

Again, it is bipartisan. We ask that this legislation be passed quickly in the Senate and, more importantly, that the President sign it to save lives.

Finally, we wish for a democratic transition and democratic elections. As Haiti goes forward in its election, let's hope whatever government is put in place will be able to give that lifeline that this legislation is talking about to move Haiti forward in the 21st century.

I ask my colleagues to support the legislation, and I thank Congresswoman BARBARA LEE for her leadership.

Mr. Speaker, as an original co-sponsor, I rise in strong support of H.R. 3509, the "Assessing Progress in Haiti Act of 2013," which requires the Secretary of State to submit to Congress regular, detailed reports on the status of post-earthquake recovery and development efforts.

I thank my Congressional Black Caucus colleague, Congresswoman BARBARA LEE of California, for her leadership on this legislation.

I also thank Foreign Affairs Committee Chairman ROYCE (R-CA), Ranking Member ELIOT ENGEL (D-NY), and Congresswoman ROS-LEHTINEN of Florida for their support and leadership in shepherding this important legislation to the floor.

Mr. Speaker, nearly four years after Haiti's devastating earthquake, there is still far too little transparency and accountability around U.S. relief and reconstruction aid efforts.

There are close to 300,000 people still living in tent camps, many of whom are facing forced evictions. Cholera has killed over 8,400 Haitians and sickened over 689,400 since it was first introduced to Haiti in October of 2010.

Hundreds of thousands of Haitians have little or no access to potable water or basic health services, and Haiti is facing an impending food crisis according to local and international organizations, and the government of Haiti.

H.R. 3509 will greatly assist Congress in overseeing U.S. assistance in Haiti by providing lawmakers, the U.S. public, and Haitians with key details on the manner in which U.S. taxpayer money is being spent.

According to the GAO, "Congress lacks information on the amounts of funds obligated and disbursed and program-by-program progress of U.S. reconstruction activities [in Haiti]."

Among other highlights, this legislation would: require a thorough assessment of the progress in meeting the original goals expressed in the January 2011 Post-Earthquake U.S. Government Haiti Strategy; provide a description of efforts to combat corruption and ensure public accountability; and assess whether vulnerable populations have been taken into account in the design and implementation of new programs.

Mr. Speaker, the people of Haiti continue to face tremendous challenges and still our help.

That is why it is essential that we ensure that U.S. assistance to Haiti is delivered efficiently is more essential than ever.

H.R. 3509 will help achieve this goal. I urge all Members to join me in voting for this legislation.

Mr. ROYCE. I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, as we can all hear from the discussion here this

afternoon, this is a very, very important bill and a very, very much needed bill. We have the most generous people in the world in the United States. We need to give help to this island which has been so devastated, which is really very near us geographically, and where we have many ties, particularly now, with the burgeoning Haitian American population as well.

This is humanitarian. This is really what is right. This personifies and I think typifies the good intentions of this Congress and of our Nation. I am proud to play a part in this.

I want to again thank BARBARA LEE for all her hard work and thank Chairman ROYCE for, as we always say, a bipartisan effort. This is truly bipartisan and truly something of which we can all be proud.

I urge a "yes" vote, and I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, just in closing, let me point out again the fact that we have a very strong bipartisan coalition of Members that have worked a long time on this issue of trying to forge a focus on repair in Haiti. We thank them for their efforts on the reconstruction.

It is important for the people of Haiti to know that our efforts are best being used to help get them on solid ground and to help them get the foundation they need to move forward. It is also important for those in the United States to feel that their money is being spent wisely and efficiently. I think that is the intent behind this legislation, H.R. 3509.

It extends and strengthens, I think, the critical oversight that we do in the committee over Haitian funding, and it promotes the holding of free, fair, and timely elections in Haiti.

I want to thank the gentlelady from California, Congresswoman LEE, for her perseverance in getting this bill to the floor today. I want to encourage my colleagues to support it. I want to thank the ranking member, Mr. ENGEL of New York, also for his efforts to bring this bill up today.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to support H.R. 3509—the Assessing Progress in Haiti Act.

I would like to commend my colleague, Congresswoman BARBARA LEE, for introducing this legislation and I am happy to be an original cosponsor of this important bill aimed to provide greater oversight of U.S. taxpayer funding for reconstruction efforts in Haiti.

This bill calls for a State Department review of the U.S. funded recovery and development efforts in Haiti, which began over three years ago in the wake of the deadly 2010 earthquake.

In June of 2012, then-Ranking Member Berman and I requested that the GAO investigate the progress of reconstruction efforts in Haiti.

This report was important to ensure that American dollars are going to the Haitian people who are truly in need and not resulting in fraud, waste and abuse.

This year, GAO issued the report and I was disappointed to learn that three years after the

earthquake, emergency relief efforts were still woefully disorganized, with much of the funds: not reaching the Haitian people; USAID is suffering to get some programs off the ground; and the lack of coordination between U.S. federal agencies is inadequate.

As of March 2013, USAID had obligated only 45 percent and disbursed 31 percent of funding for Haiti from the Supplemental Appropriations Act from 2010.

Meanwhile, delays continue to mount and goals are being scaled back.

For example, USAID originally planned to build 15,000 new homes.

That number has been decreased to just 2,600 homes causing 62,000 fewer people who will be given shelter as they attempt to recover from this humanitarian disaster.

The American people deserve to know that their tax dollars are being spent wisely and at the same time we must ensure that we are helping the Haitian people recover from the earthquake and poverty.

This requires a clear and comprehensive strategy to improve the situation on the ground for the people of Haiti.

Lastly Mr. Speaker, this resolution makes it U.S. policy to promote the holding of free, fair, and timely elections in accordance with democratic principles and the Haitian Constitution.

It is encouraging to see that the Haitian Parliament has passed a new electoral law and it has recently been signed by their President.

This positive step forward can now set in motion the necessary requirements in order to hold senatorial and local elections next year—elections that have been long overdue since 2011.

The U.S. government will stand ready to help the Haitian government hold these elections and ensure that every Haitian has the right to vote for their elected representatives.

Once again, I am thankful that this important bill is on the floor today and I urge my colleagues to support this measure to ensure our oversight responsibility over U.S. taxpayer dollars in Haiti.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3509, as amended.

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

A motion to reconsider was laid on the table.

□ 1630

#### CONTINUING APPROPRIATIONS RESOLUTION, 2014

Mr. RYAN of Wisconsin. Mr. Speaker, pursuant to House Resolution 438, I call up the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, and I have a motion at the desk.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

**Senate amendment:**

Strike all after the first word and insert the following:

*the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2014, and for other purposes, namely:*

**SEC. 101.** (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2013 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this joint resolution, that were conducted in fiscal year 2013, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2013 (division A of Public Law 113-6), except section 735.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 (division B of Public Law 113-6).

(3) The Department of Defense Appropriations Act, 2013 (division C of Public Law 113-6).

(4) The Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113-6).

(5) The Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2013 (division E of Public Law 113-6).

(6) The Full-Year Continuing Appropriations Act, 2013 (division F of Public Law 113-6).

(b) The rate for operations provided by subsection (a) for each account shall be calculated to reflect the full amount of any reduction required in fiscal year 2013 pursuant to—

(1) any provision of division G of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6), including section 3004; and

(2) the Presidential sequestration order dated March 1, 2013, except as attributable to budget authority made available by—

(A) sections 140(b) or 141(b) of the Continuing Appropriations Resolution, 2013 (Public Law 112-175); or

(B) the Disaster Relief Appropriations Act, 2013 (Public Law 113-2).

**SEC. 102.** (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2013 or prior years; (2) the increase in production rates above those sustained with fiscal year 2013 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2013.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

**SEC. 103.** Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

**SEC. 104.** Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2013.

**SEC. 105.** Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

**SEC. 106.** Unless otherwise provided for in this joint resolution or in the applicable appropriations Acts for fiscal year 2014, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this joint resolution; (2) the enactment into law of the applicable appropriations Act for fiscal year 2014 without any provision for such project or activity; or (3) November 15, 2013.

**SEC. 107.** Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

**SEC. 108.** Appropriations made and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this joint resolution may be construed to waive any other provision of law governing the apportionment of funds.

**SEC. 109.** Notwithstanding any other provision of this joint resolution, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2014 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

**SEC. 110.** This joint resolution shall be implemented so that only the most limited funding action of that permitted in the joint resolution shall be taken in order to provide for continuation of projects and activities.

**SEC. 111.** (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2013, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2013, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2013 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

**SEC. 112.** Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2013, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

**SEC. 113.** Funds appropriated by this joint resolution may be obligated and expended notwith-

standing section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

**SEC. 114.** (a) Each amount incorporated by reference in this joint resolution that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) Of the amounts made available by section 101 for "Social Security Administration, Limitation on Administrative Expenses" for the cost associated with continuing disability reviews under titles II and XVI of the Social Security Act and for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$469,639,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act.

(c) Section 5 of Public Law 113-6 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

**SEC. 115.** Section 3003 of division G of Public Law 113-6 shall be applied to funds appropriated by this joint resolution by substituting "fiscal year 2014" for "fiscal year 2013" each place it appears.

**SEC. 116.** Section 408 of the Food for Peace Act (7 U.S.C. 1736b) shall be applied by substituting the date specified in section 106(3) of this joint resolution for "December 31, 2012".

**SEC. 117.** Amounts made available under section 101 for "Department of Commerce—National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction" may be apportioned up to the rate for operations necessary to maintain the planned launch schedules for the Joint Polar Satellite System and the Geostationary Operational Environmental Satellite system.

**SEC. 118.** The authority provided by sections 1205 and 1206 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) shall continue in effect, notwithstanding subsection (h) of section 1206, through the earlier of the date specified in section 106(3) of this joint resolution or the date of the enactment of an Act authorizing appropriations for fiscal year 2014 for military activities of the Department of Defense.

**SEC. 119.** Section 14704 of title 40, United States Code, shall be applied to amounts made available by this joint resolution by substituting the date specified in section 106(3) of this joint resolution for "October 1, 2012".

**SEC. 120.** Notwithstanding any other provision of this joint resolution, except section 106, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under title IV of H.R. 2786 (113th Congress), as reported by the Committee on Appropriations of the House of Representatives, at the rate set forth under "District of Columbia Funds—Summary of Expenses" as included in the Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act 20-127), as modified as of the date of the enactment of this joint resolution.

**SEC. 121.** Notwithstanding section 101, amounts are provided for "The Judiciary—Courts of Appeals, District Courts, and Other Judicial Services—Defender Services" at a rate for operations of \$1,012,000,000.

SEC. 122. For the period covered by this joint resolution, section 550(b) of Public Law 109–295 (6 U.S.C. 121 note) shall be applied by substituting the date specified in section 106(3) of this joint resolution for “October 4, 2013”.

SEC. 123. The authority provided by section 532 of Public Law 109–295 shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 124. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 125. (a) Any amounts made available pursuant to section 101 for “Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses”, “Department of Homeland Security—U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology”, and “Department of Homeland Security—U.S. Immigration and Customs Enforcement—Salaries and Expenses” shall be obligated at a rate for operations as necessary to respectively—

(1) sustain the staffing levels of U.S. Customs and Border Protection Officers, equivalent to the staffing levels achieved on September 30, 2013, and comply with the last proviso under the heading “Department of Homeland Security—U.S. Customs and Border Protection—Salaries and Expenses” in division D of Public Law 113–6;

(2) sustain border security operations, including sustaining the operation of Tethered Aerostat Radar Systems; and

(3) sustain the staffing levels of U.S. Immigration and Customs Enforcement agents, equivalent to the staffing levels achieved on September 30, 2013, and comply with the sixth proviso under the heading “Department of Homeland Security—U.S. Immigration and Customs Enforcement—Salaries and Expenses” in division D of Public Law 113–6.

(b) The Secretary of Homeland Security shall notify the Committees on Appropriations of the House of Representatives and the Senate on each use of the authority provided in this section.

SEC. 126. In addition to the amount otherwise provided by section 101 for “Department of the Interior—Department-wide Programs—Wildland Fire Management”, there is appropriated \$36,000,000 for an additional amount for fiscal year 2014, to remain available until expended, for urgent wildland fire suppression activities: Provided, That of the funds provided, \$15,000,000 is for burned area rehabilitation: Provided further, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of the Interior notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: Provided further, That such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression.

SEC. 127. In addition to the amount otherwise provided by section 101 for “Department of Agriculture—Forest Service—Wildland Fire Management”, there is appropriated \$600,000,000 for an additional amount for fiscal year 2014, to remain available until expended, for urgent wildland fire suppression activities: Provided, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: Provided further, That such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression.

SEC. 128. The authority provided by section 347 of the Department of the Interior and Re-

lated Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 129. The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79), as amended, shall continue in effect through the date specified in section 106(3) of this joint resolution.

SEC. 130. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act (except for activities authorized in section 403(b)) shall continue through the date specified in section 106(3) of this joint resolution in the manner authorized for fiscal year 2013, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

SEC. 131. Notwithstanding section 101, the matter under the heading “Department of Labor—Mine Safety and Health Administration—Salaries and Expenses” in division F of Public Law 112–74 shall be applied to funds appropriated by this joint resolution by substituting “is authorized to collect and retain up to \$2,499,000” for “may retain up to \$1,499,000”.

SEC. 132. The first proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Low Income Home Energy Assistance” in division F of Public Law 112–74 shall be applied to amounts made available by this joint resolution by substituting “2014” for “2012”.

SEC. 133. Amounts provided by section 101 for “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance” may be obligated up to a rate for operations necessary to maintain program operations at the level provided in fiscal year 2013, as necessary to accommodate increased demand.

SEC. 134. During the period covered by this joint resolution, amounts provided under section 101 for “Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” may be obligated at a rate necessary to assure timely execution of planned advanced research and development contracts pursuant to section 319L of the Public Health Service Act, to remain available until expended, for expenses necessary to support advanced research and development pursuant to section 319L of the Public Health Service Act (42 U.S.C. 247d–7e) and other administrative expenses of the Biomedical Advanced Research and Development Authority.

SEC. 135. Notwithstanding any other provision of this joint resolution, there is appropriated for payment to Bonnie Englehardt Lautenberg, widow of Frank R. Lautenberg, late a Senator from New Jersey, \$174,000.

SEC. 136. Notwithstanding section 101, amounts are provided for “Department of Veterans Affairs—Departmental Administration—General Operating Expenses, Veterans Benefits Administration” at a rate for operations of \$2,455,490,000.

SEC. 137. The authority provided by the penultimate proviso under the heading “Department of Housing and Urban Development—Rental Assistance Demonstration” in division C of Public Law 112–55 shall continue in effect through the date specified in section 106(3) of this joint resolution.

This joint resolution may be cited as the “Continuing Appropriations Resolution, 2014”.

#### MOTION TO RECEDE AND CONCUR

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Ryan of Wisconsin moves that the House recede from its amendment to the amendment of the Senate, and concur there-

in with the amendment printed in Part A of House Report 113–290, modified by the amendment printed in Part B of that report.

The text of the amendment is as follows:

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

#### DIVISION A—BIPARTISAN BUDGET AGREEMENT

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

(a) SHORT TITLE.—This Act may be cited as the “Bipartisan Budget Act of 2013”.

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

#### DIVISION A—BUDGET ENFORCEMENT AND DEFICIT REDUCTION

#### Sec. 1. Short title and table of contents.

#### TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

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

#### Subtitle B—Establishing a Congressional Budget

Sec. 111. Fiscal year 2014 budget resolution.

Sec. 112. Limitation on advance appropriations in the Senate.

Sec. 113. Rule of construction in the House of Representatives.

Sec. 114. Additional Senate budget enforcement.

Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.

Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.

Sec. 117. Exclusion of savings from PAYGO scorecards.

Sec. 118. Exercise of rulemaking powers.

#### Subtitle C—Technical Corrections

Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 122. Technical corrections to the Congressional Budget Act of 1974.

#### TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

Sec. 201. Improving the collection of unemployment insurance overpayments.

Sec. 202. Strengthening Medicaid Third-Party Liability.

Sec. 203. Restriction on access to the death master file.

Sec. 204. Identification of inmates requesting or receiving improper payments.

#### TITLE III—NATURAL RESOURCES

Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.

Sec. 302. Amendment to the Mineral Leasing Act.

Sec. 303. Approval of agreement with Mexico.

Sec. 304. Amendment to the Outer Continental Shelf Lands Act.

Sec. 305. Federal oil and gas royalty prepayment cap.

Sec. 306. Strategic Petroleum Reserve.

#### TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

Sec. 401. Increase in contributions to Federal Employees’ Retirement System for new employees.

Sec. 402. Foreign Service Pension System.

Sec. 403. Annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62.

## TITLE V—HIGHER EDUCATION

- Sec. 501. Default reduction program.  
 Sec. 502. Elimination of nonprofit servicing contracts.

## TITLE VI—TRANSPORTATION

- Sec. 601. Aviation security service fees.  
 Sec. 602. Transportation cost reimbursement.  
 Sec. 603. Sterile areas at airports.

## TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Extension of customs user fees.  
 Sec. 702. Limitation on allowable government contractor compensation costs.  
 Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.  
 Sec. 704. Cancellation of Unobligated Balances.  
 Sec. 705. Conservation planning technical assistance user fees.  
 Sec. 706. Self plus one coverage.

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

## TITLE I—BUDGET ENFORCEMENT

## SUBTITLE A—AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

## 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 is amended by striking paragraphs (1) through (10) and inserting the following new paragraphs:

- “(1) for fiscal year 2014—  
 “(A) for the revised security category, \$520,464,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$491,773,000,000 in new budget authority;  
 “(2) for fiscal year 2015—  
 “(A) for the revised security category, \$521,272,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$492,356,000,000 in new budget authority;  
 “(3) for fiscal year 2016—  
 “(A) for the revised security category, \$577,000,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$530,000,000,000 in new budget authority;  
 “(4) for fiscal year 2017—  
 “(A) for the revised security category, \$590,000,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$541,000,000,000 in new budget authority;  
 “(5) for fiscal year 2018—  
 “(A) for the revised security category, \$603,000,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$553,000,000,000 in new budget authority;  
 “(6) for fiscal year 2019—  
 “(A) for the revised security category, \$616,000,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$566,000,000,000 in new budget authority;  
 “(7) for fiscal year 2020—  
 “(A) for the revised security category, \$630,000,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$578,000,000,000 in new budget authority; and  
 “(8) for fiscal year 2021—  
 “(A) for the revised security category, \$644,000,000,000 in new budget authority; and  
 “(B) for the revised nonsecurity category, \$590,000,000,000 in new budget authority.”

(b) DIRECT SPENDING ADJUSTMENTS FOR FISCAL YEARS 2014 AND 2015.—(1) Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d), is amended by adding at the end the following new paragraph:

“(10) IMPLEMENTING DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2014 AND 2015.—(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 2014 and 2015 by the Bipartisan Budget Act of 2013.

“(B) Paragraph (5)(B) shall not be implemented for fiscal years 2014 and 2015.”.  
 (2) Paragraph (5)(B) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985, as redesignated by subsection (d)(2)(C) of this section, is amended by striking “On” and inserting “Except as provided by paragraph (10), on”.

(c) EXTENSION OF DIRECT SPENDING REDUCTIONS FOR FISCAL YEARS 2022 AND 2023.—Paragraph (6), as redesignated by subsection (d)(2)(C) of this section, of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting “(A)” before “On the date” and by adding at the end the following new subparagraph:

“(B) On the dates OMB issues its sequestration preview reports for fiscal year 2022 and for fiscal year 2023, pursuant to section 254(c), the President shall order a sequestration, effective upon issuance such that—

“(i) the percentage reduction for non-exempt direct spending for the defense function is the same percent as the percentage reduction for nonexempt direct spending for the defense function for fiscal year 2021 calculated under paragraph (3)(B); and

“(ii) the percentage reduction for non-exempt direct spending for nondefense functions is the same percent as the percentage reduction for nonexempt direct spending for nondefense functions for fiscal year 2021 calculated under paragraph (4)(B).”.

(d) CONFORMING AMENDMENTS.—Part C of title II of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) is amended—

(1) in section 250(c)(4) (2 U.S.C. 900(c)(4)), by adding at the end the following:

“(D) The term ‘revised security category’ means discretionary appropriations in budget function 050.

“(E) The term ‘revised nonsecurity category’ means discretionary appropriations other than in budget function 050.

“(F) The term ‘category’ means the subsets of discretionary appropriations in section 251(c). Discretionary appropriations in each of the categories shall be those designated in the joint explanatory statement accompanying the conference report on the Balanced Budget Act of 1997. New accounts or activities shall be categorized only after consultation with the Committees on Appropriations and the Budget of the House of Representatives and the Senate and that consultation shall, to the extent practicable, include written communication to such committees that affords such committees the opportunity to comment before official action is taken with respect to new accounts or activities.”; and

(2) in section 251A (2 U.S.C. 901a)—

(A) by striking, in the matter preceding paragraph (1), “Unless” through “as follows:” and inserting the following: “Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:”;

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking “paragraph (3)” and inserting “paragraph (1)”;

(E) in paragraph (3), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(F) in paragraph (4), as redesignated, by striking “paragraph (4)” each place it appears and inserting “paragraph (2)”;

(G) in paragraph (5), as redesignated—

(i) by striking “paragraph (5)” each place it appears and inserting “paragraph (3)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(H) in paragraph (6), as redesignated—

(i) by striking “paragraph (4)” and inserting “paragraph (2)”;

(ii) by striking “paragraphs (5) and (6)” and inserting “paragraphs (3) and (4)”;

(I) in paragraph (7), as redesignated—

(i) by striking “paragraph (8)” and inserting “paragraph (6)”;

(ii) by striking “paragraph (6)” each place it appears and inserting “paragraph (4)”;

(J) in paragraph (9), as redesignated, by striking “paragraph (4)” and inserting “paragraph (2)”.

SUBTITLE B—ESTABLISHING A CONGRESSIONAL BUDGET

## SEC. 111. FISCAL YEAR 2014 BUDGET RESOLUTION.

(a) FISCAL YEAR 2014.—For the purpose of enforcing the Congressional Budget Act of 1974 for fiscal year 2014, and enforcing, in the Senate, 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 same manner as for a concurrent resolution on the budget for fiscal year 2014 with appropriate budgetary levels for fiscal year 2014 and for fiscal years 2015 through 2023.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—The Chairmen of the Committee on the Budget of the House of Representatives and the Senate shall each submit a statement for publication in the Congressional Record as soon as practicable after the date of enactment of this Act that includes—

(1) for the Committee on Appropriations of that House, committee allocations for fiscal year 2014 consistent with the discretionary spending limits set forth in this Act for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(2) for all committees of that House other than the Committee on Appropriations, committee allocations for—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal year 2014 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—

(A) fiscal year 2014;

(B) fiscal years 2014 through 2018 in the Senate only; and

(C) fiscal years 2014 through 2023;

consistent with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974; and

(5) in the Senate only, levels of Social Security revenues and outlays for fiscal year 2014 and for the periods of fiscal years 2014 through 2018 and 2014 through 2023 consistent

with the May 2013 baseline of the Congressional Budget Office adjusted to account for the budgetary effects of this Act and legislation enacted prior to this Act but not included in the May 2013 baseline of the Congressional Budget Office, for the purpose of enforcing sections 302 and 311 of the Congressional Budget Act of 1974.

(c) FURTHER ADJUSTMENTS.—After the date of enactment of this Act, the Chairman of the Committee on the Budget of the House of Representatives may reduce the aggregates, allocations, and other budgetary levels included in the statement of the Chairman of the Committee on the Budget of the House of Representatives referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit.

**SEC. 112. LIMITATION ON ADVANCE APPROPRIATIONS IN THE SENATE.**

(a) POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS IN THE SENATE.—

(1) IN GENERAL.—

(A) POINT OF ORDER.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would provide an advance appropriation.

(B) DEFINITION.—In this subsection, the term “advance appropriation” means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2014 that first becomes available for any fiscal year after 2014 or any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2015 that first becomes available for any fiscal year after 2015.

(2) EXCEPTIONS.—Advance appropriations may be provided—

(A) for fiscal years 2015 and 2016 for programs, projects, activities, or accounts identified in a statement submitted to the Congressional Record by the Chairman of the Committee on the Budget of the Senate under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new budget authority in each fiscal year;

(B) for the Corporation for Public Broadcasting; and

(C) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(3) SUPERMAJORITY WAIVER AND APPEAL.—

(A) WAIVER.—In the Senate, paragraph (1) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under paragraph (1).

(4) FORM OF POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this subsection, and such point of order being sustained, such material contained in such conference report or amendment between the Houses shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference re-

port or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this paragraph), no further amendment shall be in order.

(6) INAPPLICABILITY.—In the Senate, section 402 of S. Con. Res. 13 (111th Congress) shall no longer apply.

(b) EXPIRATION.—Subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

**SEC. 113. RULE OF CONSTRUCTION IN THE HOUSE OF REPRESENTATIVES.**

In the House of Representatives, for the remainder of the 113th Congress, the provisions of H. Con. Res. 25 (113th Congress), as deemed in force by H. Res. 243 (113th Congress), shall remain in force to the extent its budgetary levels are not superseded by this subtitle or by further action of the House of Representatives.

**SEC. 114. ADDITIONAL SENATE BUDGET ENFORCEMENT.**

(a) SENATE PAY-AS-YOU-GO SCORECARD.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(2) FISCAL YEAR 2015.—After April 15, 2014, but not later than May 15, 2014, for the purpose of enforcing section 201 of S. Con. Res. 21 (110th Congress), the Chairman of the Committee on the Budget of the Senate shall reduce any balances of direct spending and revenues for any fiscal year to zero.

(3) PUBLICATION.—Upon resetting the Senate paygo scorecard pursuant to paragraph (2), the Chairman of the Committee on the Budget of the Senate shall publish a notification of such action in the Congressional Record.

(b) FURTHER ADJUSTMENTS.—With respect to any allocations, aggregates, or levels set or adjustments made pursuant to this subtitle, sections 412 through 414 of S. Con. Res. 13 (111th Congress) shall remain in effect.

(c) DEFICIT-NEUTRAL RESERVE FUND TO REPLACE SEQUESTRATION.—The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits set pursuant to this subtitle for one or more bills, joint resolutions, amendments, motions, or conference reports that amend section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) to repeal or revise the enforcement procedures established under that section, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2014 through 2023. For purposes of determining deficit-neutrality under this subsection, the Chairman may include the estimated effects of any amendment or amendments to the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)).

(d) ADDITIONAL DEFICIT-NEUTRAL RESERVE FUNDS.—In the Senate only, sections 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 341, 344, 348, 349, 350, 353, 354, 356, 361, 363, 364, 365, 366, 367, 368, 369, 371, 376, 378, 379, and 383 of S. Con. Res. 8 (113th Congress), as

passed the Senate, shall have force and effect.

(e) EXPIRATION.—Subsections (a)(2), (c), and (d) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

**SEC. 115. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE HOUSE OF REPRESENTATIVES.**

(a) FISCAL YEAR 2015.—If a concurrent resolution on the budget for fiscal year 2015 has not been adopted by April 15, 2014, for the purpose of enforcing the Congressional Budget Act of 1974, the allocations, aggregates, and levels provided for in subsection (b) shall apply in the House of Representatives after April 15, 2014, in the same manner as for a concurrent resolution on the budget for fiscal year 2015 with appropriate budgetary levels for fiscal year 2015 and for fiscal years 2016 through 2024.

(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.—In the House of Representatives, the Chairman of the Committee on the Budget shall submit a statement for publication in the Congressional Record after April 15, 2014, but not later than May 15, 2014, containing—

(1) for the Committee on Appropriations, committee allocations for fiscal year 2015 at the total level as set forth in section 251(c)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 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 year 2015 and for the period of fiscal years 2015 through 2024 at the levels included in 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; and

(3) aggregate spending levels for fiscal year 2015 and aggregate revenue levels for fiscal year 2015 and for the period of fiscal years 2015 through 2024, at the levels included in 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.

(c) ADDITIONAL MATTER.—The statement referred to in subsection (b) may also include for fiscal year 2015, the matter contained in title IV (reserve funds) and in sections 601, 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated by one fiscal year, including updated amounts for section 601.

(d) FISCAL YEAR 2015 ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS.—If the statement referred to in subsection (b) is not filed by May 15, 2014, then the matter referred to in subsection (b)(1) shall be submitted by the Chairman of the Committee on the Budget for publication in the Congressional Record on the next day that the House of Representatives is in session.

(e) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the House of Representatives may adjust the levels included in the statement referred to in subsection (b) to reflect the budgetary effects of any legislation enacted during the 113th Congress that reduces the deficit or as otherwise necessary.

(f) APPLICATION.—Subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year

2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

**SEC. 116. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RESOLUTION IN THE SENATE.**

(a) **FISCAL YEAR 2015.**—For the purpose of enforcing the Congressional Budget Act of 1974, after April 15, 2014, 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 2015 with appropriate budgetary levels for fiscal years 2014 and 2016 through 2024.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—After April 15, 2014, but not later than May 15, 2014, the Chairman of the Committee on the Budget of the Senate shall file—

(1) for the Committee on Appropriations, committee allocations for fiscal years 2014 and 2015 consistent with the discretionary spending limits set forth in 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 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office for the purpose of enforcing section 302 of the Congressional Budget Act of 1974;

(3) aggregate spending levels for fiscal years 2014 and 2015 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 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office 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 2014, 2015, 2015 through 2019, and 2015 through 2024 consistent with the most recent baseline of the Congressional Budget Office 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 2015, the reserve funds included in section 114(c) and (d) of this Act, updated by one fiscal year.

(d) **SUPERSEDING PREVIOUS STATEMENT.**—In the Senate, the filing referred to in subsection (b) shall supersede the statement referred to in section 111(b) of this Act.

(e) **EXPIRATION.**—This section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

**SEC. 117. EXCLUSION OF SAVINGS FROM PAYGO SCORECARDS.**

(a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—Notwithstanding section 1(c) of this division, the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

**SEC. 118. EXERCISE OF RULEMAKING POWERS.**

The provisions of this subtitle are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Sen-

ate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

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

**SUBTITLE C—TECHNICAL CORRECTIONS**

**SEC. 121. TECHNICAL CORRECTIONS TO THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.**

The Balanced Budget and Emergency Deficit Control Act of 1985 is amended as follows:

(1) In section 252(b)(2)(B), strike “applicable to budget year” and insert “applicable to the budget year”.

(2) In section 252(c)(1)(C)(i), strike “paragraph (1)” and insert “subsection (b)”.

(3) In section 254(c)(3)(A), strike “subsection 252(b)” and insert “section 252(b)”.

(4) In section 254(f)(4), strike “subsection 252(b)” and insert “section 252(b)”.

(5) In section 255(a), strike “section 231b(a), 231b(f)(2), 231c(a), and 231c(f) of title 45 United States Code” and insert “sections 3 and 4 of the Railroad Retirement Act of 1937 (45 U.S.C. 231 et seq.)”.

(6) In section 255(h), in the item relating to Federal Pell Grants, strike “section 401 Title IV” and insert “section 401 of title IV”.

(7) In the first subsection (j) of section 255 (relating to Split Treatment Programs), move the margins for the list items two ems to the right.

(8) Redesignate the second subsection (j) of section 255 (relating to Identification of Programs) as subsection (k).

(9) In section 257(b)(2)(A)(i), strike “differenes” and insert “differences”.

(10) In section 258(a)(1), strike “section 254(j)” and insert “section 254(i)”.

**SEC. 122. TECHNICAL CORRECTIONS TO THE CONGRESSIONAL BUDGET ACT OF 1974.**

The Congressional Budget Act of 1974 is amended as follows:

(1) In sections 301(a)(6) and 301(a)(7), strike “For purposes” and insert “for purposes”.

(2) In section 301(a), in the matter following paragraph (7), strike “old age” and insert “old-age”.

(3) In section 302(g)(2)(A), strike “committee on the Budget” and insert “Committee on the Budget”.

(4) In section 305(a)(1), strike “clause 2(1)(6) of rule XI” and insert “clause 4 of rule XIII”.

(5) In section 305(a)(5), strike “provisions of rule XXIII” and insert “provisions of rule XVIII”.

(6) In section 305(b)(1), strike “section 304(a)” and insert “section 304”.

(7) In section 306 strike “No” and insert “(a) IN THE SENATE.— In the Senate, no”, strike “of either House” and “in that House”, strike “of that House”, and add at the end the following new subsection:

“(b) IN THE HOUSE OF REPRESENTATIVES.— In the House of Representatives, no bill or joint resolution, or amendment thereto, or conference report thereon, dealing with any matter which is within the jurisdiction of the Committee on the Budget shall be considered unless it is a bill or joint resolution which has been reported by the Committee on the Budget (or from the consideration of which such committee has been discharged) or unless it is an amendment to such a bill or joint resolution.”.

(8) In section 308(d), in the subsection heading, strike “Scorekeeping Guidelines.—” and insert “SCOREKEEPING GUIDELINES.—”

(9) In section 310(c)(1)(A)(i) and (ii), strike “under that paragraph by more than” and insert “under that paragraph by more than—”.

(10) In section 314(d)(2), strike subparagraph (A), redesignate subparagraphs (B) and (C) as subparagraphs (A) and (B) respectively, in subparagraph (A), as redesignated, strike “under subparagraph (A)” and insert “under paragraph (1)”, and in subparagraph (B), as redesignated, strike “under subparagraph (B)” and insert “under subparagraph (A)”.

(11) In section 315, add at the end the following new sentence: “In the case of a reported bill or joint resolution considered pursuant to a special order of business, a point of order under section 303 shall be determined on the basis of the text made in order as an original bill or joint resolution for the purpose of amendment or to the text on which the previous question is ordered directly to passage, as the case may be.”.

(12) In section 401(b)(2), strike “section 302(b)” and insert “section 302(a)”.

(13) In section 401(c), add at the end the following new paragraph:

“(3) In the House of Representatives, subsections (a) and (b) shall not apply to new authority described in those subsections to the extent that a provision in a bill or joint resolution, or an amendment thereto or a conference report thereon, establishes prospectively for a Federal office or position a specified or minimum level of compensation to be funded by annual discretionary appropriations.”.

(14) In section 421(5)(A)(i)(II), strike “subparagraph (B)” and insert “subparagraph (B)”.

(15) In section 505(c), strike “section 406(b)” both places it appears and insert “section 405(b)”.

(16) In section 904(c)(2), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 314(e)” and insert “314(e), and 314(f)”.

(17) In section 904(d)(3), strike “258A(b)(3)(C)(I)” and “258(h)(3)” and insert “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively, and strike “and 312(c)” and insert “312(c), 314(e), and 314(f)”.

**TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE**

**SEC. 201. IMPROVING THE COLLECTION OF UNEMPLOYMENT INSURANCE OVERPAYMENTS.**

(a) **IN GENERAL.**—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following:

“(m) In the case of a covered unemployment compensation debt (as defined under section 6402(f)(4) of the Internal Revenue Code of 1986) that remains uncollected as of the date that is 1 year after the debt was finally determined to be due and collected, the State to which such debt is owed shall take action to recover such debt under section 6402(f) of the Internal Revenue Code of 1986.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect upon the date of enactment of this Act.

**SEC. 202. STRENGTHENING MEDICAID THIRD-PARTY LIABILITY.**

(a) **PAYMENT FOR PRENATAL AND PREVENTIVE PEDIATRIC CARE AND IN CASES INVOLVING MEDICAL SUPPORT.**—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(1) in subparagraph (E)(i), by inserting before the semicolon at the end the following: “, except that the State may, if the State determines doing so is cost-effective and will not adversely affect access to care, only make such payment if a third party so liable has not made payment within 90 days after

the date the provider of such services has initially submitted a claim to such third party for payment for such services"; and

(2) in subparagraph (F)(i), by striking "30 days after such services are furnished" and inserting "90 days after the date the provider of such services has initially submitted a claim to such third party for payment for such services, except that the State may make such payment within 30 days after such date if the State determines doing so is cost-effective and necessary to ensure access to care."

(b) RECOVERY OF MEDICAID EXPENDITURES FROM BENEFICIARY LIABILITY SETTLEMENTS.—

(1) STATE PLAN REQUIREMENTS.—Section 1902(a)(25) of the Social Security Act (42 U.S.C. 1396a(a)(25)) is amended—

(A) in subparagraph (B), by striking "to the extent of such legal liability"; and

(B) in subparagraph (H), by striking "payment by any other party for such health care items or services" and inserting "any payments by such third party".

(2) ASSIGNMENT OF RIGHTS OF PAYMENT.—Section 1912(a)(1)(A) of such Act (42 U.S.C. 1396k(a)(1)(A)) is amended by striking "payment for medical care from any third party" and inserting "any payment from a third party that has a legal liability to pay for care and services available under the plan".

(3) LIENS.—Section 1917(a)(1)(A) of such Act (42 U.S.C. 1396p(a)(1)(A)) is amended to read as follows:

"(A) pursuant to—

"(i) the judgment of a court on account of benefits incorrectly paid on behalf of such individual, or

"(ii) rights acquired by or assigned to the State in accordance with section 1902(a)(25)(H) or section 1912(a)(1)(A), or"

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

#### SEC. 203. RESTRICTION ON ACCESS TO THE DEATH MASTER FILE.

(a) IN GENERAL.—The Secretary of Commerce shall not disclose to any person information contained on the Death Master File with respect to any deceased individual at any time during the 3-calendar-year period beginning on the date of the individual's death, unless such person is certified under the program established under subsection (b).

(b) CERTIFICATION PROGRAM.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a program—

(A) to certify persons who are eligible to access the information described in subsection (a) contained on the Death Master File, and

(B) to perform periodic and unscheduled audits of certified persons to determine the compliance by such certified persons with the requirements of the program.

(2) CERTIFICATION.—A person shall not be certified under the program established under paragraph (1) unless such person certifies that access to the information described in subsection (a) is appropriate because such person—

(A) has—

(i) a legitimate fraud prevention interest, or

(ii) a legitimate business purpose pursuant to a law, governmental rule, regulation, or fiduciary duty, and

(B) has systems, facilities, and procedures in place to safeguard such information, and experience in maintaining the confidentiality, security, and appropriate use of such information, pursuant to requirements similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986, and

(C) agrees to satisfy the requirements of such section 6103(p)(4) as if such section applied to such person.

(3) FEES.—

(A) IN GENERAL.—The Secretary of Commerce shall establish under section 9701 of title 31, United States Code, a program for the charge of fees sufficient to cover (but not to exceed) all costs associated with evaluating applications for certification and auditing, inspecting, and monitoring certified persons under the program. Any fees so collected shall be deposited and credited as offsetting collections to the accounts from which such costs are paid.

(B) REPORT.—The Secretary of Commerce shall report on an annual basis to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on the total fees collected during the preceding year and the cost of administering the certification program under this subsection for such year.

(c) IMPOSITION OF PENALTY.—

(1) IN GENERAL.—Any person who is certified under the program established under subsection (b), who receives information described in subsection (a), and who during the period of time described in subsection (a)—

(A) discloses such information to any person other than a person who meets the requirements of subparagraphs (A), (B), and (C) of subsection (b)(2),

(B) discloses such information to any person who uses the information for any purpose not listed under subsection (b)(2)(A) or who further discloses the information to a person who does not meet such requirements, or

(C) uses any such information for any purpose not listed under subsection (b)(2)(A), and any person to whom such information is disclosed who further discloses or uses such information as described in the preceding subparagraphs, shall pay a penalty of \$1,000 for each such disclosure or use.

(2) LIMITATION ON PENALTIES.—

(A) IN GENERAL.—The total amount of the penalty imposed under this subsection on any person for any calendar year shall not exceed \$250,000.

(B) EXCEPTION FOR WILLFUL VIOLATIONS.—Subparagraph (A) shall not apply in the case of violations under paragraph (1) that the Secretary of Commerce determines to be willful or intentional violations.

(d) DEATH MASTER FILE.—For purposes of this section, the term "Death Master File" means information on the name, social security account number, date of birth, and date of death of deceased individuals maintained by the Commissioner of Social Security, other than information that was provided to such Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

(e) EXEMPTION FROM FREEDOM OF INFORMATION ACT REQUIREMENT WITH RESPECT TO CERTAIN RECORDS OF DECEASED INDIVIDUALS.—

(1) IN GENERAL.—No Federal agency shall be compelled to disclose the information described in subsection (a) to any person who is not certified under the program established under subsection (b).

(2) TREATMENT OF INFORMATION.—For purposes of section 552 of title 5, United States Code, this section shall be considered a statute described in subsection (b)(3) of such section 552.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

(2) FOIA EXEMPTION.—Subsection (e) shall take effect on the date of the enactment of this Act.

#### SEC. 204. IDENTIFICATION OF INMATES REQUESTING OR RECEIVING IMPROPER PAYMENTS.

(a) INFORMATION PROVIDED TO THE PRISONER UPDATE PROCESSING SYSTEM (PUPS).—

(1) SECTION 202(x)(3)(B)(i)(I).—Section 202(x)(3)(B)(i)(I) of the Social Security Act (42 U.S.C. 402(x)(3)(B)(i)(I)) is amended by—

(A) inserting "first, middle, and last" before "names";

(B) striking the comma after the words "social security account numbers" and inserting "or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,";

(C) inserting "dates of release or anticipated dates of release, dates of work release," before "and, to the extent available"; and

(D) by inserting "and clause (iv) of this subparagraph" after "paragraph (1)".

(2) SECTION 1611(e)(1)(D)(i)(I).—Section 1611(e)(1)(D)(i)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(D)(i)(I)) is amended by—

(A) inserting "first, middle, and last" before "names";

(B) striking the comma after the words "social security account numbers" and inserting "or taxpayer identification numbers, prison assigned inmate numbers, last known addresses,";

(C) inserting "dates of release or anticipated dates of release, dates of work release," before "and, to the extent available"; and

(D) by inserting "and clause (iv) of this subparagraph" after "this paragraph".

(b) AUTHORITY OF SECRETARY OF THE TREASURY TO ACCESS PUPS.—

(1) SECTION 202(x)(3)(B).—Section 202(x)(3)(B) of the Social Security Act (42 U.S.C. 402(x)(3)(B)) is amended—

(A) in clause (iv), by inserting before the period the following: "for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs"; and

(B) by adding at the end the following:

"(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

"(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity, and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

“(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.”.

(2) SECTION 1611(e)(1)(I)—Section 1611(e)(1)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)) is amended—

(A) in clause (iii), by inserting before the period the following: “, for statistical and research activities conducted by Federal and State agencies, and to the Secretary of the Treasury for the purposes of tax administration, debt collection, and identifying, preventing, and recovering improper payments under federally funded programs”; and

(B) by adding at the end the following:

“(v)(I) The Commissioner may disclose information received pursuant to this paragraph to any officer, employee, agent, or contractor of the Department of the Treasury whose official duties require such information to assist in the identification, prevention, and recovery of improper payments or in the collection of delinquent debts owed to the United States, including payments certified by the head of an executive, judicial, or legislative paying agency, and payments made to individuals whose eligibility, or continuing eligibility, to participate in a Federal program (including those administered by a State or political subdivision thereof) is being reviewed.

“(II) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law, the Secretary of the Treasury may compare information disclosed under subclause (I) with any other personally identifiable information derived from a Federal system of records or similar records maintained by a Federal contractor, a Federal grantee, or an entity administering a Federal program or activity and may redisclose such comparison of information to any paying or administering agency and to the head of the Federal Bureau of Prisons and the head of any State agency charged with the administration of prisons with respect to inmates whom the Secretary of the Treasury has determined may have been issued, or facilitated in the issuance of, an improper payment.

“(III) The comparison of information disclosed under subclause (I) shall not be considered a matching program for purposes of section 552a of title 5, United States Code.”.

(c) CONFORMING AMENDMENT TO THE DO NOT PAY INITIATIVE.—Section 5(a)(2) of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended by adding at the end the following:

“(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act.”.

#### TITLE III—NATURAL RESOURCES

##### SEC. 301. ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER PETROLEUM RESOURCES.

(a) REPEAL.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is repealed.

(b) RESCISSION.—Any unobligated funds appropriated for carrying out the subtitle repealed by subsection (a) are rescinded.

##### SEC. 302. AMENDMENT TO THE MINERAL LEASING ACT.

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows—

“(b) DEDUCTION FOR ADMINISTRATIVE COSTS.—In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the

United States in carrying out the program authorized by this Act, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.”.

##### SEC. 303. APPROVAL OF AGREEMENT WITH MEXICO.

The Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, is hereby approved.

##### SEC. 304. AMENDMENT TO THE OUTER CONTINENTAL SHELF LANDS ACT.

The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding at the end the following:

##### “SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.

“(a) AUTHORIZATION.—After the date of enactment of the Bipartisan Budget Act of 2013, the Secretary may implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. In implementing such an agreement, the Secretary shall protect the interests of the United States to promote domestic job creation and ensure the expeditious and orderly development and conservation of domestic mineral resources in accordance with all applicable United States laws governing the exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf.

“(b) SUBMISSION TO CONGRESS.—

“(1) IN GENERAL.—No later than 180 days after all parties to a transboundary hydrocarbon agreement have agreed to its terms, a transboundary hydrocarbon agreement that does not constitute a treaty in the judgment of the President shall be submitted by the Secretary to—

“(A) the Speaker of the House of Representatives;

“(B) the Majority Leader of the Senate;

“(C) the Chair of the Committee on Natural Resources of the House of Representatives; and

“(D) the Chair of the Committee on Energy and Natural Resources of the Senate.

“(2) CONTENTS OF SUBMISSION.—The submission shall include—

“(A) any amendments to this Act or other Federal law necessary to implement the agreement;

“(B) an analysis of the economic impacts such agreement and any amendments necessitated by the agreement will have on domestic exploration, development, and production of hydrocarbon resources on the Outer Continental Shelf; and

“(C) a detailed description of any regulations expected to be issued by the Secretary to implement the agreement.

“(c) IMPLEMENTATION OF SPECIFIC TRANSBOUNDARY AGREEMENT WITH MEXICO.—The Secretary may take actions as necessary to implement the terms of the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico, signed at Los Cabos, February 20, 2012, including—

“(1) approving unitization agreements and related arrangements for the exploration, development, or production of oil and natural gas from transboundary reservoirs or geological structures;

“(2) making available, in the limited manner necessary under the agreement and subject to the protections of confidentiality provided by the agreement, information relating to the exploration, development, and production of oil and natural gas from a transboundary reservoir or geological structure

that may be considered confidential, privileged, or proprietary information under law;

“(3) taking actions consistent with an expert determination under the agreement; and

“(4) ensuring only appropriate inspection staff at the Bureau of Safety and Environmental Enforcement or other Federal agency personnel designated by the Bureau, the operator, or the lessee have authority to stop work on any installation or other device or vessel permanently or temporarily attached to the seabed of the United States that may be erected thereon for the purpose of resource exploration, development or production activities as approved by the Secretary.

“(d) SAVINGS PROVISIONS.—Nothing in this section shall be construed—

“(1) to authorize the Secretary to participate in any negotiations, conferences, or consultations with Cuba regarding exploration, development, or production of hydrocarbon resources in the Gulf of Mexico along the United States maritime border with Cuba or the area known by the Department of the Interior as the ‘Eastern Gap’; or

“(2) as affecting the sovereign rights and the jurisdiction that the United States has under international law over the Outer Continental Shelf that appertains to it.”.

##### SEC. 305. FEDERAL OIL AND GAS ROYALTY PREPAYMENT CAP.

(a) IN GENERAL.—Section 111(i) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721(i)) is amended by striking “(i) Upon” and all that follows through “For purposes” and inserting the following:

“(i) LIMITATION ON INTEREST.—

“(1) IN GENERAL.—Interest shall not be paid on any excessive overpayment.

“(2) EXCESSIVE OVERPAYMENT DEFINED.—For purposes”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2014.

##### SEC. 306. STRATEGIC PETROLEUM RESERVE.

(a) REPEAL OF AUTHORITY TO ACQUIRE IN-KIND ROYALTY CRUDE OIL.—Section 160(a) of the Energy Policy and Conservation Act (42 U.S.C. 6240(a)) is amended to read as follows:

“(a) The Secretary may acquire, place in storage, transport, or exchange petroleum products acquired by purchase or exchange.”.

(b) RESCISSION OF FUNDS.—Any unobligated balances available in the SPR Petroleum Account in the Treasury on the date of enactment of this section are permanently rescinded.

#### TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT

##### SEC. 401. INCREASE IN CONTRIBUTIONS TO FEDERAL EMPLOYEES’ RETIREMENT SYSTEM FOR NEW EMPLOYEES.

(a) DEFINITION.—

(1) IN GENERAL.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (36), by striking “and” at the end;

(B) in paragraph (37), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(38) the term ‘further revised annuity employee’ means any individual who—

“(A) on December 31, 2013—

“(i) is not an employee or Member covered under this chapter;

“(ii) is not performing civilian service which is creditable service under section 8411; and

“(iii) has less than 5 years of creditable civilian service under section 8411; and

“(B) after December 31, 2013, becomes employed as an employee or becomes a Member covered under this chapter performing service which is creditable service under section 8411.”.

(2) TECHNICAL AMENDMENT.—Section 8401(37)(B) of title 5, United States Code, is

amended by inserting “and before January 1, 2014,” after “after December 31, 2012.”

(b) INCREASE IN INDIVIDUAL CONTRIBUTIONS.—Section 8422(a)(3) of title 5, United States Code, is amended—

(1) in subparagraph (A), by inserting “or further revised annuity employees” after “revised annuity employees”; and

(2) by adding at the end the following:

“(C) The applicable percentage under this paragraph for civilian service by further revised annuity employees shall be as follows:

“Employee .....	10.6	After December 31, 2013.
Congressional employee .....	10.6	After December 31, 2013.
Member .....	10.6	After December 31, 2013.
Law enforcement officer, firefighter, member of the Capitol Police, member of the Supreme Court Police, or air traf- fic controller .....	11.1	After December 31, 2013.
Nuclear materials courier ..	11.1	After December 31, 2013.
Customs and border pro- tection officer .....	11.1	After December 31, 2013.”

(c) GOVERNMENT CONTRIBUTIONS.—Section 8423(a)(2) of title 5, United States Code, is amended—

(1) by striking “(2)” and inserting “(2)(A)”;

and

(2) by adding at the end the following:

“(B)(i) Subject to clauses (ii) and (iii), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this subsection shall be determined and applied as if section 401(b) of the Bipartisan Budget Act of 2013 had not been enacted.

“(ii) Any contributions under this subsection in excess of the amounts which (but for clause (i)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Civil Service Retirement System.

“(iii) After the unfunded liability of the Civil Service Retirement System has been eliminated, as determined by the Office, Government contributions under this subsection shall be determined and made disregarding this subparagraph.

“(iv) The preceding provisions of this subparagraph shall be disregarded for purposes of determining the contributions payable by the United States Postal Service and the Postal Regulatory Commission.”

(d) ANNUITY CALCULATION.—Section 8415(d) of title 5, United States Code, is amended by inserting “or a further revised annuity employee” after “a revised annuity employee”.

#### SEC. 402. FOREIGN SERVICE PENSION SYSTEM.

(a) DEFINITION.—

(1) IN GENERAL.—Section 852 of the Foreign Service Act of 1980 (22 U.S.C. 4071a) is amended—

(A) by redesignating paragraphs (8), (9), and (10) as paragraphs (9), (10), and (11), respectively; and

(B) by inserting after paragraph (7) the following:

“(8) the term ‘further revised annuity participant’ means any individual who—

“(A) on December 31, 2013—

“(i) is not a participant;

“(ii) is not performing service which is creditable service under section 854; and

“(iii) has less than 5 years creditable service under section 854; and

“(B) after December 31, 2013, becomes a participant performing service which is creditable service under section 854.”

(2) TECHNICAL AMENDMENT.—Section 852(7)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4071a(7)(B)) is amended by inserting “and before January 1, 2014,” after “after December 31, 2012.”

(b) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of the Foreign Serv-

ice Act of 1980 (22 U.S.C. 4071e(a)(2)) is amended—

(1) in subparagraph (A), by inserting “or a further revised annuity participant” after “revised annuity participant”; and

(2) by adding at the end the following:

“(C) The applicable percentage for a further revised annuity participant shall be as follows:

“11.15 ..... After December 31, 2013.”

(c) GOVERNMENT CONTRIBUTIONS.—Section 857 of the Foreign Service Act of 1980 (22 U.S.C. 4071f) is amended by adding at the end the following:

“(c)(1) Subject to paragraphs (2) and (3), for purposes of any period in any year beginning after December 31, 2013, the normal-cost percentage under this section shall be determined and applied as if section 402(b) of the Bipartisan Budget Act of 2013 had not been enacted.

“(2) Any contributions under this section in excess of the amounts which (but for paragraph (1)) would otherwise have been payable shall be applied toward reducing the unfunded liability of the Foreign Service Retirement and Disability System.

“(3) After the unfunded liability of the Foreign Service Retirement and Disability System has been eliminated, as determined by the Secretary of State, Government contributions under this section shall be determined and made disregarding this subsection.”

#### SEC. 403. ANNUAL ADJUSTMENT OF RETIRED PAY AND RETAINER PAY AMOUNTS FOR RETIRED MEMBERS OF THE ARMED FORCES UNDER AGE 62.

(a) CPI MINUS ONE PERCENT.—Section 1401a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “paragraphs (2) and (3)” and inserting “paragraph (2), (3), or (4)”;

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) REDUCED PERCENTAGE FOR RETIRED MEMBERS UNDER AGE 62.—

“(A) IN GENERAL.—Effective on December 1 of each year, the retired pay of each member and former member under 62 years of age entitled to that pay shall be adjusted in accordance with this paragraph instead of paragraph (2) or (3).

“(B) CPI MINUS ONE.—If the percent determined under paragraph (2) is greater than 1 percent, the Secretary shall increase the retired pay of each member and former member by the difference between—

“(i) the percent determined under paragraph (2); and

“(ii) 1 percent.

“(C) NO NEGATIVE ADJUSTMENT.—If the percent determined under paragraph (2) is equal to or less than 1 percent, the Secretary shall not increase the retired pay of members and former members under this paragraph.

“(D) REVISED ADJUSTMENT UPON REACHING AGE 62.—When a member or former member whose retired pay has been subject to adjustment under this paragraph becomes 62 years of age, the Secretary of Defense shall recompute the retired pay of the member or former member, to be effective on the date of the next adjustment of retired pay under this subsection, so as to be the amount equal to the amount of retired pay to which the member or former member would be entitled on that date if increases in the retired pay of the member or former member had been computed as provided in paragraph (2) or as specified in section 1410 of this title, as applicable, rather than this paragraph.

“(E) INAPPLICABILITY OF CATCH-UP RULE.—Paragraph (5) shall not apply in the case of

adjustments made, or not made, as a result of application of this paragraph.”

(b) RESTORAL OF FULL RETIREMENT AMOUNT AT AGE 62.—Section 1410(1) of title 10, United States Code, is amended by striking “paragraph (3)” and inserting “paragraph (3) or (4)”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on December 1, 2015.

#### TITLE V—HIGHER EDUCATION

##### SEC. 501. DEFAULT REDUCTION PROGRAM.

Effective July 1, 2014, section 428F(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078-6(a)(1)) is amended—

(1) in subparagraph (A), by striking clause (ii) and inserting the following:

“(ii) beginning July 1, 2014, assign the loan to the Secretary if the guaranty agency has been unable to sell the loan under clause (i).”; and

(2) in subparagraph (D), by striking clause (i) and inserting the following:

“(i) the guaranty agency—

“(I) shall, in the case of a sale made on or after July 1, 2014, repay the Secretary 100 percent of the amount of the principal balance outstanding at the time of such sale, multiplied by the reinsurance percentage in effect when payment under the guaranty agreement was made with respect to the loan; and

“(II) may, in the case of a sale made on or after July 1, 2014, in order to defray collection costs—

“(aa) charge to the borrower an amount not to exceed 16 percent of the outstanding principal and interest at the time of the loan sale; and

“(bb) retain such amount from the proceeds of the loan sale; and”.

##### SEC. 502. ELIMINATION OF NONPROFIT SERVICING CONTRACTS.

The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 456 (20 U.S.C. 1087f)—

(A) in subsection (a), by striking paragraph (4); and

(B) by striking subsection (c); and

(2) in section 458(a) (20 U.S.C. 1087h(a)), by striking paragraph (2).

#### TITLE VI—TRANSPORTATION

##### SEC. 601. AVIATION SECURITY SERVICE FEES.

(a) AIR CARRIER FEES.—

(1) REPEAL.—Section 44940(a)(2) of title 49, United States Code, is repealed.

(2) CONFORMING AMENDMENT.—Section 44940(d)(1) of such title is amended by striking “, and may impose a fee under subsection (a)(2).”

(3) EFFECTIVE DATE.—The repeal made by paragraph (1) and the amendment made by paragraph (2) shall each take effect on October 1, 2014.

(b) RESTRUCTURING OF PASSENGER FEE.—Section 44940(c) of such title is amended to read as follows:

“(c) LIMITATION ON FEE.—Fees imposed under subsection (a)(1) shall be \$5.60 per one-way trip in air transportation or intrastate air transportation that originates at an airport in the United States.”

(c) DEPOSIT OF RECEIPTS IN GENERAL FUND.—Section 44940(i) of such title is amended to read as follows:

“(i) DEPOSIT OF RECEIPTS IN GENERAL FUND.—

“(1) IN GENERAL.—Beginning in fiscal year 2014, out of fees received in a fiscal year under subsection (a)(1), after amounts are made available in the fiscal year under section 44923(h), the next funds derived from such fees in the fiscal year, in the amount specified for the fiscal year in paragraph (4), shall be credited as offsetting receipts and deposited in the general fund of the Treasury.

“(2) FEE LEVELS.—The Secretary of Homeland Security shall impose the fee authorized by subsection (a)(1) so as to collect in a fiscal year at least the amount specified in paragraph (4) for the fiscal year for making deposits under paragraph (1).

“(3) RELATIONSHIP TO OTHER PROVISIONS.—Subsections (b) and (f) shall not apply to amounts to be used for making deposits under this subsection.

“(4) FISCAL YEAR AMOUNTS.—For purposes of paragraphs (1) and (2), the fiscal year amounts are as follows:

- “(A) \$390,000,000 for fiscal year 2014.
- “(B) \$1,190,000,000 for fiscal year 2015.
- “(C) \$1,250,000,000 for fiscal year 2016.
- “(D) \$1,280,000,000 for fiscal year 2017.
- “(E) \$1,320,000,000 for fiscal year 2018.
- “(F) \$1,360,000,000 for fiscal year 2019.
- “(G) \$1,400,000,000 for fiscal year 2020.
- “(H) \$1,440,000,000 for fiscal year 2021.
- “(I) \$1,480,000,000 for fiscal year 2022.
- “(J) \$1,520,000,000 for fiscal year 2023.”.

(d) IMPOSITION OF FEE INCREASE.—The Secretary of Homeland Security shall implement the fee increase authorized by the amendment made by subsection (b)—

- (1) beginning on July 1, 2014; and
- (2) through the publication of notice of such fee in the Federal Register, notwithstanding section 9701 of title 31, United States Code, and the procedural requirements of section 553 of title 5, United States Code.

(e) CONTINUED AVAILABILITY OF EXISTING BALANCES.—The amendments made by this section shall not affect the availability of funds made available under section 44940(i) of title 49, United States Code, before the date of enactment of this Act.

#### SEC. 602. TRANSPORTATION COST REIMBURSEMENT.

(a) REPEAL.—Sections 55316 and 55317 of chapter 553 of title 46, United States Code, are repealed.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 553 of title 46, United States Code, is amended by striking the items relating to section 55316 and 55317.

#### SEC. 603. STERILE AREAS AT AIRPORTS.

Section 44903 of title 49, United States Code, is amended by adding at the end the following:

“(n) PASSENGER EXIT POINTS FROM STERILE AREA.—

“(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the Transportation Security Administration is responsible for monitoring passenger exit points from the sterile area of airports at which the Transportation Security Administration provided such monitoring as of December 1, 2013.

“(2) STERILE AREA DEFINED.—In this section, the term ‘sterile area’ has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations (or any corresponding similar regulation or ruling).”.

#### TITLE VII—MISCELLANEOUS PROVISIONS

##### SEC. 701. EXTENSION OF CUSTOMS USER FEES.

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 (A), by striking “October 22, 2021” and inserting “September 30, 2023”; and

(2) in subparagraph (B)(i), by striking “October 29, 2021” and inserting “September 30, 2023”.

##### SEC. 702. LIMITATION ON ALLOWABLE GOVERNMENT CONTRACTOR COMPENSATION COSTS.

(a) LIMITATION.—

(1) CIVILIAN CONTRACTS.—Section 4304(a)(16) of title 41, United States Code, is amended to read as follows:

“(16) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(2) DEFENSE CONTRACTS.—Section 2324(e)(1)(P) of title 10, United States Code, is amended to read as follows:

“(P) Costs of compensation of contractor and subcontractor employees for a fiscal year, regardless of the contract funding source, to the extent that such compensation exceeds \$487,000 per year, adjusted annually to reflect the change in the Employment Cost Index for all workers, as calculated by the Bureau of Labor Statistics, except that the head of an executive agency may establish one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 1127 of title 41, United States Code, is hereby repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 11 of title 41, United States Code, is amended by striking the item relating to section 1127.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply only with respect to costs of compensation incurred under contracts entered into on or after the date that is 180 days after the date of the enactment of this Act.

(d) REPORTS.—

(1) IN GENERAL.—Not later than 60 days after the end of each fiscal year, the Director of the Office of Management and Budget shall submit a report on contractor compensation to—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Armed Services of the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Oversight and Government Reform of the House of Representatives;

(E) the Committee on Appropriations of the Senate; and

(F) the Committee on Appropriations of the House of Representatives.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) the total number of contractor employees, by executive agency, in the narrowly targeted exception positions described under subsection (a) during the preceding fiscal year;

(B) the taxpayer-funded compensation amounts received by each contractor employee in a narrowly targeted exception position during such fiscal year; and

(C) the duties and services performed by contractor employees in the narrowly targeted exception positions during such fiscal year.

(e) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of the Office of Management and Budget shall report to Congress on alternative benchmarks and industry standards for compensation, including whether any such benchmarks or standards would provide a more appropriate

measure of allowable compensation for the purposes of section 2324(e)(1)(P) of title 10, United States Code, and section 4304(a)(16) of title 41, United States Code, as amended by this Act.

#### SEC. 703. PENSION BENEFIT GUARANTY CORPORATION PREMIUM RATE INCREASES.

(a) FLAT-RATE PREMIUM INCREASES.—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—

(1) in subclause (II), by striking “and” at the end;

(2) in subclause (III), by inserting “and before January 1, 2015,” after “December 31, 2013”; and

(3) by inserting after subclause (III) the following:

“(IV) for plan years beginning after December 31, 2014, and before January 1, 2016, \$57; and

“(V) for plan years beginning after December 31, 2015, and before January 1, 2017, \$64.”.

(b) FLAT-RATE PREMIUM RATE INDEXED TO WAGES.—

(1) IN GENERAL.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) by redesignating subparagraphs (G) through (J) as subparagraphs (H) through (K), respectively; and

(B) by inserting after subparagraph (F) the following:

“(G) For each plan year beginning in a calendar year after 2016, there shall be substituted for the premium rate specified in clause (i) of subparagraph (A) an amount equal to the greater of—

“(i) the product derived by multiplying the premium rate specified in clause (i) of subparagraph (A) by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2014; and

“(ii) the premium rate in effect under clause (i) of subparagraph (A) for plan years beginning in the preceding calendar year. If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”.

(2) CONFORMING AMENDMENTS.—Section 4006(a)(3)(F) of such Act (29 U.S.C. 1306(a)(3)(F)) is amended—

(A) in the matter before clause (i), by inserting “and before 2013” after “after 2006”; and

(B) in the flush text following clause (ii), by striking the second sentence.

(c) 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 clause (i), by striking “and” at the end;

(B) in clause (ii), by striking “\$5.” and inserting “\$10; and”; and

(C) by adding at the end the following:

“(iii) in the case of plan years beginning in calendar year 2016, by \$5.”.

(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 (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(iv) for plan years beginning after calendar year 2016, the amount in effect for plan years beginning in 2016 (determined after application of subparagraph (C)).”; and

(B) in subparagraph (D)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) 2014, in the case of plan years beginning after calendar year 2016.”.

(d) INCREASE IN VARIABLE RATE PREMIUM CAP.—

(1) IN GENERAL.—Section 4006(a)(3)(E)(i) of such Act (29 U.S.C. 1306(a)(3)(E)(i)) is amended—

(A) in subclause (I), by striking “and” at the end;

(B) in subclause (II)—

(i) by inserting “and before 2016” after “2012”; and

(ii) by striking the period at the end and inserting “and”; and

(C) by adding at the end the following:

“(III) in the case of plan years beginning in a calendar year after 2015, shall not exceed \$500.”.

(2) INDEX TO WAGES.—Section 4006(a)(3) of such Act (29 U.S.C. 1306(a)(3)) is amended—

(A) in subparagraph (K) (as redesignated by subsection (b)(1)(A)), by inserting “and before 2016” after “2013”; and

(B) by inserting at the end the following:

“(L) For each plan year beginning in a calendar year after 2016, there shall be substituted for the dollar amount specified in subclause (III) of subparagraph (E)(i) an amount equal to the greater of—

“(i) the product derived by multiplying such dollar amount by the ratio of—

“(I) the national average wage index (as defined in section 209(k)(1) of the Social Security Act) for the first of the 2 calendar years preceding the calendar year in which such plan year begins, to

“(II) the national average wage index (as so defined) for 2014; and

“(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of \$1, such product shall be rounded to the nearest multiple of \$1.”.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2013.

#### SEC. 704. CANCELLATION OF UNOBLIGATED BALANCES.

(a) DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of Justice Assets Forfeiture Fund, \$693,000,000 are permanently cancelled.

(b) TREASURY FORFEITURE FUND.—Effective on the date of enactment of this Act, of the unobligated balances available under the Department of the Treasury Forfeiture Fund, \$867,000,000, are permanently cancelled.

#### SEC. 705. CONSERVATION PLANNING TECHNICAL ASSISTANCE USER FEES.

(a) USER FEES AUTHORIZED.—Section 3 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590e) is amended—

(1) by striking “require—” and inserting “require the following:”;

(2) in paragraph (1), by striking the semicolon at the end and inserting a period;

(3) in paragraph (2), by striking “; and” at the end and inserting a period; and

(4) by adding at the end the following:

“(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

“(i) reasonable and appropriate;

“(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

“(iii) assessed based on the size of the land or the complexity of the resource issues involved.

“(B) Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.

“(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—

“(i) to beginning farmers or ranchers (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a));

“(ii) to limited resource farmers or ranchers (as defined by the Secretary);

“(iii) to socially disadvantaged farmers or ranchers (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e));

“(iv) to qualify for an exemption from ineligibility under section 1212 of the Food Security Act of 1985 (16 U.S.C. 3812); or

“(v) to comply with Federal, State, or local regulatory requirements.”.

(b) CONSERVATION TECHNICAL ASSISTANCE FUND.—Section 6 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590f) is amended—

(1) by striking “SEC. 6.” and all that follows through “There are hereby authorized” and inserting the following:

#### “SEC. 6. AUTHORIZATION OF APPROPRIATIONS AND CONSERVATION TECHNICAL ASSISTANCE FUNDS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized”; and

(2) by adding at the end the following:

“(b) CONSERVATION TECHNICAL ASSISTANCE FUND.—

“(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ‘Conservation Technical Assistance Fund’ (referred to in this subsection as the ‘Fund’), to be administered by the Secretary of Agriculture.

“(2) DEPOSITS.—An amount equal to the amounts collected as fees under section 3(4) and late payments, interest, and such other amounts as are authorized to be collected pursuant to section 3717 of title 31, United States Code, shall be deposited in the Fund.

“(3) AVAILABILITY.—Amounts in the Fund shall—

“(A) only be available to the extent and in the amount provided in advance in appropriations Acts;

“(B) be used for the costs of carrying out this Act; and

“(C) remain available until expended.”.

#### SEC. 706. SELF PLUS ONE COVERAGE.

(a) ELECTION OF COVERAGE.—Section 8905 of title 5, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) An employee may enroll in an approved health benefits plan described in section 8903 or 8903a—

“(1) as an individual;

“(2) for self plus one; or

“(3) for self and family.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter following subparagraph (B), by inserting “for self plus one or” before “self and family as provided in paragraph (2) of this subsection”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “for self plus one or” before “for self and family”; and

(ii) in subparagraph (B), by inserting “(or, in the case of self plus one coverage, not more than 1 such child)” after “adopted children”;

(3) in subsection (e), by striking “or each spouse may enroll as an individual” and inserting “or for a self plus one enrollment that covers the spouse, or each spouse may enroll as an individual or for a self plus one

enrollment that does not cover the other spouse or a child who is covered under the enrollment of the other spouse”; and

(4) in subsection (h)—

(A) by striking “self and family enrollment” each place it appears and inserting “self plus one or self and family enrollment, as necessary to provide health insurance coverage for each child who is covered under the order.”;

(B) by striking “a child” each place it appears and inserting “1 or more children”;

(C) by striking “the child resides” each place it appears and inserting “the child or children reside”;

(D) in paragraph (1), by striking “self and family coverage” each place it appears and inserting “self plus one or self and family coverage, as necessary to provide health insurance coverage for each child who is covered under the order.”; and

(E) in paragraph (3), by striking “the child continues” and inserting “the child or children continue”.

(b) CONTINUED COVERAGE.—Section 8905a of title 5, United States Code, is amended—

(1) in subsection (d)(3)(A), by inserting “for self plus one or” before “for self and family”; and

(2) in subsection (f)(3)(A), by striking “for self and family based on such person’s separation from service” and inserting “based on such person’s separation from service under a self plus one enrollment that covered the individual or under a self and family enrollment”.

(c) CONTRIBUTIONS.—Section 8906(a)(1) of title 5, United States Code is amended—

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

(2) by redesignating subparagraph (B) as subparagraph (C); and

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

“(B) enrollments under this chapter for self plus one; and”.

(d) WEIGHTED AVERAGE FOR FIRST YEAR.—For the first contract year for which an employee may enroll for self plus one coverage under chapter 89 of title 5, United States Code, the Office of Personnel Management shall determine the weighted average of the subscription charges that will be in effect for the contract year for enrollments for self plus one under such chapter based on an actuarial analysis.

#### DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

##### SEC. 1001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the “Pathway for SGR Reform Act of 2013”.

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

#### DIVISION B—MEDICARE AND OTHER HEALTH PROVISIONS

Sec. 1001. Short title; table of contents.

Sec. 1002. Findings; purpose statement.

#### TITLE I—MEDICARE EXTENDERS

Sec. 1101. Physician payment update.

Sec. 1102. Extension of work GPCI floor.

Sec. 1103. Extension of therapy cap exceptions process.

Sec. 1104. Extension of ambulance add-ons.

Sec. 1105. Medicare inpatient hospital payment adjustment for low-volume hospitals.

Sec. 1106. Medicare-dependent hospital (MDH) program.

Sec. 1107. 1-year extension of authorization for special needs plans.

Sec. 1108. 1-year extension of Medicare reasonable cost contracts.

Sec. 1109. Extension of existing funding for contract with consensus-based entity.

Sec. 1110. Extension of funding outreach and assistance for low-income programs.

**TITLE II—OTHER HEALTH PROVISIONS**

- Sec. 1201. Extension of the qualifying individual (QI) program.
- Sec. 1202. Temporary extension of transitional medical assistance (TMA).
- Sec. 1203. Extension of funding for family-to-family health information centers.
- Sec. 1204. Delay of reductions to Medicaid DSH allotments.
- Sec. 1205. Realignment of the Medicare sequester for fiscal year 2023.
- Sec. 1206. Payment for inpatient services in long-term care hospitals (LTCHs).

**SEC. 1002. FINDINGS; PURPOSE STATEMENT.**

In order to support the provision of quality care for our nations seniors, Congress finds it appropriate to reform physician reimbursements under the Medicare program. SGR reform legislation provides such an opportunity, but not until next year. In order to facilitate such reform, Congress finds that the Centers for Medicare & Medicaid Services should continue to focus its efforts on the following areas:

(1) **SIMPLIFY AND REDUCE ADMINISTRATIVE BURDEN ON PHYSICIANS.**—The application and assessment of measures and other activities under SGR reform should be facilitated by the Centers for Medicare and Medicaid Services (CMS) in a way that accounts for the administrative burden such measurement places on physicians. Therefore, the Congress encourages CMS to identify and implement, to the extent practicable, mechanisms to ensure that the application and assessment of measures be coordinated across programs.

(2) **TIMELY FEEDBACK FOR PHYSICIANS.**—In order for measure and assessment programs to encourage the highest quality care for Medicare seniors, the Congress finds it critical that CMS provide physicians with feedback on performance in as close to real time as possible. Such timely feedback will ensure that physicians can excel under a system of meaningful measurement.

(3) **ENCOURAGE DEVELOPMENT OF NEW MODELS.**—There is great need to test alternatives to Fee-For-Service reimbursement in the Medicare program. One option is the promotion and adoption of new models of care for physicians. To date, there has been significant development and testing of models for primary care. Congress supports these efforts and encourages them to continue in the future. Congress also encourages the development and testing of models of specialty care.

**TITLE I—MEDICARE EXTENDERS**

**SEC. 1101. PHYSICIAN PAYMENT UPDATE.**

Section 1848(d) of the Social Security Act (42 U.S.C. 101395w-4(d)) is amended by adding at the end the following new paragraph:

“(15) **UPDATE FOR JANUARY THROUGH MARCH OF 2014.**—

“(A) **IN GENERAL.**—Subject to paragraphs (7)(B), (8)(B), (9)(B), (10)(B), (11)(B), (12)(B), (13)(B), and (14)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would otherwise apply for 2014 for the period beginning on January 1, 2014, and ending on March 31, 2014, the update to the single conversion factor shall be 0.5 percent.

“(B) **NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2014 AND SUBSEQUENT YEARS.**—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on April 1, 2014, and ending on December 31, 2014, and for 2015 and subsequent

years as if subparagraph (A) had never applied.”.

**SEC. 1102. EXTENSION OF WORK GPCI FLOOR.**

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w-4(e)(1)(E)) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

**SEC. 1103. EXTENSION OF THERAPY CAP EXCEPTIONS PROCESS.**

Section 1833(g) of the Social Security Act (42 U.S.C. 1395l(g)) is amended—

(1) in paragraph (5)(A), in the first sentence, by striking “December 31, 2013” and inserting “March 31, 2014”; and

(2) in paragraph (6)(A)—  
(A) by striking “December 31, 2013” and inserting “March 31, 2014”; and  
(B) by striking “or 2013” and inserting “, 2013, or the first three months of 2014”.

**SEC. 1104. EXTENSION OF AMBULANCE ADD-ONS.**

(a) **GROUND AMBULANCE.**—Section 1834(l)(13)(A) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)) is amended—

(1) in the matter preceding clause (i), by striking “January 1, 2014” and inserting “April 1, 2014”; and

(2) in each of clauses (i) and (ii), by striking “January 1, 2014” and inserting “April 1, 2014” each place it appears.

(b) **SUPER RURAL GROUND AMBULANCE.**—Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking “January 1, 2014” and inserting “April 1, 2014”.

**SEC. 1105. MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR LOW-VOLUME HOSPITALS.**

Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking “fiscal year 2014 and subsequent fiscal years” and inserting “the portion of fiscal year 2014 beginning on April 1, 2014, fiscal year 2015, and subsequent fiscal years”;

(2) in subparagraph (C)(i)—  
(A) by inserting “and the portion of fiscal year 2014 before” after “and 2013,” each place it appears; and  
(B) by inserting “or portion of fiscal year” after “during the fiscal year”; and  
(3) in subparagraph (D)—

(A) by inserting “and the portion of fiscal year 2014 before April 1, 2014,” after “and 2013.”; and  
(B) by inserting “or the portion of fiscal year” after “in the fiscal year”.

**SEC. 1106. MEDICARE-DEPENDENT HOSPITAL (MDH) PROGRAM.**

(a) **IN GENERAL.**—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking “October 1, 2013” and inserting “April 1, 2014”; and  
(2) in clause (ii)(II), by striking “October 1, 2013” and inserting “April 1, 2014”.

(b) **CONFORMING AMENDMENTS.**—

(1) **EXTENSION OF TARGET AMOUNT.**—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking “October 1, 2013” and inserting “April 1, 2014”; and  
(B) in clause (iv), by inserting “and the portion of fiscal year 2014 before April 1, 2014” after “through fiscal year 2013”.

(2) **PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.**—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking “through fiscal year 2013” and inserting “through the first 2 quarters of fiscal year 2014”.

**SEC. 1107. 1-YEAR EXTENSION OF AUTHORIZATION FOR SPECIAL NEEDS PLANS.**

Section 1859(f)(1) of the Social Security Act (42 U.S.C. 1395w-28(f)(1)) is amended by striking “2015” and inserting “2016”.

**SEC. 1108. 1-YEAR EXTENSION OF MEDICARE REASONABLE COST CONTRACTS.**

Section 1876(h)(5)(C)(ii) of the Social Security Act (42 U.S.C. 1395mm(h)(5)(C)(ii)) is amended, in the matter preceding subclause (I), by striking “January 1, 2014” and inserting “January 1, 2015”.

**SEC. 1109. EXTENSION OF EXISTING FUNDING FOR CONTRACT WITH CONSENSUS-BASED ENTITY.**

Section 1890(d) of the Social Security Act (42 U.S.C. 1395aaa(d)) is amended by adding at the end the following new sentence: “Amounts transferred under the preceding sentence shall remain available until expended.”.

**SEC. 1110. EXTENSION OF FUNDING OUTREACH AND ASSISTANCE FOR LOW-INCOME PROGRAMS.**

(a) **ADDITIONAL FUNDING FOR STATE HEALTH INSURANCE PROGRAMS.**—Subsection (a)(1)(B) of section 119 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395b-3 note), as amended by section 3306 of the Patient Protection and Affordable Care Act Public Law 111-148) and section 610 of the American Taxpayer Relief Act of 2012 (Public Law 112-240), is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$3,750,000.”.

(b) **ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.**—Subsection (b)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$3,750,000.”.

(c) **ADDITIONAL FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS.**—Subsection (c)(1)(B) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$2,500,000.”.

(d) **ADDITIONAL FUNDING FOR CONTRACT WITH THE NATIONAL CENTER FOR BENEFITS AND OUTREACH ENROLLMENT.**—Subsection (d)(2) of such section 119, as so amended, is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (iii) the following new clause:

“(iv) for the portion of fiscal year 2014 before April 1, 2014, of \$2,500,000.”.

**TITLE II—OTHER HEALTH PROVISIONS**

**SEC. 1201. EXTENSION OF THE QUALIFYING INDIVIDUAL (QI) PROGRAM.**

(a) **EXTENSION.**—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking “December 2013” and inserting “March 2014”.

(b) **EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.**—Section 1933(g) of the Social Security Act (42 U.S.C. 1396u-3(g)) is amended—

(1) in paragraph (2)—  
(A) in subparagraph (S), by striking “and” after the semicolon;

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

(C) by adding at the end the following new subparagraph:

“(U) for the period that begins on January 1, 2014, and ends on March 31, 2014, the total allocation amount is \$200,000,000.”.

**SEC. 1202. TEMPORARY EXTENSION OF TRANSITIONAL MEDICAL ASSISTANCE (TMA).**

Sections 1902(e)(1)(B) and 1925(f) of the Social Security Act (42 U.S.C. 1396a(e)(1)(B), 1396r-6(f)) are each amended by striking “December 31, 2013” and inserting “March 31, 2014”.

**SEC. 1203. EXTENSION OF FUNDING FOR FAMILY-TO-FAMILY HEALTH INFORMATION CENTERS.**

Section 501(c)(1)(A) of the Social Security Act (42 U.S.C. 701(c)(1)(A)) is amended—

(1) in clause (ii), by striking at the end “and”;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iv) \$2,500,000 for the portion of fiscal year 2014 before April 1, 2014.”.

**SEC. 1204. DELAY OF REDUCTIONS TO MEDICAID DSH ALLOTMENTS.**

(A) IN GENERAL.—Section 1923(f) of the Social Security Act (42 U.S.C. 1396r-4(f)) is amended—

(1) in paragraph (7)(A)—

(A) in clause (i), by striking “2014” and inserting “2016”; and

(B) in clause (ii)—

(i) by striking subclauses (I) and (II);

(ii) by redesignating subclauses (III) through (VII) as subclauses (I) through (V), respectively; and

(iii) in subclause (I) (as redesignated by clause (ii)), by striking “\$600,000,000” and inserting “\$1,200,000,000”; and

(2) in paragraph (8)—

(A) by redesignating subparagraph (C) as subparagraph (D);

(B) by inserting after subparagraph (B) the following new subparagraph:

“(C) FISCAL YEAR 2023.—Only with respect to fiscal year 2023, the DSH allotment for a State, in lieu of the amount determined under paragraph (3) for the State for that year, shall be equal to the DSH allotment for the State for fiscal year 2022, as determined under subparagraph (B), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2022.”; and

(C) in subparagraph (D) (as redesignated by subparagraph (A)), by striking “fiscal year 2022” and inserting “fiscal year 2023”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as of October 1, 2013.

**SEC. 1205. REALIGNMENT OF THE MEDICARE SEQUESTER FOR FISCAL YEAR 2023.**

Paragraph (6) (relating to implementing direct spending reductions, as redesignated by section 101(d)(2)(C), and as amended by section 101(c), of the Bipartisan Budget Act of 2013) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by adding at the end the following new subparagraph:

“(C) Notwithstanding the 2 percent limit specified in subparagraph (A) for payments for the Medicare programs specified in section 256(d), the sequestration order of the President under such subparagraph for fiscal year 2023 shall be applied to such payments so that—

“(i) with respect to the first 6 months in which such order is effective for such fiscal year, the payment reduction shall be 2.90 percent; and

“(ii) with respect to the second 6 months in which such order is so effective for such fis-

cal year, the payment reduction shall be 1.11 percent.”.

**SEC. 1206. PAYMENT FOR INPATIENT SERVICES IN LONG-TERM CARE HOSPITALS (LTCHS).**

(A) ESTABLISHMENT OF CRITERIA FOR APPLICATION OF SITE NEUTRAL PAYMENT.—

(1) IN GENERAL.—Section 1886(m) of the Social Security Act (42 U.S.C. 1395ww(m)) is amended by adding at the end the following:

“(6) APPLICATION OF SITE NEUTRAL IPPS PAYMENT RATE IN CERTAIN CASES.—

“(A) GENERAL APPLICATION OF SITE NEUTRAL IPPS PAYMENT AMOUNT FOR DISCHARGES FAILING TO MEET APPLICABLE CRITERIA.—

“(i) IN GENERAL.—For a discharge in cost reporting periods beginning on or after October 1, 2015, except as provided in clause (ii) and subparagraph (C), payment under this title to a long-term care hospital for inpatient hospital services shall be made at the applicable site neutral payment rate (as defined in subparagraph (B)).

“(ii) EXCEPTION FOR CERTAIN DISCHARGES MEETING CRITERIA.—Clause (i) shall not apply (and payment shall be made to a long-term care hospital without regard to this paragraph) for a discharge if—

“(I) the discharge meets the ICU criterion under clause (iii) or the ventilator criterion under clause (iv); and

“(II) the discharge does not have a principal diagnosis relating to a psychiatric diagnosis or to rehabilitation.

“(iii) INTENSIVE CARE UNIT (ICU) CRITERION.—

“(I) IN GENERAL.—The criterion specified in this clause (in this paragraph referred to as the ‘ICU criterion’), for a discharge from a long-term care hospital, is that the stay in the long-term care hospital ending with such discharge was immediately preceded by a discharge from a stay in a subsection (d) hospital that included at least 3 days in an intensive care unit (ICU), as determined by the Secretary.

“(II) DETERMINING ICU DAYS.—In determining intensive care unit days under subclause (I), the Secretary shall use data from revenue center codes 020x or 021x (or such successor codes as the Secretary may establish).

“(iv) VENTILATOR CRITERION.—The criterion specified in this clause (in this paragraph referred to as the ‘ventilator criterion’), for a discharge from a long-term care hospital, is that—

“(I) the stay in the long-term care hospital ending with such discharge was immediately preceded by a discharge from a stay in a subsection (d) hospital; and

“(II) the individual discharged was assigned to a Medicare-Severity-Long-Term-Care-Diagnosis-Related-Group (MS-LTC-DRG) based on the receipt of ventilator services of at least 96 hours.

“(B) APPLICABLE SITE NEUTRAL PAYMENT RATE DEFINED.—

“(i) IN GENERAL.—In this paragraph, the term ‘applicable site neutral payment rate’ means—

“(I) for discharges in cost reporting periods beginning during fiscal year 2016 or fiscal year 2017, the blended payment rate specified in clause (iii); and

“(II) for discharges in cost reporting periods beginning during fiscal year 2018 or a subsequent fiscal year, the site neutral payment rate (as defined in clause (ii)).

“(ii) SITE NEUTRAL PAYMENT RATE DEFINED.—In this paragraph, the term ‘site neutral payment rate’ means the lower of—

“(I) the IPPS comparable per diem amount determined under paragraph (d)(4) of section 412.529 of title 42, Code of Federal Regulations, including any applicable outlier payments under section 412.525 of such title; or

“(II) 100 percent of the estimated cost for the services involved.

“(iii) BLENDED PAYMENT RATE.—The blended payment rate specified in this clause, for a long-term care hospital for inpatient hospital services for a discharge, is comprised of—

“(I) half of the site neutral payment rate (as defined in clause (ii)) for the discharge; and

“(II) half of the payment rate that would otherwise be applicable to such discharge without regard to this paragraph, as determined by the Secretary.

“(C) LIMITING PAYMENT FOR ALL HOSPITAL DISCHARGES TO SITE NEUTRAL PAYMENT RATE FOR HOSPITALS FAILING TO MEET APPLICABLE LTCH DISCHARGE THRESHOLDS.—

“(i) NOTICE OF LTCH DISCHARGE PAYMENT PERCENTAGE.—For cost reporting periods beginning during or after fiscal year 2016, the Secretary shall inform each long-term care hospital of its LTCH discharge payment percentage (as defined in clause (iv)) for such period.

“(ii) LIMITATION.—For cost reporting periods beginning during or after fiscal year 2020, if the Secretary determines for a long-term care hospital that its LTCH discharge payment percentage for the period is not at least 50 percent—

“(I) the Secretary shall inform the hospital of such fact; and

“(II) subject to clause (iii), for all discharges in the hospital in each succeeding cost reporting period, the payment amount under this subsection shall be the payment amount that would apply under subsection (d) for the discharge if the hospital were a subsection (d) hospital.

“(iii) PROCESS FOR REINSTATEMENT.—The Secretary shall establish a process whereby a long-term care hospital may seek to and have the provisions of subclause (II) of clause (i) discontinued with respect to that hospital.

“(iv) LTCH DISCHARGE PAYMENT PERCENTAGE.—In this subparagraph, the term ‘LTCH discharge payment percentage’ means, with respect to a long-term care hospital for a cost reporting period beginning during or after fiscal year 2020, the ratio (expressed as a percentage) of—

“(I) the number of discharges for such hospital and period for which payment is not made at the site neutral payment rate, to

“(II) the total number of discharges for such hospital and period.

“(D) INCLUSION OF SUBSECTION (D) PUERTO RICO HOSPITALS.—In this paragraph, any reference in this paragraph to a subsection (d) hospital shall be deemed to include a reference to a subsection (d) Puerto Rico hospital.”.

(2) MEDPAC STUDY AND REPORT ON IMPACT OF CHANGES.—

(A) STUDY.—The Medicare Payment Assessment Commission shall examine the effect of applying section 1886(m)(6) of the Social Security Act, as added by the amendment made by paragraph (1), on—

(i) the quality of patient care in long-term care hospitals;

(ii) the use of hospice care and post-acute care settings;

(iii) different types of long-term care hospitals; and

(iv) the growth in Medicare spending for services in such hospitals.

(B) REPORT.—Not later than June 30, 2019, the Commission shall submit to Congress a report on such study. The Commission shall include in such report such recommendations for changes in the application of such section as the Commission deems appropriate as well as the impact of the application of such section on the need to continue applying the 25 percent rule described under

sections 412.534 and 412.536 of title 42, Code of Federal Regulations.

(3) CALCULATION OF LENGTH OF STAY EXCLUDING CASES PAID ON A SITE NEUTRAL BASIS.—

(A) IN GENERAL.—For discharges occurring in cost reporting periods beginning on or after October 1, 2015, subject to subparagraph (B), in calculating the length of stay requirement applicable to a long-term care hospital or satellite facility under section 1886(d)(1)(B)(iv)(I) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)(iv)(I)) and section 1861(ccc)(2) of such Act (42 U.S.C. 1395x(ccc)(2)), the Secretary of Health and Human Services shall exclude the following:

(i) SITE NEUTRAL PAYMENT.—Any patient for whom payment is made at the site neutral payment rate (as defined in section 1886(m)(6)(B)(ii) of such Act, as added by paragraph (1)).

(ii) MEDICARE ADVANTAGE.—Any patient for whom payment is made under a Medicare Advantage plan under part C of title XVIII of such Act.

(B) LIMITATION ON CONVERTING SUBSECTION (D) HOSPITALS.—Subparagraph (A) shall not apply to a hospital that is classified as of December 10, 2013, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act, 42 U.S.C. 1395ww(d)(1)(B)) for purposes of determining whether the requirements of section 1886(d)(1)(B)(iv)(I) or 1861(ccc)(2) of such Act (42 U.S.C. 1395ww(d)(1)(B)(iv)(I), 1395x(ccc)(2)) are met.

(b) EXTENSION OF CERTAIN LTCH PAYMENT RULES AND MORATORIUM ON THE ESTABLISHMENT OF CERTAIN HOSPITALS AND FACILITIES.—

(1) EXTENSION OF CERTAIN PAYMENT RULES.—

(A) PAYMENT FOR HOSPITALS-WITHIN-HOSPITALS.—Paragraph (2)(C) of section 114(c) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(a) and 10312(a) of Public Law 111-148, is amended by striking “5-year period” and inserting “9-year period”.

(B) 25 PERCENT PATIENT THRESHOLD PAYMENT ADJUSTMENT; MAKING THE GRANDFATHERED EXEMPTION FOR LONG-TERM CARE HOSPITALS PERMANENT.—Section 114(c)(1) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(a) and 10312(a) of Public Law 111-148, is amended—

(i) in the matter preceding subparagraph (A), by striking “for a 5-year period”; and

(ii) in subparagraph (A), by inserting “for a 9-year period,” before “section 412.536”.

(C) REPORT ASSESSING CONTINUED SUSPENSION OF 25 PERCENT RULE.—Not later than 1 year before the end of the 9-year period referred to in section 114(c)(1) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by subparagraph (B), the Secretary of Health and Human Services shall submit to Congress a report on the need for any further extensions (or modifications of the extensions) of the 25 percent rule described in sections 412.534 and 412.536 of title 42, Code of Federal Regulations, particularly taking into account the application of section 1886(m)(6) of the Social Security Act, as added by subsection (a)(1).

(2) EXTENSION OF MORATORIUM ON ESTABLISHMENT OF AND INCREASE IN BEDS FOR LTCHS.—Section 114(d) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(b) and 10312(b) of Public Law 111-148, is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting after “5-year period” the following: “(and for the period beginning January 1, 2015, and ending September 30, 2017)”; and

(B) by adding at the end the following new paragraph:

“(6) LIMITATION ON APPLICATION OF EXCEPTIONS.—Paragraphs (2) and (3) shall not apply during the period beginning January 1, 2015, and ending September 30, 2017.”

(c) ADDITIONAL QUALITY MEASURE.—Section 1886(m)(5)(D) of the Social Security Act (42 U.S.C. 1395ww(m)(5)(D)) is amended by adding at the end the following new clause:

“(iv) ADDITIONAL QUALITY MEASURES.—Not later than October 1, 2015, the Secretary shall establish a functional status quality measure for change in mobility among inpatients requiring ventilator support.”

(d) REVIEW OF TREATMENT OF CERTAIN LTCHS.—

(1) EVALUATION.—As part of the annual rulemaking for fiscal year 2015 or fiscal year 2016 to carry out the payment rates under subsection (d) of section 1886 of the Social Security Act (42 U.S.C. 1395ww), the Secretary shall evaluate both the payment rates and regulations governing hospitals which are classified under subclause (II) of subsection (d)(1)(B)(iv) of such section.

(2) ADJUSTMENT AUTHORITY.—Based upon such evaluation, the Secretary may adjust payment rates under subsection (b)(3) of section 1886 of the Social Security Act (42 U.S.C. 1395ww) for a hospital so classified (such as payment based upon the TEFRA payment model) and may adjust the regulations governing such hospitals, including applying the regulations governing hospitals which are classified under clause (I) of subsection (d)(1)(B) of such section.

The SPEAKER pro tempore. Pursuant to House Resolution 438, the motion shall be debatable for 70 minutes, with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 30 minutes. The gentleman from Michigan (Mr. UPTON) and the gentleman from California (Mr. WAXMAN) each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

#### GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of House Joint Resolution 59.

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

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 3 minutes.

I rise on behalf of the bipartisan budget agreement. This is the first time since 1986 that a divided Congress has done what we are about to do.

Here is what the bill does:

It reduces the deficit by \$23 billion; it does not raise taxes; and it cuts spending in a smarter way. We take temporary across-the-board cuts, and we replace them with targeted permanent reforms, and these reforms take place immediately.

First, we cut waste: for instance, we stop paying Medicaid bills that deadbeat dads ought to cover; we stop sending unemployment checks to criminals;

Second, we go after corporate welfare: we eliminate a government program for energy companies; we eliminate a special carveout in the student loan program;

Third, we start to address the real problem, and that is autopilot spending: we ask new Federal employees to contribute a little more to their retirements; we ask private companies to cover a little bit more of their own pension guarantees.

These savings build up over time, and this bill saves more than if we did nothing.

This bill isn't as far as I would like. It is not near the breadth and the scope of the budget that we passed earlier, but that is how it works in divided government. That is the nature of compromise. In a divided government, you don't get everything you want, but I think this bill is a firm step in the right direction. It is not perfect. It is a start. That is how it works in divided government. I also think, Mr. Speaker, it gives us the added benefit of preventing Washington's lurch from crisis to crisis. We are bringing stability to the budget process, and that stability will help build confidence, and that confidence will help our economy.

I will be the first to admit that we have a lot more work to do. I have been bringing budgets to this floor for 5 years that balance the budget, that pay off the debt, that reform our entitlement programs. That is what we want to do. That is what we are going to keep working on doing, but in this divided government, we are going to take the steps we can take, and this step, we think, is one in the right direction. We need to help strengthen the economy. We need to help create jobs and take-home pay.

The bottom line is: this first step is designed to help improve people's lives. It is designed to make this government work at a basic functioning level, and by passing this, we will reduce the deficit.

We came here to get something done. We always lock horns. We always argue. We never agree. I think it is about time, for once in a long time, we find common ground and agree. That is what this bill does, and that is what I ask my colleagues to consider, and I ask them to support this agreement.

With that, I reserve the balance of my time.

Section 203 restricts access to the Death Master File, DMF, which is a list of deceased individuals maintained by the Social Security Administration.

This provision charges the Secretary of Commerce with establishing a program to restrict access to the information contained on the DMF for a three-year period beginning on the date of an individual's death, except to persons who are certified under the program. Under the program, persons certified by the

Secretary of Commerce to have a fraud prevention interest or other legitimate need for the information and agree to maintain the information under significant safeguards may continue to access DMF information on a current basis. The provision also provides for penalties in cases of unauthorized disclosures or uses of DMF information by certified persons. Finally, the provision also brings the DMF within the scope of the exemptions available under the Freedom of Information Act to ensure that Federal agencies do not disclose the information about deceased individuals maintained by SSA or contained in the DMF, except to recipients who are certified persons.

In implementing this section, the Department of Commerce should promulgate regulations establishing and providing guidelines for the certification program and provide sufficient time for legitimate current users of DMF information to comment on the regulations, especially as it relates to the timing of the effective-

ness of this Section and as it relates to the authority to release the Death Master File to the public.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title and table of contents.

Subsection 1(a) provides that the short title of this Act is “Bipartisan Budget Act of 2013”.

Subsection 1(b) sets forth the table of contents for the Act.

TITLE I—BUDGET ENFORCEMENT

Subtitle A—Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985

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

The limits on discretionary spending are established in section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA). The limits are subdivided in each fiscal year into two categories: revised security category and revised nonsecurity category. The revised security category

is defined to be the National Defense budget function (Function 050) which includes funding for the Department of Defense, the nuclear weapons-related work of the Department of Energy, the intelligence community, and the national security elements of the Departments of Commerce, Justice, Homeland Security, and several independent agencies. The Department of Defense (including the intelligence community) usually receives approximately 95.5 percent of the budget authority in this function. The revised nonsecurity category is all discretionary spending not contained in the revised security category.

Subsection 101(a) amends section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 to increase the limits on discretionary spending for fiscal years 2014 and 2015. The revised levels for each category are shown in Table 1. The section also restates for clarity the current law caps for fiscal years 2016–2021.

TABLE 1. CAPS ON DISCRETIONARY BUDGET AUTHORITY

	Revised Security		Revised Nonsecurity	
	2014	2015	2014	2015
Current Law .....	\$498,082,000,000	\$512,046,000,000	\$469,391,000,000	\$483,130,000,000
Proposed Cap .....	\$520,464,000,000	\$521,272,000,000	\$491,773,000,000	\$492,356,000,000

In addition to the limits on discretionary spending, the BCA also includes a sequester of mandatory, or direct, spending, the size of which interacts with the discretionary spending levels. Subsection 101(b) provides for the implementation of this sequester of mandatory spending as if the amendments in subsection 101(a) had not been made. In other words, it is the intent of this Act that the President implement the sequester of mandatory spending that was ordered on April 10, 2013 (as corrected on May 20, 2013) and the one that will be ordered in the Sequestration Preview Report for Fiscal Year 2015 as if the amendments in subsection 101(a) had not been made.

Subsection 101(c) reduces spending by \$28 billion by requiring the President to sequester the same percentage of mandatory budgetary resources in 2022 and 2023 as will be sequestered in 2021.

Subsection 101(d) makes various conforming changes.

Subtitle B—Establishing a Congressional Budget

Sec. 111. Fiscal year 2014 budget resolution.

Subsection 111(a) establishes a congressional budget for fiscal year 2014.

Subsection 111(b) provides that the chairs of the House and Senate Committees on the Budget shall each submit for publication in the Congressional Record allocations of budgetary resources for each congressional committee and aggregate spending and revenue levels that will be enforceable as if included in a conference agreement on a budget resolution. Consistent with the disparate practices in the House and Senate, the Chairman of the Senate Committee on the Budget shall also publish levels of revenues and outlays for Social Security.

The submissions pursuant to this section are to be consistent with the discretionary spending limits established in the Act and the Congressional Budget Office’s May 2013 baseline adjusted for legislation enacted subsequent to the publication of that baseline and adjusted for the budgetary effects of this Act, as applicable to the various parts of the submissions.

In addition, subsection 111(c) provides that in the House, the Chairman of the Budget Committee may reduce the aggregates, allocations, and other budgetary levels included

in the statement required to be submitted pursuant to this section for the subsequent enactment of any additional deficit-reducing legislation during the 113th Congress.

Sec. 112. Limitation on advance appropriations in the Senate.

Section 112 provides a supermajority point of order in the Senate against appropriations in 2014 bills that would first become effective in any year after 2014, and against appropriations in 2015 bills that would first become effective in any year after 2015. It does not apply against appropriations for veterans’ medical services, medical support and compliance, or medical facilities, or the Corporation for Public Broadcasting. Additionally, there is an exemption for each of 2015 and 2016 of up to \$28.852 billion for programs identified in the Congressional Record. Those programs will be:

Labor, Health and Human Services, and Education Appropriations Act:

- Employment and Training Administration
- Job Corps
- Education for the Disadvantaged
- School Improvement
- Special Education
- Career, Technical, and Adult Education
- Financial Services and General Government:
  - Payment to Postal Service
- Transportation, Housing and Urban Development:

- Tenant-based Rental Assistance
  - Project-based Rental Assistance
- Subsection 112(b) provides that the provisions of subsection (a) shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and the House.

Sec. 113. Rule of construction in the House of Representatives.

Section 113 establishes that H. Con. Res. 25, as deemed in force by H. Res. 243, remains in force to the extent that its budgetary levels have not been superseded by this subtitle or further action of the House. Items that remain in force include, but are not limited to, the recommended levels contained in Title III, the reserve funds in Title IV, the estimates of direct spending in Title V, the budget enforcement matters in Title VI, and the policy statements in title VII of H. Con. Res. 25.

Sec. 114. Additional Senate budget enforcement.

Subsection 114(a) provides for the elimination of any balances on the Senate pay-as-you-go scorecard following enactment of this Act and again for purposes of budget year 2015.

Subsection 114(b) provides for the continuance in effect of certain provisions of the fiscal year 2010 budget resolution relating to the budgetary treatment of certain discretionary expenses of certain off-budget programs; the application and effect of changes in allocations and aggregates; and adjustments to reflect changes in concepts and definitions.

Subsection 114(c) establishes in the Senate only a deficit neutral reserve fund to replace sequestration.

Subsection 114(d) places into effect certain deficit-neutral reserve funds included in S. Con. Res. 8 (113th Congress). Those provisions are listed in table 2.

TABLE 2. DEFICIT-NEUTRAL RESERVE FUNDS IN THE SENATE

[Section numbers reference S. Con. Res. 8 (113th Congress).]

- Sec. 302. Deficit-neutral reserve funds to promote employment and job growth.
- Sec. 303. Deficit-neutral reserve funds to assist working families and children.
- Sec. 304. Deficit-neutral reserve funds for early childhood education.
- Sec. 305. Deficit-neutral reserve fund for tax relief.
- Sec. 306. Reserve fund for tax reform.
- Sec. 307. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
- Sec. 308. Deficit-neutral reserve fund for investments in America’s infrastructure.
- Sec. 309. Deficit-neutral reserve fund for America’s servicemembers and veterans.
- Sec. 310. Deficit-neutral reserve fund for higher education.
- Sec. 311. Deficit-neutral reserve funds for health care.
- Sec. 312. Deficit-neutral reserve fund for investments in our Nation’s counties and schools.
- Sec. 313. Deficit-neutral reserve fund for a farm bill.
- Sec. 314. Deficit-neutral reserve fund for investments in water infrastructure and resources.
- Sec. 315. Deficit-neutral reserve fund for pension reform.
- Sec. 316. Deficit-neutral reserve fund for housing finance reform.
- Sec. 317. Deficit-neutral reserve fund for national security.
- Sec. 318. Deficit-neutral reserve fund for overseas contingency operations.
- Sec. 319. Deficit-neutral reserve fund for terrorism risk insurance.
- Sec. 320. Deficit-neutral reserve fund for postal reform.
- Sec. 322. Deficit-neutral reserve fund to improve Federal benefit processing.
- Sec. 323. Deficit-neutral reserve fund for legislation to improve voter registration and the voting experience in Federal elections.
- Sec. 324. Deficit-reduction reserve fund to promote corporate tax fairness.

TABLE 2. DEFICIT-NEUTRAL RESERVE FUNDS IN THE SENATE—Continued

[Section numbers reference S. Con. Res. 8 (113th Congress).]

Sec. 325. Deficit-neutral reserve fund for improving Federal forest management.
Sec. 326. Deficit-neutral reserve fund for financial transparency.
Sec. 327. Deficit-neutral reserve fund to promote manufacturing in the United States.
Sec. 328. Deficit-reduction reserve fund for report elimination or modification.
Sec. 329. Deficit-neutral reserve fund for the minimum wage.
Sec. 330. Deficit-neutral reserve fund to improve health outcomes and lower costs for children in Medicaid.
Sec. 331. Deficit-neutral reserve fund to improve Federal workforce development, job training, and reemployment programs.
Sec. 332. Deficit-neutral reserve fund for repeal of medical device tax.
Sec. 333. Deficit-neutral reserve fund prohibiting Medicare vouchers.
Sec. 334. Deficit-neutral reserve fund for equal pay for equal work.
Sec. 335. Deficit-neutral reserve fund relating to women's health care.
Sec. 338. Deficit-neutral reserve fund to allow States to enforce State and local use tax laws.
Sec. 339. Deficit-neutral reserve fund relating to the definition of full-time employee.
Sec. 340. Deficit-neutral reserve fund relating to the labeling of genetically engineered fish.
Sec. 341. Deficit-neutral reserve fund for the families of America's servicemembers and veterans.
Sec. 344. Deficit-neutral reserve fund for disabled veterans and their survivors.
Sec. 348. Deficit-neutral reserve fund relating to authorizing children eligible for health care under laws administered by Secretary of Veterans Affairs to retain such eligibility until age 26.
Sec. 349. Deficit-neutral reserve fund for State and local law enforcement.
Sec. 350. Deficit-neutral reserve fund to establish a national network for manufacturing innovation.
Sec. 353. Deficit-neutral reserve fund to ensure no financial institution is above the law regardless of size.
Sec. 354. Deficit-neutral reserve fund relating to helping homeowners and small businesses mitigate against flood loss.
Sec. 356. Deficit-neutral reserve fund for BARDA and the BioShield Special Reserve Fund.
Sec. 361. Deficit-neutral reserve fund for export promotion.
Sec. 363. Deficit-neutral reserve fund to increase the capacity of agencies to ensure effective contract management and contract oversight.
Sec. 364. Deficit-neutral reserve fund for investments in air traffic control services.
Sec. 365. Deficit-neutral reserve fund to address prescription drug abuse in the United States.
Sec. 366. Deficit-neutral reserve fund to support rural schools and districts.
Sec. 367. Deficit-neutral reserve fund to strengthen enforcement of free trade agreement provisions relating to textile and apparel articles.
Sec. 368. Deficit-neutral reserve fund to assist low-income seniors.
Sec. 369. Reserve fund to end offshore tax abuses by large corporations.
Sec. 371. Deficit-neutral reserve fund relating to increasing funding for the inland waterways system.
Sec. 376. Deficit-neutral reserve fund to authorize provision of per diem payments for provision of services to dependents of homeless veterans under laws administered by Secretary of Veterans Affairs.
Sec. 378. Deficit-neutral reserve fund to phase-in any changes to individual or corporate tax systems.
Sec. 379. Deficit-neutral reserve fund relating to increases in aid for tribal education programs under the Constitution of the United States.
Sec. 383. Deficit-neutral reserve fund to increase funding for Federal investments in biomedical research.

Subsection 114(e) provides that subsections (a)(2), (c), and (d) shall expire if a budget resolution conference report is adopted by the Senate and the House.

*Sec. 115. Authority for fiscal year 2015 budget resolution in the House of Representatives.*

Subsection 115(a) establishes in the House a congressional budget for fiscal year 2015 in the event that a budget resolution conference report is not adopted.

Subsection 115(b) provides that the chair of the House Committee on the Budget shall submit after April 15 and no later than May 15, 2014 for publication in the Congressional Record allocations of budgetary resources for each congressional committee and aggregate spending and revenue levels that will be enforceable as if included in a conference agreement on a budget resolution.

Subsection 115(c) provides that the submission pursuant to subsection (b) may also include for fiscal year 2015, provisions for the matters contained in title IV (reserve funds) and in sections 603(a), 605(a), and 609 of H. Con. Res. 25 (113th Congress), as adopted by the House, updated to cover the new budget window, including updated amounts for section 601.

Subsection 115(d) provides for an allocation of budgetary resources to the Appropriations Committee no later than May 15, 2014.

Subsection 115(e) provides that the Chairman of the House Budget Committee may reduce the aggregates, allocations, and other budgetary levels included in the statement required to be submitted pursuant to subsection (b) for the subsequent enactment of any additional, deficit-reducing legislation during the 113th Congress or as otherwise necessary.

Subsection 115(f) provides that the provisions of subsections (a), (b), (c), (d), and (e) shall no longer apply if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the House and the Senate.

*Sec. 116. Authority for fiscal year 2015 budget resolution in the Senate.*

Subsection 116(a) establishes in the Senate a congressional budget for fiscal year 2015.

Subsection 116(b) provides that the chair of the Senate Committee on the Budget shall submit after April 15 and no later than May 15, 2014 for publication in the Congressional Record allocations of budgetary resources for each congressional committee, aggregate spending and revenue levels, and levels of revenues and outlays for Social Security that will be enforceable as if included in a conference agreement on a budget resolution.

Subsection 116(c) provides that the submission pursuant to subsection (b) may also include reserve funds for fiscal year 2015 that are the same as those included in section 114(c) and (d) updated to cover the new budget window.

Subsection 116(d) provides that the filing referred to in subsection (b) for fiscal year 2014 shall supersede the statement referred to in section 111(b).

Subsection 116(e) provides that this section shall expire if a concurrent resolution on the budget for fiscal year 2015 is agreed to by the Senate and the House.

*Sec. 117. Exclusion of savings from PAYGO scorecards.*

Subsection 117(a) provides that the budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139).

Subsection 117(b) provides that the budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for the purposes of section 201 of S. Con. Res. 21 (110th Congress).

*Sec. 118. Exercise of rulemaking powers.*

This section states that the provisions of this subtitle are enacted as an exercise of the rulemaking power of each house of Congress and that each house retains its constitutional right to change such rules as they relate to that house.

Subtitle C—Technical Corrections

*Sec. 121. Technical corrections to the Balanced Budget and Emergency Deficit Control Act of 1985.*

This section corrects technical and grammatical errors in the Balanced Budget and Emergency Deficit Control Act of 1985.

*Sec. 122. Technical corrections to the Congressional Budget Act of 1974.*

This section corrects technical and grammatical errors in the Congressional Budget Act of 1974.

TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE

*Sec. 201. Improving the collection of unemployment insurance overpayments.*

Many states use the Treasury Offset Program (TOP) to recover Unemployment Insurance (UI) debts stemming from overpay-

ments due to fraud or failure to report earnings. However, other states are not using this tool. Section 201 amends the Social Security Act to require states to use TOP to recover the specified UI debts. States are required to provide due process opportunities for individuals to challenge the validity of the debt, before seeking to recover the funds through TOP. This section would ensure that all States will participate in TOP and recover UI debts.

*Sec. 202. Strengthening Medicaid Third-Party Liability.*

By law, Medicaid is the payer of last resort for medical treatment. Section 202 would affirm Medicaid's position as the payer of last resort by strengthening third-party liability to improve states' and providers' abilities to receive payments for beneficiary services, as appropriate.

Subsection 202(a) allows states to delay payment of costs for prenatal and preventive pediatric claims when third parties are responsible and allows states to collect medical child support where health insurance is available from a non-custodial parent. This authorization is limited to the extent that beneficiary access to care is not negatively impacted.

Subsection 202(b) allows Medicaid to recover costs from beneficiary liability settlements.

Subsection 202(c) provides that these amendments shall take effect on October 1, 2014.

*Sec. 203. Restriction on access to the death master file.*

The Death Master File (DMF) is a list of deceased individuals maintained by the Social Security Administration (SSA). The DMF contains the full name, Social Security Number, date of birth, and date of death for listed decedents, and it is updated weekly. This information is distributed through the Department of Commerce and is widely available on many websites for free or for a nominal fee.

Section 203 would establish a program under which the Secretary of Commerce restricts access to the information contained on the DMF for a three-year period beginning on the date of the individual's death, except to persons who are certified under a program to be established by the Secretary of Commerce. Under the program, persons who have a fraud prevention interest or other legitimate need for the information and agree to maintain the information under safeguards similar to those required of Federal agencies that receive return information, as described in section 6103(p)(4) of title 26 of the United States Code, may apply for certification. The Secretary of Commerce reviews the eligibility of applicants, examines safeguards for protecting the information and conducts audits of certified entities to assure compliance with safeguards.

As part of implementation of the required program, the Secretary of Commerce is required to establish and collect user fees sufficient to recover all costs associated with the certification program. The Secretary of Commerce is required to report both the total fees collected and the total costs of administering the certification program. The required report is to be submitted annually to both the Senate Committee on Finance and the House Committee on Ways and Means.

A penalty of \$1,000 for each disclosure or misuse of the information is imposed on any persons who improperly disclose the DMF information. A certified person in receipt of DMF information is responsible for any subsequent disclosure of such information. Even if the initial disclosure to a third party is appropriate, if that third party subsequently

improperly discloses the information, the certified person is deemed to have also improperly disclosed the information. Thus, in a case in which the improper disclosure is made by a third party who received the information from a certified person, both the certified person and the person who improperly disclosed the information are subject to the penalty. The penalty may not exceed \$250,000 per person for any calendar year, except in the case of willful disclosure. In such cases, the penalty is not limited.

The provision also brings the DMF within the scope of the exemptions available under the Freedom of Information Act to ensure that Federal agencies do not disclose the information about deceased individuals maintained by SSA or contained in the DMF, except to recipients who are certified persons.

Section 203 would be effective 90 days after the date of enactment, except for the FOIA exemption, which would be effective upon date of enactment.

*Sec. 204. Identification of inmates requesting or receiving improper payments.*

The Social Security Administration's (SSA) Prisoner Update Processing System (PUPS) contains all identifying information requested by the SSA and supplied by a reporting source, including the individual's name, Social Security number, date of birth, sex, date of conviction, date of confinement, inmate status code, and such other information as may be supplied or acquired by SSA during the suspension or reinstatement of retirement, survivors, or disability insurance benefits. PUPS contains Federal, State, and local prisoner data.

Subsection 204(a) expands the information the prisons are required to report to SSA to include release dates, making the system more valuable to users.

Subsection 204(b) authorizes the Commissioner of Social Security to transfer PUPS data to the Department of the Treasury on a regular basis, where it will be maintained for use by other Federal agencies. The PUPS data will help prevent prisoners from illegally receiving payments, such as unemployment compensation from the Department of Labor, and identify individuals who are filing fraudulent tax returns. This subsection also authorizes the use of PUPS data for research conducted by Federal and state agencies.

Subsection 204(c) updates the authorizing legislation for the Do Not Pay Initiative to include a requirement for agencies to query PUPS prior to certifying a Federal payment or award.

**TITLE III—NATURAL RESOURCES**

*Sec. 301. Ultra-deepwater and unconventional natural gas and other petroleum resources.*

The ultra-deepwater and unconventional natural gas and other petroleum resources program, which was created by the Energy Policy Act of 2005, is a public-private partnership that was designed to develop technologies to increase America's domestic oil and gas production and reduce U.S. dependency on foreign imports. The program utilizes a non-profit consortium to manage the research, established two federal advisory committees, and receives \$50 million per year of funding. Section 301 repeals the ultra-deepwater oil and gas research and development program and rescinds the program's remaining funds.

*Sec. 302. Amendment to the Mineral Leasing Act.*

Since 2010, states receiving significant payments from mineral development on Federal lands also share in the costs of administering the Federal mineral leases from which the revenue is generated. The states pay their share of the administrative costs in the form

of a 2 percent deduction of monies paid to the states by the federal government. This deduction is scheduled to expire at the end fiscal year 2014. Section 302 makes this deduction permanent.

*Sec. 303. Approval of agreement with Mexico.*

Section 303 approves the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico signed in February 2012 on how to explore, develop, and share revenue from hydrocarbon reservoirs that cross the international maritime boundary between the United States and Mexico in the Gulf of Mexico. Each country's legislative body is required to approve the agreement and Mexico ratified the agreement in April 2012.

*Sec. 304. Amendment to the Outer Continental Shelf Lands Act.*

Section 304 provides permanent authority for the Secretary of the Interior to implement the terms of any transboundary hydrocarbon agreement for the management of transboundary hydrocarbon reservoirs entered into by the President and approved by Congress. It requires any such agreement to be submitted to Congress within 180 days of any such agreement being completed. This section also allows the Secretary of the Interior to implement the Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico. The Obama Administration signed the Agreement with Mexico in 2012 to develop energy resources bridging our international maritime boundary and that Agreement makes provision for the sharing of royalties on transboundary reservoirs, and also has very specific requirements on maintaining data confidentiality.

*Sec. 305. Federal oil and gas royalty prepayment cap.*

Subsection 305(a) clarifies current law by providing that if a federal lease holder pays more in royalties than the amount due, then the Secretary of the Interior shall not pay interest on any amount in excess of 110 percent of the amount due. Overpayments below the threshold shall continue to receive interest payments as under current law and underpayments shall continue to be subject to penalties as under current law. Subsection 305(b) provides that this provision is effective on July 1, 2014.

*Sec. 306. Strategic Petroleum Reserve.*

Subsection 306(a) prohibits the Secretary of Energy from acquiring crude oil received by the United States as payment of royalties on production from federal lands due from private sector energy producers—a practice commonly referred to as royalty-in-kind payments—for the purpose of filling the Strategic Petroleum Reserve. This section also makes a technical correction by prohibiting the Secretary of Energy from acquiring crude oil produced by the federal government on federal land for the purpose of filling the Strategic Petroleum Reserve, as this practice no longer occurs. The practical effect of this section is to require that any crude oil acquired by the Secretary of Energy for purposes of filling the Strategic Petroleum Reserve is acquired using funds from the "SPR Petroleum Account" or funds appropriated by Congress.

Subsection 306(b) permanently rescinds any unobligated funds remaining in the "SPR Petroleum Account" as of the date of enactment of this legislation. This section has no bearing on any future funds deposited into the account. All future funds deposited into the account will remain available to the Secretary of Energy, until expended, to fill the Strategic Petroleum Reserve. Funds cur-

rently in the account were deposited as a result of the 30.64 million barrels released from the Strategic Petroleum Reserve and sold in July and August of 2011.

**TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT**

*Sec. 401. Increase in contributions to Federal Employees' Retirement System for new employees.*

Under current law, the typical revised annuity federal employee who participates in the Federal Employee Retirement System (FERS) is required to pay 3.1 percentage points of pay into the Civil Service Retirement and Disability Fund (CSRDF). Depending on the type of service, different employees are required to pay different amounts. Law enforcement officers, nuclear materials couriers and customs and border protection officers pay 3.4 percentage points.

Subsection 401(a) creates a new category of employees that would be considered further revised annuity employees.

Subsection 401(b) would require that newly hired employees who participate in the PERS contribute an additional 1.3 percentage points of pay beginning January 1, 2014, for a total of 4.4 percentage points into the CSRDF. Other categories of employees would pay 4.7 percentage points.

Subsection 401(c) would require that employing agencies continue their contributions at the current level in order to pay down the deficit in the CSRDF, which at the close of fiscal year 2011 was \$761 billion. Once the unfunded liability is eliminated, agency contributions would be determined on the basis of ensuring the full normal cost of the retirement benefit is paid into the CSRDF on an accrual basis.

Subsection 401(d) would ensure that certain (Members of Congress and Congressional employees) further revised annuity employees would continue to accrue benefits at the same rate as revised annuity employees.

*Sec. 402. Foreign Service Pension System.*

Under current law, the typical federal employee who participates in the Foreign Service Retirement and Disability System is required to pay 3.65 percentage points of pay into the Foreign Service Pension System.

Subsection 402(a) creates a new category of foreign service employees that would be considered further revised annuity employees.

Section 402(b) would require that newly hired employees who participate in the Foreign Service Retirement and Disability System and the Foreign Service Pension System contribute an additional 1.3 percentage points of pay.

Subsection 402(c) would require that employing agencies continue their contributions at the current level in order to pay down the deficit in the FRSDF. Once the unfunded liability is eliminated, agency contributions would be determined on the basis of ensuring the full normal cost of the retirement benefit is paid into the FRSDF on an accrual basis.

*Sec. 403. Annual adjustment of retired pay and retainer pay amounts for retired members of the Armed Forces under age 62.*

Generally, service members who have completed 20 years of service, regardless of age, are eligible for non-disability retirement with immediate commencement of retired pay. For most retirees, pay is a percentage of the highest 36 months of the service member's Basic Pay. A service member who retires after 20 years of service receives 50 percent of his or her High-36 month Basic Pay with the percentage increasing in 2.5 percent increments for each year above 20. Because service members can retire well before the normal retirement age in the private sector, most service members begin a second career

after leaving the military. Section 403 would provide for an annual cost of living adjustment (COLA) of inflation (measured by the Consumer Price Index) less one percentage point for adjustments starting on December 1, 2015 until the retiree reaches age 62. There would be no alteration to the 2014 COLA. At age 62, the retired pay would be adjusted as if the COLA had been the full CPI adjustment in all previous years. Annual COLAs for service members after age 62 would be at the full CPI.

This provision does not change the cost of living adjustments for participants in the REDUX retirement system.

#### TITLE V—HIGHER EDUCATION

##### *Sec. 501. Default reduction program.*

When guaranty agencies rehabilitate defaulted loans from the Federal Family Education Loan (FFEL) program, they may charge borrowers 18.5 percent of the outstanding principal and interest owed on the loan at the time of sale and they may retain 18.5 percent of a federal default reinsurance payment. Section 501 would lower the maximum borrower collection fee to 16 percent and would require the agency to return 100 percent of the federal default reinsurance payment, beginning on July 1, 2014. Moreover, it would enable guaranty agencies to transfer rehabilitated loans to the Department of Education if they are unable to find a FFEL lender to purchase the loan. These steps would make the compensation earned by guaranty agencies comparable to the compensation earned by the Department of Education's private sector contractors that rehabilitate defaulted FFEL and Direct Loan program loans held by the Department. It would also lower costs to borrowers as collection fees are typically added to the loan balance when rehabilitated.

##### *Sec. 502. Elimination of nonprofit servicing contracts.*

In 2010, as part of the Health Care and Education Reconciliation Act (HCERA), Congress eliminated the guaranteed student loan program. Anticipating the need for increased student loan servicing capacity, in 2009, the Department of Education awarded performance-based contracts to four entities to service its portfolio of federal student loans, including those made under the Direct Loan program. During debate of HCERA, Congress established a special carve-out for non-profit firms to service student loans. The law required the Department to award at least 100,000 borrower loan accounts to each eligible non-profit servicer, and the law set aside mandatory funding for this purpose. In contrast, the for-profit servicers selected by the Department of Education on a performance basis were, and continue to be, paid with discretionary dollars. Section 502 eliminates the carve-out for non-profit servicers and requires them to be paid with discretionary dollars.

#### TITLE VI—TRANSPORTATION

##### *Sec. 601. Aviation security service fees.*

Prior to September 11, 2001, airlines paid for and carried out passenger and baggage security screening. With the formation of the Transportation Security Administration (TSA) came a mandate to substantially increase and coordinate aviation security procedures, and TSA screeners were deployed to airports across the country. To offset the cost of aviation security operations, the Aviation and Transportation Security Act instituted aviation passenger security fees, which were to cover the costs of security operations including technology, salaries and benefits of screeners, the air marshals program, Federal Security Managers, capital improvements, and other functions. TSA receives approximately \$2 billion a year in off-

setting collections under current law through air carrier and aviation passenger security fees. These fees cover about 30 percent of the agency's aviation security costs.

The aviation passenger security fee was initially established and currently remains a per enplanement charge of \$2.50 per enplanement with a maximum one-way trip fee of \$5.00 (a passenger taking a non-stop flight pays a total of \$2.50, while a passenger with at least one connecting flight pays \$5.00).

Section 601 simplifies the fee structure to a flat, \$5.60 fee per one-way trip, regardless of the number of enplanements. It also eliminates the Aviation Infrastructure Security Fee (ASIF) charged to air carriers. This fee structure would allow TSA to offset approximately 43 percent of its aviation security costs.

Section 601(a) repeals the Aviation Security Infrastructure Fee that is currently imposed on air carriers, effective October 1, 2014.

Section 601(b) restructures the aviation passenger security fee to make it a \$5.60 per one-way trip charge, which is \$.60 above the current maximum fee.

Section 601(c) provides that receipts in excess of the \$250,000,000 deposited annually into the Aviation Security Capital Fund shall be deposited in the general fund of the Treasury to partially defray the cost to the taxpayer of providing these services.

Section 601(d) provides that the fee structure shall be changed effective July 1, 2014.

Section 601(e) provides that nothing in this section effects the availability of funds in the Checkpoint Screening Security Fund.

##### *Sec. 602. Transportation cost reimbursement.*

U.S. agencies are required to transport 50 percent of equipment, materials, and commodities shipped to foreign countries on vessels registered in the U.S., which is generally more expensive than foreign flag shipping. Food aid sent by the Department of Agriculture (USDA) and the U.S. Agency for International Development (USAID) to foreign countries is not exempt from this requirement, making this international assistance more costly than it would otherwise be. When shipping expenses for food aid exceed 20 percent of total program cost (the value of commodities plus shipping expenses) in a given fiscal year, the Maritime Administration (MARAD) must reimburse USDA and USAID by the dollar amount above 20 percent. Section 602 would eliminate the reimbursements from MARAD.

##### *Sec. 603. Sterile areas at airports.*

The Transportation Security Administration (TSA) screens airline passengers when they enter the secured boarding area (officially, "sterile area") of all airports and monitors passengers as they exit from the secured boarding area at some airports. Funding for this activity is provided in part by security fees charged to passengers and air carriers. Earlier this year, TSA announced that, beginning in January 2014, all airport operators will be responsible for monitoring all passengers as they leave sterile areas. This responsibility would impose new cost on some airports. Section 603 would require TSA to continue monitoring airport exit lanes at airports currently receiving this service.

#### TITLE VII—MISCELLANEOUS PROVISIONS

##### *Sec. 701. Extension of customs user fees.*

Section 701 would extend the user fees collected by the Department of Homeland Security's Bureau of Customs and Border Protection (CBP) through 2023. There are nine different conveyance and passenger user fees and a merchandise processing fee collected

by the CBP. The conveyance and passenger user fees were first established by the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985. Under current law, customs user fees will expire after 2021.

##### *Sec. 702. Limitation on allowable government contractor compensation costs.*

Since the 1990s, federal law has placed a limit on the amount of contractor employees' compensation costs that is allowed to be charged on federal government contracts. Compensation costs can include many elements, such as salary, bonuses, stock options, and employer contributions to pension plans, although under federal law and the Federal Acquisition Regulation (FAR), contractors are only allowed to charge some elements of compensation to federal government contracts. This cap, currently set at \$952,308, has increased in real terms by 95 percent since this approach was first used in 1998. The current formula by the Office of Federal Procurement Policy is flawed, as it has resulted in an escalation of \$611,658, or nearly 180 percent (in nominal terms), in the 15 years since the compensation cap was established in law.

Subsection 702(a) would amend section 4304(a)(16) of title 41 United States Code, and section 2324(e)(1)(P) of title 10, United States Code, to replace the current statutory benchmark compensation formula used to determine the amount of contractor compensation that is considered an allowable cost for a federal contract, with a cap of \$487,000. It also would limit additional changes to this level to the U.S. Bureau of Labor Statistics Employment Cost Index for all workers. This subsection also provides for one or more narrowly targeted exceptions for scientists, engineers, or other specialists upon a determination that such exceptions are needed to ensure that the executive agency has continued access to needed skills and capabilities.

Subsection 702(b) repeals the existing authority for the Office of Management and Budget to annually determine the allowable compensation costs.

Subsection 702(c) provides that the limitation in subsection (a) shall apply only to contracts entered into on or after 180 days after the enactment of this Act.

Subsection 702(d) provides for the Director of the Office of Management and Budget to report annually to Congress on the use of the statutory exceptions to the limitation in subsection (a).

Subsection 702(e) provides for a report from the Secretary of Defense and the Director of the Office of Management and Budget on alternative benchmarks and industry standards for compensation.

##### *Sec. 703. Pension Benefit Guaranty Corporation premium rate increases.*

The Pension Benefit Guaranty Corporation (PBGC) consists of two insurance programs for multiemployers and single employers, which protect the defined-benefit pensions of nearly 44 million participants. Since fiscal year 2002, PBGC has ended each fiscal year with a deficit. PBGC currently faces a \$36 billion deficit, which may leave the corporation incapable of fulfilling its insurance obligations, resulting in cuts to benefits or a transfer from the General Fund of the Treasury.

Each sponsor of a pension plan that is insured by PBGC pays annual premiums. PBGC collects three types of premiums: (1) a flat-rate, per participant premium, (2) a variable-rate premium, based on the dollar amount of a plan's underfunding, and (3) a per-participant premium, payable for three years after a DB pension plan terminates. Under current law, the flat-rate premium of \$42 per participant will increase to \$49 in 2014 and increase with the growth in wages thereafter. Plans



Memorandum:

(Changes to Caps on Spending Subject to Appropriation:

Estimated Authorization Level .....	44.8	18.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	63.2	63.2
Estimated Outlays .....	26.3	21.6	8.6	3.3	2.0	0.6	0.0	0.0	0.0	0.0	61.9	62.4

Sources: CBO and the staff of the Joint Committee on Taxation.  
 Notes: Components may not sum to totals because of rounding; \* = between —\$50 million and \$50 million.  
<sup>a</sup> In addition to the effects on direct spending and revenues, some provisions of the legislation would affect spending subject to appropriation, which is controlled by annual caps on such discretionary funding. Those additional effects are not included in these rows.  
<sup>b</sup> Positive numbers denote an increase in revenues.

**Basis of Estimate:** The legislation would allow for greater spending subject to appropriation than is allowed under current law by increasing the caps on new discretionary funding in fiscal years 2014 and 2015 (see the Memorandum section of Table 1).

The legislation also would directly affect budget deficits by changing provisions related to direct spending programs and by amending the Internal Revenue Code. Some of those changes also would affect discretionary spending, but such changes would be subject to appropriation and limited under the caps on annually appropriated funding.

**TITLE I—BUDGET ENFORCEMENT**

The Bipartisan Budget Act of 2013 would increase the caps on discretionary budget authority—that is, the caps on new annual appropriations—for fiscal years 2014 and 2015. For 2014, the caps on defense and nondefense funding would each be about \$22 billion higher than the current caps (which include the effects of the automatic spending reductions described in the Budget Control Act of 2011).<sup>1</sup> For 2015, the defense and nondefense caps would each be raised by about \$9 billion. CBO estimates that, if appropriations for 2014 and 2015 equaled the revised limits, discretionary outlays would be roughly \$62 billion higher over the 2014–2023 period than if appropriations for those years equaled the limits in current law.

<sup>1</sup>[The Budget Control Act of 2011 (Public Law 112–25) established an initial set of caps on annual discretionary funding as well as a set of lower caps (for 2014 through 2021) that were triggered by the failure of the Joint Select Committee on Deficit Reduction to achieve a targeted amount of deficit reduction. The lower caps are currently in place through 2021; the legislation would increase those caps for 2014 and 2015, and leave the caps unchanged for other years through 2021.]

The legislation also would extend the automatic spending reductions applied to certain mandatory spending accounts through 2023 (those reductions are currently in effect through 2021). The legislation would require that the sequestration percentage applied to nonexempt mandatory accounts in 2021 be continued and applied in the same manner in 2022 and 2023. CBO estimates that extending those spending reductions for nonexempt mandatory programs for two additional years would decrease direct spending by \$28 billion over the 2022–2023 period.

In addition, the legislation would make some changes in the Congressional budget process related to adoption of the budget resolution and budget enforcement within the House of Representatives and the Senate. Those changes would not, by themselves, have a direct budgetary impact, but they could affect Congressional decisions about budget-related legislation in 2014 and future years.

**TITLE II—PREVENTION OF WASTE, FRAUD, AND ABUSE**

The legislation would enhance the ability of states and the federal government to reduce certain payments (including some that stem from fraud) and increase recoveries of overpayments. In total, CBO estimates that enacting title II would reduce direct spending by about \$1.9 billion and increase revenues

by \$0.6 billion over the 2014–2023 period. The proposed changes would:

Require states to use the Treasury Offset Program (TOP) to recover overpayments of unemployment compensation. Under current law, states may use TOP, but are not required to do so.

Enable states to avoid paying for prenatal and preventive pediatric claims when a third party is liable for such payments. The legislation also would give states additional time to collect payments in cases involving medical child support and allow states to recover payments from certain liability settlements, thereby reducing net direct spending for Medicaid.

Restrict access to the Death Master File maintained by the Social Security Administration, which includes information that might be used by individuals to file fraudulent tax returns or submit fraudulent claims to Medicare.

Expand the data on inmates that are available to the Department of Treasury, which would result in higher revenue collections and lower payments for refundable tax credits.

Three of those four provisions would affect both direct spending and revenues, producing budgetary savings in both of those categories. The provision for Medicaid third-party liability would affect only direct spending.

**TITLE III—NATURAL RESOURCES**

Title III would make various changes to federal oil and gas programs that would reduce spending by \$4.5 billion over the 2014–2023 period, CBO estimates. Title III would:

Repeal provisions in the Energy Policy Act of 2005 that authorized direct spending through fiscal year 2014 for research on the development of certain oil and gas resources.

Reduce the amount of payments made to states under the Mineral Leasing Act, which requires the federal government to make payments to states based on the proceeds from mineral leasing activities on federal lands.

Approve an agreement between the United States and Mexico regarding oil and gas resources near the international border in the Gulf of Mexico and establish procedures for implementing future agreements affecting such border areas.

Amend the procedures used to determine the amount of interest that may be paid on overpayments of oil and gas royalties from federal leases.

Permanently rescind the unobligated balances currently available for purchase of oil for the Strategic Petroleum Reserve (SPR) and repeal the authority of the SPR program to acquire oil using royalty-in-kind payments from companies that develop oil and gas resources under federal leases.

**TITLE IV—FEDERAL CIVILIAN AND MILITARY RETIREMENT**

The bill would make several changes to retirement benefits for employees of federal agencies. In total, CBO estimates that enacting title IV would reduce spending by \$6.2 billion and increase revenues by \$6.0 billion, respectively, over the 2014–2023 period.

Specifically, title IV would:  
 Increase the contribution rate that federal employees, including those covered under

the Foreign Service Retirement System, pay toward their future retirement benefit (such contributions are considered revenues to the Treasury). The legislation would increase contributions by 1.3 percent of pay for federal employees that begin service on or after January 1, 2014.

Reduce the annual cost-of-living adjustment (COLA) for military retirees under the age of 62 by 1 percent. Monthly retired pay for those individuals would be readjusted upward at age 62 as if the COLA reduction had not taken place and retirees would receive full annual COLAs thereafter.

The COLA provision also would reduce discretionary accrual payments to the Military Retirement Fund over the 2015–2023 period. While such payments count against discretionary amounts allocated to the Department of Defense as part of the annual appropriations process, they are intra-governmental transactions, and do not result in outlays from the government. If, within the discretionary caps, the reduction in accrual payments makes possible an offsetting increase in other appropriations, the net effect would be an increase in outlays—because an intragovernmental payment would be replaced by spending that goes outside the government.

**TITLE V—HIGHER EDUCATION**

CBO estimates that enacting title V would reduce direct spending by \$5.1 billion over the 2014–2023 period by amending the Higher Education Act of 1965. Those changes would:

Eliminate the share of outstanding guaranteed student loan amounts that guaranty agencies are permitted to retain when they rehabilitate defaulted loans, increasing the share that is returned to the federal government; and reduce the maximum fee that a guaranty agency can charge borrowers to cover the administrative costs of collections for loans being rehabilitated.

Eliminate mandatory payments, authorized through 2019, to nonprofit organizations that service student loans. Although this provision would reduce direct spending by an estimated \$3.1 billion over the 2014–2023 period, those loans would still need to be serviced. As a result, CBO estimates that implementing this provision would require additional discretionary appropriations of roughly the same magnitude as the mandatory funding that would be eliminated.

**TITLE VI—TRANSPORTATION**

Title VI would amend provisions of the Aviation and Transportation Security Act pertaining to security-related fees and would repeal a current requirement for compensation related to shipping of food aid. Together, those provisions would reduce direct spending by \$13.4 billion over the 2014–2023 period. This title would:

Increase security-related fees charged to air passengers and repeal other fees paid by air carriers, resulting in an overall net increase in fees. It would amend current law to direct the Transportation Security Administration (TSA) to collect a specified portion of such fees, without further appropriation, which would be recorded as offsetting receipts—a credit against direct spending. (The remaining portion of TSA fees would continue to be subject to appropriation action.)

Repeal the requirement that the Maritime Administration pay certain costs to compensate the Department of Agriculture to transport food aid on ships registered in the United States rather than ships registered in other countries.

#### TITLE VII—MISCELLANEOUS PROVISIONS

Title VII would make changes affecting customs fees, pensions, and health care for federal employees, among other things. CBO and JCT estimate that those provisions would reduce direct spending by \$19.3 billion over the 2014-2023 period.

Section 701 would extend the authority of Customs and Border Protection (within the Department of Homeland Security) to collect certain fees. That authority, which is set to expire in October of 2021, would be extended through fiscal year 2023.

Section 703 would raise rates for both variable and flat rate premiums paid by sponsors of defined benefit pension plans to the Pension Benefit Guaranty Corporation, and increase the cap on the variable rate premium.

Section 704 would permanently cancel authority to spend certain unobligated balances from the Treasury Forfeiture Fund and the Assets Forfeiture Fund.

Section 705 would establish a fee to offset the cost to the U.S. Department of Agriculture of providing conservation assistance to owners of private lands.

Section 706 would add a two-person “self plus one” coverage option for federal employees and retirees under the Federal Employees Health Benefits (FEHB) program. CBO estimates that option would be priced below the “self plus family” option currently available. However, the “self plus family” option would become more costly than under current law because the average number of people covered by policies of that type would rise. CBO expects that federal retirees would be more likely than active federal employees to switch to “self plus one” policies. As a result, the average cost of FEHB policies for federal retirees would be lower than under current law, and the average cost of FEHB policies for active federal employees would be higher than under current law.

The provision would reduce direct spending because the government contribution for health benefits for federal retirees is classified as direct spending. On the other hand, implementing the provision would increase spending subject to appropriation, assuming appropriation of the necessary funds, because the government contribution for health benefits for active federal employees is classified as discretionary spending.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Although enacting the legislation would affect both direct spending and revenues, pay-as-you-go procedures do not apply because the legislation specifies that its budgetary effects shall not be entered onto the scorecards maintained under the Statutory Pay-As-You-Go Act.

Intergovernmental and private-sector impact: The legislation contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act. It would, however, impose mandates on private entities by increasing or extending some government fees. The legislation would increase the fee paid by airline passengers for security services and increase insurance premiums paid by sponsors of defined-benefit pension plans to the Pension Benefit Guaranty Corporation. CBO estimates that the cost of those mandates would total more than \$1 billion in fiscal year 2015 and more than \$2 billion annually beginning in fiscal year 2016. The legislation also would extend through fiscal

year 2023 the customs users fees that are set to expire in October of 2021 under current law. The cost of the mandate to users of customs services would exceed \$3 billion in each of fiscal years 2022 and 2023. Consequently, the aggregate cost of the mandates in the legislation would significantly exceed the annual threshold established in UMRRA for private-sector mandates (\$150 million in 2013, adjusted annually for inflation).

Estimate prepared by: Federal spending—Christina Hawley Anthony, Kirstin Blom, Megan Carroll, Sheila Dacey, Mark Grabowicz, Kathleen Gramp, Justin Humphrey, Deborah Kalcevic, Jeff LaFave, Jim Langley, Avi Lerner, Amber Marcellino, Julia Mitchell, Matthew Pickford, Sarah Puro, Lara Robillard, Matt Schmit, Emily Stern, Santiago Vallinas, and Martin von Gnechten.

Federal Revenues—Kurt Seibert and staff of the Joint Committee on Taxation.

Impact on State, Local, and Tribal Governments—J’nell L. Blanco, Michael Kulas, Melissa Merrell, and Lisa Ramirez-Branum.

Impact on the private sector—Amy Petz, Paige Piper/Bach, Chung Kim, Alexia Diorio, and Marin Burnett.

Estimate approved by: Peter H. Fontaine, Assistant Director or Budget Analysis.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I would like to start by commending my friend and colleague, Chairman RYAN, for working on this bipartisan agreement. I also want to congratulate our Senate colleague, Senator PATTY MURRAY, chairman of the Senate Budget Committee, for her efforts to get this done, along with many of our colleagues.

This agreement is far from perfect. It is not the budget agreement I or many of my colleagues would have written, but I do believe that, on balance, at the margin, it represents a small but positive step forward.

Mr. Speaker, I would not have been able to say that as recently as this past Monday and early Tuesday, but as a result of changes made, I think this is a positive step forward; and I want to commend my fellow conferees on the House side—Mr. CLYBURN and Mrs. LOWEY—as well as the efforts of Leader PELOSI, to make the changes necessary.

As a result of those changes, this is an agreement that many of our colleagues can now support, and that is for many reasons; but most of all, it results in a situation in which we will avoid the very deep and harmful cuts from the sequester, which, if this Congress does not act, will automatically take effect a few weeks from now. Those very deep and unproductive across-the-board cuts will create an unnecessary drag on the economy at a time when economic growth is building but still not nearly where it is. It will have a negative impact on job growth, and it will eat away at important national priorities and investments.

As a result of this agreement, in fiscal year 2014, we will be able to invest \$25 billion more in vital national areas than we were in fiscal year 2013. Of those \$25 billion investments, \$22.5 billion will be in important areas of domestic investment: in areas of edu-

cation, in areas of important scientific research like medical research at the National Institutes of Health. It will also provide, as Chairman RYAN has said, some certainty, which is very important at this point in time; and without this agreement, you would be guaranteed additional furloughs of Federal employees in the coming year, so I think it is a positive step forward.

I do, Mr. Speaker, want to express my extreme disappointment in one area. In the agreement, itself, as Chairman RYAN has acknowledged and as Senator MURRAY has recognized, we decided not to include what we call the doc fix and decided we would not include the unemployment insurance compensation extension. Many of us argued that we should include both of those in this agreement. In fact, House Democrats proposed an agreement along those lines. We believe that, if we are going to do the doc fix, which we think is important—making sure that doctors who provide services to Medicare patients are fully compensated—we should also make sure that individuals who are on long-term unemployment will not be left out in the cold 3 days after Christmas. It was decided that those elements would not be in the agreement, itself.

Yet, last night, at the 11th hour, the House Republican majority decided to insert the doc fix within this agreement. We support that doc fix, but we are very troubled that we have not even been allowed a vote to extend unemployment compensation.

The reality, Mr. Speaker, is, even without that, if we leave here without this agreement, we are not going to get the extension of unemployment insurance because the Speaker won’t allow us to have a vote on that, so the only thing we would accomplish by defeating this budget agreement would be to go home with a lot of uncertainty and with the sequester guaranteed to hit in January. That is not a good result. This agreement is a better result. I will talk a little bit later about what we believe we should be doing in this Congress.

As the chairman said, this agreement doesn’t match his vision nor does it match ours. We put forward a proposal that would focus a lot more on job creation, to try and invest more in our national infrastructure—in our roads and in our bridges and in our broadband—so that we can put people back to work right now and accomplish important national priorities. We believe we should be focusing on early education, investing more in our future so we have job growth not only now from additional investments but so we ensure greater job growth in the future. There are other things that we think were important and part of this agreement which are not in here but that we will continue to fight for in the days ahead.

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

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 4 minutes to the

gentleman from Kentucky (Mr. ROGERS), the distinguished chairman of the Appropriations Committee.

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today in strong support of H.J. Res. 59, the Ryan-Murray budget agreement.

First, I want to commend Chairman RYAN on achieving a resolution to our immediate budget challenges. It takes a good deal of courage; it takes persistence; it takes dedication to reach a bipartisan agreement such as this, and I want the chairman of the Budget Committee to know that we deeply appreciate his hard work on our behalf.

Great job.

While everyone might not like everything in this bill, it is the best product that is achievable right now, and I urge that it be passed.

As our Budget chairman has said, this agreement reflects a compromise in policies but not in our conservative principles. Not only does this deal hold the line on spending, it actually puts a dent in our annual deficit—a very significant accomplishment. Plus, it opens the door for future progress on the problem of runaway entitlements. It paves the way toward budget and economic stability for the next 2 years.

The legislation before us will also accomplish several other critically important goals:

First and foremost, it will turn off the potentially devastating \$20 billion sequestration cut to our national defense. Even if Congress provided what flexibility we could, which isn't much, a cut of this magnitude would cripple readiness programs and leave us all at risk;

Second, this bill will allow Congress to avoid another shutdown showdown and help us return to regular order. As I have said many, many times before: the best way to trim spending, ensure wise investments of taxpayer dollars, and provide stability for our government and our economy is to do appropriations bills on an annual basis, each one separately brought to the floor, as the Constitution intends.

This budget conference agreement will now permit bicameral negotiations on the fiscal year 2014 appropriations bills to begin, allowing my committee to get to work and make the hard, thoughtful, responsible, line-by-line funding decisions that are Congress' duty to make.

It is important to remember that this is just the first step in the current budget process. My committee will now begin to negotiate and craft an omnibus appropriations bill that will fund the government for the rest of the fiscal year, with the goal of completing it before the end of the CR, January 15. The omnibus will reflect the budget outline that is the Ryan-Murray bill before us now and will make the hard choices to implement this budget agreement into actual funding levels.

Mr. Speaker, this is a good bill. It makes a significant first step to putting us on a more stable and responsible fiscal path.

Again, I want to commend the chairman, the ranking member, and all of the members of the conference committee for the hard work and difficult decisions that they had to make to bring this bill to us now. I urge our colleagues to support it.

Mr. VAN HOLLEN. Mr. Speaker, I now yield 2 minutes to the gentlelady from Maryland (Ms. EDWARDS), my colleague and friend on the Transportation Committee.

Ms. EDWARDS. Thank you to the gentleman from Maryland, my friend and my colleague, for all of your work in getting us to this point. Thank you to my friend also, Chairman RYAN, for getting us to this point, and to all of the conferees.

Mr. Speaker, I am in support of the bipartisan Budget Act. Though I support the agreement, it isn't the bill that I would have written. It is not the bill that I would have written to fully protect Federal employees, today's employees and future employees. It is not the bill that I would have written to protect 1.3 million Americans who are about to lose their emergency unemployment insurance—22,900 of them in Maryland—just at the holidays. It is not the bill that I would have written that would reduce cost-of-living adjustments for our Nation's military retirees. It is not the bill that I would have written to protect the commuter tax credit.

But do you know what? I didn't write this legislation, Mr. Speaker. It is a compromise. It is a negotiation. It is not perfect, but I support it.

The agreement does ensure that current Federal employees will get their cost-of-living increases this year. They won't face the uncertainties of furloughs, and they will face stability for the next couple of years.

□ 1645

This compromise rejects the draconian proposal in the chairman's budget that would have made Federal employees pay 5.5 percent more for retirement at a cost of \$20 billion, but that is not in this bill.

This agreement does roll back sequestration cuts using spending cuts and new revenue.

And the agreement increases non-defense discrimination spending by replacing almost two-thirds of this year's cuts, bringing the funding down to \$77 billion above the Republican's preferred budget levels.

The agreement doesn't cut Social Security, Medicare, or Medicaid benefits, not by a single penny.

What the agreement does is it allows Congress and this Nation to get out of the dysfunction and the obstruction and to get on to other business of protecting the American people, perhaps allowing us to focus on unemployment insurance extension, immigration, infrastructure investment, and all of the things that it takes to protect our economy.

I support this legislation. Let's get on with it.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, just so that my colleagues understand what exactly this bill does or does not do, I want to walk you through a chart.

In 2011, Congress passed the Budget Control Act. That set discretionary spending at this level up here, the blue line. It said that this thing we commonly call the supercommittee was supposed to go and cut \$1.2 trillion out of mandatory spending, autopilot spending, the nondiscretionary part of the budget, the big, fast growing part that Congress rarely addresses.

If it didn't happen, then the sequester would kick in. That is this red line. That is where we are now because the sequester has kicked in.

What we face in January is another round of sequester cuts, \$20 billion, that hit solely on defense spending in the military. A lot of us are concerned about that. When 85 percent of our troops, our brigades, are not ready, that is a problem. When we have people in Afghanistan and we need to reset our equipment and we are not where we need to be, that is a problem; that is a concern of ours.

What we do not want to do is lose any of the fiscal progress that was made by this act. In fact, we want to go farther. So what this bill does is it says for the rest of this half fiscal year, fiscal year 2014, and the upcoming fiscal year, fiscal year 2015, it changes discretionary spending to go to \$1.12 trillion and then \$1.14 trillion back on to where we are with the sequester.

What does all that mean? It means that 92 percent of the sequester is still intact. For the next year and a half, this bill preserves 70 percent of the sequester; but we pay for that 30 percent that is given back.

Let me explain what that means just in a quick dollars and cents sense. This bill achieves \$85 billion in mandatory savings, the things we talked about a minute ago, all those various permanent spending cuts. It gives back or relieves from the sequester \$63 billion in spending: half to defense, half to domestic spending, like Mr. VAN HOLLEN was talking about. The result is a net deficit reduction of \$23 billion. So from the Budget Control Act of 2011, this advances fiscal responsibility to the tune of \$23 billion.

To put it another way, 2 years ago, when we passed the first House Republican budget when we came into the majority, the appropriation number we were looking for then was \$1.19 trillion. Then in 2012 in the next House Republican budget, the appropriation bill we were fighting for then was \$1.28 trillion.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself an additional minute.

The Budget Control Act would have had us at \$1.58 trillion. This agreement puts us at \$1.12 trillion. Under this agreement, we would not hit that discretionary spending number of \$1.19

trillion, the one we asked for 2 years ago, we wouldn't hit that number until the year 2017.

With respect to a fiscal track record, we are ahead of schedule, and we are replacing some of these across-the-board spending cuts that are indiscriminate that don't set priorities, that treat the efficient and inefficient programs the same, with smarter, permanent spending cuts in the autopilot part of spending, that part that Congress all too often ignores.

Mr. Speaker, this is good government; it is also divided government. Under divided government, we need to take steps in the right direction. To make divided government work, you can't ask each other to compromise a core principle because we don't do that here. We ask each other to find some common ground to advance the common good. That is what this agreement does. That is why I ask my colleagues to support it.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself as much time as I may consume.

I think this agreement is an acknowledgement—at least a majority on both sides, certainly on the Democratic side, a strong majority—that the sequester is a dumb and unproductive way to cut spending or to reduce the deficit.

What this agreement does is prevent that full sequester from taking place over the next 2 years. We believe that we should address and substitute the remaining sequester through a balanced approach of additional targeted cuts. But, Mr. Speaker, we also think we should close some of these special interest tax loopholes that benefit nobody except certain narrow interests that sometimes have undue sway here in the Congress.

But as my colleague said, we have different approaches, and our Republican colleagues have refused to close a single one of those special tax breaks or preferences for the purpose either of reducing the sequester or reducing the deficit. So we have different approaches. We wouldn't have chosen the offsets that are in here to pay for the sequester replacement. They are the result of a negotiation. As I said earlier, I believe on balance this is an important step forward.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), one of the people who was very important in this process, my good friend and colleague from New York, the ranking member of the Appropriations Committee and one of the conferees.

Mrs. LOWEY. Mr. Speaker, the budget deal is a breakthrough in a difficult budget year in a dysfunctional Congress. As with any compromise, there are elements I oppose; yet this agreement should help us do our jobs to the American people and end the shutdown standoffs.

It provides some relief from the devastating impact of the sequester cuts on our economy and American families. Keeping sequestration in place through fiscal year 2014 would cost up to an estimated 1.6 million jobs. Now, the House and Senate must restore regular order to craft bills that instead create new jobs and protect important priorities like medical research, security and infrastructure upgrades, and early education.

This agreement restores over 60 percent of the sequester on nondefense discretionary spending in 2014, restores those bills to roughly the FY 2013 enacted pre-sequester levels. It would hold defense funding levels roughly consistent with the 2013 level after sequester.

The bill before us includes elements, frankly, I don't like and fails to address others it should. First, I am deeply upset that my colleagues on the other side of the aisle insisted on extending the 2 percent sequester on Medicare providers for an additional 2 years as part of the package's offsets. We should not extend their sequester burden.

It is also unconscionable that the deal does not extend long-term unemployment benefits. Even with the progress our economy has made since the depths of the recession, there are still 1.3 million fewer jobs today than 6 years ago.

Four million Americans have been looking for work for more than 6 months.

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

Mr. VAN HOLLEN. I yield an additional 30 seconds to the gentlelady.

Mrs. LOWEY. More than 1.3 million of them will lose their benefits and, for some, the only income they have just 3 days after Christmas and 3 days before the new year.

Today's bill will provide some economic certainty about fiscal policy over the next 2 years, which should boost growth and job creation.

Because we cannot continue lurching from crisis to crisis, and despite my misgivings about the extension of Medicare provider cuts and failure to address long-term unemployment, I will vote "yes."

Mr. RYAN of Wisconsin. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM) for the purposes of a colloquy.

Mr. LATHAM. Mr. Speaker, I yield to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I rise to enter into a colloquy with the gentleman from Wisconsin regarding the not-for-profit student loan servicing provisions in the Bipartisan Budget Act of 2013.

Is it your understanding and intent that the not-for-profit servicing provision in this act does not require the termination of the existing Federal loan servicing contracts of any not-for-profit servicers who are currently servicing Federal loans?

And is it the further understanding and intent of the gentleman from Wisconsin that the Education Department will continue to enter into contracts with not-for-profit servicers based on their performance?

Mr. RYAN of Wisconsin. Mr. Speaker, will the gentleman from Iowa yield?

Mr. LATHAM. I yield to the gentleman.

Mr. RYAN of Wisconsin. Mr. Speaker, yes, it is the legislative intent that existing contracts to use the services for not-for-profit servicers are not terminated by this bill and that they will be permitted to compete with the Department of Education's title IV servicers for additional accounts.

Mr. LATHAM. Mr. Speaker, I associate myself with the comments of the managers and am pleased to know it is their intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete in the future for additional accounts.

Mr. KLINE. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Speaker, I also rise to associate myself with the comments of the managers and am pleased to know it is their intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete in the future for additional accounts.

Mr. VAN HOLLEN. Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), a good friend and colleague, one of the conferees who worked with us to move this agreement to a place where it was supported by many of us on the Democratic side, the assistant Democratic leader.

Mr. CLYBURN. Mr. Speaker, let me thank my friend, Mr. VAN HOLLEN, for yielding me this time. I want to thank him and Mrs. NITA LOWEY for the tremendous work they did in keeping this effort moving forward in a very positive way.

I also want to thank Chairman RYAN for the great work he has done on this and the manner in which he got his work done.

We don't talk a lot on this side of the Capitol about the other side, but I also want to thank Senator PATTY MURRAY for all of her work. I had the great privilege of working with her on the supercommittee and we didn't get much done. I was on the so-called "Biden Group" along with Mr. VAN HOLLEN, and we didn't get anything done. But I am pleased at this time of year to say that the third time seems to be the charm.

This is not the product that I would have written if I were writing it, and I am sure that it is not the product that any of my Democratic colleagues would write. I am always concerned by the "meat ax" approach to dealing with the budget. This effort takes that away and allows us to approach spending in a way that is much more conducive to running the government. We

didn't get everything, and nobody gets everything they want in trying to reach common ground.

It is important for me to note at this time some things that were taken off the table. There are no cuts to Social Security, there are no benefit cuts to those receiving Medicare or Medicaid, there is no targeting of Federal employees for additional cuts, and the relief from the sequester in both defense and essential services is very real and significant.

□ 1700

It is also important to note what this bill does not do. I am very concerned about the fact that we were not able to make unemployment insurance a part of this effort.

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

Mr. VAN HOLLEN. I yield an additional 30 seconds to the gentleman.

Mr. CLYBURN. And I am hopeful when we get back here after the first of the year that we will move and do as we have done in the past, pass unemployment insurance, make it retroactive to January 1 so those people who find themselves unemployed through no fault of their own can find some relief going into the next holiday season. Hopefully, we will do something on the minimum wage. These are things that I think we need to do coming back after the first of the year.

I thank the gentleman for yielding me the time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 30 seconds to respond to my friend, the gentleman from South Carolina (Mr. CLYBURN). I want him to know that his time spent on these prior endeavors, the Biden Group, all those, that was not wasted. That was productive time because the findings of those groups were used in this agreement. The work that they did on all of those policies were work that we borrowed from to put this together. So I want him to know that was a productive use of his time which helped, in turn, produce this result.

Mr. CLYBURN. Thank you very much. You are very kind.

Mr. RYAN of Wisconsin. With that, Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCCARTHY), our distinguished majority whip.

Mr. MCCARTHY of California. Mr. Speaker, first I want to thank our chairman of the Budget Committee for showing the leadership, finding the common ground, but actually moving this entire House.

When I first came to Congress, debate was always about more spending, always about what would the future hold. Ever since the Republicans took the majority, within our first 4 months, we produced a budget that put us on to a path of a much different approach. It was a path led by our chairman and a path that would actually grow jobs and move us in a new direction.

The challenge we had was in the Senate; there was no budget. The last

time, since I have been here that the Senate produced a budget, the iPad wasn't introduced. But this House moved No Budget, No Pay, and the Senate began to move, but they came up with a different number than we had. We had a stalemate on the floor that the country was frustrated with, that we were frustrated with; and we knew that this was not the way Congress was designed.

So this agreement moves us in a much different place. Every year that Congress failed to pass a budget, it ceded its power, intended by our Founders to be held by Congress, to the executive branch.

As House Republicans continue to fight for more limited government that empowers the individual and makes smarter spending decisions, the standard set by this agreement will be critically important.

The budget agreement takes steps to reform mandatory spending that starts out slow but compounds over the years and results in real and growing spending reductions year over year. It also moves us closer to more responsible entitlement reforms that lead to a balanced budget, paying down our debt, and a sustainable economic future.

Today is a unique day. Today is a day that is a step in the right direction, and it shows the common ground that not only this body but the Senate can take as well. I thank all those involved, and I ask for a "yes" vote.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. NEAL), a terrific member of the Ways and Means Committee.

Mr. NEAL. Mr. Speaker, I thank Mr. VAN HOLLEN.

I think the previous speaker forgot to mention the Bush tax cuts in 2001 and 2003, totaling \$2.3 trillion. The war in Iraq was conveniently left out. The process of sequestration was ill-considered and the result is all around us.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. NEAL. I yield to the gentleman.

Mr. RYAN of Wisconsin. We are having a good moment here. Don't spoil it, all right?

Mr. NEAL. Listen, I was happy to have it until I heard that the Republicans were responsible for all of the good things that are in this, and the Democrats were only responsible for the revenue side.

Revenue is at about percent of gross domestic product right now. Those are the Eisenhower years. We need to have this discussion.

Now, let me say this as well. Mr. RYAN deserves to be credited, as does Mr. VAN HOLLEN, with the measure that is in front of us today. But if we can get past some of the acrimony and some of the ill-considered language here, maybe we could find a path forward.

The Medicare picture has brightened substantially. It is wild what has happened. The automobile sector is doing

much better. The private sector in general is. Americans are shedding debt, but not to miss the point that there is a very elusive term that needs to be addressed in America today, and it is a term of confidence. The government shutdown shaved 1 to 2 points off of gross domestic product. That is reality; that is not fiction.

We need to get past, again, the harsh language that has now taken over this institution and provide investors and provide the American people with the idea of some confidence to unleash the forces of that \$2 trillion that is sitting here domestically and another trillion that is sitting offshore. This is the sort of conversation that we need to have. This is a confidence-building measure. It does lighten up some of the spending caps, again, that would have caused grave damage to the economy. We should have found the time to help out on the issue of unemployment benefits.

Mr. Speaker, we did the doc-fix this morning. I favor it; \$8 billion over 3 months. We could have found money in this budget to extend unemployment benefits to American families.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, there are a couple of other factors that I think Members should weigh as we look at this legislation.

Number one is if we do not pass this legislation, we face a fiscal impasse on January 15 and, therefore, a potential government shutdown at that time. And then we face a fiscal impasse at the end of September and a possible government shutdown at that time. I don't know of anyone in this body that thinks these government shutdowns are productive or useful for our economy. So by having this agreement in place, we prevent those two episodes from occurring and we prevent those two government shutdowns.

Point number two, for too long, for 3 years, this body, Congress, the legislative branch, the one that the Founders envisioned in the Constitution would be exercising the power of the purse, the branch of government that is the representative of the people that is supposed to decide how money is spent, well, we have been ceding that authority to the executive branch by passing what we call continuing resolutions. So the spending priorities that were set 3 years ago are still in place, and then we just keep writing these blank checks to the administration, and they set the priorities. That is not a partisan thing; this is an institutional thing. This is a separation of powers thing.

Democrats and Republicans alike believe that we should do our jobs, that we should exercise the power of the purse, that the legislative branch should bring back its authority to do this. This does that. By restarting the appropriations process, by agreeing to these numbers, which are bipartisan numbers, mutually agreed to number, by not doing continuing resolutions,

we are reclaiming the power of the purse.

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

Mr. RYAN of Wisconsin. I yield myself 1 minute.

There are those of us who are worried about regulations, who are worried about the exercise of power at the executive branch, who are worried about a sense of less accountability among the executive branch. We do lots of oversight hearings. We do dozens a week. But oversight pales in comparison when it doesn't have any fiscal force behind it. By reclaiming the power of the purse, by having Congress write the budgets and approve and decide the budgets of the executive agencies, that gives us a far stronger hand in effecting effective oversight and conducting oversight. By using the power of the purse, along with effective oversight, we can do our jobs as the legislative branch in conducting oversight of the executive branch and setting priorities.

My friends have their priorities, and we have our priorities, and sometimes we meet and sometimes we don't. At least Congress gets to set the priorities on how the money sent to us from hardworking taxpayers is spent. That is one of the things that is accomplished in this agreement. That, along with all these other reasons, is why I really encourage all of our Members to support this agreement.

With that, I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON), my friend.

Mr. ELLISON. Mr. Speaker, I want to thank my colleagues for arriving at a budget deal. When we asked our Democratic conferees to negotiate the best deal they could, we did it knowing that they were negotiating with colleagues whose priority is debt reduction, not jobs, even though the Federal Government deficit is the smallest since 2008. Given Republican priorities, they had a heavy task of partially lifting the sequester, protecting Social Security and Medicare and Medicaid, and averting a shutdown. And so I think that is good.

But there are parts of the deal that leave me very uncomfortable. I can't possibly imagine leaving this place, leaving all those Americans, over a million people, without any means of sustenance other than maybe their local food shelf. I mean, it is not humane. It is not right, and it is bad for the economy because the people who got those unemployment insurance checks would be able to spend them with local vendors which would actually help our local economy. That is not going to happen unless something else happens. I have heard estimates as high as 310,000 jobs could be lost if something is not done.

Also, the \$6 billion cut for future Federal employees' retirement, I am very disturbed about that because we need good people working for the Fed-

eral Government. How can we attract the best people to work for this country if every time we have to solve a budget problem, we are going into their piggy bank. Jets and yachts, if we accelerated depreciation, we would be three-fourths of the way there on these future Federal employees' retirement benefits.

I am deeply disappointed we did not work to close any loopholes. That is a shame. So I remain disappointed.

Mr. RYAN of Wisconsin. I reserve the balance of my time. I am waiting for the leader, who is on his way.

Mr. VAN HOLLEN. Mr. Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentleman from Maryland has 12 minutes remaining. The gentleman from Wisconsin has 1½ minutes remaining.

Mr. VAN HOLLEN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Mrs. DAVIS), a great member of the Armed Services Committee.

Mrs. DAVIS of California. Mr. Speaker, we have taken a first step to come together. Well, it is a bigger step than we have seen in a while, but let's remember, it is only a first step. And I think people have said a small step, but it is a step and I am as excited as some of you are saying that we have been able to do that.

However, and more than that, unfortunately, we have not been able to come together to keep up the safety net for 1.3 million unemployed Americans by extending emergency unemployment insurance. In fact, the problem of long-term unemployment is not even addressed. It wasn't even discussed at length. If you want to pull away the safety net and leave people with nothing, well, at least have some creative solutions for getting them back to work.

Now, like many of you, I have to go back to my district, my constituents in San Diego, who have been struggling to find work for so long and tell them that we could not come together to preserve their only means of subsistence.

So let's remember, as we take this step forward, let us keep working together to extend unemployment benefits for those in desperate need and start—let us start coming up with some bigger solutions to getting people back to work.

Mr. RYAN of Wisconsin. At this time, I would like to yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROKITA), a member of the Budget Committee.

Mr. ROKITA. I thank the chairman. I thank him for his leadership, not only on this issue, but on so many of the bills and issues that come before this Congress; and I also thank the leadership on the other side of the Budget Committee and the other side of this Congress for their leadership in coming together as well.

Mr. Speaker, I rise today in support of this bipartisan budget legislation.

As you know, Mr. Speaker, I am one of the folks around here who is considered by some maybe affectionately, by others not so affectionately, as a budget hawk. I came to reduce our spending and get as much value for every dollar we take from the taxpayer, and more increasingly from the children of tomorrow, from those who don't exist who we are taxing by running up our debt.

□ 1715

I watch these issues closely. I am actively, in my opinion, engaged in them. And I want to say on this House floor that this budget is a better deal than the current sequestration law because it makes spending reforms beyond sequestration that will continue on after sequestration expires. The reforms and, therefore, the budget savings start immediately and compound over time.

By the way, Mr. Speaker, I am not talking about trading real sequester savings for magic beans. These are reforms that will start once this bill passes and once the President signs it. Again, it will compound over time.

Finally, Mr. Speaker, we are starting to open the door and address what is actually causing our deficits and debt, and that is our entitlement programs. So I applaud again the chairman of the Budget Committee. I applaud the ranking member and others in the Senate who are supporting this measure because we are finally able to get to discuss and solve what is the major problem that this country is facing at this time.

Like the others who have spoken, I look forward to having more of these discussions and getting onto the business of solving what is creating so much problem in this country.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), our distinguished majority leader.

Mr. CANTOR. Mr. Speaker, I thank the Speaker, and I thank the gentleman from Wisconsin.

I rise today in support of the Bipartisan Budget Act of 2013.

Mr. Speaker, in a divided government, the American people expect Members of both parties to come together and find common ground to move America forward. While this budget agreement is not perfect, it is a step forward towards bridging our differences and bringing fiscal responsibility to Washington.

The legislation before the House today will reduce our deficit, it will make long-term pension reforms, and it will do so without raising taxes on the hardworking middle class families of our country. This budget deal also protects our national security at home and around the world by preventing dramatic cuts to our national defense as a result of the sequester.

Mr. Speaker, I think we can all agree that arbitrary, indiscriminate across-

the-board spending cuts are not the smartest way to cut spending. Last year, House Republicans passed two bills that would have replaced the sequester's indiscriminate across-the-board cuts. This bill before us is a reflection of our priority to replace the sequester with permanent savings that will responsibly reduce our deficit.

This legislation will allow Congress to concentrate on appropriating taxpayer funds to our country's highest priorities. Let's stand together and show the American people that we are focused on reining in Washington's out-of-control spending habits while growing our economy.

Mr. Speaker, I want to thank the gentleman from Wisconsin, the chairman of the Budget Committee, Mr. RYAN, for his perseverance and his quest to rein in the wasteful spending, to work towards balancing our budget. I want to thank him for his tenacity in negotiations that he had with Senator MURRAY in arriving at this deal. I want to thank him and his entire committee for their hard work.

This is a bipartisan budget agreement, one that has not been frequently seen in terms of bipartisan agreement on this floor. I urge my colleagues in the House to support this agreement.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself such time as I may consume.

I want to emphasize a point that we both made, which is that if we had our druthers, we would have approached this issue differently.

I do want to say with respect to some of the offsets, there are many of us who would have preferred to see the closures of many special interest tax breaks as part of the offsets in this legislation. We hope that as we go forward, we would agree that that is also a kind of wasteful spending in the Tax Code. If you give a special interest in this country some tax preference not enjoyed by others, you are simply raising the burden on everybody else. It is simply a form of spending through the Tax Code.

Mr. Speaker, as we address these issues going forward, whether it is replacing the sequester or reducing the deficit, as part of a balanced approach, we think we should take those into account as well.

We also proposed, as part of this measure, applying some of the excessive subsidies that we give to agribusinesses as part of the offsets, and our colleagues rejected those.

As has been said, this is a product of compromise, but I do want to let people know that it has been our preference to close some of those special interest tax breaks and use some of those excessive agriculture subsidies as offsets here rather than some of the provisions that are before us.

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

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the distinguished Speaker of the House.

Mr. BOEHNER. Mr. Speaker, let me thank Chairman RYAN and his Senate counterpart, Democrats and Republicans, frankly, on both sides of the Capitol who worked hard to bring this agreement together.

My colleagues, I think it is pretty simple. If you are for reducing the budget deficit, then you should be voting for this bill. If you are for cutting the size of government, you should be supporting this budget. If you are for preventing tax increases, you should be voting for this budget. If you are for entitlement reform, you ought to be voting for this budget. These are the things I came here to do, and this budget does them.

Is it perfect? Does it go far enough? No, not at all. I think it is going to take a lot more work to get our arms around our debt and our deficit. But this budget is a positive step in that direction. It is progress. It is doing what the American people expect us to do. It is coming together and finding common ground. Stick to our principles, but find common ground.

Again, I commend Chairman RYAN and Chairman MURRAY for their work, and I urge all of my colleagues to vote for this budget.

Mr. VAN HOLLEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK).

Mr. WOMACK. Mr. Speaker, I thank Chairman RYAN for his great leadership in forging this particular agreement and putting us in a position to end on a positive note here as we approach the Christmas and holiday season.

Mr. Speaker, I am going to bring a couple of different perspectives to the floor as I analyze this budget deal. The first perspective I have is that of being a former mayor for 12 years in a great city in northwest Arkansas where there was an enormous amount of economic development and we did a lot of great things. I sat at the table many times talking about issues and trying to balance the needs of our community against what the wants of our community were. I have to tell you that I never ended any of those negotiations getting everything that I wanted, but I always looked for an opportunity to find the common ground and to advance the economic development issues of our city where we could find that type of consensus.

Mr. Speaker, I also bring the perspective of an appropriator. As somebody who came to Congress in 2011, I was immediately assigned to the Appropriations Committee. And, quite frankly, I have been frustrated through this entire process, living from CR to CR and never having the opportunity to do what appropriators are purposed in doing.

This agreement, while not perfect, as has already been mentioned by most every speaker, gives us an opportunity to take government shutdowns off the

table and to restore some much-needed funding to something very important to all of us, our national defense. As an appropriator, it gives us an opportunity to actually do our jobs and quit ceding the authority for the power of the purse to the administration down the street. From that perspective, Mr. Speaker, I think this is the right deal at the right time. It gives us an opportunity to give some certainty to the American public who is looking to this Congress to be able to work together to try to find the solutions that move America forward.

I urge support.

Mr. VAN HOLLEN. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), our distinguished whip and somebody who has been working very hard on these budget issues and working with us also to make sure that this is done in as fair and equitable a manner as possible. He has worked with us very closely to make sure that Federal employees do not take a disproportionate share of the burden. And as a result of those efforts, current Federal employees will not be asked to bear additional burdens after having already borne so much of the burden.

Mr. HOYER. Mr. Speaker, I thank the gentleman.

First of all, let me say that America is advantaged by having two people who work on the Budget Committee who have great intellect, great integrity, and care about America: Mr. RYAN from Wisconsin and Mr. VAN HOLLEN from Maryland. The American public sometimes is not sure that it has that kind of quality. If only they were here sitting in the Budget Committee or on the floor and listening to these two gentlemen who have disagreements and represent their positions well.

Mr. Speaker, I voted for every budget compromise that has been passed over the past 3 years without fail. The result, however, invariably, has been an unremitting undermining of our efforts to reach a balanced fiscal policy and to invest in that which will secure our future: the economy, education, infrastructure, national security, and innovation.

While each of those bills was preferable to default on our debt or the shutting down of our government, they have been simply stopgap measures that have not prevented continuing lurches from congressionally created and all too frequent fiscal crises and shutdowns.

The headlines regarding this agreement put it in perspective. An op-ed in *The New York Times* says, "Congress Avoids Reality, Again." *The Wall Street Journal* says, "A Least Bad Budget Deal," while a *USA Today* headline says, "Minimalist Budget Deal Beats Another Shutdown." The editorial concludes with this, however:

Unless we come to grips with the fiscal issue, we will be inflicting a huge financial burden on our children.

I agree.

The deal before us today does not deal with the fundamental issue of long-term fiscal stability. My friend Mr. RYAN says he wants to do that. My friend Mr. VAN HOLLEN says he wants to do that. I think Senator MURRAY wants to do that. We have not done that. We have not dealt with the underlying issues that prevent us from being on a fiscally sustainable path.

It does not replace the full sequester, which Chairman HAL ROGERS, who I know has spoken in favor of this agreement, has correctly described as ill-advised and unrealistic. I said on this floor when we considered the gentleman's budget that, if there were no Democrats in the House of Representatives, they could not implement that budget. I believe that.

□ 1730

I believe that. I believe it because the figures were not related to priorities or vision or that which we needed to accomplish as a country, but on a number, 967. That is an opinion shared by all of the Republican appropriations subcommittee chairmen who wrote a letter to that effect.

Nor, critically, does this agreement deal with the issue of the debt limit, which will confront us shortly, and which has, historically, over the last 3 years, been an inflection point to further reduce not only discretionary spending on both sides, mainly on the nondefense side, but also to reach, once again, into the pockets of Federal employees.

Now, I am someone who represents 62,000 Federal employees, and I recommended zero COLAs the first 2 years we did zero COLAs. Why?

The economy was in trouble and it was necessary for Federal employees, like everybody else, to participate.

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

Mr. VAN HOLLEN. Mr. Speaker, I yield the gentleman another minute.

Mr. HOYER. I'd better be quick.

If we fail to resolve this issue now, it will simply plunge us into another manufactured crisis which will quickly undermine the stability and confidence that some believe this agreement is bringing.

The fact that this agreement deals temporarily with preventing a cut in Medicare's physician reimbursement rate is welcome but, as with our fiscal sustainability, it needs to be dealt with on a permanent basis.

I am pleased that the House Ways and Means Committee and the Senate Finance Committee today marked up legislation to do so. However, it is unconscionable that the budget deal before us today does not extend unemployment insurance, which helps those who are most at risk in our society; and if we do not help them, the economy will suffer, and 200,000 jobs are predicted to be lost.

On December 28, 1.3 million Americans will lose their unemployment in-

surance if we do not act, and they will be joined by an additional 3.5 million Americans in 2014. The House should not leave town without ensuring that individuals looking for work have the safety net of unemployment insurance.

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

Mr. VAN HOLLEN. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. HOYER. Finally, Mr. Speaker, this budget turns once again to middle class workers.

Let me close with this. This agreement is better than the alternative, but it misses a huge opportunity to do what the American people expect us to do, and that is put this country on a fiscally sustainable path.

I would urge my friend from Wisconsin, and I have urged my friend from Maryland, my colleague, summon up the courage, much of which you have already shown, to help us put this country on a fiscally sustainable path, and, yes, make tough decisions. And I will join with the gentleman from Wisconsin and the gentleman from Maryland in helping us to get the votes for those tough decisions that are necessary, but it needs to be a balanced deal.

I have voted for every budget compromise that has been passed over the past three years.

The results, invariably, have been an unremitting undermining of our efforts to reach a balanced fiscal policy and to invest in that which will secure our future: the economy, education, infrastructure, national security, and innovation.

And while each of those bills was preferable to default on our debt or the shutting down of our government, they have been simply stop-gap measures that have not prevented continuing lurches from congressionally-created and all-too-frequent fiscal crises and shut-downs.

The headlines regarding this deal put it in perspective:

An op-ed in the New York Times says, "Congress avoids reality again."

The Wall Street Journal calls it the "Least Bad Budget Deal."

And while a USA Today headline says, "Minimalist Budget Deal Beats Another Shut-down," the editorial concludes with this: "Unless we come to grips with the fiscal issue, we will be inflicting a huge financial burden on our children."

I could not agree more.

The deal before us today does not deal with the fundamental issue of long-term fiscal stability, nor does it replace the full sequester—which Chairman HAL ROGERS has correctly described as "ill-advised" and "unrealistic"—an opinion shared by all of the Republican Appropriations Subcommittee chairmen.

Nor, critically, does this agreement deal with the issue of the debt limit, which will confront us in a few short months.

If we fail to resolve that now, it will simply plunge us into another manufactured crisis, which will quickly undermine the stability and confidence some believe this agreement will bring.

The fact that this agreement deals temporarily with preventing a cut in Medicare's physician reimbursement rates, SGR, is welcome, but, as with our fiscal sustainability, it needs to be dealt with on a permanent basis.

I'm pleased that the House Ways and Means Committee and the Senate Finance Committee today marked up legislation to address this issue in a permanent way.

However, it is unconscionable that the budget deal before us today does not extend unemployment insurance, which helps those most at risk in our society.

On December 28, 1.3 million Americans will lose their unemployment insurance if we do not act, and they will be joined by an additional 3.5 million Americans in 2014.

The house should not leave town without ensuring that individuals looking for work have the safety net of unemployment insurance.

Finally, I am disappointed that this budget deal turns once again to middle class workers.

Our nation's Federal Employees have already contributed \$114 billion toward deficit reduction, and are being asked to contribute once again.

Their contribution is less than what was being discussed last week, which is positive, but to continue targeting them is unacceptable outside of a big deal where everyone else is asked to contribute as well.

This budget deal is a missed opportunity.

It is a missed opportunity to replace the sequester in its entirety.

It is a missed opportunity to, at long last, put our Nation on a fiscally sustainable path.

That is why I will oppose this deal on the floor today, and continue advocating for the big, balanced budget deal we need to truly restore the long-term fiscal stability of our Nation.

Mr. RYAN of Wisconsin. Mr. Speaker, I have no more speakers, and I reserve the balance of my time to close.

Mr. VAN HOLLEN. Mr. Speaker, at this time I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a great member of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I want to thank the gentleman very much for his kindness in yielding.

As I indicated earlier today, even Time magazine recognized that the better of all of us is when we extend ourselves to the most vulnerable, acknowledging Pope Francis.

So I want to ask the chairman of the Budget Committee, but he has heard so many of us indicate that there is value to this budget deal, Chairman RYAN, I would like to pose a question, if I could, to you, if you would.

You have heard us say that we too appreciate the bipartisanship, disagree with so much of it in terms of the sequester and what has been done as it relates to nutrition for the unemployed. But would you not hold us back, would you not join us in putting on the floor an amendment that would provide for the extension of unemployment that will not run out December 28 for the hardworking Americans, 68,000 in Texas, 1.3 million? Would you not do that?

Mr. RYAN of Wisconsin. I will defer to the Speaker's comments.

Ms. JACKSON LEE. Well, we get no answer. And all I can say is that this budget is a deal that I want to thank Mr. VAN HOLLEN for the work that has been done, along with the other conferees, Mrs. LOWEY, Mr. CLYBURN; but I believe we should not leave here today, leave here this week without having a freestanding—and I wish the gentleman would own up to honesty and answer the question—but to be able to put on the floor of the House the opportunity for those who have worked to be able to get unemployment insurance, not a handout, but unemployment insurance.

I know, Mr. RYAN, that we can carry our bipartisanship at least to that point and be able to work on behalf of the American people carrying forward the need to ensure that we have housing, education, child care, all of that.

A little bit is happening under this particular budget. That is why many of us are interested in moving forward, getting rid of the sequester, keeping the doors open. But I would think that there is enough bipartisanship on both sides of the aisle to be able to extend the unemployment insurance.

And we should not leave here. I ask the President to convene us, to call us, to call the Senate, to call the House and make sure that we vote on that.

I thank the gentleman for the hard work that you have engaged in and also how far you have brought us.

The SPEAKER pro tempore. The gentleman from Maryland has 1 minute remaining.

Mr. VAN HOLLEN. Is the gentleman prepared to close?

Mr. RYAN of Wisconsin. Yes.

Mr. VAN HOLLEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Mr. HOYER is right. This agreement does not address the comprehensive issues that we need to address. We need to address those in a balanced way, and that means working on both additional, smart, targeted spending cuts, but also closing special interest tax breaks.

But what this agreement does do is make sure that, in the next several weeks, we do not move to a full sequester, very deep across-the-board cuts, which will hurt the economy. Instead, it provides more room to invest in vital areas like education and research. That is a positive note. That is a positive bipartisan note.

I do want to say, Mr. Speaker, however, and this is not as a result of anything the chairman of the Budget Committee does, there is also a sour note in leaving here without having addressed the unemployment insurance.

This agreement didn't include the doc-fix, and it didn't include unemployment insurance. We should be dealing with both those issues together. We are only dealing with one of them now.

So I hope, as we go forward, we will address those issues; and we should not leave town until we address the unemployment issue.

But let's, at the same time, take this small positive step forward.

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

The SPEAKER pro tempore. The gentleman from Wisconsin has 5½ minutes remaining.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many reasons why I encourage my colleagues to support this bipartisan budget agreement. Number one, by doing this, we reduce the deficit by \$23 billion. If we don't do this, we don't reduce the deficit by \$23 billion. That means we are reducing it versus doing nothing, a step in the right direction, a move toward fiscal responsibility, not near as far as we want to go, but at least going in the direction we want to go.

The budget we passed here in the House, just like the prior two budgets that we passed here in the House, represents the full extent of our ambition, our vision and our goals. It balances the budgets within 10 years.

It reforms the Tax Code without raising taxes. It reforms our entitlement programs that were vital and were made in the 20th century so that they work for the 21st century.

It pays off our debt so that we do not leave our children a Nation of debt. That is our goal. That is our vision. That is our destiny.

With the bipartisan budget agreement we couldn't accomplish that because we have different opinions, we have different objectives. That is why we worked for common ground.

That is why we took our budget, all the different budgets that were offered, we laid them on top of each other, and we looked for common ground. We went through the Federal budget program by program, line by line. We discussed and debated these things, and we asked where is it that we can agree needs reforming.

Where is it that we agree taxpayer money is being wasted?

Where is it we agree that cronyism and corporate welfare should go away?

Where is it we agree that some reform for auto pilot mandatory spending ought to occur?

And where we found that agreement, we put it in this agreement. That is the way it is supposed to work. So we see this as a step in the right direction on the way toward fulfilling our ultimate goal.

The second thing we accomplished that is very important to us, and Mr. VAN HOLLEN kind of mentioned it, this does not raise taxes. Hardworking taxpayers have worked hard and long enough that we need to work on spending instead of taking more from them.

The third thing, we are taking permanent spending cuts to pay for temporary sequester relief. We think that is a good idea.

The savings clearly take time to accrue in this agreement, and that is because we are changing permanent law, and those permanent law changes that are made by this act start accruing and

compounding that savings so that the savings keep growing and compounding on and on and on.

The funny thing about auto pilot spending, about what we call mandatory spending, is it compounds away from you and spends so much more. But if you get reforms, if you get savings, those savings compound as well. This does that: permanent spending cuts to pay for some temporary sequester relief.

Now, what is the sequester?

It is across the board, it is crude, it doesn't prioritize, it doesn't give Congress any say-so on how money is being spent. That is a third thing that this does that I think is pretty good.

In addition to keeping 92 percent of the sequester intact, what this bill does is it says Congress ought to decide how money is being spent, not the administration.

So, instead of deferring and delegating our power to the executive branch with continuing resolution after continuing resolution, we, Republicans and Democrats, the legislative branch, are bringing that power back to Congress so that the people's House, so that the legislature, as the Founders and the Constitution intended, we decide how that money is being spent. We decide how to prioritize spending. That is our job.

I also like the precedent that this sets. We know we are always going to have fiscal pressure because the sequester, as they mentioned, has not been lifted. It is still here, so it is always going to produce pressure. And I like the precedent that we are starting here.

The precedent that we are starting here is we are not going back to the taxpayer. We are not going to ask more from hardworking taxpayers. We are going to ask the government to do with less.

And as we transfer permanent spending cuts for temporary relief, we are going to have more spending cuts than we give back in relief, so we reduce the deficit further; \$85 billion in mandatory savings to pay for \$63 billion in sequester relief. That is a pretty good precedent.

I would like to add one or two more zeroes at the end of these numbers, but I will take the direction we have right now.

The other point is this: we have been at each other's throats for a long time. Look, I was part of the last Presidential election. We tried defeating this President. I wish we would have.

Elections have consequences, Mr. Speaker. And I fundamentally believe—this is just my personal opinion; I know it's a slightly partisan thing to say—to really do what we think needs to be done, we are going to have to win some elections. And in the meantime, let's try and make this divided government work.

I think our constituents are expecting a little more from us. They are expecting us to not keep shutting the

government down. They are expecting us to pay the bills. They are expecting us to be accountable. They are expecting us to watch how their dollars are being spent, and they are expecting us to find common ground; and that is what this does.

That is why I urge all of my colleagues to support this.

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

The SPEAKER pro tempore. The time allotted to the Committee on the Budget has expired.

The gentleman from Pennsylvania (Mr. PITTS) and the gentleman from California (Mr. WAXMAN) each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1745

Mr. PITTS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, every year for the last decade, doctors have faced an ever-increasing cut to their reimbursement under the sustainable growth rate, or SGR. And every year, Congress intervenes with a doc fix to stop the cut from going into effect—15 times since 2003.

The Pathway for SGR Reform Act will postpone the cut, providing a 0.5 percent update to physicians for the next 3 months. While this is a necessary and important bill, I am disappointed that legislation to permanently repeal the flawed SGR formula will not be considered before the end of the year. Doctors deserve to know that they will be fairly compensated, and this annual uncertainty about reimbursements could lead to access problems for Medicare beneficiaries.

The Energy and Commerce Health Subcommittee worked for 2 years and produced a bipartisan bill that successfully moved through the full committee with unanimous support. I regret that this bill is not on the floor today. However, I urge all of my colleagues to support H.J. Res. 59 to prevent this devastating cut from going into effect on January 1.

I reserve the balance of my time.

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

I want to express my disappointment that we are letting unemployment insurance be denied to so many long-term unemployed, especially a few days right after Christmas. We should not leave town until we have fixed this problem.

I am going to vote for this budget because it will ease the irrational sequestration cuts that have already done so much harm to our country and our economy, which is the main reason that I am going to be an “aye” vote on the bill.

But I am here to speak on behalf of the Energy and Commerce Committee Democrats to express my strong support for the temporary reprieve from the, what is called, SGR cuts, the cuts to physicians who see Medicare patients.

Congress is making enormous strides toward the repeal and replacement of the flawed Medicare physician payment system, but more time is going to be needed to finish the job. As of today, all three congressional committees of jurisdiction have marked up historic bipartisan legislation that moves the system to one that rewards value of care rather than volume of care.

This short-term extension that is part of this bill will allow 3 months for Congress to complete floor and conference action on this legislation. We need to keep this process moving full steam ahead to get a permanent solution on both the SGR as well as the other Medicare and Medicaid extenders as quickly as possible. This temporary patch will allow us the time to continue that work.

I do have serious concerns with both the Medicare and Medicaid policies in the Budget Act. The Medicaid provisions will result in delayed payments to providers for 3 months while States seek out payment from other potential sources. This is simply bad policy. Congress would not dream of allowing Medicare to avoid paying for services for 3 months, yet this is the policy that we are going to adopt for Medicaid.

The other Medicaid provision overturns a Supreme Court case which would allow a State that would take a beneficiary's liability settlement that is intended to compensate for lost wages or future medical costs to pay for Medicaid services. Indeed, the language, as drafted, suggests that the State could collect amounts even in excess of the amount the party was liable for. This provision is unconscionable, and I hope that when we come back, we can fix it.

Further, the extension of the sequester on Medicare—we are relieving the sequester on the defense side and the domestic spending side under appropriations, but we are leaving in place a sequestration of Medicare, which means continuing cuts into the future without any policy rationale. We are talking about cuts to doctors and hospitals and other providers. There is no justification for it. And, in addition, there are cuts that are going to be applied by continuing this part of the sequestration to the Centers for Medicare and Medicaid Services of much-needed resources to carry out their many responsibilities. This is not a good way to make law, and it will result in some unfortunate consequences. We need to fix that again when we come back next year.

But I expressed my support for this short-term extension of not just the SGR but also the other expiring Medicare and Medicaid provisions, including the TMA and QI, which are critical for low-income populations. And I look forward to addressing the issues of SGR and the extenders with our colleagues over the next few months to develop a permanent solution.

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

Mr. PITTS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Michigan (Mr. UPTON), the chairman of the Energy and Commerce Committee.

Mr. UPTON. I thank the chair of the Health Subcommittee for the time.

Mr. Speaker, it is important that seniors don't find a lump of coal in their stockings for Christmas, and this fully offset package represents access to health care for about 40 million seniors. It is going to give seniors the peace of mind, knowing that their trusted physicians will be there when they need them the most by securing stable payments for physicians.

Since its passage back in 1997 SGR has bred uncertainty and frustration. This uncertainty has left seniors in the lurch, wondering if their doctors would be able to remain in practice and available for checkups and consultation. This is no way to keep Americans healthy or run a health care system, so Members on both sides of the aisle agree that the SGR is broken.

Earlier this year, our committee, the Energy and Commerce Committee, myself with Mr. WAXMAN, we voted 51-0 on H.R. 2810, which would permanently repeal SGR and replace it with a system that promotes the highest quality of care.

While I am disappointed that we didn't repeal SGR permanently this year, this agreement tonight is a step forward. We are going to continue to work at a more complete solution. This fix is fully offset, something that full reform will also need to accomplish. I look forward to working with my colleagues on all the committees to get it done in a bipartisan way.

Mr. WAXMAN. Mr. Speaker, as a supporter of the Affordable Care Act, I look forward to next year when we will see all Americans have a chance to buy health insurance.

For those who are on Medicare, that is their health insurance coverage, and we will only keep the promise for coverage to them if we pay the providers who give them care, especially the physicians. That is why I ask for an “aye” vote on this bill.

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

Mr. PITTS. Mr. Speaker, I yield 1 minute to the distinguished gentlemen from Texas, KEVIN BRADY, subcommittee chairman.

Mr. BRADY of Texas. Mr. Speaker, first let me thank Chairman PITTS for his leadership of the Health Subcommittee of Energy and Commerce and toward a solution for our local physicians.

I rise today in support of the Pathway for SGR Reform. This is an important bill because it makes sure that our local physicians who treat our seniors don't face a drastic cut in their reimbursements on New Year's Day.

We need a permanent solution. Just this morning the Ways and Means Committee unanimously voted to advance a bill that begins the process of

a permanent, reliable solution so our seniors can continue to see a local doctor when they need them.

It is not easy to bridge the gap and pay for this legislation, but until we can complete the process of a permanent solution, we had to make some difficult choices. In particular, I want to thank the long-term care hospitals for their strong leadership. We were able to work with this industry to design new criteria that created efficiencies to generate savings in the important Medicare program.

Without the strong support of leaders in the LTCH industry, this would not have been possible. This has helped make a good bill even better.

Mr. PITTS. Mr. Speaker, I now yield 1 minute to the gentleman from Virginia (Mr. GRIFFITH), a member of the Health Subcommittee.

Mr. GRIFFITH of Virginia. Thank you, Mr. Chairman, for this time.

Mr. Speaker, I rise in support of this 3-month SGR patch as it is important to ensure that seniors will still be able to see a doctor after January 1 if they are sick. I am firmly committed to finally repealing and replacing the SGR, and I fully support the bipartisan bill we advanced unanimously out of the Energy and Commerce Committee for this purpose. Our next step is to find a common House position with our friends on Ways and Means to finally say good-bye to the SGR.

Most importantly, I am glad to see that this deal extends the Medicare-Dependent Hospital and Low-Volume programs, which are critical for our rural hospitals in southwest Virginia. If these programs are not extended, Virginia hospitals in total would lose more than \$10 million in Medicare reimbursements next year at a time when they are already being hit hard by new costs and deep cuts from ObamaCare.

At least eight hospitals in my district benefit from these two essential programs that keep the doors open in some economically distressed areas and provide health care access to rural constituents. For that reason, I am proud to support this legislation and stand up for rural health care and our seniors.

Mr. PITTS. Mr. Speaker, may I inquire of the time remaining on each side?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 1 minute remaining, and the gentleman from California's time has expired.

Mr. PITTS. Mr. Speaker, I am prepared to close and yield myself the balance of the time.

Mr. Speaker, this is very important bipartisan legislation. It includes the 3-month bridge for the SGR, where we can continue to work in a bipartisan manner to come up with the final version of repeal for the sustainable growth rate. I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. WELCH. Mr. Speaker, I rise to clarify the intent of the Not-For-Profit Loan Servicing

Provisions of the Bipartisan Budget Act of 2013 as it relates to students and access to higher education.

The purpose of the language does not seek to undo the ability of not-for profit loan servicers to continue to contract with the Department of Education. It is critical that this point be made clear, given the importance of Not-For-Profit servicers to families and students.

College education is a ticket to the middle class and the foundation of our economy. Barriers to college exist not only in cost, but in the reality that student financial aid is a complex and intimidating system. Many students aspiring to higher education will cut their dreams short simply because they do not receive the necessary support to navigate paying for college.

Not-For-Profit lenders have a strong record of providing this support for students and their families, which has meant that many hundreds of thousands more American students have gone to college.

More recently, Not-For-Profit loan servicers have received higher customer satisfaction scores during their first year of servicing in the Federal student aid program than any of the four national servicers during their first year.

In 2008, after Congress moved to direct lending, Not-For-Profit servicers were restricted in the number of accounts they were allowed to service. But in 2010, in recognition that these servicers provided very high quality customer service and provided programs to help many young people aspire to college, Congress required the Department of Education to contract with Not-For-Profit servicers.

Over the past two years, Not-For-Profit loan servicers have invested tens of millions of dollars to meet and exceed Federal requirements and to help the Federal Government reach important access goals.

The Vermont Student Assistance Corporation (VSAC) has only been servicing Federal loans for nine months. This past quarter they received the highest customer satisfaction score of all Not-For-Profit servicers and a score that was equal to or higher than three of the four national servicers. Similarly the independent assessment of the Department of Education's employee satisfaction with the quality of VSAC's work gave VSAC a higher rating than three of the four national servicers. More importantly, in less than a year, they have helped tens of thousands of the Department's borrowers who were behind in their payments get back on their feet.

Nothing in the Bipartisan Budget Act of 2013 authorizes the Secretary of Education to terminate their contracts or in any way prevent the Not-For-Profits from competing head to head against the national servicers. I hope that the Secretary of Education will use this opportunity to allow the Not-For-Profit servicers to continue their important work supporting students and families as they seek higher education. I also hope Not-For-Profit servicers will have access to newly originated accounts and the ability to compete with the national servicers on an equal footing.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of extending Federal unemployment insurance (UI) as part of a comprehensive and bipartisan budget agreement. Without Congressional action, 1.3 million Americans will lose access to vital UI benefits on December 28. Within the first half

of next year, an additional 1.9 million Americans will lose access to Federal unemployment insurance.

As Congress heads home for the holidays, it is important that we do not leave millions of Americans without a social safety net to protect against long-term job loss. Long-term unemployment as a percentage of the unemployed still remains around 37 percent, meaning these individuals will be left without any support after their state unemployment insurance expires. Further, failure to extend the Federal Emergency Unemployment Compensation program could cost the U.S. economy an additional 240,000 jobs.

My home State of Texas is not immune from these expiring benefits. Once the UI benefits expire, 68,900 unemployed workers in Texas will lose access to Federal unemployment insurance. Within the first six months of 2014, an additional 106,900 workers will also lose these benefits.

Mr. Speaker, as long as millions of unemployed workers struggle to find a job, Congress is doing a great disservice to this country by allowing Federal unemployment insurance to expire. Federal unemployment insurance serves as a vital lifeline for job seekers and their families. The very least we could do for these workers as we enter the holiday season is to provide them with the support they need to weather these challenging economic times.

Mr. BLUMENAUER, Mr. Speaker, I very reluctantly vote for H.J. Res 59, having been quoted accurately that it is a D+ piece of legislation.

It sadly represents what Congress has become. It is now a victory to avoid another government shutdown. It is a victory to temporarily prevent application of the Sustainable Growth Rate that would penalize medical providers and our senior citizens. It is the least we could do to find a tiny bit of budget breathing room so that it may be possible for the appropriations process to resume again.

It is frustrating that, at a time when there are still many unmet needs of our citizens and while our economy is sputtering, people are celebrating legislation that doesn't damage the economy more. It is sad that it has come to this.

I am hopeful, however, that this might serve as a point of departure over the next three months to be able to face the realities of what America needs.

I, for one, will continue working for the big picture, on the three bills that I have introduced to help rebuild and renew America and on arguing for a grander bargain, rather than the least that we can do. I will fight to build on the platform of healthcare reform so that we get medical providers off the SGR merry-go-round, instead moving towards the promise of healthcare reform. It is shameful that Congress is willing to cut food stamps yet give money to wealthy farmers, while ignoring the plight of the long term unemployed, illustrating the gap between what the American public expects and what we should do. I am hopeful that the new year will be more constructive.

In the meantime, we will celebrate avoiding another damaging government shutdown and we will celebrate not having a destructive resolution on the floor muddying diplomacy with Iran. I suppose in the holiday spirit we should be thankful for what we can get and then usher this least productive session in Congressional history out of town.

Mr. DINGELL. Mr. Speaker, I rise in support of H.J. Res. 59.

While this legislation is far from perfect, I will reluctantly support it. It is a small step forward towards funding our government and giving the American people a degree of certainty. In addition, I believe that the bipartisan and bicameral fashion in which it was crafted is a path that we absolutely must pursue in order to move this country forward. I remind my colleagues that compromise is not a dirty word; rather it is the cornerstone of our democracy.

Again, this measure is not perfect. I have genuine and very serious concerns regarding certain aspects of the bill, namely a lack of extension of unemployment benefits, its changes to aspects of pension contributions of Federal employees, as well as its revision of cost-of-living calculations for military retirees.

But I cannot allow the perfect to be the enemy of the good, and I thus will support this compromise in order to move this measure forward and continue the much needed debate over what we must do to keep our government up and running and best serving the American people. The legislation also includes a three-month fix of the Sustainable Growth Rate, and it remains my hope that this will allow us enough time to work towards a permanent, bipartisan solution.

While House Republicans have already put the solvency of our Nation's finances in turmoil this year by putting politics ahead of people and shutting down our government for seventeen days in October, I believe we must not allow that to happen again, and Senator MURRAY and Representative RYAN have taken this small but productive step towards doing just that today. It is my hope that Majority Leader REID will have the Senate take up this legislation—including an extension of emergency unemployment benefits—before December 28 in order to prevent some 1.3 million Americans from losing their benefits just one week after Christmas.

At its core, this compromise is a step in the right direction to averting the harmful effects of the sequester, restoring a degree of economic certainty, and beginning to return this Congress to a time where crossing the aisle was rightly seen as an admirable and necessary act to bring about compromise, tackle the great issues of the day, and best serve the proud people of this Nation.

Mr. BACHUS. Mr. Speaker, I rise today in support of the Bipartisan Budget Control Act of 2013. Allow me to thank Chairman RYAN for his hard work in producing this important agreement. It is my belief that we must begin to address our debt and deficit problem on a bipartisan basis.

To that end, I would like to briefly discuss Section 203 of the Bipartisan Budget Act of 2013. This section establishes a program under which the Secretary of Commerce restricts access to the information contained in the Death Master File for a three-year period beginning on the date of the individual's death, except to persons who are certified under a program to be established by the Secretary of Commerce.

The purpose of this provision of the law is to prevent misuse of the Death Master File that leads to waste, fraud and abuse committed against the Internal Revenue Service and other government agencies. The law is designed to achieve this purpose by restricting access to information contained in the Death

Master File for three years after the date of a person's death. In fact, my office has been contacted by a woman who has been struggling with basic functions of life such as opening a bank account or obtaining a driver's license because the Death Master File proclaims her dead when she is in fact alive. It is my firm belief that in addition to this step the Social Security Administration must improve its systems to ensure that death information is accurately updated on the Death Master File.

At the same time, the law also is designed to ensure that persons, companies, financial institutions, government agencies, and other types of entities continue to have access to the DMF in order to facilitate legitimate commerce and business purposes.

The law requires the Department of Commerce to set up a program to certify entities that are permitted access to the Death Master File. The intent is that the certification criteria contained in the law encompass the range of important functions that the DMF helps to facilitate.

The use of the Death Master File has important purposes such as preventing fraud, authenticating individuals, and preventing unauthorized transactions. Using the Death Master File for these important purposes helps to protect consumers from fraud and identity theft. Businesses and government agencies need access to the Death Master File to carry out these and other legitimate responsibilities.

Mr. CASTRO. Mr. Speaker, I'm encouraged to see the spirit of bipartisanship at work on this budget deal displayed. This bill mitigates the effects of sequestration and helps prevent another government shutdown. I support H.J. Res. 59 because it offers relief from the irresponsible sequestration cuts. Thousands of San Antonians were furloughed for more than a week because of sequestration and then found themselves out of a job again in October for almost two weeks as a result of the government shutdown. However, this bill is not without flaws. I am deeply concerned on how these changes will affect military pension benefits. I am hopeful that in the coming years Congress will continue to work together toward a sensible budget.

Mr. NEAL. Mr. Speaker, Section 203 in the Bipartisan Budget Act restricts access to the Social Security Administration's Death Master File (DMF).

This provision requires the Secretary of Commerce to create a program to restrict access to the information contained in the DMF for a three-year period after an individual's death. Under this program, only individuals that are certified by the Secretary to have a legitimate need for the information and agree to maintain the information under safeguards may access DMF information.

In implementing this section, the Department of Commerce in promulgating regulations for the certification program should provide sufficient time for legitimate current users of DMF information to comment on the regulations, especially as it relates to the timing of the effectiveness of this Section and as it relates to the authority to release the DMF to the public.

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

Pursuant to House Resolution 438, the previous question is ordered.

The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN).

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

RECORDED VOTE

Mr. PITTS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the motion offered by the gentleman from Wisconsin will be followed by a 5-minute vote on the motion to suspend the rules and adopt House Resolution 441.

The vote was taken by electronic device, and there were—ayes 332, noes 94, not voting 7, as follows:

[Roll No. 640]

AYES—332

Aderholt	Diaz-Balart	Keating
Amodei	Dingell	Kelly (IL)
Andrews	Doggett	Kelly (PA)
Bachus	Doyle	Kennedy
Barber	Duckworth	Kildee
Barletta	Duffy	Kilmer
Barr	Edwards	Kind
Barrow (GA)	Ellmers	King (NY)
Beatty	Engel	Kinzinger (IL)
Becerra	Enyart	Kirkpatrick
Benishek	Eshoo	Kline
Bera (CA)	Esty	Kuster
Bilirakis	Farenthold	LaMalfa
Bishop (NY)	Farr	Lamborn
Bishop (UT)	Fattah	Lance
Black	Fincher	Langevin
Blackburn	Fitzpatrick	Lankford
Blumenauer	Fleischmann	Larsen (WA)
Boehner	Fleming	Larson (CT)
Bonamici	Flores	Latham
Boustany	Forbes	Latta
Brady (PA)	Fortenberry	Lewis
Brady (TX)	Foster	Lipinski
Bralley (IA)	Fox	LoBiondo
Brooks (IN)	Frelinghuysen	Loeb
Brownley (CA)	Gabbard	Loeb
Buchanan	Gallego	Lowenthal
Bucshon	Garamendi	Lowe
Bustos	Garcia	Lucas
Butterfield	Gerlach	Luetkemeyer
Calvert	Gibbs	Lujan Grisham
Camp	Gibson	(NM)
Campbell	Goodlatte	Lujan, Ben Ray
Cantor	Granger	(NM)
Capito	Graves (GA)	Lynch
Capps	Graves (MO)	Maffei
Capuano	Grayson	Maloney
Cárdenas	Green, Al	Carolyn
Carney	Green, Gene	Maloney, Sean
Carson (IN)	Griffin (AR)	Marino
Carter	Griffith (VA)	Matheson
Cartwright	Grimm	Matsui
Cassidy	Guthrie	McAllister
Castor (FL)	Gutiérrez	McCarthy (CA)
Chaffetz	Hahn	McCaul
Clark (MA)	Hanna	McCollum
Clay	Harper	McDermott
Cleaver	Hartzler	McGovern
Clyburn	Hastings (FL)	McHenry
Coble	Hastings (WA)	McKeon
Cohen	Heck (WA)	McMorris
Cole	Hensarling	Rodgers
Collins (GA)	Herrera Beutler	McNerney
Collins (NY)	Higgins	Meehan
Conaway	Himes	Meeks
Connolly	Hinojosa	Meng
Cook	Honda	Messer
Cooper	Horsford	Mica
Costa	Hudson	Michaud
Courtney	Huffman	Miller (FL)
Cramer	Huizenga (MI)	Miller (MI)
Crenshaw	Hultgren	Miller, Gary
Crowley	Hunter	Miller, George
Cuellar	Hurt	Moore
Culberson	Israel	Moran
Cummings	Issa	Murphy (FL)
Davis (CA)	Jackson Lee	Murphy (PA)
Davis, Rodney	Jeffries	Nadler
DeGette	Jenkins	Napolitano
Delaney	Johnson (GA)	Neal
DelBene	Johnson (OH)	Noem
Denham	Johnson, E. B.	Nolan
Dent	Joyce	Nunes
Deutch	Kaptur	Nunnelee

O'Rourke  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Payne  
Pelosi  
Perlmutter  
Perry  
Peters (CA)  
Peters (MI)  
Peterson  
Petri  
Pittenger  
Pitts  
Polis  
Price (GA)  
Price (NC)  
Quigley  
Rahall  
Rangel  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus

Roybal-Allard  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Sarbanes  
Schiff  
Schneider  
Schock  
Schwartz  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takano  
Terry  
Thompson (CA)  
Thompson (PA)

Thornberry  
Tiberi  
Tierney  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Wagner  
Walberg  
Walden  
Walorski  
Walz  
Wasserman  
Schultz  
Waxman  
Welch  
Westmoreland  
Whitfield  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Wolf  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IN)

### A MOMENT OF SILENCE FOR NELSON MANDELA

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

Ms. FUDGE. Mr. Speaker, I ask my colleagues to join me as we pause to honor and remember the life of former South African President Nelson Mandela, who dedicated his life to making his vision of a free South Africa a reality.

Mr. Mandela stood for peace, for justice, and for a society that recognized the equality of every human being. After serving 27 years in prison for challenging the apartheid-sanctioned South African Government, Nelson Mandela emerged with a powerful message of forgiveness and reconciliation, a message that would transform his nation and unite the world.

In 1986, the members of the Congressional Black Caucus and the majority of the U.S. Congress stood with Mandela for peace and justice, and helped force an end to apartheid in South Africa. Today, I leave you with Nelson Mandela's words:

What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead.

South Africa and the world will forever be changed because Nelson Mandela lived.

I now ask that you pause for a moment of silence in honor of a great man, a man we respectfully and affectionately refer to as "Madiba."

Bucshon  
Burgess  
Bustos  
Butterfield  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Cárdenas  
Carney  
Carson (IN)  
Carter  
Cartwright  
Cassidy  
Castor (FL)  
Chabot  
Chaffetz  
Cicilline  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Conaway  
Connolly  
Cook  
Cooper  
Costa  
Cotton  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Daines  
Davis (CA)  
Davis, Rodney  
Delaney  
DeLauro  
DelBene  
Denham  
Dent  
DeSantis  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Duckworth  
Duffy  
Ellmers  
Engel  
Enyart  
Eshoo  
Esty  
Farenthold  
Farr  
Fattah  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Frelinghuysen  
Gabbard  
Gallego  
Garamendi  
Garcia  
Gardner  
Garrett  
Gerlach  
Gibbs  
Gibson  
Gingrey (GA)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (MO)  
Green, Al  
Green, Gene  
Griffin (AR)  
Grijalva  
Grimm  
Guthrie  
Gutiérrez

Hall  
Hanabusa  
Hanna  
Harper  
Harris  
Hartzler  
Hastings (FL)  
Hastings (WA)  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Higgins  
Himes  
Hinojosa  
Holding  
Horsford  
Hoyer  
Hudson  
Huelskamp  
Huizenga (MI)  
Hultgren  
Hunter  
Hurt  
Israel  
Issa  
Jackson Lee  
Jenkins  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Joyce  
Kaptur  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kingston  
Kinzinger (IL)  
Kirkpatrick  
Kline  
Kuster  
LaMalfa  
Lamborn  
Lance  
Langevin  
Lankford  
Larsen (WA)  
Latham  
Latta  
Levin  
Lipinski  
LoBiondo  
Loeback  
Long  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Lynch  
Maffei  
Maloney  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matheson  
McAllister  
McCarthy (CA)  
McCaul  
McCollum  
McHenry  
McIntyre  
McKeon  
McKinley  
McMorris  
Rodgers  
McNerney  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran  
Mullin

Mulvaney  
Murphy (FL)  
Murphy (PA)  
Neal  
Negrete McLeod  
Neugebauer  
Noem  
Nolan  
Nugent  
Nunes  
Nunnelee  
O'Rourke  
Olson  
Owens  
Palazzo  
Pascrell  
Pastor (AZ)  
Paulsen  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters (MI)  
Peterson  
Petri  
Pittenger  
Pitts  
Poe (TX)  
Pompeo  
Price (GA)  
Price (NC)  
Rahall  
Reed  
Reichert  
Renacci  
Rice (SC)  
Richmond  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rokita  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Royce  
Ruiz  
Runyan  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Sanchez, Loretta  
Sarbanes  
Schalise  
Schiff  
Schneider  
Schock  
Schwartz  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Southerland  
Speier  
Stewart  
Stivers  
Stutzman  
Takano  
Terry  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Tsongas  
Turner  
Upton

### NOES—94

Amash  
Bachmann  
Barton  
Bass  
Bentivolio  
Bridenstine  
Brooks (AL)  
Broun (GA)  
Burgess  
Chabot  
Chu  
Cicilline  
Clarke (NY)  
Coffman  
Conyers  
Cotton  
Crawford  
Daines  
DeFazio  
DeLauro  
DeSantis  
DesJarlais  
Duncan (SC)  
Duncan (TN)  
Ellison  
Frankel (FL)  
Franks (AZ)  
Fudge  
Gardner  
Garrett  
Gingrey (GA)  
Gohmert

Gosar  
Gowdy  
Grijalva  
Hall  
Hanabusa  
Harris  
Heck (NV)  
Holding  
Holt  
Hoyer  
Huelskamp  
Johnson, Sam  
Jones  
Jordan  
King (IA)  
Kingston  
Labrador  
Lee (CA)  
Levin  
Long  
Lummis  
Marchant  
Massie  
McClintock  
McIntyre  
McKinley  
Meadows  
Mullin  
Mulvaney  
Negrete McLeod  
Neugebauer  
Gohmert

Olson  
Pallone  
Pearce  
Pingree (ME)  
Pocan  
Poe (TX)  
Pompeo  
Posey  
Richmond  
Rohrabacher  
Salmon  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanford  
Scalise  
Schakowsky  
Schradler  
Schweikert  
Slaughter  
Smith (MO)  
Smith (NE)  
Stockman  
Thompson (MS)  
Velázquez  
Visclosky  
Waters  
Watt  
Weber (TX)  
Webster (FL)  
Wenstrup

### NOT VOTING—7

Bishop (GA)  
Brown (FL)  
Castro (TX)

Davis, Danny  
McCarthy (NY)  
Radel

Rush

□ 1825

Messrs. HALL, LONG, Ms. HANABUSA, Mrs. BACHMANN, Ms. SLAUGHTER, Messrs. GARRETT and CONYERS changed their vote from "aye" to "no."

Messrs. O'ROURKE and FINCHER changed their vote from "no" to "aye." So the motion to recede and concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

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

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 441) providing for the concurrence by the House in the Senate amendments to H.R. 3304, with an amendment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 350, nays 69, not voting 13, as follows:

[Roll No. 641]

YEAS—350

Aderholt  
Amodei  
Andrews  
Bachmann  
Bachus  
Barber  
Barletta  
Barr  
Barrow (GA)  
Barton

Beatty  
Benishak  
Bentivolio  
Bera (CA)  
Bishop (NY)  
Bishop (UT)  
Black  
Blackburn  
Bonamici  
Boustany

Brady (PA)  
Brady (TX)  
Braley (IA)  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Broun (GA)  
Brown (FL)  
Brownley (CA)  
Buchanan