

[Roll No. 540]

YEAS—425

Abraham	DeLauro	Jenkins (KS)
Adams	DeBene	Jenkins (WV)
Aderholt	Denham	Johnson (GA)
Aguilar	Dent	Johnson (OH)
Allen	DeSantis	Johnson, E. B.
Amash	DeSaulnier	Johnson, Sam
Amodei	DesJarlais	Jolly
Ashford	Deuth	Jones
Babin	Diaz-Balart	Jordan
Barletta	Dingell	Joyce
Barr	Doggett	Kaptur
Barton	Dold	Katko
Bass	Donovan	Keating
Beatty	Doyle, Michael	Kelly (IL)
Becerra	F.	Kelly (MS)
Benishek	Duckworth	Kelly (PA)
Bera	Duffy	Kennedy
Beyer	Duncan (SC)	Kildee
Bilirakis	Duncan (TN)	Kilmer
Bishop (GA)	Edwards	Kind
Bishop (MI)	Ellison	King (IA)
Bishop (UT)	Ellmers (NC)	King (NY)
Black	Emmer (MN)	Kinzing (IL)
Blackburn	Engel	Kirkpatrick
Blum	Eshoo	Kline
Blumenauer	Esty	Knight
Bonamici	Farenthold	Kuster
Bost	Farr	Labrador
Boustany	Fincher	LaHood
Boyle, Brendan	Fitzpatrick	LaMalfa
F.	Fleischmann	Lamborn
Brady (PA)	Fleming	Lance
Brady (TX)	Flores	Langevin
Brat	Forbes	Larsen (WA)
Bridenstine	Fortenberry	Larson (CT)
Brooks (AL)	Foster	Latta
Brooks (IN)	Fox	Lawrence
Brown (FL)	Frankel (FL)	Lee
Brownley (CA)	Franks (AZ)	Levin
Buchanan	Frelinghuysen	Lewis
Buck	Fudge	Lieu, Ted
Bucshon	Gabbard	Lipinski
Burgess	Gallego	LoBiondo
Bustos	Garamendi	Loebsack
Butterfield	Garrett	Lofgren
Byrne	Gibbs	Long
Calvert	Gibson	Loudermilk
Capps	Gohmert	Love
Capuano	Goodlatte	Lowenthal
Cárdenas	Gosar	Lowe
Carney	Gowdy	Lucas
Carson (IN)	Graham	Luetkemeyer
Carter (GA)	Granger	Lujan Grisham
Carter (TX)	Graves (GA)	(NM)
Cartwright	Graves (LA)	Luján, Ben Ray
Castor (FL)	Graves (MO)	(NM)
Castro (TX)	Grayson	Lummis
Chabot	Green, Al	Lynch
Chaffetz	Green, Gene	MacArthur
Chu, Judy	Griffith	Maloney,
Cicilline	Grijalva	Carolyn
Clark (MA)	Grothman	Maloney, Sean
Clarke (NY)	Guinta	Marchant
Clawson (FL)	Guthrie	Marino
Clay	Gutiérrez	Massie
Cleaver	Hahn	Matsui
Clyburn	Hanna	McCarthy
Coffman	Hardy	McCaul
Cohen	Harper	McClintock
Cole	Harris	McCollum
Collins (GA)	Hartzler	McDermott
Collins (NY)	Hastings	McGovern
Comstock	Heck (NV)	McHenry
Conaway	Heck (WA)	McKinley
Connolly	Hensarling	McMorris
Conyers	Herrera Beutler	Rodgers
Cook	Hice, Jody B.	McNerney
Cooper	Higgins	McSally
Costa	Hill	Meadows
Costello (PA)	Himes	Meehan
Courtney	Hinojosa	Meeks
Cramer	Holding	Meng
Crawford	Honda	Messer
Crenshaw	Hoyer	Mica
Crowley	Hudson	Miller (FL)
Cuellar	Huelskamp	Miller (MI)
Culberson	Huffman	Moolenaar
Cummings	Huizenga (MI)	Mooney (WV)
Curbelo (FL)	Hultgren	Moulton
Davidson	Hunter	Mullin
Davis (CA)	Hurt (TX)	Mulvaney
Davis, Danny	Hurt (VA)	Murphy (FL)
Davis, Rodney	Israel	Murphy (PA)
DeFazio	Issa	Nadler
DeGette	Jackson Lee	Napolitano
Delaney	Jeffries	Neal

Neugebauer	Ros-Lehtinen	Thompson (PA)
Newhouse	Roskam	Thornberry
Noem	Ross	Tipton
Nolan	Rothfus	Titus
Norcross	Rouzer	Tonko
Nugent	Roybal-Allard	Torres
Nunes	Royce	Trott
O'Rourke	Ruiz	Tsongas
Olson	Ruppersberger	Turner
Palazzo	Russell	Upton
Pallone	Ryan (OH)	Valadao
Palmer	Salmon	Van Hollen
Pascarell	Sánchez, Linda	Vargas
Paulsen	T.	Veasey
Payne	Sanford	Vela
Pearce	Sarbanes	Velázquez
Pelosi	Scalise	Visclosky
Perlmutter	Schakowsky	Wagner
Perry	Schiff	Walberg
Peters	Schrader	Walden
Peterson	Schweikert	Walker
Pingree	Scott (VA)	Walorski
Pittenger	Scott, Austin	Walz
Pitts	Scott, David	Wasserman
Pocan	Sensenbrenner	Schultz
Poliquin	Serrano	Waters, Maxine
Polis	Sessions	Watson Coleman
Pompeo	Sewell (AL)	Weber (TX)
Posey	Sherman	Webster (FL)
Price (NC)	Shimkus	Welch
Price, Tom	Shuster	Wenstrup
Quigley	Simpson	Westerman
Rangel	Sinema	Sires
Ratcliffe	Slaughter	Westmoreland
Reed	Smith (MO)	Williams
Reichert	Smith (NE)	Wilson (FL)
Renacci	Smith (NJ)	Wilson (SC)
Ribble	Smith (TX)	Wittman
Rice (NY)	Smith (WA)	Womack
Rice (SC)	Speier	Woodall
Richmond	Stefanik	Yarmuth
Rigell	Stewart	Yoder
Roby	Stivers	Yoho
Roe (TN)	Stutzman	Young (AK)
Rogers (AL)	Swalwell (CA)	Young (IA)
Rogers (KY)	Takano	Young (IN)
Rohrabacher	Rokita	Zeldin
Roht	Thompson (CA)	Zinke
Rooney (FL)	Thompson (MS)	

NOT VOTING—6

Moore	Rush	Tiberi
Poe (TX)	Sanchez, Loretta	Walters, Mimi

□ 1845

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to allow the Administrator of the Federal Aviation Administration to enter into reimbursable agreements for certain airport projects."

A motion to reconsider was laid on the table.

BATHROOMS ACCESSIBLE IN EVERY SITUATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5147) to amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 34, not voting 8, as follows:

[Roll No. 541]

YEAS—389

Abraham	Deuth	Kildee
Adams	Diaz-Balart	Kilmer
Aderholt	Kind	Kind
Aguilar	Doggett	King (IA)
Allen	Dold	King (NY)
Amodei	Donovan	Kinzing (IL)
Ashford	Doyle, Michael	Kirkpatrick
Babin	F.	Kline
Barletta	Duckworth	Knight
Barr	Duffy	Kuster
Barton	Duncan (TN)	Labrador
Bass	Edwards	LaHood
Beatty	Ellison	LaMalfa
Becerra	Ellmers (NC)	Lamborn
Benishek	Emmer (MN)	Lance
Bera	Engel	Langevin
Beyer	Eshoo	Larsen (WA)
Bilirakis	Esty	Latta
Bishop (GA)	Farr	Lawrence
Bishop (MI)	Fincher	Lee
Bishop (UT)	Fitzpatrick	Levin
Black	Fleischmann	Lewis
Blackburn	Fleming	Lieu, Ted
Blum	Flores	Lipinski
Blumenauer	Forbes	LoBiondo
Bonamici	Fortenberry	Loebsack
Bost	Foster	Lofgren
Boustany	Fox	Long
Boyle, Brendan	Frankel (FL)	Love
F.	Franks (AZ)	Lowenthal
Brady (PA)	Frelinghuysen	Lowe
Brady (TX)	Fudge	Lucas
Bridenstine	Gabbard	Luetkemeyer
Brooks (IN)	Gallego	Lujan Grisham
Brown (FL)	Garamendi	(NM)
Brownley (CA)	Garrett	Luján, Ben Ray
Buchanan	Gibson	(NM)
Buck	Gohmert	Lynch
Bucshon	Goodlatte	MacArthur
Burgess	Gowdy	Maloney,
Bustos	Graham	Carolyn
Butterfield	Granger	Maloney, Sean
Byrne	Graves (GA)	Marchant
Calvert	Graves (LA)	Marino
Capps	Graves (MO)	Matsui
Capuano	Grayson	McCarthy
Cárdenas	Green, Al	McCaul
Carney	Green, Gene	McCollum
Carson (IN)	Grijalva	McDermott
Carter (GA)	Guinta	McGovern
Carter (TX)	Guthrie	McHenry
Cartwright	Gutiérrez	McKinley
Castor (FL)	Hahn	McMorris
Castro (TX)	Hanna	Rodgers
Chabot	Hardy	McNerney
Chu, Judy	Harper	McSally
Cicilline	Hartzer	Meadows
Clark (MA)	Hastings	Meehan
Clarke (NY)	Heck (NV)	Meeks
Clawson (FL)	Heck (WA)	Meng
Clay	Hensarling	Messer
Cleaver	Herrera Beutler	Mica
Clyburn	Higgins	Miller (FL)
Coffman	Hill	Miller (MI)
Cohen	Himes	Moolenaar
Cole	Hinojosa	Mooney (WV)
Collins (GA)	Holding	Moulton
Collins (NY)	Honda	Mullin
Comstock	Hoyer	Mulvaney
Conaway	Hudson	Murphy (FL)
Connolly	Huelskamp	Murphy (PA)
Conyers	Huffman	Nadler
Cook	Huizenga (MI)	Napolitano
Cooper	Hultgren	Neal
Costa	Hunter	
Costello (PA)	Hurd (TX)	
Courtney	Hurt (VA)	
Cramer	Israel	
Crawford	Issa	
Crenshaw	Jackson Lee	
Crowley	Jeffries	
Cuellar	Jenkins (KS)	
Culberson	Jenkins (WV)	
Cummings	Johnson (GA)	
Curbelo (FL)	Johnson (OH)	
Davidson	Johnson, E. B.	
Davis (CA)	Johnson, Sam	
Davis, Danny	Jolly	
Davis, Rodney	Jordan	
DeFazio	Joyce	
DeGette	Kaptur	
Delaney	Katko	
DesJarlais	Keating	
	Kelly (IL)	
	Kelly (MS)	
	Kelly (PA)	
	Kennedy	

Pocan	Scalise	Trott
Poliquin	Schakowsky	Tsongas
Polis	Schiff	Turner
Pompeo	Schrader	Upton
Posey	Schweikert	Valadao
Price (NC)	Scott (VA)	Van Hollen
Price, Tom	Scott, Austin	Vargas
Quigley	Scott, David	Veasey
Rangel	Sensenbrenner	Vela
Ratcliffe	Serrano	Velazquez
Reed	Sessions	Visclosky
Reichert	Sewell (AL)	Wagner
Renacci	Sherman	Walberg
Ribble	Shinkus	Walden
Rice (NY)	Shuster	Walker
Rice (SC)	Simpson	Walorski
Richmond	Sinema	Walz
Rigell	Sires	Wasserman
Roby	Slaughter	Schultz
Roe (TN)	Smith (MO)	Watson Coleman
Rogers (AL)	Smith (NE)	Webster (FL)
Rogers (KY)	Smith (NJ)	Welch
Rooney (FL)	Smith (TX)	Wenstrup
Ros-Lehtinen	Smith (WA)	Westerman
Roskam	Speier	Williams
Ross	Stefanik	Wilson (FL)
Rothfus	Stewart	Wilson (SC)
Rouzer	Stivers	Wittman
Roybal-Allard	Swalwell (CA)	Womack
Royce	Takano	Woodall
Ruiz	Thompson (CA)	Yarmuth
Ruppersberger	Thompson (MS)	Yoder
Russell	Thompson (PA)	Young (IA)
Ryan (OH)	Tipton	Young (IN)
Sánchez, Linda	Titus	Zeldin
T.	Tonko	
Sarbanes	Torres	

NAYS—34

Amash	Grothman	Rokita
Brat	Harris	Salmon
Brooks (AL)	Hice, Jody B.	Sanford
Burgess	Huelskamp	Stutzman
Chaffetz	Jones	Thornberry
Clawson (FL)	Loudermilk	Weber (TX)
Collins (GA)	Lummis	Westmoreland
Duncan (SC)	Massie	Yoho
Farenthold	McClintock	Young (AK)
Gibbs	Mulvaney	Zinke
Gosar	Perry	
Griffith	Rohrabacher	

NOT VOTING—8

Larson (CT)	Rush	Walters, Mimi
Moore	Sanchez, Loretta	Waters, Maxine
Poe (TX)	Tiberi	

□ 1851

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 40, United States Code, to require restrooms in public buildings to be equipped with baby changing facilities."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 535 (on passage of H.R. 3438), 536 (on passage of H.R. 5461), 537 (motion to suspend the rules and pass, as amended H.R. 5859), 538 (motion to suspend the rules and pass, as amended H.R. 6007), 539 (motion to suspend the rules and pass, as amended H.R. 5977), 540 (motion to suspend the rules and pass, as amended H.R. 6014), and 541 (motion to suspend the rules and pass, as amended H.R. 5147) I did not cast my votes due to illness. Had I been present. I would have voted "yea" on all of the votes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RATCLIFFE). Pursuant to clause 8 of

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

Any record votes on postponed questions will be taken later.

MOBILE WORKFORCE STATE INCOME TAX SIMPLIFICATION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2315) to limit the authority of States to tax certain income of employees for employment duties performed in other States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2315

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mobile Workforce State Income Tax Simplification Act of 2015".

SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—The term "employee" has the same meaning given to it by the State in which the employment duties are performed, except that the term "employee" shall not include a professional athlete, professional entertainer, or certain public figures.

(3) PROFESSIONAL ATHLETE.—The term "professional athlete" means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) PROFESSIONAL ENTERTAINER.—The term "professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) CERTAIN PUBLIC FIGURES.—The term "certain public figures" means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) EMPLOYER.—The term "employer" has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(7) STATE.—The term "State" means any of the several States.

(8) TIME AND ATTENDANCE SYSTEM.—The term "time and attendance system" means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) WAGES OR OTHER REMUNERATION.—The term "wages or other remuneration" may be limited by the State in which the employment duties are performed.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—This Act shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(b) APPLICABILITY.—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from