

# 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:

Sec. 1. Short title, etc.

## TITLE I—CERTAIN EXPIRING PROVISIONS

### Subtitle A—Individual Tax Extenders

- Sec. 101. Extension of deduction for certain expenses of elementary and secondary school teachers.
- Sec. 102. Extension of exclusion from gross income of discharge of qualified principal residence indebtedness.
- Sec. 103. Extension of parity for employer-provided mass transit and parking benefits.
- Sec. 104. Extension of mortgage insurance premiums treated as qualified residence interest.
- Sec. 105. Extension of deduction of State and local general sales taxes.
- Sec. 106. Extension of special rule for contributions of capital gain real property made for conservation purposes.
- Sec. 107. Extension of above-the-line deduction for qualified tuition and related expenses.
- Sec. 108. Extension of tax-free distributions from individual retirement plans for charitable purposes.

### Subtitle B—Business Tax Extenders

- Sec. 111. Extension of research credit.
- Sec. 112. Extension of temporary minimum low-income housing tax credit rate for non-federally subsidized buildings.
- Sec. 113. Extension of military housing allowance exclusion for determining whether a tenant in certain counties is low-income.
- Sec. 114. Extension of Indian employment tax credit.
- Sec. 115. Extension of new markets tax credit.
- Sec. 116. Extension of railroad track maintenance credit.
- Sec. 117. Extension of mine rescue team training credit.

- Sec. 118. Extension of employer wage credit for employees who are active duty members of the uniformed services.
- Sec. 119. Extension of work opportunity tax credit.
- Sec. 120. Extension of qualified zone academy bonds.
- Sec. 121. Extension of classification of certain race horses as 3-year property.
- Sec. 122. Extension of 15-year straight-line cost recovery for qualified leasehold improvements, qualified restaurant buildings and improvements, and qualified retail improvements.
- Sec. 123. Extension of 7-year recovery period for motorsports entertainment complexes.
- Sec. 124. Extension of accelerated depreciation for business property on an Indian reservation.
- Sec. 125. Extension of bonus depreciation.
- Sec. 126. Extension of enhanced charitable deduction for contributions of food inventory.
- Sec. 127. Extension of increased expensing limitations and treatment of certain real property as section 179 property.
- Sec. 128. Extension of election to expense mine safety equipment.
- Sec. 129. Extension of special expensing rules for certain film and television productions.
- Sec. 130. Extension of deduction allowable with respect to income attributable to domestic production activities in Puerto Rico.
- Sec. 131. Extension of modification of tax treatment of certain payments to controlling exempt organizations.
- Sec. 132. Extension of treatment of certain dividends of regulated investment companies.
- Sec. 133. Extension of RIC qualified investment entity treatment under FIRPTA.
- Sec. 134. Extension of subpart F exception for active financing income.
- Sec. 135. Extension of look-thru treatment of payments between related controlled foreign corporations under foreign personal holding company rules.
- Sec. 136. Extension of temporary exclusion of 100 percent of gain on certain small business stock.
- Sec. 137. Extension of basis adjustment to stock of S corporations making charitable contributions of property.
- Sec. 138. Extension of reduction in S-corporation recognition period for built-in gains tax.
- Sec. 139. Extension of empowerment zone tax incentives.
- Sec. 140. Extension of temporary increase in limit on cover over of rum excise taxes to Puerto Rico and the Virgin Islands.
- Sec. 141. Extension of American Samoa economic development credit.

### Subtitle C—Energy Tax Extenders

- Sec. 151. Extension of credit for nonbusiness energy property.
- Sec. 152. Extension of second generation biofuel producer credit.
- Sec. 153. Extension of incentives for biodiesel and renewable diesel.
- Sec. 154. Extension of production credit for Indian coal facilities placed in service before 2009.
- Sec. 155. Extension of credits with respect to facilities producing energy from certain renewable resources.

- Sec. 156. Extension of credit for energy-efficient new homes.
  - Sec. 157. Extension of special allowance for second generation biofuel plant property.
  - Sec. 158. Extension of energy efficient commercial buildings deduction.
  - Sec. 159. Extension of special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.
  - Sec. 160. Extension of excise tax credits relating to certain fuels.
  - Sec. 161. Extension of credit for alternative fuel vehicle refueling property.
- Subtitle D—Extenders Relating to Multiemployer Defined Benefit Pension Plans
- Sec. 171. Extension of automatic extension of amortization periods.
  - Sec. 172. Extension of shortfall funding method and endangered and critical rules.

## TITLE II—TECHNICAL CORRECTIONS

- Sec. 201. Short title.
  - Sec. 202. Amendments relating to American Taxpayer Relief Act of 2012.
  - Sec. 203. Amendment relating to Middle Class Tax Relief and Job Creation Act of 2012.
  - Sec. 204. Amendment relating to FAA Modernization and Reform Act of 2012.
  - Sec. 205. Amendments relating to Regulated Investment Company Modernization Act of 2010.
  - Sec. 206. Amendments relating to Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.
  - Sec. 207. Amendments relating to Creating Small Business Jobs Act of 2010.
  - Sec. 208. Clerical amendment relating to Hiring Incentives to Restore Employment Act.
  - Sec. 209. Amendments relating to American Recovery and Reinvestment Tax Act of 2009.
  - Sec. 210. Amendments relating to Energy Improvement and Extension Act of 2008.
  - Sec. 211. Amendments relating to Tax Extenders and Alternative Minimum Tax Relief Act of 2008.
  - Sec. 212. Clerical amendments relating to Housing Assistance Tax Act of 2008.
  - Sec. 213. Amendments and provision relating to Heroes Earnings Assistance and Relief Tax Act of 2008.
  - Sec. 214. Amendments relating to Economic Stimulus Act of 2008.
  - Sec. 215. Amendments relating to Tax Technical Corrections Act of 2007.
  - Sec. 216. Amendment relating to Tax Relief and Health Care Act of 2006.
  - Sec. 217. Amendment relating to Safe, Accountable, Flexible, Efficient Transportation Equity Act of 2005: A Legacy for Users.
  - Sec. 218. Amendments relating to Energy Tax Incentives Act of 2005.
  - Sec. 219. Amendments relating to American Jobs Creation Act of 2004.
  - Sec. 220. Other clerical corrections.
  - Sec. 221. Deadwood provisions.
- ## TITLE III—JOINT COMMITTEE ON TAXATION
- Sec. 301. Increased refund and credit threshold for Joint Committee on Taxation review of C corporation return.
- ## TITLE IV—BUDGETARY EFFECTS
- Sec. 401. Budgetary effects.

**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 em-

ployer” 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 (i) 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 1161.**—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 re-

ferred 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 INCLUDED.—

“(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 "give-away" 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 en-

ergy, 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, get-

ting 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 In-

ternal 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)(i), 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 ac-

tually 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	Gallego	Meng
Barber	Garamendi	Michaud
Barrow (GA)	Garcia	Miller, George
Bass	Grayson	Moore
Beatty	Green, Al	Moran
Becerra	Green, Gene	Murphy (FL)
Bera (CA)	Grijalva	Nadler
Bishop (GA)	Gutiérrez	Napolitano
Bishop (NY)	Hahn	Neal
Blumenauer	Hanabusa	Nolan
Bonamici	Hastings (FL)	Norcross
Brady (PA)	Heck (WA)	O'Rourke
Braley (IA)	Higgins	Owens
Brown (FL)	Himes	Pallone
Brownley (CA)	Hinojosa	Pascarella
Bustos	Holt	Pastor (AZ)
Butterfield	Honda	Payne
Capps	Horsford	Pelosi
Cárdenas	Hoyer	Perlmutter
Carney	Huffman	Peters (CA)
Carson (IN)	Israel	Peters (MI)
Cartwright	Jackson Lee	Peterson
Castor (FL)	Jeffries	Pingree (ME)
Castro (TX)	Johnson (GA)	Pocan
Chu	Johnson, E. B.	Polis
Cicilline	Jones	Price (NC)
Clark (MA)	Kaptur	Quigley
Clarke (NY)	Keating	Rahall
Clay	Kelly (IL)	Rangel
Cleaver	Kennedy	Richmond
Clyburn	Kildee	Roybal-Allard
Cohen	Kilmer	Ruiz
Connolly	Kind	Ruppersberger
Conyers	Kirkpatrick	Rush
Cooper	Kuster	Ryan (OH)
Costa	Langevin	Sánchez, Linda
Courtney	Larsen (WA)	T.
Crowley	Larson (CT)	Sanchez, Loretta
Cuellar	Lee (CA)	Sarbanes
Cummings	Levin	Schakowsky
Davis (CA)	Lewis	Schiff
Davis, Danny	Lipinski	Schneider
DeFazio	Loebsock	Schrader
DeGette	Lofgren	Schwartz
Delaney	Lowenthal	Scott (VA)
DeLauro	Lowe	Scott, David
DelBene	Lujan Grisham	Serrano
Deutsch	(NM)	Swell (AL)
Dingell	Luján, Ben Ray	Shea-Porter
Doggett	(NM)	Sherman
Duncan (TN)	Lynch	Sinema
Edwards	Maffei	Sires
Ellison	Maloney	Slaughter
Engel	Carolyn	Smith (WA)
Enyart	Maloney, Sean	Speier
Eshoo	Matheson	Swalwell (CA)
Esty	Matsui	Takano
Farr	McCollum	Thompson (CA)
Fattah	McDermott	Thompson (MS)
Foster	McGovern	Tierney
Frankel (FL)	McIntyre	Titus
Fudge	McNerney	Tonko
Gabbard	Meeks	Tsongas

Van Hollen  
Vargas  
Veasey  
Vela

Velázquez  
Visclosky  
Walz  
Waters

Waxman  
Welch  
Wilson (FL)  
Yarmuth

NAYS—223

Amash	Graves (GA)	Petri
Amodel	Graves (MO)	Pittenger
Bachmann	Griffin (AR)	Pitts
Bachus	Griffith (VA)	Poe (TX)
Barletta	Grimm	Pompeo
Barr	Guthrie	Posey
Barton	Hanna	Price (GA)
Benishek	Harper	Reed
Bentivolio	Harris	Reichert
Bilirakis	Hartzler	Renacci
Black	Hastings (WA)	Ribble
Blackburn	Heck (NV)	Rice (SC)
Boustany	Hensarling	Rigell
Brady (TX)	Herrera Beutler	Roby
Brat	Holding	Roe (TN)
Bridenstine	Hudson	Rogers (AL)
Brooks (AL)	Huelskamp	Rogers (KY)
Brooks (IN)	Huizenga (MI)	Rogers (MI)
Broun (GA)	Hultgren	Rohrabacher
Buchanan	Hunter	Rokita
Bucshon	Hurt	Rooney
Burgess	Issa	Ros-Lehtinen
Byrne	Jenkins	Roskam
Calvert	Johnson (OH)	Ross
Camp	Johnson, Sam	Rothfus
Campbell	Jolly	Royce
Carter	Jordan	Runyan
Cassidy	Joyce	Ryan (WI)
Chabot	Kelly (PA)	Salmon
Chaffetz	King (IA)	Sanford
Clawson (FL)	King (NY)	Scalise
Coble	Kingston	Schock
Coffman	Kinzing (IL)	Schweikert
Cole	Kline	Scott, Austin
Collins (GA)	Labrador	Sensenbrenner
Collins (NY)	LaMalfa	Sessions
Conaway	Lamborn	Shimkus
Cook	Lance	Shuster
Cotton	Lankford	Simpson
Cramer	Latham	Smith (MO)
Crawford	Latta	Smith (NE)
Crenshaw	LoBiondo	Smith (NJ)
Culberson	Long	Smith (TX)
Daines	Lucas	Stewart
Davis, Rodney	Luetkemeyer	Stivers
Denham	Lummis	Stockman
Dent	Marchant	Stutzman
DeSantis	Marino	Terry
DesJarlais	Massie	Thompson (PA)
Diaz-Balart	McAllister	Thornberry
Duffy	McCarthy (CA)	Tiberi
Duncan (SC)	McClintock	Tipton
Ellmers	McHenry	Turner
Farenthold	McKinley	Upton
Fincher	McMorris	Valadao
Fitzpatrick	Rodgers	Wagner
Fleischmann	Meadows	Walberg
Fleming	Meehan	Walden
Flores	Messer	Walorski
Forbes	Mica	Weber (TX)
Fortenberry	Miller (FL)	Webster (FL)
Fox	Miller (MI)	Westrup
Franks (AZ)	Mullin	Westmoreland
Frelinghuysen	Mulvaney	Whitfield
Gardner	Murphy (PA)	Williams
Garrett	Neugebauer	Wilson (SC)
Gerlach	Noem	Wittman
Gibbs	Nugent	Wolf
Gibson	Nunes	Womack
Gingrey (GA)	Nunnelee	Woodall
Gohmert	Olson	Yoder
Goodlatte	Palazzo	Yoho
Gosar	Paulsen	Young (AK)
Gowdy	Pearce	Young (IN)
Granger	Perry	

NOT VOTING—14

Aderholt	Duckworth	Miller, Gary
Bishop (UT)	Hall	Negrete McLeod
Capito	McCarthy (NY)	Southerland
Capuano	McCauley	Wasserman
Doyle	McKeon	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	Culberson	Herrera Beutler
Amodel	Cummings	Higgins
Bachmann	Daines	Himes
Bachus	Davis (CA)	Hinojosa
Barber	Davis, Danny	Holding
Barletta	Davis, Rodney	Holt
Barr	DeFazio	Honda
Barrow (GA)	DeGette	Horsford
Barton	Delaney	Hoyer
Bass	DeLauro	Hudson
Beatty	DelBene	Huffman
Benishek	Denham	Huizenga (MI)
Bentivolio	Dent	Hultgren
Bera (CA)	DeSantis	Hunter
Bilirakis	DesJarlais	Israel
Bishop (GA)	Deutsch	Issa
Bishop (NY)	Diaz-Balart	Jackson Lee
Black	Dingell	Jeffries
Blackburn	Doggett	Jenkins
Bonamici	Duncan (TN)	Johnson (GA)
Boustany	Edwards	Johnson (OH)
Brady (PA)	Ellmers	Johnson, E. B.
Brady (TX)	Engel	Johnson, Sam
Braley (IA)	Enyart	Jolly
Brat	Eshoo	Joyce
Bridenstine	Esty	Kaptur
Brooks (AL)	Farenthold	Keating
Brooks (IN)	Farr	Kelly (IL)
Brown (FL)	Fattah	Kelly (PA)
Brownley (CA)	Fincher	Kennedy
Buchanan	Fitzpatrick	Kildee
Bucshon	Fleischmann	Kilmer
Burgess	Flores	Kind
Bustos	Forbes	King (IA)
Butterfield	Fortenberry	King (NY)
Byrne	Foster	Kingston
Calvert	Fox	Kinzinger (IL)
Camp	Frankel (FL)	Kirkpatrick
Campbell	Franks (AZ)	Kline
Capito	Frelinghuysen	Kuster
Capps	Fudge	LaMalfa
Cárdenas	Gabbard	Lance
Carney	Gallego	Langevin
Carson (IN)	Garamendi	Larsen (WA)
Carter	Garcia	Larson (CT)
Cartwright	Gardner	Latham
Cassidy	Gerlach	Latta
Castor (FL)	Gibbs	Lee (CA)
Castro (TX)	Gibson	Levin
Chabot	Gingrey (GA)	Lipinski
Chaffetz	Gohmert	LoBiondo
Chu	Goodlatte	Loebsack
Cicilline	Gosar	Lofgren
Clark (MA)	Granger	Long
Cleaver	Graves (GA)	Lowenthal
Clyburn	Graves (MO)	Lowe
Coble	Grayson	Lucas
Coffman	Green, Al	Luetkemeyer
Cohen	Green, Gene	Lujan Grisham
Cole	Griffin (AR)	(NM)
Collins (GA)	Griffith (VA)	Luján, Ben Ray
Collins (NY)	Grimm	(NM)
Conaway	Guthrie	Lynch
Connolly	Gutiérrez	Maffei
Conyers	Hahn	Maloney,
Cook	Hanabusa	Carolyn
Costa	Hanna	Maloney, Sean
Courtney	Harper	Marchant
Cramer	Hartzler	Marino
Crawford	Hastings (WA)	Massie
Crenshaw	Heck (NV)	Matheson
Crowley	Heck (WA)	Matsui
Cuellar	Hensarling	McAllister

McCarthy (CA)	Quigley	Smith (MO)
McCaul	Rahall	Smith (NE)
McCollum	Rangel	Smith (NJ)
McDermott	Reed	Smith (TX)
McGovern	Reichert	Smith (WA)
McHenry	Renacci	Southerland
McIntyre	Rice (SC)	Speier
McKinley	Richmond	Stewart
McMorris	Rigell	Stivers
Rodgers	Roby	Stutzman
McNerney	Roe (TN)	Swalwell (CA)
Meehan	Rogers (AL)	Takano
Meeks	Rogers (KY)	Terry
Meng	Rogers (MI)	Thompson (MS)
Messer	Rohrabacher	Thompson (PA)
Mica	Rokita	Thornberry
Michaud	Rooney	Tiberi
Miller (FL)	Ros-Lehtinen	Tierney
Miller (MI)	Roskam	Tipton
Miller, George	Ross	Titus
Moore	Rothfus	Tonko
Moran	Roybal-Allard	Tsongas
Mullin	Royce	Turner
Murphy (FL)	Ruiz	Upton
Murphy (PA)	Runyan	Valadao
Nadler	Ruppersberger	Van Hollen
Neal	Rush	Vargas
Neugebauer	Ryan (OH)	Veasey
Noem	Ryan (WI)	Vela
Nolan	Salmon	Velázquez
Norcross	Sánchez, Linda	Wagner
Nugent	T.	Walberg
Nunes	Sanchez, Loretta	Walden
Nunnelee	Sarbanes	Walorski
Olson	Scalise	Walz
Owens	Schiff	Wasserman
Palazzo	Schneider	Schultz
Pastor (AZ)	Schock	Waters
Paulsen	Schrader	Waxman
Payne	Schwartz	Weber (TX)
Pearce	Schweikert	Webster (FL)
Pelosi	Scott (VA)	Wenstrup
Perlmutter	Scott, Austin	Westmoreland
Perry	Scott, David	Williams
Peters (CA)	Sensenbrenner	Wilson (FL)
Peters (MI)	Serrano	Wilson (SC)
Peterson	Sessions	Wittman
Petri	Sewell (AL)	Wolf
Pingree (ME)	Shea-Porter	Womack
Pittenger	Sherman	Woodall
Pitts	Shimkus	Yarmuth
Poe (TX)	Simpson	Yoder
Posey	Sinema	Yoho
Price (GA)	Sires	Young (AK)
Price (NC)	Slaughter	Young (IN)

#### NOES—46

Amash	Harris	Pallone
Becerra	Hastings (FL)	Pascarell
Blumenauer	Huelskamp	Pocan
Broun (GA)	Jones	Polis
Clarke (NY)	Jordan	Pompeo
Clawson (FL)	Labrador	Ribble
Clay	Lamborn	Sanford
Cooper	Lankford	Schakowsky
Cotton	Lee (CA)	Shuster
Duffy	Lewis	Stockman
Duncan (SC)	Lummis	Thompson (CA)
Ellison	McClintock	Visclosky
Fleming	Meadows	Welch
Garrett	Mulvaney	Whitfield
Gowdy	Napolitano	
Grijalva	O'Rourke	

#### NOT VOTING—10

Aderholt	Duckworth	Miller, Gary
Bishop (UT)	Hall	Negrete McLeod
Capuano	McCarthy (NY)	
Doyle	McKeon	

□ 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	Davis (CA)	Holding
Amodel	Davis, Danny	Holt
Bachmann	Davis, Rodney	Honda
Bachus	DeFazio	Horsford
Barber	DeGette	Hoyer
Barletta	Delaney	Hudson
Barr	DeLauro	Huffman
Barrow (GA)	DelBene	Huizenga (MI)
Barton	Denham	Hultgren
Bass	Dent	Hunter
Beatty	DeSantis	Hurt
Benishek	DesJarlais	Israel
Bentivolio	Deutch	Issa
Bera (CA)	Diaz-Balart	Jackson Lee
Bilirakis	Dingell	Jeffries
Bishop (GA)	Doggett	Jenkins
Bishop (NY)	Duffy	Johnson (GA)
Black	Duncan (SC)	Johnson (OH)
Blackburn	Duncan (TN)	Johnson, E. B.
Blumenauer	Edwards	Johnson, Sam
Bonamici	Ellison	Jolly
Boustany	Ellmers	Jordan
Brady (PA)	Engel	Joyce
Brady (TX)	Enyart	Kaptur
Braley (IA)	Eshoo	Keating
Brat	Esty	Kelly (IL)
Brooks (AL)	Farenthold	Kelly (PA)
Brooks (IN)	Farr	Kennedy
Broun (GA)	Fattah	Kildee
Brown (FL)	Fincher	Kilmer
Brownley (CA)	Fitzpatrick	Kind
Buchanan	Fleischmann	King (IA)
Bucshon	Fleming	King (NY)
Burgess	Flores	Kingston
Bustos	Forbes	Kinzinger (IL)
Butterfield	Fortenberry	Kirkpatrick
Byrne	Foster	Kline
Calvert	Fox	Kuster
Camp	Frankel (FL)	Labrador
Campbell	Franks (AZ)	LaMalfa
Capito	Frelinghuysen	Lamborn
Capps	Fudge	Lance
Cárdenas	Gabbard	Langevin
Carney	Gallego	Lankford
Carson (IN)	Garcia	Larsen (WA)
Carter	Gardner	Larson (CT)
Cartwright	Garrett	Latham
Cassidy	Gerlach	Latta
Castor (FL)	Gibbs	Lee (CA)
Chabot	Gibson	Levin
Chaffetz	Gingrey (GA)	Lewis
Chu	Gohmert	Lipinski
Cicilline	Goodlatte	LoBiondo
Clark (MA)	Gosar	Loebsack
Cleaver	Gowdy	Lofgren
Clyburn	Granger	Long
Coble	Graves (GA)	Lowenthal
Coffman	Graves (MO)	Lowe
Cohen	Grayson	Lucas
Cole	Green, Al	Luetkemeyer
Collins (GA)	Green, Gene	Lujan Grisham
Collins (NY)	Griffin (AR)	(NM)
Conaway	Griffith (VA)	Luján, Ben Ray
Connolly	Grimm	(NM)
Conyers	Guthrie	Lummis
Cook	Gutiérrez	Lynch
Costa	Hahn	Maffei
Courtney	Hanabusa	Maloney,
Cramer	Hanna	Carolyn
Crawford	Harper	Maloney, Sean
Crenshaw	Hartzler	Marchant
Crowley	Hastings (FL)	Marino
Cuellar	Hastings (WA)	Massie
	Heck (NV)	Matheson
	Heck (WA)	Matsui
	Hensarling	McAllister
	Herrera Beutler	McCarthy (CA)
	Higgins	McCauley
	Himes	McClintock
	Hinojosa	McCollum
		McGovern