) is amended by striking ''403(b)(7)(A)(i)'' and inserting ''403(b)(7)(A)(ii)''.

(l) Section 527 is amended—

(1) by striking ''(2 U.S.C. 432(e))'' in subsection (h)(2)(A)(i) and inserting ''(52 U.S.C. 30102(e))'', and

(2) by striking ''(2 U.S.C. 431 et seq.)'' in subsections (i)(6) and (j)(5)(A) and inserting ''(52 U.S.C. 30101 et seq.)''.

(m) Subsection (b) of section 858 is amended by striking ''857(b)(8)'' and inserting ''857(b)(9)''.

(n) Subparagraph (A) of section 1012(c)(2) is amended by striking ''section 1012'' and inserting ''this section''.

(o) The heading for section 1394(f) is amended by striking ''DESIGNATED UNDER SECTION 1391(g)''.

(p) Paragraphs (1) and (2)(A) of section 1394(f) are each amended by striking ''a new empowerment zone facility bond'' and inserting ''an empowerment zone facility bond''.

(q) Clause (i) of section 1400N(c)(3)(A) is amended by striking ''section 42(d)(5)(C)(iii)'' and inserting ''section 42(d)(5)(B)(iii)''.

(r) Subsections (e)(3)(B) and (f)(7)(B) of section 4943 are each amended by striking ''January 1, 1970'' and inserting ''January 1, 1971''.

(s) Paragraph (2) of section 4982(f) is amended by adding a comma at the end.

(t) Paragraph (3) of section 6011(e) is amended by striking ''shall require than'' and inserting ''shall require that''.

(u) Subsection (b) of section 6072 is amended by striking ''6011(e)(2)'' and inserting ''6011(c)(2)''.

(v) Subsection (d) of section 6104 is amended by redesignating the second paragraph (6) (relating to disclosure of reports by the Internal Revenue Service) and third paragraph (6) (relating to application to nonexempt charitable trusts and nonexempt private foundations) as paragraphs (7) and (8), respectively.

(w) Subsection (c) of section 6662A is amended by striking ''section 6664(d)(2)(A)'' and inserting ''section 6664(d)(3)(A)''.

(x) Subparagraph (FF) of section 6724(d)(2) is amended by striking ''section 6050W(c)'' and inserting ''section 6050W(f)''.

(y) Section 7122 is amended by redesignating the second subsection (f) (relating to frivolous submissions, etc.) as subsection (g).

(z) Subsection (a) of section 9035 is amended by striking ''section 320(b)(1)(A)'' and inserting ''section 315(b)(1)(A)''.

(aa) Section 9802 is amended by redesignating the second subsection (f) (relating to genetic information of a fetus or embryo) as subsection (g).

(bb) Paragraph (3) of section 13(e) of the Worker, Homeownership, and Business Assistance Act of 2009 is amended by striking ''subsection (d)'' and inserting ''subsection (c)''.

SEC. 221. DEADWOOD PROVISIONS.

(a) IN GENERAL.—

(1) ADJUSTMENTS IN TAX TABLES SO THAT INFLATION WILL NOT RESULT IN TAX INCREASES.—Paragraph (7) of section 1(f) is amended to read as follows:

''(7) SPECIAL RULE FOR CERTAIN BRACKETS.—In prescribing tables under paragraph (1) which apply to taxable years beginning in a calendar year after 1994, the cost-of-living adjustment used in making adjustments to the dollar amounts at which the 36 percent rate bracket begins or at which the 39.6 percent rate bracket begins shall be determined under paragraph (3) by substituting '1993' for '1992'.''.

(2) CERTAIN PLUG-IN ELECTRIC VEHICLES.—

(A) Subpart B of part IV of subchapter A of chapter 1 is amended by striking section 30 (and by striking the item relating to such section in the table of sections for such subpart).

(B) Subsection (b) of section 38, as amended by section 209(f)(1) of this Act, is amended by inserting ''plus'' at the end of paragraph (35), by striking paragraph (36), and by redesignating paragraph (37) as paragraph (36).

(C) Subclause (VI) of section 48C(c)(1)(A)(i) is amended by striking '', qualified plug-in electric vehicles (as defined by section 30(d)),''.

(D) Section 1016(a) is amended by striking paragraph (25).

(E) Section 6501(m) is amended by striking ''section 30(e)(6),''.

(3) EARNED INCOME CREDIT.—

(A) Paragraph (1) of section 32(b) is amended—

(i) by striking subparagraphs (B) and (C), and

(ii) by striking ''(A) IN GENERAL.—In the case of taxable years beginning after 1995:'' in subparagraph (A) and moving the table 2 ems to the left.

(B) Subparagraph (B) of section 32(b)(2) is amended by striking ''increased by'' and all that follows and inserting ''increased by $3,000.''.

(4) FIRST-TIME HOMEBUYER CREDIT.—Section 6213(g)(2), as amended by section 214(a)(2) of this Act, is amended by striking subparagraph (P).

(5) MAKING WORK PAY CREDIT.—

(A) Subpart C of part IV of subchapter A of chapter 1 is amended by striking section 36A (and by striking the item relating to such section in the table of sections for such subpart).

(B) Subparagraph (A) of section 6211(b)(4) is amended by striking '', 36A''.

(C) Section 6213(g)(2) is amended by striking subparagraph (N).

(6) GENERAL BUSINESS CREDITS.—Subsection (d) of section 38 is amended by striking paragraph (3).

(7) LOW-INCOME HOUSING CREDIT.—Subclause (I) of section 42(h)(3)(C)(ii) is amended by striking ''($1.50 for 2001)''.

(8) MINIMUM TAX CREDIT.—

(A)(i) Section 53 is amended by striking subsections (e) and (f).

(ii) The amendment made by clause (i) striking subsection (f) of section 53 of the Internal Revenue Code of 1986 shall not be construed to allow any tax abated by reason of section 53(f)(1) of such Code (as in effect before such amendment) to be included in the amount determined under section 53(b)(1) of such Code.

(B) Paragraph (4) of section 6211(b)(4) is amended by striking '', 53(e)''.

(9) ADJUSTMENTS BASED ON ADJUSTED CURRENT EARNINGS.—Clause (ii) of section 56(g)(4)(F) is amended by striking ''In the case of any taxable year beginning after December 31, 1992, clause'' and inserting ''Clause''.

(10) ITEMS OF TAX PREFERENCE; DEPLETION.—Paragraph (1) of section 57(a) is amended by striking ''Effective with respect to taxable years beginning after December 31, 1992, this'' and inserting ''This''.

(11) INTANGIBLE DRILLING COSTS.—

(A) Clause (i) of section 57(a)(2)(E) is amended by striking ''In the case of any taxable year beginning after December 31, 1992, this'' and inserting ''This''.

(B) Clause (ii) of section 57(a)(2)(E) is amended by striking ''(30 percent in case of taxable years beginning in 1993)''.

(12) ENVIRONMENTAL TAX.—

(A) Subchapter A of chapter 1 is amended by striking part VII (and by striking the item relating to such part in the table of parts for such subchapter).

(B) Paragraph (2) of section 26(b) is amended by striking subparagraph (B).

(C) Section 30A(c) is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

(D) Subsection (a) of section 164 is amended by striking paragraph (5).

(E) Section 275(a) is amended by striking the last sentence.

(F) Section 882(a)(1) is amended by striking '', 59A''.

(G) Section 936(a)(3) is amended by striking subparagraph (A) and by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively.

(H) Section 1561(a) is amended—

(i) by inserting ''and'' at the end of paragraph (2), by striking '', and'' at the end of paragraph (3) and inserting a period, and by striking paragraph (4), and

(ii) by striking '', the amount specified in paragraph (3), and the amount specified in paragraph (4)'' and inserting ''and the amount specified in paragraph (3)''.

(I) Section 4611(e) is amended—

(i) by striking ''section 59A, this section,'' in paragraph (2)(B) and inserting ''this section'', and

(ii) in paragraph (3)(A)—

(I) by striking ''section 59A,'', and

(II) by striking the comma after ''rate)''.

(J) Section 6425(c)(1)(A) is amended by inserting ''plus'' at end of clause (i), by striking ''plus'' and inserting ''over'' at the end of clause (ii), and by striking clause (iii).

(K) Section 6655 is amended—

(i) in subsections (e)(2)(A)(i) and (e)(2)(B)(i), by striking ''taxable income, alternative minimum taxable income, and modified alternative minimum taxable income'' and inserting ''taxable income and alternative minimum taxable income'',

(ii) in subsection (e)(2)(B), by striking clause (iii), and

(iii) in subsection (g)(1)(A), by inserting ''plus'' at the end of clause (ii), by striking clause (iii), and by redesignating clause (iv) as clause (iii).

(L) Section 9507(b)(1) is amended by striking ''59A,''.

(13) STANDARD DEDUCTION.—

(A) So much of paragraph (1) of section 63(c) as follows ''the sum of—'' is amended to read as follows:

''(A) the basic standard deduction, and

''(B) the additional standard deduction.''.

(B) Subsection (c) of section 63 is amended by striking paragraphs (7), (8), and (9).

(14) ANNUITIES; CERTAIN PROCEEDS OF ENDOWMENT AND LIFE INSURANCE CONTRACTS.—Section 72 is amended—

(A) in subsection (c)(4), by striking ''; except that if such date was before January 1, 1954, then the annuity starting date is January 1, 1954'', and

(B) in subsection (g)(3), by striking ''January 1, 1954, or'' and '', whichever is later''.

(15) UNEMPLOYMENT COMPENSATION.—Section 85 is amended by striking subsection (c).

(16) ACCIDENT AND HEALTH PLANS.—Section 105(f) is amended by striking ''or (d)''.

(17) FLEXIBLE SPENDING ARRANGEMENTS.—Section 106(c)(1) is amended by striking ''Effective on and after January 1, 1997, gross'' and inserting ''Gross''.

(18) CERTAIN COMBAT ZONE COMPENSATION OF MEMBERS OF THE ARMED FORCES.—Subsection (c) of section 112 is amended—

(A) by striking ''(after June 24, 1950)'' in paragraph (2), and

(B) by striking ''such zone;'' and all that follows in paragraph (3) and inserting ''such zone.''.

(19) LEGAL SERVICE PLANS.—

(A) Part III of subchapter B of chapter 1 is amended by striking section 120 (and by striking the item relating to such section in the table of sections for such subpart).

(B)(i) Section 414(n)(3)(C) is amended by striking ''120,''.

(ii) Section 414(t)(2) is amended by striking ''120,''.

(iii) Section 501(c) is amended by striking paragraph (20).

(iv) Section 3121(a) is amended by striking paragraph (17).

(v) Section 3231(e) is amended by striking paragraph (7).

(vi) Section 3306(b) is amended by striking paragraph (12).

(vii) Section 6039D(d)(1) is amended by striking ''120,''.

(viii) Section 209(a)(14) of the Social Security Act is amended—

(I) by striking subparagraph (B), and

(II) by striking ''(14)(A)'' and inserting ''(14)''.

(20) PRINCIPAL RESIDENCE.—Section 121(b)(3) is amended—

(A) by striking subparagraph (B), and

(B) in subparagraph (A), by striking ''(A) IN GENERAL.—'' and moving the text 2 ems to the left.

(21) CERTAIN REDUCED UNIFORMED SERVICES RETIREMENT PAY.—Section 122(b)(1) is amended by striking ''after December 31, 1965,''.

(22) GREAT PLAINS CONSERVATION PROGRAM.—Section 126(a) is amended by striking paragraph (6) and by redesignating paragraphs (7), (8), (9), and (10) as paragraphs (6), (7), (8), and (9), respectively.

(23) TREBLE DAMAGE PAYMENTS UNDER THE ANTITRUST LAW.—Section 162(g) is amended by striking the last sentence.

(24) STATE LEGISLATORS' TRAVEL EXPENSES AWAY FROM HOME.—Paragraph (4) of section 162(h) is amended by striking ''For taxable years beginning after December 31, 1980, this'' and inserting ''This''.

(25) INTEREST.—

(A) Section 163 is amended—

(i) by striking paragraph (6) of subsection (d), and

(ii) by striking paragraph (5) of subsection (h).

(B) Section 56(b)(1)(C) is amended by striking clause (ii) and by redesignating clauses (iii), (iv), and (v) as clauses (ii), (iii), and (iv), respectively.

(26) QUALIFIED MOTOR VEHICLE TAXES.—Section 164, as amended by section 209(c) of this Act, is amended by striking subsections (a)(6) and (b)(6).

(27) DISASTER LOSSES.—

(A) Subsection (h) of section 165 is amended by striking paragraph (3) and by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

(B) Paragraph (3) of section 165(h), as so redesignated, is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraph (2)''.

(C) Subsection (i) of section 165 is amended—

(i) in paragraph (1)—

(I) by striking ''(as defined by clause (ii) of subsection (h)(3)(C))'', and

(II) by striking ''(as defined by clause (i) of such subsection)'',

(ii) by striking ''(as defined by subsection (h)(3)(C)(i)'' in paragraph (4), and

(iii) by adding at the end the following new paragraph:

''(5) FEDERALLY DECLARED DISASTERS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'Federally declared disaster' means any disaster subsequently determined by the President of the United States to warrant assistance by the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

''(B) DISASTER AREA.—The term 'disaster area' means the area so determined to warrant such assistance.''.

(D) Section 1033(h)(3) is amended by striking ''section 165(h)(3)(C)'' and inserting ''section 165(i)(5)''.

(28) CHARITABLE, ETC., CONTRIBUTIONS AND GIFTS.—Section 170 is amended—

(A) by striking paragraph (3) of subsection (b),

(B) by striking paragraph (6) of subsection (e), and

(C) by striking subsection (k).

(29) AMORTIZABLE BOND PREMIUM.—

(A) Subparagraph (B) of section 171(b)(1) is amended to read as follows:

''(B)(i) with reference to the amount payable on maturity (or if it results in a smaller amortizable bond premium attributable to the period before the call date, with reference to the amount payable on the earlier call date), in the case of a bond described in subsection (a)(1), and

''(ii) with reference to the amount payable on maturity or on an earlier call date, in the case of a bond described in subsection (a)(2).''.

(B) Paragraphs (2) and (3)(B) of section 171(b) are each amended by striking ''paragraph (1)(B)(ii)'' and inserting ''paragraph (1)(B)(i)''.

(30) NET OPERATING LOSS CARRYBACKS, CARRYOVERS, AND CARRYFORWARDS.—

(A) Section 172, as amended by section 211(c)(1)(B) of this Act, is amended—

(i) by striking subparagraphs (D), (H), (I), and (J) of subsection (b)(1) and by redesignating subparagraphs (E), (F), and (G) as subparagraphs (D), (E), and (F), respectively, and

(ii) by striking subsections (g) and (j) and by redesignating subsections (h), (i), and (k) as subsections (g), (h), and (i), respectively.

(B) Each of the following provisions of section 172 (as amended by section 211(c)(1)(B) of this Act and as redesignated by subparagraph (A)) are amended as follows:

(i) By striking ''ending after August 2, 1989'' in subsection (b)(1)(D)(i)(II).

(ii) By striking ''subsection (h)'' in subsection (b)(1)(D)(ii) and inserting ''subsection (g)''.

(iii) By striking ''section 165(h)(3)(C)(i)'' in subsection (b)(1)(E)(ii)(II) and inserting ''section 165(i)(5)''.

(iv) By striking ''subsection (i)'' and all that follows in the last sentence of subsection (b)(1)(E)(ii) and inserting ''subsection (h)).''.

(v) By striking ''subsection (i)'' in subsection (b)(1)(F) and inserting ''subsection (h)''.

(vi) By striking subparagraph (F) of paragraph (2) of subsection (g).

(vii) By striking ''subsection (b)(1)(E)'' each place it appears in subsection (g)(4) and inserting ''subsection (b)(1)(D)''.

(viii) By striking the last sentence of subsection (h)(1).

(ix) By striking ''subsection (b)(1)(G)'' each place it appears in subsection (h)(3) and inserting ''subsection (b)(1)(F)''.

(C) Subsection (d) of section 56 is amended by striking paragraph (3).

(D) Paragraph (5) of section 382(l) is amended by striking subparagraph (F) and by redesignating subparagraphs (G) and (H) as subparagraphs (F) and (G), respectively.

(31) RESEARCH AND EXPERIMENTAL EXPENDITURES.—Subparagraph (A) of section 174(a)(2) is amended to read as follows:

''(A) WITHOUT CONSENT.—A taxpayer may, without the consent of the Secretary, adopt the method provided in this subsection for his first taxable year for which expenditures described in paragraph (1) are paid or incurred.''.

(32) AMORTIZATION OF CERTAIN RESEARCH AND EXPERIMENTAL EXPENDITURES.—Paragraph (2) of section 174(b) is amended by striking ''beginning after December 31, 1953''.

(33) SOIL AND WATER CONSERVATION EXPENDITURES.—Paragraph (1) of section 175(d) is amended to read as follows:

''(1) WITHOUT CONSENT.—A taxpayer may, without the consent of the Secretary, adopt the method provided in this section for the taxpayer's first taxable year for which expenditures described in subsection (a) are paid or incurred.''.

(34) CLEAN-FUEL VEHICLES.—

(A) Part VI of subchapter A of chapter 1 is amended by striking section 179A (and by striking the item relating to such section in the table of sections for such part).

(B) Section 30C(e) is amended by adding at the end the following:

''(7) REFERENCE.—For purposes of this section, any reference to section 179A shall be treated as a reference to such section as in effect immediately before its repeal.''.

(C) Section 62(a) is amended by striking paragraph (14).

(D) Section 263(a)(1) is amended by striking subparagraph (H).

(E) Section 280F(a)(1) is amended by striking subparagraph (C).

(F) Section 312(k)(3) is amended by striking ''179A,'' each place it appears.

(G) Section 1016(a) is amended by striking paragraph (24).

(H) Section 1245(a) is amended by striking ''179A,'' each place it appears in paragraphs (2)(C) and (3)(C).

(35) QUALIFIED DISASTER EXPENSES.—Part VI of subchapter A of chapter 1 is amended by striking section 198A (and by striking the item relating to such section in the table of sections for such part).

(36) ACTIVITIES NOT ENGAGED IN FOR PROFIT.—Section 183(e)(1) is amended by striking the last sentence.

(37) DOMESTIC PRODUCTION ACTIVITIES.—

(A) Subsection (a) of section 199 is amended—

(i) by striking paragraph (2),

(ii) by redesignating subparagraphs (A) and (B) of paragraph (1) as paragraphs (1) and (2), respectively, and by moving paragraphs (1) and (2) (as so redesignated) 2 ems to the left, and

(iii) by striking ''ALLOWANCE OF DEDUCTION.—'' and all that follows through ''There shall be allowed'' and inserting the following:

''(a) ALLOWANCE OF DEDUCTION.—There shall be allowed''.

(B) Paragraphs (2) and (6)(B) of section 199(d) are each amended by striking ''(a)(1)(B)'' and inserting ''(a)(2)''.

(38) RETIREMENT SAVINGS.—

(A) Subparagraph (A) of section 219(b)(5) is amended to read as follows:

''(A) IN GENERAL.—The deductible amount is $5,000.''.

(B) Clause (ii) of section 219(b)(5)(B) is amended to read as follows:

''(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount is $1,000.''.

(C) Paragraph (5) of section 219(b) is amended by striking subparagraph (C) and by redesignating subparagraph (D) as subparagraph (C).

(D) Clause (ii) of section 219(g)(2)(A) is amended by striking ''for a taxable year beginning after December 31, 2006''.

(E) Section 219(g)(3)(B) is amended by striking clauses (i) and (ii) and inserting the following:

''(i) In the case of a taxpayer filing a joint return, $80,000.

''(ii) In the case of any other taxpayer (other than a married individual filing a separate return), $50,000.''.

(F) Paragraph (8) of section 219(g) is amended by striking ''the dollar amount in the last row of the table contained in paragraph (3)(B)(i), the dollar amount in the last row of the table contained in paragraph (3)(B)(ii), and the dollar amount contained in paragraph (7)(A),'' and inserting ''each of the dollar amounts in paragraphs (3)(B)(i), (3)(B)(ii), and (7)(A)''.

(39) REPORTS REGARDING QUALIFIED VOLUNTARY RETIREMENT CONTRIBUTIONS.—

(A) Section 219 is amended by striking paragraph (4) of subsection (f) and subsection (h).

(B) Section 6652 is amended by striking subsection (g).

(40) INTEREST ON EDUCATION LOANS.—Paragraph (1) of section 221(b) is amended by striking ''shall not exceed'' and all that follows and inserting ''shall not exceed $2,500.''.

(41) DIVIDENDS RECEIVED ON CERTAIN PREFERRED STOCK; AND DIVIDENDS PAID ON CERTAIN PREFERRED STOCK OF PUBLIC UTILITIES.—

(A) Sections 244 and 247 are hereby repealed, and the table of sections for part VIII of subchapter B of chapter 1 is amended by striking the items relating to sections 244 and 247.

(B) Paragraph (5) of section 172(d) is amended to read as follows:

''(5) COMPUTATION OF DEDUCTION FOR DIVIDENDS RECEIVED.—The deductions allowed by section 243 (relating to dividends received by corporations) and 245 (relating to dividends received from certain foreign corporations) shall be computed without regard to section 246(b) (relating to limitation on aggregate amount of deductions).''.

(C) Paragraph (1) of section 243(c) is amended to read as follows:

''(1) IN GENERAL.—In the case of any dividend received from a 20-percent owned corporation, subsection (a)(1) shall be applied by substituting '80 percent' for '70 percent'.''.

(D) Section 243(d) is amended by striking paragraph (4).

(E) Section 246 is amended—

(i) by striking '', 244,'' in subsection (a)(1),

(ii) in subsection (b)(1)—

(I) by striking ''sections 243(a)(1), 244(a),'' and inserting ''section 243(a)(1)'',

(II) by striking ''244(a),'' the second place it appears, and

(III) by striking ''subsection (a) or (b) of section 245, and 247,'' and inserting ''and subsection (a) or (b) of section 245,'', and

(iii) by striking '', 244,'' in subsection (c)(1).

(F) Section 246A is amended by striking '', 244,'' both places it appears in subsections (a) and (e).

(G) Sections 263(g)(2)(B)(iii), 277(a), 301(e)(2), 469(e)(4), 512(a)(3)(A), subparagraphs (A), (C), and (D) of section 805(a)(4), 805(b)(5), 812(e)(2)(A), 815(c)(2)(A)(iii), 832(b)(5), 833(b)(3)(E), and 1059(b)(2)(B) are each amended by striking '', 244,'' each place it appears.

(H) Section 1244(c)(2)(C) is amended by striking ''244,''.

(I) Section 805(a)(4)(B) is amended by striking '', 244(a),'' each place it appears.

(J) Section 810(c)(2)(B) is amended by striking ''244 (relating to dividends on certain preferred stock of public utilities),''.

(K) The amendments made by this paragraph shall not apply to preferred stock issued before October 1, 1942 (determined in the same manner as under section 247 of the Internal Revenue Code of 1986 as in effect before its repeal by such amendments).

(42) ORGANIZATION EXPENSES.—Section 248(c) is amended by striking ''beginning after December 31, 1953,'' and by striking the last sentence.

(43) BOND REPURCHASE PREMIUM.—Section 249(b)(1) is amended by striking '', in the case of bonds or other evidences of indebtedness issued after February 28, 1913,''.

(44) AMOUNT OF GAIN WHERE LOSS PREVIOUSLY DISALLOWED.—Section 267(d) is amended by striking ''(or by reason of section 24(b) of the Internal Revenue Code of 1939)'' in paragraph (1), by striking ''after December 31, 1953,'' in paragraph (2), by striking the second sentence, and by striking ''or by reason of section 118 of the Internal Revenue Code of 1939'' in the last sentence.

(45) ACQUISITIONS MADE TO EVADE OR AVOID INCOME TAX.—Paragraphs (1) and (2) of section 269(a) are each amended by striking ''or acquired on or after October 8, 1940,''.

(46) MEALS AND ENTERTAINMENT.—Paragraph (3) of section 274(n) is amended—

(A) by striking ''(A) IN GENERAL.—'',

(B) by striking ''substituting 'the applicable percentage' for'' and inserting ''substituting '80 percent' for'', and

(C) by striking subparagraph (B).

(47) INTEREST ON INDEBTEDNESS INCURRED BY CORPORATIONS TO ACQUIRE STOCK OR ASSETS OF ANOTHER CORPORATION.—

(A) Section 279 is amended—

(i) by striking ''after December 31, 1967,'' in subsection (a)(2),

(ii) by striking ''after October 9, 1969,'' in subsection (b),

(iii) by striking ''after October 9, 1969, and'' in subsection (d)(5), and

(iv) by striking subsection (i) and redesignating subsection (j) as subsection (i).

(B) The amendments made by this paragraph shall not—

(i) apply to obligations issued on or before October 9, 1969 (determined in the same manner as under section 279 of the Internal Revenue Code of 1986 as in effect before such amendments), and

(ii) be construed to require interest on obligations issued on or before December 31, 1967, to be taken into account under section 279(a)(2) of such Code (as in effect after such amendments).

(48) BANK HOLDING COMPANIES.—

(A) Clause (iii) of section 304(b)(3)(D) is repealed.

(B) The heading of subparagraph (D) of section 304(b)(3) is amended by striking ''AND SPECIAL RULE''.

(49) EFFECT ON EARNINGS AND PROFITS.—Subsection (d) of section 312 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(50) DISQUALIFIED STOCK.—Paragraph (3) of section 355(d) is amended by striking ''after October 9, 1990, and'' each place it appears.

(51) BASIS TO CORPORATIONS.—Section 362 is amended by striking ''on or after June 22, 1954'' in subsection (a) and by striking '', on or after June 22, 1954,'' each place it appears in subsection (c).

(52) TEMPORARY WAIVER OF MINIMUM REQUIRED DISTRIBUTION.—Section 401(a)(9) is amended by striking subparagraph (H).

(53) INDIVIDUAL RETIREMENT ACCOUNTS.—Clause (i) of section 408(p)(2)(E) is amended to read as follows:

''(i) IN GENERAL.—For purposes of subparagraph (A)(ii), the applicable amount is $10,000.''.

(54) TAX CREDIT EMPLOYEE STOCK OWNERSHIP PLANS.—Section 409 is amended by striking subsection (q).

(55) CATCH-UP CONTRIBUTIONS.—Clauses (i) and (ii) of section 414(v)(2)(B) are amended to read as follows:

''(i) In the case of an applicable employer plan other than a plan described in section 401(k)(11) or 408(p), the applicable dollar amount is $5,000.

''(ii) In the case of an applicable employer plan described in section 401(k)(11) or 408(p), the applicable dollar amount is $2,500.''.

(56) EMPLOYEE STOCK PURCHASE PLANS.—Section 423(a) is amended by striking ''after December 31, 1963,''.

(57) PENSION RELATED TRANSITION RULES.—

(A) Section 402(g)(1)(B) is amended by striking ''shall be'' and all that follows and inserting ''is $15,000.''.

(B)(i) Subparagraph (D) of section 417(e)(3) is amended—

(I) by striking clauses (ii) and (iii),

(II) by striking ''if—'' and all that follows through ''section 430(h)(2)(D)'' and inserting ''if section 430(h)(2)(D)'', and

(III) by striking ''described in such section,'' and inserting ''described in such section.''.

(ii) Clause (iii) of section 205(g)(3)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1055(g)(3)(B)) is amended—

(I) by striking subclauses (II) and (III),

(II) by striking ''if—'' and all that follows through ''section 303(h)(2)(D)'' and inserting ''if section 303(h)(2)(D)'', and

(III) by striking ''described in such section,'' and inserting ''described in such section.''.

(C)(i) Paragraph (5) of section 430(c) is amended by striking subparagraph (B) and by striking ''(A) IN GENERAL.—''.

(ii) Paragraph (5) of section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by striking subparagraph (B) and by striking ''(A) IN GENERAL.—''.

(D)(i) Paragraph (2) of section 430(h) is amended by striking subparagraph (G).

(ii) Paragraph (2) of section 303(h) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)) is amended by striking subparagraph (G).

(E)(i) Paragraph (3) of section 436(j), as added by section 113(a)(1)(B) of the Pension Protection Act of 2006, is amended by striking subparagraphs (B) and (C) and by striking ''(A) IN GENERAL.—''.

(ii) Subparagraph (C) of section 206(g)(9) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(9)) is amended by striking clauses (ii) and (iii) and by striking ''(i) IN GENERAL.—''.

(F)(i) Section 436(j) is amended by striking the paragraph (3) added by section 203(a)(2) of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010.

(ii) Section 206(g)(9) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(9)) is amended by striking subparagraph (D).

(G)(i) Section 436 is amended by striking subsection (m).

(ii) Section 206(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)) is amended by striking paragraph (11).

(H) Section 457(e)(15)(A) is amended by striking ''shall be'' and all that follows and inserting ''is $15,000.''.

(58) LIMITATION ON DEDUCTIONS FOR CERTAIN FARMING.—

(A) Section 464 is amended by striking ''any farming syndicate (as defined in subsection (c))'' both places it appears in subsections (a) and (b) and inserting ''any taxpayer to whom subsection (d) applies''.

(B)(i) Subsection (c) of section 464 is hereby moved to the end of section 461 and redesignated as subsection (j).

(ii) Such subsection (j) is amended—

(I) by striking ''For purposes of this section'' in paragraph (1) and inserting ''For purposes of subsection (i)(4)'', and

(II) by adding at the end the following new paragraphs:

''(3) FARMING.—For purposes of this subsection, the term 'farming' has the meaning given to such term by section 464(e).

''(4) LIMITED ENTREPRENEUR.—For purposes of this subsection, the term 'limited entrepreneur' means a person who—

''(A) has an interest in an enterprise other than as a limited partner, and

''(B) does not actively participate in the management of such enterprise.''.

(iii) Paragraph (4) of section 461(i) is amended by striking ''section 464(c)'' and inserting ''subsection (j)''.

(C) Section 464 is amended—

(i) by striking subsections (e) and (g) and redesignating subsections (d) and (f) as subsections (c) and (d), respectively, and

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

''(e) FARMING.—For purposes of this section, the term 'farming' means the cultivation of land or the raising or harvesting of any agricultural or horticultural commodity including the raising, shearing, feeding, caring for, training, and management of animals. For purposes of the preceding sentence, trees (other than trees bearing fruit or nuts) shall not be treated as an agricultural or horticultural commodity.''.

(D) Subsection (d) of section 464 of such Code (as redesignated by subparagraph (C)) is amended—

(i) by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively, and

(ii) by striking ''SUBSECTIONS (A) AND (B) TO APPLY TO'' in the heading.

(E) Subparagraph (A) of section 58(a)(2) is amended by striking ''section 464(c)'' and inserting ''section 461(j)''.

(59) DEDUCTIONS LIMITED TO AMOUNT AT RISK.—Subparagraph (A) of section 465(c)(3) is amended by striking ''In the case of taxable years beginning after December 31, 1978, this'' and inserting ''This''.

(60) PASSIVE ACTIVITY LOSSES AND CREDITS LIMITED.—

(A) Section 469 is amended by striking subsection (m).

(B) Subsection (b) of section 58 is amended by adding ''and'' at the end of paragraph (1), by striking paragraph (2), and by redesignating paragraph (3) as paragraph (2).

(61) ADJUSTMENTS REQUIRED BY CHANGES IN METHOD OF ACCOUNTING.—Section 481(b)(3) is amended by striking subparagraph (C).

(62) EXEMPTION FROM TAX ON CORPORATIONS, CERTAIN TRUSTS, ETC.—Section 501 is amended by striking subsection (s).

(63) REQUIREMENTS FOR EXEMPTION.—

(A) Section 503(a)(1) is amended to read as follows:

''(1) GENERAL RULE.—An organization described in paragraph (17) or (18) of section 501(c), or described in section 401(a) and referred to in section 4975(g) (2) or (3), shall not be exempt from taxation under section 501(a) if it has engaged in a prohibited transaction.''.

(B) Paragraph (2) of section 503(a) is amended by striking ''described in section 501(c)(17) or (18) or paragraph (a)(1)(B)'' and inserting ''described in paragraph (1)''.

(C) Subsection (c) of section 503 is amended by striking ''described in section 501(c)(17) or (18) or subsection (a)(1)(B)'' and inserting ''described in subsection (a)(1)''.

(64) ACCUMULATED TAXABLE INCOME.—Paragraph (1) of section 535(b) and paragraph (1) of section 545(b) are each amended by striking ''section 531'' and all that follows and inserting ''section 531 or the personal holding company tax imposed by section 541.''.

(65) DEFINITION OF PROPERTY.—Subsection (b) of section 614 is amended—

(A) by striking paragraphs (3)(C) and (5), and

(B) in paragraph (4), by striking ''whichever of the following years is later: The first taxable year beginning after December 31, 1963, or''.

(66) AMOUNTS RECEIVED BY SURVIVING ANNUITANT UNDER JOINT AND SURVIVOR ANNUITY CONTRACT.—Subparagraph (A) of section 691(d)(1) is amended by striking ''after December 31, 1953, and''.

(67) INCOME TAXES OF MEMBERS OF ARMED FORCES ON DEATH.—Section 692(a)(1) is amended by striking ''after June 24, 1950''.

(68) SPECIAL RULES FOR COMPUTING RESERVES.—Paragraph (7) of section 807(e) is amended by striking subparagraph (B) and redesignating subparagraph (C) as subparagraph (B).

(69) INSURANCE COMPANY TAXABLE INCOME.—

(A) Section 832(e) is amended by striking ''of taxable years beginning after December 31, 1966,''.

(B) Section 832(e)(6) is amended by striking ''In the case of any taxable year beginning after December 31, 1970, the'' and inserting ''The''.

(70) CAPITALIZATION OF CERTAIN POLICY ACQUISITION EXPENSES.—Section 848 is amended by striking subsection (j).

(71) TAX ON NONRESIDENT ALIEN INDIVIDUALS.—Subparagraph (B) of section 871(a)(1) is amended to read as follows:

''(B) gains described in subsection (b) or (c) of section 631,''.

(72) LIMITATION ON CREDIT.—Paragraph (2) of section 904(d) is amended by striking subparagraph (J).

(73) FOREIGN EARNED INCOME.—Clause (i) of section 911(b)(2)(D) is amended to read as follows:

''(i) IN GENERAL.—The exclusion amount for any calendar year is $80,000.''.

(74) BASIS OF PROPERTY ACQUIRED FROM DECEDENT.—

(A) Section 1014(a)(2) is amended to read as follows:

''(2) in the case of an election under section 2032, its value at the applicable valuation date prescribed by such section,''.

(B) Section 1014(b) is amended by striking paragraphs (7) and (8).

(75) ADJUSTED BASIS.—Section 1016(a) is amended by striking paragraph (12).

(76) PROPERTY ON WHICH LESSEE HAS MADE IMPROVEMENTS.—Section 1019 is amended by striking the last sentence.

(77) INVOLUNTARY CONVERSION.—Section 1033 is amended by striking subsection (j) and by redesignating subsections (k) and (l) as subsections (j) and (k), respectively.

(78) PROPERTY ACQUIRED DURING AFFILIATION.—Section 1051 is hereby repealed, and the table of sections for part IV of subchapter O of chapter 1 is amended by striking the item relating to section 1051.

(79) CAPITAL GAINS AND LOSSES.—Section 1222 is amended by striking the last sentence.

(80) HOLDING PERIOD OF PROPERTY.—

(A) Paragraph (1) of section 1223 is amended by striking ''after March 1, 1954,''.

(B) Paragraph (4) of section 1223 is amended by striking '' '(or under so much of section 1052(c) as refers to section 113(a)(23) of the Internal Revenue Code of 1939)' ''.

(C) Paragraphs (6) and (8) of section 1223 are repealed.

(81) PROPERTY USED IN THE TRADE OR BUSINESS AND INVOLUNTARY CONVERSIONS.—Subparagraph (A) of section 1231(c)(2) is amended by striking ''beginning after December 31, 1981''.

(82) SALE OR EXCHANGE OF PATENTS.—Section 1235 is amended—

(A) by striking subsection (c) and by redesignating subsections (d) and (e) as subsections (c) and (d), respectively, and

(B) by striking ''subsection (d)'' in subsection (b)(2)(B) and inserting ''subsection (c)''.

(83) DEALERS IN SECURITIES.—Subsection (b) of section 1236 is amended by striking ''after November 19, 1951,''.

(84) SALE OF PATENTS.—Subsection (a) of section 1249 is amended by striking ''after December 31, 1962,''.

(85) GAIN FROM DISPOSITION OF FARMLAND.—Paragraph (1) of section 1252(a) is amended—

(A) by striking ''after December 31, 1969'' the first place it appears, and

(B) by striking ''after December 31, 1969,'' in subparagraph (A).

(86) TREATMENT OF AMOUNTS RECEIVED ON RETIREMENT OR SALE OR EXCHANGE OF DEBT INSTRUMENTS.—Subsection (c) of section 1271 is amended to read as follows:

''(c) SPECIAL RULE FOR CERTAIN OBLIGATIONS WITH RESPECT TO WHICH ORIGINAL ISSUE DISCOUNT NOT CURRENTLY INCLUDIBLE.—

''(1) IN GENERAL.—On the sale or exchange of debt instruments issued by a government or political subdivision thereof after December 31, 1954, and before July 2, 1982, or by a corporation after December 31, 1954, and on or before May 27, 1969, any gain realized which does not exceed—

''(A) an amount equal to the original issue discount, or

''(B) if at the time of original issue there was no intention to call the debt instrument before maturity, an amount which bears the same ratio to the original issue discount as the number of complete months that the debt instrument was held by the taxpayer bears to the number of complete months from the date of original issue to the date of maturity, shall be considered as ordinary income.

''(2) SUBSECTION (a)(2)(A) NOT TO APPLY.—Subsection (a)(2)(A) shall not apply to any debt instrument referred to in paragraph (1) of this subsection.

''(3) CROSS REFERENCE.—For current inclusion of original issue discount, see section 1272.''.

(87) AMOUNT AND METHOD OF ADJUSTMENT.—Section 1314 is amended by striking subsection (d) and by redesignating subsection (e) as subsection (d).

(88) ELECTION; REVOCATION; TERMINATION.—Clause (iii) of section 1362(d)(3)(A) is amended by striking ''unless'' and all that follows and inserting ''unless the corporation was an S corporation for such taxable year.''.

(89) OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE.—Subsection (a) of section 1401 is amended by striking ''the following percent'' and all that follows and inserting ''12.4 percent of the amount of the self-employment income for such taxable year.''.

(90) HOSPITAL INSURANCE.—Paragraph (1) of section 1401(b) is amended by striking: ''the following percent'' and all that follows and inserting ''2.9 percent of the amount of the self-employment income for such taxable year.''.

(91) MINISTERS, MEMBERS OF RELIGIOUS ORDERS, AND CHRISTIAN SCIENCE PRACTITIONERS.—Paragraph (3) of section 1402(e) is amended—

(A) by striking ''whichever of the following dates is later: (A)'', and

(B) by striking '';or (B)' '' and all that follows and inserting a period.

(92) WITHHOLDING OF TAX ON NONRESIDENT ALIENS.—The first sentence of subsection (b) of section 1441 and the first sentence of paragraph (5) of section 1441(c) are each amended by striking ''gains subject to tax'' and all that follows through ''October 4, 1966'' and inserting ''and gains subject to tax under section 871(a)(1)(D)''.

(93) AFFILIATED GROUP DEFINED.—Subparagraph (A) of section 1504(a)(3) is amended by striking ''for a taxable year which includes any period after December 31, 1984'' in clause (i) and by striking ''in a taxable year beginning after December 31, 1984'' in clause (ii).

(94) DISALLOWANCE OF THE BENEFITS OF THE GRADUATED CORPORATE RATES AND ACCUMULATED EARNINGS CREDIT.—

(A) Subsection (a) of section 1551 is amended—

(i) by striking paragraph (1) and by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively, and

(ii) by striking ''after June 12, 1963,'' each place it appears.

(B) Section 1551(b) is amended—

(i) by striking ''or (2)'' in paragraph (1), and

(ii) by striking ''(a)(3)'' in paragraph (2) and inserting ''(a)(2)''.

(95) CREDIT FOR STATE DEATH TAXES.—

(A)(i) Part II of subchapter A of chapter 11 is amended by striking section 2011 (and by striking the item relating to such section in the table of sections for such subpart).

(ii) Section 2106(a)(4) is amended by striking ''section 2011(a)'' and inserting ''2058(a)''.

(B)(i) Subchapter A of chapter 13 is amended by striking section 2604 (and by striking the item relating to such section in the table of sections for such subpart).

(ii) Clause (ii) of section 164(b)(4)(A) is amended by inserting ''(as in effect before its repeal)'' after ''section 2604''.

(iii) Section 2654(a)(1) is amended by striking ''(computed without regard to section 2604)''.

(96) GROSS ESTATE.—Subsection (c) of section 2031 is amended by striking paragraph (3) and by amending paragraph (1)(B) to read as follows:

''(II) $500,000.''.

(97)(A) Part IV of subchapter A of chapter 11 is amended by striking section 2057 (and by striking the item relating to such section in the table of sections for such subpart).

(B) Paragraph (10) of section 2031(c) is amended by inserting ''(as in effect before its repeal)'' immediately before the period at the end thereof.

(98) PROPERTY WITHIN THE UNITED STATES.—Subsection (c) of section 2104 is amended by striking ''With respect to estates of decedents dying after December 31, 1969, deposits'' and inserting ''Deposits''.

(99) FICA TAXES.—

(A) Subsection (a) of section 3101 is amended by striking ''the following percentages'' and all that follows and inserting ''6.2 percent of the wages (as defined in section 3121(a)) received by the individual with respect to employment (as defined in section 3121(b))''.

(B)(i) Subsection (a) of section 3111 is amended by striking ''the following percentages'' and all that follows and inserting ''6.2 percent of the wages (as defined in section 3121(a)) paid by the employer with respect to employment (as defined in section 3121(b)).''.

(ii) Subsection (b) of section 3111 is amended by striking ''the following percentages'' and all that follows and inserting ''1.45 percent of the wages (as defined in section 3121(a)) paid by the employer with respect to employment (as defined in section 3121(b)).''.

(C)(i) Section 3121(b) is amended by striking paragraph (17).

(ii) Section 210(a) of the Social Security Act is amended by striking paragraph (17).

(100) RAILROAD RETIREMENT.—

(A) Subsection (b) of section 3201 is amended to read as follows:

''(b) TIER 2 TAX.—In addition to other taxes, there is hereby imposed on the income of each employee a tax equal to the percentage determined under section 3241 for any calendar year of the compensation received during such calendar year by such employee for services rendered by such employee.''.

(B) Subsection (b) of section 3211 is amended to read as follows:

''(b) TIER 2 TAX.—In addition to other taxes, there is hereby imposed on the income of each employee representative a tax equal to the percentage determined under section 3241 for any calendar year of the compensation received during such calendar year by such employee representative for services rendered by such employee representative.''.

(C) Subsection (b) of section 3221 is amended to read as follows:

''(b) TIER 2 TAX.—In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the percentage determined under section 3241 for any calendar year of the compensation paid during such calendar year by such employer for services rendered to such employer.''.

(D) Subsection (b) of section 3231 is amended—

(i) by striking ''compensation; except'' and all that follows in the first sentence and inserting ''compensation.'', and

(ii) by striking the second sentence.

(101) CREDITS AGAINST FEDERAL UNEMPLOYMENT TAX.—

(A) Paragraph (4) of section 3302(f) is amended—

(i) by striking ''subsection—'' and all that follows through ''(A) IN GENERAL.—The'' and inserting ''subsection, the'',

(ii) by striking subparagraph (B),

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and

(iv) by moving the text of such subparagraphs (as so redesignated) 2 ems to the left.

(B) Paragraph (5) of section 3302(f) is amended by striking subparagraph (D) and by redesignating subparagraph (E) as subparagraph (D).

(102) DOMESTIC SERVICE EMPLOYMENT TAXES.—Section 3510(b) is amended by striking paragraph (4).

(103) LUXURY PASSENGER AUTOMOBILES.—

(A) Chapter 31 is amended by striking subchapter A (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(B)(i) Section 4221 is amended—

(I) in subsections (a) and (d)(1), by striking ''subchapter A or'' and inserting ''subchapter'',

(II) in subsection (a), by striking ''In the case of taxes imposed by subchapter A of chapter 31, paragraphs (1), (3), (4), and (5) shall not apply.'', and

(III) in subsection (c), by striking ''4001(c), 4001(d), or''.

(ii) Section 4222 is amended by striking ''4001(c), 4001(d),''.

(iii) Section 4293 is amended by striking ''subchapter A of chapter 31,''.

(104) TRANSPORTATION BY AIR.—Section 4261(e) is amended—

(A) in paragraph (1), by striking subparagraph (C), and

(B) by striking paragraph (5).

(105) TAXES ON FAILURE TO DISTRIBUTE INCOME.—

(A) Subsection (g) of section 4942 is amended by striking ''For all taxable years beginning on or after January 1, 1975, subject'' in paragraph (2)(A) and inserting ''Subject''.

(B) Section 4942(i)(2) is amended by striking ''beginning after December 31, 1969, and''.

(106) TAXES ON TAXABLE EXPENDITURES.—Section 4945(f) is amended by striking ''(excluding therefrom any preceding taxable year which begins before January 1, 1970)''.

(107) DEFINITIONS AND SPECIAL RULES.—Section 4682(h) is amended—

(A) by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively, and

(B) in paragraph (1) (as so redesignated)—

(i) by striking the heading and inserting ''IN GENERAL'', and

(ii) by striking ''after 1991'' in subparagraph (C).

(108) RETURNS.—Subsection (a) of section 6039D is amended by striking ''beginning after December 31, 1984,''.

(109) INFORMATION RETURNS.—Subsection (c) of section 6060 is amended by striking '' 'year' '' and all that follows and inserting ''year.''.

(110) COLLECTION.—Section 6302 is amended—

(A) in subsection (e)(2), by striking ''imposed by'' and all that follows through ''with respect to'' and inserting ''imposed by sections 4251, 4261, or 4271 with respect to'',

(B) by striking the last sentence of subsection (f)(1), and

(C) in subsection (h)—

(i) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively, and

(ii) by amending paragraph (3) (as so redesignated) to read as follows:

''(3) COORDINATION WITH OTHER ELECTRONIC FUND TRANSFER REQUIREMENTS.—Under regulations, any tax required to be paid by electronic fund transfer under section 5061(e) or 5703(b) shall be paid in such a manner as to ensure that the requirements of the second sentence of paragraph (1)(A) of this subsection are satisfied.''.

(111) ABATEMENTS.—Section 6404(f) is amended by striking paragraph (3).

(112) 2008 RECOVERY REBATE FOR INDIVIDUALS.—

(A) Subchapter B of chapter 65 is amended by striking section 6428 (and by striking the item relating to such section in the table of sections for such subchapter).

(B) Subparagraph (A) of section 6211(b)(4) is amended by striking ''6428,''.

(C) Paragraph (2) of section 6213(g), as amended by section 214(a)(2) of this Act and paragraphs (4) and (5)(C) of this subsection, is amended by striking subparagraph (Q), by redesignating subparagraph (O) as subparagraph (N), by inserting ''and'' at the end of subparagraph (M), and by striking the comma at the end of subparagraph (N) (as so redesignated) and inserting a period.

(D) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by striking ''6428, or 6431,'' and inserting ''or 6431''.

(113) ADVANCE PAYMENT OF PORTION OF INCREASED CHILD CREDIT FOR 2003.—Subchapter B of chapter 65 is amended by striking section 6429 (and by striking the item relating to such section in the table of sections for such subchapter).

(114) FAILURE BY CORPORATION TO PAY ESTIMATED INCOME TAX.—Clause (i) of section 6655(g)(4)(A) is amended by striking ''(or the corresponding provisions of prior law)''.

(115) RETIREMENT.—Section 7447(i)(3)(B)(ii) is amended by striking ''at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter'', and inserting ''at 3 percent per annum''.

(116) ANNUITIES TO SURVIVING SPOUSES AND DEPENDENT CHILDREN OF JUDGES.—

(A) Paragraph (2) of section 7448(a) is amended—

(i) by striking ''or under section 1106 of the Internal Revenue Code of 1939'', and

(ii) by striking ''or pursuant to section 1106(d) of the Internal Revenue Code of 1939''.

(B) Subsection (g) of section 7448 is amended by striking ''or other than pursuant to section 1106 of the Internal Revenue Code of 1939''.

(C) Subsections (g), (j)(1), and (j)(2) of section 7448 are each amended by striking ''at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter'' and inserting ''at 3 percent per annum''.

(117) MERCHANT MARINE CAPITAL CONSTRUCTION FUNDS.—Paragraph (4) of section 7518(g) is amended by striking ''any nonqualified withdrawal'' and all that follows through '' 'shall be determined'' and inserting ''any nonqualified withdrawal shall be determined''.

(118) VALUATION TABLES.—

(A) Subsection (c) of section 7520 is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(B) Paragraph (2) of section 7520(c) (as redesignated by subparagraph (A)) is amended—

(i) by striking ''Not later than December 31, 1989, the'' and inserting ''The'', and

(ii) by striking ''thereafter'' in the last sentence thereof.

(119) DEFINITION OF EMPLOYEE.—Section 7701(a)(20) is amended by striking ''chapter 21'' and all that follows and inserting ''chapter 21.''.

(b) EFFECTIVE DATE.—

(1) GENERAL RULE.—Except as otherwise provided in subsection (a) or paragraph (2) of this subsection, the amendments made by this section shall take effect on the date of enactment of this Act.

(2) SAVINGS PROVISION.—If—

(A) any provision amended or repealed by the amendments made by this section applied to—

(i) any transaction occurring before the date of the enactment of this Act,

(ii) any property acquired before such date of enactment, or

(iii) any item of income, loss, deduction, or credit taken into account before such date of enactment, and

(B) the treatment of such transaction, property, or item under such provision would (without regard to the amendments or repeals made by this section) affect the liability for tax for periods ending after date of enactment, nothing in the amendments or repeals made by this section shall be construed to affect the treatment of such transaction, property, or item for purposes of determining liability for tax for periods ending after such date of enactment.

TITLE III—JOINT COMMITTEE ON TAXATION

SEC. 301. INCREASED REFUND AND CREDIT THRESHOLD FOR JOINT COMMITTEE ON TAXATION REVIEW OF C CORPORATION RETURN.

(a) IN GENERAL.—Subsections (a) and (b) of section 6405 are each amended by inserting ''($5,000,000 in the case of a C corporation)'' after ''$2,000,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act, except that such amendment shall not apply with respect to any refund or credit with respect to a report that has been made before such date under section 6405 of the Internal Revenue Code of 1986.

TITLE IV—BUDGETARY EFFECTS

SEC. 401. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

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

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CAMP).

GENERAL LEAVE

Mr. CAMP. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 5771.

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

There was no objection.

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

As we all know, there is a series of tax provisions that routinely expire that Congress must then renew, typically extending them for 1 year retroactively and 1 year prospectively. Congress routinely extends these policies without offsetting the revenue loss.

This on again-off again style of legislating on a temporary basis is a terrible way to make tax policy. We are the only Nation in the world that lets large pieces of its Tax Code expire.

Hard-working taxpayers deserve to know whether these tax policies are going to be there year in and year out on a permanent basis. Temporary renewals cannot provide the certainty that American businesses need in order to make the best decisions about how to invest in cutting-edge research, whether to buy new pieces of equipment, and most importantly, whether to hire that additional worker. These temporary renewals mean uncertainty for families as well as they try to plan their family budgets.

Throughout the year, the Ways and Means Committee has produced legislation that carefully examined many of these temporary extenders and reformed and made permanent several of the most important ones. The whole House on a bipartisan basis later passed this legislation.

This included important policies such as a permanent and improved credit for research and development and permanently higher section 179 expensing levels for small businesses—policies that were also included in the President's budget proposals.

Analysis by the nonpartisan experts at the Joint Committee on Taxation confirmed that permanent extensions of these policies would result in companies spending more on R&D and making new investments, all of which would promote job creation and higher wages.

Having passed a number of these policies through the House on a bipartisan basis, we proceeded with the rather old-fashioned approach of beginning bipartisan negotiations with the Senate.

□ 1615

Until last week, we were making significant progress in those negotiations as everyone involved worked in good faith to reach a successful conclusion. We were close to reaching an agreement that would ensure that many of the bills that passed the House on a bipartisan basis would be included.

In addition, we were going beyond the list of traditional tax extenders and including additional policies designed specifically to assist low- and middle-income American families, in particular, policies such as the American Opportunity Tax Credit, which helps low- and middle-income families afford college, which was also included in the President's budget proposals. Other policies included making permanent the deduction for State and local sales taxes and the tax rules for mass transit benefits.

However, before these negotiations could conclude, the administration took the unbelievable step of issuing a veto threat. The President issued a veto threat over bipartisan, bicameral negotiations.

Now, I can't tell you with certainty exactly what the administration wants because the administration has not even bothered to reach out and tell us what the President's priorities are; rather than trying to engage and work with Congress, the administration is only communicating through press statements.

The President has often said that he wants to work with Congress to find bipartisan solutions. In fact, in his press conference after the election, the President said:

> I am eager to work with the new Congress to make the next 2 years as productive as possible. I am committed to making sure that I measure ideas not by whether they are from Democrats or Republicans, but whether they work for the American people.

That statement is completely at odds with the President's actions last week, and we all know that actions speak louder than words. As a result of the administration's actions, negotiations with the Senate have come to a standstill.

Inexplicably, the administration and some Senate Democrats have taken the position that policies that promote savings, investment, charitable donations, and job creation are a ''giveaway'' to big corporations.

These Senators and the administration should listen to the 1,032 charitable organizations that have written to every Member of Congress in support of the permanent tax incentives for charitable giving that would have been included in the agreement with the Senate. I don't think that policies that promote donations to food banks, homeless shelters, and hospitals are giveaways to corporate America.

The administration's actions now force us to take a different and less effective approach. With the end of the year and a new tax filing season rapidly approaching, we need to act. The IRS has been clear, unless Congress acts quickly, it will be forced to delay the start of the tax filing season.

American families are struggling to make ends meet as wages remain flat, even as expenses increase. These families can't and should not face a delay in getting their tax refund.

The legislation before us today will address the concerns raised by the IRS and ensure the tax filing season can open on time. We should ensure that the President's actions do not hurt hardworking taxpayers who are counting on that tax refund; therefore, I urge the House to pass this legislation and ensure that the tax filing season opens on time.

I reserve the balance of my time.

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

This legislation is crucial as much for what it avoids as what it accomplishes. A 1-year extension avoids the dangerous plan pushed by House Republicans for much of this last year to make permanent a select number of provisions at a cost of nearly $1 trillion.

That plan was not only fiscally irresponsible, it also left many provisions behind that are vital to working families and small businesses, including the exclusion for mortgage debt forgiveness, new market tax credits, continuations of the expansions to the earned income tax credit, and the refundable portion of the child tax credit.

This bill also avoids an almost equally harmful proposal under consideration last week that would have permanently extended a select group of expiring provisions and would also have given permanent breaks to a relative few while costing more than $400 billion and leaving out critical provisions that help working families.

I actively and publicly opposed that proposal. Fortunately, it generated a veto threat from the President.

The provisions in today's extender bill need more serious consideration than would have been provided in that proposal both as to substance, whether they contribute to economic growth and jobs, and how they fit into the need for both equity and fiscal responsibility.

Some of the extender provisions have contributed to economic growth, such as the provisions for R&D, promoting development of renewable energy, encouraging development of small business, and increasing educational opportunity. Others should not be part of any permanent action, such as bonus depreciation, which was always contemplated as a temporary measure to stimulate economic growth and activity.

Some of the provisions in tax extenders should end, and others need to be addressed as we make better sense of the international tax structure, including closing tax loopholes. While I did not agree with many of the provisions of the tax reform proposal of the chairman, he did attempt to address issues in a more comprehensive way, unlike what was passed through the House up to $1 trillion and was attempted last week.

It was a serious mistake, as I said, for the Republicans to have taken pieces of it, trying to make them permanent without paying a dime to offset the more than $800 billion cost of doing so.

The bill today, therefore, only maintains the status quo for this year. Not to act would disrupt the coming tax filing season for millions of American workers and businesses which have relied on Congress to extend these provisions and will, in a matter of weeks, begin filing their 2014 tax returns. As a result, I will support this measure.

As we act in the future, including on tax reform, I believe the lesson that should be learned from the past is that it is critical to try to work on a bipartisan basis, recognizing the importance of maintaining support for the values that must underpin legislative action.

I reserve the balance of my time.

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

I do want to thank my friend from Michigan for his support of this legislation before us today. It is something that we do need to do. We cannot allow these provisions to be expired for all of 2014, but I would say that, if you look around, we are not seeing the kind of growth and opportunity that we should see in America. We are not seeing the kind of job creation, we are not seeing the kind of income increases; yet expenses are going up for families.

The items that the gentleman talked about, whether it was research and development or section 179 or the American Opportunity Tax Credit, all of those were going to be permanent in the package that we were working on, and even the mortgage debt forgiveness for those who are selling their homes and their mortgages were underwater, we were extending that for 2 years, so there were a lot of things for families.

Certainly, the charitable provisions for food banks and for charitable giving, those would certainly help middle class Americans as well.

The reason why I think it is important to get permanent policy is that we haven't seen the kind of growth that we need to see, and the more of these items that we can make permanent, the more stability we have, the more likely it is that employers and individuals and families are going to make the kind of long-term decisions that will cause our economy to grow.

It is not just me saying this; it is the nonpartisan Joint Committee on Taxation that says permanent policies such as these, as we were working on, are the kinds of things that the country needs to do to grow.

Again, I want to thank him for his support of the legislation. Hopefully, in

the future, we will be able to get at some of these issues in a more permanent way, so that we don't have this unusual system where we have had all of these policies expired for all of 2014 and, in the final 2 weeks, we are going to retroactively put them into place for the final weeks of the year, so that when people file in April, they will be able to take advantage of these items. We should really do this on a more regular basis.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself 1 minute.

Look, you made provisions permanent, Mr. Chairman, and you paid for them in your bill. There is disagreement how you paid for them, but you paid for them, and then you come forth with up to $1 trillion permanent unpaid for and leave out the child tax credit and the EITC.

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

Mr. LEVIN. I yield myself an additional 1 minute.

Then we hear last week a proposal for $400 billion of it unpaid for, permanent—unpaid for, permanent—leaving out the EITC and the child tax credit, so that is why the President acted, and that is why it was essential he act.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to other Members in the second person.

Mr. LEVIN. I now yield 4 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank Chairman CAMP for his courage. I am not going to thank him for this bill, however, but I am going to vote for this bill.

Mr. Speaker, American families and businesses deserve certainty from their tax system—confidence, stability. I am glad we are able to move forward on this legislation rather than pursue a plan to make certain tax preferences permanent while ballooning our debt.

While I am supporting this tax extender package, Mr. Speaker, I do so with two very serious reservations. First, it adds the cost of extending this preference to our deficit. It is good, however, that we did not make unpaid-for extensions on a permanent basis, as the ranking member has just discussed.

Second, this is a very short-term fix when Congress needs to work toward a long-term solution. I join the ranking member in congratulating Mr. CAMP for bringing that forward—well, at least he put it on the table. It didn't come forward.

We ought to make the research and experimentation tax credit permanent, but we need to pay for it. While this legislation allows teachers to deduct their out-of-pocket expenses, it does not give them the certainty that they will be able to do so in 2015 or beyond. To that extent, they are in the same position as everybody else covered by this bill will be.

Neither does this bill provide appropriate tax support for renewable energy, biofuels, and energy efficiency—sadly, the failure to extend this for at least 2 years may result in the loss of up to 30,000 jobs—nor, Mr. Speaker, does it provide long-term clarity on long-term bonus depreciation or small business expensing, all of which would give greater confidence to the growth of jobs.

This all speaks to a larger challenge that Congress has an opportunity to address in the new year; instead of this annual ritual of extending individual credits and deductions, we ought to engage in meaningful, comprehensive, and pro-growth tax reform that provides greater certainty across our economy to businesses and individuals alike.

We all know that doing so will not be easy. It will involve difficult choices on both sides of the aisle.

Again, Mr. Chairman, I want to congratulate you. You had the courage to put forward a bill earlier this year that made tough decisions in order to show a path to lower rates and a simpler Code without adding to the deficit, but that path wasn't the path taken by the majority in this Congress.

Instead, the House voted on bill after bill after bill to cut taxes recklessly without any plan to stabilize the debt, invest in our future priorities, and create jobs in a meaningful way.

This package we will be voting on today is the least we can do. It isn't what I hoped for, and it isn't what I hoped I would stand in this well and urge my colleagues to support at the beginning of the 113th Congress, but it is better than many of the cynical alternatives that we have heard about.

□ 1630

I want to congratulate the ranking member and, frankly, the President of the United States for saying ''no'' to an irresponsible package.

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

Mr. LEVIN. Mr. Speaker, I yield an additional 2 minutes to the gentleman.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

While I support this measure, I do so believing that America deserves better, wants better, hopes to get better. That is what each and every one of us was sent here to deliver: responsible policy for our country. This is not that policy. It is, however, as I said, better than the alternative in that it would at least give those in 2014 who have operated on the expectation of getting the credit the assurance that they will get it.

My hope, Mr. Speaker, is that, come next December, we won't be here again considering another tax extender bill to keep the economy from collapsing. It is my hope, Mr. Speaker, that the Republican majority and the Democratic minority can work together to effect responsible, fiscally sound tax reform which will help grow our economy and give the business community and our people the confidence they need to have to grow our economy and to participate effectively in making America better.

Mr. Speaker, again, in closing, I want to congratulate Mr. CAMP, because I think he did bring forth a bill that could have engendered that responsible debate that we needed, a fiscally sound proposal making tough tradeoffs that we ought to have the courage to make. He had that courage, and I congratulate him for it.

Mr. CAMP. Mr. Speaker, I just want to thank the distinguished gentleman from Maryland for his remarks. This is a debate America needs to have and, hopefully, next year that debate will move forward.

With that, I yield 3 minutes to the distinguished gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Speaker, I rise today in support of the Tax Increase Prevention Act of 2014.

Mr. Speaker, American workers and businesses are most successful when they are able to keep, spend, and invest more of their hard-earned money. Our economy, which has already remained too weak for too long, simply cannot afford a series of irresponsible tax hikes that will target individuals, small businesses, and job creators all across the country. So this legislation will help protect those taxpayers—our taxpayers—and their pocketbooks and provide them some level of clarity as they plan for the new year.

Right now, working families and businesses are simply trying to make ends meet. I know from speaking with families and workers back home in Indiana that the last thing that they can afford is higher taxes when they need to be providing for their kids' education, savings, or growing their business.

In this legislation, Mr. Speaker, I am especially pleased to support the provisions that would extend the increased section 179 deduction levels, as well as the extension of bonus depreciation. Countless farms, small businesses, and manufacturers in the Hoosier State and across the country use these important tools to make business-building capital investments. A failure to act on those tax extensions would only slow an economic recovery that desperately needs to pick up the pace.

Today, we have an opportunity to stand together as Republicans and Democrats and pass legislation that will prevent economic harm to millions of families and businesses across the United States. While this may not be the intention that we would all like to have, I do believe that this is the best that we can do for right now to prevent any sort of further damage to the economy.

I would like to, in closing, thank Chairman CAMP and the members of the Ways and Means Committee for their hard work on this issue, and I would urge my colleagues to support their efforts.

I would also like to take a brief moment to thank Chairman CAMP for his

many years of service as a tireless advocate for the constituents back in Michigan. I have the opportunity to travel with him to Detroit from time to time and appreciate his thoughtfulness and his leadership and his desire to do what is best for America. He is an honorable colleague, and I have been honored to have had the chance to serve with him. I wish him the very best in his retirement and know that he will continue to stay busy one way or another.

Thank you again, Mr. Chairman, for your work on this. I know that you definitely set the table for further tax reform, which is desperately needed here in our country, and know that it would be good for our economy. Thank you for what you have done. This has given folks back home some clarity and certainty for this year.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT), another distinguished member of our committee.

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

Mr. MCDERMOTT. Mr. Speaker, there is a fundamental issue with our current policy on tax extenders.

I was a Ways and Means chairman in the State legislature and was told by a very important businessman in the State of Washington once: I don't care what rate you give me, tell me how long it is going to be; how am I going to amortize this? I need to know the length of time.

This bill, so people really understand, lasts exactly 28 days. It will die on January 1. It is for last year.

Now, businesses and individuals can't be certain they are going to get a tax break because of the stop-and-start, temporary nature of Congress reauthorizing these tax bills. Businesses and individuals need to know what the tax is going to be in the beginning of the year so that they can plan and take advantage of incentives rather than waiting until the last 2 weeks of the year when the Congress may or may not act.

This year, businesses that want to take advantage of the research tax credit have either been sitting on the sidelines or making investments or not making investments not knowing, or maybe they gambled and said: Well, we figure that Congress will do something some day.

Everyone should take note of today, the 3rd of December. Next year, right about this time, we will be right back here with the same bill—we can have the same speeches put right out here—because we simply do not give businesses certainty. If we did, we would have the economy rolling better.

Individuals and businesses are going into this year wondering whether they will have to act retroactively on these provisions. I am going to vote ''yes'' like everybody else, but it makes no sense that you have a bill like this 28 days before the end of the year. You have got the IRS wondering if they are going to be able to do the tax stuff and all of this chaos that is created. There are calls coming into our office: Are you going to pass this? Are you going to pass that? What should I do for next year? The answer that a Congressman has to give if he is honest is, ''I don't know.''

This place is dysfunctional. It may be some of the explanation of why people didn't vote in the last election. They figured that Congress isn't going to do anything, and this is a perfect example of it. We should have done it a long time ago, and done it permanently.

Mr. CAMP. Mr. Speaker, at this time, I yield such time as he may consume to the distinguished gentleman from Wisconsin (Mr. RYAN), the chairman of the Budget Committee and the incoming chairman of the Ways and Means Committee.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the chair.

The reason I came down here is to speak in favor of this legislation, to suggest that I wish we could have gotten where we were with the bipartisan negotiations that occurred before White House involvement. This is obviously something that is necessary that has to pass.

But here is the reason that I came down. I came down to say thank you to DAVE CAMP for being an absolutely stellar chairman of the House Ways and Means Committee. This is a man who spent 24 years in this room making a difference in the lives of the people from Michigan and the lives of the 300 million Americans in this country. This country is so much better off because of the dedicated service of this man, the chairman of the Ways and Means Committee. He came in at a young age, reforming a lot of different programs, but one of the biggest marks he made in his early days in Congress is welfare reform.

DAVE CAMP was one of the principal architects of that 1996 welfare reform, which did so much to move people from welfare to work, to reduce child poverty, to help single moms get back to work, to get people lives of dignity. And he went from there to trade, to tax reform, to health care reform, on and on and on.

I only hope that I can do somewhat of the job that he has done in being a stellar steward of this magnificent committee and being a fantastic chairman. Mr. Speaker, I simply wish him great success in his future endeavors.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), another distinguished member of our committee.

Mr. BLUMENAUER. Mr. Speaker, I, too, would extend my congratulations to Mr. CAMP. I have enjoyed being able to work with him for a lot of these 20 years. I enjoy his leadership, his dedication, and his friendship. In a sense, I feel that it was unfortunate that he had to navigate all these bizarre, choppy waters. It would have been fun to see what would have happened in a little more measured environment.

The legislation we are dealing with here today is kind of a symbol of the difficulty he faces and the frustrations we all met. This should be the first legislation that we deal with in the next Congress, not the last legislation we deal with now.

It has been referenced that this is only going to be in effect for a few days. Look at what has happened when we deal with areas that I care deeply about. I have worked for years with short-line railroad interests. They rely on a tax credit to be able to make a difference in rural and small town America. Some of them are plunging in and have taken the risk that will be extended, some have not. These are investments that can't be made in that fashion.

I have enjoyed working with the wind energy industry and looking at what we have done over the course of 2005 to 2012. When we had the production tax credit in place and there was some certainty, we had the wind industry grow nine times over, over $100 billion in investment and helping us generate clean energy and drop the price per unit profoundly. Now who knows what they are facing.

Looking at the transit benefit, I was pleased to have worked to be able to give transit parity to the millions of Americans who take buses and trains to work, to treat them the way we treat people who drive a car. For 3 years, they were treated that way. And then Congress, after the change in power had dropped to $125 a month, and then we kind of got it back when we dealt with the fiscal cliff, now it is back to $130. It is not fair to people in Chicago, in Detroit, in Metropolitan Washington, in New Jersey, in small town America where they take advantage of this. It is another example of where we are in this squirrel cage.

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

Mr. LEVIN. Mr. Speaker, I yield an additional minute to the gentleman.

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman. I appreciate his courtesy.

I am to the point where I don't actually know what is the right vote. I have no doubt that it will pass, but is it the right signal to send for so many industries that have a right to expect certainty, that have a right to expect the things that they have relied upon for years, built their business models around, are treated in the cavalier fashion by this Congress? I don't think that is right.

I think there are many areas of reform. I appreciate my friend Mr. CAMP diving in and dealing with some of these tough issues. We had a demonstration that it is not going to be easy to deal with tax reform. But it is not going to help anybody for the long term or short term to have businesses roll the dice on things in many cases

that are critical to the national interest and that they rely upon. They deserve better, and so does the American public.

□ 1645

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

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), another member of our committee.

Mr. KIND. I thank my friend for yielding.

Mr. Speaker, this may be one of the last times I have an opportunity to address the current chairman of the Ways and Means Committee, Mr. CAMP from Michigan, and I just want to commend him for such a distinguished career in the United States Congress. He has been an honest broker on the issues, a good friend, and I know all of us are going to miss him terribly when he decides to retire and go on to other ventures in his life. We all wish him well.

Mr. Speaker, I think all of us, it is safe to assume, are not happy with this process or the fact that we are here again at the end of the year trying to do a 1-year extension on tax breaks that will be retroactive to 2014, mind you, and not paid for. This is a lousy way to run a Tax Code. It is a lousy way to run a government. I think individuals and businesses, large and small, need greater certainty for the decisions they have got to make with their lives and their businesses, especially the investment decisions; and by doing things retroactively around here and maintaining that uncertainty in future years, it is not the right way to go. And, also, not paying for it.

I think there are opportunities. Certainly the Committee for a Responsible Federal Budget laid out a whole list of potential pay-fors that, if we had real interest, we could have very easily scrubbed the Code to find some offsets to pay for the $40 billion cost that this 1-year extension has today, rather than just adding it to the debt and deficit in our country. We have got to do a better job at that.

But if this also means we have an opportunity moving into next year of being serious about comprehensive tax reform, something that is long overdue—again, with the leadership of the Ways and Means Committee and Mr. CAMP and introducing his discussion draft proposal earlier this year, so a lot of a groundwork has been made—then this might be the pressure that we need to get the committee and this body to do what is long overdue, and that is reform an antiquated Tax Code to make it more fair, more simple, to make it more competitive in the global environment.

I think that is a goal that, again, hopefully, we share, and it might be an avenue of bipartisan cooperation as we do move forward.

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

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

Mr. KIND. Thank you.

Mr. Speaker, I continuously hear from small business owners and farmers back home about the need for greater certainty and the need to revamp a Tax Code that has outlived its usefulness. It is riddled with inefficiencies. It is riddled with certain expenditures that have been included in it throughout the years due to powerful special interests who know how to work the Halls of Congress to get their special provisions in it, and who we are leaving behind are hardworking families back home and the small businesses on Main Street who can't hire their legion of lobbyists out here to protect their interests or to get their special provisions in.

So as we move forward, hopefully this will be one of those areas where we can find some common ground and do what is right for our Nation. That would help jump-start the U.S. economy and put us in a much more competitive place, when it comes to the global economy, at the same time.

I reluctantly support it. I think we could have done a better job. But I think it is also important for policy reasons to maintain these tax provisions until we get a chance to do comprehensive reform around here.

Mr. CAMP. Mr. Speaker, I continue to reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), another distinguished member of our committee.

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

Mr. PASCRELL. Thank you, Mr. Ranking Member, and thank you, Mr. Chairman. I listened to both sides, and you have given me the reasons that I am going to be opposed to this legislation.

For the past 4 years, the Ways and Means Committee has debated comprehensive tax reform. Sadly, the fruit of that discussion before us is a 1-year retroactive extension of a temporary tax provision. This is an illusion. This is a Fellini movie we are seeing on a late afternoon in Washington, D.C. It is completely unpaid for. It gives no certainty to businesses or individuals because it expires 1 month from today.

Unlike today's bill, Chairman CAMP's tax reform draft dealt with many expiring tax provisions in a courageous way. We were dealing with wind credits, R&D tax credits, mortgage debt forgiveness, all the way down the line, as well as the mortgage principal extension, which is needed for people who have had catastrophic problems within their own States. This is an example of what a responsible approach to extenders looks like.

This bill before us today is wholly inadequate. Not only does it add billions of dollars to the deficit, we kick the can down the road by only dealing with extenders in a retroactive manner. In other words, this money has been spent over the last 11 months, hopefully, getting to the point where we would pay for it. That is not the way to run the show, and you know that only puts us deeper into uncertainty and certainly deeper into debt.

Does anyone believe the 2 weeks these provisions will be in effect will encourage any business to make decisions about whether to hire more workers or invest in alternative energy or research, new equipment for small businesses or development in disadvantaged communities?

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

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

Mr. PASCRELL. Thank you.

I am not finished yet, but I want to say to Mr. CAMP, you have been a civil voice that will be missed in this hallowed Hall. And I mean that sincerely from my heart, because civil discussion is necessary in the House of Representatives.

Many times, in other places, it has not been civil. It will do nothing to encourage this legislation, this new development in renewable energy.

I want to be clear. I strongly support, my record will show, many of these tax provisions. I want to work with colleagues on the other side and my own side to make many of them permanent.

While this approach may help taxpayers and businesses who made decisions assuming Congress would act responsibly, it is not in the country's long-term interest, Mr. Speaker. At a bare minimum, Congress should be extending these provisions until the end of 2015 in a fiscally responsible way.

Mr. Speaker, I unfortunately must oppose this legislation, the so called "Tax Increase Prevention Act." For the past four years, the Ways and Means Committee has debated comprehensive tax reform. Sadly, the fruit of that discussion before us is a one-year, retroactive extension of temporary tax provisions, completely unpaid for, and that gives no certainty to businesses or individuals because it expires one month from today.

It didn't have to be this way. Earlier this year, Chairman CAMP released an ambitious proposal for a comprehensive reform of our tax code. I did not agree with everything in that proposal, and neither did many of my friends on the other side of the aisle. But I was confident that both sides could use Chairman's CAMP's draft as a starting point to come together around a reform plan that would finally address the many loopholes and inefficiencies in our tax code.

Mr. CAMP's draft also dealt with the many expiring tax provisions before us today in a courageous way. He resisted the temptation to assume these breaks would be indefinitely extended and added to the deficit. Instead, he made permanent the ones he wanted to keep and paid for them, while separately identifying ones he would let expire. This is an example of what a responsible approach to extenders looks like. Unfortunately, what happened next could not have been less reflective of Mr. CAMP's earlier work.

Before the ink had even dried on Chairman Camp's tax reform draft, the majority of Ways and Means began passing permanent extensions of nearly $1 trillion in tax

provisions and did not even make an attempt to pay for one dime of them. This approach is the height of irresponsibility and has squandered any good will that had been developed during the years of debate over tax reform.

This bill before us today is wholly inadequate. Not only does it add to the deficit and kick the can down the road, but by only dealing with extenders in a retroactive manner, it will not even encourage any business investment in the future. Does anyone really believe that the two weeks these provisions will be in effect will really encourage any business make decisions about whether to hire more workers, or invest in alternative energy, research and development, new equipment for small businesses or development in disadvantaged communities?

A retroactive extension will do nothing for commuters in New Jersey, who have been denied parity in their transit benefits for the last 11 months and will now be denied them again next year. It will do nothing to encourage new development in renewable energy, including offshore wind in my home state, as developers will have no certainty at all that the critical tax credits in this bill will be there for them next year.

I want to be clear: I strongly support many of these tax provisions, and I want to work with my colleagues on the other side of the aisle to make many of them permanent. However, while this bare minimum approach might help taxpayers and businesses who made decisions assuming Congress would act responsibly, it is not in the country's long-term interest. At a bare minimum, Congress should be extending these provisions until the end of 2015, in a fiscally responsible way, and then get back to work on real, permanent tax reform that ends this destructive cycle of expiring and renewing temporary tax policy once and for all.

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

I just want to say to my friend from New Jersey, I agree with you on the need for certainty. We have heard today a lot of common discussion about the need for certainty in our Tax Code and how difficult it is to be the only country in the world that let's tax policy expire and what that means for families and employers. But in terms of the concerns you raise about the deficit, as the gentleman well knows, these measures have never been offset. These measures have never been paid for, whether it was a Republican majority or a Democrat majority. Whether it was a Republican President or a Democrat President, these provisions have never been paid for.

I would just say to the gentleman and to the Members of this body, why do we need to raise taxes on somebody to keep taxes the same? What we are doing is continuing current policy. In many cases, like R&D, it has been continued since 1981. Let's call it what it is.

If we are continuing something in a piecemeal fashion every few years, let's just make it permanent so we can get the benefits of those provisions in terms of reliability and certainty, as the gentleman raised, so that the small businesses all throughout the country can actually plan and expect that these items will be in place.

I share the concerns that have been raised by a number of speakers. Here we are at the end of 2014, retroactively putting in policies for the whole year.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS) another member of our committee.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, this 1-year retroactive extension is not ideal. It is not the best that we should or could do. It does little to provide certainty to individuals and businesses for 2015. My constituent, Mary Joe, still will not know whether she can give money from her IRA to a Chicago charity without tax liability in 2015, nor does my constituent, Henry, know if he can receive enhanced tax benefits for donating food to the Chicago Food Depository.

Further, I am deeply disappointed that this bill fails to extend the Trade Adjustment Assistance for health care workers laid off through no fault of their own. However, I believe that this bill may be our only option for this year to provide these tax benefits for 2014 and to ensure the taxpayers can begin filing their taxes and receiving their refunds early next year. There are many provisions included that are critical to Chicago and Illinois, and that must be covered in 2014.

This is not the best bill, but it is a necessary bill. I look forward to working in a bipartisan way to ensure comprehensive permanent reforms to the Tax Code that help all Americans, including provisions that help the lowest income workers, such as the earned income tax credit and enhanced child tax credit.

I end, Mr. Speaker, by commending Chairman CAMP.

Mr. CAMP, I commend you on your efforts to bring comprehensive tax reform to the forefront, and I wish you well as you finish out a very distinguished career in the people's House. Sir, I salute you.

Mr. CAMP. Mr. Speaker, I continue to reserve the balance of my time.

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

You are never sure what is going to happen the next day around here, so I am not sure if this is the last time you will be presenting a bill—something could come up next week—but let me assume that it is for just a moment and speak on a personal basis if I might. I hope the speaker won't cut me off. You are not supposed to talk to each other, so I will try to speak to you while I speak to the chair. I will try to do both.

Around here we can question each other's positions. In a sense, that is why we are here. DAVE CAMP leaves here having participated in a discussion of substance and questioning each other's positions in a way to try to come forth with legislation. But I think, in a rather unique way, our chairman has been able to do that with complete integrity, with complete seriousness—now and then a sense of humor, but complete seriousness—and the ability to question within a framework of some friendship.

So if this is your last management of a bill, I simply want to say for myself and, more importantly, I think, for this institution, if I might, that your decision to leave here means that you are leaving with your head so high and with, I hope, a feeling of real accomplishment and complete integrity and seriousness about your work. I am sure that your constituents are very proud to have voted for you 12 times. That was a commendable dozen.

So with some feeling of gratitude for having been able to serve with you, DAVE, I yield back the balance of my time.

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

I want to thank my friend, colleague, and partner on the Ways and Means Committee from Michigan for those very gracious and kind remarks.

I think the Ways and Means Committee is the best committee in Congress. We have a lot of bills that come to us. We have a lot of hard decisions. There is a lot of discussion. As you know, this is a big country and there are a lot of different opinions, but we always try to find a way to at least do that in a manner that is productive for the people we represent and that sent us here.

I want to thank you for the ability to work with you over these last few years. Maybe I should have turned that 12 into a baker's dozen, with all the kind remarks that have been said here today. I just want thank you and thank the members of the committee and staff on both sides of the aisle.

One of the things that is required in a committee like Ways and Means, with all of the responsibilities, is a staff that is able to work together as well.

□ 1700

So they help make us do the job well. They help keep us informed and really help make all the things that we do come together, including items like this legislation today so, thank you.

I would just urge passage of H.R. 5771, what we call the extenders bill, or the Tax Increase Prevention Act of 2014.

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

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

Pursuant to House Resolution 766, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT

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

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

Mr. NEAL. I am opposed to the bill in its current form, Mr. Speaker.

Mr. CAMP. Mr. Speaker, I reserve a point of order against the motion to recommit.

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

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. NEAL moves to recommit the bill H.R. 5771 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of title I the following (and conform the table of contents accordingly):

Subtitle E—No Government Subsidies for Corporations That Move Their Headquarters Overseas to Avoid Paying Taxes

SEC. 191. TAX BENEFITS DISALLOWED IN CASE OF INVERTED CORPORATIONS.

(a) IN GENERAL.—In the case of a taxpayer which is, or is a member of an expanded affiliated group which includes, an applicable inverted corporation, the Internal Revenue Code of 1986 shall be applied and administered as if the provisions of, and amendments made by, this title (other than this subtitle) had never been enacted.

(b) APPLICABLE INVERTED CORPORATIONS.—

(1) IN GENERAL.—For purposes of this section, the term ''applicable inverted corporation'' means any foreign corporation which—

(A) would be a surrogate foreign corporation under subsection (a)(2) of section 7874 of the Internal Revenue Code of 1986 if such subsection were applied by substituting ''80 percent'' for ''60 percent'', or

(B) is an inverted domestic corporation.

(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

(B) after the acquisition, either—

(i) more than 50 percent of the stock (by vote or value) of the entity is held—

(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of applying section 7874(a)(2)(B)(iii) of the Internal Revenue Code of 1986 and the preceding sentence, the term ''substantial business activities'' shall have the meaning given such term under Treasury regulations in effect on May 8, 2014, except that the Secretary of the Treasury may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

(A) IN GENERAL.—The Secretary of the Treasury shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

(A) the employees of the group are based in the United States,

(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

(C) the assets of the group are located in the United States, or

(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on May 8, 2014, but applied by treating all references in such regulations to ''foreign country'' and ''relevant foreign country'' as references to ''the United States''. The Secretary of the Treasury may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.

(c) DEFINITIONS.—For purposes of this section, the terms ''domestic corporation'', ''foreign corporation'', and ''expanded affiliated group'' shall each have the same meaning as when used in section 7874 of the Internal Revenue Code of 1986.

Mr. NEAL (during the reading). Mr. Speaker, I ask unanimous consent that we dispense with the reading of the bill.

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

There was no objection.

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

Mr. NEAL. Mr. Speaker, I am opposed to this bill in its current form, and I want to remind colleagues that this amendment to the bill will not kill the bill, nor will it send it back to committee, and, in fact, if adopted, we will immediately proceed to final passage.

Mr. Speaker, we are here today debating this faulty effort for one reason and one reason only: the failure fundamentally to change the Tax Code.

Now, let me say to my friends, the praise delivered on behalf of Mr. CAMP is well-earned. But I also want to say something today. We all love to say, ''I hate to say I told you so,'' but we really like to say, ''I told you so.''

I told you so. The staff would be rich if they took that bet that I offered not long ago on the very floor of this House.

Now, Mr. CAMP, the wily sorcerer of tax policies that he is, he employed every bit of magic at his disposal to bring forth tax reform. He put together a great model and, for 3 years, without the glare of publicity, we actually had an adult conversation between the parties, principals and the stakeholders, who listened carefully to what everyone had to say.

Unfortunately, the Republican leadership was not spellbound by the sorcerer's good deeds. When he was pleased to release his tax proposal, the leadership of the Republican side said, Blah, blah, blah.

Well, one blah in support of continuing uncertainty for the American family and for business; two blahs, or a second blah, for cutting economic growth and business investment; and finally, a third blah to the lowest worker participation rate in 36 years.

Seven to 8 million Americans still looking for work, but we can't do tax reform.

The last time we reformed our code, the Internet didn't exist, but we can't do tax reform.

Economic growth at 2 percent, but we can't do tax reform.

Forty percent of the Business Roundtable's major alliances said this week they plan on hiring new employees. That means 60 percent don't—but we can't do tax reform.

Thirteen percent of these companies said they are committing to investing in buying new equipment, but that means 87 percent are not.

Our inaction on tax reform is harming this economy, and it is not Mr. CAMP's fault. Rather than working on this bill and staying with it, with wage stagnation, low worker participation rate, depressed business investment, instead of addressing these problems, we are debating a bill that, once the President signs it, we will immediately see it as being outdated, and we are going to start the process all over again, maybe in just a couple of days.

What we have before us, in terms of process, is the pinnacle of congressional nonsense. This bill does not incentivize companies to invest more; no more for research. We are rewarding companies for their past behavior.

You cannot find any economist with credibility that will suggest that retroactivity in the Tax Code is sound policy.

Pick up the newspaper and you are going to find very quickly that, as we released this draft, over that same period of time, more companies inverted. The sound of the dam breaking is all around us.

Recent reports have stated that the United States stands to lose $2 billion next year alone, and since the first inversion in 1982, we have lost more than $9 billion. Sadly, these inversions are a part of an epidemic that started a decade ago.

CRS points out that at least 47 companies have inverted since the beginning of the last year, 19 inversion deals are still pending, and 14 more are sure to come in the coming year alone.

The Joint Committee on Taxation says now it is costing us $33.6 billion in lost tax revenue because of our inability to deal with corporate tax inversions.

I understand the argument about tax avoidance versus tax evasion. We have done a reasonably good job at cracking down on Switzerland and Liechtenstein and other places, but we need to address this question of Bermuda and these other tax havens where corporate residents of America pay their fair share, and those who invert to escape taxes—while, incidentally, we are engaged militarily across the globe with a substantial bill—they feel as though they don't have to deliver anything.

Now, my motion to recommit today is very simple. Those companies that have inverted cannot take advantage of the very tax benefits that we are going to vote upon in a few minutes, which, by the way, I favor extending. If you have inverted, you should not be allowed the same credits and deductions and exclusions that American businesses who have stayed here dutifully, respectfully, and with great patriotic fervor continue to pay.

I don't understand, for the life of me, why Republicans can't support doing something about corporate tax inversions.

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

Mr. CAMP. Mr. Speaker, I withdraw my point of order and seek time in opposition to the motion.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Michigan is recognized for 5 minutes.

Mr. CAMP. Mr. Speaker, I would just say, in brief, there is nothing in this motion to recommit that addresses the issues raised by my friend from Massachusetts. The problems the gentleman identified are not dealt with at all here.

Does this motion to recommit increase investment, create jobs, and raise wages?

Does this motion to recommit create certainty in what is an uncertain Tax Code with this process?

It doesn't. What this does is make our Tax Code more complex, makes American workers and American employers less competitive, and it will actually hurt our economy and stifle growth.

I urge a ''no'' vote on this motion to recommit, and I yield back the balance of my time.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the question of passage, if ordered, and passage of H.R. 647.

The vote was taken by electronic device, and there were—yeas 197, nays 223, not voting 14, as follows:

[Roll No. 543]

YEAS—197

Adams
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—223

Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Camp
Campbell
Carter
Cassidy
Chabot
Chaffetz
Clawson (FL)
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McAllister
McCarthy (CA)
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—14

Aderholt
Bishop (UT)
Capito
Capuano
Doyle
Duckworth
Hall
McCarthy (NY)
McCaul
McKeon
Miller, Gary
Negrete McLeod
Southerland
Wasserman Schultz

□ 1737

Messrs. PEARCE, BARR, BACHUS, YOHO, BRIDENSTINE, and Ms. GRANGER changed their vote from ''yea'' to ''nay.''

Ms. EDWARDS and Mr. WAXMAN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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. BRADY of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 378, noes 46, not voting 10, as follows:

[Roll No. 544]

AYES—378

Adams
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Poe (TX)
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOES—46

Amash
Becerra
Blumenauer
Broun (GA)
Clarke (NY)
Clawson (FL)
Clay
Cooper
Cotton
Duffy
Duncan (SC)
Ellison
Fleming
Garrett
Gowdy
Grijalva
Harris
Hastings (FL)
Huelskamp
Jones
Jordan
Labrador
Lamborn
Lankford
Lee (CA)
Lewis
Lummis
McClintock
Meadows
Mulvaney
Napolitano
O'Rourke
Pallone
Pascrell
Pocan
Polis
Pompeo
Ribble
Sanford
Schakowsky
Shuster
Stockman
Thompson (CA)
Visclosky
Welch
Whitfield

NOT VOTING—10

Aderholt
Bishop (UT)
Capuano
Doyle
Duckworth
Hall
McCarthy (NY)
McKeon
Miller, Gary
Negrete McLeod

□ 1745

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

The SPEAKER pro tempore (Mr. SESSIONS). The unfinished business is the vote on passage of the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 17, not voting 13, as follows:

[Roll No. 545]

YEAS—404

Adams
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brat
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Camp
Campbell
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McAllister
McCarthy (CA)
McCaul
McClintock
McCollum
McGovern

McHenry
McIntyre
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—17

Amash
Becerra
Bridenstine
Garamendi
Grijalva
Huelskamp
Jones
McDermott
Moore
Napolitano
Pocan
Ruiz
Sanford
Schakowsky
Scott, David
Takano
Wasserman Schultz

NOT VOTING—13

Aderholt
Bishop (UT)
Capuano
Castro (TX)
Doyle
Duckworth
Hall
McCarthy (NY)
McKeon
Miller, Gary
Negrete McLeod
Pearce
Poe (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1755

Mr. GARAMENDI changed his vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POE of Texas. Mr. Speaker, on rollcall No. 545, H.R. 647, had I been present, I would have voted ''yes.''

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 545 on H.R. 647—ABLE Act of 2014. I was present for the vote but not recorded due to a mechanical problem with my voting card. I am a cosponsor of this legislation and I intended to vote ''aye.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PERRY). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

COMMUNICATION FROM THE HONORABLE SCOTT PERRY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable SCOTT PERRY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
December 1, 2014.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena, issued by the United States Army, seeking documents for use by the prosecution in a court-martial. The subpoena seeks documents in my custody and control that relate to various communications, dated in 2008, between a constituent and the office of former U.S. Representative Todd Platts.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

SCOTT PERRY,
Member of Congress.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO PRESENT THE CONGRESSIONAL GOLD MEDAL TO THE WORLD WAR II MEMBERS OF THE CIVIL AIR PATROL

Mr. GINGREY of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 120, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 120

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDAL TO WORLD WAR II MEMBERS OF CIVIL AIR PATROL.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on December 10, 2014, for a ceremony to present the Congressional Gold Medal to the World War II members of the Civil Air Patrol collectively, in recognition of the military service and exemplary record of the Civil Air Patrol during World War II. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1800

ADDING EBOLA TO THE FDA PRIORITY REVIEW VOUCHER PROGRAM ACT

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2917) to expand the program of priority review to encourage treatments for tropical diseases, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The text of the bill is as follows:

S. 2917

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Adding Ebola to the FDA Priority Review Voucher Program Act''.

SEC. 2. PRIORITY REVIEW TO ENCOURAGE TREATMENTS FOR TROPICAL DISEASES.

Section 524 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n) is amended—

(1) in subsection (a)(3)—

(A) by redesignating subparagraph (Q) as subparagraph (R);

(B) by inserting after subparagraph (P) the following:

''(Q) Filoviruses.''; and

(C) in subparagraph (R), as so redesignated, by striking ''regulation by'' and inserting ''order of''; and

(2) in subsection (b)—

(A) in paragraph (2), by adding ''There is no limit on the number of times a priority review voucher may be transferred before such voucher is used.'' after the period at the end; and

(B) in paragraph (4), by striking ''365 days'' and inserting ''90 days''.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUDDEN UNEXPECTED DEATH DATA ENHANCEMENT AND AWARENESS ACT

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 669) to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life, with the Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sudden Unexpected Death Data Enhancement and Awareness Act''.

SEC. 2. CONTINUING ACTIVITIES RELATED TO STILLBIRTH, SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.

(a) IN GENERAL.—The Secretary of Health and Human Services shall continue activities related to still birth, sudden unexpected infant death, and sudden unexplained death in childhood, including, as appropriate—

(1) collecting information, such as socio-demographic, death scene investigation, clinical history, and autopsy information, on stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood through the utilization of existing surveillance systems and collaborating with States to improve the quality, consistency, and collection of such data;

(2) disseminating information to educate the public, health care providers, and other stakeholders on stillbirth, sudden unexpected infant death and sudden unexplained death in childhood; and

(3) collaborating with the Attorney General, State and local departments of health, and other experts, as appropriate, to provide consistent information for medical examiners and coroners, law enforcement personnel, and health care providers related to death scene investigations and autopsies for sudden unexpected infant death and sudden unexplained death in childhood, in order to improve the quality and consistency of the data collected at such death scenes and to promote consistent reporting on the cause of death after autopsy to inform prevention, intervention, and other activities.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that includes a description of any activities that are being carried out by agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the National Institutes of Health, related to stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood, including those activities identified under subsection (a).

SEC. 3. NO ADDITIONAL APPROPRIATIONS.

This Act shall not be construed to increase the amount of appropriations that are authorized to be appropriated for any fiscal year.

Amend the title so as to read: ''An Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.''.

Mr. BILIRAKIS (during the reading). Mr. Speaker, I ask unanimous consent that the reading of the Senate amendments be dispensed with.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

CONDEMNING THE ACTIONS OF THE RUSSIAN FEDERATION

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 758) strongly condemning the actions of the Russian Federation, under President Vladimir Putin, which has carried out a policy of aggression against neighboring countries aimed at political and economic domination, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 758

Whereas the Russian Federation has subjected Ukraine to a campaign of political, economic, and military aggression for the purpose of establishing its domination over the country and progressively erasing its independence;

Whereas the Russian Federation's invasion of, and military operations on, Ukrainian territory represent gross violations of Ukraine's sovereignty, independence, and territorial integrity and a violation of international law, including the Russian Federation's obligations under the United Nations Charter;

Whereas the Russian Federation has, since February 2014, violated each of the 10 principles of the 1975 Helsinki Accords in its relations with Ukraine;

Whereas the Russian Federation's forcible occupation and illegal annexation of Crimea and its continuing support for separatist and paramilitary forces in eastern Ukraine are violations of its obligations under the 1994 Budapest Memorandum on Security Assurances, in which it pledged to respect the independence and sovereignty and the existing borders of Ukraine, and to refrain from the threat or use of force against the territorial integrity or political independence of Ukraine;

Whereas the Russian Federation has provided military equipment, training, and other assistance to separatist and paramilitary forces in eastern Ukraine that has resulted in over 4,000 civilian deaths, hundreds of thousands of civilian refugees, and widespread destruction;

Whereas the Ukrainian military remains at a significant disadvantage compared to the armed forces of the Russian Federation in terms of size and technological sophistication;

Whereas the United States strongly supports efforts to assist Ukraine to defend its territory and sovereignty against military aggression by the Russian Federation and by separatist forces;

Whereas the terms of the cease-fire specified in the Minsk Protocol that was signed on September 5, 2014, by representatives of the Government of Ukraine, the Russian Federation, and the Russian-led separatists in the eastern area of Ukraine have been repeatedly violated by the Russian Federation and the separatist forces it supports;

Whereas separatist forces in areas they controlled in eastern Ukraine prevented the holding of elections on May 25, 2014, for a new President of Ukraine and on October 26, 2014, for a new Rada, thereby preventing the people of eastern Ukraine from exercising their democratic right to select their candidates for office in free and fair elections;

Whereas on November 2, 2014, separatist forces in eastern Ukraine held fraudulent and illegal elections in areas they controlled for the supposed purpose of choosing leaders of the illegitimate local political entities they have declared;

Whereas the Russian Federation continues to provide the military, political, and economic support without which the separatist forces could not continue to maintain their areas of control;

Whereas the reestablishment of peace and security in Ukraine requires the full withdrawal of Russian forces from Ukrainian territory, the resumption of the Government of Ukraine's control over all of the country's international borders, the disarming of the separatist and paramilitary forces in the east, an end to Russia's use of its energy exports and trade barriers to apply economic and political pressure, and an end to Russian interference in Ukraine's internal affairs;

Whereas Malaysia Airlines Flight 17, a civilian airliner, was destroyed by a missile fired by Russian-backed separatist forces in eastern Ukraine, resulting in the loss of 298 innocent lives;

Whereas the Russian Federation continues to supply the vast majority of arms purchases, which include anti-aircraft missile systems and other lethal weapons, to the Bashar Assad regime in Syria, a state sponsor of terrorism that is actively backed by Hezbollah, a sophisticated terrorist group hostile to the United States and its close allies;

Whereas the Russian Federation has protected the Assad regime and backed its brutal assault against the Syrian people;

Whereas the Russian Federation has used and is continuing to use coercive economic measures, including the manipulation of energy prices and supplies, as well as trade restrictions, to place political and economic pressure on Ukraine;

Whereas France agreed to sell to the Russian Federation two Mistral-class amphibious assault ships in 2011 for $1.7 billion;

Whereas Russian possession of these ships would be a destabilizing addition to the Russian military, which would likely have boosted its ability to invade Crimea;

Whereas given the Russian invasion of sovereign territory of the Republic of Ukraine in Crimea and elsewhere and its dangerous behavior throughout the region, France decided to suspend delivery of the Mistral-class warships to the Russian Federation;

Whereas purchase of the two Mistral-class warships by North Atlantic Treaty Organization (NATO) countries would expand NATO's capabilities, resolve France's legitimate concern over the cost of the ships, and eliminate a potential threat to countries in Eastern Europe;

Whereas the Russian Federation invaded the Republic of Georgia in August 2008, continues to station military forces in the regions of Abkhazia and South Ossetia, and is implementing measures intended to progressively integrate these regions into the Russian Federation, including by signing a ''treaty'' between Georgia's Abkhazia Region and the Russian Federation on November 24, 2014;

Whereas the Russian Federation continues to subject the Republic of Georgia to political and military intimidation, economic coercion, and other forms of aggression in an effort to establish its control of the country and to prevent Georgia from establishing closer relations with the European Union and the United States;

Whereas the Russian Federation continues to station military forces in the

Transniestria region of Moldova in violation of the express will of the Government of Moldova and of its Organization for Security and Co-operation in Europe (OSCE) commitments;

Whereas the Russian Federation continues to provide support to the illegal separatist regime in the Transniestria region of Moldova;

Whereas the Russian Federation continues to subject Moldova to political and military intimidation, economic coercion, and other forms of aggression in an effort to establish its control of the country and to prevent efforts by Moldova to establish closer relations with the European Union and the United States;

Whereas the Russian Federation acceded to the Intermediate-Range Nuclear Forces (INF) Treaty obligation of the Union of Soviet Socialist Republics in a declaration issued at Bishkek, Kyrgyzstan, in October 1992;

Whereas under the terms of the INF Treaty, a flight-test or deployment of any INF-banned weapon delivery vehicle by the Russian Federation constitutes a militarily significant violation of the INF Treaty;

Whereas on April 2, 2014, the Commander, U.S. European Command, and Supreme Allied Commander Europe, General Breedlove, stated that, ''A weapon capability that violates the INF, that is introduced into the greater European land mass is absolutely a tool that will have to be dealt with. . . I would not judge how the alliance will choose to react, but I would say they will have to consider what to do about it. . . It can't go unanswered.'';

Whereas on July 29, 2014, the United States Department of State released its report on the Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments, as required by Section 403 of the Arms Control and Disarmament Act, for calendar year 2013, which found that, ''[t]he United States has determined that the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles'';

Whereas concerns also exist with respect to a new Russian ballistic missile, the RS-26, which, according to reports, has been tested on multiple occasions at intermediate ranges, and in different configurations, which would be covered by the interpretative statements the United States Senate relied upon when it ratified the INF Treaty in May 1988;

Whereas the Russian Federation has requested the approval of new sensors and new aircraft to be flown over the United States and Europe as part of the Treaty on Open Skies, and serious concerns have been raised regarding impacts to United States national security if such approval is given;

Whereas on November 11, 2014, the Commander, U.S. European Command, and Supreme Allied Commander Europe, General Breedlove, stated that, Russian forces ''capable of being nuclear'' are being moved to the Crimea Peninsula;

Whereas according to reports, the Government of the Russian Federation has repeatedly engaged in the infiltration of, and attacks on, computer networks of the United States Government, as well as individuals and private entities, for the purpose of illicitly acquiring information and disrupting operations, including by supporting Russian individuals and entities engaged in these actions;

Whereas the political, military, and economic aggression against Ukraine and other countries by the Russian Federation underscores the enduring importance of the North Atlantic Treaty Organization (NATO) as the cornerstone of collective Euro-Atlantic defense;

Whereas the United States reaffirms its obligations under the North Atlantic Treaty, especially Article 5 which states that ''an armed attack against one or more'' of the treaty signatories ''shall be considered an attack against them all'';

Whereas the Russian Federation is continuing to use its supply of energy as a means of political and economic coercion against Ukraine, Georgia, Moldova, and other European countries;

Whereas the United States strongly supports energy diversification initiatives in Ukraine, Georgia, Moldova, and other European countries to reduce the ability of the Russian Federation to use its supply of energy for political and economic coercion, including the development of domestic sources of energy, increased efficiency, and substituting Russian energy resources with imports from other countries;

Whereas the Russian Federation continues to conduct an aggressive propaganda effort in Ukraine in which false information is used to subvert the authority of the legitimate national government, undermine stability, promote ethnic dissension, and incite violence;

Whereas the Russian Federation has expanded the presence of its state-sponsored media in national languages across central and western Europe with the intent of using news and information to distort public opinion and obscure Russian political and economic influence in Europe;

Whereas expanded efforts by United States international broadcasting across all media in the Russian and Ukrainian languages are needed to counter Russian propaganda and to provide the people of Ukraine and the surrounding regions with access to credible and balanced information;

Whereas the Voice of America and Radio Free Europe/Radio Liberty (RFE/RL), Incorporated continue to represent a minority market share in Ukraine and other regional states with significant ethno-linguistic Russian populations who increasingly obtain their local and international news from Russian state-sponsored media outlets;

Whereas the United States International Programming to Ukraine and Neighboring Regions Act of 2014 (PL 113–96) requires the Voice of America and RFE/RL, Incorporated to provide programming content to target populations in Ukraine and Moldova 24 hours a day, 7 days a week, including at least 8 weekly hours of total original video and television content and 14 weekly hours of total audio content while expanding cooperation with local media outlets and deploying greater content through multimedia platforms and mobile devices; and

Whereas Vladimir Putin has established an increasingly authoritarian regime in the Russian Federation through fraudulent elections, the persecution and jailing of political opponents, the elimination of independent media, the seizure of key sectors of the economy and enabling supporters to enrich themselves through widespread corruption, and implementing a strident propaganda campaign to justify Russian aggression against other countries and repression in Russia, among other actions: Now, therefore, be it

Resolved, That the House of Representatives—

(1) strongly supports the efforts by President Poroshenko and the people of Ukraine to establish a lasting peace in their country that includes the full withdrawal of Russian forces from the territory of Ukraine, full control of Ukraine's international borders, the disarming of separatist and paramilitary forces in eastern Ukraine, the adoption of policies to reduce the ability of the Russian Federation to use energy exports and trade barriers as weapons to apply economic and political pressure, and an end to interference by the Russian Federation in the internal affairs of Ukraine;

(2) affirms the right of Ukraine, Georgia, Moldova, and all countries to exercise their sovereign rights within their internationally recognized borders free from outside intervention, and to conduct their foreign policy in accordance with their determination of the best interests of their peoples;

(3) condemns the continuing political, economic, and military aggression by the Russian Federation against Ukraine, Georgia, and Moldova and the continuing violation of their sovereignty, independence, and territorial integrity;

(4) states that the military intervention by the Russian Federation in Ukraine—

(A) is in breach of its obligations under the United Nations Charter;

(B) is in clear violation of each of the 10 principles of the 1975 Helsinki Accords;

(C) is in violation of the 1994 Budapest Memorandum on Security Assurances in which it pledged to respect the independence, sovereignty, and existing borders of Ukraine and to refrain from the threat of the use of force against the territorial integrity or political independence of Ukraine; and

(D) poses a threat to international peace and security;

(5) calls on the Russian Federation to reverse its illegal annexation of Crimea, to end its support of the separatist forces in Crimea, and to remove its military forces from that region other than those operating in strict accordance with its 1997 agreement on the Status and Conditions of the Black Sea Fleet Stationing on the Territory of Ukraine;

(6) calls on the President to cooperate with United States allies and partners in Europe and other countries around the world to refuse to recognize any *de jure* or *de facto* sovereignty of the Russian Federation over Crimea, its airspace, or its territorial waters;

(7) calls on the Russian Federation to remove its military forces and military equipment from the territory of Ukraine, Georgia, and Moldova, and to end its political, military, and economic support of separatist forces;

(8) calls on the Russian Federation and the separatist forces it supports and controls in Ukraine to end their violations of the ceasefire announced in Minsk on September 5, 2014;

(9) calls on the President to cooperate with United States allies and partners in Europe and other countries around the world to impose visa bans, targeted asset freezes, sectoral sanctions, and other measures on the Russian Federation and its leadership with the goal of compelling it to end its violation of Ukraine's sovereignty and territorial integrity, to remove its military forces and equipment from Ukrainian territory, and to end its support of separatist and paramilitary forces;

(10) calls on the President to provide the Government of Ukraine with lethal and nonlethal defense articles, services, and training required to effectively defend its territory and sovereignty;

(11) calls on the President to provide the Government of Ukraine with appropriate intelligence and other relevant information in a timely manner to assist the Government of Ukraine to defend its territory and sovereignty;

(12) calls on North Atlantic Treaty Organization (NATO) allies and United States partners in Europe and other nations around the world to suspend all military cooperation with Russia, including prohibiting the sale to the Russian Government of lethal and non-lethal military equipment;

(13) reaffirms the commitment of the United States to its obligations under the North Atlantic Treaty, especially Article 5, and calls on all Alliance member states to provide their full share of the resources needed to ensure their collective defense;

(14) urges the President, in consultation with Congress, to conduct a review of the force posture, readiness, and responsibilities of United States Armed Forces and the forces of other members of NATO to determine if the contributions and actions of each are sufficient to meet the obligations of collective self-defense under Article 5 of the North Atlantic Treaty and to specify the measures needed to remedy any deficiencies;

(15) welcomes the decision of France to indefinitely suspend the delivery of the Mistral-class warships to the Russian Federation and urges the United States, France, NATO, and other partners to engage in consultations and consider all alternative acquisition options for such warships which would not include transfer of the ships to the Russian Federation;

(16) urges the President to publicly hold the Russian Federation accountable for violations of its obligations under the Intermediate-Range Nuclear Forces (INF) Treaty and to take action to bring the Russian Federation back into compliance with the Treaty;

(17) urges the President to work with Asian, European, and other allies to develop a comprehensive strategy to ensure the Russian Federation is not able to gain any benefit by its development of military systems that violate the INF Treaty;

(18) believes the emplacement by the Russian Federation of its nuclear weapons on Ukrainian territory would constitute a provocative and destabilizing move;

(19) calls on Ukraine and other countries to support energy diversification initiatives to reduce the ability of the Russian Federation to use its energy exports as a means of applying political or economic pressure, including by promoting energy efficiency and reverse natural gas flows from Western Europe, and calls on the United States to promote increased natural gas exports and energy efficiency;

(20) calls on the President and the United States Department of State to develop a strategy for multilateral coordination to produce or otherwise procure and distribute news and information in the Russian language to countries with significant Russian-speaking populations which maximizes the use of existing platforms for content delivery such as the Voice of America and Radio Free Europe/Radio Liberty (RFE/RL), Incorporated, leverages indigenous public-private partnerships for content production, and seeks in-kind contributions from regional state governments;

(21) calls on the United States Department of State to identify positions at key diplomatic posts in Europe to evaluate the political, economic, and cultural influence of Russia and Russian state-sponsored media and to coordinate with host governments on appropriate responses;

(22) calls on the Russian Federation to cease its support for the Assad regime in Syria;

(23) calls on the President to publicly and privately demand the Russian Federation cease its destabilizing behavior at every opportunity and in every engagement between the United States and its officials and the Russian Federation and its officials;

(24) calls upon the Russian Federation to seek a mutually beneficial relationship with the United States that is based on respect for the independence and sovereignty of all countries and their right to freely determine their future, including their relationship with other nations and international organizations, without interference, intimidation, or coercion by other countries; and

(25) calls for the reestablishment of a close and cooperative relationship between the people of the United States and the Russian people based on the shared pursuit of democracy, human rights, and peace among all nations.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this resolution.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 758 and commend the gentleman from Illinois (Mr. KINZINGER) for his work in bringing this important measure to the floor tonight. I also commend the work of our great chairman, Chairman ROYCE, and our fabulous ranking member, the gentleman from New York (Mr. ENGEL), for their work on this critical issue.

As this resolution documents, Mr. Speaker, Vladimir Putin has repeatedly demonstrated that he is a threat not just to our friends and allies, but to international peace and stability. From Ukraine, Moldova, and the Republic of Georgia, to arms control violations and support for the Assad regime in Syria, Putin's continuing military, economic, and political aggression against Ukraine and others is on full display. Of course, his most dramatic action was the forcible occupation and annexation of Crimea earlier this year.

Today, as we consider this resolution, Russian forces are operating on Ukrainian soil supporting separatists that they have heavily armed. The apparent intent of the Russian-backed separatists is to carve out an area that Russia will be able to permanently dominate. This is not what the people of Ukraine want.

Already, thousands of Ukrainians have died in the fighting, and hundreds of thousands have been made refugees, with many more suffering severe deprivation. The destruction of Malaysia Airlines Flight 17 demonstrated the threat to civilians in this conflict, but many more have been killed in the months since; yet these tragedies go mostly unnoticed in the West.

Ukraine is not asking the U.S. to defend it against Russia, but instead to provide it with the means with which it can defend its people and its sovereignty, but the administration has refused to do so, instead, restricting U.S. assistance to small amounts of nonlethal goods and equipment.

As Ukraine's President said when he addressed us in Congress in September, one cannot win a war with blankets. Ukraine is clearly in need of urgent military assistance. The administration must act quickly to equip it with the means not just to clothe its soldiers, but to stop tanks as well.

The assault on Ukraine isn't being carried out by military means alone. Putin has also attempted to use economic coercion on Ukraine. He has used Russia's supply of energy to Ukraine and to other countries, including many in the European Union, as a political weapon, shutting off deliveries in the middle of winter.

The United States and our friends and allies in Europe and around the world are taking action to ensure that he and his regime pay a heavy price for this aggression. By imposing sanctions on key sectors, especially financial institutions and the oil sector, we have put enormous pressure on the Russian economy, which its officials openly admit.

More needs to be done, Mr. Speaker. We must also counter Russia's ability to use energy as a weapon. The U.S. can play an important role in this effort simply by removing the unilateral restrictions we have imposed on our export of natural gas.

Finally, we must work with our allies in NATO to enhance the security of the Baltic States and other countries of the alliance that are menaced by Russian aggression. A perceived weakness could lead to miscalculation on Moscow's part with incalculable consequences. No one should doubt our commitment to NATO.

Through these and other measures, Mr. Speaker, we can demonstrate to Putin and the world that we will do what is necessary to protect Ukraine and other countries that are threatened by his imperial ambitions and ensure that they can live in peace and security.

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

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume, and I rise in strong support of H. Res. 758.

Mr. Speaker, after the cold war, we all hoped that Russia would emerge as a modern power, governed by democratic norms, the rule of law, and respect for human rights. Regrettably, things didn't turn out that way. It is time to recognize the fact that Russia, under the leadership of Vladimir Putin, is a threat to European security and to U.S. interests in the region.

We must be clear that our concerns are not directed toward the Russian people. In fact, as Putin tightens his grip, his own citizens are among those suffering the most. Basic freedoms are under attack. The media has become a mouthpiece for Putin and his cronies, and as Russia continues its aggression in Ukraine, international sanctions are hitting home, dragging down Russia's economy.

Nevertheless, we have high hopes for those inside Russia who seek an alternative, who want a brighter future for their country and for their children, so this resolution encourages the establishment of close and cooperative ties between the people of the United States and the people of Russia.

It pains me that Putin has effectively destroyed democracy in Russia. We must let the Russian people know that we stand by them against this tyrant. We need to keep supporting those in Russia who are struggling against tough odds to keep the media and civil space open, to share ideas that originate beyond the Kremlin's walls, to shine a light on the corruption in Moscow and the misinformation on the airwaves.

I think this resolution sends an important message, and I would like to thank the gentleman from Illinois (Mr. KINZINGER) for taking the lead on this important issue, but I also think we should be doing more, and I am pleased to be working with Chairman ROYCE on new legislation to support Ukraine and further penalize Russia for its continued trampling of Ukrainian sovereignty.

I am also pleased that this resolution lays out Congress' strong opposition to France's sale of two Mistral warships to Russia, a key priority of mine over the last several months. We should all thank France for indefinitely suspending transfer of the ship to Russia, but I think we can go even further, with NATO buying or leasing the ships.

I believe that this would be a win-win-win: a win for NATO, which would acquire these powerful ships; a win for France, whose legitimate financial interests would be addressed; and a win for the countries in Eastern Europe, which would be further threatened if Russia, indeed, had these vessels.

Among those countries under Moscow's pressure are Ukraine, Moldova, and Georgia, where Russia continues to stoke separatism. There was a vote recently in Moldova which rejected Putin and his nonsense, and I was happy to see it.

In the Baltic States and elsewhere, Russian propaganda fills the airwaves, spreading deceptions about the West. Across Eastern Europe, millions wait with apprehension to see what Putin will do next. They have good reason. We know that he is willing to flout international law and trample his neighbors' sovereignty, so better to stand up to a bully now than to try to reverse his future gains.

When Putin talks about going into Crimea to protect ethnic Russians, it sounds to me a very lot like Hitler in 1938 who said he was going in to Czechoslovakia to the Sudetenland to protect ethnic Germans.

During the cold war, the United States stared down the Soviet Union at the height of its power and refused to blink. We sided with those behind the Iron Curtain who stood up for their universal rights.

Today, those rights are once again under threat; so, my colleagues, let's pass this resolution, and let's keep working to meet the challenge of Russia's growing aggression.

Mr. Speaker, I urge my colleagues to support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. KINZINGER), a member of the Foreign Affairs Committee and the author of this important measure.

Mr. KINZINGER of Illinois. Mr. Speaker, I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for yielding the time. Thanks to the committee and the leadership for bringing this very important issue forward.

Russia's continuing political, military, and economic aggression against Ukraine, as well as Georgia and Moldova, must be addressed; in short, this aggression will not stand. Mankind everywhere has a responsibility to stand up for territorial integrity and sovereignty in Ukraine, Georgia, and Moldova.

U.S. and European sanctions, to date, have unfortunately not caused Russia to change course. It is imperative that this body continues to pressure Russia and remain focused on exposing their illegal actions.

Mr. Putin would love nothing more than the world to simply not take notice or not have the political will to directly push back against his illegal annexation of Crimea. In fact, there is some who would promote a policy of appeasement for political, business, or other purposes against Russia.

That approach is woefully shortsighted and naive and underestimates what Mr. Putin's regime is capable of throughout Eastern Europe and now, unfortunately, the Middle East.

The U.S., Europe, and our allies must aggressively keep the pressure on Mr. Putin to encourage him to change his behavior. Sadly, Mr. Putin will only respond to raw power, and we must remain unified in our opposition to the annexation of Crimea and continued efforts to destabilize eastern Ukraine. We must be willing to change Mr. Putin's calculation to make it far too costly for him to continue down this path.

My constituents in Illinois have been shocked by Russia's military aggression into Ukraine, and over the past year, they have been afraid that we are moving into a second cold war. I agree with my constituents and believe Putin has alienated all the Western countries he ostensibly was trying to woo by the Sochi Olympics and is on the path to reigniting a second cold war.

Moreover, Putin has enraged the world by denying Russia's involvement in the death of 200 civilian passengers on a commercial Malaysian airplane from Holland to Malaysia in the spring of 2014.

□ 1815

Russia, sending arms and rockets to the Russian-aligned forces in Ukraine, was the match that lit the fire for this heinous act.

On another note, I have had the opportunity to visit the country of Georgia on several occasions over the past few years and have been impressed with its people and their political aspirations. I have personally witnessed Russian troops in Georgia, where they continue to occupy Abkhazia and South Ossetia. In the same way Crimea should be returned to Ukraine, Russia should immediately withdraw its troops from Georgia.

The recent ''treaty'' between Georgia's Abkhazia region and the Russian Federation is a farce. Abkhazia and South Ossetia remain integral parts of Georgia and deserve to be part of an independent, sovereign Georgia.

It is long past time to stand up to Mr. Putin and his wars of opportunities in Georgia, Moldova, and Ukraine, and I would urge my colleagues to support the measure.

Lastly, I would be remiss if I did not thank Chairman ROYCE for his strong leadership on this and many other issues that have come before the Foreign Affairs Committee this past Congress. It has been an absolute pleasure to serve on the House Foreign Affairs Committee. The past 2 years have been an extremely tumultuous time for the world. I am extremely proud of this committee's work to directly confront the problems quickly and with clear, unified voice.

While I can't thank everyone, I would like to specifically thank the following staff for their tremendous diligence and hard work: Tom Sheehy, Edward Burrier, Doug Seay, Elizabeth Heng, and, out of my personal office, Michael Essington. You have been wonderful to work with on this committee, and I am sure you will continue the hard work in the next Congress as we confront a world that is severely lacking in global American leadership.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman very much.

Let me express my appreciation to the author of this bill, Mr. KINZINGER, and to the managers on the bill, as well as, in particular, to thank the ranking member, the chairman, and, of course, the manager today. Thank you for your leadership.

I associate myself with Congressman ENGEL's remarks about leaving a space for affirmation of the Russian people but to make it very clear that we condemn the actions of Mr. Putin. Maybe calling him that is even too polite.

Remember the days of Gorbachev when we understood that there was an open Russia, there was a Russia who was committed to working for world peace, standing on their own principles and values and history, not denying their strength, but yet working collaboratively in a civilized way. What happened to that Russia? What happened to the Russia that was supposed to be shown to the world during the Olympics? What happened to the Russia that believed in its great history and was prepared to stand alongside of all world leaders to make a better place?

The taking over, the dominance, the literal invasion of Crimea was intolerable and an unacceptable action by a nation that calls itself ''standing civilized with other nations.'' The horrific tragedy of Malaysian Airlines and what many of us viewed around the world as we watched bodies being unattended and thugs not allowing persons to come and see to those bodies, how long they languished in those fields.

So I think it is important to ask the question of Mr. Putin: What has happened to the Russia that we have known?

I would say that this resolution condemns the actions of the government and the leadership of the government, but not the Russian people. I look forward to legislation coming forward that we all will debate on how we interact with the Russian people and provide the freedom of press and the freedom of speech and the opportunities for them.

Mr. Speaker, as I conclude my remarks, I would be remiss not to be able to acknowledge Mr. FALEOMAVAEGA, who has an excellent bill on the floor, H. Res. 714, but to be able to say to him, I consider him a great American and a representative of his community and his region and all that he has done to turn our attention to south China, east China, and the Asian Pacific region. We are grateful for what he has done and grateful for his service. I thank him very much and wish for the continued support of his legislation and his service to this country.

Let me also say that I support S. 2673, the United States-Israel Strategic Partnership Act, and look forward to its passage.

Again, in conclusion, I hope that this legislation, the underlying legislation, is a statement on behalf of America, of what we mean and what we stand for.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlewoman from Ohio, MARCY KAPTUR, who has been a leader in Ukraine freedom and other issues involving Eastern Europe.

Ms. KAPTUR. Mr. Speaker, I thank my dear friend and colleague, the ranking member, Congressman ELIOT ENGEL of New York, for yielding me this time, and also wish to thank the chair, ILEANA ROS-LEHTINEN of Florida, obviously Chairman ROYCE, Congressman KINZINGER, all those who have brought this important resolution to the floor, and I rise in support.

Let me just say that the actions of Russia have truly disappointed any liberty-loving person that exists on the face of the Earth. I think this resolution further undergirds the high regard this Nation places on the value of liberty, and liberty for all; its provisions that deal with increasing sanctions and with added efforts in the energy security arena for Ukraine are extraordinarily important; the focus on additional communications; defensive equipment for the military of Ukraine to defend the interests of that country; and, importantly, cooperation with NATO nations and nonallied NATO nations to develop the kind of international cooperative effort that truly can yield a better Central and Eastern Europe in the decades ahead.

I want to commend the leadership on both sides of the aisle. This is a bipartisan effort, what the American people are asking us for, aspiring to the highest values that we hold as a nation, and that is liberty for all, liberty for those who live in places where individuals have not had the opportunity to fully flourish because of the totalitarian and repressive regimes that make normal life impossible.

I would urge my colleagues to support the resolution, and I thank the leadership for bringing this up in the closing hours of this Congress.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Speaker, I thank the gentlewoman from Florida and also Mr. KINZINGER, the sponsor for this fine resolution.

In 1 minute I have one very simple thing to say. It is time that we recognize who we are dealing with here. I know that it is easy and it is fun to talk about diplomacy and diplomatic talk and pretend that Mr. Putin is this democratic leader who has democratic aspirations, but as this resolution clearly states, facts just do not bear that out.

So I thank the sponsor, and I thank the chairwoman for bringing to the floor the truth of what Europe is threatened with and the world is threatened with. Mr. Putin, that regime, is a regime of a thug for thugs, and he must be treated that way.

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

In closing, let me again stress the importance of this resolution. It is strong and it is comprehensive. It says what needs to be said, namely, that the United States stands firmly with Ukraine as it faces Russia's aggregation, period, plain and simple, and it condemns that aggregation in unambiguous terms.

But this resolution also keeps the door open to improved U.S.-Russian relations should Mr. Putin cease his aggression against Ukraine and observe the rules and norms that undergird the international order.

I urge my colleagues to support this resolution. It is very important. It is very timely. It is important that we act now.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank our esteemed chairman, Mr. ROYCE of California, as well as Mr. KINZINGER, the author of this resolution, for bringing forth this timely resolution before us.

By approving this resolution, Mr. Speaker, the House will send Vladimir Putin a clear and unmistakable message, one aimed not only at him, but at all of those in other countries who are tempted to use aggression and invasion to achieve their objectives.

There is more at stake here than simply defending Ukraine's independence and sovereignty, although that is our primary goal. The message is that the United States will not simply stand by and silently watch the world ascend into anarchy nor allow aggressors to accomplish their goals by force and coercion.

By demonstrating to Putin that his aggressive actions will only result in unacceptable costs to him and his regime, we can prevent others from concluding that we and our allies will do nothing to stop them and that they are free to impose the law of the jungle once again.

I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, I rise today in support of House Resolution 758 as amended, which condemns Russia aggression against her neighbors. In the past year, we have seen Russia's determination to exert influence over neighboring sovereign states such as Ukraine. Ever since November 2013, when the Ukrainian people gathered peacefully in Maidan Square to protest against a corrupt, Russian-backed government, the Ukrainian people have come under siege by separatist forces supported and armed by Russia. It is clear to all of us that in spite of the ceasefire, Russia has never intended to honor the terms of the agreement and has continued to undermine any genuine effort to stabilize Ukraine.

Here in the United States, we must fully understand that such acts of aggression undermine peace and security—not just for Ukraine, but for all of Europe and the international community. At this critical juncture when normalcy seems unattainable, the United States must stand with the Ukrainian people and support their own desire to build a free and democratic country, free from Russia's interference—in complete freedom to determine Ukraine's own course of history.

We and our NATO allies have taken important steps in support of Ukraine. We are collectively providing $100 million in military assistance and have increased military cooperation. We have imposed economic sanctions that force Russia pay a heavy price for its aggression. The international community has spoken with one voice—if Russia chooses aggression, there are clear consequences to its expansionist agenda.

But there is much more that needs to be done. I urge my colleagues to continue their

support of the Ukrainian people by passing additional legislation that provides for military and humanitarian assistance. The Ukrainian people have demonstrated time and again their will to defend their nation against a more powerful aggressor—with no expectation that anyone would come to their aid. Now, we need to do our part and give them the chance to stand up for the same values and principles that define us as a nation.

Mr. CONNOLLY. Mr. Speaker, I rise in support of H. Res. 758 as amended. President Vladimir Putin seems to have learned nothing from history other than that power grows out of the barrel of a gun. The Russian Federation under President Putin has demonstrated an ethos of naked aggression that threatens the principle of nation-state sovereignty and the territorial integrity of Russia's neighbors.

When Russian troops were identified as fomenting unrest in Crimea in February of this year, President Putin adamantly denied Russian involvement. By April, Russia had illegally annexed Crimea, and Putin had come clean about the blatant Russian intrusion.

He admitted that Russian troops had been deployed to Crimea before the illegal annexation on March 21, and exposed the illegitimate referendum on independence in Crimea for what it was, a referendum held at the end of the barrel of a gun. As Ukrainians in Crimea flee their Russian occupiers, I cannot help but feel the reverberations of Crimea's bloody history.

What we are witnessing in eastern Ukraine constitutes one of the most audacious power grabs of the 21st century, and it is happening in Europe no less.

I recently participated in a bipartisan delegation to the Annual Session of the NATO Parliamentary Assembly. I can attest that our NATO allies are under no illusions about Mr. Putin and they see him for what he is, a bully who will only be encouraged by concession.

The 28 nations represented at the NATO PA adopted strong language calling on NATO member countries to ''make it unambiguously clear that the illegal 'annexation' of Crimea will never be recognized.''

The leadership of the NATO PA has rotated to the United States, and my colleague, Mr. Turner of Ohio, has been elected President of the parliamentary body. The world is looking to the United States to reverse the dangerous precedent that has been set in Crimea.

To that end, I am pleased to see that H. Res. 758 includes language that echoes bipartisan legislation I introduced earlier this year with my colleague Rep. STEVE CHABOT, the Crimea Annexation Non-Recognition Act, H.R. 5241.

Today's resolution calls on the President to cooperate with United States allies and partners in Europe and other countries around the world to refuse to recognize any de jure or de facto sovereignty of the Russian Federation over Crimea, its airspace, or its territorial waters.

Some of my colleagues may recall that in the Cold War era, the U.S. had a policy of non-recognition regarding the Soviet Union's illegal annexation of the Baltic Republics. The U.S. recognized neither the de jure nor de facto sovereignty of the Soviet Union over the Baltic Republics.

Our policy of non-recognition did not end in 1991 because it had become outdated or failed to recognize a fait accompli. It ended because the Baltic people gained their independence in 1991 almost 50 years after the Soviet occupation began, and today, Estonia, Lithuania, and Latvia are NATO allies.

Without a clear stance on the issue of Crimea, the West becomes unwittingly complicit in Putin's further aggression in eastern Ukraine and offers little hope to Ukrainians leaving Crimea that they will ever have the opportunity to return home.

For the United States to allow this naked aggression to go unaddressed would be truly an abrogation of our moral responsibility and would turn our back on what we should have learned from 20th century history.

Congress must make a stand, and I, for one, am stuck at Crimea.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 758, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KINZINGER of Illinois. 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, further proceedings on this motion will be postponed.

REAFFIRMING THE PEACEFUL RESOLUTION OF DISPUTES IN THE SOUTH CHINA AND THE EAST CHINA SEAS

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 714) reaffirming the peaceful and collaborative resolution of maritime and jurisdictional disputes in the South China Sea and the East China Sea as provided for by universally recognized principles of international law, and reaffirming the strong support of the United States Government for freedom of navigation and other internationally lawful uses of sea and airspace in the Asia-Pacific region, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 714

Whereas the maritime domains of the Asia-Pacific region, which include both the sea and airspace above the domains, are critical to the region's prosperity, stability, and security, including global commerce;

Whereas the maritime domain in the Asia-Pacific region between the Pacific and Indian Oceans includes critical sea lines of commerce and communication;

Whereas China, Vietnam, the Philippines, Taiwan, Malaysia, and Brunei have disputed territorial claims over the Spratly Islands, and China, Taiwan, and Vietnam have disputed territorial claims over the Paracel Islands;

Whereas, although the United States Government is not a claimant in maritime disputes in either the East China or South China Seas, the United States has an interest in the peaceful diplomatic resolution of disputed claims in accordance with international law, in freedom of navigation and overflight, and in the free-flow of commerce free of coercion, intimidation, or the use of force;

Whereas in 2002, the Association of Southeast Asian Nations (ASEAN) and China agreed to the Declaration on the Conduct of Parties in the South China Sea, and committed to developing an effective Code of Conduct;

Whereas that declaration committed all parties to those territorial disputes to ''reaffirm their respect for and commitment to the freedom of navigation in and over flight above the South China Sea as provided for by the universally recognized principles of international law'', and to ''resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force'';

Whereas since that time, tensions over the disputed maritime and territorial areas have increased;

Whereas on September 2010, tensions escalated in the East China Sea near the Senkaku (Diaoyutai) Islands, a territory under the legal administration of Japan, when a Chinese fishing vessel deliberately rammed Japanese Coast Guard patrol boats;

Whereas on February 25, 2011, a frigate from the People's Liberation Army Navy (PLAN) fired shots at three fishing boats from the Philippines;

Whereas on March 2, 2011, the Government of the Philippines reported that two patrol boats from China attempted to ram one of its surveillance ships;

Whereas on May 26, 2011, a maritime security vessel from China cut the cables of an exploration ship from Vietnam, the Binh Minh, in the South China Sea in waters near Cam Ranh Bay in the exclusive economic zone of Vietnam;

Whereas on May 31, 2011, three Chinese military vessels used guns to threaten the crews of four Vietnamese fishing boats while they were fishing in the waters of the Spratly Islands;

Whereas on June 9, 2011, three vessels from China, including one fishing vessel and two maritime security vessels, ran into and disabled the cables of another exploration ship from Vietnam, the Viking 2, in the exclusive economic zone of Vietnam;

Whereas on July 22, 2011, an Indian naval vessel, sailing about 45 nautical miles off the coast of Vietnam, was warned by a Chinese naval vessel that it was allegedly violating Chinese territorial waters;

Whereas in April 2012, tensions escalated between the Philippines and China following a standoff over the Scarborough Shoal;

Whereas in June 2012, Vietnam passed a Maritime law that claimed sovereignty and jurisdiction over the Paracel and Spratly Islands;

Whereas in June 2012, China's cabinet, the State Council, approved the establishment of the city of Sansha to oversee the areas claimed by China in the South China Sea;

Whereas in July 2012, Chinese military authorities announced that they had established a corresponding People's Liberation Army garrison in Sansha, in the new prefecture;

Whereas on June 23, 2012, the China National Offshore Oil Corporation invited bids for oil exploration in areas within 200 nautical miles of the continental shelf and within the exclusive economic zone of Vietnam;

Whereas in January 2013, a Chinese naval ship allegedly fixed its weapons-targeting radar on Japanese vessels in the vicinity of the Senkaku islands in the East China Sea, and, on April 23, 2013, eight Chinese marine surveillance ships entered the 12-nautical-

mile territorial zone off the Senkaku Islands, further escalating regional tensions;

Whereas on May 9, 2013, a fatal shooting incident occurred in which shots fired from a Philippine Coast Guard patrol boat resulted in the death of a Taiwanese fisherman;

Whereas on May 1, 2014, China's state-owned energy company, CNOOC, anchored its deepwater drilling rig Hai Yang Shi You 981 (HD–981) in Vietnamese waters and deployed over 80 vessels, including seven military vessels, to support its provocative actions and attempt to change the status quo by force;

Whereas Chinese vessels accompanying Hai Yang Shi You 981 (HD–981) intimidated Vietnamese Coast Guard ships in violation of the Convention on the International Regulations for Preventing Collisions at Sea, ramming multiple Vietnamese vessels, and using helicopters and water cannons to obstruct others;

Whereas on May 5, 2014, vessels from the Maritime Safety Administration of China (MSAC) established an exclusion zone with a radius of three nautical miles around Hai Yang Shi You 981 (HD–981);

Whereas China's actions in support of the Hai Yang Shi You 981 (HD–981) drilling activity constitute a unilateral attempt to change the status quo by force;

Whereas claimants have participated in land reclamation and building up of land features, and whereas such activities have raised tensions among the claimants;

Whereas, without prior consultations with the United States, Japan, the Republic of Korea or other nations of the Asia-Pacific region, China declared an Air Defense Identification Zone (ADIZ) over the East China Sea on November 23, 2013;

Whereas China announced that all aircraft, even if they do not intend to enter the ADIZ airspace, would have to submit flight plans, maintain radio contact, and follow directions from the Chinese Ministry of National Defense;

Whereas the ''rules of engagement'' declared by China, which at one time included the threat of ''emergency defensive measures'', are in violation of the concept of ''due regard for the safety of civil aviation'' under the Chicago Convention of the International Civil Aviation Organization and thereby are a departure from accepted practice;

Whereas China's declaration of an ADIZ over the East China Sea has contributed to increased uncertainty and unsafe conditions in the maritime region in East Asia and the broader Asia-Pacific region;

Whereas freedom of navigation and other lawful uses of sea and airspace in the Asia-Pacific region are embodied in international law, not granted by certain states to others;

Whereas the United States Government expressed profound concerns with China's unilateral, provocative, dangerous, and destabilizing declaration of such a zone, including the potential for misunderstandings and miscalculations by aircraft operating lawfully in international airspace;

Whereas China's declaration of an ADIZ in the East China Sea will not alter how the United States Government conducts operations in the region or the unwavering United States commitment to peace, security and stability in the Asia-Pacific region;

Whereas other governments in the Asia-Pacific region, including the Governments of Japan, Korea, Philippines, Australia and Indonesia have expressed deep concern about China's declaration of such a zone, regarding it as an effort to unduly infringe upon the freedom of flight in international airspace and to change the status quo that could escalate tensions and potentially cause unintentional consequences in the East China Sea;

Whereas the United States Government does not support unilateral actions taken by any claimant seeking to change the status quo through the use of coercion, intimidation, or military force;

Whereas the United States Government is deeply concerned about unilateral actions taken by any state to prevent any other state from exercising its sovereign rights to the resources of the exclusive economic zone (EEZ) and continental shelf by making claims to those areas that have no apparent basis in international law; declarations of administrative and military districts in contested areas in the South and East China Seas; and the imposition of new fishing regulations covering disputed areas, which have raised tensions in the region;

Whereas international law is important to safeguard the rights and freedoms of all states in the Asia-Pacific region;

Whereas China and Vietnam have undertaken discussions to reduce tensions between their navies;

Whereas in November 2014, the United States and China signed a non-binding memorandum of understanding (MOU) on ''rules of behavior for safety of air and maritime encounters'';

Whereas the MOU currently addresses only maritime behaviors and both sides have agreed to complete an additional annex on air-to-air encounters in 2015;

Whereas the United States welcomes the agreement by Japan and China, in advance of their bilateral meeting in November 2014, to reduce tensions over disputed islands in the East China Sea and to ''gradually resume political, diplomatic and security dialogues''; and

Whereas a peaceful and prosperous China, which acts as a responsible international stakeholder and which respects international laws, standards, and institutions, will enhance security and peace in the Asia-Pacific region: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the strong support of the United States for the peaceful resolution of maritime territorial disputes in the South China Sea and the East China Sea and pledges continued efforts to facilitate a collaborative, peaceful process to resolve these disputes;

(2) reaffirms the strong support for freedom of navigation and over flight and condemns coercive and threatening actions or the use of force to impede these freedoms in international maritime domains and airspace by military or civilian vessels, to alter the status quo or to destabilize the Asia-Pacific region;

(3) does not recognize the East China Sea Air Defense Identification Zone (ADIZ) declared by China, which is contrary to freedom of overflight in international airspace, and calls on China to refrain from taking similar provocative actions elsewhere in the Asia-Pacific region, including in the South China Sea;

(4) urges the Association of Southeast Asian Nations (ASEAN), all United States allies and partners, and all claimants to amiably and fairly resolve these outstanding disputes, including through the conclusion of a Code of Conduct for the South China Sea;

(5) urges the conclusion of the annex to the non-binding memorandum of understanding (MOU) between the United States and China on ''rules of behavior for safety of air and maritime encounters'' addressing air-to-air encounters in 2015;

(6) supports the continuation of operations by the United States to support freedom of navigation in international waters and air space in the South China Sea and the East China Sea; and

(7) encourages the continuation of efforts by the United States Government to strengthen partnerships in the region to build capacity for maritime domain awareness in support of freedom of navigation, maintenance of peace and stability, and respect for universally recognized principles of international law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 714.

I would like to recognize the gentleman from American Samoa, our good friend, ENI FALEOMAVAEGA, for introducing this important measure, and I was proud to have joined him as the lead cosponsor.

I would like to commend and thank Mr. FALEOMAVAEGA for his nearly four decades of service in the United States Congress and to our Foreign Affairs Committee, which will soon come to an end, sadly, and we will all miss him dearly.

Throughout his career, ENI has fought for human rights and for the rule of law, especially in the Asia-Pacific region, and the idea that all people should have the opportunity to prosper without fear for their family's safety or livelihoods. This resolution that he presents before us is a fitting representation of the ideals and goals that ENI has worked so hard in support of during his many years in Congress.

This resolution encourages a peaceful reconciliation of the maritime and jurisdictional disputes in the South and East China Seas, as well as the kind of peace that is too often lacking in our world today. This resolution is also an important statement in support of the universally recognized principle of the freedom of navigation.

Mr. Speaker, peace in Asia has held for over a generation, and we have seen incredible economic growth. Home to a vast combination of global sea routes and shipping lanes, substantial energy resources, and significant fishing territories, the importance of maintaining peace in the South China Sea and the East China Sea cannot be overstated.

□ 1830

According to estimates, the South China Sea contains oil reserves of 900 trillion cubic feet of natural gas, making the area second only to Saudi Arabia in regard to oil supply. With Asian

energy consumption set to double by the year 2030, the conflicting claims in this region will likely grow more intense.

Beyond the region's vast energy resources, peace in the South China Sea is essential for international commerce. Each year, $5.3 trillion in trade passes through the South China Sea, over $1 trillion of which can be attributed to the United States. But the fragile stability that has held in Asia is now being threatened by China's hegemonic ambitions and its aggressive stance towards its neighbors. From its declaration of an Air Defense Identification Zone to its ramming of other nation's fishing boats to its economic coercion of U.S. allies like Taiwan, China has rapidly raised tensions in the region.

China is pushing the limits on the high seas, motivated by potent nationalist trends and the resources at stake. China's territorial stakes are a clear challenge to its neighbors and must not be allowed to go unchallenged. This resolution rightfully states that China's declaration has contributed to increased uncertainty and unsafe conditions in East Asia.

Additionally, Mr. FALEOMAVAEGA's resolution calls for freedom of navigation, which is a bedrock principle of international commerce that dates back centuries, helping to ensure the continued flow of global trade.

Mr. Speaker, given the importance of this region, I urge my colleagues to support Mr. FALEOMAVAEGA's resolution, which puts the House on record supporting a peaceful process to resolve these disputes.

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

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

Mr. Speaker, I rise in strong support of H. Res. 714. Let me start by thanking my colleague from American Samoa (Mr. FALEOMAVAEGA) for authorizing this resolution. I also thank him for his many years of distinguished service here in Congress. This is especially moving for me because ENI and I were both elected to Congress on the same day and started to serve that first day. We were elected in November of 1988, and we both served starting January 3, 1989. As the jargon is here in Washington, we are classmates. We sat next to each other on the Foreign Affairs Committee for all those years and had a good chance to travel together and have our families get to know each other, especially our wives. It really has been a pleasure to be a friend and a colleague of Mr. FALEOMAVAEGA. We are going to miss him, but I know he will grace our presence and come back and visit.

So this is really a tribute. This is an important resolution. It is important for its substance, but it is also important because I look at it as a tribute to ENI FALEOMAVAEGA, my colleague, my friend, a really great human being, great American, and great person representing American Samoa for so many years. Thank you, ENI.

As both the chairman and the ranking member of the Subcommittee on Asia and the Pacific throughout the years, Mr. FALEOMAVAEGA was focused on U.S. policy involving the Asia-Pacific region. He was focused on this policy long before anyone decided we need a ''pivot'' or ''rebalance'' to the region. ENI always knew—and knows—that Asia is important, and that the United States, as a Pacific power, has a vital role to play.

The measure we are considering today reaffirms our strong support for a peaceful resolution to disputes in the South China Sea and East China Sea. It calls on all parties to reduce tensions, manage disputes peacefully, and adhere to international law. It encourages our own government to keep working with allies and partners, helping expand their ability to keep an eye on their own maritime domains.

The United States, as I mentioned before, is a Pacific power. We have a vital interest in freedom of navigation and overflight in these disputed areas, which are vital to economic security and lawful commerce in the region. These are universal rights, not rights granted by some states to others and not rights that China thinks it can dominate and be aggressive in terms of claiming the seas as its own, even though many of those seas are literally thousands of miles away from mainland China.

Tensions in the East and South China Sea have been steadily increasing for the last several years. Provocations have become bolder and more frequent, and little progress has been made on a code of conduct in the South China Sea to establish rules of the road among claimants.

When I went there more than a year ago with Chairman ROYCE, we were told by the government of the Philippines and Japan that they were very, very concerned with what China has been doing and claiming. The United States does not take sides in these disputes. We believe that they should be resolved diplomatically and without force or coercion. Territorial claims—and arbitration of those claims—should be based on international law.

There have been some hopeful signs. Japan and Taiwan have worked out an agreement relating to fishing rights. China and Vietnam have began discussions on how to reduce tensions between their respective navies. In advance of the Asia-Pacific Economic Cooperation summit, called APEC, and bilateral meetings, Japan and China decided to ''agree to disagree'' on the issue of the Senkaku Islands. They are now looking for other ways to expand their diplomatic, political, and security ties, despite their differences.

In addition, the President announced during his recent visit to Beijing that the United States and China agreed to a range of maritime confidence-building measures. We will continue working to expand this cooperation into airspace next year.

These developments are positive and should continue in earnest, but they are not enough. H. Res. 714 urges all parties to stay focused on this progress and to continue working for a peaceful resolution of maritime disputes in areas that are vitally important to the continued economic development, peace, and security of the Asia-Pacific region.

Mr. Speaker, I urge all of my colleagues to support this resolution, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is now my pleasure and honor to yield 5 minutes to the Representative from American Samoa, Mr. ENI FALEOMAVAEGA.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding. I want to especially thank my good friend from New York and the gentlewoman from Florida for their leadership and their support of this legislation.

Mr. Speaker, I rise in support of H. Res. 714, a resolution I introduced calling for the peaceful and collaborative resolution of maritime territorial disputes in the South China Sea and the East China Sea.

I thank my colleagues, both Republicans and Democrats, who have stood with me since 2012 on this issue. I want to especially thank again Chairwoman ILEANA ROS-LEHTINEN and Chairman STEVE CHABOT for their leadership and support. I also thank Chairman ED ROYCE and Ranking Member ELIOT ENGEL for their support and help.

I am so serious about this matter that I have introduced this language as a resolution, as a bill, and now again as a resolution in hopes that the House will take a stand in response to China's aggressive actions in the South China Sea and the East China Sea.

Mr. Speaker, when it comes to China, I consider myself a fair broker, but it is time for China to stop provoking its neighbors and pursue a course of peace. This is the last resolution I have introduced that the House will consider, and I am proud that this resolution calls for peace in the Asia-Pacific region.

Also, as a matter of observation, Mr. Speaker, two-thirds of the world's population is in the Asia-Pacific region. For years, I have always had a little sense of complaint that it seems that our focus has always been toward Europe and the Middle East. Not that they are not important, but the fact is that issues coming out of the Asia-Pacific region should be given our proper attention.

I have served on the House Foreign Affairs Committee since I first came to the U.S. Congress in 1989. For as long as I have served, it has always been, and continues to be, my belief that the United States should pay more attention to the Asia-Pacific region. As of now, we should pay particular attention to the ongoing tensions in the South China Sea.

Also, although the United States Government is not a claimant in maritime disputes in either the East China Sea or the South China Sea, the United States has an interest in the peaceful diplomatic resolution of disputed claims in accordance with international law; in freedom of navigation and overflight; and in the free flow of commerce that is free of coercion, intimidation, or the use of force.

Mr. Speaker, I appreciate the leadership of Vietnam in standing for peace—even when China violated its sovereignty by planting its oil rig, HD–981, in the waters of Vietnam's Exclusive Economic Zone. I also commend Taiwan and Japan for peacefully reaching an agreement to jointly share fishing resources in their overlapping Exclusive Economic Zones through the East China Sea Initiative, which demonstrates that resolutions can be achieved through peaceful means.

Mr. Speaker, I firmly believe that we should earnestly seek ways to promote peace, and I thank you for the opportunity I have had to associate with you and our colleagues to carry out our responsibilities in this great Nation.

It has been my distinct honor to serve the people of American Samoa in the U.S. House of Representatives for the past 25 years. I thank them for giving me the opportunity to serve them and this great Nation. I believe I did my best, and I hope I will be remembered for giving all I could to American Samoa and to our great Nation, especially to the Asia-Pacific region, a region that has been too long neglected by our national government.

To borrow the words of Mahatma Gandhi:

I hope my life will be my message.

Mr. Speaker, we will meet again, hopefully, and I extend to each of my colleagues my fondest aloha.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentlewoman from Guam, Representative MADELEINE BORDALLO.

Ms. BORDALLO. Mr. Speaker, I rise in very strong support of H. Res. 714, authored by my very good friend, Representative ENI FALEOMAVAEGA of American Samoa. This resolution reaffirms the United States' interest in a peaceful and collaborative resolution of maritime and jurisdictional disputes in the South and East China Seas.

Disputes over islands in the South and East China Seas have broad economic and security implications to United States interests in the Asia-Pacific region. Escalation of these disputes undercut peace and stability in the region and seriously impact economies across the globe.

I strongly believe that the United States must take a leadership role in these disputes and work with our Asian allies to support a peaceful and collaborative resolution to these issues. The resolution takes a step in the right direction. We cannot accept unilateral action by any of the countries involved in these disputes, as it further degrades security in the region. Here is a clear example of Congress supporting the United States' role in the rebalance of the Asia-Pacific region.

In particular, we cannot allow recent aggressive actions by China to go unchecked. So I urge all parties, like Secretary Clinton did in 2012, to push toward finalizing a code of conduct that would establish a mechanism to resolve these differences. I believe that it is important for all parties to come to a resolution over these disputes and not allow them to fester any longer.

□ 1845

These disputes should no longer be used as weapons to bolster nationalism helping to secure domestic power.

We must do all that we can to ensure continued peace and stability in the Asia-Pacific region, and I am glad that the House of Representatives is acting on this important measure to send a clear message to China and our allies in the region.

I want to close by saying that I am a close friend of Congressman ENI FALEOMAVAEGA. I am from Guam, he represents American Samoa, islands in the Pacific area. I want to thank him for his leadership on this issue and his long and dedicated service in the House of Representatives, I understand not just as an elected Member, but as a staffer as well, serving here over 40 years, as well as all the other issues in the Asia-Pacific region that he has looked after.

Mr. Speaker, I strongly, again, urge my colleagues to pass H. Res. 714.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I am going to close now. In closing, I would like to underscore the importance and timeliness of this resolution. It is imperative that disagreements in the East or South China Seas be resolved peacefully, without force or coercion, and in accordance with international law.

Anything less than this jeopardizes the interests of the United States, of our allies and partners, and the continued economic development, peace, and security of the Asia-Pacific region.

I urge all my colleagues to support this important resolution, H. Res. 714.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding, and certainly want to thank him for his most eloquent statements towards me. I feel a little embarrassed by it, but I do want to thank him.

I do want to note, also, that it has been my honor to have served with him and our colleagues on the other side of the aisle very well, on affairs affecting our national interests, our government.

The gentlelady from Florida will note that I have a relative who happens to live in her district. His name happens to be Dwayne Johnson, and if you haven't seen his latest movie, ''Hercules,'' I suggest to my colleagues that you should see the movie ''Hercules'' and see what Samoans are like.

I do want to thank the gentleman again for yielding.

Mr. ENGEL. I thank the gentleman, and I want to just say, I think we all have relatives that live in ILEANA ROS-LEHTINEN's district. And if we don't, we want to go to her district in the wintertime.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume. And I would like to point out that Dwayne Johnson, The Rock, is a University of Miami Hurricanes alum. It is not bragging if it is true. But thank you.

Mr. Speaker, over the past several years, I have noticed, we all have noticed a worrying trend in Asia. What we are seeing is that Asia's collective attention is gradually shifting away from economic prosperity to security concerns.

Where nations used to focus on trade and commerce, there is increasing discussion of nationalism, of military budgets, and even provocative behavior. There is no better example than the territorial disputes that Mr. FALEOMAVAEGA points out in his resolution in the South China and East China Sea.

We need to work against this shift toward nationalism and promote a peaceful resolution to these disputes. This resolution by Mr. FALEOMAVAEGA encourages just that. I urge my colleagues to support it.

In conclusion, Mr. Speaker, I want to thank our good friend and colleague Mr. FALEOMAVAEGA for his lifetime of service. And I know that I am speaking for our esteemed chairman, Mr. ROYCE, and all of the Members when we say, thank you, Mr. FALEOMAVAEGA, for your service to our country during the Vietnam war.

Thank you for the service in the cause of peace in the decades that followed that conflict during his distinguished career here in the people's House. We are a better institution for you having served here, sir.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 714, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The title of the resolution was amended so as to read: ''A resolution reaffirming the strong support of the United States Government for the

peaceful and collaborative resolution of maritime and jurisdictional disputes in the South China Sea and the East China Sea as provided for by universally recognized principles of international law, and reaffirming the vital interest of the United States in freedom of navigation and other internationally lawful uses of sea and airspace in the Asia-Pacific region.''.

A motion to reconsider was laid on the table.

UNITED STATES-ISRAEL STRATEGIC PARTNERSHIP ACT OF 2014

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2673) to enhance the strategic partnership between the United States and Israel.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2673

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States-Israel Strategic Partnership Act of 2014''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The people and the Governments of the United States and of Israel share a deep and unbreakable bond, forged by over 60 years of shared interests and shared values.

(2) Today, the people and Governments of the United States and of Israel are facing a dynamic and rapidly changing security environment in the Middle East and North Africa, necessitating deeper cooperation on a range of defense, security, and intelligence matters.

(3) From Gaza, Hamas continues to deny Israel's right to exist and persists in firing rockets indiscriminately at population centers in Israel.

(4) Hezbollah—with support from Iran—continues to stockpile rockets and may be seeking to exploit the tragic and volatile security situation within Syria.

(5) The Government of Iran continues to pose a grave threat to the region and the world at large with its reckless pursuit of nuclear weapons.

(6) Given these challenges, it is imperative that the United States continues to deepen cooperation with allies like Israel in pursuit of shared policy objectives.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to reaffirm the unwavering support of the people and the Government of the United States for the security of Israel as a Jewish state;

(2) to reaffirm the principles and objectives enshrined in the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) and ensure its implementation to the fullest extent;

(3) to reaffirm the importance of the 2007 United States-Israel Memorandum of Understanding on United States assistance to Israel and the semi-annual Strategic Dialogue between the United States and Israel;

(4) to pursue every opportunity to deepen cooperation with Israel on a range of critical issues including defense, homeland security, energy, and cybersecurity;

(5) to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System; and

(6) to support the Government of Israel in its ongoing efforts to reach a negotiated political settlement with the Palestinian people that results in two states living side-by-side in peace and security.

SEC. 4. SENSE OF CONGRESS ON ISRAEL AS A MAJOR STRATEGIC PARTNER.

It is the sense of Congress that Israel is a major strategic partner of the United States.

SEC. 5. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''more than 10 years after'' and inserting ''more than 11 years after''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''and 2014'' and inserting '', 2014, and 2015''.

SEC. 6. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress finds that Israel—

(1) has adopted high standards in the field of export controls;

(2) has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group; and

(3) is a party to—

(A) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980;

(B) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925; and

(C) the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on October 26, 1979.

(b) ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—The President, consistent with the commitments of the United States under international arrangements, shall take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, reexport, or in-country transfer of an item subject to controls under the Export Administration Regulations.

SEC. 7. UNITED STATES-ISRAEL COOPERATION ON ENERGY, WATER, HOMELAND SECURITY, AGRICULTURE, AND ALTERNATIVE FUEL TECHNOLOGIES.

(a) IN GENERAL.—The President is authorized, subject to existing law—

(1) to undertake activities in cooperation with Israel; and

(2) to provide assistance promoting cooperation in the fields of energy, water, agriculture, and alternative fuel technologies.

(b) REQUIREMENTS.—In carrying out subsection (a), the President is authorized, subject to existing requirements of law and any applicable agreements or understandings between the United States and Israel—

(1) to share and exchange with Israel research, technology, intelligence, information, equipment, and personnel, including through sales, leases, or exchanges in kind, that the President determines will advance the national security interests of the United States and are consistent with the Strategic Dialogue and pertinent provisions of law; and

(2) to enhance scientific cooperation between Israel and the United States.

(c) COOPERATIVE RESEARCH PILOT PROGRAMS.—The Secretary of Homeland Security, acting through the Director of the Homeland Security Advanced Research Projects Agency and with the concurrence of the Secretary of State, is authorized, subject to existing law, to enter into cooperative research pilot programs with Israel to enhance Israel's capabilities in—

(1) border, maritime, and aviation security;

(2) explosives detection; and

(3) emergency services.

SEC. 8. REPORT ON INCREASED UNITED STATES-ISRAEL COOPERATION ON CYBERSECURITY.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report, in a classified format or including a classified annex, as appropriate, on the feasibility and advisability of expanding United States-Israeli cooperation on cyber issues, including sharing and advancing technologies related to the prevention of cybercrimes.

SEC. 9. STATEMENT OF POLICY REGARDING THE VISA WAIVER PROGRAM.

It shall be the policy of the United States to include Israel in the list of countries that participate in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) when Israel satisfies, and as long as Israel continues to satisfy, the requirements for inclusion in such program specified in such section.

SEC. 10. STATUS OF IMPLEMENTATION OF SECTION 4 OF THE UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012.

Not later than 180 days after the date of the enactment of this Act, the President shall, to the extent practicable and in an appropriate manner, provide an update to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives on current and future efforts undertaken by the President to fulfill the objectives of section 4 of the United States-Israel Enhanced Security Cooperation Act (22 U.S.C. 8603).

SEC. 11. IMPROVED REPORTING ON ENHANCING ISRAEL'S QUALITATIVE MILITARY EDGE AND SECURITY POSTURE.

(a) BIENNIAL ASSESSMENT REEVALUATIONS.—Section 201(c) of the Naval Vessel Transfer Act of 2008 (22 U.S.C. 2776 note) is amended by adding at the end the following:

''(3) BIENNIAL UPDATES.—Two years after the date on which each quadrennial report is transmitted to Congress, the President shall—

''(A) reevaluate the assessment required under subsection (a); and

''(B) inform and consult with the appropriate congressional committees on the results of the reevaluation conducted pursuant to subparagraph (A).''.

(b) CERTIFICATION REQUIREMENTS FOR MAJOR DEFENSE EQUIPMENT.—Section 36(h) of the Arms Export Control Act (22 U.S.C. 2776(h)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

''(2) REQUIREMENTS WITH RESPECT TO DETERMINATION FOR MAJOR DEFENSE EQUIPMENT.—A determination under paragraph (1) relating to the sale or export of major defense equipment shall include—

''(A) a detailed explanation of Israel's capacity to address the improved capabilities provided by such sale or export;

''(B) a detailed evaluation of—

''(i) how such sale or export alters the strategic and tactical balance in the region, including relative capabilities; and

''(ii) Israel's capacity to respond to the improved regional capabilities provided by such sale or export;

''(C) an identification of any specific new capacity, capabilities, or training that Israel may require to address the regional or country-specific capabilities provided by such sale or export; and

''(D) a description of any additional United States security assurances to Israel made, or requested to be made, in connection with, or as a result of, such sale or export.''.

SEC. 12. UNITED STATES-ISRAEL ENERGY COOPERATION.

(a) FINDINGS.—Section 917(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(a)) is amended—

(1) in paragraph (1), by striking ''renewable'' and inserting ''covered'';

(2) in paragraph (4)—

(A) by striking ''possible many'' and inserting ''possible—

''(A) many''; and

(B) by adding at the end the following: ''and

''(B) significant contributions to the development of renewable energy and energy efficiency through the established programs of the United States-Israel Binational Industrial Research and Development Foundation and the United States-Israel Binational Science Foundation;'';

(3) in paragraph (6)—

(A) by striking ''renewable'' and inserting ''covered''; and

(B) by striking ''and'' at the end;

(4) in paragraph (7)—

(A) by striking ''renewable'' and inserting ''covered''; and

(B) by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

''(8) United States-Israel energy cooperation and the development of natural resources by Israel are in the strategic interest of the United States;

''(9) Israel is a strategic partner of the United States in water technology;

''(10) the United States can play a role in assisting Israel with regional safety and security issues;

''(11) the National Science Foundation of the United States, to the extent consistent with the National Science Foundation's mission, should collaborate with the Israel Science Foundation and the United States-Israel Binational Science Foundation;

''(12) the United States and Israel should strive to develop more robust academic cooperation in—

''(A) energy innovation technology and engineering;

''(B) water science;

''(C) technology transfer; and

''(D) analysis of emerging geopolitical implications, crises and threats from foreign natural resource and energy acquisitions, and the development of domestic resources as a response;

''(13) the United States supports the goals of the Alternative Fuels Administration of Israel with respect to expanding the use of alternative fuels;

''(14) the United States strongly urges open dialogue and continued mechanisms for regular engagement and encourages further cooperation between applicable departments, agencies, ministries, institutions of higher education, and the private sector of the United States and Israel on energy security issues, including—

''(A) identifying policy priorities associated with the development of natural resources of Israel;

''(B) discussing and sharing best practices to secure cyber energy infrastructure and other energy security matters;

''(C) leveraging natural gas to positively impact regional stability;

''(D) issues relating to the energy-water nexus, including improving energy efficiency and the overall performance of water technologies through research and development in water desalination, wastewater treatment and reclamation, water treatment in gas and oil production processes, and other water treatment refiners;

''(E) technical and environmental management of deep-water exploration and production;

''(F) emergency response and coastal protection and restoration;

''(G) academic outreach and engagement;

''(H) private sector and business development engagement;

''(I) regulatory consultations;

''(J) leveraging alternative transportation fuels and technologies; and

''(K) any other areas determined appropriate by the United States and Israel;

''(15) the United States—

''(A) acknowledges the achievements and importance of the Binational Industrial Research and Development Foundation and the United States-Israel Binational Science Foundation; and

''(B) supports continued multiyear funding to ensure the continuity of the programs of the foundations specified in subparagraph (A); and

''(16) the United States and Israel have a shared interest in addressing immediate, near-term, and long-term energy, energy poverty, energy independence, and environmental challenges facing the United States and Israel, respectively.''.

(b) GRANT PROGRAM.—Section 917(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(b)(1)) is amended—

(1) in paragraph (1), by striking ''renewable energy or energy efficiency'' and inserting ''covered energy'';

(2) in paragraph (2)—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(H) natural gas energy, including conventional and unconventional natural gas technologies and other associated technologies, and natural gas projects conducted by or in conjunction with the United States-Israel Binational Science Foundation and the United States-Israel Binational Industrial Research and Development Foundation; and

''(I) improvement of energy efficiency and the overall performance of water technologies through research and development in water desalination, wastewater treatment and reclamation, and other water treatment refiners.''; and

(3) in paragraph (3)(A), by striking ''energy efficiency or renewable'' and inserting ''covered''.

(c) INTERNATIONAL PARTNERSHIPS; REGIONAL ENERGY COOPERATION.—

(1) INTERNATIONAL PARTNERSHIPS.—Section 917 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337) is amended—

(A) by striking subsection (d);

(B) by redesignating subsection (c) as subsection (e);

(C) by inserting after subsection (b) the following:

''(c) INTERNATIONAL PARTNERSHIPS.—

''(1) IN GENERAL.—The Secretary, subject to the availability of appropriations, may enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the Department, including National Laboratories of the Department, and the Government of Israel and its ministries, offices, and institutions.

''(2) FEDERAL SHARE.—The Secretary may not pay more than 50 percent of Federal share of the costs of implementing cooperative agreements entered into pursuant to paragraph (1).

''(3) ANNUAL REPORTS.—If the Secretary enters into agreements authorized by paragraph (1), the Secretary shall submit an annual report to the Committee on Energy and Natural Resources of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Energy and Commerce of the House of Representatives, the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that describes—

''(A) actions taken to implement such agreements; and

''(B) any projects undertaken pursuant to such agreements.

''(d) UNITED STATES-ISRAEL ENERGY CENTER.—The Secretary may establish a joint United States-Israel Energy Center in the United States leveraging the experience, knowledge, and expertise of institutions of higher education and entities in the private sector, among others, in offshore energy development to further dialogue and collaboration to develop more robust academic cooperation in energy innovation technology and engineering, water science, technology transfer, and analysis of emerging geopolitical implications, crises and threats from foreign natural resource and energy acquisitions, and the development of domestic resources as a response.''; and

(D) in subsection (e), as redesignated, by striking ''the date that is 7 years after the date of enactment of this Act'' and inserting ''September 30, 2024''.

(2) CONSTRUCTIVE REGIONAL ENERGY COOPERATION.—The Secretary of State shall continue the ongoing diplomacy efforts of the Secretary of State in—

(A) engaging and supporting the energy security of Israel; and

(B) promoting constructive regional energy cooperation in the Eastern Mediterranean.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this resolution.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this has been a long time coming, but I am so pleased that we finally have an opportunity to send to the President's desk the bill before us, the U.S.-Israel Strategic Partnership Act.

I authored the original bill, alongside my Florida colleague, my good friend

Mr. DEUTCH, and together we introduced it in the House almost 2 years ago. Chairman ROYCE, Ranking Member ENGEL, and their staffs were immensely supportive in pushing this bill through, and we ultimately passed the House version, H.R. 938, in this body in March, with an overwhelming vote of 410–1.

I want to thank our colleagues in the other Chamber, Senator BOXER and Senator BLUNT, for introducing the companion bill in the Senate.

Today is, indeed, a significant day in the history of the United States-Israel relationship. Our bill takes the already strong bond between our two countries and makes it even stronger.

In the aftermath of this summer's Gaza conflict, in which we saw Hamas fire thousands of rockets indiscriminately into innocent Israeli civilian populations, and with the alarming rise in terror attacks in Jerusalem these past few weeks, well, Mr. Speaker, now is precisely the time for us to make this bill a law.

Our bill is as important strategically as it is symbolically. It shows the world how deeply America values its bilateral relationship with Israel, affording the democratic Jewish state the unique label of major strategic partner of the United States.

At a time when many around the world seek to test our resolve and our commitment to our friend and ally, passing this bill will reaffirm an unwavering commitment to Israel, to its right to defend herself and her citizens, and redoubles our efforts to ensure that Israel always maintains a qualitative military edge over its enemies.

Israel has many enemies, like Hamas. Hamas is, no doubt, planning its next assault against our ally.

Hezbollah, another enemy which may be preoccupied right now in Syria, certainly has not forgotten its desire to wipe out Israel, especially not when its patron, the Iranian regime, continues to incite violence against Israel and calls for its very destruction.

Iran's Supreme Leader, while he is telling his people to continue to string along the P5+1 countries in the nuclear negotiations under the ruse of wanting to reach an agreement, is calling for all Palestinians in the West Bank to take up arms against Israel.

And while the administration continues to extend and negotiate a very weak and dangerous Iran nuclear deal, it is important that we in the United States Congress send a signal to Khamenei and Rouhani and all the mullahs in Iran that the United States Congress will not undermine our ally, Israel, for a regime that cannot be trusted and is the world's leading state sponsor of terrorism.

This bill will do that, Mr. Speaker. It will do that and much more, and I am so honored to have led the charge, with Mr. ROYCE, with Mr. ENGEL, with Mr. DEUTCH, in getting this bill to the President's desk. I look forward to it finally becoming law.

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

Mr. ENGEL. Mr. Speaker, I rise in strong support of S. 2673, the U.S.-Israel Strategic Partnership Act, and I yield myself as much time as I may consume.

Mr. Speaker, let me first thank Ms. ROS-LEHTINEN, the chair of the Middle East and North Africa Subcommittee, and Mr. DEUTCH, the ranking member of that subcommittee, for authoring the House version of this legislation, which passed by a vote of 410–1 on March 5 of this year.

I will have to figure out who that one is.

They have worked tirelessly, Ms. ROS-LEHTINEN and Mr. DEUTCH, with their Senate counterparts, Senators BOXER and BLUNT, to send this bill to the President.

This legislation would reaffirm our support for the U.S.-Israel relationship at a time of unprecedented threats.

In the north, Israel sees Syria engulfed in a civil war that has killed upwards of 200,000 people. The extremists who have filled the vacuum of leadership, like the al-Qaeda-affiliated al-Nusra front, are sitting right on Israel's border. They even kidnapped U.N. peacekeepers tasked with keeping that border calm.

From Jordan, typically a quiet ally, we have seen some ugly rhetoric over the past few weeks. After terrorists seized a synagogue and slaughtered rabbis in their place of worship, the Jordanian Parliament praised the so-called martyrs who perpetrated this heinous attack.

This summer's war against Hamas and Gaza left the Israeli public acutely aware of their own vulnerabilities. For years, Israelis on border towns have said that they have heard digging underneath their feet, scratches and vibrations that kept them up at night.

It turns out they were right. Hamas was digging tunnels in order to kidnap Israeli civilians and soldiers, or perpetrate large-scale terrorist attacks in some of Israel's largest cities.

I stood with Chairman ROYCE in one of those tunnels just a couple of months ago. We were also with Mr. ROHRABACHER, and we looked at those tunnels. It was just amazing. They were solidly-constructed and well-engineered.

I couldn't help but wonder what Gaza would look like today if Hamas had put those resources into building schools or hospitals or a modern infrastructure for the Palestinian people. But they didn't. They, instead, made them terror tunnels. What a waste.

Hamas is now a legitimate political actor. It uses violence to gain power. It sees no value in human life, neither its Israeli victims nor its Palestinian human shields. And we did pass a resolution earlier this year condemning Hamas' use of innocent civilians as human shields.

And, of course, Israel faces the existential threat of Iran and its illicit nuclear weapons program. Even as talks continue between the P5+1 and Iran, Tehran continues to support international terrorism that targets Jews in Israel and other parts of the world.

Israel is a bright light, Mr. Speaker, in a very, very dark region, the only democracy in the Middle East, and a valued ally of the United States. That is why we are considering this bill to strengthen our relationship with the state and the people of Israel, and to send a clear and unmistakable message to Israel's foes, and that message is: America stands with Israel.

Specifically, this bill would build on our robust defense cooperation. It would ramp up U.S.-Israel collaboration on cybersecurity, expand U.S.-Israel energy cooperation, and reaffirm our commitment to Israel's QME, or qualitative military edge.

This legislation names Israel as a major strategic partner, demonstrating that our relationship is not transactional, it is not assistance-based. Our relationship is based on shared cultural, societal, and historical ties, and is clearly ingrained in the values we hold dear. It is mutually beneficial and serves the strategic interests of both countries.

Again, in my trip to Israel with Chairman ROYCE and Mr. ROHRABACHER and Mr. GREGORY MEEKS, we understood why America stands with Israel.

So, for these reasons, I urge my colleagues to support this legislation. It is very important. It is very important that we do this.

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

□ 1900

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 3 minutes to the gentlewoman from New York, Mrs. NITA LOWEY, who is the ranking member of the Appropriations subcommittee which deals with all of these important issues.

Mrs. LOWEY. I want to thank all of the authors of this bill for your important work, and I appreciate your bringing these issues once again to the attention of my colleagues and to all of those who are watching us this evening.

Mr. Speaker, I rise in strong support of the United States-Israel Strategic Partnership Act.

During a period of tremendous turmoil in the Middle East, the passage of this important legislation sends a strong signal to our steadfast ally that the United States Congress remains fully committed to its security.

This bill, which I cosponsored, supports greater U.S.-Israeli cooperation on a number of fronts, including energy, cybersecurity, homeland security, and agriculture. It also extends the authorization for U.S. weapons to be stored in Israel in case they are needed by either of our countries to respond to an emergency.

Additionally, this bill provides for the greater congressional oversight of Israel's qualitative military edge over its neighbors, a status that remains absolutely critical to Israel's ongoing security needs. Lastly, this bill encourages Israel's inclusion in the Visa Waiver Program and supports a greater engagement with Israel on meeting the program's requirements.

I remain committed to making it easier for young Israelis to travel to the United States. As I have said before, our visa policies should reflect the unbreakable bond between our nations and people.

Supporting Israel, our strongest ally and the only democracy in the region, remains a vital component of protecting U.S. national security interests.

As ranking member of the Appropriations Subcommittee on State, Foreign Operations, and Related Programs, I will continue to fight to provide Israel with the resources it requires to secure its borders and protect its citizens.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I now yield 3 minutes to the gentleman from Florida, Mr. TED DEUTCH, one of the authors of this bill.

Mr. DEUTCH. Mr. Speaker, today, the House is taking up the Senate version of the United States-Israel Strategic Partnership Act, a bill that passed this Chamber in March with a vote of 410–1. Our vote today will send this important piece of legislation to the President's desk.

I am particularly grateful for the efforts of my colleagues on the House Foreign Affairs Committee, notably those by Chairman ED ROYCE; by ranking member and my friend, ELIOT ENGEL, for helping to ensure this legislation's passage; by the Senate sponsors, Senator BOXER and Senator BLUNT; and by my friend, chairman, and stalwart champion of the U.S.-Israel relationship, chairman emeritus ILEANA ROS-LEHTINEN.

I would also like to offer a special thanks as well to Casey Kustin, in my office; to Eddy Acevedo; and to the entire committee staff, including Matt Zweig and Mira Resnick, who worked so hard to bring this bill to the floor at this moment.

This critical bill enhances the broad cooperation between the United States and Israel on a wide spectrum of issues, and it reflects the simple truth that our bilateral relationship spans not only shared security interests but shared values.

This bill was crafted with particular consideration of the heightened security situation faced by Israel today. This summer's Operation Protective Edge reminds us just how vital and strong U.S. support for Israel can be as the Iron Dome missile defense system saved tens of thousands of lives by taking down hundreds of Hamas rockets aimed at civilians and as the U.S. was able to quickly assist Israel in the resupply of defense articles, so that it could defend its citizens from brutal terror attacks.

The United States-Israel Strategic Partnership Act also highlights Israel's significant contributions to the areas of water, irrigation, agriculture, and energy issues by expanding collaborative research efforts. It recognizes that the United States is strengthened by these joint efforts with Israel to tackle shared problems and to advance shared interests.

Through dire security threats and unimaginable hostility from the outside actors, the State of Israel has managed to thrive as an open and free democratic society, and it has prospered into a global leader in research and development in countless fields.

This bill, the United States-Israel Strategic Partnership Act, sends a clear and a bipartisan message to our ally Israel and to the rest of the world that the U.S.-Israel relationship runs wide and deep, that our commitment to the lasting safety and security of Israel is and always will be unbreakable, and that our work together not only in security but in agriculture, cybersecurity, water, and energy advances the interests of our Nation, as well as those of our great ally.

I urge my colleagues to support the U.S.-Israel Strategic Partnership Act.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, in closing, let me say that I am very proud to help send this bill to the President's desk. This is really significant and important.

The United States stands with Israel during these challenging times, and deepening our ties with Israel will only help strengthen our mutually beneficial relationship. Let me say that again, ''mutually beneficial relationship.''

It benefits both countries to have the kind of relationship that we have with Israel. It benefits both countries because we have shared values and care about democracy. It benefits both countries because we share intelligence and do so many things together as closest allies.

This is a very important piece of legislation, and I urge everyone to support it.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

It is in our national security interests of the United States to strengthen our relationship with our strongest ally, the democratic Jewish State of Israel.

Our two nations share more than just a strategic partnership—we share the same values; we share the same ideals. The United States and Israel are both freedom-loving and democratic nations that serve as a model of how free and open societies can work and can thrive, but it is also our belief in these ideals that has made us a target by those who seek to oppress their people and impose strict laws that govern their everyday lives and restrict their freedom of expression and their freedom of religion.

The citizens of the United States and of Israel speak openly, and we live honestly, but our enemies hate everything that we stand for, and they will stop at nothing to harm or destroy our way of life.

That is why, Mr. Speaker, it is so important that we continue to strengthen our relationship with Israel and support its right to defend itself and its citizens, and that is exactly what we will be doing when we pass this bill.

I would like to say to my Florida colleague, Mr. DEUTCH, that it has been a joy to have joined him in our recent trip to Israel, and I have greatly enjoyed our Florida road trip as we speak around our great State about the strength and the vitality of the U.S.-Israel relationship.

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

Mr. ROYCE. Mr. Speaker, I rise in strong support of S. 2673, the U.S.-Israel Strategic Partnership Act. I'd like to note that the groundwork for this legislation was laid when the House-passed H.R. 938 by a vote of 410–1 in March. I would like to recognize the Gentlewoman from Florida, Ms. ROS-LEHTINEN, and the Gentleman from Florida, Mr. DEUTCH, for their leadership in authoring that important measure. With passage of this legislation today, this bill now goes to the President's desk for his signature.

I also want to thank the Ranking Member of the Committee, the Gentleman from New York, Mr. ENGEL, for his assistance in bringing this legislation to the floor and for his longstanding support for the State of Israel. Over the past two years, Mr. ENGEL and I have had the chance to travel twice to Israel together as Chair and Ranking Member, showing bipartisan support for the relationship.

We witnessed together the many factors that drive our relationship. Israel is a pluralistic democracy which includes the freedoms we cherish: freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed.

Our militaries hold combined exercises where they constantly learn from each other. A key collaboration here has been in missile defense. Jointly developed and produced by the U.S. and Israeli militaries, the Arrow defense system, Iron Dome, and David's Sling system—which is currently under development—will soon be combined to create the world's most sophisticated missile shields. And given the threats Israel faces, this is needed now more than ever. This summer, once again we saw how the Iron Dome helped save innocent Israeli lives, giving its leaders breathing room and preventing more bloodshed. Congress can be proud of its role in backing the Iron Dome.

But we must always be working to ensure that our support for Israel keeps apace with the threats proliferating against the country—from Iran to Hamas.

That is why today's legislation is important. Once signed into law, it will expedite the provision of critical security assistance to Israel by ushering in an expedited licensing regime and

increasing the U.S. war reserves stockpile, for Israel to access, if needed. It will also require more frequent and detailed reporting on Israel's Qualitative Military edge—a provision which is the direct result of Mr. COLLINS' good efforts—so I thank the gentleman from Georgia for his contribution. Finally, the legislation will expand our cooperation with Israel on energy research and development.

I urge all Members to support this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I'd like to thank my colleagues Ms. ROS-LEHTINEN and Mr. DEUTCH who worked on the House version of this much-needed and timely bill.

This substantive bill expands our relationship with our closest ally by formally declaring Israel a ''major strategic partner'' of the U.S. It provides for increased cooperation in many spheres, including homeland security, cyber security, defense and intelligence, as well as water, energy, agriculture, and alternative fuels. This will send a signal to Israel's enemies that, despite their manipulative and dishonest global campaign against Israel, the U.S.-Israel relationship continues to deepen—as it should. It is right and good for both of our countries.

Mr. Speaker, this bill is largely a response to anti-Semitism—to militant, military and terroristic, and profoundly evil expressions of anti-Semitism. That's what poisons the hearts and minds of those who launch rockets at Israel and tunnel under its borders.

As we see on a sickeningly regular basis, many governments in the Middle East (and elsewhere) propagate anti-Semitic incitement as an official or quasi-official state ideology—the hate that still kills. They do this in order to distract people from their own authoritarian rule and human rights abuses. This constant incitement is a major factor in the security situation in the Middle East. In February of last year I chaired a hearing at which we heard important testimony from Dr. Zuhdi Jasser on this subject. He made the point that it is not only Jews who suffer from this incitement, but that Muslims suffer too, as Middle-Eastern despots deploy anti-Semitism as one of their principal tools in the subjugation and impoverishment of entire Muslim peoples.

Mr. Speaker, this bill fights the evil effects of anti-Semitism. I urge my colleagues to support this outstanding bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, S. 2673.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXECUTIVE ACTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I have got a heavy heart because I feel like, in just the short time you and I have been in this body, we have seen the same story play out more than once. You would like to think that we would all learn from our mistakes in this body.

In fact, I don't fault any of my colleagues who make mistakes. I am one of the folks who is guilty of having made a mistake before, Mr. Speaker, and I am not going to put you in that same box; but, yes, I have made a mistake before. The question isn't: ''Do you make mistakes?'' The question is: ''What do you learn from your mistakes?''

As we go down this road of executive action, this conversation that the country is having today, I feel like we have been down this road before, and I want to try to connect a couple of those dots for folks tonight, Mr. Speaker.

You can't see what I have here, but it is something that is near and dear to your heart. It is article II, section 2, of the United States Constitution.

It says:

> The President shall have the power to fill up all vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of their session.

Now, you wonder why this is important. It is just one paragraph in a relatively lengthy and really meaty Constitution. The answer is because it defines the relationship between the article I, Congress, and the article II, White House.

It says, White House, if you want to make appointments to positions of great power, of great authority, in the United States Government, you must do so with the advice and consent of the United States Senate, that the Senate must confirm all of those individuals the President wishes to place in these positions of great power.

The President back in 2012, 2011, had some folks he wanted to appoint to positions of great responsibility. One of those was to the National Labor Relations Board. You will recall this, Mr. Speaker. The President made some nominations, and the Senate said, ''No, this isn't going to fly.''

Now, the President could have gone back and said: ''Do you know what? If you don't like these nominees, this is an important job, it is an important responsibility, I am going to appoint some different nominees. I am going to put some different names out there. I am going to work with you to try to find some folks we can agree on as the Constitution requires.''

It is not what the President did. In fact, there is a pattern of that not being what the President does.

What the President did instead of working with the Senate—what the President did instead of offering some different names—what the President did instead of trying to find common ground was he went to this article II, section 2, of the United States Constitution and said: ''I have the power to fill these spots without anybody else's advice or counsel, without anybody else's consent, as long as I do it during recess.''

He woke up one morning, and he declared the Senate in recess, and he made these appointments. Now, that would be all well and good, Mr. Speaker, if the Senate had, in fact, been in recess, but the Senate was not in recess.

I have here on a chart, Mr. Speaker, a quote from Senate Majority Leader HARRY REID. It is November 16, 2007, when President Bush was still the President of the United States. He, too, wanted to make some nominations. The Senate then, as in 2012, disagreed with those nominations and didn't want to appoint those people.

Senate Majority Leader HARRY REID said this:

> The Senate will be coming in for pro forma sessions during the Thanksgiving holiday to prevent recess appointments. My hope is that this will prompt the President to see that it is in our mutual interests for the nominations process to get back on track.

Hear that, Mr. Speaker? Senate Majority Leader HARRY REID said to then-President George Bush: ''I don't like the folks you are trying to nominate. I disagree with you on those nominations, so I am going to keep the Senate in, in pro forma session, to prevent you from nominating those folks during a period of recess, to prevent you from using article II, section 2. I hope that will encourage you to come and work with us together to find folks who are mutually agreeable for these positions.''

In November 2007, HARRY REID kept the Senate in session, these pro forma sessions, all through the Thanksgiving holiday.

□ 1915

I now bring you to December 19, 2007, later that same year. Again, Senate Majority Leader HARRY REID said this: I could be a grinch. I could tell the President that I would not move any nominations, given his demand to make controversial recess appointments. But I am not going to do that tonight, Mr. President. I am not going to meet intransigence with intransigence. We will confirm those appointments this evening, and I will keep the Senate in pro forma session to block the President from doing an end run around the Senate and the Constitution with his other controversial nominees.

Hear that: Getting ready to head home for Christmas, Senator HARRY REID said to then-President George Bush: I will not let you do an end run around the Constitution by appointing individuals to these powerful positions across the government without the consent of the Senate. I will not let you do it, and I will prevent you from doing it by keeping the Senate in pro forma session during the holidays.

Pro forma session means you are in once every 3 days. That is how the law defines it. You come in once every 3 days. It doesn't count as a recess. HARRY REID knows this. It is the tool that he uses to prevent then-President

George Bush from doing, and I quote, an end run around the Senate and the Constitution.

I found it fairly persuasive, Mr. Speaker. In fact, President George Bush found it fairly persuasive. And this ended the argument because no President has a vested interest in making an end run around the Senate and the Constitution.

But President Obama didn't see things that same way. In January of 2012, faced with the exact same circumstances, Mr. Speaker, a Senate in pro forma session designed specifically to prevent recess appointments, the President woke up one morning in January and said: The Senate is, in fact, in recess. They say that they are not, but they are wrong. They, in fact, are. I am going to make four appointments today.

Now, you would think, having read what we read from Senate Majority Leader HARRY REID, that the Senate would have melted down with defenders of article I standing up and saying: Mr. President, we may agree with your politics, we may agree with your policy, but we disagree with this end run that you are making around the Senate and the United States Constitution.

It is what you would have expected. It is what you would have hoped for. But it is not what you got.

Senator TOM HARKIN, when asked about those appointments, said the President ''acted responsibly'' in making those appointments. He ''acted responsibly.''

This is the National Labor Relations Board we are talking about. So, of course, the AFL–CIO commented that President Richard Trumka said the President was ''exercising his constitutional authority to ensure that crucially important agencies protecting workers and consumers are not shut down.''

The Labor Secretary is one of those Members that had to be confirmed by the United States Senate. Then-Labor Secretary Hilda Solis said: ''We can't afford to not move on very important issues that affect working class people.'' We cannot afford not to move. We cannot afford to allow the Constitution to get in the way of those things that we would like to do.

This isn't sour grapes from a Republican in the U.S. House of Representatives, Mr. Speaker. This case went to the Supreme Court. This case went to the Supreme Court. And on that Court, of course, sit two Obama appointees; two Clinton appointees sit there. Mr. Speaker, 2½ years later, 9–0 was the ruling from the Supreme Court that what the President did was patently unconstitutional. Unconstitutional.

Now, this isn't a surprise to anyone. You will remember the words of HARRY REID when he implemented these sessions to prevent recess appointments. He said: I am not going to let the President do ''an end run around the Constitution.'' The Constitution has these requirements. HARRY REID knew it. President Bush knew it. HARRY REID knew it again in 2012. President Obama knew it in 2012, and he did it anyway, as then-Labor Secretary Hilda Solis said: because we have important things that we need to do, and we can't let things get in the way.

Quoting from that 9–0 decision, Mr. Speaker, Justice Breyer wrote the majority opinion. He said: ''The recess appointments clause is not designed to overcome serious institutional friction. Friction between the branches is an inevitable consequence of our constitutional structure.''

That bears repeating, Mr. Speaker. The ''clause is not designed to overcome serious institutional friction. Friction between the branches is an inevitable consequence of our constitutional structure.''

I don't even know if that captures it, Mr. Speaker. It is not really an inevitable consequence. It is there by design. It is not an accident that we have this friction. It is there by design.

This isn't the ranting of a sour grapes conservative Republican. This is the unanimous decision of a Supreme Court that is as divided as any Court we have seen in my lifetime.

But they unanimously said: President Obama, your goals are not what we are litigating today. The process that you are using to achieve your goals is unconstitutional. Why? Because Congress got in your way. And instead of working with Congress, you went around Congress, and the law doesn't allow for that.

Sound familiar, Mr. Speaker? Sound familiar? It took 2½ years to litigate that case. It took 2½ years to get an answer from the Supreme Court. In those 2½ years, over 400 cases were decided by the National Labor Relations Board, now all invalidated by this Supreme Court decision, lives thrown into turmoil.

Not one Senator, not one Democratic Senator, not one Senator from the leadership spoke out to say: Mr. President, I may agree with your politics, I may agree with your policies, but the way you are getting them done is unconstitutional.

And every one of them knew it, just like the Supreme Court did, 9–0, when they ruled 2½ years later.

Now fast-forward to today, Mr. Speaker. We are talking about immigration. And we are not talking about good immigration policy, because that is what we talk about in the Judiciary Committee. We are not talking about immigration law in this country, because that is what is decided in the House and the Senate. What we are talking about is the President taking action on his own in an end run around the Senate, an end run around the House, an end run around the Constitution and implementing immigration policy all by himself.

He was asked about that in a Univision town hall, Mr. Speaker. It was March of 2011, and the question that was put to the President was: ''Mr. President, my question will be as follows: With an executive order, could you be able to stop deportations of the students?''

Fair question. Fair question. A lot of folks out there have this issue on their mind.

It was March of 2011, and this is what President Barack Obama said in answer to the question: Mr. President, can't you just stop deportations by executive order? The President said this: ''With respect to the notion that I can just suspend deportations with executive order, that's just not the case because there are laws on the books that Congress has passed.''

The President was right on that day in March.

''I can't just do this by executive order,'' he told the questioner, ''because there are laws on the books that Congress has passed.'' He says: ''Congress passes the law. The executive branch's job is to enforce and implement those laws. Then the judiciary has to interpret those laws. There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply, through executive order, ignore those congressional mandates would not conform with my appropriate role as President.''

Those are not my words, Mr. Speaker. Those are President Barack Obama's words. ''There are enough laws on the books by Congress that are very clear''—very clear—''in terms of how we have to enforce our immigration system that for me to simply, through executive order, ignore those congressional mandates would not conform with my responsibilities as President.''

Now, that is powerful, Mr. Speaker; but that is not even the most interesting part of that response. He went on in that question and said this:

That doesn't mean that we can't make decisions to emphasize enforcement. It doesn't mean that we can't strongly advocate and propose legislation that would change the law in order to make it fair or more just and ultimately would help young people who are here trying to do the right thing and whose talents we want to embrace in order to succeed as a country. It doesn't mean that we can't work hard to change the law. It just means that I, as President, don't have the ability to do it by myself. The Constitution requires a team effort between Congress and the White House.

Mr. Speaker, this wasn't just a one-time thing. This wasn't just a quote that I pulled out of thin air. I am not trying to mischaracterize the President's feelings.

November 2013, he is being heckled. He is giving a speech, and he is being heckled by protesters who want him to do more in terms of changing immigration law. You have just heard his last quote, where he said, I can't do this by myself. Congress has to lead in this

area. He is being heckled; and he says this:

''What you need to know, when I'm speaking as President of the United States and I come to this community, is that if, in fact, I could solve all these problems without passing laws in Congress, then I would do so.''

That is what he says to the heckler. He said: Sir, what you need to know is, if I could, I would. If I could change these laws without Congress, I would. But the Constitution doesn't allow for it.

President Obama went on to say:

''We're also a nation of laws. That's part of our tradition. And so the easy way out is to try to yell and pretend like I can do something by violating our laws. And what I'm proposing is the harder path, which is to use our democratic processes to achieve the same goal that you want to achieve. But it won't be as easy as just shouting. It requires us lobbying and getting it done.''

Wow, Mr. Speaker. He is being heckled for his position on immigration policy, and he says to the heckler: If I could do something about it, I would, but I can't because America's tradition is a tradition of laws. He says: It is not as easy as just one man deciding that he is going to ignore the law or change the law. What it takes is hard work, working with Congress, lobbying in Congress, working through legislation and changing the laws. It is not as easy as one man deciding he doesn't like the law, because our tradition is a tradition of law.

He goes on to that heckler, Mr. Speaker, and he says to him: If you are serious about making that happen—that change happen, changing the law—if you are serious about making that happen, then I am willing to work with you, but it is going to require work.

He says: It is not simply a matter of us just saying we are going to violate the law. That is not our tradition. The great thing about this country, President Obama said, is we have this wonderful process of democracy. And sometimes it is messy, and sometimes it is hard, but ultimately, justice and truth win out. That has always been the case in this country, and that is going to continue to be the case today.

Mr. Speaker, that was a year ago. That was a year ago that President Obama said to the heckler wanting him to do unilateral immigration action, he said it is not just a matter of us saying we are going to violate the law. He said we have got this wonderful process, this crazy, crazy process called democracy, where we go to the House and we go to the Senate and we work to change the law. He says it is hard. He says it is a hard process. It is a messy process. But ultimately, truth and justice win out. And he is so right. He is so right.

Justice Breyer in that 9–0 decision, rebuking the President for violating the Constitution, said: ''Friction between the branches is an inevitable consequence of our constitutional structure.''

□ 1930

We have been down this road before.

Mr. Speaker, I represent a community of immigrants, a vibrant, wonderful, wonderful community of immigrants, folks who have stood in line and paid their money, folks who have relatives overseas who have been waiting in line 5 years, or 10 years, or 20 years, and I welcome the opportunity to work with my colleagues to change the law to bring fairness and justice to them. Oh, Mr. Speaker, I have got folks in my district with big brains, big minds, strong work ethics, but the visas they are here under don't allow them to go to work.

The President has proposed offering 4 million new work permits to folks who have done it the wrong way. I have got folks in my district who have done it the right way, waiting in line without the ability to work.

Are there things on which we can agree? There absolutely are. But isn't the first of those things that the President cannot unilaterally change the law from 1600 Pennsylvania Avenue? He knew that was true in 2012. He knew that was true in 2013. What has changed about our 250-year-old Constitution today that suddenly makes it okay? The silence in this town is deafening from folks who know the right way, who know the right way to pass a law, to change a law, to implement a law, and to enforce a law in the America that you and I love, the America that we inherited from patriots before us.

The President says it is sometimes messy and it is sometimes hard, but the great thing about this country is we have this wonderful process called democracy. Justice Breyer says, ''Mr. President you might have forgotten a little bit about that democracy.'' And 9–0 the Supreme Court says the Constitution was thrown by the wayside in the President's zeal to implement his policies, in the President's zeal to do, as HARRY REID described it, an end run around the Senate, and the President's zeal to do, as Mr. REID described it, an end run around the Constitution.

Mr. Speaker, I welcome a policy debate with the President. I welcome a partnership with the President to fix a muddled immigration process that we have in this country today. We are a land of immigrants. We always have been, and we always will be. And I thrive on that. I celebrate that. But we are also a land of laws, a sentiment the President has acknowledged and celebrated in years past and a sentiment that just days after the last election the President threw out the window in the spirit of the ends justifying the means.

I don't think the American people are going to let that stand, Mr. Speaker. And I call on folks from the left and the right to be a part of that chorus of voices. We are not having a debate tonight. We are not having a debate tomorrow about policies of immigration reform. The discussion we are having is about process. The discussion we are having is about whether or not the Constitution matters. The discussion we are having is, who writes the laws? Does Congress craft the laws and the President signs them? Or does the President craft the laws and the President signs them?

''It is not simply a matter of our saying we are going to violate the law,'' the President said. ''The easy way is to yell and scream and pretend that I can do something by violating our laws, but the better path is the harder path,'' the President says. ''With respect to the notion that I can just suspend deportation through executive order, that is just not the case because there are laws on the books that Congress has passed,'' the President says. ''There are enough laws on the books by Congress that are very clear in terms of how we have to enforce our immigration system that for me to simply through executive order ignore those congressional mandates would not conform with my appropriate role as President,'' President Obama says.

Nine to zero in defense of the Constitution the last time the President decided he was going to go it alone, an end run around the Senate, as HARRY REID says, an end run around the Congress, as HARRY REID says. But it took 2½ years for the Supreme Court to sort that out.

I think America deserves better, I think those trying to immigrate to this country deserve better, I think those fighting for work back home deserve better, and perhaps worst, Mr. Speaker, I think the President knows better and has chosen the path he has chosen anyway. There is still time to turn back on that decision, Mr. Speaker.

There is still time to engage in that partnership, to engage in that messy, that hard, but that oh so rewarding process as the President has described it that is the Constitution-defined democracy that we live in today.

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

NO INDICTMENT IN ERIC GARNER'S CHOKE HOLD CASE

The SPEAKER pro tempore (Mr. BRAT). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 30 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise tonight, ladies and gentlemen, with a heavy heart because today we had a secret grand jury finding in New York that resulted in no charges against the police officer who killed an unarmed man named Eric Garner, a man whom they accused of trying to sell some cigarettes. That man was approached by law enforcement on the streets of New York, and when approached, he said that he had not done

anything wrong. He held his hands up in the hands up, don't shoot position, and they took him down while his hands were up and applied a choke hold, an illegal choke hold, and applied it until the man took his last breath.

What did Eric Garner say 13 times before he died? What did he say 13 times before he died? He said, ''I can't breathe. I can't breathe. I can't breathe.'' And he said that over and over again until he could not breathe. He took his last breath just like Michael Brown, accused of stealing some cigarettes—or cigars, excuse me—Michael Brown, accused of stealing some cigars, Eric Garner, accused of selling some cigarettes. I don't know when possession and/or sale of tobacco merited a death penalty in this country, but both of them, both of those cases involved tobacco products. Both of them involved men—Black men—with their hands up in the ''don't shoot'' position. Both of them were killed. Both cases were handled in a secret grand jury process. We don't know the names of the grand jurors, we don't know what went on in that grand jury room, although we do have the transcript in the Michael Brown case, and it shows that a lot of injustice was done in that grand jury room which resulted in an unjust no bill against the police officer involved in that case.

We don't know what happened in the New York case, but we got a result, a no bill against that police officer who was caught on tape just like in the Rodney King case, all caught on tape, Eric Garner caught on tape, the killing, but still no justice done. Cameras are not the sole answer, it appears. It runs deeper than a camera.

These are dark days, ladies and gentlemen, that we are living in today. The first African American President is treated like no other President has ever been treated before. Is this a symptom of the Obama backlash that is occurring in this country? Is there any connection between what we see happening in the streets of Ferguson and on the streets of New York, with what is going on with the dehumanization of the leader of the free world?

First they said he was not a resident, not a citizen of this country. Then they said he was a Communist, a socialist. They accused him of being weak and indecisive as a President and not really having the intellectual capacity to be the President. Now they are saying he was a Muslim. Now they are saying that he is an emperor, a king, disregarding the Constitution. Where are we in America when it comes to Black males and how we treat them and how they end up faring in life?

Is it our fault? Yes, we do have responsibility. We can always do better. But don't put your foot on my neck and tell me that it is my fault that your foot is on my neck. People are tired of seeing what is happening over and over again. A young, 12-year-old Black male with a BB gun at a park on the streets and a police car rolls up, a police officer gets out and immediately shoots the young man and kills him. Will that go to another secret grand jury process and have the same result as what we saw with Michael Brown and Eric Garner? It is happening throughout the streets of the Nation.

I tell you, I have been gratified by the protesters. I have seen protesters out there. It has been Black and White protesters out there demonstrating peacefully being met with a militarized response. And I say that to say this, that I am going to paraphrase something that you will probably be familiar with:

They first came for the gypsy, and I wasn't a gypsy, and I didn't say anything. Then they came for the Jews, and I was not a Jew, and so I didn't say anything. Then they came for the women, and I wasn't a woman, and I didn't say anything. Then they came for me, and there was nobody left to say anything.

Is that where we are headed in this country, ladies and gentlemen? Because there are all kinds of people out peacefully protesting, and that is what I advocate for, peaceful protests. Violence is not the way. Violence just produces more pain and agony. Violence is not the way. Nonviolence is the way that we must confront this because really, when you move past the fact that Black males are at the bottom of the totem pole, and we are the ones who bear the brunt, these who come to aid us are in the line of fire also.

□ 1945

What happens to one of us happens to all of us. If not you now, then what happens tomorrow when you come to my assistance? So we all are our brother's keeper.

Right now, we are operating under an economic philosophy in this country that only the strong survive. If you are weak, it is your fault, and I don't owe you anything. Don't ask me for nothing. You get yours. I got mine; you get yours. Don't worry about me. Don't ask me for nothing.

That is the economic attitude that we have that we are trying to preserve and protect in this hallowed body here. It is called laissez-faire capitalism, and it is supported by the U.S. Supreme Court that has contorted itself in such ways so as to rule in ways that enable a corporation to become a person.

When we have a corporation having a right to free speech and having unlimited funds and unlimited duration and we have a corporation that has a right to religious freedom, so that it can dictate to its employees their religious beliefs—it doesn't even make sense for a corporation to have a religious belief, but that is what our Supreme Court has found—and every other way that it can aid corporations to become richer.

The rich get richer, and the poor get poorer, and I don't owe you a thing—you are on your own. That is what they want us to believe, but it is time for people—for us to come together. It is all about economics.

They put Blacks against Whites, poor Whites and poor Blacks against each other, and then they are going to the bank in the Brink's truck, and we are sitting, pointing fingers at ourselves, when we are all in the same boat together, the 99 percent—or the 47 percent, as one of our Presidential candidates most famously talked about in the last election. I am proudly one of those 47 percent, and I represent the 47 percent that is really the 99 percent.

So this extrajudicial killing of Black men has to end. If not, then what is going to happen to you tomorrow?

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

IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I would like to associate myself with the words of my colleague, the gentleman from Georgia (Mr. WOODALL). I think this body has been blessed by ROB WOODALL being here, and his words tonight just reinforce that.

The President has declared an amnesty. The law of the land is if someone is in this country illegally, they are not allowed to legally work. To change that law requires a bill. As Saturday Night Live pointed out in their version of Schoolhouse Rock, a bill has to pass the House, it has to pass the Senate, and then it goes to the President and gets his signature if it is going to change existing law.

For anyone to just pronounce ''here is the new change'' is an indiscriminate approach to changing the law without following the law.

I believe such an indiscriminate approach would be both unwise and unfair. It would suggest to those thinking about coming here illegally that there will be no repercussions for such a decision, and this could lead to a surge in more illegal immigration, and it would also ignore the millions of people around the world who are waiting to come here legally.

Ultimately, our Nation, like all nations, has the right and obligation to control its borders and set laws for residency and citizenship, and no matter how decent they are, no matter their reasons, the 11 million who broke these laws should be held accountable. That is what I believe.

All of the words—every one of the words I just spoke, beginning with ''I believe such an indiscriminate approach would be both unwise and unfair''—were words directly out of the mouth of the United States of America's Barack Hussein Obama.

He was right. In everything he said in that quote, he was exactly right. There are millions of people lined up around the world who are wanting to come here legally. Most of those who would be coming would have to have some way to support themselves; yet the President spoke into law and signed his oral fiat saying: ''You know what, I am going to disregard everything I have previously said that was exactly right,

change the law without a bill going to the House or the Senate or without coming to me for my signature after it has passed both.''

Our President also said:

I take the Constitution very seriously. The biggest problems that we are facing right now is the President trying to bring more and more power into the executive branch and not go through Congress at all, and that is what I intend to reverse when I am President of the United States of America.

The trouble is he said that on March 31, 2008, and when he became President, he forgot that promise. Somebody needs to get that promise in front of him again.

Also, in 2008, before he got elected, he said:

We have got a government designed by the Founders so there will be checks and balances. You don't want a President who is too powerful or a Congress that is too powerful or a court that is too powerful. Everybody has got their role. Congress' job is to pass legislation. The President can veto it or he can sign it.

Senator Obama said:

I believe in the Constitution, and I will obey the Constitution of the United States. We are not going to use signing statements as a way of doing an end-run around Congress.

I had a practice court instructor at Baylor Law School. He was an incredible trial lawyer before he came to be a professor at Baylor Law School. He talked even slower than I talk. I can still hear Matt Dawson saying, when he caught a witness saying something different one time than he said another time, he would say to the witness: ''Well, were you lying then, or are you lying now?''

Let the shoe fit on the foot that wears that size.

Now, there has been a lot of talk about the law, and I have been called anal and everything else around this House floor, even by people in my party, for actually reading bills and reading laws, but 8 United States Code section 1324a(a)(1) says:

It is unlawful for a person or other entity—(A) to hire, or to recruit or refer for a fee, for employment in the United States an alien knowing the alien is an unauthorized alien, as defined in subsection (h)(3) of this section, with respect to such employment; or (B) (i) to hire for employment in the United States an individual without complying with the requirements of subsection (b) of this section; or (ii) if the person or entity is an agricultural association, agricultural employer, or farm labor contractor, to hire, or to recruit or refer for a fee, for employment in the United States an individual without complying with the requirements of subsection (b) of this section.

Basically, it makes clear, and it is easier for me to see it in print, but when I see it in print, it is very clear, it is illegal for someone to get a job in America who is not an authorized alien.

If you are an illegal alien or an unauthorized alien, as the language is here, then you are not entitled, it is illegal for you to get a job in the United States, and it is illegal for someone to hire you.

It really raises an interesting question, and I haven't seen this in the President's fiat, the royal decree that he made, I haven't seen if he is providing amnesty for every employer that hires someone who is here illegally because the President is saying, basically, ''I'm giving you amnesty, so you can go work wherever you want to,'' but as the law makes clear in section 1324 of volume 8 of the United States Code, it is illegal to hire someone that is illegally in the country.

Is the President going to pardon every employer that hires one of the 5 million that is going to get a permit? We know that the President wants to give pardons to folks who are here illegally, but the trouble is a pardon doesn't work for someone wanting to grant legal status. A pardon only works if you want to forgive a crime that has been committed, like President Clinton did.

President-elect George W. Bush and Vice President Cheney, he kept them waiting. The service was supposed to start, and President Clinton was over there, just signing pardons as fast as he could. It took him awhile to get that done.

He left President-elect George W. Bush and Vice President Cheney waiting. They were late starting the service that day on Inauguration Day for George W. Bush because he was signing those pardons as fast as he could, because he had to sign the individual pardons.

Well, the President hasn't signed 5 million pardons, and even if he did, a pardon forgives the committing of a crime. It does not change the status of someone that is illegally in the country. A pardon pertains to criminal law.

The changing of status is under naturalization and immigration, and that power is strictly reserved to this House and the body down the hall, the U.S. Senate.

□ 2000

We have the power under article I, section 8, to make the law on those things; the President does not. And there is no provision that allows him to pardon someone from the requirements of the naturalization or immigration laws.

Now, something else caught my attention. It is down in the miscellaneous provisions of section 1324, because I am always looking: Okay, does the President have a loophole here? And at first I thought maybe he did. It turns out he doesn't. But under the definition of ''unauthorized alien,'' it says:

As used in this section, the term ''unauthorized alien'' means, with respect to the employment of an alien at a particular time, that the alien is not at that time either:

A) an alien lawfully admitted for permanent residence, or

B) authorized to be so employed by this chapter or by the attorney general (now the Secretary of Homeland Security).

So I thought maybe this is their loophole here that the President might try to use, even though that is not what was said in a basis that was provided.

But then when you get over here, it says this exception may not be provided to the alien unless the alien is lawfully admitted for permanent residence or otherwise would, without regard to removal proceedings, be provided such authorization.

So again, it kicks it back to the law as Congress has decreed it in the past, by both Houses passing it with a majority and a President previously signing it, that you have to follow the law in order to get this lawful permanent resident status. You have to be lawfully admitted. You are not even eligible for that miscellaneous exception under section 1324.

There are people that have violated the law to come into the country in such a way that it is not necessarily a crime, but if they go to work, under volume 8 of the United States Code, section 1324, it will be a crime for anybody that hires them, and it will be a crime for them. That is where the crime may get committed.

I guess at that time if the President wants to sign 5 million pardons for 5 million employers, well, he could do that. He has that authority under the Constitution. He can sign pardons for all 5 million employers that employ people who are unauthorized aliens in this country. No matter what the President gives them under the law, that person is still an unauthorized alien under this criminal provision.

There are some interesting days ahead, and the statute of limitations will not have run out when a new President comes into office. The only way that wouldn't happen is if the President got a third term, and, of course, we know that would be as unconstitutional as the President legislating, and surely that wouldn't happen.

Now, it is interesting, too, that in the manner in which the President has given this amnesty and is authorizing these work permits, he has actually doubled down legally on his violation of the law previously under DACA in which he had said that—well, this is the way he doubled down on it. Basically, he expands his previous unconstitutional action that the House passed a law the last week of July canceling but the Senate didn't take it up. That is why, when the President says Congress hadn't done anything, the House did. They talked about the Senate passing a comprehensive bill, and they forget to mention that the Senate's bill is unconstitutional. We are not allowed to take it up because it raised revenue, and under the Constitution, such a bill has to originate in the House.

If the Senate gets around to sending it down here, we don't get to bring it on the floor. It would be what is called ''blue slipped,'' where you put a blue slip on there and say the House cannot take this up. It raises revenue. It has

to originate in the House. Therefore, the House is not allowed to take it up.

Since the Senate passed a bill that was not allowed under the Constitution, we took one up ourselves and we passed that one, and it was constitutional and it was a good bill. There was more that needed to be done, but for what it did, it was a good bill. It dealt largely with securing our border. Because the question people are not asking and the President is not answering is a very important question.

If this act of amnesty, unconstitutional, illegal as it is, if this act of amnesty is allowed to stand, and obviously the border is not secure, we still have thousands and thousands continuing to come across our border illegally, and nowadays nobody apparently is being turned away, then the big question I am getting to that has to be answered is: How often should we go ahead and have an amnesty? Because clearly, since the President has chosen to provide an amnesty unconstitutionally without securing the border first—and the vast majority of Americans do, and even a majority of our Hispanic friends that are legally here want the border secure before we do anything else.

I have said over and over, if the President will just secure the border, as we get confirmed by the border States, not by anybody over at Homeland Security—we have already seen their kind of work, at least the people at the top—but if it is confirmed by the border States that the borders are now factually secured, then people would be amazed at what the House and the Senate can negotiate on and get accomplished.

But until the border is secured, then we have to decide, if this amnesty is going to stand, as unconstitutional and as illegal as it is, how often should we give an amnesty? The President has given amnesty to 5 million this time. And, of course, those 5 million are in this time where there is already over 92 million people of working age who are not working, they have given up even trying to get a job, and there are millions more that are looking for jobs and can't find them. So we will put 5 million Americans out of work, middle class, poor working Americans that are legally here. They will be put out of work. Why? Because people that have just gotten an amnesty, as unconstitutional as it is, they will surely take jobs for lesser pay than what the American citizens or legal permanent residents were getting paid, so they will bump them out of a job.

And then also for any employer that hires more than 50 employees, they have learned over the last few years since ObamaCare passed, actually in 2010, employers have learned if you have got more than 50 employees, then you are going to end up paying a $3,000 fine for anybody that you don't provide what the Federal Government considers adequate insurance for.

So, for example, today, our friend Dennis Michael Lynch was pointing out that he has about 200 or so employees that are either American citizens or legally here, and the law is clear he is going to have to provide insurance that is approved by this government. That means even if they are 60 years old and they are a single man, they are going to have to have maternity coverage. Or as the couple I saw on TV, the gay or lesbian couple, women in their sixties, saying, ''We don't need maternity care.'' Well, it won't matter because they require it.

If you don't provide that very expensive insurance for your employees, if you have more than 50 employees, then you are going to be paying the $3,000 fine, penalty. As Chief Justice Roberts called it at page 14 and 15 of his opinion, clearly it is not a tax, it is a penalty, it is a fine. Never mind what he said 40 pages later. But you are going to have to pay this fine, this penalty, of $3,000 per employee.

So for somebody like our friend Dennis Michael Lynch, this President has, by his act of amnesty, conveyed to Dennis Michael Lynch: If you will let those 200 American citizens or legal permanent residents who have done everything the right way, if you will allow them to be fired, let them go, and then hire these people who are illegally in the country, then my administration has put in place a law called, informally, ObamaCare that will save you $600,000.

So basically, Dennis Michael Lynch, how would you like to take home an extra $600,000 this next year? All you have got to do is let your American citizens go, hire people illegally in the country, because under this royal decree from the White House they don't have to be provided insurance.

So Dennis Michael Lynch can save at least $600,000. It may be he had 300 employees, in which case he gets to pocket an extra $900,000 if he'll just let the American citizens go and hire those folks that are illegally here. And since there are 5 million of those folks that are going to be looking for jobs, then 300 is a drop in the bucket compared to the 5 million. But $600- to $900,000 for one person in extra income, that is some serious money. Even for people in Congress, that is serious money.

But that also doesn't address the issue of whether or not Dennis Michael Lynch, if he went ahead and did that and made himself an extra $600- to $900,000 next year, it doesn't address the issue of whether a new President that comes in in January of 2017 might have their Justice Department actually follow the law, and even though might not be able to pursue the aliens illegally here that got jobs, certainly would be able to prosecute the employers.

But here again, the President could do what President Clinton did and leave his successor sitting there waiting on Inauguration Day while he signs 5 million pardons, and he could do that. That doesn't seem to have been this administration's history. If you get thrown under the bus, someone else has said before: When this administration throws you under the bus, they mean for you to stay there. So you probably shouldn't count on a pardon in the future for people that violate the law and don't have a pardon in their hand before this President leaves office.

Now, there has been a lot of discussion among Republicans here in the House and among some of our friends. In fact, some of us have been talking tonight about what is the best way to address this unconstitutional amnesty. And I know our leadership has talked about, well, we could fund all of the government with an omnibus, taking appropriations bills that have been done already by the House—there have been seven of those—adding four to them, and then not funding the Department of Homeland Security and only funding them until March, and then by March of next year we could try to overturn the amnesty action taken by the President.

□ 2015

Most of us believe if those permits are issued before Congress stops them, it is going to be difficult to get enough votes to withdraw the permits. Once they are out there, it is going to be so tough to get them withdrawn. Some of us have been saying we don't think we can wait until March because, if you wait until March, there is a real risk that permits are done.

Maybe if we just do a short-term CR until January, when we get the new Senate in, then we can act on that, but another problem there is that it is not just the Department of Homeland Security that is involved in this process for people that are here illegally.

You have the Department of Homeland Security. You also have the Bureau of Consular Affairs that is involved in this unconstitutional amnesty. That is the State Department that is involved. You have the Department of Defense that has been involved in housing for the next influx of people as they flood in. DOD housed many of those people initially.

You have got Health and Human Services, who takes custody of minors that comes in and ships them all over the country. You have got Social Security that is going to be issuing Social Security numbers. You have got the Department of Justice and CJS for immigration court processing. You have got HUD for housing.

There are a lot of issues here, and as somebody once said, you should never take a hostage that the other person you are trying to influence by taking hostage is willing for you to shoot. It doesn't do you much good to take a hostage that the other side wants you to shoot.

We need to be concerned that if we say, ''All right. We are not funding the Department of Homeland Security until you cease this illegal and unconstitutional action,'' the President might say, ''So you mean you're not

going to fund the Border Patrol? In other words, you're going to leave the border wide open, so that anybody wants to come in, can. And that's your threat. You are going to leave the border wide open for anybody to come in unless I back off of my amnesty.''

Well, good luck. That is not going to do the trick. We need a short-term CR to get us into the first of the year. For example, the House has defunded ourselves over a 4-year period by over 20 percent. We cut our own budgets over 20 percent. Nobody noticed, nobody cared, except those of us in the House. We had to make real adjustments.

If we can make those adjustments, I think the White House ought to be able to make those adjustments. Maybe they could do with a few less czars—maybe we defund all the czars—but there are smart ways to defund the waste, fraud, and abuse in the executive branch, and I don't think it is a good idea to start with Homeland Security.

At the same time, what happens when those employers that hire the 5 million people that have just been given amnesty are able to save millions of dollars? What happens to them? They are going to make more money than ever, and that is during a President's administration who has presided for the first time in our history over a Nation where 95 percent of all the income has gone to the top 1 percent. It has got to stop.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 19 minutes p.m.), the House stood in recess.

□ 2139

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BURGESS) at 9 o'clock and 39 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 3979, PROTECTING VOLUNTEER FIREFIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014; PROVIDING FOR CONSIDERATION OF H.R. 5759, EXECUTIVE AMNESTY PREVENTION ACT OF 2014; AND PROVIDING FOR CONSIDERATION OF H.R. 5781, CALIFORNIA EMERGENCY DROUGHT RELIEF ACT OF 2014

Mr. NUGENT, from the Committee on Rules, submitted a privileged report (Rept. No. 113–646) on the resolution (H. Res. 770) providing for consideration of the Senate amendment to the bill (H.R. 3979) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; providing for consideration of the bill (H.R. 5759) to establish a rule of construction clarifying the limitations on executive authority to provide certain forms of immigration relief; and providing for consideration of the bill (H.R. 5781) to provide short-term water supplies to drought-stricken California, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ADERHOLT (at the request of Mr. MCCARTHY of California) for today on account of a family illness.

Mr. DOYLE (at the request of Ms. PELOSI) for today on account of family medical issues.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1237. An act to improve the administration of programs in the insular areas, and for other purposes; to the Committee on Natural Resources; in addition to the Committee on Energy and Commerce and the Committee on Education and the Workforce and the Committee on Financial Services and the Committee on Transportation and Infrastructure and the Committee on Oversight and Government Reform for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2203. An act to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, December 4, 2014, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8134. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule — Regulation Systems Compliance and Integrity [Release No.: 34-73639; File No.: S7-01-13] (RIN: 3235-AL43) received December 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8135. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments [Docket No.: FDA-2011-F-0172] (RIN: 0910-AG57) received December 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8136. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Food Labeling; Calorie Labeling of Articles of Food in Vending Machines [Docket No.: FDA-2011-F-0171] (RIN: 0910-AG56) received December 1, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8137. A letter from the Secretary, Department of Commerce, transmitting the Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for February 26, 2014, to August 25, 2014; to the Committee on Oversight and Government Reform.

8138. A letter from the Secretary, Department of Transportation, transmitting the Semiannual Report of the Office of Inspector General for the period ending September 30, 2014; to the Committee on Oversight and Government Reform.

8139. A letter from the Secretary, Department of the Treasury, transmitting the Agency Financial Report for FY 2014; to the Committee on Oversight and Government Reform.

8140. A letter from the Chairwoman, Federal Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period from April 1, 2014, through September 30, 2014, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); Public Law 95-452, section 5(b); to the Committee on Oversight and Government Reform.

8141. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Revisions to Framework Adjustment 51 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements; Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2014 [Docket No.: 140624530-4848-01] (RIN: 0648-XD354) received November 24, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8142. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Pelagic Fisheries; U.S. Territorial Catch and Fishing Effort Limits [Docket No.: 130708597-4380-01] (RIN: 0648-BD46) received November 24, 2014, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4971. A bill to direct the Secretary of Veterans Affairs to conduct annual surveys of veterans on experiences obtaining hospital care and medical services from medical facilities of the Department of Veterans Affairs, and for other purposes; with an amendment (Rept. 113–645). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUGENT: Committee on Rules. House Resolution 770. Resolution providing for consideration of the Senate amendment to the bill (H.R. 3979) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; providing for consideration of the bill (H.R. 5759) to establish a rule of construction clarifying the limitations on executive authority to provide certain forms of immigration relief; and providing for consideration of the bill (H.R. 5781) to provide short-term water supplies to drought-stricken California (Rept. 113–646). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CARTWRIGHT (for himself, Mr. RIBBLE, Mr. HINOJOSA, Ms. NORTON, Ms. SCHWARTZ, Mr. SMITH of Washington, Ms. TITUS, Ms. TSONGAS, and Mr. HASTINGS of Florida):

H.R. 5783. A bill to amend the Social Security Act, the Food and Nutrition Act of 2008, and the Low-Income Home Energy Assistance Act of 1981 to require that the value of child's savings accounts be disregarded for the purpose of determining eligibility to receive benefits under such Acts; and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Ms. TITUS):

H.R. 5784. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide additional educational assistance under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs to certain eligible individuals; to the Committee on Veterans' Affairs.

By Mr. GRAYSON:

H.R. 5785. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion from gross income of discharges of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Mr. LANKFORD (for himself and Mr. WELCH):

H.R. 5786. A bill to amend certain banking statutes to exempt community banks from certain regulatory requirements, to include a community bank representative in the membership of the Board of Governors of the Federal Reserve System, to create a process for a county to be designated as a rural area, and for other purposes; to the Committee on Financial Services.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. GRIFFIN of Arkansas):

H.R. 5787. A bill to amend the Internal Revenue Code of 1986 to exclude payments received under the Work Colleges Program from gross income, including payments made from institutional funds; to the Committee on Ways and Means.

By Mr. HUELSKAMP:

H.R. 5788. A bill to designate the Junction City Community-Based Outpatient Clinic located at 715 Southwind Drive, Junction City, Kansas, as the Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER:

H.R. 5789. A bill to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog; to the Committee on the Judiciary.

By Mr. YOUNG of Indiana:

H.R. 5790. A bill to authorize the Director of the National Institutes of Health to design and enter into agreements for the implementation of prize competitions with the goal of improving health outcomes and thereby reducing Federal expenditures; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL:

H. Con. Res. 120. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on House Administration. considered and agreed to.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CARTWRIGHT:

H.R. 5783.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 2: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. MCKINLEY:

H.R. 5784.

Congress has the power to enact this legislation pursuant to the following:

The bill is authorized by Congress' power to ''provide for the common Defense and general Welfare of the United States'' pursuant to Article I, section 8 of the United States Constitution.

By Mr. GRAYSON:

H.R. 5785.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. LANKFORD:

H.R. 5786.

Congress has the power to enact this legislation pursuant to the following:

Congress has the explicit constitutional authority to regulate commerce ''with foreign Nations, and among the several States, and with Indian tribes:'' as enumerated in Article 1, Section 8, Clause 3, of the United States Constitution.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5787.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which states ''The Congress shall have Power To lay and collect Taxes. . .,'' and Article I, Section 7, which states ''All Bills for raising Revenue shall originate in the House of Representatives.''

By Mr. HUELSKAMP:

H.R. 5788.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 ''The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powes, and all other Powers vested by the Constitution in the Government of hte United States, or in any Department or Officer thereof''

By Mr. SENSENBRENNER:

H.R. 5789.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. YOUNG of Indiana:

H.R. 5790.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 352: Mr. PITTENGER.

H.R. 597: Ms. DELAURO.

H.R. 942: Mr. MCHENRY, Mr. SMITH of Texas, Mr. COLLINS of Georgia, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, Mr. HIMES, Mr. LIPINSKI, and Ms. BROWNLEY of California.

H.R. 1015: Mr. CUMMINGS and Mr. QUIGLEY.

H.R. 1094: Ms. DEGETTE.

H.R. 1229: Mr. RICHMOND, Mr. POCAN, Mr. LYNCH, Mr. HASTINGS of Florida, and Mr. ELLISON.

H.R. 1998: Ms. DEGETTE.

H.R. 2288: Mr. RANGEL.

H.R. 2591: Mr. JOHNSON of Georgia.

H.R. 2907: Mr. SALMON.

H.R. 2994: Mr. DOGGETT, Mr. LEWIS, Mr. SHUSTER, Mr. ROSS, Ms. MENG, Mrs. DAVIS of California, Mr. SCHIFF, Mr. PERLMUTTER, Mrs. CAPPS, Ms. ESTY, Mr. CUMMINGS, and Mr. FLEMING.

H.R. 3116: Mr. FRELINGHUYSEN, Mr. CAPUANO, and Mrs. WALORSKI.

H.R. 3172: Mr. HONDA.

H.R. 3836: Mr. FOSTER, Mr. COSTA, and Mrs. LUMMIS.

H.R. 4122: Ms. LOFGREN.

H.R. 4188: Mr. RUIZ.

H.R. 4341: Mr. HASTINGS of Florida, Mr. ELLISON, Mr. LEWIS, Ms. KAPTUR, Mr. MATHESON, Ms. MATSUI, and Mr. MCGOVERN.

H.R. 4395: Mr. PRICE of North Carolina and Ms. BROWNLEY of California.

H.R. 4752: Mr. RANGEL.

H.R. 4842: Ms. LOFGREN.

H.R. 4851: Mr. HIMES.

H.R. 4930: Ms. EDWARDS, Mr. COFFMAN, Ms. LORETTA SANCHEZ of California, and Mr. NEAL.

H.R. 4951: Ms. DELBENE.

H.R. 4969: Mr. DEFAZIO.

H.R. 5082: Mr. THOMPSON of California.

H.R. 5197: Ms. KAPTUR.

H.R. 5226: Mr. COOPER.

H.R. 5227: Mr. HOLDING.

H.R. 5294: Mr. POCAN, Mr. BLUMENAUER, and Mr. HORSFORD.
H.R. 5343: Mr. ELLISON.
H.R. 5353: Mr. RANGEL.
H.R. 5364: Ms. MCCOLLUM.
H.R. 5368: Ms. LEE of California.
H.R. 5373: Ms. LOFGREN and Mr. QUIGLEY.
H.R. 5380: Mr. RANGEL.
H.R. 5403: Mr. POE of Texas and Mr. CHABOT.
H.R. 5417: Mr. DUNCAN of Tennessee.
H.R. 5454: Mr. MORAN, Ms. FRANKEL of Florida, Mr. MARINO, Mrs. LOWEY, Mr. SCHIFF, Mr. GRIJALVA, Mr. GARAMENDI, Mr. BLUMENAUER, Mr. LOWENTHAL, Mr. HUFFMAN, and Ms. LEE of California.
H.R. 5478: Ms. DEGETTE.
H.R. 5484: Ms. ESTY, Mr. BILIRAKIS, and Ms. PINGREE of Maine.
H.R. 5504: Mr. PRICE of North Carolina.
H.R. 5505: Mrs. WALORSKI.
H.R. 5580: Mr. KING of New York.
H.R. 5620: Mr. PAYNE.
H.R. 5644: Mr. JOLLY.
H.R. 5656: Mr. REICHERT, Mr. HANNA, Ms. LEE of California, Mr. FATTAH, and Ms. FUDGE.
H.R. 5705: Mr. LOEBSACK, Mr. WELCH, and Mr. RIBBLE.
H.R. 5706: Mr. LAMBORN.
H.R. 5710: Mr. FATTAH.
H.R. 5721: Mr. CONNOLLY.
H.R. 5737: Mr. JONES.
H.R. 5753: Ms. KAPTUR and Mrs. MILLER of Michigan.
H.R. 5759: Mr. MCKINLEY and Mr. KLINE.
H.R. 5768: Mr. JORDAN, Mr. LAMBORN, Mr. COOK, Mr. FLORES, Mr. WILSON of South Carolina, Mr. BROUN of Georgia, Mr. WALBERG, Mr. MARINO, Mr. PITTENGER, Mr. LAMALFA, Mr. YODER, Mr. DUNCAN of South Carolina, Mr. YOHO, and Mr. MULVANEY.
H.R. 5780: Mr. CARNEY.
H.R. 5782: Mr. FITZPATRICK.
H. Res. 109: Mr. JEFFRIES, Ms. WASSERMAN SCHULTZ, Ms. FRANKEL of Florida, and Mrs. MCMORRIS RODGERS.
H. Res. 190: Mrs. KIRKPATRICK and Mr. DOYLE.
H. Res. 281: Mr. BENISHEK, Mr. GRIFFITH of Virginia, Mr. ROSS, Mr. SERRANO, Mr. JOLLY, Mr. COHEN, Ms. EDWARDS, and Mr. GIBSON.
H. Res. 428: Mr. PASTOR of Arizona.
H. Res. 596: Mrs. BACHMANN and Mr. LOWENTHAL.
H. Res. 688: Ms. DELAURO, Mr. AL GREEN of Texas, Mr. PRICE of North Carolina, and Ms. BROWN of Florida.
H. Res. 728: Mr. POCAN and Ms. CLARK of Massachusetts.
H. Res. 757: Mr. GRIFFITH of Virginia.
H. Res. 758: Mr. SHIMKUS and Mr. CHABOT.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 5759 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. HASTINGS OF WASHINGTON

The provisions of H.R. 5781, the California Emergency Drought Relief Act of 2014, that fall within the jurisdiction of the Committee on Natural Resources do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House Rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

113. The SPEAKER presented a petition of the City Commission of Miami, Florida, relative to Resolution R-14-0387 urging the 113th Congress to enact the ''All-American Flag Act''; which was referred to the Committee on Oversight and Government Reform.