

Act. This will be the vehicle for consideration of H.R. 3763, the Surface Transportation Reauthorization and Reform Act. An amendment deadline has been set for Friday, October 30, at 2 p.m.

This is an unusual amendment process; so, I ask all Members to please read the Dear Colleague, which can be found on the Rules Committee Web site, very carefully and refer any questions to the Rules Committee staff or myself, as the chairman.

I would also like to point out that, in consultation with the Transportation and Infrastructure Committee, several changes were made to the bill, as ordered reported. A summary of those changes can also be found on the Rules Committee Web site. Please feel free to contact me or any of our staff members if we can be of assistance.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

#### ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to House Resolution 495 and as the designee of the majority leader, I call up the bill (H.R. 1314) to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. ROSELEHTINEN). The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Trade Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—TRADE PROMOTION AUTHORITY

Sec. 101. Short title.

Sec. 102. Trade negotiating objectives.

Sec. 103. Trade agreements authority.

Sec. 104. Congressional oversight, consultations, and access to information.

Sec. 105. Notice, consultations, and reports.

Sec. 106. Implementation of trade agreements.

Sec. 107. Treatment of certain trade agreements for which negotiations have already begun.

Sec. 108. Sovereignty.

Sec. 109. Interests of small businesses.

Sec. 110. Conforming amendments; application of certain provisions.

Sec. 111. Definitions.

#### TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE

Sec. 201. Short title.

Sec. 202. Application of provisions relating to trade adjustment assistance.

Sec. 203. Extension of trade adjustment assistance program.

Sec. 204. Performance measurement and reporting.

Sec. 205. Applicability of trade adjustment assistance provisions.

Sec. 206. Sunset provisions.

Sec. 207. Extension and modification of Health Coverage Tax Credit.

Sec. 208. Customs user fees.

Sec. 209. Child tax credit not refundable for taxpayers electing to exclude foreign earned income from tax.

Sec. 210. Time for payment of corporate estimated taxes.

Sec. 211. Coverage and payment for renal dialysis services for individuals with acute kidney injury.

Sec. 212. Modification of the Medicare sequester for fiscal year 2024.

#### TITLE I—TRADE PROMOTION AUTHORITY

##### SEC. 101. SHORT TITLE.

This title may be cited as the “Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

##### SEC. 102. TRADE NEGOTIATING OBJECTIVES.

(a) **OVERALL TRADE NEGOTIATING OBJECTIVES.**—The overall trade negotiating objectives of the United States for agreements subject to the provisions of section 103 are—

(1) to obtain more open, equitable, and reciprocal market access;

(2) to obtain the reduction or elimination of barriers and distortions that are directly related to trade and investment and that decrease market opportunities for United States exports or otherwise distort United States trade;

(3) to further strengthen the system of international trade and investment disciplines and procedures, including dispute settlement;

(4) to foster economic growth, raise living standards, enhance the competitiveness of the United States, promote full employment in the United States, and enhance the global economy;

(5) to ensure that trade and environmental policies are mutually supportive and to seek to protect and preserve the environment and enhance the international means of doing so, while optimizing the use of the world’s resources;

(6) to promote respect for worker rights and the rights of children consistent with core labor standards of the ILO (as set out in section 111(7)) and an understanding of the relationship between trade and worker rights;

(7) to seek provisions in trade agreements under which parties to those agreements ensure that they do not weaken or reduce the protections afforded in domestic environmental and labor laws as an encouragement for trade;

(8) to ensure that trade agreements afford small businesses equal access to international markets, equitable trade benefits, and expanded export market opportunities, and provide for the reduction or elimination of trade and investment barriers that disproportionately impact small businesses;

(9) to promote universal ratification and full compliance with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor;

(10) to ensure that trade agreements reflect and facilitate the increasingly interrelated, multi-sectoral nature of trade and investment activity;

(11) to recognize the growing significance of the Internet as a trading platform in international commerce;

(12) to take into account other legitimate United States domestic objectives, including, but not limited to, the protection of legitimate health or safety, essential security, and consumer interests and the law and regulations related thereto; and

(13) to take into account conditions relating to religious freedom of any party to negotiations for a trade agreement with the United States.

(b) **PRINCIPAL TRADE NEGOTIATING OBJECTIVES.**—

(1) **TRADE IN GOODS.**—The principal negotiating objectives of the United States regarding trade in goods are—

(A) to expand competitive market opportunities for exports of goods from the United States and to obtain fairer and more open conditions of trade, including through the utilization of global value chains, by reducing or eliminating tariff and nontariff barriers and policies and practices of foreign governments directly related to trade that decrease market opportunities for United States exports or otherwise distort United States trade; and

(B) to obtain reciprocal tariff and nontariff barrier elimination agreements, including with respect to those tariff categories covered in section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(2) **TRADE IN SERVICES.**—(A) The principal negotiating objective of the United States regarding trade in services is to expand competitive market opportunities for United States services and to obtain fairer and more open conditions of trade, including through utilization of global value chains, by reducing or eliminating barriers to international trade in services, such as regulatory and other barriers that deny national treatment and market access or unreasonably restrict the establishment or operations of service suppliers.

(B) Recognizing that expansion of trade in services generates benefits for all sectors of the economy and facilitates trade, the objective described in subparagraph (A) should be pursued through all means, including through a plurilateral agreement with those countries willing and able to undertake high standard services commitments for both existing and new services.

(3) **TRADE IN AGRICULTURE.**—The principal negotiating objective of the United States with respect to agriculture is to obtain competitive opportunities for United States exports of agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in bulk, specialty crop, and value added commodities by—

(A) securing more open and equitable market access through robust rules on sanitary and phytosanitary measures that—

(i) encourage the adoption of international standards and require a science-based justification be provided for a sanitary or phytosanitary measure if the measure is more restrictive than the applicable international standard;

(ii) improve regulatory coherence, promote the use of systems-based approaches, and appropriately recognize the equivalence of health and safety protection systems of exporting countries;

(iii) require that measures are transparently developed and implemented, are based on risk assessments that take into account relevant international guidelines and scientific data, and are not more restrictive on trade than necessary to meet the intended purpose; and

(iv) improve import check processes, including testing methodologies and procedures, and certification requirements,

while recognizing that countries may put in place measures to protect human, animal, or plant life or health in a manner consistent with their international obligations, including the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (referred to in section 101(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(3)));

(B) reducing or eliminating, by a date certain, tariffs or other charges that decrease market opportunities for United States exports—

(i) giving priority to those products that are subject to significantly higher tariffs or subsidy regimes of major producing countries; and

(ii) providing reasonable adjustment periods for United States import sensitive products, in close consultation with Congress on such products before initiating tariff reduction negotiations;

(C) reducing tariffs to levels that are the same as or lower than those in the United States;

(D) reducing or eliminating subsidies that decrease market opportunities for United States exports or unfairly distort agriculture markets to the detriment of the United States;

(E) allowing the preservation of programs that support family farms and rural communities but do not distort trade;

(F) developing disciplines for domestic support programs, so that production that is in excess of domestic food security needs is sold at world prices;

(G) eliminating government policies that create price depressing surpluses;

(H) eliminating state trading enterprises whenever possible;

(I) developing, strengthening, and clarifying rules to eliminate practices that unfairly decrease United States market access opportunities or distort agricultural markets to the detriment of the United States, and ensuring that such rules are subject to efficient, timely, and effective dispute settlement, including—

(i) unfair or trade distorting activities of state trading enterprises and other administrative mechanisms, with emphasis on requiring price transparency in the operation of state trading enterprises and such other mechanisms in order to end cross subsidization, price discrimination, and price undercutting;

(ii) unjustified trade restrictions or commercial requirements, such as labeling, that affect new technologies, including biotechnology;

(iii) unjustified sanitary or phytosanitary restrictions, including restrictions not based on scientific principles in contravention of obligations in the Uruguay Round Agreements or bilateral or regional trade agreements;

(iv) other unjustified technical barriers to trade; and

(v) restrictive rules in the administration of tariff rate quotas;

(J) eliminating practices that adversely affect trade in perishable or cyclical products, while improving import relief mechanisms to recognize the unique characteristics of perishable and cyclical agriculture;

(K) ensuring that import relief mechanisms for perishable and cyclical agriculture are as accessible and timely to growers in the United States as those mechanisms that are used by other countries;

(L) taking into account whether a party to the negotiations has failed to adhere to the provisions of already existing trade agreements with the United States or has circumvented obligations under those agreements;

(M) taking into account whether a product is subject to market distortions by reason of a failure of a major producing country to adhere to the provisions of already existing trade agreements with the United States or by the circumvention by that country of its obligations under those agreements;

(N) otherwise ensuring that countries that accede to the World Trade Organization have made meaningful market liberalization commitments in agriculture;

(O) taking into account the impact that agreements covering agriculture to which the United States is a party have on the United States agricultural industry;

(P) maintaining bona fide food assistance programs, market development programs, and export credit programs;

(Q) seeking to secure the broadest market access possible in multilateral, regional, and bilateral negotiations, recognizing the effect that simultaneous sets of negotiations may have on United States import sensitive commodities (including those subject to tariff rate quotas);

(R) seeking to develop an international consensus on the treatment of seasonal or perishable agricultural products in investigations relating to dumping and safeguards and in any other relevant area;

(S) seeking to establish the common base year for calculating the Aggregated Measurement of

Support (as defined in the Agreement on Agriculture) as the end of each country's Uruguay Round implementation period, as reported in each country's Uruguay Round market access schedule;

(T) ensuring transparency in the administration of tariff rate quotas through multilateral, plurilateral, and bilateral negotiations; and

(U) eliminating and preventing the undermining of market access for United States products through improper use of a country's system for protecting or recognizing geographical indications, including failing to ensure transparency and procedural fairness and protecting generic terms.

(4) FOREIGN INVESTMENT.—Recognizing that United States law on the whole provides a high level of protection for investment, consistent with or greater than the level required by international law, the principal negotiating objectives of the United States regarding foreign investment are to reduce or eliminate artificial or trade distorting barriers to foreign investment, while ensuring that foreign investors in the United States are not accorded greater substantive rights with respect to investment protections than United States investors in the United States, and to secure for investors important rights comparable to those that would be available under United States legal principles and practice, by—

(A) reducing or eliminating exceptions to the principle of national treatment;

(B) freeing the transfer of funds relating to investments;

(C) reducing or eliminating performance requirements, forced technology transfers, and other unreasonable barriers to the establishment and operation of investments;

(D) seeking to establish standards for expropriation and compensation for expropriation, consistent with United States legal principles and practice;

(E) seeking to establish standards for fair and equitable treatment, consistent with United States legal principles and practice, including the principle of due process;

(F) providing meaningful procedures for resolving investment disputes;

(G) seeking to improve mechanisms used to resolve disputes between an investor and a government through—

(i) mechanisms to eliminate frivolous claims and to deter the filing of frivolous claims;

(ii) procedures to ensure the efficient selection of arbitrators and the expeditious disposition of claims;

(iii) procedures to enhance opportunities for public input into the formulation of government positions; and

(iv) providing for an appellate body or similar mechanism to provide coherence to the interpretations of investment provisions in trade agreements; and

(H) ensuring the fullest measure of transparency in the dispute settlement mechanism, to the extent consistent with the need to protect information that is classified or business confidential, by—

(i) ensuring that all requests for dispute settlement are promptly made public;

(ii) ensuring that—

(I) all proceedings, submissions, findings, and decisions are promptly made public; and

(II) all hearings are open to the public; and

(iii) establishing a mechanism for acceptance of amicus curiae submissions from businesses, unions, and nongovernmental organizations.

(5) INTELLECTUAL PROPERTY.—The principal negotiating objectives of the United States regarding trade-related intellectual property are—

(A) to further promote adequate and effective protection of intellectual property rights, including through—

(i) ensuring accelerated and full implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights referred to in section 101(d)(15) of the Uruguay Round

Agreements Act (19 U.S.C. 3511(d)(15)), particularly with respect to meeting enforcement obligations under that agreement; and

(II) ensuring that the provisions of any trade agreement governing intellectual property rights that is entered into by the United States reflect a standard of protection similar to that found in United States law;

(ii) providing strong protection for new and emerging technologies and new methods of transmitting and distributing products embodying intellectual property, including in a manner that facilitates legitimate digital trade;

(iii) preventing or eliminating discrimination with respect to matters affecting the availability, acquisition, scope, maintenance, use, and enforcement of intellectual property rights;

(iv) ensuring that standards of protection and enforcement keep pace with technological developments, and in particular ensuring that rightholders have the legal and technological means to control the use of their works through the Internet and other global communication media, and to prevent the unauthorized use of their works;

(v) providing strong enforcement of intellectual property rights, including through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms; and

(vi) preventing or eliminating government involvement in the violation of intellectual property rights, including cyber theft and piracy;

(B) to secure fair, equitable, and nondiscriminatory market access opportunities for United States persons that rely upon intellectual property protection; and

(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001, and to ensure that trade agreements foster innovation and promote access to medicines.

(6) DIGITAL TRADE IN GOODS AND SERVICES AND CROSS-BORDER DATA FLOWS.—The principal negotiating objectives of the United States with respect to digital trade in goods and services, as well as cross-border data flows, are—

(A) to ensure that current obligations, rules, disciplines, and commitments under the World Trade Organization and bilateral and regional trade agreements apply to digital trade in goods and services and to cross-border data flows;

(B) to ensure that—

(i) electronically delivered goods and services receive no less favorable treatment under trade rules and commitments than like products delivered in physical form; and

(ii) the classification of such goods and services ensures the most liberal trade treatment possible, fully encompassing both existing and new trade;

(C) to ensure that governments refrain from implementing trade-related measures that impede digital trade in goods and services, restrict cross-border data flows, or require local storage or processing of data;

(D) with respect to subparagraphs (A) through (C), where legitimate policy objectives require domestic regulations that affect digital trade in goods and services or cross-border data flows, to obtain commitments that any such regulations are the least restrictive on trade, non-discriminatory, and transparent, and promote an open market environment; and

(E) to extend the moratorium of the World Trade Organization on duties on electronic transmissions.

(7) REGULATORY PRACTICES.—The principal negotiating objectives of the United States regarding the use of government regulation or other practices to reduce market access for United States goods, services, and investments are—

(A) to achieve increased transparency and opportunity for the participation of affected parties in the development of regulations;

(B) to require that proposed regulations be based on sound science, cost benefit analysis, risk assessment, or other objective evidence;

(C) to establish consultative mechanisms and seek other commitments, as appropriate, to improve regulatory practices and promote increased regulatory coherence, including through—

(i) transparency in developing guidelines, rules, regulations, and laws for government procurement and other regulatory regimes;

(ii) the elimination of redundancies in testing and certification;

(iii) early consultations on significant regulations;

(iv) the use of impact assessments;

(v) the periodic review of existing regulatory measures; and

(vi) the application of good regulatory practices;

(D) to seek greater openness, transparency, and convergence of standards development processes, and enhance cooperation on standards issues globally;

(E) to promote regulatory compatibility through harmonization, equivalence, or mutual recognition of different regulations and standards and to encourage the use of international and interoperable standards, as appropriate;

(F) to achieve the elimination of government measures such as price controls and reference pricing which deny full market access for United States products;

(G) to ensure that government regulatory reimbursement regimes are transparent, provide procedural fairness, are nondiscriminatory, and provide full market access for United States products; and

(H) to ensure that foreign governments—

(i) demonstrate that the collection of undisclosed proprietary information is limited to that necessary to satisfy a legitimate and justifiable regulatory interest; and

(ii) protect such information against disclosure, except in exceptional circumstances to protect the public, or where such information is effectively protected against unfair competition.

(8) **STATE-OWNED AND STATE-CONTROLLED ENTERPRISES.**—The principal negotiating objective of the United States regarding competition by state-owned and state-controlled enterprises is to seek commitments that—

(A) eliminate or prevent trade distortions and unfair competition favoring state-owned and state-controlled enterprises to the extent of their engagement in commercial activity, and

(B) ensure that such engagement is based solely on commercial considerations,

in particular through disciplines that eliminate or prevent discrimination and market-distorting subsidies and that promote transparency.

(9) **LOCALIZATION BARRIERS TO TRADE.**—The principal negotiating objective of the United States with respect to localization barriers is to eliminate and prevent measures that require United States producers and service providers to locate facilities, intellectual property, or other assets in a country as a market access or investment condition, including indigenous innovation measures.

(10) **LABOR AND THE ENVIRONMENT.**—The principal negotiating objectives of the United States with respect to labor and the environment are—

(A) to ensure that a party to a trade agreement with the United States—

(i) adopts and maintains measures implementing internationally recognized core labor standards (as defined in section 111(17)) and its obligations under common multilateral environmental agreements (as defined in section 111(6)),

(ii) does not waive or otherwise derogate from, or offer to waive or otherwise derogate from—

(I) its statutes or regulations implementing internationally recognized core labor standards (as defined in section 111(17)), in a manner affecting trade or investment between the United States and that party, where the waiver or deroga-

tion would be inconsistent with one or more such standards, or

(II) its environmental laws in a manner that weakens or reduces the protections afforded in those laws and in a manner affecting trade or investment between the United States and that party, except as provided in its law and provided not inconsistent with its obligations under common multilateral environmental agreements (as defined in section 111(6)) or other provisions of the trade agreement specifically agreed upon, and

(iii) does not fail to effectively enforce its environmental or labor laws, through a sustained or recurring course of action or inaction,

in a manner affecting trade or investment between the United States and that party after entry into force of a trade agreement between those countries;

(B) to recognize that—

(i) with respect to environment, parties to a trade agreement retain the right to exercise prosecutorial discretion and to make decisions regarding the allocation of enforcement resources with respect to other environmental laws determined to have higher priorities, and a party is effectively enforcing its laws if a course of action or inaction reflects a reasonable, bona fide exercise of such discretion, or results from a reasonable, bona fide decision regarding the allocation of resources; and

(ii) with respect to labor, decisions regarding the distribution of enforcement resources are not a reason for not complying with a party's labor obligations; a party to a trade agreement retains the right to reasonable exercise of discretion and to make bona fide decisions regarding the allocation of resources between labor enforcement activities among core labor standards, provided the exercise of such discretion and such decisions are not inconsistent with its obligations;

(C) to strengthen the capacity of United States trading partners to promote respect for core labor standards (as defined in section 111(7));

(D) to strengthen the capacity of United States trading partners to protect the environment through the promotion of sustainable development;

(E) to reduce or eliminate government practices or policies that unduly threaten sustainable development;

(F) to seek market access, through the elimination of tariffs and nontariff barriers, for United States environmental technologies, goods, and services;

(G) to ensure that labor, environmental, health, or safety policies and practices of the parties to trade agreements with the United States do not arbitrarily or unjustifiably discriminate against United States exports or serve as disguised barriers to trade;

(H) to ensure that enforceable labor and environment obligations are subject to the same dispute settlement and remedies as other enforceable obligations under the agreement; and

(I) to ensure that a trade agreement is not construed to empower a party's authorities to undertake labor or environmental law enforcement activities in the territory of the United States.

(11) **CURRENCY.**—The principal negotiating objective of the United States with respect to currency practices is that parties to a trade agreement with the United States avoid manipulating exchange rates in order to prevent effective balance of payments adjustment or to gain an unfair competitive advantage over other parties to the agreement, such as through cooperative mechanisms, enforceable rules, reporting, monitoring, transparency, or other means, as appropriate.

(12) **FOREIGN CURRENCY MANIPULATION.**—The principal negotiating objective of the United States with respect to unfair currency practices is to seek to establish accountability through enforceable rules, transparency, reporting, moni-

toring, cooperative mechanisms, or other means to address exchange rate manipulation involving protracted large scale intervention in one direction in the exchange markets and a persistently undervalued foreign exchange rate to gain an unfair competitive advantage in trade over other parties to a trade agreement, consistent with existing obligations of the United States as a member of the International Monetary Fund and the World Trade Organization.

(13) **WTO AND MULTILATERAL TRADE AGREEMENTS.**—Recognizing that the World Trade Organization is the foundation of the global trading system, the principal negotiating objectives of the United States regarding the World Trade Organization, the Uruguay Round Agreements, and other multilateral and plurilateral trade agreements are—

(A) to achieve full implementation and extend the coverage of the World Trade Organization and multilateral and plurilateral agreements to products, sectors, and conditions of trade not adequately covered;

(B) to expand country participation in and enhancement of the Information Technology Agreement, the Government Procurement Agreement, and other plurilateral trade agreements of the World Trade Organization;

(C) to expand competitive market opportunities for United States exports and to obtain fairer and more open conditions of trade, including through utilization of global value chains, through the negotiation of new WTO multilateral and plurilateral trade agreements, such as an agreement on trade facilitation;

(D) to ensure that regional trade agreements to which the United States is not a party fully achieve the high standards of, and comply with, WTO disciplines, including Article XXIV of GATT 1994, Article V and V bis of the General Agreement on Trade in Services, and the Enabling Clause, including through meaningful WTO review of such regional trade agreements;

(E) to enhance compliance by WTO members with their obligations as WTO members through active participation in the bodies of the World Trade Organization by the United States and all other WTO members, including in the trade policy review mechanism and the committee system of the World Trade Organization, and by working to increase the effectiveness of such bodies; and

(F) to encourage greater cooperation between the World Trade Organization and other international organizations.

(14) **TRADE INSTITUTION TRANSPARENCY.**—The principal negotiating objective of the United States with respect to transparency is to obtain wider and broader application of the principle of transparency in the World Trade Organization, entities established under bilateral and regional trade agreements, and other international trade fora through seeking—

(A) timely public access to information regarding trade issues and the activities of such institutions;

(B) openness by ensuring public access to appropriate meetings, proceedings, and submissions, including with regard to trade and investment dispute settlement; and

(C) public access to all notifications and supporting documentation submitted by WTO members.

(15) **ANTI-CORRUPTION.**—The principal negotiating objectives of the United States with respect to the use of money or other things of value to influence acts, decisions, or omissions of foreign governments or officials or to secure any improper advantage in a manner affecting trade are—

(A) to obtain high standards and effective domestic enforcement mechanisms applicable to persons from all countries participating in the applicable trade agreement that prohibit such attempts to influence acts, decisions, or omissions of foreign governments or officials or to secure any such improper advantage;

(B) to ensure that such standards level the playing field for United States persons in international trade and investment; and

(C) to seek commitments to work jointly to encourage and support anti-corruption and anti-bribery initiatives in international trade fora, including through the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development, done at Paris December 17, 1997 (commonly known as the "OECD Anti-Bribery Convention").

(16) **DISPUTE SETTLEMENT AND ENFORCEMENT.**—The principal negotiating objectives of the United States with respect to dispute settlement and enforcement of trade agreements are—

(A) to seek provisions in trade agreements providing for resolution of disputes between governments under those trade agreements in an effective, timely, transparent, equitable, and reasoned manner, requiring determinations based on facts and the principles of the agreements, with the goal of increasing compliance with the agreements;

(B) to seek to strengthen the capacity of the Trade Policy Review Mechanism of the World Trade Organization to review compliance with commitments;

(C) to seek adherence by panels convened under the Dispute Settlement Understanding and by the Appellate Body to—

(i) the mandate of those panels and the Appellate Body to apply the WTO Agreement as written, without adding to or diminishing rights and obligations under the Agreement; and

(ii) the standard of review applicable under the Uruguay Round Agreement involved in the dispute, including greater deference, where appropriate, to the fact finding and technical expertise of national investigating authorities;

(D) to seek provisions encouraging the early identification and settlement of disputes through consultation;

(E) to seek provisions to encourage the provision of trade-expanding compensation if a party to a dispute under the agreement does not come into compliance with its obligations under the agreement;

(F) to seek provisions to impose a penalty upon a party to a dispute under the agreement that—

(i) encourages compliance with the obligations of the agreement;

(ii) is appropriate to the parties, nature, subject matter, and scope of the violation; and

(iii) has the aim of not adversely affecting parties or interests not party to the dispute while maintaining the effectiveness of the enforcement mechanism; and

(G) to seek provisions that treat United States principal negotiating objectives equally with respect to—

(i) the ability to resort to dispute settlement under the applicable agreement;

(ii) the availability of equivalent dispute settlement procedures; and

(iii) the availability of equivalent remedies.

(17) **TRADE REMEDY LAWS.**—The principal negotiating objectives of the United States with respect to trade remedy laws are—

(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market access barriers.

(18) **BORDER TAXES.**—The principal negotiating objective of the United States regarding

border taxes is to obtain a revision of the rules of the World Trade Organization with respect to the treatment of border adjustments for internal taxes to redress the disadvantage to countries relying primarily on direct taxes for revenue rather than indirect taxes.

(19) **TEXTILE NEGOTIATIONS.**—The principal negotiating objectives of the United States with respect to trade in textiles and apparel articles are to obtain competitive opportunities for United States exports of textiles and apparel in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in textiles and apparel.

(20) **COMMERCIAL PARTNERSHIPS.**—

(A) **IN GENERAL.**—With respect to an agreement that is proposed to be entered into with the Transatlantic Trade and Investment Partnership countries and to which section 103(b) will apply, the principal negotiating objectives of the United States regarding commercial partnerships are the following:

(i) To discourage actions by potential trading partners that directly or indirectly prejudice or otherwise discourage commercial activity solely between the United States and Israel.

(ii) To discourage politically motivated actions to boycott, divest from, or sanction Israel and to seek the elimination of politically motivated nontariff barriers on Israeli goods, services, or other commerce imposed on the State of Israel.

(iii) To seek the elimination of state-sponsored unsanctioned foreign boycotts against Israel or compliance with the Arab League Boycott of Israel by prospective trading partners.

(B) **DEFINITION.**—In this paragraph, the term "actions to boycott, divest from, or sanction Israel" means actions by states, non-member states of the United Nations, international organizations, or affiliated agencies of international organizations that are politically motivated and are intended to penalize or otherwise limit commercial relations specifically with Israel or persons doing business in Israel or in Israeli-controlled territories.

(21) **GOOD GOVERNANCE, TRANSPARENCY, THE EFFECTIVE OPERATION OF LEGAL REGIMES, AND THE RULE OF LAW OF TRADING PARTNERS.**—The principal negotiating objectives of the United States with respect to ensuring implementation of trade commitments and obligations by strengthening good governance, transparency, the effective operation of legal regimes and the rule of law of trading partners of the United States is through capacity building and other appropriate means, which are important parts of the broader effort to create more open democratic societies and to promote respect for internationally recognized human rights.

(C) **CAPACITY BUILDING AND OTHER PRIORITIES.**—In order to address and maintain United States competitiveness in the global economy, the President shall—

(1) direct the heads of relevant Federal agencies—

(A) to work to strengthen the capacity of United States trading partners to carry out obligations under trade agreements by consulting with any country seeking a trade agreement with the United States concerning that country's laws relating to customs and trade facilitation, sanitary and phytosanitary measures, technical barriers to trade, intellectual property rights, labor, and the environment; and

(B) to provide technical assistance to that country if needed;

(2) seek to establish consultative mechanisms among parties to trade agreements to strengthen the capacity of United States trading partners to develop and implement standards for the protection of the environment and human health based on sound science;

(3) promote consideration of multilateral environmental agreements and consult with parties to such agreements regarding the consistency of any such agreement that includes trade meas-

ures with existing environmental exceptions under Article XX of GATT 1994; and

(4) submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on capacity-building activities undertaken in connection with trade agreements negotiated or being negotiated pursuant to this title.

## SEC. 103. TRADE AGREEMENTS AUTHORITY.

(a) **AGREEMENTS REGARDING TARIFF BARRIERS.**—

(1) **IN GENERAL.**—Whenever the President determines that one or more existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President—

(A) may enter into trade agreements with foreign countries before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c); and

(B) may, subject to paragraphs (2) and (3), proclaim—

(i) such modification or continuance of any existing duty,

(ii) such continuance of existing duty free or excise treatment, or

(iii) such additional duties,

as the President determines to be required or appropriate to carry out any such trade agreement.

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) **NOTIFICATION.**—The President shall notify Congress of the President's intention to enter into an agreement under this subsection.

(3) **LIMITATIONS.**—No proclamation may be made under paragraph (1) that—

(A) reduces any rate of duty (other than a rate of duty that does not exceed 5 percent ad valorem on the date of the enactment of this Act) to a rate of duty which is less than 50 percent of the rate of such duty that applies on such date of enactment;

(B) reduces the rate of duty below that applicable under the Uruguay Round Agreements or a successor agreement, on any import sensitive agricultural product; or

(C) increases any rate of duty above the rate that applied on the date of the enactment of this Act.

(4) **AGGREGATE REDUCTION; EXEMPTION FROM STAGING.**—

(A) **AGGREGATE REDUCTION.**—Except as provided in subparagraph (B), the aggregate reduction in the rate of duty on any article which is in effect on any day pursuant to a trade agreement entered into under paragraph (1) shall not exceed the aggregate reduction which would have been in effect on such day if—

(i) a reduction of 3 percent ad valorem or a reduction of  $\frac{1}{10}$  of the total reduction, whichever is greater, had taken effect on the effective date of the first reduction proclaimed under paragraph (1) to carry out such agreement with respect to such article; and

(ii) a reduction equal to the amount applicable under clause (i) had taken effect at 1-year intervals after the effective date of such first reduction.

(B) **EXEMPTION FROM STAGING.**—No staging is required under subparagraph (A) with respect to a duty reduction that is proclaimed under paragraph (1) for an article of a kind that is not produced in the United States. The United States International Trade Commission shall advise the President of the identity of articles that may be exempted from staging under this subparagraph.

(5) **ROUNDING.**—If the President determines that such action will simplify the computation

of reductions under paragraph (4), the President may round an annual reduction by an amount equal to the lesser of—

(A) the difference between the reduction without regard to this paragraph and the next lower whole number; or

(B) ½ of 1 percent ad valorem.

(6) **OTHER LIMITATIONS.**—A rate of duty reduction that may not be proclaimed by reason of paragraph (3) may take effect only if a provision authorizing such reduction is included within an implementing bill provided for under section 106 and that bill is enacted into law.

(7) **OTHER TARIFF MODIFICATIONS.**—Notwithstanding paragraphs (1)(B), (3)(A), (3)(C), and (4) through (6), and subject to the consultation and layover requirements of section 115 of the Uruguay Round Agreements Act (19 U.S.C. 3524), the President may proclaim the modification of any duty or staged rate reduction of any duty set forth in Schedule XX, as defined in section 2(5) of that Act (19 U.S.C. 3501(5)), if the United States agrees to such modification or staged rate reduction in a negotiation for the reciprocal elimination or harmonization of duties under the auspices of the World Trade Organization.

(8) **AUTHORITY UNDER URUGUAY ROUND AGREEMENTS ACT NOT AFFECTED.**—Nothing in this subsection shall limit the authority provided to the President under section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(b) **AGREEMENTS REGARDING TARIFF AND NON-TARIFF BARRIERS.**—

(1) **IN GENERAL.**—(A) Whenever the President determines that—

(i) 1 or more existing duties or any other import restriction of any foreign country or the United States or any other barrier to, or other distortion of, international trade unduly burdens or restricts the foreign trade of the United States or adversely affects the United States economy; or

(ii) the imposition of any such barrier or distortion is likely to result in such a burden, restriction, or effect,

and that the purposes, policies, priorities, and objectives of this title will be promoted thereby, the President may enter into a trade agreement described in subparagraph (B) during the period described in subparagraph (C).

(B) The President may enter into a trade agreement under subparagraph (A) with foreign countries providing for—

(i) the reduction or elimination of a duty, restriction, barrier, or other distortion described in subparagraph (A); or

(ii) the prohibition of, or limitation on the imposition of, such barrier or other distortion.

(C) The President may enter into a trade agreement under this paragraph before—

(i) July 1, 2018; or

(ii) July 1, 2021, if trade authorities procedures are extended under subsection (c).

Substantial modifications to, or substantial additional provisions of, a trade agreement entered into after July 1, 2018, or July 1, 2021, if trade authorities procedures are extended under subsection (c), shall not be eligible for approval under this title.

(2) **CONDITIONS.**—A trade agreement may be entered into under this subsection only if such agreement makes progress in meeting the applicable objectives described in subsections (a) and (b) of section 102 and the President satisfies the conditions set forth in sections 104 and 105.

(3) **BILLS QUALIFYING FOR TRADE AUTHORITIES PROCEDURES.**—(A) The provisions of section 151 of the Trade Act of 1974 (in this title referred to as “trade authorities procedures”) apply to a bill of either House of Congress which contains provisions described in subparagraph (B) to the same extent as such section 151 applies to implementing bills under that section. A bill to which this paragraph applies shall hereafter in this title be referred to as an “implementing bill”.

(B) The provisions referred to in subparagraph (A) are—

(i) a provision approving a trade agreement entered into under this subsection and approving the statement of administrative action, if any, proposed to implement such trade agreement; and

(ii) if changes in existing laws or new statutory authority are required to implement such trade agreement or agreements, only such provisions as are strictly necessary or appropriate to implement such trade agreement or agreements, either repealing or amending existing laws or providing new statutory authority.

(c) **EXTENSION DISAPPROVAL PROCESS FOR CONGRESSIONAL TRADE AUTHORITIES PROCEDURES.**—

(1) **IN GENERAL.**—Except as provided in section 106(b)—

(A) the trade authorities procedures apply to implementing bills submitted with respect to trade agreements entered into under subsection (b) before July 1, 2018; and

(B) the trade authorities procedures shall be extended to implementing bills submitted with respect to trade agreements entered into under subsection (b) after June 30, 2018, and before July 1, 2021, if (and only if)—

(i) the President requests such extension under paragraph (2); and

(ii) neither House of Congress adopts an extension disapproval resolution under paragraph (5) before July 1, 2018.

(2) **REPORT TO CONGRESS BY THE PRESIDENT.**—If the President is of the opinion that the trade authorities procedures should be extended to implementing bills described in paragraph (1)(B), the President shall submit to Congress, not later than April 1, 2018, a written report that contains a request for such extension, together with—

(A) a description of all trade agreements that have been negotiated under subsection (b) and the anticipated schedule for submitting such agreements to Congress for approval;

(B) a description of the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title, and a statement that such progress justifies the continuation of negotiations; and

(C) a statement of the reasons why the extension is needed to complete the negotiations.

(3) **OTHER REPORTS TO CONGRESS.**—

(A) **REPORT BY THE ADVISORY COMMITTEE.**—The President shall promptly inform the Advisory Committee for Trade Policy and Negotiations established under section 135 of the Trade Act of 1974 (19 U.S.C. 2155) of the decision of the President to submit a report to Congress under paragraph (2). The Advisory Committee shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains—

(i) its views regarding the progress that has been made in negotiations to achieve the purposes, policies, priorities, and objectives of this title; and

(ii) a statement of its views, and the reasons therefor, regarding whether the extension requested under paragraph (2) should be approved or disapproved.

(B) **REPORT BY INTERNATIONAL TRADE COMMISSION.**—The President shall promptly inform the United States International Trade Commission of the decision of the President to submit a report to Congress under paragraph (2). The International Trade Commission shall submit to Congress as soon as practicable, but not later than June 1, 2018, a written report that contains a review and analysis of the economic impact on the United States of all trade agreements implemented between the date of the enactment of this Act and the date on which the President decides to seek an extension requested under paragraph (2).

(4) **STATUS OF REPORTS.**—The reports submitted to Congress under paragraphs (2) and (3), or any portion of such reports, may be classified to the extent the President determines appropriate.

(5) **EXTENSION DISAPPROVAL RESOLUTIONS.**—(A) For purposes of paragraph (1), the term “extension disapproval resolution” means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: “That the \_\_\_\_\_ disapproves the request of the President for the extension, under section 103(c)(1)(B)(i) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the trade authorities procedures under that Act to any implementing bill submitted with respect to any trade agreement entered into under section 103(b) of that Act after June 30, 2018.”, with the blank space being filled with the name of the resolving House of Congress.

(B) Extension disapproval resolutions—

(i) may be introduced in either House of Congress by any member of such House; and

(ii) shall be referred, in the House of Representatives, to the Committee on Ways and Means and, in addition, to the Committee on Rules.

(C) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to extension disapproval resolutions.

(D) It is not in order for—

(i) the House of Representatives to consider any extension disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules;

(ii) the Senate to consider any extension disapproval resolution not reported by the Committee on Finance; or

(iii) either House of Congress to consider an extension disapproval resolution after June 30, 2018.

(d) **COMMENCEMENT OF NEGOTIATIONS.**—In order to contribute to the continued economic expansion of the United States, the President shall commence negotiations covering tariff and nontariff barriers affecting any industry, product, or service sector, and expand existing sectoral agreements to countries that are not parties to those agreements, in cases where the President determines that such negotiations are feasible and timely and would benefit the United States. Such sectors include agriculture, commercial services, intellectual property rights, industrial and capital goods, government procurement, information technology products, environmental technology and services, medical equipment and services, civil aircraft, and infrastructure products. In so doing, the President shall take into account all of the negotiating objectives set forth in section 102.

#### SEC. 104. CONGRESSIONAL OVERSIGHT, CONSULTATIONS, AND ACCESS TO INFORMATION.

(a) **CONSULTATIONS WITH MEMBERS OF CONGRESS.**—

(1) **CONSULTATIONS DURING NEGOTIATIONS.**—In the course of negotiations conducted under this title, the United States Trade Representative shall—

(A) meet upon request with any Member of Congress regarding negotiating objectives, the status of negotiations in progress, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement;

(B) upon request of any Member of Congress, provide access to pertinent documents relating to the negotiations, including classified materials;

(C) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(D) consult closely and on a timely basis with, and keep fully apprised of the negotiations, the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under subsection (c) and all committees of

the House of Representatives and the Senate with jurisdiction over laws that could be affected by a trade agreement resulting from the negotiations; and

(E) with regard to any negotiations and agreement relating to agricultural trade, also consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) **CONSULTATIONS PRIOR TO ENTRY INTO FORCE.**—Prior to exchanging notes providing for the entry into force of a trade agreement, the United States Trade Representative shall consult closely and on a timely basis with Members of Congress and committees as specified in paragraph (1), and keep them fully apprised of the measures a trading partner has taken to comply with those provisions of the agreement that are to take effect on the date that the agreement enters into force.

(3) **ENHANCED COORDINATION WITH CONGRESS.**—

(A) **WRITTEN GUIDELINES.**—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with Congress, including coordination with designated congressional advisers under subsection (b), regarding negotiations conducted under this title; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) **CONTENT OF GUIDELINES.**—The guidelines developed under subparagraph (A) shall enhance coordination with Congress through procedures to ensure—

(i) timely briefings upon request of any Member of Congress regarding negotiating objectives, the status of negotiations in progress conducted under this title, and the nature of any changes in the laws of the United States or the administration of those laws that may be recommended to Congress to carry out any trade agreement or any requirement of, amendment to, or recommendation under, that agreement; and

(ii) the sharing of detailed and timely information with Members of Congress, and their staff with proper security clearances as appropriate, regarding those negotiations and pertinent documents related to those negotiations (including classified information), and with committee staff with proper security clearances as would be appropriate in the light of the responsibilities of that committee over the trade agreements programs affected by those negotiations.

(C) **DISSEMINATION.**—The United States Trade Representative shall disseminate the guidelines developed under subparagraph (A) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(b) **DESIGNATED CONGRESSIONAL ADVISERS.**—

(1) **DESIGNATION.**—

(A) **HOUSE OF REPRESENTATIVES.**—In each Congress, any Member of the House of Representatives may be designated as a congressional adviser on trade policy and negotiations by the Speaker of the House of Representatives, after consulting with the chairman and ranking member of the Committee on Ways and Means and the chairman and ranking member of the committee from which the Member will be selected.

(B) **SENATE.**—In each Congress, any Member of the Senate may be designated as a congressional adviser on trade policy and negotiations by the President pro tempore of the Senate, after consultation with the chairman and ranking member of the Committee on Finance and the

chairman and ranking member of the committee from which the Member will be selected.

(2) **CONSULTATIONS WITH DESIGNATED CONGRESSIONAL ADVISERS.**—In the course of negotiations conducted under this title, the United States Trade Representative shall consult closely and on a timely basis (including immediately before initialing an agreement) with, and keep fully apprised of the negotiations, the congressional advisers for trade policy and negotiations designated under paragraph (1).

(3) **ACCREDITATION.**—Each Member of Congress designated as a congressional adviser under paragraph (1) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegations to international conferences, meetings, and negotiating sessions relating to trade agreements.

(c) **CONGRESSIONAL ADVISORY GROUPS ON NEGOTIATIONS.**—

(1) **IN GENERAL.**—By not later than 60 days after the date of the enactment of this Act, and not later than 30 days after the convening of each Congress, the chairman of the Committee on Ways and Means of the House of Representatives shall convene the House Advisory Group on Negotiations and the chairman of the Committee on Finance of the Senate shall convene the Senate Advisory Group on Negotiations (in this subsection referred to collectively as the “congressional advisory groups”).

(2) **MEMBERS AND FUNCTIONS.**—

(A) **MEMBERSHIP OF THE HOUSE ADVISORY GROUP ON NEGOTIATIONS.**—In each Congress, the House Advisory Group on Negotiations shall be comprised of the following Members of the House of Representatives:

(i) The chairman and ranking member of the Committee on Ways and Means, and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the House of Representatives that would have, under the Rules of the House of Representatives, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(B) **MEMBERSHIP OF THE SENATE ADVISORY GROUP ON NEGOTIATIONS.**—In each Congress, the Senate Advisory Group on Negotiations shall be comprised of the following Members of the Senate:

(i) The chairman and ranking member of the Committee on Finance and 3 additional members of such Committee (not more than 2 of whom are members of the same political party).

(ii) The chairman and ranking member, or their designees, of the committees of the Senate that would have, under the Rules of the Senate, jurisdiction over provisions of law affected by a trade agreement negotiation conducted at any time during that Congress and to which this title would apply.

(C) **ACCREDITATION.**—Each member of the congressional advisory groups described in subparagraphs (A)(i) and (B)(i) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in negotiations for any trade agreement to which this title applies. Each member of the congressional advisory groups described in subparagraphs (A)(ii) and (B)(ii) shall be accredited by the United States Trade Representative on behalf of the President as an official adviser to the United States delegation in the negotiations by reason of which the member is in one of the congressional advisory groups.

(D) **CONSULTATION AND ADVICE.**—The congressional advisory groups shall consult with and provide advice to the Trade Representative regarding the formulation of specific objectives, negotiating strategies and positions, the development of the applicable trade agreement, and

compliance and enforcement of the negotiated commitments under the trade agreement.

(E) **CHAIR.**—The House Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Ways and Means of the House of Representatives and the Senate Advisory Group on Negotiations shall be chaired by the Chairman of the Committee on Finance of the Senate.

(F) **COORDINATION WITH OTHER COMMITTEES.**—Members of any committee represented on one of the congressional advisory groups may submit comments to the member of the appropriate congressional advisory group from that committee regarding any matter related to a negotiation for any trade agreement to which this title applies.

(3) **GUIDELINES.**—

(A) **PURPOSE AND REVISION.**—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(i) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines to facilitate the useful and timely exchange of information between the Trade Representative and the congressional advisory groups; and

(ii) may make such revisions to the guidelines as may be necessary from time to time.

(B) **CONTENT.**—The guidelines developed under subparagraph (A) shall provide for, among other things—

(i) detailed briefings on a fixed timetable to be specified in the guidelines of the congressional advisory groups regarding negotiating objectives and positions and the status of the applicable negotiations, beginning as soon as practicable after the congressional advisory groups are convened, with more frequent briefings as trade negotiations enter the final stage;

(ii) access by members of the congressional advisory groups, and staff with proper security clearances, to pertinent documents relating to the negotiations, including classified materials;

(iii) the closest practicable coordination between the Trade Representative and the congressional advisory groups at all critical periods during the negotiations, including at negotiation sites;

(iv) after the applicable trade agreement is concluded, consultation regarding ongoing compliance and enforcement of negotiated commitments under the trade agreement; and

(v) the timeframe for submitting the report required under section 105(d)(3).

(4) **REQUEST FOR MEETING.**—Upon the request of a majority of either of the congressional advisory groups, the President shall meet with that congressional advisory group before initiating negotiations with respect to a trade agreement, or at any other time concerning the negotiations.

(d) **CONSULTATIONS WITH THE PUBLIC.**—

(1) **GUIDELINES FOR PUBLIC ENGAGEMENT.**—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on public access to information regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) **PURPOSES.**—The guidelines developed under paragraph (1) shall—

(A) facilitate transparency;

(B) encourage public participation; and

(C) promote collaboration in the negotiation process.

(3) **CONTENT.**—The guidelines developed under paragraph (1) shall include procedures that—

(A) provide for rapid disclosure of information in forms that the public can readily find and use; and



(B) provide frequent opportunities for public input through Federal Register requests for comment and other means.

(4) **DISSEMINATION.**—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(e) **CONSULTATIONS WITH ADVISORY COMMITTEES.**—

(1) **GUIDELINES FOR ENGAGEMENT WITH ADVISORY COMMITTEES.**—The United States Trade Representative, in consultation with the chairmen and the ranking members of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, respectively—

(A) shall, not later than 120 days after the date of the enactment of this Act, develop written guidelines on enhanced coordination with advisory committees established pursuant to section 135 of the Trade Act of 1974 (19 U.S.C. 2155) regarding negotiations conducted under this title; and

(B) may make such revisions to the guidelines as may be necessary from time to time.

(2) **CONTENT.**—The guidelines developed under paragraph (1) shall enhance coordination with advisory committees described in that paragraph through procedures to ensure—

(A) timely briefings of advisory committees and regular opportunities for advisory committees to provide input throughout the negotiation process on matters relevant to the sectors or functional areas represented by those committees; and

(B) the sharing of detailed and timely information with each member of an advisory committee regarding negotiations and pertinent documents related to the negotiation (including classified information) on matters relevant to the sectors or functional areas the member represents, and with a designee with proper security clearances of each such member as appropriate.

(3) **DISSEMINATION.**—The United States Trade Representative shall disseminate the guidelines developed under paragraph (1) to all Federal agencies that could have jurisdiction over laws affected by trade negotiations.

(f) **ESTABLISHMENT OF POSITION OF CHIEF TRANSPARENCY OFFICER IN THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.**—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

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

“(3) There shall be in the Office one Chief Transparency Officer. The Chief Transparency Officer shall consult with Congress on transparency policy, coordinate transparency in trade negotiations, engage and assist the public, and advise the United States Trade Representative on transparency policy.”.

## **SEC. 105. NOTICE, CONSULTATIONS, AND REPORTS.**

(a) **NOTICE, CONSULTATIONS, AND REPORTS BEFORE NEGOTIATION.**—

(1) **NOTICE.**—The President, with respect to any agreement that is subject to the provisions of section 103(b), shall—

(A) provide, at least 90 calendar days before initiating negotiations with a country, written notice to Congress of the President's intention to enter into the negotiations with that country and set forth in the notice the date on which the President intends to initiate those negotiations, the specific United States objectives for the negotiations with that country, and whether the President intends to seek an agreement, or changes to an existing agreement;

(B) before and after submission of the notice, consult regarding the negotiations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, such other committees of the

House and Senate as the President deems appropriate, and the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c);

(C) upon the request of a majority of the members of either the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations convened under section 104(c), meet with the requesting congressional advisory group before initiating the negotiations or at any other time concerning the negotiations; and

(D) after consulting with the Committee on Ways and Means and the Committee on Finance, and at least 30 calendar days before initiating negotiations with a country, publish on a publicly available Internet website of the Office of the United States Trade Representative, and regularly update thereafter, a detailed and comprehensive summary of the specific objectives with respect to the negotiations, and a description of how the agreement, if successfully concluded, will further those objectives and benefit the United States.

(2) **NEGOTIATIONS REGARDING AGRICULTURE.**—  
(A) **ASSESSMENT AND CONSULTATIONS FOLLOWING ASSESSMENT.**—Before initiating or continuing negotiations the subject matter of which is directly related to the subject matter under section 102(b)(3)(B) with any country, the President shall—

(i) assess whether United States tariffs on agricultural products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country;

(ii) consider whether the tariff levels bound and applied throughout the world with respect to imports from the United States are higher than United States tariffs and whether the negotiation provides an opportunity to address any such disparity; and

(iii) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.

(B) **SPECIAL CONSULTATIONS ON IMPORT SENSITIVE PRODUCTS.**—(i) Before initiating negotiations with regard to agriculture and, with respect to agreements described in paragraphs (2) and (3) of section 107(a), as soon as practicable after the date of the enactment of this Act, the United States Trade Representative shall—

(1) identify those agricultural products subject to tariff rate quotas on the date of enactment of this Act, and agricultural products subject to tariff reductions by the United States as a result of the Uruguay Round Agreements, for which the rate of duty was reduced on January 1, 1995, to a rate which was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994;

(2) consult with the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning—

(aa) whether any further tariff reductions on the products identified under subclause (1) should be appropriate, taking into account the impact of any such tariff reduction on the United States industry producing the product concerned;

(bb) whether the products so identified face unjustified sanitary or phytosanitary restrictions, including those not based on scientific principles in contravention of the Uruguay Round Agreements; and

(cc) whether the countries participating in the negotiations maintain export subsidies or other programs, policies, or practices that distort world trade in such products and the impact of such programs, policies, and practices on United States producers of the products;

(III) request that the International Trade Commission prepare an assessment of the probable economic effects of any such tariff reduction on the United States industry producing the product concerned and on the United States economy as a whole; and

(IV) upon complying with subclauses (I), (II), and (III), notify the Committee on Ways and Means and the Committee on Agriculture of the House of Representatives and the Committee on Finance and the Committee on Agriculture, Nutrition, and Forestry of the Senate of those products identified under subclause (I) for which the Trade Representative intends to seek tariff liberalization in the negotiations and the reasons for seeking such tariff liberalization.

(i) If, after negotiations described in clause (i) are commenced—

(I) the United States Trade Representative identifies any additional agricultural product described in clause (i)(I) for tariff reductions which were not the subject of a notification under clause (i)(IV), or

(II) any additional agricultural product described in clause (i)(I) is the subject of a request for tariff reductions by a party to the negotiations,

the Trade Representative shall, as soon as practicable, notify the committees referred to in clause (i)(IV) of those products and the reasons for seeking such tariff reductions.

(3) **NEGOTIATIONS REGARDING THE FISHING INDUSTRY.**—Before initiating, or continuing, negotiations that directly relate to fish or shellfish trade with any country, the President shall consult with the Committee on Ways and Means and the Committee on Natural Resources of the House of Representatives, and the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate, and shall keep the Committees apprised of the negotiations on an ongoing and timely basis.

(4) **NEGOTIATIONS REGARDING TEXTILES.**—Before initiating or continuing negotiations the subject matter of which is directly related to textiles and apparel products with any country, the President shall—

(A) assess whether United States tariffs on textile and apparel products that were bound under the Uruguay Round Agreements are lower than the tariffs bound by that country and whether the negotiation provides an opportunity to address any such disparity; and

(B) consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate concerning the results of the assessment, whether it is appropriate for the United States to agree to further tariff reductions based on the conclusions reached in the assessment, and how all applicable negotiating objectives will be met.

(5) **ADHERENCE TO EXISTING INTERNATIONAL TRADE AND INVESTMENT AGREEMENT OBLIGATIONS.**—In determining whether to enter into negotiations with a particular country, the President shall take into account the extent to which that country has implemented, or has accelerated the implementation of, its international trade and investment commitments to the United States, including pursuant to the WTO Agreement.

(b) **CONSULTATION WITH CONGRESS BEFORE ENTRY INTO AGREEMENT.**—

(1) **CONSULTATION.**—Before entering into any trade agreement under section 103(b), the President shall consult with—

(A) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

(B) each other committee of the House and the Senate, and each joint committee of Congress, which has jurisdiction over legislation involving subject matters which would be affected by the trade agreement; and

(C) the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c).

(2) SCOPE.—The consultation described in paragraph (1) shall include consultation with respect to—

(A) the nature of the agreement;

(B) how and to what extent the agreement will achieve the applicable purposes, policies, priorities, and objectives of this title; and

(C) the implementation of the agreement under section 106, including the general effect of the agreement on existing laws.

(3) REPORT REGARDING UNITED STATES TRADE REMEDY LAWS.—

(A) CHANGES IN CERTAIN TRADE LAWS.—The President, not less than 180 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate—

(i) the range of proposals advanced in the negotiations with respect to that agreement, that may be in the final agreement, and that could require amendments to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) or to chapter 1 of title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.); and

(ii) how these proposals relate to the objectives described in section 102(b)(16).

(B) RESOLUTIONS.—(i) At any time after the transmission of the report under subparagraph (A), if a resolution is introduced with respect to that report in either House of Congress, the procedures set forth in clauses (iii) through (vii) shall apply to that resolution if—

(I) no other resolution with respect to that report has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to those procedures; and

(II) no procedural disapproval resolution under section 106(b) introduced with respect to a trade agreement entered into pursuant to the negotiations to which the report under subparagraph (A) relates has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be.

(ii) For purposes of this subparagraph, the term “resolution” means only a resolution of either House of Congress, the matter after the resolving clause of which is as follows: “That the

\_\_\_\_\_ finds that the proposed changes to United States trade remedy laws contained in the report of the President transmitted to Congress on \_\_\_\_\_ under section 105(b)(3) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 with respect to \_\_\_\_\_, are inconsistent with the negotiating objectives described in section 102(b)(16) of that Act.”, with the first blank space being filled with the name of the resolving House of Congress, the second blank space being filled with the appropriate date of the report, and the third blank space being filled with the name of the country or countries involved.

(iii) Resolutions in the House of Representatives—

(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee.

(iv) Resolutions in the Senate—

(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(v) It is not in order for the House of Representatives to consider any resolution that is not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(vi) It is not in order for the Senate to consider any resolution that is not reported by the Committee on Finance.

(vii) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C.

2192) (relating to floor consideration of certain resolutions in the House and Senate) shall apply to resolutions.

(4) ADVISORY COMMITTEE REPORTS.—The report required under section 135(e)(1) of the Trade Act of 1974 (19 U.S.C. 2155(e)(1)) regarding any trade agreement entered into under subsection (a) or (b) of section 103 shall be provided to the President, Congress, and the United States Trade Representative not later than 30 days after the date on which the President notifies Congress under section 103(a)(2) or 106(a)(1)(A) of the intention of the President to enter into the agreement.

(c) INTERNATIONAL TRADE COMMISSION ASSESSMENT.—

(1) SUBMISSION OF INFORMATION TO COMMISSION.—The President, not later than 90 calendar days before the day on which the President enters into a trade agreement under section 103(b), shall provide the International Trade Commission (referred to in this subsection as the “Commission”) with the details of the agreement as it exists at that time and request the Commission to prepare and submit an assessment of the agreement as described in paragraph (2). Between the time the President makes the request under this paragraph and the time the Commission submits the assessment, the President shall keep the Commission current with respect to the details of the agreement.

(2) ASSESSMENT.—Not later than 105 calendar days after the President enters into a trade agreement under section 103(b), the Commission shall submit to the President and Congress a report assessing the likely impact of the agreement on the United States economy as a whole and on specific industry sectors, including the impact the agreement will have on the gross domestic product, exports and imports, aggregate employment and employment opportunities, the production, employment, and competitive position of industries likely to be significantly affected by the agreement, and the interests of United States consumers.

(3) REVIEW OF EMPIRICAL LITERATURE.—In preparing the assessment under paragraph (2), the Commission shall review available economic assessments regarding the agreement, including literature regarding any substantially equivalent proposed agreement, and shall provide in its assessment a description of the analyses used and conclusions drawn in such literature, and a discussion of areas of consensus and divergence between the various analyses and conclusions, including those of the Commission regarding the agreement.

(4) PUBLIC AVAILABILITY.—The President shall make each assessment under paragraph (2) available to the public.

(d) REPORTS SUBMITTED TO COMMITTEES WITH AGREEMENT.—

(1) ENVIRONMENTAL REVIEWS AND REPORTS.—The President shall—

(A) conduct environmental reviews of future trade and investment agreements, consistent with Executive Order 13141 (64 Fed. Reg. 63169), dated November 16, 1999, and its relevant guidelines; and

(B) submit a report on those reviews and on the content and operation of consultative mechanisms established pursuant to section 102(c) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(2) EMPLOYMENT IMPACT REVIEWS AND REPORTS.—The President shall—

(A) review the impact of future trade agreements on United States employment, including labor markets, modeled after Executive Order 13141 (64 Fed. Reg. 63169) to the extent appropriate in establishing procedures and criteria; and

(B) submit a report on such reviews to the Committee on Ways and Means of the House of

Representatives and the Committee on Finance of the Senate at the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E).

(3) REPORT ON LABOR RIGHTS.—The President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, on a time-frame determined in accordance with section 104(c)(3)(B)(v)—

(A) a meaningful labor rights report of the country, or countries, with respect to which the President is negotiating; and

(B) a description of any provisions that would require changes to the labor laws and labor practices of the United States.

(4) PUBLIC AVAILABILITY.—The President shall make all reports required under this subsection available to the public.

(e) IMPLEMENTATION AND ENFORCEMENT PLAN.—

(1) IN GENERAL.—At the time the President submits to Congress a copy of the final legal text of an agreement pursuant to section 106(a)(1)(E), the President shall also submit to Congress a plan for implementing and enforcing the agreement.

(2) ELEMENTS.—The implementation and enforcement plan required by paragraph (1) shall include the following:

(A) BORDER PERSONNEL REQUIREMENTS.—A description of additional personnel required at border entry points, including a list of additional customs and agricultural inspectors.

(B) AGENCY STAFFING REQUIREMENTS.—A description of additional personnel required by Federal agencies responsible for monitoring and implementing the trade agreement, including personnel required by the Office of the United States Trade Representative, the Department of Commerce, the Department of Agriculture (including additional personnel required to implement sanitary and phytosanitary measures in order to obtain market access for United States exports), the Department of Homeland Security, the Department of the Treasury, and such other agencies as may be necessary.

(C) CUSTOMS INFRASTRUCTURE REQUIREMENTS.—A description of the additional equipment and facilities needed by U.S. Customs and Border Protection.

(D) IMPACT ON STATE AND LOCAL GOVERNMENTS.—A description of the impact the trade agreement will have on State and local governments as a result of increases in trade.

(E) COST ANALYSIS.—An analysis of the costs associated with each of the items listed in subparagraphs (A) through (D).

(3) BUDGET SUBMISSION.—The President shall include a request for the resources necessary to support the plan required by paragraph (1) in the first budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, after the date of the submission of the plan.

(4) PUBLIC AVAILABILITY.—The President shall make the plan required under this subsection available to the public.

(f) OTHER REPORTS.—

(1) REPORT ON PENALTIES.—Not later than one year after the imposition by the United States of a penalty or remedy permitted by a trade agreement to which this title applies, the President shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the effectiveness of the penalty or remedy applied under United States law in enforcing United States rights under the trade agreement, which shall address whether the penalty or remedy was effective in changing the behavior of the targeted party and whether the penalty or remedy had any adverse impact on parties or interests not party to the dispute.

(2) REPORT ON IMPACT OF TRADE PROMOTION AUTHORITY.—Not later than one year after the date of the enactment of this Act, and not later than 5 years thereafter, the United States International Trade Commission shall submit to the



Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the economic impact on the United States of all trade agreements with respect to which Congress has enacted an implementing bill under trade authorities procedures since January 1, 1984.

(3) ENFORCEMENT CONSULTATIONS AND REPORTS.—(A) The United States Trade Representative shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate after acceptance of a petition for review or taking an enforcement action in regard to an obligation under a trade agreement, including a labor or environmental obligation. During such consultations, the United States Trade Representative shall describe the matter, including the basis for such action and the application of any relevant legal obligations.

(B) As part of the report required pursuant to section 163 of the Trade Act of 1974 (19 U.S.C. 2213), the President shall report annually to Congress on enforcement actions taken pursuant to a trade agreement to which the United States is a party, as well as on any public reports issued by Federal agencies on enforcement matters relating to a trade agreement.

(g) ADDITIONAL COORDINATION WITH MEMBERS.—Any Member of the House of Representatives may submit to the Committee on Ways and Means of the House of Representatives and any Member of the Senate may submit to the Committee on Finance of the Senate the views of that Member on any matter relevant to a proposed trade agreement, and the relevant Committee shall receive those views for consideration.

#### SEC. 106. IMPLEMENTATION OF TRADE AGREEMENTS.

(a) IN GENERAL.—

(1) NOTIFICATION AND SUBMISSION.—Any agreement entered into under section 103(b) shall enter into force with respect to the United States if (and only if)—

(A) the President, at least 90 calendar days before the day on which the President enters into the trade agreement, notifies the House of Representatives and the Senate of the President's intention to enter into the agreement, and promptly thereafter publishes notice of such intention in the Federal Register;

(B) the President, at least 60 days before the day on which the President enters into the agreement, publishes the text of the agreement on a publicly available Internet website of the Office of the United States Trade Representative;

(C) within 60 days after entering into the agreement, the President submits to Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the agreement;

(D) the President, at least 30 days before submitting to Congress the materials under subparagraph (E), submits to Congress—

(i) a draft statement of any administrative action proposed to implement the agreement; and  
(ii) a copy of the final legal text of the agreement;

(E) after entering into the agreement, the President submits to Congress, on a day on which both Houses of Congress are in session, a copy of the final legal text of the agreement, together with—

(i) a draft of an implementing bill described in section 103(b)(3);

(ii) a statement of any administrative action proposed to implement the trade agreement; and  
(iii) the supporting information described in paragraph (2)(A);

(F) the implementing bill is enacted into law; and

(G) the President, not later than 30 days before the date on which the agreement enters into force with respect to a party to the agreement, submits written notice to Congress that the

President has determined that the party has taken measures necessary to comply with those provisions of the agreement that are to take effect on the date on which the agreement enters into force.

(2) SUPPORTING INFORMATION.—

(A) IN GENERAL.—The supporting information required under paragraph (1)(E)(iii) consists of—

(i) an explanation as to how the implementing bill and proposed administrative action will change or affect existing law; and  
(ii) a statement—

(I) asserting that the agreement makes progress in achieving the applicable purposes, policies, priorities, and objectives of this title; and  
(II) setting forth the reasons of the President regarding—

(aa) how and to what extent the agreement makes progress in achieving the applicable purposes, policies, and objectives referred to in subclause (I);  
(bb) whether and how the agreement changes provisions of an agreement previously negotiated;

(cc) how the agreement serves the interests of United States commerce; and  
(dd) how the implementing bill meets the standards set forth in section 103(b)(3).

(B) PUBLIC AVAILABILITY.—The President shall make the supporting information described in subparagraph (A) available to the public.

(3) RECIPROCAL BENEFITS.—In order to ensure that a foreign country that is not a party to a trade agreement entered into under section 103(b) does not receive benefits under the agreement unless the country is also subject to the obligations under the agreement, the implementing bill submitted with respect to the agreement shall provide that the benefits and obligations under the agreement apply only to the parties to the agreement, if such application is consistent with the terms of the agreement. The implementing bill may also provide that the benefits and obligations under the agreement do not apply uniformly to all parties to the agreement, if such application is consistent with the terms of the agreement.

(4) DISCLOSURE OF COMMITMENTS.—Any agreement or other understanding with a foreign government or governments (whether oral or in writing) that—

(A) relates to a trade agreement with respect to which Congress enacts an implementing bill under trade authorities procedures; and

(B) is not disclosed to Congress before an implementing bill with respect to that agreement is introduced in either House of Congress,

shall not be considered to be part of the agreement approved by Congress and shall have no force and effect under United States law or in any dispute settlement body.

(b) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—

(1) FOR LACK OF NOTICE OR CONSULTATIONS.—

(A) IN GENERAL.—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) if during the 60-day period beginning on the date that one House of Congress agrees to a procedural disapproval resolution for lack of notice or consultations with respect to such trade agreement or agreements, the other House separately agrees to a procedural disapproval resolution with respect to such trade agreement or agreements.

(B) PROCEDURAL DISAPPROVAL RESOLUTION.—

(i) For purposes of this paragraph, the term “procedural disapproval resolution” means a resolution of either House of Congress, the sole matter after the resolving clause of which is as follows: “That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities

and Accountability Act of 2015 on negotiations with respect to \_\_\_\_\_ and, therefore, the trade authorities procedures under that Act shall not apply to any implementing bill submitted with respect to such trade agreement or agreements.”, with the blank space being filled with a description of the trade agreement or agreements with respect to which the President is considered to have failed or refused to notify or consult.

(ii) For purposes of clause (i) and paragraphs (3)(C) and (4)(C), the President has “failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015” on negotiations with respect to a trade agreement or trade agreements if—

(I) the President has failed or refused to consult (as the case may be) in accordance with sections 104 and 105 and this section with respect to the negotiations, agreement, or agreements;

(II) guidelines under section 104 have not been developed or met with respect to the negotiations, agreement, or agreements;

(III) the President has not met with the House Advisory Group on Negotiations or the Senate Advisory Group on Negotiations pursuant to a request made under section 104(c)(4) with respect to the negotiations, agreement, or agreements; or

(IV) the agreement or agreements fail to make progress in achieving the purposes, policies, priorities, and objectives of this title.

(2) PROCEDURES FOR CONSIDERING RESOLUTIONS.—(A) Procedural disapproval resolutions—

(i) in the House of Representatives—  
(I) may be introduced by any Member of the House;

(II) shall be referred to the Committee on Ways and Means and, in addition, to the Committee on Rules; and

(III) may not be amended by either Committee; and

(ii) in the Senate—  
(I) may be introduced by any Member of the Senate;

(II) shall be referred to the Committee on Finance; and

(III) may not be amended.

(B) The provisions of subsections (d) and (e) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192) (relating to the floor consideration of certain resolutions in the House and Senate) apply to a procedural disapproval resolution introduced with respect to a trade agreement if no other procedural disapproval resolution with respect to that trade agreement has previously been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, and if no resolution described in clause (ii) of section 105(b)(3)(B) with respect to that trade agreement has been reported in that House of Congress by the Committee on Ways and Means or the Committee on Finance, as the case may be, pursuant to the procedures set forth in clauses (iii) through (vii) of such section.

(C) It is not in order for the House of Representatives to consider any procedural disapproval resolution not reported by the Committee on Ways and Means and, in addition, by the Committee on Rules.

(D) It is not in order for the Senate to consider any procedural disapproval resolution not reported by the Committee on Finance.

(3) CONSIDERATION IN SENATE OF CONSULTATION AND COMPLIANCE RESOLUTION TO REMOVE TRADE AUTHORITIES PROCEDURES.—

(A) REPORTING OF RESOLUTION.—If, when the Committee on Finance of the Senate meets on whether to report an implementing bill with respect to a trade agreement or agreements entered into under section 103(b), the committee fails to favorably report the bill, the committee shall report a resolution described in subparagraph (C).

(B) APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.—The trade authorities procedures

shall not apply in the Senate to any implementing bill submitted with respect to a trade agreement or agreements described in subparagraph (A) if the Committee on Finance reports a resolution described in subparagraph (C) and such resolution is agreed to by the Senate.

(C) **RESOLUTION DESCRIBED.**—A resolution described in this subparagraph is a resolution of the Senate originating from the Committee on Finance the sole matter after the resolving clause of which is as follows: “That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to \_\_\_\_\_ and, therefore, the trade authorities procedures under that Act shall not apply in the Senate to any implementing bill submitted with respect to such trade agreement or agreements.”, with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A).

(D) **PROCEDURES.**—If the Senate does not agree to a motion to invoke cloture on the motion to proceed to a resolution described in subparagraph (C), the resolution shall be committed to the Committee on Finance.

(4) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES OF A CONSULTATION AND COMPLIANCE RESOLUTION.**—

(A) **QUALIFICATIONS FOR REPORTING RESOLUTION.**—If—

(i) the Committee on Ways and Means of the House of Representatives reports an implementing bill with respect to a trade agreement or agreements entered into under section 103(b) with other than a favorable recommendation; and

(ii) a Member of the House of Representatives has introduced a consultation and compliance resolution on the legislative day following the filing of a report to accompany the implementing bill with other than a favorable recommendation,

then the Committee on Ways and Means shall consider a consultation and compliance resolution pursuant to subparagraph (B).

(B) **COMMITTEE CONSIDERATION OF A QUALIFYING RESOLUTION.**—(i) Not later than the fourth legislative day after the date of introduction of the resolution, the Committee on Ways and Means shall meet to consider a resolution meeting the qualifications set forth in subparagraph (A).

(ii) After consideration of one such resolution by the Committee on Ways and Means, this subparagraph shall not apply to any other such resolution.

(iii) If the Committee on Ways and Means has not reported the resolution by the sixth legislative day after the date of its introduction, that committee shall be discharged from further consideration of the resolution.

(C) **CONSULTATION AND COMPLIANCE RESOLUTION DESCRIBED.**—A consultation and compliance resolution—

(i) is a resolution of the House of Representatives, the sole matter after the resolving clause of which is as follows: “That the President has failed or refused to notify or consult in accordance with the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 on negotiations with respect to \_\_\_\_\_ and, therefore, the trade authorities procedures under that Act shall not apply in the House of Representatives to any implementing bill submitted with respect to such trade agreement or agreements.”, with the blank space being filled with a description of the trade agreement or agreements described in subparagraph (A); and

(ii) shall be referred to the Committee on Ways and Means.

(D) **APPLICABILITY OF TRADE AUTHORITIES PROCEDURES.**—The trade authorities procedures shall not apply in the House of Representatives to any implementing bill submitted with respect to a trade agreement or agreements which are

the object of a consultation and compliance resolution if such resolution is adopted by the House.

(5) **FOR FAILURE TO MEET OTHER REQUIREMENTS.**—Not later than December 15, 2015, the Secretary of Commerce, in consultation with the Secretary of State, the Secretary of the Treasury, the Attorney General, and the United States Trade Representative, shall transmit to Congress a report setting forth the strategy of the executive branch to address concerns of Congress regarding whether dispute settlement panels and the Appellate Body of the World Trade Organization have added to obligations, or diminished rights, of the United States, as described in section 102(b)(15)(C). Trade authorities procedures shall not apply to any implementing bill with respect to an agreement negotiated under the auspices of the World Trade Organization unless the Secretary of Commerce has issued such report by the deadline specified in this paragraph.

(6) **LIMITATIONS ON PROCEDURES WITH RESPECT TO AGREEMENTS WITH COUNTRIES NOT IN COMPLIANCE WITH TRAFFICKING VICTIMS PROTECTION ACT OF 2000.**—

(A) **IN GENERAL.**—The trade authorities procedures shall not apply to any implementing bill submitted with respect to a trade agreement or trade agreements entered into under section 103(b) with a country to which the minimum standards for the elimination of trafficking are applicable and the government of which does not fully comply with such standards and is not making significant efforts to bring the country into compliance (commonly referred to as a “tier 3” country), as determined in the most recent annual report on trafficking in persons submitted under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)).

(B) **MINIMUM STANDARDS FOR THE ELIMINATION OF TRAFFICKING DEFINED.**—In this paragraph, the term “minimum standards for the elimination of trafficking” means the standards set forth in section 108 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106).

(C) **RULES OF HOUSE OF REPRESENTATIVES AND SENATE.**—Subsection (b) of this section, section 103(c), and section 105(b)(3) are enacted by Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such are deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

**SEC. 107. TREATMENT OF CERTAIN TRADE AGREEMENTS FOR WHICH NEGOTIATIONS HAVE ALREADY BEGUN.**

(a) **CERTAIN AGREEMENTS.**—Notwithstanding the prenegotiation notification and consultation requirement described in section 105(a), if an agreement to which section 103(b) applies—

(1) is entered into under the auspices of the World Trade Organization,

(2) is entered into with the Trans-Pacific Partnership countries with respect to which notifications have been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act,

(3) is entered into with the European Union,

(4) is an agreement with respect to international trade in services entered into with WTO members with respect to which a notification has been made in a manner consistent with section 105(a)(1)(A) as of the date of the enactment of this Act, or

(5) is an agreement with respect to environmental goods entered into with WTO members with respect to which a notification has been made in a manner consistent with section

105(a)(1)(A) as of the date of the enactment of this Act,

and results from negotiations that were commenced before the date of the enactment of this Act, subsection (b) shall apply.

(b) **TREATMENT OF AGREEMENTS.**—In the case of any agreement to which subsection (a) applies, the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 105(a) (relating only to notice prior to initiating negotiations), and any resolution under paragraph (1)(B), (3)(C), or (4)(C) of section 106(b) shall not be in order on the basis of a failure or refusal to comply with the provisions of section 105(a), if (and only if) the President, as soon as feasible after the date of the enactment of this Act—

(1) notifies Congress of the negotiations described in subsection (a), the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(2) before and after submission of the notice, consults regarding the negotiations with the committees referred to in section 105(a)(1)(B) and the House and Senate Advisory Groups on Negotiations convened under section 104(c).

**SEC. 108. SOVEREIGNTY.**

(a) **UNITED STATES LAW TO PREVAIL IN EVENT OF CONFLICT.**—No provision of any trade agreement entered into under section 103(b), nor the application of any such provision to any person or circumstance, that is inconsistent with any law of the United States, any State of the United States, or any locality of the United States shall have effect.

(b) **AMENDMENTS OR MODIFICATIONS OF UNITED STATES LAW.**—No provision of any trade agreement entered into under section 103(b) shall prevent the United States, any State of the United States, or any locality of the United States from amending or modifying any law of the United States, that State, or that locality (as the case may be).

(c) **DISPUTE SETTLEMENT REPORTS.**—Reports, including findings and recommendations, issued by dispute settlement panels convened pursuant to any trade agreement entered into under section 103(b) shall have no binding effect on the law of the United States, the Government of the United States, or the law or government of any State or locality of the United States.

**SEC. 109. INTERESTS OF SMALL BUSINESSES.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States Trade Representative should facilitate participation by small businesses in the trade negotiation process; and

(2) the functions of the Office of the United States Trade Representative relating to small businesses should continue to be reflected in the title of the Assistant United States Trade Representative assigned the responsibility for small businesses.

(b) **CONSIDERATION OF SMALL BUSINESS INTERESTS.**—The Assistant United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the interests of small businesses are considered in all trade negotiations in accordance with the objective described in section 102(a)(8).

**SEC. 110. CONFORMING AMENDMENTS; APPLICATION OF CERTAIN PROVISIONS.**

(a) **CONFORMING AMENDMENTS.**—

(1) **ADVICE FROM UNITED STATES INTERNATIONAL TRADE COMMISSION.**—Section 131 of the Trade Act of 1974 (19 U.S.C. 2151) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “section 2103(a) or (b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “subsection (a) or (b) of section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(ii) in paragraph (2), by striking “section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103(b) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”;

(B) in subsection (b), by striking “section 2103(a)(3)(A) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103(a)(4)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(C) in subsection (c), by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(2) **HEARINGS.**—Section 132 of the Trade Act of 1974 (19 U.S.C. 2152) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(3) **PUBLIC HEARINGS.**—Section 133(a) of the Trade Act of 1974 (19 U.S.C. 2153(a)) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(4) **PREREQUISITES FOR OFFERS.**—Section 134 of the Trade Act of 1974 (19 U.S.C. 2154) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” each place it appears and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(5) **INFORMATION AND ADVICE FROM PRIVATE AND PUBLIC SECTORS.**—Section 135 of the Trade Act of 1974 (19 U.S.C. 2155) is amended—

(A) in subsection (a)(1)(A), by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(B) in subsection (e)—

(i) in paragraph (1)—

(I) by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” each place it appears and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(II) by striking “not later than the date on which the President notifies the Congress under section 2105(a)(1)(A) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “not later than the date that is 30 days after the date on which the President notifies Congress under section 106(a)(1)(A) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(ii) in paragraph (2), by striking “section 2102 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(6) **PROCEDURES RELATING TO IMPLEMENTING BILLS.**—Section 151 of the Trade Act of 1974 (19 U.S.C. 2191) is amended—

(A) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”; and

(B) in subsection (c)(1), by striking “section 2105(a)(1) of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 106(a)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(7) **TRANSMISSION OF AGREEMENTS TO CONGRESS.**—Section 162(a) of the Trade Act of 1974 (19 U.S.C. 2212(a)) is amended by striking “section 2103 of the Bipartisan Trade Promotion Authority Act of 2002” and inserting “section 103 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

(b) **APPLICATION OF CERTAIN PROVISIONS.**—For purposes of applying sections 125, 126, and

127 of the Trade Act of 1974 (19 U.S.C. 2135, 2136, and 2137)—

(1) any trade agreement entered into under section 103 shall be treated as an agreement entered into under section 101 or 102 of the Trade Act of 1974 (19 U.S.C. 2111 or 2112), as appropriate; and

(2) any proclamation or Executive order issued pursuant to a trade agreement entered into under section 103 shall be treated as a proclamation or Executive order issued pursuant to a trade agreement entered into under section 102 of the Trade Act of 1974 (19 U.S.C. 2112).

#### SEC. 111. DEFINITIONS.

In this title:

(1) **AGREEMENT ON AGRICULTURE.**—The term “Agreement on Agriculture” means the agreement referred to in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

(2) **AGREEMENT ON SAFEGUARDS.**—The term “Agreement on Safeguards” means the agreement referred to in section 101(d)(13) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(13)).

(3) **AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.**—The term “Agreement on Subsidies and Countervailing Measures” means the agreement referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).

(4) **ANTIDUMPING AGREEMENT.**—The term “Antidumping Agreement” means the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 referred to in section 101(d)(7) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(7)).

(5) **APPELLATE BODY.**—The term “Appellate Body” means the Appellate Body established under Article 17.1 of the Dispute Settlement Understanding.

(6) **COMMON MULTILATERAL ENVIRONMENTAL AGREEMENT.**—

(A) **IN GENERAL.**—The term “common multilateral environmental agreement” means any agreement specified in subparagraph (B) or included under subparagraph (C) to which both the United States and one or more other parties to the negotiations are full parties, including any current or future mutually agreed upon protocols, amendments, annexes, or adjustments to such an agreement.

(B) **AGREEMENTS SPECIFIED.**—The agreements specified in this subparagraph are the following:

(i) The Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249).

(ii) The Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal September 16, 1987.

(iii) The Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London February 17, 1978.

(iv) The Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar February 2, 1971 (TIAS 11084).

(v) The Convention on the Conservation of Antarctic Marine Living Resources, done at Canberra May 20, 1980 (33 UST 3476).

(vi) The International Convention for the Regulation of Whaling, done at Washington December 2, 1946 (62 Stat. 1716).

(vii) The Convention for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington May 31, 1949 (1 UST 230).

(C) **ADDITIONAL AGREEMENTS.**—Both the United States and one or more other parties to the negotiations may agree to include any other multilateral environmental or conservation agreement to which they are full parties as a common multilateral environmental agreement under this paragraph.

(7) **CORE LABOR STANDARDS.**—The term “core labor standards” means—

(A) freedom of association;

(B) the effective recognition of the right to collective bargaining;

(C) the elimination of all forms of forced or compulsory labor;

(D) the effective abolition of child labor and a prohibition on the worst forms of child labor; and

(E) the elimination of discrimination in respect of employment and occupation.

(8) **DISPUTE SETTLEMENT UNDERSTANDING.**—The term “Dispute Settlement Understanding” means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 101(d)(16) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(16)).

(9) **ENABLING CLAUSE.**—The term “Enabling Clause” means the Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (L/4903), adopted November 28, 1979, under GATT 1947 (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)).

(10) **ENVIRONMENTAL LAWS.**—The term “environmental laws”, with respect to the laws of the United States, means environmental statutes and regulations enforceable by action of the Federal Government.

(11) **GATT 1994.**—The term “GATT 1994” has the meaning given that term in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501).

(12) **GENERAL AGREEMENT ON TRADE IN SERVICES.**—The term “General Agreement on Trade in Services” means the General Agreement on Trade in Services (referred to in section 101(d)(14) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(14))).

(13) **GOVERNMENT PROCUREMENT AGREEMENT.**—The term “Government Procurement Agreement” means the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)).

(14) **ILO.**—The term “ILO” means the International Labor Organization.

(15) **IMPORT SENSITIVE AGRICULTURAL PRODUCT.**—The term “import sensitive agricultural product” means an agricultural product—

(A) with respect to which, as a result of the Uruguay Round Agreements, the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agreements, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or

(B) which was subject to a tariff rate quota on the date of the enactment of this Act.

(16) **INFORMATION TECHNOLOGY AGREEMENT.**—The term “Information Technology Agreement” means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.

(17) **INTERNATIONALLY RECOGNIZED CORE LABOR STANDARDS.**—The term “internationally recognized core labor standards” means the core labor standards only as stated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998).

(18) **LABOR LAWS.**—The term “labor laws” means the statutes and regulations, or provisions thereof, of a party to the negotiations that are directly related to core labor standards as well as other labor protections for children and minors and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health, and for the United States, includes Federal statutes and regulations addressing those standards, protections, or conditions, but does not include State or local labor laws.

(19) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen;

(B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and

(C) a partnership, corporation, or other legal entity that is organized under the laws of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.

(20) URUGUAY ROUND AGREEMENTS.—The term “Uruguay Round Agreements” has the meaning given that term in section 2(7) of the Uruguay Round Agreements Act (19 U.S.C. 3501(7)).

(21) WORLD TRADE ORGANIZATION; WTO.—The terms “World Trade Organization” and “WTO” mean the organization established pursuant to the WTO Agreement.

(22) WTO AGREEMENT.—The term “WTO Agreement” means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

(23) WTO MEMBER.—The term “WTO member” has the meaning given that term in section 2(10) of the Uruguay Round Agreements Act (19 U.S.C. 3501(10)).

## TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE

### SEC. 201. SHORT TITLE.

This title may be cited as the “Trade Adjustment Assistance Reauthorization Act of 2015”.

### SEC. 202. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) REPEAL OF SNAPBACK.—Section 233 of the Trade Adjustment Assistance Extension Act of 2011 (Public Law 112–40; 125 Stat. 416) is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this title, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on December 31, 2013, and as amended by this title, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) REFERENCES.—Except as otherwise provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.

### SEC. 203. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM.

(a) EXTENSION OF TERMINATION PROVISIONS.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended by striking “December 31, 2013” each place it appears and inserting “June 30, 2021”.

(b) TRAINING FUNDS.—Section 236(a)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)(A)) is amended by striking “shall not exceed” and all that follows and inserting “shall not exceed \$450,000,000 for each of fiscal years 2015 through 2021.”.

(c) REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(d) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking “December 31, 2013” and inserting “June 30, 2021”.

(2) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

(3) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended by striking “fiscal years 2012 and 2013” and all that follows through “December 31, 2013” and inserting “fiscal years 2015 through 2021”.

### SEC. 204. PERFORMANCE MEASUREMENT AND REPORTING.

(a) PERFORMANCE MEASURES.—Section 239(j) of the Trade Act of 1974 (19 U.S.C. 2311(j)) is amended—

(1) in the subsection heading, by striking “DATA REPORTING” and inserting “PERFORMANCE MEASURES”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a quarterly” and inserting “an annual”; and

(ii) by striking “data” and inserting “measures”;

(B) in subparagraph (A), by striking “core” and inserting “primary”; and

(C) in subparagraph (C), by inserting “that promote efficiency and effectiveness” after “assistance program”;

(3) in paragraph (2)—

(A) in the paragraph heading, by striking “CORE INDICATORS DESCRIBED” and inserting “INDICATORS OF PERFORMANCE”; and

(B) by striking subparagraph (A) and inserting the following:

“(A) PRIMARY INDICATORS OF PERFORMANCE DESCRIBED.—

“(i) IN GENERAL.—The primary indicators of performance referred to in paragraph (1)(A) shall consist of—

“(I) the percentage and number of workers who received benefits under the trade adjustment assistance program who are in unsubsidized employment during the second calendar quarter after exit from the program;

“(II) the percentage and number of workers who received benefits under the trade adjustment assistance program and who are in unsubsidized employment during the fourth calendar quarter after exit from the program;

“(III) the median earnings of workers described in subclause (I);

“(IV) the percentage and number of workers who received benefits under the trade adjustment assistance program who, subject to clause (ii), obtain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in the program or within one year after exit from the program; and

“(V) the percentage and number of workers who received benefits under the trade adjustment assistance program who, during a year while receiving such benefits, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable gains in skills toward such a credential or employment.

“(ii) INDICATOR RELATING TO CREDENTIAL.—For purposes of clause (i)(IV), a worker who received benefits under the trade adjustment assistance program who obtained a secondary school diploma or its recognized equivalent shall be included in the percentage counted for purposes of that clause only if the worker, in addition to obtaining such a diploma or its recognized equivalent, has obtained or retained employment or is in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.”;

(4) in paragraph (3)—

(A) in the paragraph heading, by striking “DATA” and inserting “MEASURES”;

(B) by striking “quarterly” and inserting “annual”; and

(C) by striking “data” and inserting “measures”;

(5) by adding at the end the following:

“(4) ACCESSIBILITY OF STATE PERFORMANCE REPORTS.—The Secretary shall, on an annual basis, make available (including by electronic means), in an easily understandable format, the reports of cooperating States or cooperating State agencies required by paragraph (1) and the information contained in those reports.”.

(b) COLLECTION AND PUBLICATION OF DATA.—Section 249B of the Trade Act of 1974 (19 U.S.C. 2323) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A), by striking “enrolled in” and inserting “who received”;

(ii) in subparagraph (B)—

(I) by striking “complete” and inserting “exited”; and

(II) by striking “who were enrolled in” and inserting “, including who received”;

(iii) in subparagraph (E), by striking “complete” and inserting “exited”;

(iv) in subparagraph (F), by striking “complete” and inserting “exit”; and

(v) by adding at the end the following:

“(G) The average cost per worker of receiving training approved under section 236.

“(H) The percentage of workers who received training approved under section 236 and obtained unsubsidized employment in a field related to that training.”; and

(B) in paragraph (4)—

(i) in subparagraphs (A) and (B), by striking “quarterly” each place it appears and inserting “annual”; and

(ii) by striking subparagraph (C) and inserting the following:

“(C) The median earnings of workers described in section 239(j)(2)(A)(i)(III) during the second calendar quarter after exit from the program, expressed as a percentage of the median earnings of such workers before the calendar quarter in which such workers began receiving benefits under this chapter.”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(ii) by inserting after subparagraph (A) the following:

“(B) the reports required under section 239(j);”;

(B) in paragraph (2), by striking “a quarterly” and inserting “an annual”.

(c) RECOGNIZED POSTSECONDARY CREDENTIAL DEFINED.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end the following:

“(19) The term ‘recognized postsecondary credential’ means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by a State or the Federal Government, or an associate or baccalaureate degree.”.

### SEC. 205. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER JANUARY 1, 2014, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) **PETITION DESCRIBED.**—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(B) **ELIGIBILITY FOR BENEFITS.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 90 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) **COMPUTATION OF MAXIMUM BENEFITS.**—Benefits received by a worker described in clause (i) under chapter 2 of title II of the Trade Act of 1974 before the date of the enactment of this Act shall be included in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act.

(2) **PETITIONS FILED BEFORE JANUARY 1, 2014.**—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or before December 31, 2013, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on December 31, 2013.

(3) **QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.**—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting “before January 1, 2014” for “more than one year before the date of the petition on which such certification was granted” for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) **TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.**—

(1) **CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.**—

(A) **CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.**—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) **RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.**—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) **PETITION DESCRIBED.**—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after January 1, 2014, and before the date of the enactment of this Act.

(2) **CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN JANUARY 1, 2014, AND DATE OF ENACTMENT.**—

(A) **IN GENERAL.**—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance

under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) **FIRM DESCRIBED.**—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on January 1, 2014, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on that date during the period described in clause (i).

#### SEC. 206. SUNSET PROVISIONS.

(a) **APPLICATION OF PRIOR LAW.**—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting “104-week period” for “104-week period” and all that follows through “130-week period”); and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting “65” for “52”; and

(II) by substituting “78-week period” for “52-week period” each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

“(g) **PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.**—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

“(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

“(2) the worker participates in training in each such week; and

“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and

“(C) will complete the training during that period of eligibility.”;

(3) section 245(a) of that Act shall be applied and administered by substituting “June 30, 2022” for “December 31, 2007”;

(4) section 246(b)(1) of that Act shall be applied and administered by substituting “June 30, 2022” for “the date that is 5 years” and all that follows through “State”;

(5) section 256(b) of that Act shall be applied and administered by substituting “the 1-year period beginning on July 1, 2021” for “each of fiscal years 2003 through 2007, and \$4,000,000 for the 3-month period beginning on October 1, 2007”;

(6) section 298(a) of that Act shall be applied and administered by substituting “the 1-year

period beginning on July 1, 2021” for “each of the fiscal years” and all that follows through “October 1, 2007”; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting “June 30, 2022” for “December 31, 2007” each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

“(b) **OTHER ASSISTANCE.**—

“(1) **ASSISTANCE FOR FIRMS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after June 30, 2022.

“(B) **EXCEPTION.**—Notwithstanding subparagraph (A), any assistance approved under chapter 3 pursuant to a petition filed under section 251 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”

“(2) **FARMERS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after June 30, 2022.

“(B) **EXCEPTION.**—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before June 30, 2022, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”

(b) **EXCEPTIONS.**—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after July 1, 2021, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before July 1, 2021;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before July 1, 2021; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before July 1, 2021.

#### SEC. 207. EXTENSION AND MODIFICATION OF HEALTH COVERAGE TAX CREDIT.

(a) **EXTENSION.**—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by striking “before January 1, 2014” and inserting “before January 1, 2020”.

(b) **COORDINATION WITH CREDIT FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN.**—Subsection (g) of section 35 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraph (11) as paragraph (13), and

(2) by inserting after paragraph (10) the following new paragraphs:

“(11) **ELECTION.**—

“(A) **IN GENERAL.**—This section shall not apply to any taxpayer for any eligible coverage month unless such taxpayer elects the application of this section for such month.

“(B) **TIMING AND APPLICABILITY OF ELECTION.**—Except as the Secretary may provide—

“(i) an election to have this section apply for any eligible coverage month in a taxable year shall be made not later than the due date (including extensions) for the return of tax for the taxable year, and

“(ii) any election for this section to apply for an eligible coverage month shall apply for all subsequent eligible coverage months in the taxable year and, once made, shall be irrevocable with respect to such months.

“(12) **COORDINATION WITH PREMIUM TAX CREDIT.**—



“(A) IN GENERAL.—An eligible coverage month to which the election under paragraph (11) applies shall not be treated as a coverage month (as defined in section 36B(c)(2)) for purposes of section 36B with respect to the taxpayer.”

“(B) COORDINATION WITH ADVANCE PAYMENTS OF PREMIUM TAX CREDIT.—In the case of a taxpayer who makes the election under paragraph (11) with respect to any eligible coverage month in a taxable year or on behalf of whom any advance payment is made under section 7527 with respect to any month in such taxable year—

“(i) the tax imposed by this chapter for the taxable year shall be increased by the excess, if any, of—

“(I) the sum of any advance payments made on behalf of the taxpayer under section 1412 of the Patient Protection and Affordable Care Act and section 7527 for months during such taxable year, over

“(II) the sum of the credits allowed under this section (determined without regard to paragraph (1)) and section 36B (determined without regard to subsection (f)(1) thereof) for such taxable year, and

“(ii) section 36B(f)(2) shall not apply with respect to such taxpayer for such taxable year, except that if such taxpayer received any advance payments under section 7527 for any month in such taxable year and is later allowed a credit under section 36B for such taxable year, then section 36B(f)(2)(B) shall be applied by substituting the amount determined under clause (i) for the amount determined under section 36B(f)(2)(A).”

(c) EXTENSION OF ADVANCE PAYMENT PROGRAM.—

(1) IN GENERAL.—Subsection (a) of section 7527 of the Internal Revenue Code of 1986 is amended by striking “August 1, 2003” and inserting “the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015”.

(2) CONFORMING AMENDMENT.—Paragraph (1) of section 7527(e) of such Code is amended by striking “occurring” and all that follows and inserting “occurring—

“(A) after the date that is 1 year after the date of the enactment of the Trade Adjustment Assistance Reauthorization Act of 2015, and

“(B) prior to the first month for which an advance payment is made on behalf of such individual under subsection (a).”

(d) INDIVIDUAL INSURANCE TREATED AS QUALIFIED HEALTH INSURANCE WITHOUT REGARD TO ENROLLMENT DATE.—

(1) IN GENERAL.—Subparagraph (J) of section 35(e)(1) of the Internal Revenue Code of 1986 is amended by striking “insurance if the eligible individual” and all that follows through “For purposes of” and inserting “insurance. For purposes of”.

(2) SPECIAL RULE.—Subparagraph (J) of section 35(e)(1) of such Code, as amended by paragraph (1), is amended by striking “insurance.” and inserting “insurance (other than coverage enrolled in through an Exchange established under the Patient Protection and Affordable Care Act).”

(e) CONFORMING AMENDMENT.—Subsection (m) of section 6501 of the Internal Revenue Code of 1986 is amended by inserting “, 35(g)(11)” after “30D(e)(4)”.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to coverage months in taxable years beginning after December 31, 2013.

(2) PLANS AVAILABLE ON INDIVIDUAL MARKET FOR USE OF TAX CREDIT.—The amendment made by subsection (d)(2) shall apply to coverage months in taxable years beginning after December 31, 2015.

(3) TRANSITION RULE.—Notwithstanding section 35(g)(11)(B)(i) of the Internal Revenue Code of 1986 (as added by this title), an election to apply section 35 of such Code to an eligible coverage month (as defined in section 35(b) of such

Code) (and not to claim the credit under section 36B of such Code with respect to such month) in a taxable year beginning after December 31, 2013, and before the date of the enactment of this Act—

(A) may be made at any time on or after such date of enactment and before the expiration of the 3-year period of limitation prescribed in section 6511(a) with respect to such taxable year; and

(B) may be made on an amended return.

(g) AGENCY OUTREACH.—As soon as possible after the date of the enactment of this Act, the Secretaries of the Treasury, Health and Human Services, and Labor (or such Secretaries’ delegates) and the Director of the Pension Benefit Guaranty Corporation (or the Director’s delegate) shall carry out programs of public outreach, including on the Internet, to inform potential eligible individuals (as defined in section 35(c)(1) of the Internal Revenue Code of 1986) of the extension of the credit under section 35 of the Internal Revenue Code of 1986 and the availability of the election to claim such credit retroactively for coverage months beginning after December 31, 2013.

#### SEC. 208. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (B)(i), by striking “September 30, 2024” and inserting “September 30, 2025”; and

(2) by adding at the end the following:

“(D) Fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on July 29, 2025, and ending on September 30, 2025.”

(b) RATE FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 125 Stat. 460) is amended by adding at the end the following:

“(c) FURTHER ADDITIONAL PERIOD.—For the period beginning on July 15, 2025, and ending on September 30, 2025, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

“(1) in subparagraph (A), by substituting ‘0.3464’ for ‘0.21’; and

“(2) in subparagraph (B)(i), by substituting ‘0.3464’ for ‘0.21’.”

#### SEC. 209. CHILD TAX CREDIT NOT REFUNDABLE FOR TAXPAYERS ELECTING TO EXCLUDE FOREIGN EARNED INCOME FROM TAX.

(a) IN GENERAL.—Section 24(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) EXCEPTION FOR TAXPAYERS EXCLUDING FOREIGN EARNED INCOME.—Paragraph (1) shall not apply to any taxpayer for any taxable year if such taxpayer elects to exclude any amount from gross income under section 911 for such taxable year.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

#### SEC. 210. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

Notwithstanding section 6655 of the Internal Revenue Code of 1986, in the case of a corporation with assets of not less than \$1,000,000,000 (determined as of the end of the preceding taxable year)—

(1) the amount of any required installment of corporate estimated tax which is otherwise due in July, August, or September of 2020 shall be increased by 2.75 percent of such amount (determined without regard to any increase in such amount not contained in such Code); and

(2) the amount of the next required installment after an installment referred to in paragraph (1) shall be appropriately reduced to reflect the amount of the increase by reason of such paragraph.

#### SEC. 211. COVERAGE AND PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.

(a) COVERAGE.—Section 1861(s)(2)(F) of the Social Security Act (42 U.S.C. 1395x(s)(2)(F)) is amended by inserting before the semicolon the following: “, including such renal dialysis services furnished on or after January 1, 2017, by a renal dialysis facility or provider of services paid under section 1881(b)(14) to an individual with acute kidney injury (as defined in section 1834(r)(2)).”

(b) PAYMENT.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(r) PAYMENT FOR RENAL DIALYSIS SERVICES FOR INDIVIDUALS WITH ACUTE KIDNEY INJURY.—

“(1) PAYMENT RATE.—In the case of renal dialysis services (as defined in subparagraph (B) of section 1881(b)(14)) furnished under this part by a renal dialysis facility or provider of services paid under such section during a year (beginning with 2017) to an individual with acute kidney injury (as defined in paragraph (2)), the amount of payment under this part for such services shall be the base rate for renal dialysis services determined for such year under such section, as adjusted by any applicable geographic adjustment factor applied under subparagraph (D)(iv)(II) of such section and may be adjusted by the Secretary (on a budget neutral basis for payments under this paragraph) by any other adjustment factor under subparagraph (D) of such section.

“(2) INDIVIDUAL WITH ACUTE KIDNEY INJURY DEFINED.—In this subsection, the term ‘individual with acute kidney injury’ means an individual who has acute loss of renal function and does not receive renal dialysis services for which payment is made under section 1881(b)(14).”

#### SEC. 212. MODIFICATION OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2024.

Section 251A(6)(D)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)(D)(ii)) is amended by striking “0.0 percent” and inserting “0.25 percent”.

MOTION OFFERED BY MR. ROGERS OF KENTUCKY

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

The text of the motion is as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to H.R. 1314 with the amendment printed in part A of House Report 114–315 modified by the amendment printed in part B of that report.

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

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Bipartisan Budget Act of 2015”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

##### TITLE I—BUDGET ENFORCEMENT

Sec. 101. Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 102. Authority for fiscal year 2017 budget resolution in the Senate.

##### TITLE II—AGRICULTURE

Sec. 201. Standard Reinsurance Agreement.

##### TITLE III—COMMERCE

Sec. 301. Debt collection improvements.

##### TITLE IV—STRATEGIC PETROLEUM RESERVE

Sec. 401. Strategic Petroleum Reserve test drawdown and sale notification and definition change.



- Sec. 402. Strategic Petroleum Reserve mission readiness optimization.
- Sec. 403. Strategic Petroleum Reserve drawdown and sale.
- Sec. 404. Energy Security and Infrastructure Modernization Fund.

#### TITLE V—PENSIONS

- Sec. 501. Single employer plan annual premium rates.
- Sec. 502. Pension Payment Acceleration.
- Sec. 503. Mortality tables.
- Sec. 504. Extension of current funding stabilization percentages to 2018, 2019, and 2020.

#### TITLE VI—HEALTH CARE

- Sec. 601. Maintaining 2016 Medicare part B premium and deductible levels consistent with actuarially fair rates.
- Sec. 602. Applying the Medicaid additional rebate requirement to generic drugs.
- Sec. 603. Treatment of off-campus outpatient departments of a provider.
- Sec. 604. Repeal of automatic enrollment requirement.

#### TITLE VII—JUDICIARY

- Sec. 701. Civil monetary penalty inflation adjustments.
- Sec. 702. Crime Victims Fund.
- Sec. 703. Assets Forfeiture Fund.

#### TITLE VIII—SOCIAL SECURITY

- Sec. 801. Short title.
- Subtitle A—Ensuring Correct Payments and Reducing Fraud
- Sec. 811. Expansion of cooperative disability investigations units.
- Sec. 812. Exclusion of certain medical sources of evidence.
- Sec. 813. New and stronger penalties.
- Sec. 814. References to Social Security and Medicare in electronic communications.
- Sec. 815. Change to cap adjustment authority.
- Subtitle B—Promoting Opportunity for Disability Beneficiaries
- Sec. 821. Temporary reauthorization of disability insurance demonstration project authority.
- Sec. 822. Modification of demonstration project authority.
- Sec. 823. Promoting opportunity demonstration project.
- Sec. 824. Use of electronic payroll data to improve program administration.
- Sec. 825. Treatment of earnings derived from services.
- Sec. 826. Electronic reporting of earnings.
- Subtitle C—Protecting Social Security Benefits
- Sec. 831. Closure of unintended loopholes.
- Sec. 832. Requirement for medical review.
- Sec. 833. Reallocation of payroll tax revenue.
- Sec. 834. Access to financial information for waivers and adjustments of recovery.

#### Subtitle D—Relieving Administrative Burdens and Miscellaneous Provisions

- Sec. 841. Interagency coordination to improve program administration.
- Sec. 842. Elimination of quinquennial determinations relating to wage credits for military service prior to 1957.
- Sec. 843. Certification of benefits payable to a divorced spouse of a railroad worker to the Railroad Retirement Board.
- Sec. 844. Technical amendments to eliminate obsolete provisions.

- Sec. 845. Reporting requirements to Congress.
- Sec. 846. Expedited examination of administrative law judges.

#### TITLE IX—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT

- Sec. 901. Temporary extension of public debt limit.
- Sec. 902. Restoring congressional authority over the national debt.

#### TITLE X—SPECTRUM PIPELINE

- Sec. 1001. Short title.
- Sec. 1002. Definitions.
- Sec. 1003. Rule of construction.
- Sec. 1004. Identification, reallocation, and auction of Federal spectrum.
- Sec. 1005. Additional uses of Spectrum Relocation Fund.
- Sec. 1006. Plans for auction of certain spectrum.
- Sec. 1007. FCC auction authority.
- Sec. 1008. Reports to Congress.

#### TITLE XI—REVENUE PROVISIONS RELATED TO TAX COMPLIANCE

- Sec. 1101. Partnership audits and adjustments.
- Sec. 1102. Partnership interests created by gift.

#### TITLE XII—DESIGNATION OF SMALL HOUSE ROTUNDA

- Sec. 1201. Designating small House rotunda as “Freedom Foyer”.

#### TITLE I—BUDGET ENFORCEMENT

##### SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

(a) REVISED DISCRETIONARY SPENDING LIMITS.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (3) and (4) and inserting the following:

“(3) for fiscal year 2016—

“(A) for the revised security category, \$548,091,000,000 in new budget authority; and

“(B) for the revised nonsecurity category \$518,491,000,000 in new budget authority;

“(4) for fiscal year 2017—

“(A) for the revised security category, \$551,068,000,000 in new budget authority; and

“(B) for the revised nonsecurity category, \$518,531,000,000 in new budget authority.”.

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2016 AND 2017.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), is amended—

(1) in paragraph (5)(B), by striking “paragraph (10)” and inserting “paragraphs (10) and (11)”;

(2) by adding at the end the following:

“(11) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2016 AND 2017.—(A) OMB shall make the calculations necessary to implement the direct spending reductions calculated pursuant to paragraphs (3) and (4) without regard to the amendment made to section 251(c) revising the discretionary spending limits for fiscal years 2016 and 2017 by the Bipartisan Budget Act of 2015.

“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2016 and 2017.”.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEAR 2025.—Section 251A(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(6)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “and for fiscal year 2024” and by inserting “for fiscal year 2024, and for fiscal year 2025”;

(2) by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C); and

(3) in subparagraph (C) (as so redesignated), by striking “fiscal year 2024” and inserting “fiscal year 2025”.

(d) OVERSEAS CONTINGENCY OPERATIONS AMOUNTS.—In fiscal years 2016 and 2017, the adjustments under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)) for Overseas Contingency Operations/Global War on Terrorism appropriations will be as follows:

(1) For budget function 150—

(A) for fiscal year 2016, \$14,895,000,000; and

(B) for fiscal year 2017, \$14,895,000,000.

(2) For budget function 050—

(A) for fiscal year 2016, \$58,798,000,000; and

(B) for fiscal year 2017, \$58,798,000,000.

This subsection shall not affect the applicability of section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### SEC. 102. AUTHORITY FOR FISCAL YEAR 2017 BUDGET RESOLUTION IN THE SENATE.

(a) FISCAL YEAR 2017.—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2016, and enforcing budgetary points of order in prior concurrent resolutions on the budget, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the Senate in the same manner as for a concurrent resolution on the budget for fiscal year 2017 with appropriate budgetary levels for fiscal years 2018 through 2026.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—After April 15, 2016, but not later than May 15, 2016, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2017 consistent with discretionary spending limits set forth in section 251(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by this Act, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2017 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974;

(4) aggregate revenue levels for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) levels of Social Security revenues and outlays for fiscal years 2017, 2017 through 2021, and 2017 through 2026 consistent with the most recent baseline of the Congressional Budget Office, as adjusted for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) ADDITIONAL MATTER.—The filing referred to in subsection (b) may also include for fiscal year 2017 the matter contained in subtitles A and B of title IV of S. Con. Res. 11 (114th Congress) updated by 1 fiscal year.

(d) EXPIRATION.—This section shall expire if a concurrent resolution on the budget for fiscal year 2017 is agreed to by the Senate and the House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

## TITLE II—AGRICULTURE

### SEC. 201. STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(8)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking “may renegotiate” and all that follows through the end of clause (ii) and inserting the following: “shall renegotiate the financial terms and conditions of each Standard Reinsurance Agreement—

“(i) not later than December 31, 2016; and

“(ii) not less than once during each period of 5 reinsurance years thereafter.”; and

(2) by striking subparagraph (E) and inserting the following:

“(E) CAP ON OVERALL RATE OF RETURN.—Notwithstanding subparagraph (F), the Board shall ensure that the Standard Reinsurance Agreement renegotiated under subparagraph (A)(i) establishes a target rate of return for the approved insurance providers, taken as a whole, that does not exceed 8.9 percent of retained premium for each of the 2017 through 2026 reinsurance years.”.

## TITLE III—COMMERCE

### SEC. 301. DEBT COLLECTION IMPROVEMENTS.

(a) IN GENERAL.—Section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(iii), by inserting “, unless such call is made solely to collect a debt owed to or guaranteed by the United States” after “charged for the call”; and

(B) in subparagraph (B), by inserting “, is made solely pursuant to the collection of a debt owed to or guaranteed by the United States,” after “purposes”; and

(2) in paragraph (2)—

(A) in subparagraph (F), by striking “and” at the end;

(B) in subparagraph (G), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(H) may restrict or limit the number and duration of calls made to a telephone number assigned to a cellular telephone service to collect a debt owed to or guaranteed by the United States.”.

(b) DEADLINE FOR REGULATIONS.—Not later than 9 months after the date of enactment of this Act, the Federal Communications Commission, in consultation with the Department of the Treasury, shall prescribe regulations to implement the amendments made by this section.

## TITLE IV—STRATEGIC PETROLEUM RESERVE

### SEC. 401. STRATEGIC PETROLEUM RESERVE TEST DRAWDOWN AND SALE NOTIFICATION AND DEFINITION CHANGE.

(a) NOTICE TO CONGRESS.—Section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)) is amended by striking paragraph (8) and inserting the following:

“(8) NOTICE TO CONGRESS.—

“(A) PRIOR NOTICE.—Not less than 14 days before the date on which a test is carried out under this subsection, the Secretary shall notify both Houses of Congress of the test.

“(B) EMERGENCY.—The prior notice requirement in subparagraph (A) shall not apply if the Secretary determines that an emergency exists which requires a test to be carried out, in which case the Secretary shall notify both Houses of Congress of the test as soon as possible.

“(C) DETAILED DESCRIPTION.—

“(i) IN GENERAL.—Not later than 180 days after the date on which a test is completed

under this subsection, the Secretary shall submit to both Houses of Congress a detailed description of the test.

“(ii) REPORT.—A detailed description submitted under clause (i) may be included as part of a report made to the President and Congress under section 165.”.

(b) DEFINITION CHANGE.—Section 3(8)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6202(8)(C)(iii)) is amended by striking “sabotage or an act of God” and inserting “sabotage, an act of terrorism, or an act of God”.

### SEC. 402. STRATEGIC PETROLEUM RESERVE MISSION READINESS OPTIMIZATION.

Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) complete a long-range strategic review of the Strategic Petroleum Reserve; and

(2) develop and submit to Congress a proposed action plan, including a proposed implementation schedule, that—

(A) specifies near- and long-term roles of the Strategic Petroleum Reserve relative to the energy and economic security goals and objectives of the United States;

(B) describes whether existing legal authorities that govern the policies, configuration, and capabilities of the Strategic Petroleum Reserve are adequate to ensure that the Strategic Petroleum Reserve can meet the current and future energy and economic security goals and objectives of the United States;

(C) identifies the configuration and performance capabilities of the Strategic Petroleum Reserve and recommends an action plan to achieve the optimal—

(i) capacity, location, and composition of petroleum products in the Strategic Petroleum Reserve; and

(ii) storage and distributional capabilities; and

(D) estimates the resources required to attain and maintain the long-term sustainability and operational effectiveness of the Strategic Petroleum Reserve.

### SEC. 403. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall draw down and sell—

(1) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2018;

(2) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2019;

(3) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2020;

(4) 5,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2021;

(5) 8,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2022;

(6) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2023;

(7) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2024; and

(8) 10,000,000 barrels of crude oil from the Strategic Petroleum Reserve during fiscal year 2025.

(b) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this section in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

(c) PROCEEDS.—Proceeds from a sale under this section shall be deposited into the gen-

eral fund of the Treasury during the fiscal year in which the sale occurs.

### SEC. 404. ENERGY SECURITY AND INFRASTRUCTURE MODERNIZATION FUND.

(a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund to be known as the Energy Security and Infrastructure Modernization Fund (referred to in this section as the “Fund”), consisting of—

(1) collections deposited in the Fund under subsection (c); and

(2) amounts otherwise appropriated to the Fund.

(b) PURPOSE.—The purpose of the Fund is to provide for the construction, maintenance, repair, and replacement of Strategic Petroleum Reserve facilities.

(c) COLLECTION AND DEPOSIT OF SALE PROCEEDS IN FUND.—

(1) DRAWDOWN AND SALE.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), to the extent provided in advance in appropriation Acts, the Secretary of Energy shall draw down and sell crude oil from the Strategic Petroleum Reserve in amounts as authorized under subsection (e), except as provided in paragraph (2). Amounts received for a sale under this paragraph shall be deposited into the Fund during the fiscal year in which the sale occurs. Such amounts shall remain available in the Fund without fiscal year limitation.

(2) EMERGENCY PROTECTION.—The Secretary shall not draw down and sell crude oil under this subsection in amounts that would limit the authority to sell petroleum products under section 161(h) of the Energy Policy and Conservation Act (42 U.S.C. 6241(h)) in the full amount authorized by that subsection.

(d) AUTHORIZED USES OF FUND.—

(1) IN GENERAL.—Amounts in the Fund may be used for, or may be credited as offsetting collections for amounts used for, carrying out the program described in paragraph (2)(B), to the extent provided in advance in appropriation Acts.

(2) PROGRAM TO MODERNIZE THE STRATEGIC PETROLEUM RESERVE.—

(A) FINDINGS.—Congress finds the following:

(i) The Strategic Petroleum Reserve is one of the Nation’s most valuable energy security assets.

(ii) The age and condition of the Strategic Petroleum Reserve have diminished its value as a Federal energy security asset.

(iii) Global oil markets and the location and amount of United States oil production and refining capacity have dramatically changed in the 40 years since the establishment of the Strategic Petroleum Reserve.

(iv) Maximizing the energy security value of the Strategic Petroleum Reserve requires a modernized infrastructure that meets the drawdown and distribution needs of changed domestic and international oil and refining market conditions.

(B) PROGRAM.—The Secretary of Energy shall establish a Strategic Petroleum Reserve modernization program to protect the United States economy from the impacts of emergency product supply disruptions. The program may include—

(i) operational improvements to extend the useful life of surface and subsurface infrastructure;

(ii) maintenance of cavern storage integrity; and

(iii) addition of infrastructure and facilities to optimize the drawdown and incremental distribution capacity of the Strategic Petroleum Reserve.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated (and drawdowns and sales under subsection (c) in an equal amount are authorized) for carrying out subsection (d)(2)(B), \$2,000,000,000 for the

period encompassing fiscal years 2017 through 2020.

(f) TRANSMISSION OF DEPARTMENT BUDGET REQUESTS.—The Secretary of Energy shall prepare and submit in the Department’s annual budget request to Congress—

- (1) an itemization of the amounts of funds necessary to carry out subsection (d); and
- (2) a designation of any activities thereunder for which a multiyear budget authority would be appropriate.

(g) SUNSET.—The authority of the Secretary to draw down and sell crude oil from the Strategic Petroleum Reserve under this section shall expire at the end of fiscal year 2020.

TITLE V—PENSIONS

SEC. 501. SINGLE EMPLOYER PLAN ANNUAL PREMIUM RATES.

(a) FLAT-RATE PREMIUM.—

(1) IN GENERAL.—Section 4006(a)(3)(A)(i) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amended by striking “and” at the end of subclause (IV), by striking the period at the end of subclause (V) and inserting a semicolon, and by inserting after subclause (V) the following:

“(VI) for plan years beginning after December 31, 2016, and before January 1, 2018, \$69;

“(VII) for plan years beginning after December 31, 2017, and before January 1, 2019, \$74; and

“(VIII) for plan years beginning after December 31, 2018, \$80.”.

(2) PREMIUM RATES AFTER 2019.—Section 4006(a)(3)(G) of such Act (29 U.S.C. 1306(a)(3)(G)) is amended—

(A) in the matter preceding clause (i), by striking “2016” and inserting “2019”; and

(B) in clause (i)(II) by striking “2014” and inserting “2017”.

(b) VARIABLE-RATE PREMIUM INCREASES.—

(1) IN GENERAL.—Section 4006(a)(8)(C) of such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

(A) in the subparagraph heading, by striking “increase in 2014 and 2015” and inserting “increases”;

(B) in clause (ii), by striking “and” at the end;

(C) in clause (iii), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(iv) in the case of plan years beginning in calendar year 2017, by \$3;

“(v) in the case of plan years beginning in calendar year 2018, by \$4; and

“(vi) in the case of plan years beginning in calendar year 2019, by \$4.”.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended—

(A) in subparagraph (A)—

(i) in clause (iii), by striking “and” at the end;

(ii) in clause (iv), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(v) for plan years beginning after calendar year 2017, the amount in effect for plan years beginning in 2017 (determined after application of subparagraph (C));

“(vi) for plan years beginning after calendar year 2018, the amount in effect for plan years beginning in 2018 (determined after application of subparagraph (C)); and

“(vii) for plan years beginning after calendar year 2019, the amount in effect for plan years beginning in 2019 (determined after application of subparagraph (C)).”; and

(B) in subparagraph (D)—

(i) in clause (iii), by striking “and” at the end;

(ii) in clause (iv), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(v) 2015, in the case of plan years beginning after calendar year 2017;

“(vi) 2016, in the case of plan years beginning after calendar year 2018; and

“(vii) 2017, in the case of plan years beginning after calendar year 2019.”.

(3) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2016.

SEC. 502. PENSION PAYMENT ACCELERATION.

Notwithstanding section 4007(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1307(a)) and section 4007.11 of title 29, Code of Federal Regulations, for plan years commencing after December 31, 2024, and before January 1, 2026, the premium due date for such plan years shall be the fifteenth day of the ninth calendar month that begins on or after the first day of the premium payment year.

SEC. 503. MORTALITY TABLES.

(a) CREDIBILITY.—For purposes of subclause (I) of section 430(h)(3)(C)(iii) of the Internal Revenue Code of 1986 and subclause (I) of section 303(h)(3)(C)(iii) of the Employee Retirement Income Security Act of 1974, the determination of whether plans have credible information shall be made in accordance with established actuarial credibility theory, which—

(1) is materially different from rules under such section of such Code, including Revenue Procedure 2007-37, that are in effect on the date of the enactment of this Act, and

(2) permits the use of tables that reflect adjustments to the tables described in subparagraphs (A) and (B) of section 430(h)(3) of such Code, and subparagraphs (A) and (B) of section 303(h)(3) of such Act, if such adjustments are based on the experience described in subclause (II) of section 430(h)(3)(C)(iii) of such Code and in subclause (II) of section 303(h)(3)(C)(iii) of such Act.

(b) EFFECTIVE DATE.—This section shall apply to plan years beginning after December 31, 2015.

SEC. 504. EXTENSION OF CURRENT FUNDING STABILIZATION PERCENTAGES TO 2018, 2019 AND 2020.

(a) FUNDING STABILIZATION UNDER THE INTERNAL REVENUE CODE OF 1986.—The table in subclause (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, or 2020.	90% .....	110%
2021 .....	85% .....	115%
2022 .....	80% .....	120%
2023 .....	75% .....	125%
After 2023 .....	70% .....	130%”.

(b) FUNDING STABILIZATION UNDER EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—The table in subclause (II) of section 303(h)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 (29

U.S.C. 1083(h)(2)(C)(iv)) is amended to read as follows:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, or 2020.	90% .....	110%
2021 .....	85% .....	115%
2022 .....	80% .....	120%
2023 .....	75% .....	125%
After 2023 .....	70% .....	130%”.

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1021(f)(2)(D)) is amended—

(i) in clause (i) by striking “and the Highway and Transportation Funding Act of 2014” both places it appears and inserting “, the Highway and Transportation Funding Act of 2014, and the Bipartisan Budget Act of 2015”, “and

(ii) in clause (ii) by striking “2020” and inserting “2023”.

(B) STATEMENTS.—The Secretary of Labor shall modify the statements required under

subclauses (I) and (II) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2015.

TITLE VI—HEALTH CARE

SEC. 601. MAINTAINING 2016 MEDICARE PART B PREMIUM AND DEDUCTIBLE LEVELS CONSISTENT WITH ACTUARIALLY FAIR RATES.

(a) 2016 PREMIUM AND DEDUCTIBLE AND REPAYMENT THROUGH FUTURE PREMIUMS.—Section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)) is amended—

(1) in the second sentence of paragraph (1), by striking “Such” and inserting “Subject to paragraphs (5) and (6), such”; and

(2) by adding at the end the following:

“(5)(A) In applying this part (including subsection (i) and section 1833(b)), the monthly actuarial rate for enrollees age 65 and over for 2016 shall be determined as if subsection (f) did not apply.

“(B) Subsection (f) shall continue to be applied to paragraph (6)(A) (during a repayment month, as described in paragraph (6)(B)) and without regard to the application of subparagraph (A).

“(6)(A) With respect to a repayment month (as described in subparagraph (B)), the monthly premium otherwise established under paragraph (3) shall be increased by, subject to subparagraph (D), \$3.

“(B) For purposes of this paragraph, a repayment month is a month during a year, beginning with 2016, for which a balance due amount is computed under subparagraph (C) as greater than zero.

“(C) For purposes of this paragraph, the balance due amount computed under this subparagraph, with respect to a month, is the amount estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services to be equal to—

“(i) the amount transferred under section 1844(d)(1); plus

“(ii) the amount that is equal to the aggregate reduction, for all individuals enrolled under this part, in the income related monthly adjustment amount as a result of the application of paragraph (5); minus

“(iii) the amounts payable under this part as a result of the application of this paragraph for preceding months.

“(D) If the balance due amount computed under subparagraph (C), without regard to this subparagraph, for December of a year would be less than zero, the Chief Actuary of the Centers for Medicare & Medicaid Services shall estimate, and the Secretary shall apply, a reduction to the dollar amount increase applied under subparagraph (A) for each month during such year in a manner such that the balance due amount for January of the subsequent year is equal to zero.”.

(b) TRANSITIONAL GOVERNMENT CONTRIBUTION.—Section 1844 of the Social Security Act (42 U.S.C. 1395w) is amended—

(1) in subsection (a), by adding at the end the following:

“In applying paragraph (1), the amounts transferred under subsection (d)(1) with respect to enrollees described in subparagraphs (A) and (B) of such subsection shall be treated as premiums payable and deposited in the Trust Fund under subparagraphs (A) and (B), respectively, of paragraph (1).”; and

(2) by adding at the end the following:

“(d)(1) For 2016, there shall be transferred from the General Fund to the Trust Fund an amount, as estimated by the Chief Actuary of the Centers for Medicare & Medicaid Services, equal to the reduction in aggregate premiums payable under this part for a month in such year (excluding any changes in amounts collected under section 1839(i)) that is attributable to the application of section 1839(a)(5)(A) with respect to—

“(A) enrollees age 65 and over; and

“(B) enrollees under age 65.

Such amounts shall be transferred from time to time as appropriate.

“(2) Premium increases affected under section 1839(a)(6) shall not be taken into account in applying subsection (a).

“(3) There shall be transferred from the Trust Fund to the General Fund of the Treasury amounts equivalent to the additional premiums payable as a result of the application of section 1839(a)(6), excluding the aggregate payments attributable to the application of section 1839(i)(3)(A)(ii)(II).”.

(c) CONFORMING APPLICATION OF HIGH INCOME ADJUSTMENTS TO INCREASED MONTHLY PREMIUM IN SAME MANNER AS FOR REGULAR MEDICARE PREMIUMS.—Section

1839(i)(3)(A)(ii) of the Social Security Act (42 U.S.C. 1395r(i)(3)(A)(ii)) is amended—

(1) by striking “AMOUNT-200 percent” and inserting the following: “AMOUNT-”

“(I) 200 percent”; and

(2) by striking the period at the end and inserting “; plus”; and

(3) by adding at the end the following new subclause:

“(II) 4 times the amount of the increase in the monthly premium under subsection (a)(6) for a month in the year.”.

(d) CONDITIONAL APPLICATION TO 2017 IF NO SOCIAL SECURITY COLA FOR 2017.—If there is no increase in the monthly insurance benefits payable under title II with respect to December 2016 pursuant to section 215(i), then the amendments made by this section shall be applied as if—

(1) the reference to “2016” in paragraph (5)(A) of section 1839(a) of the Social Security Act (42 U.S.C. 1395r(a)), as added by subsection (a)(2), was a reference to “2016 and 2017”; and

(2) the reference to “a month during a year, beginning with 2016” in paragraph (6)(B) of section 1839 of such Act (42 U.S.C. 1395r(a)), as added by subsection (a)(2), was a reference to “a month in a year, beginning with 2016 and beginning with 2017, respectively”; and

(3) the reference to “2016” in subsection (d)(1) of section 1844 of such Act (42 U.S.C. 1395w), as added by subsection (b)(2), was a reference to “each of 2016 and 2017”.

Any increase in premiums effected under this subsection shall be in addition to the increase effected by the amendments made by subsection (a).

(e) CONSTRUCTION REGARDING NO AUTHORITY TO INITIATE APPLICATION TO YEARS AFTER 2017.—Nothing in subsection (d) or the amendments made by this section shall be construed as authorizing the Secretary of Health and Human Services to initiate application of such subsection or amendments for a year after 2017.

#### SEC. 602. APPLYING THE MEDICAID ADDITIONAL REBATE REQUIREMENT TO GENERIC DRUGS.

(a) IN GENERAL.—Section 1927(c)(3) of the Social Security Act (42 U.S.C. 1396r-8(c)(3)) is amended—

(1) in subparagraph (A), by striking “The amount” and inserting “Except as provided in subparagraph (C), the amount”; and

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

“(C) ADDITIONAL REBATE.—

“(i) IN GENERAL.—The amount of the rebate specified in this paragraph for a rebate period, with respect to each dosage form and strength of a covered outpatient drug other than a single source drug or an innovator multiple source drug of a manufacturer, shall be increased in the manner that the rebate for a dosage form and strength of a single source drug or an innovator multiple source drug is increased under subparagraphs (A) and (D) of paragraph (2), except as provided in clause (ii).

“(ii) SPECIAL RULES FOR APPLICATION OF PROVISION.—In applying subparagraphs (A) and (D) of paragraph (2) under clause (i)—

“(I) the reference in subparagraph (A)(i) of such paragraph to ‘1990’ shall be deemed a reference to ‘2014’;

“(II) subject to clause (iii), the reference in subparagraph (A)(ii) of such paragraph to ‘the calendar quarter beginning July 1, 1990’ shall be deemed a reference to ‘the calendar quarter beginning July 1, 2014’; and

“(III) subject to clause (iii), the reference in subparagraph (A)(ii) of such paragraph to ‘September 1990’ shall be deemed a reference to ‘September 2014’;

“(IV) the references in subparagraph (D) of such paragraph to ‘paragraph (1)(A)(ii)’, ‘this

paragraph’, and ‘December 31, 2009’ shall be deemed references to ‘subparagraph (A)’, ‘this subparagraph’, and ‘December 31, 2014’, respectively; and

“(V) any reference in such paragraph to a ‘single source drug or an innovator multiple source drug’ shall be deemed to be a reference to a drug to which clause (i) applies.

“(iii) SPECIAL RULE FOR CERTAIN NONINNOVATOR MULTIPLE SOURCE DRUGS.—In applying paragraph (2)(A)(ii)(II) under clause (i) with respect to a covered outpatient drug that is first marketed as a drug other than a single source drug or an innovator multiple source drug after April 1, 2013, such paragraph shall be applied—

“(I) by substituting ‘the applicable quarter’ for ‘the calendar quarter beginning July 1, 1990’; and

“(II) by substituting ‘the last month in such applicable quarter’ for ‘September 1990’.

“(iv) APPLICABLE QUARTER DEFINED.—In this subsection, the term ‘applicable quarter’ means, with respect to a drug described in clause (iii), the fifth full calendar quarter after which the drug is marketed as a drug other than a single source drug or an innovator multiple source drug.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to rebate periods beginning after the date that is one year after the date of the enactment of this Act.

#### SEC. 603. TREATMENT OF OFF-CAMPUS OUTPATIENT DEPARTMENTS OF A PROVIDER.

Section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) is amended—

(1) in paragraph (1)(B)—

(A) in clause (iii), by striking “but” at the end;

(B) in clause (iv), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new clause:

“(v) does not include applicable items and services (as defined in subparagraph (A) of paragraph (21)) that are furnished on or after January 1, 2017, by an off-campus outpatient department of a provider (as defined in subparagraph (B) of such paragraph).”; and

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

“(21) SERVICES FURNISHED BY AN OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER.—

“(A) APPLICABLE ITEMS AND SERVICES.—For purposes of paragraph (1)(B)(v) and this paragraph, the term ‘applicable items and services’ means items and services other than items emergency department (as defined in section 489.24(b) of title 42 of the Code of Federal Regulations).

“(B) OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER.—

“(i) IN GENERAL.—For purposes of paragraph (1)(B)(v) and this paragraph, subject to clause (ii), the term ‘off-campus outpatient department of a provider’ means a department of a provider (as defined in section 413.65(a)(2) of title 42 of the Code of Federal Regulations, as in effect as of the date of the enactment of this paragraph) that is not located—

“(I) on the campus (as defined in such section 413.65(a)(2)) of such provider; or

“(II) within the distance (described in such definition of campus) from a remote location of a hospital facility (as defined in such section 413.65(a)(2)).

“(ii) EXCEPTION.—For purposes of paragraph (1)(B)(v) and this paragraph, the term ‘off-campus outpatient department of a provider’ shall not include a department of a provider (as so defined) that was billing under this subsection with respect to covered OPD services furnished prior to the date of the enactment of this paragraph.

“(C) AVAILABILITY OF PAYMENT UNDER OTHER PAYMENT SYSTEMS.—Payments for applicable items and services furnished by an off-campus outpatient department of a provider that are described in paragraph (1)(B)(v) shall be made under the applicable payment system under this part (other than under this subsection) if the requirements for such payment are otherwise met.

“(D) INFORMATION NEEDED FOR IMPLEMENTATION.—Each hospital shall provide to the Secretary such information as the Secretary determines appropriate to implement this paragraph and paragraph (1)(B)(v) (which may include reporting of information on a hospital claim using a code or modifier and reporting information about off-campus outpatient departments of a provider on the enrollment form described in section 1866(j)).

“(E) LIMITATIONS.—There shall be no administrative or judicial review under section 1869, section 1878, or otherwise of the following:

“(i) The determination of the applicable items and services under subparagraph (A) and applicable payment systems under subparagraph (C).

“(ii) The determination of whether a department of a provider meets the term described in subparagraph (B).

“(iii) Any information that hospitals are required to report pursuant to subparagraph (D).”.

#### SEC. 604. REPEAL OF AUTOMATIC ENROLLMENT REQUIREMENT.

The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) is amended by repealing section 18A (as added by section 1511 of the Patient Protection and Affordable Care Act (Public Law 111-148)).

### TITLE VII—JUDICIARY

#### SEC. 701. CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS.

(a) SHORT TITLE.—This section may be cited as the “Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015”.

(b) AMENDMENTS.—The Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) is amended—

(1) in section 4—

(A) by striking the matter preceding paragraph (1) and inserting the following:

“(a) IN GENERAL.—Not later than July 1, 2016, and not later than January 15 of every year thereafter, and subject to subsections (c) and (d), the head of each agency shall—”;

(B) in paragraph (1)—

(i) by striking “by regulation adjust” and inserting “in accordance with subsection (b), adjust”; and

(ii) by striking “, the Tariff Act of 1930, the Occupational Safety and Health Act of 1970, or the Social Security Act” and inserting “or the Tariff Act of 1930”;

(C) in paragraph (2), by striking “such regulation” and inserting “such adjustment”; and

(D) by adding at the end the following:

“(b) PROCEDURES FOR ADJUSTMENTS.—

“(1) CATCH UP ADJUSTMENT.—For the first adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015—

“(A) the head of an agency shall adjust civil monetary penalties through an interim final rulemaking; and

“(B) the adjustment shall take effect not later than August 1, 2016.

“(2) SUBSEQUENT ADJUSTMENTS.—For the second adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and each adjustment thereafter, the head of an agency

shall adjust civil monetary penalties and shall make the adjustment notwithstanding section 553 of title 5, United States Code.

“(c) EXCEPTION.—For the first adjustment made under subsection (a) after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the head of an agency may adjust the amount of a civil monetary penalty by less than the otherwise required amount if—

“(1) the head of the agency, after publishing a notice of proposed rulemaking and providing an opportunity for comment, determines in a final rule that—

“(A) increasing the civil monetary penalty by the otherwise required amount will have a negative economic impact; or

“(B) the social costs of increasing the civil monetary penalty by the otherwise required amount outweigh the benefits; and

“(2) the Director of the Office of Management and Budget concurs with the determination of the head of the agency under paragraph (1).

“(d) OTHER ADJUSTMENTS MADE.—If a civil monetary penalty subject to a cost-of-living adjustment under this Act is, during the 12 months preceding a required cost-of-living adjustment, increased by an amount greater than the amount of the adjustment required under subsection (a), the head of the agency is not required to make the cost-of-living adjustment for that civil monetary penalty in that year.”;

(2) in section 5—

(A) in subsection (a), by striking “to the nearest—” and all that follows through the end of subsection (a) and inserting “to the nearest multiple of \$1.”; and

(B) by amending subsection (b) to read as follows:

“(b) DEFINITION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of subsection (a), the term ‘cost-of-living adjustment’ means the percentage (if any) for each civil monetary penalty by which—

“(A) the Consumer Price Index for the month of October preceding the date of the adjustment, exceeds

“(B) the Consumer Price Index for the month of October 1 year before the month of October referred to in subparagraph (A).

“(2) INITIAL ADJUSTMENT.—

“(A) IN GENERAL.—Subject to subparagraph (C), for the first inflation adjustment under section 4 made by an agency after the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the term ‘cost-of-living adjustment’ means the percentage (if any) for each civil monetary penalty by which the Consumer Price Index for the month of October, 2015 exceeds the Consumer Price Index for the month of October of the calendar year during which the amount of such civil monetary penalty was established or adjusted under a provision of law other than this Act.

“(B) APPLICATION OF ADJUSTMENT.—The cost-of-living adjustment described in subparagraph (A) shall be applied to the amount of the civil monetary penalty as it was most recently established or adjusted under a provision of law other than this Act.

“(C) MAXIMUM ADJUSTMENT.—The amount of the increase in a civil monetary penalty under subparagraph (A) shall not exceed 150 percent of the amount of that civil monetary penalty on the date of enactment of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.”;

(3) in section 6, by striking “violations which occur” and inserting “civil monetary penalties, including those whose associated violation predated such increase, which are assessed”; and

(4) by adding at the end the following:

#### “SEC. 7. IMPLEMENTATION AND OVERSIGHT ENHANCEMENTS.

“(a) OMB GUIDANCE.—Not later than February 29, 2016, not later than December 15, 2016, and December 15 of every year thereafter, the Director of the Office of Management and Budget shall issue guidance to agencies on implementing the inflation adjustments required under this Act.

“(b) AGENCY FINANCIAL REPORTS.—The head of each agency shall include in the Agency Financial Report submitted under OMB Circular A-136, or any successor thereto, information about the civil monetary penalties within the jurisdiction of the agency, including the adjustment of the civil monetary penalties by the head of the agency under this Act.

“(c) GAO REVIEW.—The Comptroller General of the United States shall annually submit to Congress a report assessing the compliance of agencies with the inflation adjustments required under this Act, which may be included as part of another report submitted to Congress.”.

(c) REPEAL.—Section 31001(s) of the Debt Collection Improvement Act of 1996 (28 U.S.C. 2461 note) is amended by striking paragraph (2).

#### SEC. 702. CRIME VICTIMS FUND.

There is hereby rescinded and permanently canceled \$1,500,000,000 of the funds deposited or available in the Crime Victims Fund created by section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601).

#### SEC. 703. ASSETS FORFEITURE FUND.

Of the amounts deposited in the Department of Justice Assets Forfeiture Fund, \$746,000,000 are hereby rescinded and permanently cancelled.

### TITLE VIII—SOCIAL SECURITY

#### SEC. 801. SHORT TITLE.

This title may be cited as the “Social Security Benefit Protection and Opportunity Enhancement Act of 2015”.

#### Subtitle A—Ensuring Correct Payments and Reducing Fraud

#### SEC. 811. EXPANSION OF COOPERATIVE DISABILITY INVESTIGATIONS UNITS.

(a) IN GENERAL.—Not later than October 1, 2022, the Commissioner of Social Security shall take any necessary actions, subject to the availability of appropriations, to ensure that cooperative disability investigations units have been established, in areas where there is cooperation with local law enforcement agencies, that would cover each of the 50 States, the District of Columbia, Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until the earlier of 2022 or the date on which nationwide coverage is achieved, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report describing a plan to implement the nationwide coverage described in subsection (a) and outlining areas where the Social Security Administration did not receive the cooperation of local law enforcement agencies.

#### SEC. 812. EXCLUSION OF CERTAIN MEDICAL SOURCES OF EVIDENCE.

(a) IN GENERAL.—Section 223(d)(5) of the Social Security Act (42 U.S.C. 423(d)(5)) is amended by adding at the end the following:

“(C)(i) In making any determination with respect to whether an individual is under a disability or continues to be under a disability, the Commissioner of Social Security may not consider (except for good cause as determined by the Commissioner) any evidence furnished by—

“(I) any individual or entity who has been convicted of a felony under section 208 or under section 1632;

“(II) any individual or entity who has been excluded from participation in any Federal health care program under section 1128; or

“(III) any person with respect to whom a civil money penalty or assessment has been imposed under section 1129 for the submission of false evidence.

“(ii) To the extent and at such times as is necessary for the effective implementation of clause (i) of this subparagraph—

“(I) the Inspector General of the Social Security Administration shall transmit to the Commissioner information relating to persons described in subclause (I) or (III) of clause (i);

“(II) the Secretary of Health and Human Services shall transmit to the Commissioner information relating to persons described in subclause (II) of clause (i); and”.

(b) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall issue regulations to carry out the amendment made by subsection (a).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to determinations of disability made on or after the earlier of—

(1) the effective date of the regulations issued by the Commissioner under subsection (b); or

(2) one year after the date of the enactment of this Act.

#### SEC. 813. NEW AND STRONGER PENALTIES.

(a) CONSPIRACY TO COMMIT SOCIAL SECURITY FRAUD.—

(1) AMENDMENT TO TITLE II.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(A) in paragraph (7)(C), by striking “or” at the end;

(B) in paragraph (8), by adding “or” at the end; and

(C) by inserting after paragraph (8) the following:

“(9) conspires to commit any offense described in any of paragraphs (1) through (4).”.

(2) AMENDMENT TO TITLE VIII.—Section 811(a) of such Act (42 U.S.C. 1011(a)) is amended—

(A) in paragraph (3), by striking “or” at the end;

(B) in paragraph (4), by striking the comma and adding “; or” at the end; and

(C) by inserting after paragraph (4) the following:

“(5) conspires to commit any offense described in any of paragraphs (1) through (3).”.

(3) AMENDMENT TO TITLE XVI.—Section 1632(a) of such Act (42 U.S.C. 1383a(a)) is amended—

(A) in paragraph (3), by striking “or” at the end;

(B) in paragraph (4), by adding “or” at the end; and

(C) by inserting after paragraph (4) the following:

“(5) conspires to commit any offense described in any of paragraphs (1) through (3).”.

(b) INCREASED CRIMINAL PENALTIES FOR CERTAIN INDIVIDUALS VIOLATING POSITIONS OF TRUST.—

(1) AMENDMENT TO TITLE II.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting “, except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health

care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.”.

(2) AMENDMENT TO TITLE VIII.—Section 811(a) of such Act (42 U.S.C. 1011(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting “, except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.”.

(3) AMENDMENT TO TITLE XVI.—Section 1632(a) of such Act (42 U.S.C. 1383a(a)), as amended by subsection (a), is further amended by striking the period at the end and inserting “, except that in the case of a person who receives a fee or other income for services performed in connection with any determination with respect to benefits under this title (including a claimant representative, translator, or current or former employee of the Social Security Administration), or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, such person shall be guilty of a felony and upon conviction thereof shall be fined under title 18, United States Code, or imprisoned for not more than ten years, or both.”.

(c) INCREASED CIVIL MONETARY PENALTIES FOR CERTAIN INDIVIDUALS VIOLATING POSITIONS OF TRUST.—Section 1129(a)(1) of the Social Security Act (42 U.S.C. 1320a-8(a)(1)) is amended, in the matter following subparagraph (C), by inserting after “withholding disclosure of such fact” the following: “, except that in the case of such a person who receives a fee or other income for services performed in connection with any such determination (including a claimant representative, translator, or current or former employee of the Social Security Administration) or who is a physician or other health care provider who submits, or causes the submission of, medical or other evidence in connection with any such determination, the amount of such penalty shall be not more than \$7,500”.

(d) NO BENEFITS PAYABLE TO INDIVIDUALS FOR WHOM A CIVIL MONETARY PENALTY IS IMPOSED FOR FRAUDULENTLY CONCEALING WORK ACTIVITY.—Section 222(c)(5) of the Social Security Act (42 U.S.C. 422(c)(5)) is amended by inserting after “conviction by a Federal court” the following: “, or the imposition of a civil monetary penalty under section 1129.”.

#### SEC. 814. REFERENCES TO SOCIAL SECURITY AND MEDICARE IN ELECTRONIC COMMUNICATIONS.

(a) IN GENERAL.—Section 1140(a)(1) of the Social Security Act (42 U.S.C. 1320b-10(a)(1)) is amended by inserting “(including any Internet or other electronic communication)” after “or other communication”.

(b) EACH COMMUNICATION TREATED AS SEPARATE VIOLATION.—Section 1140(b) of such Act (42 U.S.C. 1320b-10(b)) is amended by inserting after the second sentence the following: “In the case of any items referred to in subsection (a)(1) consisting of Internet or other electronic communications, each dissemina-

tion, viewing, or accessing of such a communication which contains one or more words, letters, symbols, or emblems in violation of subsection (a) shall represent a separate violation”.

#### SEC. 815. CHANGE TO CAP ADJUSTMENT AUTHORITY.

Section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(B)) is amended—

(1) in clause (i)—

(A) in the matter before subclause (I), by striking “and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act” and inserting “, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys”;

(B) in subclause (VI), by striking “\$1,309,000,000” and inserting “\$1,546,000,000”;

(C) in subclause (VII), by striking “\$1,309,000,000” and inserting “\$1,462,000,000”;

(D) in subclause (VIII), by striking “\$1,309,000,000” and inserting “\$1,410,000,000”; and

(E) in subclause (X), by striking “\$1,309,000,000” and inserting “\$1,302,000,000”;

(2) in clause (ii)(I), by inserting “, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity” before the semicolon; and

(3) in clause (ii)(III), by striking “and redeterminations” and inserting “, redeterminations, co-operative disability investigation units, and fraud prosecutions”.

#### Subtitle B—Promoting Opportunity for Disability Beneficiaries

#### SEC. 821. TEMPORARY REAUTHORIZATION OF DISABILITY INSURANCE DEMONSTRATION PROJECT AUTHORITY.

(a) TERMINATION DATE.—Section 234(d)(2) of the Social Security Act (42 U.S.C. 434(d)(2)) is amended by striking “December 18, 2005” and inserting “December 31, 2021, and the authority to carry out such projects shall terminate on December 31, 2022”.

(b) AUTHORITY TO WAIVE COMPLIANCE WITH BENEFITS REQUIREMENTS.—Section 234(c) of such Act is amended by striking “December 17, 2005” and inserting “December 30, 2021”.

#### SEC. 822. MODIFICATION OF DEMONSTRATION PROJECT AUTHORITY.

(a) IN GENERAL.—Section 234(a)(1) of the Social Security Act (42 U.S.C. 434(a)(1)) is amended in the matter preceding subparagraph (A) by inserting “to promote attachment to the labor force and” after “designed”.

(b) CONGRESSIONAL REVIEW PERIOD.—Section 234(c) of the Social Security Act (42 U.S.C. 434(c)), as amended by section 821(b) of this Act, is further amended by inserting “including the objectives of the experiment or demonstration project, the expected annual and total costs, and the dates on which the experiment or demonstration project is expected to start and finish,” after “thereof.”

(c) ADDITIONAL REQUIREMENTS.—Section 234 of the Social Security Act (42 U.S.C. 434), as amended by subsection (b), is further amended by adding at the end the following:

“(e) ADDITIONAL REQUIREMENTS.—In developing and carrying out any experiment or demonstration project under this section, the Commissioner may not require any individual to participate in such experiment or demonstration project and shall ensure—



“(1) that the voluntary participation of individuals in such experiment or demonstration project is obtained through informed written consent which satisfies the requirements for informed consent established by the Commissioner for use in such experiment or demonstration project in which human subjects are at risk;

“(2) that any individual’s voluntary agreement to participate in any such experiment or demonstration project may be revoked by such individual at any time; and

“(3) that such experiment or demonstration project is expected to yield statistically significant results.”.

(d) ANNUAL REPORTING DEADLINE.—Section 234(d)(1) of such Act is amended by striking “June 9” and inserting “September 30”.

**SEC. 823. PROMOTING OPPORTUNITY DEMONSTRATION PROJECT.**

Section 234 of the Social Security Act (42 U.S.C. 434), as amended by section 822 of this Act, is further amended by adding at the end the following:

“(f) PROMOTING OPPORTUNITY DEMONSTRATION PROJECT.—

“(1) IN GENERAL.—The Commissioner shall carry out a demonstration project under this subsection as described in paragraph (2) during a 5-year period beginning not later than January 1, 2017.

“(2) BENEFIT OFFSET.—Under the demonstration project described in this paragraph, with respect to any individual participating in the project who is otherwise entitled to a benefit under section 223(a)(1) for a month—

“(A) any such benefit otherwise payable to the individual for such month (other than a benefit payable for any month prior to the 1st month beginning after the date on which the individual’s entitlement to such benefit is determined) shall be reduced by \$1 for each \$2 by which the individual’s earnings derived from services paid during such month exceeds an amount equal to the individual’s impairment-related work expenses for such month (as determined under paragraph (3)), except that such benefit may not be reduced below \$0;

“(B) no benefit shall be payable under section 202 on the basis of the wages and self-employment income of the individual for any month for which the benefit of such individual under section 223(a)(1) is reduced to \$0 pursuant to subparagraph (A);

“(C) entitlement to any benefit described in subparagraph (A) or (B) shall not terminate due to earnings derived from services except following the first month for which such benefit has been reduced to \$0 pursuant to subparagraph (A) (and the trial work period (as defined in section 222(c)) and extended period of eligibility shall not apply to any such individual for any such month); and

“(D) in any case in which such an individual is entitled to hospital insurance benefits under part A of title XVIII by reason of section 226(b) and such individual’s entitlement to a benefit described in subparagraph (A) or (B) or status as a qualified railroad retirement beneficiary is terminated pursuant to subparagraph (C), such individual shall be deemed to be entitled to such benefits or to occupy such status (notwithstanding the termination of such entitlement or status) for the period of consecutive months throughout all of which the physical or mental impairment, on which such entitlement or status was based, continues, and throughout all of which such individual would have been entitled to monthly insurance benefits under title II or as a qualified railroad retirement beneficiary had such termination of entitlement or status not occurred, but not in excess of 93 such months.

“(3) IMPAIRMENT-RELATED WORK EXPENSES.—

“(A) IN GENERAL.—For purposes of paragraph (2)(A) and except as provided in subparagraph (C), the amount of an individual’s impairment-related work expenses for a month is deemed to be the minimum threshold amount.

“(B) MINIMUM THRESHOLD AMOUNT.—In this paragraph, the term ‘minimum threshold amount’ means an amount, to be determined by the Commissioner, which shall not exceed the amount sufficient to demonstrate that an individual has rendered services in a month, as determined by the Commissioner under section 222(c)(4)(A). The Commissioner may test multiple minimum threshold amounts.

“(C) EXCEPTION FOR ITEMIZED IMPAIRMENT-RELATED WORK EXPENSES.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), in any case in which the amount of such an individual’s itemized impairment-related work expenses (as defined in clause (ii)) for a month is greater than the minimum threshold amount, the amount of the individual’s impairment-related work expenses for the month shall be equal to the amount of the individual’s itemized impairment-related work expenses (as so defined) for the month.

“(ii) DEFINITION.—In this subparagraph, the term ‘itemized impairment-related work expenses’ means the amount excluded under section 223(d)(4)(A) from an individual’s earnings for a month in determining whether an individual is able to engage in substantial gainful activity by reason of such earnings in such month, except that such amount does not include the cost to the individual of any item or service for which the individual does not provide to the Commissioner a satisfactory itemized accounting.

“(D) LIMITATION.—Notwithstanding the other provisions of this paragraph, for purposes of paragraph (2)(A), the amount of an individual’s impairment-related work expenses for a month shall not exceed the amount of earnings derived from services, prescribed by the Commissioner under regulations issued pursuant to section 223(d)(4)(A), sufficient to demonstrate an individual’s ability to engage in substantial gainful activity.”.

**SEC. 824. USE OF ELECTRONIC PAYROLL DATA TO IMPROVE PROGRAM ADMINISTRATION.**

(a) IN GENERAL.—Title XI of the Social Security Act (42 U.S.C. 1301, et seq.) is amended by inserting after section 1183 the following:

**“INFORMATION EXCHANGE WITH PAYROLL DATA PROVIDERS**

“SEC. 1184. (a) IN GENERAL.—The Commissioner of Social Security may enter into an information exchange with a payroll data provider for purposes of—

“(1) efficiently administering—

“(A) monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 202 and subsection (a)(1) of section 223; and

“(B) supplemental security income benefits under title XVI; and

“(2) preventing improper payments of such benefits without the need for verification by independent or collateral sources.

“(b) NOTIFICATION REQUIREMENTS.—Before entering into an information exchange pursuant to subsection (a), the Commissioner shall publish in the Federal Register a notice describing the information exchange and the extent to which the information received through such exchange is—

“(1) relevant and necessary to—

“(A) accurately determine entitlement to, and the amount of, benefits described under subparagraph (A) of subsection (a)(1);

“(B) accurately determine eligibility for, and the amount of, benefits described in subparagraph (B) of such subsection; and

“(C) prevent improper payment of such benefits; and

“(2) sufficiently accurate, up-to-date, and complete.

“(c) DEFINITIONS.—For purposes of this section:

“(1) PAYROLL DATA PROVIDER.—The term ‘payroll data provider’ means payroll providers, wage verification companies, and other commercial or non-commercial entities that collect and maintain data regarding employment and wages, without regard to whether the entity provides such data for a fee or without cost.

“(2) INFORMATION EXCHANGE.—The term ‘information exchange’ means the automated comparison of a system of records maintained by the commissioner of Social Security with records maintained by a payroll data provider.”.

(b) AUTHORIZATION TO ACCESS INFORMATION HELD BY PAYROLL DATA PROVIDERS.—

(1) AMENDMENT TO TITLE II.—Section 225 of the Social Security Act (42 U.S.C. 425) is amended by adding at the end the following:

“(c) ACCESS TO INFORMATION HELD BY PAYROLL DATA PROVIDERS.—(1) The Commissioner of Social Security may require each individual who applies for or is entitled to monthly insurance benefits under subsections (d)(1)(B)(ii), (d)(6)(A)(ii), (d)(6)(B), (e)(1)(B)(ii), and (f)(1)(B)(ii) of section 202 and subsection (a)(1) of section 223 to provide authorization by the individual for the Commissioner to obtain from any payroll data provider (as defined in section 1184(c)(1)) any record held by the payroll data provider with respect to the individual whenever the Commissioner determines the record is needed in connection with a determination of initial or ongoing entitlement to such benefits.

“(2) An authorization provided by an individual under this subsection shall remain effective until the earliest of—

“(A) the rendering of a final adverse decision on the individual’s application or entitlement to benefits under this title;

“(B) the termination of the individual’s entitlement to benefits under this title; or

“(C) the express revocation by the individual of the authorization, in a written notification to the Commissioner.

“(3) The Commissioner of Social Security is not required to furnish any authorization obtained pursuant to this subsection to the payroll data provider.

“(4) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

“(5) If an individual who applies for or is entitled to benefits under this title refuses to provide, or revokes, any authorization under this subsection, subsection (d) shall not apply to such individual beginning with the first day of the first month in which he or she refuses or revokes such authorization.”.

(2) TITLE XVI.—Section 1631(e)(1)(B) of the Social Security Act (42 U.S.C. 1383(e)(1)(B)) is amended by adding at the end the following:

“(iii)(I) The Commissioner of Social Security may require each applicant for, or recipient of, benefits under this title to provide authorization by the applicant, recipient or legal guardian (or by any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient for such benefits) for the Commissioner to obtain from any payroll data provider (as defined in section 1184(c)(1)) any record held by the payroll data provider with respect to the applicant or recipient (or any such other person) whenever the Commissioner determines the record is needed in

connection with a determination of initial or ongoing eligibility or the amount of such benefits.

“(II) An authorization provided by an applicant, recipient or legal guardian (or any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient) under this clause shall remain effective until the earliest of—

“(aa) the rendering of a final adverse decision on the applicant’s application for eligibility for benefits under this title;

“(bb) the cessation of the recipient’s eligibility for benefits under this title;

“(cc) the express revocation by the applicant, or recipient (or such other person referred to in subclause (I)) of the authorization, in a written notification to the Commissioner; or

“(dd) the termination of the basis upon which the Commissioner considers another person’s income and resources available to the applicant or recipient.

“(III) The Commissioner of Social Security is not required to furnish any authorization obtained pursuant to this clause to the payroll data provider.

“(IV) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

“(V) If an applicant for, or recipient of, benefits under this title (or any such other person referred to in subclause (I)) refuses to provide, or revokes, any authorization required by subclause (I), paragraph (2)(B) and paragraph (10) shall not apply to such applicant or recipient beginning with the first day of the first month in which he or she refuses or revokes such authorization.”

(C) REPORTING RESPONSIBILITIES FOR BENEFICIARIES SUBJECT TO INFORMATION EXCHANGE WITH PAYROLL DATA PROVIDER.—

(1) AMENDMENT TO TITLE II.—Section 225 of the Social Security Act (42 U.S.C. 425), as amended by subsection (b)(1), is further amended by adding at the end the following:

“(d) An individual who has authorized the Commissioner of Social Security to obtain records from a payroll data provider under subsection (c) shall not be subject to a penalty under section 1129A for any omission or error with respect to such individual’s wages as reported by the payroll data provider.”

(2) AMENDMENT TO TITLE XVI.—Section 1631(e) of the Social Security Act (42 U.S.C. 1383(e)) is amended—

(A) in paragraph (2)—

(i) by striking “In the case of the failure” and inserting “(A) In the case of the failure”;

(ii) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively; and

(iii) by adding at the end the following:

“(B) For purposes of subparagraph (A), the Commissioner of Social Security shall find that good cause exists for the failure of, or delay by, an individual in submitting a report of an event or change in circumstances relevant to eligibility for or amount of benefits under this title in any case where—

“(i) the individual (or another person referred to in paragraph (1)(B)(iii)(I)) has provided authorization to the Commissioner to access payroll data records related to the individual; and

“(ii) the event or change in circumstance is a change in the individual’s employer.”;

and

(B) by adding at the end the following:

“(10) An individual who has authorized the Commissioner of Social Security to obtain records from a payroll data provider under paragraph (1)(B)(iii) (or on whose behalf another person described in subclause (I) of such paragraph has provided such authorization) shall not be subject to a penalty under

section 1129A for any omission or error with respect to such individual’s wages as reported by the payroll data provider.”

(d) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall prescribe by regulation procedures for implementing the Commissioner’s access to and use of information held by payroll providers, including—

(1) guidelines for establishing and maintaining information exchanges with payroll providers, pursuant to section 1184 of the Social Security Act;

(2) beneficiary authorizations;

(3) reduced wage reporting responsibilities for individuals who authorize the Commissioner to access information held by payroll data providers through an information exchange; and

(4) procedures for notifying individuals in writing when they become subject to such reduced wage reporting requirements and when such reduced wage reporting requirements no longer apply to them.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act.

#### SEC. 825. TREATMENT OF EARNINGS DERIVED FROM SERVICES.

(a) IN GENERAL.—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

“(C)(i) Subject to clause (ii), in determining when earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity, such earnings shall be presumed to have been earned—

“(I) in making a determination of initial entitlement on the basis of disability, in the month in which the services were performed from which such earnings were derived; and

“(II) in any other case, in the month in which such earnings were paid.

“(ii) A presumption made under clause (i) shall not apply to a determination described in such clause if—

“(I) the Commissioner can reasonably establish, based on evidence readily available at the time of such determination, that the earnings were earned in a different month than when paid; or

“(II) in any case in which there is a determination that no benefit is payable due to earnings, after the individual is notified of the presumption made and provided with an opportunity to submit additional information along with an explanation of what additional information is needed, the individual shows to the satisfaction of the Commissioner that such earnings were earned in another month.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the date of the enactment of this Act, or as soon as practicable thereafter.

#### SEC. 826. ELECTRONIC REPORTING OF EARNINGS.

(a) IN GENERAL.—Not later than September 30, 2017, the Commissioner of Social Security shall establish and implement a system that—

(1) allows an individual entitled to a monthly insurance benefit based on disability under title II of the Social Security Act (or a representative of the individual) to report to the Commissioner the individual’s earnings derived from services through electronic means, including by telephone and Internet; and

(2) automatically issues a receipt to the individual (or representative) after receiving each such report.

(b) SUPPLEMENTAL SECURITY INCOME REPORTING SYSTEM AS MODEL.—The Commis-

sioner shall model the system established under subsection (a) on the electronic wage reporting systems for recipients of supplemental security income under title XVI of such Act.

#### Subtitle C—Protecting Social Security Benefits

#### SEC. 831. CLOSURE OF UNINTENDED LOOP-HOLES.

(a) PRESUMED FILING OF APPLICATION BY INDIVIDUALS ELIGIBLE FOR OLD-AGE INSURANCE BENEFITS AND FOR WIFE’S OR HUSBAND’S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(r) of the Social Security Act (42 U.S.C. 402(r)) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) If an individual is eligible for a wife’s or husband’s insurance benefit (except in the case of eligibility pursuant to clause (ii) of subsection (b)(1)(B) or subsection (c)(1)(B), as appropriate), in any month for which the individual is entitled to an old-age insurance benefit, such individual shall be deemed to have filed an application for wife’s or husband’s insurance benefits for such month.

“(2) If an individual is eligible (but for section 202(k)(4)) for an old-age insurance benefit in any month for which the individual is entitled to a wife’s or husband’s insurance benefit (except in the case of entitlement pursuant to clause (ii) of subsection (b)(1)(B) or subsection (c)(1)(B), as appropriate), such individual shall be deemed to have filed an application for old-age insurance benefits—

“(A) for such month, or

“(B) if such individual is also entitled to a disability insurance benefit for such month, in the first subsequent month for which such individual is not entitled to a disability insurance benefit.”

(2) CONFORMING AMENDMENT.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended—

(A) in subsection (b)(1), by striking subparagraph (B) and inserting the following:

“(B)(i) has attained age 62, or

“(ii) in the case of a wife, has in her care (individually or jointly with such individual) at the time of filing such application a child entitled to a child’s insurance benefit on the basis of the wages and self-employment income of such individual.”; and

(B) in subsection (c)(1), by striking subparagraph (B) and inserting the following:

“(B)(i) has attained age 62, or

“(ii) in the case of a husband, has in his care (individually or jointly with such individual) at the time of filing such application a child entitled to a child’s insurance benefit on the basis of the wages and self-employment income of such individual.”

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to individuals who attain age 62 in any calendar year after 2015.

(b) VOLUNTARY SUSPENSION OF BENEFITS.—

(1) IN GENERAL.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended by adding at the end the following:

“(z) VOLUNTARY SUSPENSION.—(1)(A) Except as otherwise provided in this subsection, any individual who has attained retirement age (as defined in section 216(l)) and is entitled to old-age insurance benefits may request that payment of such benefits be suspended—

“(i) beginning with the month following the month in which such request is received by the Commissioner, and

“(ii) ending with the earlier of the month following the month in which a request by the individual for a resumption of such benefits is so received or the month following the month in which the individual attains the age of 70.

“(2) An individual may not suspend such benefits under this subsection, and any suspension of such benefits under this subsection shall end, effective with respect to any month in which the individual becomes subject to—

“(A) mandatory suspension of such benefits under section 202(x);

“(B) termination of such benefits under section 202(n);

“(C) a penalty under section 1129A imposing nonpayment of such benefits; or

“(D) any other withholding, in whole or in part, of such benefits under any other provision of law that authorizes recovery of a debt by withholding such benefits.

“(3) In the case of an individual who requests that such benefits be suspended under this subsection, for any month during the period in which the suspension is in effect—

“(A) no retroactive benefits (as defined in subsection (j)(4)(B)(iii)) shall be payable to such individual;

“(B) no monthly benefit shall be payable to any other individual on the basis of such individual's wages and self-employment income; and

“(C) no monthly benefit shall be payable to such individual on the basis of another individual's wages and self-employment income.”.

(2) **CONFORMING AMENDMENT.**—Section 202(w)(2)(B)(ii) of the Social Security Act (42 U.S.C. 402(w)(2)(B)(ii)) is amended by inserting “under section 202(z)” after “request”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply with respect to requests for benefit suspension submitted beginning at least 180 days after the date of the enactment of this Act.

#### **SEC. 832. REQUIREMENT FOR MEDICAL REVIEW.**

(a) **IN GENERAL.**—Section 221(h) of the Social Security Act (42 U.S.C. 421(h)) is amended to read as follows:

“(h) An initial determination under subsection (a), (c), (g), or (i) shall not be made until the Commissioner of Social Security has made every reasonable effort to ensure—

“(1) in any case where there is evidence which indicates the existence of a mental impairment, that a qualified psychiatrist or psychologist has completed the medical portion of the case review and any applicable residual functional capacity assessment; and

“(2) in any case where there is evidence which indicates the existence of a physical impairment, that a qualified physician has completed the medical portion of the case review and any applicable residual functional capacity assessment.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to determinations of disability made on or after the date that is 1 year after the date of the enactment of this Act.

#### **SEC. 833. REALLOCATION OF PAYROLL TAX REVENUE.**

(1) **WAGES.**—Section 201(b)(1) of the Social Security Act (42 U.S.C. 401(b)(1)) is amended by striking “and (R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and so reported” and inserting “(R) 1.80 per centum of the wages (as so defined) paid after December 31, 1999, and before January 1, 2016, and so reported, (S) 2.37 per centum of the wages (as so defined) paid after December 31, 2015, and before January 1, 2019, and so reported, and (T) 1.80 per centum of the wages (as so defined) paid after December 31, 2018, and so reported.”.

(2) **SELF-EMPLOYMENT INCOME.**—Section 201(b)(2) of such Act (42 U.S.C. 401(b)(2)) is amended by striking “and (R) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999” and inserting “(R) 1.80 per centum of the

amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 1999, and before January 1, 2016, (S) 2.37 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2015, and before January 1, 2019, and (T) 1.80 per centum of the amount of self-employment income (as so defined) so reported for any taxable year beginning after December 31, 2018”.

(3) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to wages paid after December 31, 2015, and self-employment income for taxable years beginning after such date.

#### **SEC. 834. ACCESS TO FINANCIAL INFORMATION FOR WAIVERS AND ADJUSTMENTS OF RECOVERY.**

(a) **ACCESS TO FINANCIAL INFORMATION FOR OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE WAIVERS.**—Section 204(b) of the Social Security Act (42 U.S.C. 404(b)) is amended to read as follows:

“(b)(1) In any case in which more than the correct amount of payment has been made, there shall be no adjustment of payments to, or recovery by the United States from, any person who is without fault if such adjustment or recovery would defeat the purpose of this title or would be against equity and good conscience.

“(2) In making for purposes of this subsection any determination of whether any individual is without fault, the Commissioner of Social Security shall specifically take into account any physical, mental, educational, or linguistic limitation such individual may have (including any lack of facility with the English language).

“(3)(A) In making for purposes of this subsection any determination of whether such adjustment or recovery would defeat the purpose of this title, the Commissioner of Social Security shall require an individual to provide authorization for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to such individual whenever the Commissioner determines the record is needed in connection with a determination with respect to such adjustment or recovery.

“(B) Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided by an individual pursuant to this paragraph shall remain effective until the earlier of—

“(i) the rendering of a final decision on whether adjustment or recovery would defeat the purpose of this title; or

“(ii) the express revocation by the individual of the authorization, in a written notification to the Commissioner.

“(C)(i) An authorization obtained by the Commissioner of Social Security pursuant to this paragraph shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

“(ii) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the Commissioner of Social Security pursuant to an authorization provided under this paragraph.

“(iii) A request by the Commissioner pursuant to an authorization provided under this paragraph is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and the flush language of section 1102 of such Act.

“(D) The Commissioner shall inform any person who provides authorization pursuant

to this paragraph of the duration and scope of the authorization.

“(E) If an individual refuses to provide, or revokes, any authorization for the Commissioner of Social Security to obtain from any financial institution any financial record, the Commissioner may, on that basis, determine that adjustment or recovery would not defeat the purpose of this title.”.

(b) **ACCESS TO FINANCIAL INFORMATION FOR SUPPLEMENTAL SECURITY INCOME WAIVERS.**—

(1) **IN GENERAL.**—Section 1631(b)(1)(B) of the Social Security Act (42 U.S.C. 1383(b)(1)(B)) is amended by adding at the end the following: “In making for purposes of this subparagraph a determination of whether an adjustment or recovery would defeat the purpose of this title, the Commissioner of Social Security shall require an individual to provide authorization for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to such individual whenever the Commissioner determines that the record is needed in connection with a determination with respect to such adjustment or recovery, under the terms and conditions established under subsection (e)(1)(B).”.

(2) **CONFORMING AMENDMENT.**—Section 1631(e)(1)(B)(ii)(V) of such Act (42 U.S.C. 1383(e)(1)(B)(ii)(V)) is amended by inserting “, determine that adjustment or recovery on account of an overpayment with respect to the applicant or recipient would not defeat the purpose of this title, or both” before the period at the end.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to determinations made on or after the date that is 3 months after the date of the enactment of this section.

#### **Subtitle D—Relieving Administrative Burdens and Miscellaneous Provisions**

#### **SEC. 841. INTERAGENCY COORDINATION TO IMPROVE PROGRAM ADMINISTRATION.**

(a) **IN GENERAL.**—Title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1127 the following:

##### **“INTERAGENCY COORDINATION TO IMPROVE PROGRAM ADMINISTRATION**

“SEC. 1127A. (a) **COORDINATION AGREEMENT.**—Notwithstanding any other provision of law, including section 207 of this Act, the Commissioner of Social Security (referred to in this section as ‘the Commissioner’) and the Director of the Office of Personnel Management (referred to in this section as ‘the Director’) shall enter into an agreement under which a system is established to carry out the following procedure:

“(1) The Director shall notify the Commissioner when any individual is determined to be entitled to a monthly disability annuity payment pursuant to subchapter V of chapter 84 of subpart G of part III of title 5, United States Code, and shall certify that such individual has provided the authorization described in subsection (f).

“(2) If the Commissioner determines that an individual described in paragraph (1) is also entitled to past-due benefits under section 223, the Commissioner shall notify the Director of such fact.

“(3) Not later than 30 days after receiving a notification described in paragraph (2) with respect to an individual, the Director shall provide the Commissioner with the total amount of any disability annuity overpayments made to such individual, as well as any other information (in such form and manner as the Commissioner shall require) that the Commissioner determines is necessary to carry out this section.

“(4) If the Director provides the Commissioner with the information described in paragraph (3) in a timely manner, the Commissioner may withhold past-due benefits under section 223 to which such individual is entitled and may pay the amount described in paragraph (3) to the Office of Personnel Management for any disability annuity overpayments made to such individual.

“(5) The Director shall credit any amount received under paragraph (4) with respect to an individual toward any disability annuity overpayment owed by such individual.

“(b) LIMITATIONS.—

“(1) PRIORITY OF OTHER REDUCTIONS.—Benefits shall only be withheld under this section after any other reduction applicable under this Act, including sections 206(a)(4), 224, and 1127(a).

“(2) TIMELY NOTIFICATION REQUIRED.—The Commissioner may not withhold benefits under this section if the Director does not provide the notice described in subsection (a)(3) within the time period described in such subsection.

“(c) DELAYED PAYMENT OF PAST-DUE BENEFITS.—If the Commissioner is required to make a notification described in subsection (a)(2) with respect to an individual, the Commissioner shall not make any payment of past-due benefits under section 223 to such individual until after the period described in subsection (a)(3).

“(d) REVIEW.—Notwithstanding section 205 or any other provision of law, any determination regarding the withholding of past-due benefits under this section shall only be subject to adjudication and review by the Director under section 8461 of title 5, United States Code.

“(e) DISABILITY ANNUITY OVERPAYMENT DEFINED.—For purposes of this section, the term ‘disability annuity overpayment’ means the amount of the reduction under section 8452(a)(2) of title 5, United States Code, applicable to a monthly annuity payment made to an individual pursuant to subchapter V of chapter 84 of subpart G of part III of such title due to the individual’s concurrent entitlement to a disability insurance benefit under section 223 during such month.

“(f) AUTHORIZATION TO WITHHOLD BENEFITS.—The authorization described in this subsection, with respect to an individual, is written authorization provided by the individual to the Director which authorizes the Commissioner to withhold past-due benefits under section 223 to which such individual is entitled in order to pay the amount withheld to the Office of Personnel Management for any disability overpayments made to such individual.

“(g) EXPENSES.—The Director shall pay to the Social Security Administration an amount equal to the amount estimated by the Commissioner as the total cost incurred by the Social Security Administration in carrying out this section for each calendar quarter.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to past-due disability insurance benefits payable on or after the date that is 1 year after the date of the enactment of this section.

#### **SEC. 842. ELIMINATION OF QUINQUENNIAL DETERMINATIONS RELATING TO WAGE CREDITS FOR MILITARY SERVICE PRIOR TO 1957.**

Section 217(g)(2) of the Social Security Act (42 U.S.C. 417(g)(2)) is amended—

(1) by inserting “through 2010” after “each fifth year thereafter”; and

(2) by inserting after the first sentence the following: “The Secretary of Health and Human Services shall revise the amount determined under paragraph (1) with respect to the Federal Hospital Insurance Trust Fund under title XVIII in 2015 and each fifth year

thereafter through such date, and using such data, as the Secretary determines appropriate on the basis of the amount of benefits and administrative expenses actually paid from such Trust Fund under title XVIII and the relevant actuarial assumptions set forth in the report of the Board of Trustees of such Trust Fund for such year under section 1817(b).”

#### **SEC. 843. CERTIFICATION OF BENEFITS PAYABLE TO A DIVORCED SPOUSE OF A RAILROAD WORKER TO THE RAILROAD RETIREMENT BOARD.**

Section 205(i) of the Social Security Act (42 U.S.C. 405(i)) is amended by inserting “or divorced wife or divorced husband” after “the wife or husband”.

#### **SEC. 844. TECHNICAL AMENDMENTS TO ELIMINATE OBSOLETE PROVISIONS.**

(a) ELIMINATION OF REFERENCE IN SECTION 226 TO A REPEALED PROVISION.—Section 226 of the Social Security Act (42 U.S.C. 426) is amended—

(1) by striking subsection (i); and

(2) by redesignating subsection (j) as subsection (i).

(b) ELIMINATION OF REFERENCE IN SECTION 226A TO A REPEALED PROVISION.—Section 226A of such Act (42 U.S.C. 426-1) is amended by striking the second subsection (c).

#### **SEC. 845. REPORTING REQUIREMENTS TO CONGRESS.**

(a) REPORT ON FRAUD AND IMPROPER PAYMENT PREVENTION ACTIVITIES.—Section 704(b) of the Social Security Act (42 U.S.C. 904(b)) is amended by adding at the end the following:

“(3) For each fiscal year beginning with 2016 and ending with 2021, the Commissioner shall include in the annual budget prepared pursuant to subparagraph (A) a report describing the purposes for which amounts made available for purposes described in section 251(b)(2)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 for the fiscal year were expended by the Social Security Administration and the purposes for which the Commissioner plans for the Administration to expend such funds in the succeeding fiscal year, including—

“(A) the total such amount expended;

“(B) the amount expended on co-operative disability investigation units;

“(C) the number of cases of fraud prevented by co-operative disability investigation units and the amount expended on such cases (as reported to the Commissioner by the Inspector General of the Social Security Administration);

“(D) the number of felony cases prosecuted under section 208 (as reported to the Commissioner by the Inspector General) and the amount expended by the Social Security Administration in supporting the prosecution of such cases;

“(E) the amount of such felony cases successfully prosecuted (as reported to the Commissioner by the Inspector General) and the amount expended by the Social Security Administration in supporting the prosecution of such cases;

“(F) the amount expended on and the number of completed—

“(i) continuing disability reviews conducted by mail;

“(ii) redeterminations conducted by mail;

“(iii) medical continuing disability reviews conducted pursuant to section 221(i);

“(iv) medical continuing disability reviews conducted pursuant to 1614(a)(3)(H);

“(v) redeterminations conducted pursuant to section 1611(c); and

“(vi) work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity;

“(G) the number of cases of fraud identified for which benefits were terminated as a re-

sult of medical continuing disability reviews (as reported to the Commissioner by the Inspector General), work-related continuing disability reviews, and redeterminations, and the amount of resulting savings for each such type of review or redetermination; and

“(H) the number of work-related continuing disability reviews in which a beneficiary improperly reported earnings derived from services for more than 3 consecutive months, and the amount of resulting savings.”

(b) REPORT ON WORK-RELATED CONTINUING DISABILITY REVIEWS.—The Commissioner of Social Security shall annually submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the number of work-related continuing disability reviews conducted each year to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity. Such report shall include—

(1) the number of individuals receiving benefits based on disability under title II of such Act for whom reports of earnings were received from any source by the Commissioner in the previous calendar year, reported as a total number and separately by the source of the report;

(2) the number of individuals for whom such reports resulted in a determination to conduct a work-related continuing disability review, and the basis on which such determinations were made;

(3) in the case of a beneficiary selected for a work-related continuing disability review on the basis of a report of earnings from any source—

(A) the average number of days—

(i) between the receipt of the report and the initiation of the review,

(ii) between the initiation and the completion of the review, and

(iii) the average amount of overpayment, if any;

(B) the number of such reviews completed during such calendar year, and the number of such reviews that resulted in a suspension or termination of benefits;

(C) the number of such reviews initiated in the current year that had not been completed as of the end of such calendar year;

(D) the number of such reviews initiated in a prior year that had not been completed as of the end of such calendar year;

(4) the total savings to the Trust Funds and the Treasury generated from benefits suspended or terminated as a result of such reviews; and

(5) with respect to individuals for whom a work-related continuing disability review was completed during such calendar year—

(A) the number who participated in the Ticket to Work program under section 1148 during such calendar year;

(B) the number who used any program work incentives during such calendar year; and

(C) the number who received vocational rehabilitation services during such calendar year with respect to which the Commissioner of Social Security reimbursed a State agency under section 222(d).

(c) REPORT ON OVERPAYMENT WAIVERS.—Not later than January 1 of each calendar year, the Commissioner of Social Security shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on—

(1) the number and total value of overpayments recovered or scheduled to be recovered by the Social Security Administration during the previous fiscal year of benefits under title II and title XVI, respectively, including

the terms and conditions of repayment of such overpayments; and

(2) the number and total value of overpayments waived by the Social Security Administration during the previous fiscal year of benefits under title II and title XVI, respectively.

**SEC. 846. EXPEDITED EXAMINATION OF ADMINISTRATIVE LAW JUDGES.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Office of Personnel Management shall, upon request of the Commissioner of Social Security, expeditiously administer a sufficient number of competitive examinations, as determined by the Commissioner, for the purpose of identifying an adequate number of candidates to be appointed as Administrative Law Judges under section 3105 of title 5, United States Code. The first such examination shall take place not later than April 1, 2016 and other examinations shall take place at such time or times requested by the Commissioner, but not later than December 31, 2022. Such examinations shall proceed even if one or more individuals who took a prior examination have appealed an adverse determination and one or more of such appeals have not concluded, provided that—

(1) the Commissioner of Social Security has made a determination that delaying the examination poses a significant risk that an adequate number of Administrative Law Judges will not be available to meet the need of the Social Security Administration to reduce or prevent a backlog of cases awaiting a hearing;

(2) an individual whose appeal is pending is provided an option to continue their appeal or elects to take the new examination, in which case the appeal is considered vacated; and

(3) an individual who decides to continue his or her appeal and who ultimately prevails in the appeal shall receive expeditious consideration for hire by the Office Personnel Management and the Commissioner of Social Security.

(b) **PAYMENT OF COSTS.**—Notwithstanding any other provision of law, the Commissioner of Social Security shall pay the full cost associated with each examination conducted pursuant to subsection (a).

**TITLE IX—TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT**

**SEC. 901. TEMPORARY EXTENSION OF PUBLIC DEBT LIMIT.**

(a) **IN GENERAL.**—Section 3101(b) of title 31, United States Code, shall not apply for the period beginning on the date of the enactment of this Act and ending on March 15, 2017.

(b) **SPECIAL RULE RELATING TO OBLIGATIONS ISSUED DURING EXTENSION PERIOD.**—Effective March 16, 2017, the limitation in effect under section 3101(b) of title 31, United States Code, shall be increased to the extent that—

(1) the face amount of obligations issued under chapter 31 of such title and the face amount of obligations whose principal and interest are guaranteed by the United States Government (except guaranteed obligations held by the Secretary of the Treasury) outstanding on March 16, 2017, exceeds

(2) the face amount of such obligations outstanding on the date of the enactment of this Act.

**SEC. 902. RESTORING CONGRESSIONAL AUTHORITY OVER THE NATIONAL DEBT.**

(a) **EXTENSION LIMITED TO NECESSARY OBLIGATIONS.**—An obligation shall not be taken into account under section 901(b)(1) unless the issuance of such obligation was necessary to fund a commitment incurred pursuant to law by the Federal Government that required payment before March 16, 2017.

(b) **PROHIBITION ON CREATION OF CASH RESERVE DURING EXTENSION PERIOD.**—The Sec-

retary of the Treasury shall not issue obligations during the period specified in section 901(a) for the purpose of increasing the cash balance above normal operating balances in anticipation of the expiration of such period.

**TITLE X—SPECTRUM PIPELINE**

**SEC. 1001. SHORT TITLE.**

This title may be cited as the “Spectrum Pipeline Act of 2015”.

**SEC. 1002. DEFINITIONS.**

In this title:

(1) **ASSISTANT SECRETARY.**—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) **COMMISSION.**—The term “Commission” means the Federal Communications Commission.

(3) **FEDERAL ENTITY.**—The term “Federal entity” has the meaning given such term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

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

**SEC. 1003. RULE OF CONSTRUCTION.**

Each range of frequencies described in this title shall be construed to be inclusive of the upper and lower frequencies in the range.

**SEC. 1004. IDENTIFICATION, REALLOCATION, AND AUCTION OF FEDERAL SPECTRUM.**

(a) **IDENTIFICATION OF SPECTRUM.**—Not later than January 1, 2022, the Secretary shall submit to the President and to the Commission a report identifying 30 megahertz of electromagnetic spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below the frequency of 3 gigahertz (except for the spectrum between the frequencies of 1675 megahertz and 1695 megahertz) for reallocation from Federal use to non-Federal use or shared Federal and non-Federal use, or a combination thereof.

(b) **CLEARING OF SPECTRUM.**—The President shall—

(1) not later than January 1, 2022, begin the process of withdrawing or modifying the assignment to a Federal Government station of the electromagnetic spectrum identified under subsection (a); and

(2) not later than 30 days after completing the withdrawal or modification, notify the Commission that the withdrawal or modification is complete.

(c) **REALLOCATION AND AUCTION.**—

(1) **IN GENERAL.**—The Commission shall—

(A) reallocate the electromagnetic spectrum identified under subsection (a) for non-Federal use or shared Federal and non-Federal use, or a combination thereof; and

(B) notwithstanding paragraph (15)(A) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), not later than July 1, 2024, begin a system of competitive bidding under such section to grant new initial licenses for the use of such spectrum, subject to flexible-use service rules.

(2) **PROCEEDS TO COVER 110 PERCENT OF FEDERAL RELOCATION OR SHARING COSTS.**—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of section 309(j)(16)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

**SEC. 1005. ADDITIONAL USES OF SPECTRUM RELOCATION FUND.**

(a) **IN GENERAL.**—Section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928) is amended—

(1) by redesignating subsection (g) as subsection (i); and

(2) by inserting after subsection (f) the following:

“(g) **ADDITIONAL PAYMENTS FOR RESEARCH AND DEVELOPMENT AND PLANNING ACTIVITIES.**—

“(1) **AMOUNTS AVAILABLE.**—Notwithstanding subsections (c) through (e)—

“(A) there are appropriated from the Fund on the date of the enactment of the Spectrum Pipeline Act of 2015, and available to the Director of OMB for use in accordance with paragraph (2), not more than \$500,000,000 from amounts in the Fund on such date of enactment; and

“(B) there are appropriated from the Fund after such date of enactment, and available to the Director of OMB for use in accordance with such paragraph, not more than 10 percent of the amounts deposited in the Fund after such date of enactment.

“(2) **USE OF AMOUNTS.**—

“(A) **IN GENERAL.**—The Director of OMB may use amounts made available under paragraph (1) to make payments requested by Federal entities for research and development, engineering studies, economic analyses, activities with respect to systems, or other planning activities intended to improve the efficiency and effectiveness of the spectrum use of Federal entities in order to make available frequencies described in subparagraph (C) for reallocation for non-Federal use or shared Federal and non-Federal use, or a combination thereof, and for auction in accordance with such reallocation.

“(B) **SYSTEMS THAT IMPROVE EFFICIENCY AND EFFECTIVENESS OF FEDERAL SPECTRUM USE.**—For purposes of a payment under subparagraph (A) for activities with respect to systems that improve the efficiency and effectiveness of the spectrum use of Federal entities, such systems include the following:

“(i) Systems that have increased functionality or that increase the ability of a Federal entity to accommodate spectrum sharing with non-Federal entities.

“(ii) Systems that consolidate functions or services that have been provided using separate systems.

“(iii) Non-spectrum technology or systems.

“(C) **FREQUENCIES DESCRIBED.**—The frequencies described in this subparagraph are, with respect to a payment under subparagraph (A), frequencies that—

“(i) are assigned to a Federal entity; and

“(ii) at the time of the activities conducted with such payment, are not identified for auction.

“(D) **CONDITIONS.**—The Director of OMB may not make a payment to a Federal entity under subparagraph (A)—

“(i) unless—

“(I) the Federal entity has submitted to the Technical Panel established under section 113(h)(3) a plan describing the activities that the Federal entity will conduct with such payment;

“(II) the Technical Panel has approved such plan under subparagraph (E); and

“(III) the Director of OMB has submitted the plan approved under subparagraph (E) to the congressional committees described in subsection (d)(2)(C); and

“(ii) until 60 days have elapsed after submission of the plan under clause (i)(III).

“(E) **REVIEW BY TECHNICAL PANEL.**—

“(i) **IN GENERAL.**—Not later than 120 days after a Federal entity submits a plan under subparagraph (D)(i)(I) to the Technical Panel established under section 113(h)(3), the Technical Panel shall approve or disapprove such plan.

“(ii) **CRITERIA FOR REVIEW.**—In considering whether to approve or disapprove a plan under this subparagraph, the Technical Panel shall consider whether—

“(I) the activities that the Federal entity will conduct with the payment will—

“(aa) increase the probability of relocation from or sharing of Federal spectrum;

“(bb) facilitate an auction intended to occur not later than 8 years after the payment; and

“(cc) increase the net expected auction proceeds in an amount not less than the time value of the amount of the payment; and

“(II) the transfer will leave sufficient amounts in the Fund for the other purposes of the Fund.

“(h) **PRIORITIZATION OF PAYMENTS.**—In determining whether to make payments under subsections (f) and (g), the Director of OMB shall, to the extent practicable, prioritize payments under subsection (g).”.

(b) **ADMINISTRATIVE SUPPORT FOR TECHNICAL PANEL.**—Section 113(h)(3)(C) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)(3)(C)) is amended by striking “this subsection and subsection (i)” and inserting “this subsection, subsection (i), and section 118(g)(2)(E)”.

(c) **ELIGIBLE FEDERAL ENTITIES.**—Section 113 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923) is amended—

(1) in subsection (g)—

(A) in paragraph (1)—

(i) by striking “authorized to use a band of eligible frequencies described in paragraph (2) and”;;

(ii) by inserting “eligible” after “auction of”;;

(iii) by inserting “eligible” after “reallocation of”; and

(B) in paragraph (3)(A), by striking “previously assigned to such entity or the sharing of spectrum frequencies assigned to such entity” and inserting “or the sharing of spectrum frequencies”; and

(2) in subsection (h)(1), by striking “authorized to use any such frequency”.

#### **SEC. 1006. PLANS FOR AUCTION OF CERTAIN SPECTRUM.**

(a) **REPORTS TO CONGRESS.**—In accordance with each paragraph of subsection (c), the Commission, in coordination with the Assistant Secretary, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing a proposed plan for the assignment of new licenses for non-Federal use of the spectrum identified under such paragraph, including—

(1) an assessment of the operations of Federal entities that operate Federal Government stations authorized to use such spectrum;

(2) an estimated timeline for the competitive bidding process; and

(3) a proposed plan for balance between unlicensed and licensed use.

(b) **INFORMATION FOR ASSESSMENT OF FEDERAL ENTITY OPERATIONS.**—The Assistant Secretary, in coordination with the affected Federal entities, shall provide to the Commission the necessary information to carry out subsection (a)(1).

(c) **REPORT DEADLINES; IDENTIFICATION OF SPECTRUM.**—The Commission shall submit reports under subsection (a) as follows:

(1) Not later than January 1, 2022, for at least 50 megahertz of spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below 6 gigahertz, to be identified by the Commission, in coordination with the Assistant Secretary, from spectrum other than the spectrum identified under section 1004(a).

(2) Not later than January 1, 2024, for at least 50 megahertz of spectrum (in bands of not less than 10 megahertz of contiguous frequencies) below 6 gigahertz, to be identified by the Commission, in coordination with the Assistant Secretary, from spectrum other than the spectrum identified under paragraph (1) or section 1004(a).

#### **SEC. 1007. FCC AUCTION AUTHORITY.**

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by

inserting before the period at the end the following: “, except that, with respect to the electromagnetic spectrum identified under section 1004(a) of the Spectrum Pipeline Act of 2015, such authority shall expire on September 30, 2025”.

#### **SEC. 1008. REPORTS TO CONGRESS.**

Not later than 3 years after the date of the enactment of this Act, the Commission shall submit to Congress—

(1) a report containing an analysis of the results of the rules changes relating to the frequencies between 3550 megahertz and 3650 megahertz; and

(2) a report containing an analysis of proposals to promote and identify additional spectrum bands that can be shared between incumbent uses and new licensed, and unlicensed services under such rules and identification of at least 1 gigahertz between 6 gigahertz and 57 GHz for such use.

### **TITLE XI—REVENUE PROVISIONS RELATED TO TAX COMPLIANCE**

#### **SEC. 1101. PARTNERSHIP AUDITS AND ADJUSTMENTS.**

(a) **REPEAL OF TEFRA PARTNERSHIP AUDIT RULES.**—Chapter 63 of the Internal Revenue Code of 1986 is amended by striking subchapter C (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(b) **REPEAL OF ELECTING LARGE PARTNERSHIP RULES.**—

(1) **IN GENERAL.**—Subchapter K of chapter 1 of such Code is amended by striking part IV (and by striking the item relating to such part in the table of parts for such subchapter).

(2) **ASSESSMENT RULES RELATING TO ELECTING LARGE PARTNERSHIPS.**—Chapter 63 of such Code is amended by striking subchapter D (and by striking the item relating to such subchapter in the table of subchapters for such chapter).

(c) **PARTNERSHIP AUDIT REFORM.**—

(1) **IN GENERAL.**—Chapter 63 of such Code, as amended by the preceding provisions of this section, is amended by inserting after subchapter B the following new subchapter:

#### **“Subchapter C—Treatment of Partnerships**

##### **“PART I—IN GENERAL**

##### **“PART II—PARTNERSHIP ADJUSTMENTS**

##### **“PART III—PROCEDURE**

##### **“PART IV—DEFINITIONS AND SPECIAL RULES**

##### **“PART I—IN GENERAL**

“Sec. 6221. Determination at partnership level.

“Sec. 6222. Partner’s return must be consistent with partnership return.

“Sec. 6223. Designation of partnership representative.

#### **“SEC. 6221. DETERMINATION AT PARTNERSHIP LEVEL.**

“(a) **IN GENERAL.**—Any adjustment to items of income, gain, loss, deduction, or credit of a partnership for a partnership taxable year (and any partner’s distributive share thereof) shall be determined, any tax attributable thereto shall be assessed and collected, and the applicability of any penalty, addition to tax, or additional amount which relates to an adjustment to any such item or share shall be determined, at the partnership level pursuant to this subchapter.

“(b) **ELECTION OUT FOR CERTAIN PARTNERSHIPS WITH 100 OR FEWER PARTNERS, ETC.**—

“(1) **IN GENERAL.**—This subchapter shall not apply with respect to any partnership for any taxable year if—

“(A) the partnership elects the application of this subsection for such taxable year,

“(B) for such taxable year the partnership is required to furnish 100 or fewer statements under section 6031(b) with respect to its partners,

“(C) each of the partners of such partnership is an individual, a C corporation, any foreign entity that would be treated as a C corporation were it domestic, an S corporation, or an estate of a deceased partner,

“(D) the election—

“(i) is made with a timely filed return for such taxable year, and

“(ii) includes (in the manner prescribed by the Secretary) a disclosure of the name and taxpayer identification number of each partner of such partnership, and

“(E) the partnership notifies each such partner of such election in the manner prescribed by the Secretary.

#### **“(2) SPECIAL RULES RELATING TO CERTAIN PARTNERS.—**

“(A) **S CORPORATION PARTNERS.**—In the case of a partner that is an S corporation—

“(i) the partnership shall only be treated as meeting the requirements of paragraph (1)(C) with respect to such partner if such partnership includes (in the manner prescribed by the Secretary) a disclosure of the name and taxpayer identification number of each person with respect to whom such S corporation is required to furnish a statement under section 6037(b) for the taxable year of the S corporation ending with or within the partnership taxable year for which the application of this subsection is elected, and

“(ii) the statements such S corporation is required to so furnish shall be treated as statements furnished by the partnership for purposes of paragraph (1)(B).

“(B) **FOREIGN PARTNERS.**—For purposes of paragraph (1)(D)(ii), the Secretary may provide for alternative identification of any foreign partners.

“(C) **OTHER PARTNERS.**—The Secretary may by regulation or other guidance prescribe rules similar to the rules of subparagraph (A) with respect to any partners not described in such subparagraph or paragraph (1)(C).

#### **“SEC. 6222. PARTNER’S RETURN MUST BE CONSISTENT WITH PARTNERSHIP RETURN.**

“(a) **IN GENERAL.**—A partner shall, on the partner’s return, treat each item of income, gain, loss, deduction, or credit attributable to a partnership in a manner which is consistent with the treatment of such income, gain, loss, deduction, or credit on the partnership return.

“(b) **UNDERPAYMENT DUE TO INCONSISTENT TREATMENT ASSESSED AS MATH ERROR.**—Any underpayment of tax by a partner by reason of failing to comply with the requirements of subsection (a) shall be assessed and collected in the same manner as if such underpayment were on account of a mathematical or clerical error appearing on the partner’s return. Paragraph (2) of section 6213(b) shall not apply to any assessment of an underpayment referred to in the preceding sentence.

“(c) **EXCEPTION FOR NOTIFICATION OF INCONSISTENT TREATMENT.**—

“(1) **IN GENERAL.**—In the case of any item referred to in subsection (a), if—

“(A)(i) the partnership has filed a return but the partner’s treatment on the partner’s return is (or may be) inconsistent with the treatment of the item on the partnership return, or

“(ii) the partnership has not filed a return, and

“(B) the partner files with the Secretary a statement identifying the inconsistency, subsections (a) and (b) shall not apply to such item.

“(2) **PARTNER RECEIVING INCORRECT INFORMATION.**—A partner shall be treated as having complied with subparagraph (B) of paragraph (1) with respect to an item if the partner—

“(A) demonstrates to the satisfaction of the Secretary that the treatment of the item



on the partner's return is consistent with the treatment of the item on the statement furnished to the partner by the partnership, and

“(B) elects to have this paragraph apply with respect to that item.

“(d) FINAL DECISION ON CERTAIN POSITIONS NOT BINDING ON PARTNERSHIP.—Any final decision with respect to an inconsistent position identified under subsection (c) in a proceeding to which the partnership is not a party shall not be binding on the partnership.

“(e) ADDITION TO TAX FOR FAILURE TO COMPLY WITH SECTION.—For addition to tax in the case of a partner's disregard of the requirements of this section, see part II of subchapter A of chapter 68.

#### “SEC. 6223. PARTNERS BOUND BY ACTIONS OF PARTNERSHIP.

“(a) DESIGNATION OF PARTNERSHIP REPRESENTATIVE.—Each partnership shall designate (in the manner prescribed by the Secretary) a partner (or other person) with a substantial presence in the United States as the partnership representative who shall have the sole authority to act on behalf of the partnership under this subchapter. In any case in which such a designation is not in effect, the Secretary may select any person as the partnership representative.

“(b) BINDING EFFECT.—A partnership and all partners of such partnership shall be bound—

“(1) by actions taken under this subchapter by the partnership, and

“(2) by any final decision in a proceeding brought under this subchapter with respect to the partnership.

#### “PART II—PARTNERSHIP ADJUSTMENTS

“Sec. 6225. Partnership adjustment by Secretary.

“Sec. 6226. Alternative to payment of imputed underpayment by partnership.

“Sec. 6227. Administrative adjustment request by partnership.

#### “SEC. 6225. PARTNERSHIP ADJUSTMENT BY SECRETARY.

“(a) IN GENERAL.—In the case of any adjustment by the Secretary in the amount of any item of income, gain, loss, deduction, or credit of a partnership, or any partner's distributive share thereof—

“(1) the partnership shall pay any imputed underpayment with respect to such adjustment in the adjustment year as provided in section 6232, and

“(2) any adjustment that does not result in an imputed underpayment shall be taken into account by the partnership in the adjustment year—

“(A) except as provided in subparagraph (B), as a reduction in non-separately stated income or an increase in non-separately stated loss (whichever is appropriate) under section 702(a)(8), or

“(B) in the case of an item of credit, as a separately stated item.

“(b) DETERMINATION OF IMPUTED UNDERPAYMENTS.—For purposes of this subchapter—

“(1) IN GENERAL.—Except as provided in subsection (c), any imputed underpayment with respect to any partnership adjustment for any reviewed year shall be determined—

“(A) by netting all adjustments of items of income, gain, loss, or deduction and multiplying such net amount by the highest rate of tax in effect for the reviewed year under section 1 or 11,

“(B) by treating any net increase or decrease in loss under subparagraph (A) as a decrease or increase, respectively, in income, and

“(C) by taking into account any adjustments to items of credit as an increase or decrease, as the case may be, in the amount determined under subparagraph (A).

“(2) ADJUSTMENTS TO DISTRIBUTIVE SHARES OF PARTNERS NOT NETTED.—In the case of any adjustment which reallocates the distributive share of any item from one partner to another, such adjustment shall be taken into account under paragraph (1) by disregarding—

“(A) any decrease in any item of income or gain, and

“(B) any increase in any item of deduction, loss, or credit.

“(c) MODIFICATION OF IMPUTED UNDERPAYMENTS.—

“(1) IN GENERAL.—The Secretary shall establish procedures under which the imputed underpayment amount may be modified consistent with the requirements of this subsection.

“(2) AMENDED RETURNS OF PARTNERS.—

“(A) IN GENERAL.—Such procedures shall provide that if—

“(i) one or more partners file returns (notwithstanding section 6511) for the taxable year of the partners which includes the end of the reviewed year of the partnership,

“(ii) such returns take into account all adjustments under subsection (a) properly allocable to such partners (and for any other taxable year with respect to which any tax attribute is affected by reason of such adjustments), and

“(iii) payment of any tax due is included with such return, then the imputed underpayment amount shall be determined without regard to the portion of the adjustments so taken into account.

“(B) REALLOCATION OF DISTRIBUTIVE SHARE.—In the case of any adjustment which reallocates the distributive share of any item from one partner to another, paragraph (2) shall apply only if returns are filed by all partners affected by such adjustment.

“(3) TAX-EXEMPT PARTNERS.—Such procedures shall provide for determining the imputed underpayment without regard to the portion thereof that the partnership demonstrates is allocable to a partner that would not owe tax by reason of its status as a tax-exempt entity (as defined in section 168(h)(2)).

“(4) MODIFICATION OF APPLICABLE HIGHEST TAX RATES.—

“(A) IN GENERAL.—Such procedures shall provide for taking into account a rate of tax lower than the rate of tax described in subsection (b)(1)(A) with respect to any portion of the imputed underpayment that the partnership demonstrates is allocable to a partner which—

“(i) in the case of ordinary income, is a C corporation, or

“(ii) in the case of a capital gain or qualified dividend, is an individual.

In no event shall the lower rate determined under the preceding sentence be less than the highest rate in effect with respect to the income and taxpayer described in clause (i) or clause (ii), as the case may be. For purposes of clause (ii), an S corporation shall be treated as an individual.

“(B) PORTION OF IMPUTED UNDERPAYMENT TO WHICH LOWER RATE APPLIES.—

“(1) IN GENERAL.—Except as provided in clause (ii), the portion of the imputed underpayment to which the lower rate applies with respect to a partner under subparagraph (A) shall be determined by reference to the partners' distributive share of items to which the imputed underpayment relates.

“(ii) RULE IN CASE OF VARIED TREATMENT OF ITEMS AMONG PARTNERS.—If the imputed underpayment is attributable to the adjustment of more than 1 item, and any partner's distributive share of such items is not the same with respect to all such items, then the portion of the imputed underpayment to which the lower rate applies with respect to

a partner under subparagraph (A) shall be determined by reference to the amount which would have been the partner's distributive share of net gain or loss if the partnership had sold all of its assets at their fair market value as of the close of the reviewed year of the partnership.

“(5) OTHER PROCEDURES FOR MODIFICATION OF IMPUTED UNDERPAYMENT.—The Secretary may by regulations or guidance provide for additional procedures to modify imputed underpayment amounts on the basis of such other factors as the Secretary determines are necessary or appropriate to carry out the purposes of this subsection.

“(6) YEAR AND DAY FOR SUBMISSION TO SECRETARY.—Anything required to be submitted pursuant to paragraph (1) shall be submitted to the Secretary not later than the close of the 270-day period beginning on the date on which the notice of a proposed partnership adjustment is mailed under section 6231 unless such period is extended with the consent of the Secretary.

“(7) DECISION OF SECRETARY.—Any modification of the imputed underpayment amount under this subsection shall be made only upon approval of such modification by the Secretary.

“(d) DEFINITIONS.—For purposes of this subchapter—

“(1) REVIEWED YEAR.—The term ‘reviewed year’ means the partnership taxable year to which the item being adjusted relates.

“(2) ADJUSTMENT YEAR.—The term ‘adjustment year’ means the partnership taxable year in which—

“(A) in the case of an adjustment pursuant to the decision of a court in a proceeding brought under section 6234, such decision becomes final,

“(B) in the case of an administrative adjustment request under section 6227, such administrative adjustment request is made, or

“(C) in any other case, notice of the final partnership adjustment is mailed under section 6231.

#### “SEC. 6226. ALTERNATIVE TO PAYMENT OF IMPUTED UNDERPAYMENT BY PARTNERSHIP.

“(a) IN GENERAL.—If the partnership—

“(1) not later than 45 days after the date of the notice of final partnership adjustment, elects the application of this section with respect to an imputed underpayment, and

“(2) at such time and in such manner as the Secretary may provide, furnishes to each partner of the partnership for the reviewed year and to the Secretary a statement of the partner's share of any adjustment to income, gain, loss, deduction, or credit (as determined in the notice of final partnership adjustment),

section 6225 shall not apply with respect to such underpayment and each such partner shall take such adjustment into account as provided in subsection (b). The election under paragraph (1) shall be made in such manner as the Secretary may provide and, once made, shall be revocable only with the consent of the Secretary.

“(b) ADJUSTMENTS TAKEN INTO ACCOUNT BY PARTNER.—

“(1) TAX IMPOSED IN YEAR OF STATEMENT.—Each partner's tax imposed by chapter 1 for the taxable year which includes the date the statement was furnished under subsection (a) shall be increased by the aggregate of the adjustment amounts determined under paragraph (2) for the taxable years referred to therein.

“(2) ADJUSTMENT AMOUNTS.—The adjustment amounts determined under this paragraph are—

“(A) in the case of the taxable year of the partner which includes the end of the reviewed year, the amount by which the tax

imposed under chapter 1 would increase if the partner's share of the adjustments described in subsection (a) were taken into account for such taxable year, plus

“(B) in the case of any taxable year after the taxable year referred to in subparagraph (A) and before the taxable year referred to in paragraph (1), the amount by which the tax imposed under chapter 1 would increase by reason of the adjustment to tax attributes under paragraph (3).

“(3) ADJUSTMENT OF TAX ATTRIBUTES.—Any tax attribute which would have been affected if the adjustments described in subsection (a) were taken into account for the taxable year referred to in paragraph (2)(A) shall—

“(A) in the case of any taxable year referred to in paragraph (2)(B), be appropriately adjusted for purposes of applying such paragraph, and

“(B) in the case of any subsequent taxable year, be appropriately adjusted.

“(c) PENALTIES AND INTEREST.—

“(1) PENALTIES.—Notwithstanding subsections (a) and (b), any penalties, additions to tax, or additional amount shall be determined as provided under section 6221 and the partners of the partnership for the reviewed year shall be liable for any such penalty, addition to tax, or additional amount.

“(2) INTEREST.—In the case of an imputed underpayment with respect to which the application of this section is elected, interest shall be determined—

“(A) at the partner level,

“(B) from the due date of the return for the taxable year to which the increase is attributable (determined by taking into account any increases attributable to a change in tax attributes for a taxable year under subsection (b)(2)), and

“(C) at the underpayment rate under section 6621(a)(2), determined by substituting ‘5 percentage points’ for ‘3 percentage points’ in subparagraph (B) thereof.

**“SEC. 6227. ADMINISTRATIVE ADJUSTMENT REQUEST BY PARTNERSHIP.**

“(a) IN GENERAL.—A partnership may file a request for an administrative adjustment in the amount of one or more items of income, gain, loss, deduction, or credit of the partnership for any partnership taxable year.

“(b) ADJUSTMENT.—Any such adjustment under subsection (a) shall be determined and taken into account for the partnership taxable year in which the administrative adjustment request is made—

“(1) by the partnership under rules similar to the rules of section 6225 (other than paragraphs (2), (6) and (7) of subsection (c) thereof) for the partnership taxable year in which the administrative adjustment request is made, or

“(2) by the partnership and partners under rules similar to the rules of section 6226 (determined without regard to the substitution described in subsection (c)(2)(C) thereof). In the case of an adjustment that would not result in an imputed underpayment, paragraph (1) shall not apply and paragraph (2) shall apply with appropriate adjustments.

“(c) PERIOD OF LIMITATIONS.—A partnership may not file such a request more than 3 years after the later of—

“(1) the date on which the partnership return for such year is filed, or

“(2) the last day for filing the partnership return for such year (determined without regard to extensions).

In no event may a partnership file such a request after a notice of an administrative proceeding with respect to the taxable year is mailed under section 6231.

**“PART 1—PROCEDURE**

“Sec. 6231. Notice of proceedings and adjustment.

“Sec. 6232. Assessment, collection, and payment.

“Sec. 6233. Interest and penalties.

“Sec. 6234. Judicial review of partnership adjustment.

“Sec. 6235. Period of limitations on making adjustments.

**“SEC. 6231. NOTICE OF PROCEEDINGS AND ADJUSTMENT.**

“(a) IN GENERAL.—The Secretary shall mail to the partnership and the partnership representative—

“(1) notice of any administrative proceeding initiated at the partnership level with respect to an adjustment of any item of income, gain, loss, deduction, or credit of a partnership for a partnership taxable year, or any partner's distributive share thereof,

“(2) notice of any proposed partnership adjustment resulting from such proceeding, and

“(3) notice of any final partnership adjustment resulting from such proceeding.

Any notice of a final partnership adjustment shall not be mailed earlier than 270 days after the date on which the notice of the proposed partnership adjustment is mailed. Such notices shall be sufficient if mailed to the last known address of the partnership representative or the partnership (even if the partnership has terminated its existence). The first sentence shall apply to any proceeding with respect to an administrative adjustment request filed by a partnership under section 6227.

“(b) FURTHER NOTICES RESTRICTED.—If the Secretary mails a notice of a final partnership adjustment to any partnership for any partnership taxable year and the partnership files a petition under section 6234 with respect to such notice, in the absence of a showing of fraud, malfeasance, or misrepresentation of a material fact, the Secretary shall not mail another such notice to such partnership with respect to such taxable year.

“(c) AUTHORITY TO RESCIND NOTICE WITH PARTNERSHIP CONSENT.—The Secretary may, with the consent of the partnership, rescind any notice of a partnership adjustment mailed to such partnership. Any notice so rescinded shall not be treated as a notice of a partnership adjustment for purposes of this subchapter, and the taxpayer shall have no right to bring a proceeding under section 6234 with respect to such notice.

**“SEC. 6232. ASSESSMENT, COLLECTION, AND PAYMENT.**

“(a) IN GENERAL.—Any imputed underpayment shall be assessed and collected in the same manner as if it were a tax imposed for the adjustment year by subtitle A, except that in the case of an administrative adjustment request to which section 6227(b)(1) applies, the underpayment shall be paid when the request is filed.

“(b) LIMITATION ON ASSESSMENT.—Except as otherwise provided in this chapter, no assessment of a deficiency may be made (and no levy or proceeding in any court for the collection of any amount resulting from such adjustment may be made, begun or prosecuted) before—

“(1) the close of the 90th day after the day on which a notice of a final partnership adjustment was mailed, and

“(2) if a petition is filed under section 6234 with respect to such notice, the decision of the court has become final.

“(c) PREMATURE ACTION MAY BE ENJOINED.—Notwithstanding section 7421(a), any action which violates subsection (b) may be enjoined in the proper court, including the Tax Court. The Tax Court shall have no jurisdiction to enjoin any action under this subsection unless a timely petition has been filed under section 6234 and then only in respect of the adjustments that are the subject of such petition.

“(d) EXCEPTIONS TO RESTRICTIONS ON ADJUSTMENTS.—

“(1) ADJUSTMENTS ARISING OUT OF MATH OR CLERICAL ERRORS.—

“(A) IN GENERAL.—If the partnership is notified that, on account of a mathematical or clerical error appearing on the partnership return, an adjustment to a item is required, rules similar to the rules of paragraphs (1) and (2) of section 6213(b) shall apply to such adjustment.

“(B) SPECIAL RULE.—If a partnership is a partner in another partnership, any adjustment on account of such partnership's failure to comply with the requirements of section 6222(a) with respect to its interest in such other partnership shall be treated as an adjustment referred to in subparagraph (A), except that paragraph (2) of section 6213(b) shall not apply to such adjustment.

“(2) PARTNERSHIP MAY WAIVE RESTRICTIONS.—The partnership may at any time (whether or not any notice of partnership adjustment has been issued), by a signed notice in writing filed with the Secretary, waive the restrictions provided in subsection (b) on the making of any partnership adjustment.

“(e) LIMIT WHERE NO PROCEEDING BEGUN.—If no proceeding under section 6234 is begun with respect to any notice of a final partnership adjustment during the 90-day period described in subsection (b) thereof, the amount for which the partnership is liable under section 6225 shall not exceed the amount determined in accordance with such notice.

**“SEC. 6233. INTEREST AND PENALTIES.**

“(a) INTEREST AND PENALTIES DETERMINED FROM REVIEWED YEAR.—

“(1) IN GENERAL.—Except to the extent provided in section 6226(c), in the case of a partnership adjustment for a reviewed year—

“(A) interest shall be computed under paragraph (2), and

“(B) the partnership shall be liable for any penalty, addition to tax, or additional amount as provided in paragraph (3).

“(2) DETERMINATION OF AMOUNT OF INTEREST.—The interest computed under this paragraph with respect to any partnership adjustment is the interest which would be determined under chapter 67 for the period beginning on the day after the return due date for the reviewed year and ending on the return due date for the adjustment year (or, if earlier, the date payment of the imputed underpayment is made). Proper adjustments in the amount determined under the preceding sentence shall be made for adjustments required for partnership taxable years after the reviewed year and before the adjustment year by reason of such partnership adjustment.

“(3) PENALTIES.—Any penalty, addition to tax, or additional amount shall be determined at the partnership level as if such partnership had been an individual subject to tax under chapter 1 for the reviewed year and the imputed underpayment were an actual underpayment (or understatement) for such year.

“(b) INTEREST AND PENALTIES WITH RESPECT TO ADJUSTMENT YEAR RETURN.—

“(1) IN GENERAL.—In the case of any failure to pay an imputed underpayment on the date prescribed therefor, the partnership shall be liable—

“(A) for interest as determined under paragraph (2), and

“(B) for any penalty, addition to tax, or additional amount as determined under paragraph (3).

“(2) INTEREST.—Interest determined under this paragraph is the interest that would be determined by treating the imputed underpayment as an underpayment of tax imposed in the adjustment year.

“(3) PENALTIES.—Penalties, additions to tax, or additional amounts determined under

this paragraph are the penalties, additions to tax, or additional amounts that would be determined—

“(A) by applying section 6651(a)(2) to such failure to pay, and

“(B) by treating the imputed underpayment as an underpayment of tax for purposes of part II of subchapter A of chapter 68.

**“SEC. 6234. JUDICIAL REVIEW OF PARTNERSHIP ADJUSTMENT.**

“(a) IN GENERAL.—Within 90 days after the date on which a notice of a final partnership adjustment is mailed under section 6231 with respect to any partnership taxable year, the partnership may file a petition for a readjustment for such taxable year with—

“(1) the Tax Court,

“(2) the district court of the United States for the district in which the partnership's principal place of business is located, or

“(3) the Claims Court.

“(b) JURISDICTIONAL REQUIREMENT FOR BRINGING ACTION IN DISTRICT COURT OR CLAIMS COURT.—

“(1) IN GENERAL.—A readjustment petition under this section may be filed in a district court of the United States or the Claims Court only if the partnership filing the petition deposits with the Secretary, on or before the date the petition is filed, the amount of the imputed underpayment (as of the date of the filing of the petition) if the partnership adjustment was made as provided by the notice of final partnership adjustment. The court may by order provide that the jurisdictional requirements of this paragraph are satisfied where there has been a good faith attempt to satisfy such requirement and any shortfall of the amount required to be deposited is timely corrected.

“(2) INTEREST PAYABLE.—Any amount deposited under paragraph (1), while deposited, shall not be treated as a payment of tax for purposes of this title (other than chapter 67).

“(c) SCOPE OF JUDICIAL REVIEW.—A court with which a petition is filed in accordance with this section shall have jurisdiction to determine all items of income, gain, loss, deduction, or credit of the partnership for the partnership taxable year to which the notice of final partnership adjustment relates, the proper allocation of such items among the partners, and the applicability of any penalty, addition to tax, or additional amount for which the partnership may be liable under this subchapter.

“(d) DETERMINATION OF COURT REVIEWABLE.—Any determination by a court under this section shall have the force and effect of a decision of the Tax Court or a final judgment or decree of the district court or the Claims Court, as the case may be, and shall be reviewable as such. The date of any such determination shall be treated as being the date of the court's order entering the decision.

“(e) EFFECT OF DECISION DISMISSING ACTION.—If an action brought under this section is dismissed other than by reason of a rescission under section 6231(c), the decision of the court dismissing the action shall be considered as its decision that the notice of final partnership adjustment is correct, and an appropriate order shall be entered in the records of the court.

**“SEC. 6235. PERIOD OF LIMITATIONS ON MAKING ADJUSTMENTS.**

“(a) IN GENERAL.—Except as otherwise provided in this section, no adjustment under this subpart for any partnership taxable year may be made after the later of—

“(1) the date which is 3 years after the latest of—

“(A) the date on which the partnership return for such taxable year was filed,

“(B) the return due date for the taxable year, or

“(C) the date on which the partnership filed an administrative adjustment request with respect to such year under section 6227, or

“(2) in the case of any modification of an imputed underpayment under section 6225(c), the date that is 270 days (plus the number of days of any extension consented to by the Secretary under paragraph (4) thereof) after the date on which everything required to be submitted to the Secretary pursuant to such section is so submitted, or

“(3) in the case of any notice of a proposed partnership adjustment under section 6231(a)(2), the date that is 270 days after the date of such notice.

“(b) EXTENSION BY AGREEMENT.—The period described in subsection (a) (including an extension period under this subsection) may be extended by an agreement entered into by the Secretary and the partnership before the expiration of such period.

“(c) SPECIAL RULE IN CASE OF FRAUD, ETC.—

“(1) FALSE RETURN.—In the case of a false or fraudulent partnership return with intent to evade tax, the adjustment may be made at any time.

“(2) SUBSTANTIAL OMISSION OF INCOME.—If any partnership omits from gross income an amount properly includible therein and such amount is described in section 6501(e)(1)(A), subsection (a) shall be applied by substituting ‘6 years’ for ‘3 years’.

“(3) NO RETURN.—In the case of a failure by a partnership to file a return for any taxable year, the adjustment may be made at any time.

“(4) RETURN FILED BY SECRETARY.—For purposes of this section, a return executed by the Secretary under subsection (b) of section 6020 on behalf of the partnership shall not be treated as a return of the partnership.

“(d) SUSPENSION WHEN SECRETARY MAILES NOTICE OF ADJUSTMENT.—If notice of a final partnership adjustment with respect to any taxable year is mailed under section 6231, the running of the period specified in subsection (a) (as modified by the other provisions of this section) shall be suspended—

“(1) for the period during which an action may be brought under section 6234 (and, if a petition is filed under such section with respect to such notice, until the decision of the court becomes final), and

“(2) for 1 year thereafter.

**“PART 2—DEFINITIONS AND SPECIAL RULES**

“Sec. 6241. Definitions and special rules.

**“SEC. 6241. DEFINITIONS AND SPECIAL RULES.**

“For purposes of this subchapter—

“(1) PARTNERSHIP.—The term ‘partnership’ means any partnership required to file a return under section 6031(a).

“(2) PARTNERSHIP ADJUSTMENT.—The term ‘partnership adjustment’ means any adjustment in the amount of any item of income, gain, loss, deduction, or credit of a partnership, or any partner's distributive share thereof.

“(3) RETURN DUE DATE.—The term ‘return due date’ means, with respect to the taxable year, the date prescribed for filing the partnership return for such taxable year (determined without regard to extensions).

“(4) PAYMENTS NONDEDUCTIBLE.—No deduction shall be allowed under subtitle A for any payment required to be made by a partnership under this subchapter.

“(5) PARTNERSHIPS HAVING PRINCIPAL PLACE OF BUSINESS OUTSIDE UNITED STATES.—For purposes of sections 6234, a principal place of business located outside the United States shall be treated as located in the District of Columbia.

“(6) PARTNERSHIPS IN CASES UNDER TITLE 11 OF UNITED STATES CODE.—

“(A) SUSPENSION OF PERIOD OF LIMITATIONS ON MAKING ADJUSTMENT, ASSESSMENT, OR COLLECTION.—The running of any period of limitations provided in this subchapter on making a partnership adjustment (or provided by section 6501 or 6502 on the assessment or collection of any imputed underpayment determined under this subchapter) shall, in a case under title 11 of the United States Code, be suspended during the period during which the Secretary is prohibited by reason of such case from making the adjustment (or assessment or collection) and—

“(i) for adjustment or assessment, 60 days thereafter, and

“(ii) for collection, 6 months thereafter.

A rule similar to the rule of section 6213(f)(2) shall apply for purposes of section 6232(b).

“(B) SUSPENSION OF PERIOD OF LIMITATION FOR FILING FOR JUDICIAL REVIEW.—The running of the period specified in section 6234 shall, in a case under title 11 of the United States Code, be suspended during the period during which the partnership is prohibited by reason of such case from filing a petition under section 6234 and for 60 days thereafter.

“(7) TREATMENT WHERE PARTNERSHIP CEASES TO EXIST.—If a partnership ceases to exist before a partnership adjustment under this subchapter takes effect, such adjustment shall be taken into account by the former partners of such partnership under regulations prescribed by the Secretary.

“(8) EXTENSION TO ENTITIES FILING PARTNERSHIP RETURN.—If a partnership return is filed by an entity for a taxable year but it is determined that the entity is not a partnership (or that there is no entity) for such year, then, to the extent provided in regulations, the provisions of this subchapter are hereby extended in respect of such year to such entity and its items and to persons holding an interest in such entity.”

(2) CLERICAL AMENDMENT.—The table of subchapters for chapter 63 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by inserting after the item relating to subchapter B the following new item:

**“SUBCHAPTER C. TREATMENT OF PARTNERSHIPS.”**

(d) BINDING NATURE OF PARTNERSHIP ADJUSTMENT PROCEEDINGS.—Section 6330(c)(4) of such Code is amended by striking “or” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “; or”, and by inserting after subparagraph (B) the following new subparagraph:

“(C) a final determination has been made with respect to such issue in a proceeding brought under subchapter C of chapter 63.”

(e) RESTRICTION ON AUTHORITY TO AMEND PARTNER INFORMATION STATEMENTS.—Section 6031(b) of such Code is amended by adding at the end the following: “Except as provided in the procedures under section 6225(c), with respect to statements under section 6226, or as otherwise provided by the Secretary, information required to be furnished by the partnership under this subsection may not be amended after the due date of the return under subsection (a) to which such information relates.”

(f) CONFORMING AMENDMENTS.—

(1) Section 6031(b) of such Code is amended by striking the last sentence.

(2) Section 6422 of such Code is amended by striking paragraph (12).

(3) Section 6501(n) of such Code is amended by striking paragraphs (2) and (3) and by striking “CROSS REFERENCES” and all that follows through “For period of limitations” and inserting “CROSS REFERENCE.—For period of limitations”.

(4) Section 6503(a)(1) of such Code is amended by striking “(or section 6229)” and all that follows through “of section 6230(a))”.

(5) Section 6504 of such Code is amended by striking paragraph (11).

(6) Section 6511 of such Code is amended by striking subsection (g).

(7) Section 6512(b)(3) of such Code is amended by striking the second sentence.

(8) Section 6515 of such Code is amended by striking paragraph (6).

(9) Section 6601(c) of such Code is amended by striking the last sentence.

(10) Section 7421(a) of such Code is amended by striking “6225(b), 6246(b)” and inserting “6232(c)”.

(11) Section 7422 of such Code is amended by striking subsection (h).

(12) Section 7459(c) of such Code is amended by striking “section 6226” and all that follows through “or 6252” and inserting “section 6234”.

(13) Section 7482(b)(1) of such Code is amended—

(A) in subparagraph (E), by striking “section 6226, 6228, 6247, or 6252” and inserting “section 6234”;

(B) by striking subparagraph (F), by striking “or” at the end of subparagraph (E) and inserting a period, and by inserting “or” at the end of subparagraph (D), and

(C) in the last sentence, by striking “section 6226, 6228(a), or 6234(c)” and inserting “section 6234”.

(14) Section 7485(b) of such Code is amended by striking “section 6226, 6228(a), 6247, or 6252” and inserting “section 6234”.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to returns filed for partnership taxable years beginning after December 31, 2017.

(2) ADMINISTRATIVE ADJUSTMENT REQUESTS.—In the case of administrative adjustment request under section 6227 of such Code, the amendments made by this section shall apply to requests with respect to returns filed for partnership taxable years beginning after December 31, 2017.

(3) ADJUSTED PARTNERS STATEMENTS.—In the case of a partnership electing the application of section 6226 of such Code, the amendments made by this section shall apply to elections with respect to returns filed for partnership taxable years beginning after December 31, 2017.

(4) ELECTION.—A partnership may elect (at such time and in such form and manner as the Secretary of the Treasury may prescribe) for the amendments made by this section (other than the election under section 6221(b) of such Code (as added by this Act)) to apply to any return of the partnership filed for partnership taxable years beginning after the date of the enactment of this Act and before January 1, 2018.

#### SEC. 1102. PARTNERSHIP INTERESTS CREATED BY GIFT.

(a) IN GENERAL.—Section 761(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “In the case of a capital interest in a partnership in which capital is a material income-producing factor, whether a person is a partner with respect to such interest shall be determined without regard to whether such interest was derived by gift from any other person.”.

(b) CONFORMING AMENDMENTS.—Section 704(e) of such Code is amended—

(1) by striking paragraph (1) and by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively,

(2) by striking “this section” in paragraph (2) (as so redesignated) and inserting “this subsection”, and

(3) by striking “FAMILY PARTNERSHIPS” in the heading and inserting “PARTNERSHIP INTERESTS CREATED BY GIFT”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to partnership taxable years beginning after December 31, 2015.

#### TITLE XII—DESIGNATION OF SMALL HOUSE ROTUNDA

##### SEC. 1201. DESIGNATING SMALL HOUSE ROTUNDA AS “FREEDOM FOYER”.

The first floor of the area of the House of Representatives wing of the United States Capitol known as the small House rotunda is designated the “Freedom Foyer”.

The SPEAKER pro tempore. Pursuant to House Resolution 495, the motion shall be debatable for 1 hour equally divided and controlled by the majority leader and the minority leader or their designees.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

##### GENERAL LEAVE

Mr. ROGERS of Kentucky. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 1314, and that I may include tabular material on the same.

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

There was no objection.

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

Madam Speaker, I rise today to present the House amendment to the Senate amendment to H.R. 1314, the Bipartisan Budget Agreement of 2015, an agreement that helps advance this Nation toward our goals of fiscal stability, strong national security, and entitlement reform.

These are goals that we have been advocating for years, ones that will secure significant long-term savings, provide our economy with the certainty needed to grow and prosper, and ensure the readiness of our military to meet current and emerging threats.

First, this agreement prevents the economic damage of a default, which could happen as early as next week, by suspending the debt limit through March 2017.

Next, the agreement includes the first significant reform to Social Security since 1983. These structural reforms will help maintain the solvency of vital Social Security trust funds by closing loopholes, increasing program integrity, and cracking down on fraud, resulting in \$168 billion in long-term savings. The agreement also finds savings in other mandatory programs, including over \$30 billion in Medicare entitlement savings.

As I have said many, many times before—and I have heard it said many times by others here on the floor—mandatory and entitlement programs make up two-thirds of the Nation's budget and are the primary drivers of

our deficits and our debt. In fact, we have saved \$195 billion on discretionary spending in these last 4 years. In the meantime, the entitlement-mandatory side of the budget continues to zoom skyward.

Reforms to these programs are necessary and overdue, and I hope that this bill today paves the way for additional action in the future.

This bill also repeals a flawed provision of the President's healthcare law, eliminating the automatic enrollment mandate that forces workers into employer-sponsored healthcare coverage that they may not want or need.

Finally—and, in my opinion, most importantly—this agreement provides for new top-line spending caps for the next 2 years. This will roll back the harmful, automatic, meat-ax approach of sequestration cuts which gut important Federal programs and slice the good with the bad, including slicing into our military strength.

A 2-year plan, why is that so important? Well, it provides much-needed certainty to the appropriations process and to the Defense Department and all the other agencies of the government, ensuring our ability to make thoughtful, responsible funding decisions over that time.

Having established agreed-upon, top-line numbers for both fiscal 2016 and 2017 will allow Congress to do its work on behalf of the American people and avoid a harmful government shutdown or the threat thereof. This is particularly crucial when it comes to our national security. It provides the Pentagon with the certainty needed to plan for the future, maintain readiness, and provide for our troops.

These adjustments are fully offset by mandatory spending cuts and other savings, not through tax increases, as the administration proposed in its budget submission earlier this year.

These new levels do not undermine our remarkable success in limiting Federal discretionary spending. Since 2011, as I have said before, we have reduced discretionary spending—that is what we appropriate here on the floor—by \$175 billion. We remain on track to save taxpayers more than \$2 trillion if you extrapolate those numbers through 2024.

With passage of this important agreement, my committee stands ready, coiled, poised to implement the details of this deal, going line by line through budgets and making the tough, but necessary, decisions to fund the entire government in a responsible way.

We will begin work with our Senate counterparts as soon as this bill is signed.

We have our eye on the December 11 deadline, and it is my goal to complete our appropriations work ahead of that date to avoid any more delays, continuing resolutions, or shutdown showdowns that hurt important Federal programs, our economy, and, coincidentally, the trust of the people in the Congress.

I want to thank and commend our leaders for their courage, their tenacity, and their resolve. While I know that this deal is not perfect, there are things I would change if I had the chance. The process by which it emerged is less than ideal. I believe, still, it is in the best interest of the country that we move forward with this arrangement.

This agreement takes steps in the right direction, from finding savings in our entitlement programs to protecting our economy from a dangerous default, to providing for the future of the Nation through funding certainty.

These are goals that I believe we can all get behind. So I ask my colleagues to support this bipartisan agreement today.

I reserve the balance of my time.

□ 1545

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to start by joining the comments of the chairman of the Committee on Appropriations, Mr. ROGERS, in congratulating all those who came together to iron out their differences and produce this agreement.

It is not a perfect agreement, but it is far better than the alternative, the alternative which we would have seen which would have produced great damage to the economy, as opposed to this agreement, which will help boost economic growth and make important national investments.

What a difference a week makes, Madam Speaker. Just last week, we had on the floor of this House a bill that would have jeopardized the full faith and credit of the United States. It was a piece of legislation that says the United States Government only has to pay some of its bills, doesn't have to pay all of its bills. That would have been an awful precedent that would have put the economy at risk.

Even worse, it said, well, when we decide which bills we are going to pay, we are first going to pay all the bondholders, like China and the folks on Wall Street, rather than our soldiers and our veterans and the doctors who provide Medicare to our seniors. I am glad we have gotten beyond that, Madam Speaker.

This will ensure the full faith and credit of the United States. It will also lift the very damaging sequester caps that have been put in place that, according to the nonpartisan Congressional Budget Office, were going to slow down economic growth over the next couple years.

Instead, we are going to be able to make some vital investments in key areas: in education, in scientific research, in transportation, and in military readiness. Now, I know those decisions are going to be left to Mr. ROGERS and the appropriators, and I wish them all the best in making those decisions. I hope we come back by mid-De-

cember with an agreement to go forward without further threats of government shutdown.

This agreement at least provides the room and space to make those important investments. It also prevents a looming 20 percent cut in Social Security disability benefits and provides that reassurance to millions of Americans who otherwise would have been on the edge.

It prevents what would have been a whopping increase in Medicare part B premiums for millions of seniors around this country, who would have been stretched extremely thin and probably not been able to make all their payments—whether they were mortgage payments, rent payments, or food payments—at the same time they were facing those huge Medicare part B premium increases. So that was addressed as well.

Now, like Mr. ROGERS, there are lots of things that I would like to have seen in this bill that are not included; but on balance, this is an important step forward, certainly a great improvement over where we were just a week ago.

So, again, I want to express my gratitude to everybody who helped make this possible.

Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the House Committee on Rules.

Mr. SESSIONS. Madam Speaker, last night in the Committee on Rules we looked at this bill. We talked about it and its importance to the Nation.

Madam Speaker, first let me say that this is an agreement between the White House, the Senate, and the House. This is an agreement that we can move forward on and avoid many destructive things that might have happened not only to the American people and the economy, but, really, our own credibility. Our ability to work together at this very careful time is important so that we show the American people that this can happen.

There are a lot of things that I agree and disagree with that were said. First of all, harm the economy? Good gosh, when you only have a 1 percent GDP growth, the President has already done that with massive tax increases. The President has done that with rules and regulations. We are trying to make sure that what we are doing in this bill is to stick to the Republican plan.

What is the Republican plan? It has been—going into our sixth year—that we are going to hold government spending flat. We do that essentially not only with a CR, which we will do again in a few weeks, but through effective use of sequestration. What we have done is been able to take the sequestration dollars and to utilize them in such a way that, as the chairman was speaking about, we are pulling in mandatory spending.

We believe, after 5 years of staying flat with government spending, that we are in a more dangerous world than ever, and our military must have more money, our security operations must have more money. What we are going to do is to look at the entire process, come up with an idea about bringing in more money that funds our security, that funds our military, and offsets that so that we can do this by looking at long-term mandatory spending that will bring in over 170 billion dollars' worth of savings over the mirror that we look at, over the timeframe that is important for the American people to have confidence that we will not bankrupt this country and that we can continue.

Now, the bottom line to this whole exercise is that what we have done is worked together. Working together, we now have a plan to move forward; and we will simply go to the next exercise, and that is funding the government for the year.

The Republican plan is simple. We are not going to give this government one extra penny to put us into a bankruptcy circumstance, but we are asking also, back, that the President of the United States give us an opportunity to grow our economy. Taxes are too high, and we have too many rules and regulations; but the Republican Party will stick to our plan, and that is what we are doing here.

Mr. VAN HOLLEN. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Michigan (Mr. LEVIN), the distinguished ranking member of the Committee on Ways and Means.

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

Mr. LEVIN. Madam Speaker, first and foremost, this bill takes the important step of protecting the full faith and credit of the United States. We will pay our obligations—and not only to foreign bondholders, but to our citizens, whether veterans or our children—unlike the Republican majority bill last week.

It protects millions of seniors from a 50 percent increase in their monthly Medicare part B premiums and spreads out the cost of paying for the fix over a number of years. It ensures that all 11 million Americans that rely on Social Security disability insurance won't see their benefits cut by 20 percent. It is fiscally responsible, while not undermining or changing the structure of vital programs in any way.

Let me repeat that. It is fiscally responsible, while not undermining or changing the structure of vital programs in any way.

It ensures, in Social Security, a uniform national process for disability evaluations, and it closes a loophole used mostly by higher income individuals to receive higher Social Security benefits than intended. It regularizes payments in Medicare for care given in outpatient facilities.

Finally, the agreement raises the spending caps for 2 years for domestic

spending, not only for defense priorities, as some have earlier proposed. I just want to repeat that so it is clear. The agreement raises the spending caps for 2 years for both domestic and defense spending. That means we can better fund critical domestic programs that were cut under sequestration, increasing support for education, health research, food safety, job training, and health care for veterans.

This was a product of a lot of effort, of Members, of staff in various committees, the leadership on a bipartisan basis working with the administration. I just want to leave expressing my support and expressing we will truly have a broad, bipartisan vote for this bill today.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), the distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. FRELINGHUYSEN. Madam Speaker, I will be brief.

I rise in support of the agreement before us this afternoon.

Madam Speaker, as my colleagues are aware, the Department of Defense and the intelligence community have borne the brunt of our efforts to reduce the budget deficit and control our burgeoning national debt. Under the Budget Control Act of 2011, roughly half of all the discretionary spending reductions were taken from programs in the national security area.

My colleagues, 2011 was a different time. The security environment has changed significantly. Since that time, threats from terrorist groups and nation-states have risen dramatically. The security spending reductions envisioned 4 years ago seem extremely unwise and dangerous today.

In this agreement, the Department of Defense will receive additional resources, badly needed resources: \$30 billion this year, and \$15 billion next year. But almost more important, this agreement gives the Pentagon and our intelligence community predictability, certainty, the ability to organize and plan its activities for 2 years. It also gives our soldiers and their families a degree of certainty that they will be supported as they do the work of freedom.

Senior leaders of the Army, Navy, Air Force, and Marines—and the Department itself—will now be able to plan as to how they will configure, equip, train, sustain, and deploy our forces in the most effective and efficient manner possible. This ability will result in budget savings and a more effective fighting force.

Madam Speaker, this agreement is by no means perfect, but this agreement does require support because it provides predictable funding for our Nation's security at a time of changing and growing defense. Every Member ought to support it.

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman

from the great State of Maryland (Mr. CUMMINGS), the very distinguished ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. Madam Speaker, I rise in support of the Bipartisan Budget Agreement.

I am very encouraged that this agreement includes provisions from my bill, H.R. 2391, the Medicaid Generic Drug Price Fairness Act, which I introduced back on May 18. My legislation requires generic drug manufacturers to provide rebates to Medicaid when they raise prices faster than the rate of inflation.

My legislation will help Americans get lifesaving prescriptions they need. It will save \$1 billion over 10 years, according to the Congressional Budget Office.

Just this morning, the nonpartisan Kaiser Family Foundation issued a report finding that this issue, the skyrocketing prices of prescription drugs, is the number one healthcare priority for the American people. The report found that 77 percent of those surveyed, including Democrats, Republicans, and Independents, identified the issue as their top health concern overall.

This legislation is a strong and welcome step to help keep drugs affordable, but we must do more. We need to investigate drug companies that are taking advantage of the American people by jacking up their prices just to boost corporate profits and make their executives rich.

Over the past month, press reports have been filled with almost daily accounts of drug company executives trying to justify the obscene price increases while lining their pockets. My colleagues may have heard about the so-called “pharma bro” Martin Shkreli, who increased the price of a drug that treats life-threatening infections from about \$14 to \$750 overnight. He then called his price gouging “a great thing for society.”

My colleagues also may have heard about Michael Pearson, the CEO of Valeant Pharmaceuticals, which increased the prices of two drugs used to treat heart failure and hypertension by 212 percent and 525 percent on the same day it acquired them. This company is currently obstructing congressional oversight and refusing to provide documents relating to its increases.

I am very pleased to support this budget bill, and I urge my colleagues to vote in favor of it.

□ 1600

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), the distinguished chairman of the House Armed Services Committee.

Mr. THORNBERRY. Madam Speaker, if one takes into account the effects of inflation, we cut our military budget 21 percent from 2010 to 2014.

Madam Speaker, I think everybody in this body will acknowledge the

world is not 21 percent safer today than it was just 4 years ago.

As a matter of fact, if you look around the world, whether it is the growth of ISIS into more countries or the continued challenge of al Qaeda and its various affiliates, to the morass of Syria with historic Russian re-insertion today, to China building islands in the South Pacific, to North Korea's saber rattling, to Iran intentionally violating an agreement it made on its missile testing just after the U.S. ratified the nuclear deal, to daily cyber attacks, the world is growing increasingly dangerous.

Into that danger we send men and women who wear the uniform of the United States to meet that danger. Yet, we cut their budget 21 percent.

We saw last week the President of the United States used them as a political bargaining chip to try to force Congress to comply with his domestic agenda.

The bottom line for me, Madam Speaker, is our troops deserve better than that. That is the reason I support this Bipartisan Budget Act of 2014. It stops the cuts in defense.

It increases the money going to our troops. It prevents them from being used as a bargaining chip in the future because it sets the military budget for fiscal year 2016 and fiscal year 2017 so that that is decided. They can't be used as leverage for some other agenda. I think that is the sort of stability and predictability they need and that they deserve.

I think the great question, Madam Speaker, is: If not this, then what?

We know that this budget agreement at least comes close to meeting what the President has asked for on defense and comes close to the Congressional budget, within \$5 billion.

Now, that is not enough money to repair all the damage that has been done over the past 5 years, but it is in the ballpark. If we do not approve this budget, then what?

Well, then we are back to continuing resolutions and sequester, which means, for example, the Army has said they will have to cut another 40,000 troops out of their ranks on top of the 70,000 they have already cut.

Now, that is just a sampling of what not passing this bill could well mean. If we go back to CRs and the sequester level, it would be drastic reductions to the military, a much less safe world for the United States and its interests.

I believe that this measure, on that basis alone, deserves our support.

Mr. VAN HOLLEN. Madam Speaker, I yield myself such time as I may consume.

I agree with the gentleman that the investments in military readiness are important. I also believe the investments to help our economy grow and invest in education and scientific research are important.

What the President said to the Congress is what the vast majority of the American public believed, that it is



vital to have a strong national defense. But a strong national defense requires a strong economy. It requires an educated workforce. It requires investments in innovation and technology. It requires a 21st century infrastructure.

So I am pleased that the President insisted that we make investments not just in the military, but also vital investments to help the economy grow, grow more jobs, which are estimated to be in the range of 350,000 in 2016 alone. So those are vital investments that also help strengthen America.

Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), somebody who has been on the front lines of making those important investments for our country, the very distinguished ranking member of the Appropriations Committee.

Mrs. LOWEY. Madam Speaker, as ranking member of the Appropriations Committee, I rise to support this bipartisan legislation that ensures the full faith and credit of the United States and sets a path to a responsible appropriations process this year and next.

Since the beginning of this year's appropriations process, Democrats have called for relief from damaging, austerity-level budget caps so Congress can invest in our Nation's future.

Unfortunately, the majority's budget resolution and appropriation bills would have strangled economic growth and not met our Nation's needs with cuts to Pell Grants that help families pay college tuition and law enforcement grants, for example. The list goes on and on.

From the start of the appropriations process, I urged my majority colleagues to negotiate reasonable spending caps that protect our economy and national priorities.

I am pleased these talks finally happened and resulted in this bipartisan package that provides an additional \$40 billion for defense, \$40 billion for non-defense, over 2 years. These investments are critical.

Upon its passage, I look forward to working together in a similarly responsible manner to reach bipartisan consensus on the spending bills to avoid a government shutdown in mid-December.

I urge passage of this bill so we can immediately begin our appropriations work, already overdue.

Mr. ROGERS of Kentucky. Madam Speaker, may I inquire of the time remaining?

The SPEAKER pro tempore. The gentleman from Kentucky has 15½ minutes remaining. The gentleman from Maryland has 19 minutes remaining.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), the chairman of the Subcommittee on Transportation and Housing and Urban Development.

Mr. DIAZ-BALART. I thank the chairman.

Madam Speaker, I, in essence, only want to make four brief points. Num-

ber one is that, I, too, have concerns with lots of parts of this bill. There are parts that I wish were different. I think all of us do. But there are a number of reasons why I think it is important that we move forward on this legislation.

Number one, this helps avoid a devastating hit to senior citizens in the district that I represent and, frankly, senior citizens across the entire country that deserve to be protected by those of us that represent them up here in Washington.

Number two, when we are able to move forward on the appropriations process, which this legislation will allow us to do, that is a way that allows every Member of this House to have input. Every Member of this House has been part of that process.

So for those of us who believe in regular order and inclusiveness and in making sure that every Member has a word and a say as to how we move forward, this bill will allow us to move forward on that very open process.

Lastly—and we have heard this before—it is no secret that the world has gotten a lot more dangerous, and you have heard the numbers. We are devastating our military at a time when we are asking them to do more and more and when the world is becoming more and more dangerous.

So let me just leave with this last, final point. Are we going to allow our military to continue to receive cuts at a time when they should actually be helped and should actually have increased spending or are we going to permit the devastating of our men and women in uniform, of the U.S. military, at this time in our history?

My dear friends, I, for one, am not going to sit back, if I can do anything about it, and allow the U.S. military to be devastated by more budget cuts.

So, therefore, I respectfully urge a "yes" vote on this legislation.

Mr. VAN HOLLEN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), a distinguished member of the Financial Services Committee.

Mr. ELLISON. Madam Speaker, I thank the gentleman for the time.

I plan on voting for this bill, but I am not here to pound and celebrate that.

It does things that are good. It lifts the debt ceiling and puts us in a position where we don't have to fear defaulting on America's debts. It avoids ruinous cuts in Medicare part B, and disability insurance benefit cuts won't go down.

But the fact is no one here, no one in this room, can say that this piece of legislation that we are looking at now is going to advance America, bring us progress that we actually really need.

Do you know that, since 2012, we have seen 640 fewer National Institutes of Health grants? We haven't been making the investments we need in embassy security, housing, health care, education. We are not advancing America.

This is not a progress budget. This is a survival budget. And we need to survive; so, I'm going to vote for this piece of legislation.

But we must come to the moment in time when we are looking to advance our country, to move forward and offer real leadership to the world, rather than just obsessing over how much we can cut and how much we can take.

The fact is that the Progressive Caucus offered a budget. It meets our minimal conditions, but it doesn't advance our real progress that we need.

We have principles that we have been talking about that are about pushing this country forward: child nutrition, affordable care, college education, housing, transit. This is what is going to make our country strong.

This budget keeps us above water, keeps us from defaulting on our debts, and that is a good thing. But can't we do more?

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Speaker, I am a member of the majority.

When the majority brings a bill to the floor, you normally start off with "yes" and hope to stay there. In this case, I started off with "likely" and didn't arrive at a "yes." So, reluctantly, I am going to vote "no" on this bill.

I am not going to vote "no" because of what it seeks to do. I am certainly not going to vote "no" knowing that we need to fund our troops in the field in a war that has dragged on for 15 years and now has re-ignited.

But I am going to vote "no" because of how this bill is paid for. I have done as much as I can as long as I can to tolerate how we "score" things.

At the risk of being wrong, I will remind people that I am only as good as the information that my staff has given me. But according to CBO, \$2.5 billion worth of this pay-for comes from premium payments that are accelerated, meaning we are robbing from the future to pay for today.

Another one comes from extended pension smoothing, \$9 billion. This is a time-shifting on money over 10 years. Again, we are robbing from the future to pay for this year.

Another one, \$4 billion, comes from Social Security disability. But it is a double count. It has already been scored elsewhere previously.

And \$5 billion comes from the Strategic Petroleum Reserve. This will be the third time this year that we have brought a bill saying we are going to sell this oil at its low price.

Ultimately, the real question is: Aren't we selling off an asset today to pay for current expenses?

\$3.5 billion will come from FCC bandwidth sales. I can live with that. I'm not thrilled with it. I think we should make more bandwidth available to the public so that, in fact, space we can all use without paying would be available.

But here is the one that really broke me: Extending the Medicare sequester

rate saves \$14 billion, but the one-time saving is based on an occurrence in the year 2025.

So, in closing, Madam Speaker, I will not sell our future for this year's budget; and, therefore, I recommend a "no" because of the pay-fors on this budget.

□ 1615

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH), somebody who has been very focused on making sure we keep the full faith and credit of the United States.

Mr. WELCH. I thank the gentleman.

Madam Speaker, there are a few reasons why this agreement deserves our support:

First, it is good public policy. This finally unleashes the shackles of the sequester that have prevented Congress from making decisions and, instead, just had across-the-board cuts. The gentleman from Kentucky (Mr. ROGERS) is going to have an opportunity for his Appropriations Committee—Republicans and Democrats—to do its job.

Second, it averts enormous increases in Medicare part B premiums.

Third, it keeps Social Security disability funds solvent through 2022, and there are a number of other things.

The second major reason why this is so important is this: It is an agreement. We have finally come together, through the leadership of Speaker BOEHNER and Leader PELOSI, to legislate. We have been part of a legislative body that is on strike, that hasn't legislated. We cannot underestimate the power that is unleashed by the capacity of this Congress to give certainty to the American people and to our agencies as to what comes ahead and what they have to do.

Secondly, what Speaker BOEHNER did—and I am so indebted to him, as all of us should be—is that he took out of the hands of those of us in Congress two weapons which, when used, are very destructive, and those are: the threat of shutting the government down, and the threat of defaulting on America's full faith and credit. We can't do that.

And Speaker BOEHNER, to his credit, when there was the Planned Parenthood dispute about funding and he was in favor of cutting funding, he opposed shutting down government to achieve that goal.

We have suspended the debt ceiling through 2017, which means this body is going to have not just the opportunity, but the responsibility to do its job.

Finally, what we have seen here, when Speaker BOEHNER reached out to Leader PELOSI, is that he had in the minority leader a willing partner who was willing to sit down, work hard, and reach an agreement. That sets the foundation for progress ahead.

I wish the best success to Speaker-to-be RYAN. He has willing and able partners in the whole Caucus to make progress for America.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the gen-

tleman from South Carolina (Mr. SANFORD), the distinguished former Governor of South Carolina, who is a Member of this great body.

Mr. SANFORD. Madam Speaker, I will say to the chairman from Kentucky that I am absolutely sympathetic in the way that he and others in the leadership are really caught between a rock and a hard place.

If you think about 100 members of the defense community saying, "Wait a minute. We won't vote for it unless we get more there"; folks in the AG community saying, "We don't like this particular provision"; advocates of Medicare saying, "We have got to have a bit more here," the realities of a debt ceiling, a President who said, "A clean ceiling or nothing at all," I mean, they really have been between a rock and a hard place.

But that having been said, we are still left at the end of the day with a \$1.5 trillion problem that has grown on top of an \$18 trillion problem; and I, therefore, believe that the simple notion is the key to getting out of a hole is to quit digging. Fundamentally, I believe that this bill does more digging than not. And I say that from three different points:

One, there is a process question. In fairness to the chairman and others, in some ways, this was handed to them, and I think that there are serious questions that any of us should have with regard to process.

Two, it does remove the caps. As draconian as they are, they represent the only piece of financial restraint in Washington, D.C., that has encumbered this entity. That, I think, has a lot to do with the fiscal restraint that we have seen on domestic discretionary spending.

And finally, as my colleague from California just pointed out, there is borrowing from Peter to pay for Paul. And if you look at where disability insurance is getting money from the standpoint of old age survivors, if you look at the bandwidth question, if you look at the strategic oil question, if you look at pension smoothing and a whole number of other areas, you are left with this larger question of this still does not solve the problem of this upward trajectory that we have with regard to spending in this place.

Therefore, I would remind everyone of what Admiral Mike Mullen said, who is the former Chairman of the Joint Chiefs of Staff. He said that the greatest threat to our civilization was the national debt. At the end of the day, this bill compounds it; and for that reason, I would respectfully encourage a "no."

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), a distinguished member of the Ways and Means Committee.

Mr. NEAL. Madam Speaker, today's effort is a moment of satisfaction but not delectation. This stands before us as a testament that Congress cannot be

dictated to by a minority of the majority. This institution cannot work based upon the principle that a minority of the majority can dictate the outcome of legislative life.

I am glad we are finding common ground and common purpose. It is similar to the Congress that I joined a lot of years ago.

But rather than a moment of gloating, we should all take a look at what has happened to the process that once governed this institution. And my plea to the new Speaker of the House is going to be: Remember that the committee system is the vertebra of Congress. It is within the structure of the committee system that we find the way forward.

And to Speaker BOEHNER, a good man and a good friend who leaves here in the next couple of days, congratulations, as well as to Leader PELOSI, Leader MCCONNELL, and Leader REID. But the sad commentary is this could never have happened if they didn't take it upon themselves to do the actual negotiation. The polarization in this institution would have prevented that.

We cannot keep taking America to the financial precipice. We need some predictability, some confidence in building the economy. By embracing this proposal, we allow that opportunity to perhaps happen. We take default off the table. The full faith and credit of the United States will not be impugned. We will not allow the country to be hijacked by extremist views.

I say to those here, that small number that want to dictate the outcome of what happens in this institution: Pay some attention to the skill and the art of legislating as opposed to just the talking points that lend themselves to the incendiary commentary that flows from this institution now. Work with both sides to try to find an outcome that the American people can look at as having accomplished with some pride.

We look at this institution with great regard, and what has happened to it is a shameful exercise in allowing this rule that prevents us from moving forward because of the advances that are made by a minority of the majority.

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

Mr. VAN HOLLEN. Madam Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy and his hard work over the years on the budget.

Madam Speaker, I am pleased to stand today to support this agreement. It allows us to limp along. There is no shutdown for now. We avoid the damage of default. There is a slight relaxation in sequestration. There is equity for seniors and the disabled.

There was a time when many of these provisions would not necessarily be a cause for celebration, but it is today.

This is a signal accomplishment for stability.

I take my hat off to Speaker BOEHNER, Leader PELOSI, the Senate leadership, and the President and his team for delivering an agreement that came together for Congress at relatively warp speed, working behind the scenes for days. It wins the House some breathing space, not lurching from crisis to crisis, and I hope that we take advantage of this achievement.

This was an important week here on Capitol Hill:

We have made a transition on the Republican side with a new Speaker, a friend that I respect and admire, the gentleman from Wisconsin, PAUL RYAN. I look forward to working with him.

It was important that the House was able to work its will on the Ex-Im Bank. We found a piece of legislation supported not just overwhelmingly by the House, but by a majority of Republicans, bottled up in committee by a minority, and it broke loose. I think that is important.

I hope this breathing room allows us to do one other thing, and that is to prioritize our budget requirements. We are going to spend over \$1 trillion in the years ahead on nuclear weapons that we cannot afford to use and can't afford to buy. We can do better for the American people, and I hope this agreement allows us to do so.

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

Mr. VAN HOLLEN. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH), a distinguished member of the Committee on Appropriations.

Mr. FATTAH. Madam Speaker, I am one who comes to this floor to support this agreement. It means the great work that we are doing on the Appropriations Committee—working with my colleagues, like Chairman ROGERS and TOM COLE from Oklahoma—the work we are doing on brain health-related issues, the creation of a process to map the human brain, to create a national brain observatory, to help lead the world in an area in which we can finally find answers to a whole range of diseases going forward. We will be able to move our appropriations bills on a whole range of issues—from youth mentoring, to housing, to health care—because the Congress and its leadership have come together.

So I commend both sides, and I commend the White House. I am pleased that this agreement has happened.

Yesterday I announced a \$10 million TIGER grant for Philadelphia. This agreement means that there will be other Members who will be making said announcements out in the future because we will be doing the work that helps keep America number one in the world.

For all of our challenges, we have the most powerful Nation in the world. This agreement helps to move us forward, and I am here to applaud it and to vote in favor of it.

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

Mr. VAN HOLLEN. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), somebody who knows how to lead, who knows how to get things done, who knows how to find common ground, and who was a vital part of bringing us to the progress we are making today, the Democratic leader.

Ms. PELOSI. I thank the gentleman from Maryland (Mr. VAN HOLLEN) for yielding and for his kind words, and I return the compliment to him.

To the staff of the Budget Committee, the staff of the other committees of jurisdiction on both sides of the aisle who enabled this important agreement to come forward, thank you very much.

Madam Speaker, today we are proud to come to the floor with legislation that moves America forward, affirming the full faith and credit of the United States of America, as our Constitution says should never be in doubt, and passing a budget agreement that creates jobs, protects seniors, and invests in our future.

Today we cast our votes for a bipartisan budget package that represents significant progress for hardworking American families.

Throughout the budget process, I am proud that Democrats have been united by our values and our determination to win progress for those hardworking American families. We showed we had the votes and the resolve to sustain the President's vetoes of funding bills that did not meet the needs of those people.

Working with our Republican colleagues on a compromise enabled us at long last to bring to the floor a bill, a bill with which we have broken the sequester stranglehold on our national defense and our investments in good-paying jobs and the future of America.

In this agreement before the House, we achieve equal funding; we honor the principle of parity between defense and domestic priorities. We achieve equal funding increases for defense and domestic initiatives, amounting to \$112 billion over the next 2 years. We prevent a 20 percent cut in disability benefits for millions of people in 2016 and extend the solvency of the Social Security Disability Insurance program. We prevent a drastic increase in Medicare part B premiums and deductibles for millions of seniors next year. And we affirm the full faith and credit of the United States is nonnegotiable and unbreakable, with a clean debt limit suspension.

□ 1630

We push through the gridlock to provide more economic certainty and, according to the Council of Economic Advisers, create an additional 340,000 jobs in 2016 alone.

Budget and senior groups and groups for disability are lining up in strong support of this agreement. As AARP wrote to congressional leaders—I'm

sure you saw this, Mr. ROGERS, and thank you for your courageous support of this legislation, our great chairman of the Appropriations Committee—AARP wrote, “AARP strongly supports the bipartisan agreement you have reached to avert deep reductions in Social Security Disability Insurance benefits in 2016, and to address the imminent spike in Medicare Part B premiums which many older Americans would otherwise experience. Your efforts to reach across the aisle and together find sensible solutions to significant problems are appreciated and commended.”

Working together, Madam Speaker, Democrats and Republicans, we have found a way forward for the American people. I thank the Republican leadership for their partnership in reaching this agreement.

Again, I thank the staffs of the committees of jurisdiction: the Budget Committee, the Ways and Means Committee, the Appropriations Committee, the Energy and Commerce Committee, and others. I commend our colleagues for speaking out on this important agreement.

Let us pass this agreement. Let's vote “yes” today together. Let us pass this agreement, move swiftly to keep government open, and make progress for the American people.

Madam Speaker, I urge a “yes” vote, and I hope it is a big strong one.

Mr. ROGERS of Kentucky. Madam Speaker, might I inquire of the gentleman how many speakers he has remaining?

Mr. VAN HOLLEN. Madam Speaker, I have about four more speakers.

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

Mr. VAN HOLLEN. Madam Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER). He is somebody who has been a key leader on budget and fiscal issues, someone from the great State of Maryland, and our distinguished Democratic whip.

Mr. HOYER. I thank the gentlelady.

I thank the gentleman from Maryland for yielding. I thank him for his outstanding leadership as ranking member of the Budget Committee on fiscal stability and fiscal responsibility and his willingness to lead in ensuring that America invests in its future.

I thank the chairman of the Appropriations Committee. I think I quote the chairman of the Appropriations Committee as much as I quote any other Member: Unrealistic and ill-advised. Those two words of his relating to the sequester are emblazoned on my frontal lobe, and I thank him for that statement.

Madam Speaker, this agreement represents a bipartisan effort to prevent a catastrophic default and lessen the chance of a government shutdown in December—lessens the chance. It doesn't preclude it. It shows what is possible when Democrats and Republicans work together to get something done in a bipartisan way.

This has been a unique week. The Export-Import Bank passed with a majority of Republicans and an overwhelmingly majority—all but one—of Democrats. This is going to pass, in my view, with overwhelming numbers of Republicans and overwhelming numbers of Democrats voting for it. That is what Americans want, and that is what they expect. They want us to work together, not always agree with one other, but to work together.

Madam Speaker, this bill replaces the sequester, that ill-advised policy that is hurting our country. It replaces it for 2 years and does so with parity for defense and non-defense sequester relief. It protects Medicare part B beneficiaries from seeing higher premiums, and it saves the Social Security Disability Insurance program from insolvency. All of those are worthwhile objectives.

This legislation will give us a chance to work on a long-term solution to our fiscal challenges over the next 2 years. This agreement, like Ryan-Murray, is a short-term agreement, and the end of it comes sooner than we expect.

Congress ought not to wait until this agreement is about to expire 2 years from now to act. We should get to work right now on a big, bipartisan deal to put America's fiscal house back in order and enable our Nation to afford investments in a stronger economic future.

Americans are not looking for a rickety bridge to 2017, but a sturdy one that can carry us into a stronger economic future. Businesses across the country are clamoring for long-term certainty, for Congress to find a way to replace the sequester and remove the uncertainty that it has created and continues to create.

So I hope, Madam Speaker, the history that is written about this legislation is that it was a bipartisan first step towards securing the kind of long-term agreement all of us know we must achieve.

I had the opportunity to serve with Mr. ROGERS for a couple of decades on the Appropriations Committee. He and I have served in this Congress together for a long period of time.

He is a responsible leader in the Congress of the United States, and I quote him because his perspective and mine are the same—although we differ on many issues—and it is that we owe it to the American people, we owe it to America, and we owe it to future generations to create the fiscal stability that will allow the Appropriations Committee, very frankly, to again become the center of decisionmaking, which it was for many of the years that I served on it.

Too often now we ignore the Appropriations Committee whose job is to set priorities and to apply the resources of our country to those priority items. If we don't adhere to that process, that will not happen.

Madam Speaker, in closing, we need to get a long-term fiscal resolution.

This is a short term. I will support it. It is good for the country. But we need a long-term solution. I thank the chairman, and I thank the ranking member, Mr. VAN HOLLEN, my friend, who has done such a terrific job.

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

Mr. VAN HOLLEN. Madam Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Ranking Member, let me thank you. And to the chairman of the Appropriations Committee, let me thank you as well.

This was a tough call. And I do want to thank the leadership, Speaker BOEHNER, and our leadership, Leader PELOSI, Whip HOYER, and, of course, our ranking member of the Budget Committee, and the Ways and Means leadership as well. This is an important step forward because I can say to my constituents: We fixed some of your pain and your anguish.

Madam Speaker, this bill quickly provides \$80 billion, but I am so grateful that part of that deals with the plussing up of non-defense discretionary funding: child care, National Institutes of Health, and other very important issues.

My seniors, I think it is very important to note that your Medicare premium part B will not go up in a 50 percent increase in 2016 and there will be less deep cuts in Social Security, more jobs being created, and as well we will have the opportunities, as I indicated, to increase NIH funding.

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

Mr. VAN HOLLEN. Madam Speaker, I yield the gentlewoman an additional 10 seconds.

Ms. JACKSON LEE. What we must be careful of is that we do not increase any mandatory minimums and some of the penalties that are in place, and we must be careful that we do protect Social Security and Medicare. We will continue to monitor this for a budget that will lift the debt ceiling until 2017 and have this country stand on its feet and pay its bills.

Madam Speaker, I thank the gentlelady for yielding and I rise to speak on the rule and the underlying legislation, which is the Senate Amendment to H.R. 1314, the "Bipartisan Budget Agreement of 2015."

The bill before us is not perfect—far from it—but it is a modest and positive step toward preventing Republicans from shutting down the government again and manufacturing crises that only harm our economy, destroy jobs, and weaken our middle class.

I have reviewed the agreement carefully and have concluded that on balance the good outweighs the bad for the following reasons:

1. The agreement provides \$80 billion of significant sequester relief over the next two years for both defense and non-defense priorities, which is nearly 90 percent of the relief requested by the President in his 2016 budget;

2. The Bipartisan Budget Agreement prevents a roughly 50 percent increase in the

Medicare Part B premium in 2016, protecting thousands of seniors in my congressional district, and millions more across the country, from cost increases;

3. The Bipartisan Budget Agreement avoids deep cuts to Social Security Disability Insurance (DI) benefits that would occur at the end of next year;

4. Hundreds of thousands of American jobs will be created over the next two years due to the avoidance of manufactured budget crises;

5. The Bipartisan Budget Agreement provides additional resources and the funding stability needed to protect our homeland, counter future threats, and take care of our troops while preventing deep cuts that would result from locking in sequestration;

6. The agreement is paid for in a balanced way that avoids harmful cuts to Medicare or Social Security beneficiaries; and

7. Prevents a catastrophic default and protects the full faith and credit of the United States and by suspending the national debt limit until March 15, 2017.

But as with any compromise there are some things in the agreement that I support and some things that I do not.

For example, while providing \$80 billion in relief over two years, instead of abolishing sequestration, as I would prefer, the agreement retains the sequestration principle and extends its applicability for two additional years, until 2025.

Of this \$80 billion, \$50 billion will be available in FY 2016 and \$30 billion in FY 2017, to be equally divided and allocated by the House and Senate Appropriations Committees among the various federal agencies and programs.

This modest increase in discretionary domestic funding holds open the promise of increased investments in critical areas such as basic research in health and science, education, veterans' medical care, and job training.

And these investments are desperately needed if we are to position our nation to prevail in an increasingly interconnected economy.

Madam Speaker, in the absence of this agreement, we would have to rely upon a full-year continuing resolution which would result in \$1 billion less in NIH funding and nearly 1,000 fewer NSF grants than under the President's budget.

Were we to operate under a continuing resolution through the end of FY 2016, per-pupil education funding would fall to the lowest levels since 2000, and Head Start would be flat-funded, which would mean roughly 17,000 fewer children served than in 2014.

Madam Speaker, a full-year CR at sequestration levels would mean \$1 billion less than the President requested for veterans' medical care relative even though all of us here agree that our veterans deserve more, much more, support than they have received.

The Bipartisan Budget Agreement will allow us to provide funding for job training for two million more workers than would be possible if we continued to operate through the end of FY 2016 under a continuing resolution subject to sequestration.

Madam Speaker, I strongly support the provision in the Bipartisan Budget Agreement that prevents an increase of nearly 50 percent in the Medicare Part B premium for 2016 and 2017 by spreading out the cost of replenishing

the Medicare Supplemental Medical Insurance Trust Fund over a number of years.

Without Congressional action, the monthly 2015 Part B premium of \$104.90 would increase by \$54.40 in 2016 to \$159.30 for beneficiaries not held harmless (i.e., those who did not receive an increase in their Social Security benefits).

The Bipartisan Budget Agreement maintains the hold harmless provision in current law and prevents a dramatic premium increase on beneficiaries not held harmless by setting a new 2016 basic Part B premium for the beneficiaries not held harmless at \$120, which is the amount the Part B premium would otherwise be for all beneficiaries in 2016 if the hold harmless provision in current law did not apply.

To replenish the Medicare Trust Fund, in 2016 there would be a loan of general revenue from the Federal Treasury, which will be repaid beginning in 2016 by an additional \$3 surcharge in the monthly Part B premium of beneficiaries not subject to the hold harmless.

Madam Speaker, it is worth noting that a functioning, effective federal government is critical to people with disabilities who disproportionately rely on government services to live, learn and work in their communities.

That is why I also strongly support the provision in the Bipartisan Budget Agreement that avoids deep cuts to Social Security Disability Insurance.

Specifically, the agreement ensures that the Social Security Disability Insurance program will continue to provide the full benefits that workers have earned, preventing a 20 percent cut that would have been applied to workers and their families at the end of 2016.

Madam Speaker, another reason I support the Bipartisan Budget Agreement is that it eliminates the temptation of House Republicans to once again resort to the brinksmanship politics of defaulting on the national debt.

The full faith and credit of the United States is too valuable a national asset to be trifled with, as Alexander Hamilton, the nation's first and greatest Treasury Secretary, understood.

In 1789, in the dawn of the nation's birth, Hamilton recognized and acted upon the belief that the path to American prosperity and greatness lay in its creditworthiness which provided the affordable access to capital needed to fund internal improvements and economic growth.

According to Hamilton, the nation's creditworthiness was one of its most important national assets and "the proper funding of the present debt, will render it a national blessing."

But to maintain this blessing, or to "render public credit immortal," Hamilton warned that it was necessary that "the creation of debt should always be accompanied with the means of extinguishment."

In other words, to retain and enjoy the prosperity that flows from good credit, it is necessary for a nation to pay its bills.

Defaulting on the national debt would vitiate the full faith and credit of the United States, cost American jobs, hurt businesses of all sizes, and do irreparable damage to the economy.

On the other hand, suspending the national debt until March 15, 2017, is estimated by the Congressional Budget Office to create 340,000 additional American jobs in 2016

alone and more than 500,000 job-years in 2017.

Additionally, the Chairman of the Council of Economic Advisors forecasts that the indirect effect of increased certainty and confidence could further boost job creation and economic growth above these estimates.

What is more, increased long-term growth and rising middle-class incomes can be expected to result from the greater investments in human capital and infrastructure made possible by the Bipartisan Budget Agreement.

Madam Speaker, perhaps the most immediate benefit of the Bipartisan Budget Agreement is that it paves the way for the House and Senate to reach agreement on the FY2016 spending bills needed to keep the federal government open and avoid another disastrous shutdown like the one House Republicans inflicted on the nation in October 2013.

That shutdown lasted 16 days, cost the economy \$24 billion, and inflicted untold harm on federal employees and the people they serve.

Madam Speaker, the past several years have been an extraordinary time in America.

We have seen the Legislative and Executive Branches of our government and the constitutional balance that the framers of the Constitution intended regarding matters related to public purse tested.

It is extraordinary when a matter that should be dealt with in the regular order of the business of the House and Senate becomes a matter so grave that a broad and diverse coalition call on Members of this body to do what we were elected to do: manage the business of the people through cooperation and compromise.

That is why we have heard from a broad and diverse range of American voices, including the AARP, the U.S. Chamber of Commerce, the National Education Association, and the Leadership Conference on Civil and Human Rights, calling for the passage of the Bipartisan Budget Agreement.

By supporting the Bipartisan Budget Agreement we can show the American people that we understand that we were sent here to address their problems and concerns by working together to reach agreement that responsibly makes the investments needed to keep our nation competitive in a global economy and enables all of our people to reach their potential and realize their dreams.

UPDATED II: SOME OF THE KEY GROUPS SUPPORTING THE BIPARTISAN BUDGET AGREEMENT

(October 28, 2015)

AARP: "On behalf of our 38 million members and as the largest nonprofit, non-partisan organization representing the interests of Americans age 50 and older and their families, AARP strongly supports the bipartisan agreement you have reached to avert deep reductions in Social Security Disability Insurance benefits in 2016, and to address the imminent spike in Medicare Part B premiums which many older Americans would otherwise experience. . . . By finding a sensible solution to keep premiums manageable for over 16 million beneficiaries, Congress is helping to prevent financial hardship for many beneficiaries at a time when there is no Social Security cost of living adjustment. . . . Finally, AARP appreciates that the agreement modifies sequestration for discretionary programs for fiscal year 2016. The higher discretionary cap may prevent unwise

cuts to countless programs serving older Americans. Sequestration relief for many health care, nutrition and supportive service programs is critically important to seniors as funding for them has declined over the past decade despite substantial increases in population requiring this assistance."

Center for Medicare Advocacy: "Congress is considering the Bipartisan Budget Act of 2015. This proposed budget agreement would reduce an expected spike in the Medicare Part B deductible and premiums for 2016. . . . We are glad people who rely on Medicare can breathe a bit easier—knowing that premiums and deductibles will not skyrocket next year."

Consortium for Citizens with Disabilities: The Consortium for Citizens with Disabilities' (CCD) Fiscal Policy Task Force commends the House and Senate leadership for negotiating the Bipartisan Budget Act of 2015 (BBA). . . . We commend the negotiators for reaching a deal that provides relief from sequestration and raises the budget caps for discretionary programs in Fiscal Years 2016 and 2017. The package provides welcome stability in the appropriations process and avoids a devastating 20% benefit cut in 2016 for Social Security Disability beneficiaries and their families."

Federation of American Hospitals: "The Federation of American Hospitals acknowledges that it is incumbent upon Congress to act on the debt ceiling and establish a federal budget. The Bipartisan Budget Act of 2015 agreement, which accomplishes these goals, includes Medicare cuts as offsets. . . . The FAH understands that Congressional leaders did their best to minimize the effects of these cuts on the hospitals that care for the nation's seniors. By extending without increasing the overall effect of the Medicare sequester and focusing a limited payment change on certain physician-hospital arrangements, the bill is carefully crafted to meet its objectives."

American College of Physicians: "The American College of Physicians is pleased that today's proposed bipartisan budget agreement will provide two years of relief from existing 'sequestration' level spending caps that could result in cuts to programs that are vital to the nation's healthcare, including the National Institutes of Health, Agency for Healthcare Research and Quality, and Primary Care Training Programs authorized by Section 747 of Title VII of the Public Health Service Act. . . . We [also] strongly support the proposal to ensure all new hospital acquisitions of private physician practices would only be eligible for Medicare payments equal to those for the same care services provided in the free-standing, community-based setting."

American Academy of Family Physicians: "On behalf of the Academy of Family Physicians (AAFP), which represents 120,900 family physicians and medical students across the country, I write in support of the Bipartisan Budget Act of 2015. . . . The AAFP notes that the bill will make two important reforms to Medicare. First, the bill will mitigate an anticipated spike in 2016 in premiums and deductibles for America's Medicare Part B enrollees, which will help avoid disruption in access to physicians' services to seniors. Second, the bill removes an incentive in the Medicare hospital outpatient payment system that has driven health systems to purchase Physician practices, in turn increasing healthcare costs without any corresponding benefit to patient care."

Chamber of Commerce: "The U.S. Chamber of Commerce . . . urges Congress to pass the Bipartisan Budget Act of 2015 (BBA2015) to bring certainty to next year's appropriations process, raise the debt limit through March

15, 2017, strengthen America's national security, and constructively resolve a handful of other outstanding issues."

**NETWORK:** A National Catholic Social Justice Lobby: "NETWORK, A National Catholic Social Justice Lobby is encouraged to hear that a budget deal has been reached that will surpass sequester budget caps for the next two years and raise the debt ceiling to prevent a default on our nation's financial obligations. . . . We are encouraged by the White House and Congressional leaderships' work on the proposed budget deal that lifts the caps on non-defense spending. Unaddressed, sequester would have caused hardship for many hardworking and vulnerable people in our nation."

The Leadership Conference on Civil and Human Rights: "We applaud the White House and congressional leaders who negotiated the budget deal introduced late last night for their hard work in crafting a bipartisan, two-year bill that will raise the caps on spending for both defense and non-defense discretionary spending and provided needed relief for underfunded programs that serve our communities."

Robert Greenstein, Center for Budget and Policy Priorities: "If approved by Congress, the new budget deal from the White House and congressional leaders will mark a significant achievement by an otherwise polarized Washington. . . . The package would effectively eliminate about 90 percent of the sequestration budget cuts for non-defense discretionary programs in fiscal year 2016, and about 60 percent of them in 2017 . . . extend the solvency of Social Security Disability Insurance through 2022, thereby avoiding across-the-board cuts of nearly 20 percent in disability benefits starting in late 2016, which will otherwise occur, and avoid, for Medicare, an estimated 52 percent increase in deductibles for physician and other outpatient services in 2016, and a 52 percent increase in Part B premiums that roughly 30 percent of Medicare beneficiaries otherwise would face. . . . The deal is a major, multifaceted package that addresses a number of contentious issues. . . . Overall, the deal is a significant achievement that includes an array of sound policies and policy reforms and accomplishes important goals."

National Education Association: "On behalf of the three million members of the National Education Association (NEA) and the students they serve, we urge you to Vote Yes on the Bipartisan Budget Act of 2015 which could be voted on as early as Wednesday. We applaud the bipartisan leadership exhibited to craft a bill that takes needed steps toward ending harmful sequester level funding so that necessary investments can be made in programs that will grow our economy and our future. Votes associated with this issue may be included in the NEA Legislative Report Card for the 114th Congress."

Committee for Education Funding: "The Committee for Education Funding (CEF), a coalition of 122 national education associations and institutions spanning early learning to postgraduate education, writes to express our support for the Bipartisan Budget Act (BBA) of 2015. The bill will eliminate most of the harmful sequester spending caps for nondefense discretionary (NDD) programs for Fiscal Year (FY) 2016 and FY 2017, thereby providing room for critically important investments in education programs through appropriations."

League of Conservation Voters: "We commend Leader Pelosi, Leader Reid, and President Obama for negotiating a deal free of ideological attacks on our environment that finally ends the cuts that hamper investment in our economy and the priorities of our families. We urge Congress to pass this budget deal and then pass a clean spending

bill free of anti-environmental riders that fund all federal agencies at a level that allows them to continue protecting our air, water, lands and wildlife."

**Easter Seals:** "Easter Seals is encouraged by the framework presented in the Bipartisan Budget Act of 2015 (BBA). This compromise is designed to restore order to the federal budget and appropriations process, and will allow for much needed investments in people with disabilities. A functioning, effective federal government is critical to people with disabilities who disproportionately rely on government services to live, learn and work in their communities. We commend the negotiators for reaching a deal that provides partial relief from sequestration and raises the budget caps for discretionary programs in Fiscal Year 2016 and 2017 and provides stability."

**NDD United:** "NDD United—an alliance of more than 2,500 national, state, and local organizations working to protect investments in core government functions—strongly supports and urges you to support the Bipartisan Budget Act of 2015 (BBA). This deal, brokered by all four corners of Congressional leadership and the President, restores critical funding equally to both defense and non-defense spending that keeps Americans healthy, safe and secure and ensures that we do not risk the full faith and credit of the United States by suspending the debt ceiling through March 2017."

**AAUW:** "On behalf of the over 170,000 members and supports of the American Association of University Women (AAUW), I urge Rep. Pelosi to support the Balanced Budget Act of 2015 (H.R. 1314). The Bipartisan Budget Act of 2015 lifts sequestration in a fair and responsible manner that ensures communities are healthy, safe, and secure. Cuts as a result of sequestration take a direct toll on our communities. . . . We . . . saw cuts to . . . important programs such as food assistance programs for women and children, cancer screenings, services for domestic violence survivors, and federal funding for low-income schools."

**American Public Health Association:** "The deal will allow Congress to provide much needed additional funding for nondefense discretionary programs in 2016, including public health, which continues to be woefully underfunded. The proposal would also reduce a pending premium increase for many Medicare Part B beneficiaries and extend the solvency of the Social Security Disability Insurance Trust Fund."

**Alliance for Retired Americans:** "The Alliance for Retired Americans is relieved that this budget deal would protect millions of seniors from significant increases to their Medicare Part B deductibles while preventing a 20% cut to Social Security Disability Insurance (SSDI) benefits in 2016. The reallocation between the Social Security Old Age and Survivors Insurance (OASI) and SSDI trust funds would prevent a massive cut in benefits for the disabled. The transfer would not impact the long-term solvency of Social Security."

**AFL-CIO:** "Congressional leaders and the President successfully eluded the traps set by a conservative faction in Congress who have tried to hold our economy hostage to achieve their radical agenda. The full faith and credit of the United States will be preserved as we pay our bills on time—preventing brinkmanship over the debt until 2017. . . . It reduces the spike in [Medicare] deductibles for everyone and avoids a sharp increase in premiums for many. It ensures that 11 million Americans on Social Security Disability Insurance continue to receive full benefits through 2022."

**SEIU:** "This deal makes significant progress in eliminating some of the extraor-

dinary hardship and uncertainty associated with the sequester—as well as helps to head off a catastrophic government shutdown. . . ."

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

**Mr. VAN HOLLEN.** Madam Speaker, may I inquire how much time remains on this side?

The **SPEAKER** pro tempore. The gentleman from Maryland has 3¼ minutes remaining.

**Mr. VAN HOLLEN.** I yield 2 minutes to the gentlewoman from California (Ms. LEE), a great member of the Budget Committee.

**Ms. LEE.** Madam Speaker, first, let me thank our ranking member, Congressman VAN HOLLEN, for yielding and for his tremendous leadership on the Budget Committee.

Also, to Leader **PELOSI** and to Speaker **BOEHNER**, I just have to thank you for demonstrating that we can work together in a bipartisan way on behalf of the American people.

Madam Speaker, I rise today in support of H.R. 1314, which is the bipartisan budget agreement of 2015. Let me just say, as a member of the Appropriations and Budget Committees, I really know how difficult it has been to get us to where we were today. So thank you very much.

This budget deal, though, is not perfect. It averts a shutdown and prevents a catastrophic default on the Federal debt. Most importantly, though, it provides relief from the sequester and it begins—it begins—to invest in the American people through programs like food stamps, a safety net which many, many people need until they are through this economic recession.

We must do more to create good-paying jobs for individuals who want to work. This begins to invest in early childhood education and in public housing.

This agreement also prevents a massive hike in healthcare costs for our seniors. So while this agreement is an important step forward, much work remains.

It is past time that we start addressing the priorities of the American people, including passing bipartisan comprehensive immigration reform, making education affordable and accessible from pre-K through college, investing in workforce training through our community colleges, and building pathways out of poverty.

So, Madam Speaker, I urge my colleagues to vote "yes" on this agreement so we can get Congress back to work putting people first. The American Dream has really turned into a nightmare for so many. Hopefully, our action today will give people hope that the American Dream may be achievable. But we must do more.

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

**Mr. VAN HOLLEN.** Madam Speaker, I am pleased to yield 1 minute to the



gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), a terrific new Member of Congress.

Mr. BRENDAN F. BOYLE of Pennsylvania. Madam Speaker, I thank the gentleman.

Madam Speaker, for the cynics who believe that nothing can happen in Washington and that we are permanently doomed to disarray, this has been a very bad week.

First, with the Export-Import Bank, we see a majority of Republicans and an overwhelming majority of Democrats come together and reach a bipartisan compromise, and now here again with this big budget agreement, something that would avoid the catastrophic default, the first in American history if it were to happen.

Madam Speaker, I don't agree with everything that is in this bill, but I agree with the majority of it. It is about time this body stopped allowing the 10 or 20 percent we disagree with to block the 70, 80, and 90 percent we agree with. This is a step in the right direction. This is progress. This is what we need to do more of. I am proud to support it.

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

Mr. VAN HOLLEN. Madam Speaker, may I ask how much time remains on this side?

The SPEAKER pro tempore. The gentleman from Maryland has 45 seconds remaining.

Mr. VAN HOLLEN. Madam Speaker, I yield myself the balance of my time.

Where we close is where we started. As we all recognize, this agreement is not perfect, but it certainly beats the alternative and is a positive step forward.

It ensures the full faith and credit of the United States. We will pay our bills on time. It prevents damaging sequester cuts to our economy and allows us to invest more in education, in scientific research, and military readiness.

It prevents a 20 percent cut to Social Security Disability beneficiaries, and it prevents a whopping Medicare part B increase for millions of American seniors.

So, again, while many of us would like to see more—and I agree with those who have said that we need to invest more and address many of the other big issues our country faces—this is a positive step forward.

Madam Speaker, I want to thank everybody who helped come together to make it possible. I urge its adoption.

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

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

Madam Speaker, it has been my goal, as chairman of the Appropriations Committee for these 4 years, to get us back into regular order.

When I first came here and for many years thereafter, we passed 12 indi-

vidual appropriations bills funding the entire government, but separate bills so that every Member had a chance to dissect each of these bills, offer amendments, debate them, fight them, promote them, what have you, but at least everyone had their day in court.

Then somehow we got off on a tangent to where we could not appropriate separate bills. So at the end of the fiscal year, we had no choice but to pass what is called a continuing resolution, which means we just continue spending as we had for the last year, regardless of the needs of the moment.

That is a terrible way to do business. Agencies, particularly the military, would not have a way to plan their work or to make orders or to deploy troops and the like, a terrible way to do business. We lurch from one crisis to another, it seems.

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My goal has been just to get back to that business of appropriating 12 separate bills so that we don't need a CR. We hear current needs. In a CR, you are spending money on projects no longer needed, but, nevertheless, they are required to spend the money, for example. A terrible waste of money.

So to get back on track, the appropriations process, our committee needs to have a top line number to which we appropriate. We have not been getting that number for one reason or the other. But now in this bill, not only are we getting a number for fiscal '16, which we will now use to write an omnibus appropriations bill for current needs and finish it by September 11, the deadline, we will do that, but it will be made up of the bills that have passed both the House and Senate Appropriations Committees and in conversations between the two bodies.

Not only do we have the number for fiscal '16, but we have it for fiscal '17, and that is very important. It gives us a year to plan our work to try to marshal through 12 separate bills for the first time in many, many years so that we, with the Senate, can send to the President 12 bills that have the polish and the content put into it and on it by the Members of our bodies, the House and the Senate. That is my goal. That is why I am so strong for this bill. That is the biggest thing in it from my perspective.

It is important that we are helping our folks who are on Social Security Disability to take the worry away from them that they have that that fund will be drying up, which it will be. It is great that we are taking care of the problem with Medicare benefit increases, the interest on Medicare. It is important, very important, of course, that we avoid the default in our debt ceiling coming up momentarily. All of these things you have heard about in this debate are great.

But for me, the 2 years that we have now to get back on regular order and stop lurching from crisis to crisis, to stop that business, this bill will give us that great chance.

I urge Members to support the bill. It is a good one. It is not perfect, not ideal, by any stretch of the imagination, but it is the best we can do with what we have, and the alternative would be disaster. I urge an "aye" vote.

I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Madam Speaker, today the House is scheduled to consider the Bipartisan Budget Act of 2015 which would increase the discretionary spending caps for fiscal years 2016 and 2017 set in the Budget Control Act of 2011 and would include offsets over 10 years. While the legislation would provide funding certainty for discretionary programs in fiscal years 2016 and 2017, it has some concerning provisions as explained below.

The bill provides additional resources for base discretionary non-defense spending far in excess of the levels in the fiscal year 2016 budget conference agreement (S. Con. Res. 11). The amount of base nondefense discretionary increases for fiscal years 2016 and 2017 are \$30 billion and \$15 billion, respectively, above the levels approved by Congress just over 5 months ago when the budget conference agreement was adopted. The bill also provides an additional adjustment through the Overseas Contingency Operations/Global War on Terrorism (OCO/GWOT) category of \$14.9 billion for the State Department and International Affairs budget category, which is \$7.9 billion—more than double—what the President requested in his FY16 Budget. If this adjustment becomes law, it will allow non-defense budgetary resources to be shifted from the base discretionary category, which has spending limits, to the OCO/GWOT category which has no spending limits. When both the base and OCO/GWOT increases for non-defense are considered, the total non-defense increase for 2016 and 2017 is \$37.9 billion and \$22.9 billion, respectively, above the budget conference agreement.

The bill also includes language that directs the Senate to file budget allocations in fiscal year 2017 at levels consistent with the discretionary amounts included in the bill and at the Congressional Budget Office baseline amounts for all other spending, unless a budget conference agreement is reached. This provision makes it highly likely that regular order for the budget process in the Senate will be circumvented and that the Senate will not offer a new budget in fiscal year 2017. If this outcome occurs, it will further erode the integrity of the Congressional budget process by preventing a fiscal year 2017 budget from being adopted that reflects the will of the Majority in the House and Senate. It also means reconciliation will not be available for fiscal year 2017 and Congress will no longer have a balanced budget agreement in place.

Ms. ROYBAL-ALLARD. Madam Speaker, I rise in support of the Bipartisan Budget Agreement of 2015. While I have concerns about portions of the bill, including the impact it may have on some of our hospitals, there are important provisions in the bill that are essential to protecting the well-being of many Americans.

For example, the bill provides two years of sequester relief, and allows us to increase our investments in critical areas, including education, housing, healthcare, transportation, homeland security, and defense. The agreement also suspends the debt limit until March

15, 2017. This will allow us to get back on track and plan for the future rather than continue governing from crisis to crisis.

The measure keeps Medicare Part B premium costs down for millions of seniors and protects all Medicare beneficiaries from the projected increases in their deductibles.

I am encouraged by this framework and hope that as the bill moves through the process, some of the areas of concern will be worked out and that we will be able to pass bipartisan appropriations measures for fiscal years 2016 and 2017. I urge my colleagues to support the Bipartisan Budget Agreement for the good of our country.

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

Pursuant to House Resolution 495, the previous question is ordered.

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

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

Mr. ROGERS of Kentucky. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to concur will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 266, nays 167, not voting 2, as follows:

[Roll No. 579]

YEAS—266

Adams	Connolly	Gabbard
Aguilar	Conyers	Gallego
Ashford	Cook	Garamendi
Barr	Cooper	Gibson
Bass	Costa	Graham
Beatty	Costello (PA)	Granger
Becerra	Courtney	Grayson
Benishkek	Cramer	Green, Al
Bera	Crenshaw	Green, Gene
Beyer	Crowley	Grijalva
Bishop (GA)	Cuellar	Guthrie
Blumenauer	Culberson	Gutiérrez
Boehner	Cummings	Hahn
Bonamici	Curbelo (FL)	Hanna
Bost	Davis (CA)	Harper
Boyle, Brendan F.	Davis, Danny	Hartzler
	Davis, Rodney	Hastings
Brady (PA)	DeFazio	Heck (WA)
Brady (TX)	DeGette	Higgins
Brooks (IN)	Delaney	Himes
Brown (FL)	DeLauro	Hinojosa
Brownley (CA)	DelBene	Honda
Buchanan	Denham	Hoyer
Bustos	Dent	Huffman
Butterfield	DeSaulnier	Israel
Calvert	Deutch	Jackson Lee
Capps	Diaz-Balart	Jeffries
Capuano	Dingell	Johnson (GA)
Cárdenas	Doggett	Johnson (OH)
Carney	Dold	Johnson, E. B.
Carson (IN)	Donovan	Jolly
Carter (TX)	Doyle, Michael F.	Joyce
Cartwright		Kaptur
Castor (FL)	Duckworth	Katko
Castro (TX)	Edwards	Keating
Chu, Judy	Ellison	Kelly (IL)
Ciilline	Engel	Kennedy
Clark (MA)	Eshoo	Kildee
Clarke (NY)	Esty	Kilmer
Clay	Farr	Kind
Cleaver	Fattah	King (NY)
Clyburn	Fitzpatrick	Kinzinger (IL)
Cohen	Fortenberry	Kirkpatrick
Cole	Foster	Kline
Collins (NY)	Frankel (FL)	Kuster
Comstock	Frelinghuysen	Langevin
Conaway	Fudge	Larsen (WA)

Larson (CT)	Norcross	Sherman
Lawrence	Nunes	Shuster
Lee	O'Rourke	Simpson
Levin	Pallone	Sinema
Lewis	Pascarell	Sires
Lieu, Ted	Payne	Slaughter
Lipinski	Pelosi	Smith (WA)
LoBiondo	Perlmutter	Speier
Loeb sack	Peters	Stefanik
Lofgren	Peterson	Stivers
Lowenthal	Pingree	Swalwell (CA)
Lowe y	Pittenger	Takai
Lucas	Pocan	Takano
Luetkemeyer	Poliquin	Thompson (CA)
Lujan Grisham (NM)	Polis	Thompson (MS)
Luján, Ben Ray (NM)	Price (NC)	Thompson (PA)
Lynch	Quigley	Thornberry
MacArthur	Rangel	Tiberi
Maloney, Carolyn	Reed	Titus
Maloney, Sean	Reichert	Tonko
Matsui	Rice (NY)	Torres
McCarthy	Richmond	Tsongas
McCollum	Rigell	Turner
McDermott	Rogers (AL)	Upton
McGovern	Rogers (KY)	Valadao
McHenry	Ros-Lehtinen	Van Hollen
McMorris	Roybal-Allard	Vargas
Rodgers	Royce	Veasey
McNerney	Ruiz	Vela
McSally	Ruppersberger	Velázquez
Meehan	Rush	Visclosky
Meng	Ryan (OH)	Walden
Messer	Ryan (WI)	Walters, Mimi
Mica	Sánchez, Linda T.	Walz
Miller (MI)	Sanchez, Loretta	Wasserman
Moore	Sarbanes	Schultz
Moulton	Scalise	Waters, Maxine
Murphy (FL)	Schakowsky	Watson Coleman
Nadler	Schiff	Welch
Napolitano	Schrader	Wilson (FL)
Neal	Scott (VA)	Wilson (SC)
Nolan	Scott, David	Womack
	Serrano	Yarmuth
	Sewell (AL)	

NAYS—167

Abraham	Graves (MO)	Newhouse
Aderholt	Griffith	Noem
Allen	Grothman	Nugent
Amash	Guinta	Olson
Amodei	Hardy	Palazzo
Babin	Harris	Palmer
Barletta	Heck (NV)	Paulsen
Barton	Hensarling	Pearce
Bilirakis	Herrera Beutler	Perry
Bishop (MI)	Hice, Jody B.	Pitts
Bishop (UT)	Hill	Poe (TX)
Black	Holding	Pompeo
Blackburn	Huelskamp	Posey
Blum	Huizenga (MI)	Price, Tom
Boustany	Hultgren	Ratcliffe
Brat	Hunter	Renacci
Bridenstine	Hurd (TX)	Ribble
Brooks (AL)	Hurt (VA)	Rice (SC)
Buck	Issa	Roby
Bucshon	Jenkins (KS)	Roe (TN)
Burgess	Jenkins (WV)	Rohrabacher
Byrne	Johnson, Sam	Rokita
Carter (GA)	Jones	Rooney (FL)
Chabot	Jordan	Roskam
Chaffetz	Kelly (MS)	Ross
Clawson (FL)	Kelly (PA)	Rothfus
Coffman	King (IA)	Rouzer
Collins (GA)	Knight	Russell
Crawford	Labrador	Salmon
DeSantis	LaHood	Sanford
DesJarlais	LaMalfa	Schweikert
Duffy	Lamborn	Scott, Austin
Duncan (SC)	Lance	Sensenbrenner
Duncan (TN)	Latta	Sessions
Ellmers (NC)	Long	Shimkus
Emmer (MN)	Loudermillk	Smith (MO)
Farenthold	Love	Smith (NE)
Fincher	Lummis	Smith (NJ)
Fleischmann	Marchant	Smith (TX)
Fleming	Marino	Stewart
Flores	Massie	Stutzman
Forbes	McCaul	Tipton
Fox	McClintock	Trott
Franks (AZ)	McKinley	Wagner
Garrett	Meadows	Walberg
Gibbs	Miller (FL)	Walker
Gohmert	Moolenaar	Walorski
Goodlatte	Mooney (WV)	Weber (TX)
Gosar	Mullin	Webster (FL)
Gowdy	Mulvaney	Wenstrup
Graves (GA)	Murphy (PA)	Westerman
Graves (LA)	Neugebauer	Westmoreland

Whitfield	Yoder	Young (IN)
Williams	Yoho	Zeldin
Wittman	Young (AK)	Zinke
Woodall	Young (IA)	

NOT VOTING—2

Hudson Meeks

□ 1721

Messrs. GUINTA, RUSSELL, Ms. HERRERA BEUTLER, and Mr. NUGENT changed their vote from “yea” to “nay.”

Mses. LEE and SEWELL of Alabama and Messrs. DAVID SCOTT of Georgia and McDERMOTT changed their vote from “nay” to “yea.”

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

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

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

## FURTHER MESSAGE FROM THE SENATE

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

H.R. 3819. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

## CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-71)

The SPEAKER pro tempore (Mr. JENKINS of West Virginia) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to