TEXT OF HOUSE AMENDMENT #2 TO THE SENATE AMENDMENT
TO H.J. RES. 59

AMENDMENT TO THE SENATE AMENDMENT TO

H.J. RES. 59

OFFERED BY MRS. BLACKBURN OF TENNESSEE

In the matter proposed to be inserted by the Senate amendment, strike section 106 and all that follows through section 129 and insert the following (renumbering succeeding sections accordingly):

1 SEC. 106. Unless otherwise provided for in this joint
2 resolution or in the applicable appropriations Act for fiscal
3 year 2014, appropriations and funds made available and
4 authority granted pursuant to this joint resolution shall
5 be available until whichever of the following first occurs:
6 (1) the enactment into law of an appropriation for any
7 project or activity provided for in this joint resolution; (2)
8 the enactment into law of the applicable appropriations
9 Act for fiscal year 2014 without any provision for such
10 project or activity; or (3) December 15, 2013.
11 SEC. 107. Expenditures made pursuant to this joint
12 resolution shall be charged to the applicable appropriation,
13 fund, or authorization whenever a bill in which such appli-
14 cable appropriation, fund, or authorization is contained is
15 enacted into law.

1 SEC. 108. Appropriations made and funds made
2 available by or authority granted pursuant to this joint
3 resolution may be used without regard to the time limita-
4 tions for submission and approval of apportionments set
5 forth in section 1513 of title 31, United States Code, but
6 nothing in this joint resolution may be construed to waive
7 any other provision of law governing the apportionment
8 of funds.

9 SEC. 109. Notwithstanding any other provision of
10 this joint resolution, except section 106, for those pro-
11 grams that would otherwise have high initial rates of oper-
12 ation or complete distribution of appropriations at the be-
13 ginning of fiscal year 2014 because of distributions of
14 funding to States, foreign countries, grantees, or others,
15 such high initial rates of operation or complete distribu-
16 tion shall not be made, and no grants shall be awarded
17 for such programs funded by this joint resolution that
18 would impinge on final funding prerogatives.

19 SEC. 110. This joint resolution shall be implemented
20 so that only the most limited funding action of that per-
21 mitted in the joint resolution shall be taken in order to
22 provide for continuation of projects and activities.

23 SEC. 111. (a) For entitlements and other mandatory
24 payments whose budget authority was provided in appro-
25 priations Acts for fiscal year 2013, and for activities under

1 the Food and Nutrition Act of 2008, activities shall be
2 continued at the rate to maintain program levels under
3 current law, under the authority and conditions provided
4 in the applicable appropriations Act for fiscal year 2013,
5 to be continued through the date specified in section
6 106(3).

7 (b) Notwithstanding section 106, obligations for man-
8 datory payments due on or about the first day of any
9 month that begins after October 2013 but not later than
10 30 days after the date specified in section 106(3) may con-
11 tinue to be made, and funds shall be available for such
12 payments.

13 SEC. 112. Amounts made available under section 101
14 for civilian personnel compensation and benefits in each
15 department and agency may be apportioned up to the rate
16 for operations necessary to avoid furloughs within such de-
17 partment or agency, consistent with the applicable appro-
18 priations Act for fiscal year 2013, except that such author-
19 ity provided under this section shall not be used until after
20 the department or agency has taken all necessary actions
21 to reduce or defer non-personnel-related administrative ex-
22 penses.

23 SEC. 113. Funds appropriated by this joint resolution
24 may be obligated and expended notwithstanding section 10
25 of Public Law 91–672 (22 U.S.C. 2412), section 15 of

1 the State Department Basic Authorities Act of 1956 (22
2 U.S.C. 2680), section 313 of the Foreign Relations Au-
3 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
4 6212), and section 504(a)(1) of the National Security Act
5 of 1947 (50 U.S.C. 3094(a)(1)).

6 SEC. 114. (a) Each amount incorporated by reference
7 in this joint resolution that was previously designated by
8 the Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985 or as being for disaster relief pursuant to section
12 251(b)(2)(D) of such Act is designated by the Congress
13 for Overseas Contingency Operations/Global War on Ter-
14 rorism pursuant to section 251(b)(2)(A) of such Act or
15 as being for disaster relief pursuant to section
16 251(b)(2)(D) of such Act, respectively.

17 (b) Of the amounts made available by section 101
18 for "Social Security Administration, Limitation on Admin-
19 istrative Expenses" for the cost associated with continuing
20 disability reviews under titles II and XVI of the Social
21 Security Act and for the cost associated with conducting
22 redeterminations of eligibility under title XVI of the Social
23 Security Act, $273,000,000 is provided to meet the terms
24 of section 251(b)(2)(B)(ii)(III) of the Balanced Budget
25 and Emergency Deficit Control Act of 1985, as amended,

1 and $469,639,000 is additional new budget authority
2 specified for purposes of section 251(b)(2)(B) of such Act.
3 (c) Section 5 of Public Law 113–6 shall apply to
4 amounts designated in subsection (a) for Overseas Contin-
5 gency Operations/Global War on Terrorism.
6 SEC. 115. Section 3003 of division G of Public Law
7 113–6 shall be applied to funds appropriated by this joint
8 resolution by substituting "fiscal year 2014" for "fiscal
9 year 2013" each place it appears.
10 SEC. 116. Section 408 of the Food for Peace Act (7
11 U.S.C. 1736b) shall be applied by substituting the date
12 specified in section 106(3) of this joint resolution for "De-
13 cember 31, 2012".
14 SEC. 117. Amounts made available under section 101
15 for "Department of Commerce—National Oceanic and At-
16 mospheric Administration—Procurement, Acquisition and
17 Construction" may be apportioned up to the rate for oper-
18 ations necessary to maintain the planned launch schedules
19 for the Joint Polar Satellite System and the Geostationary
20 Operational Environmental Satellite system.
21 SEC. 118. The authority provided by sections 1205
22 and 1206 of the National Defense Authorization Act for
23 Fiscal Year 2012 (Public Law 112–81) shall continue in
24 effect, notwithstanding subsection (h) of section 1206,
25 through the earlier of the date specified in section 106(3)

1 of this joint resolution or the date of the enactment of
2 an Act authorizing appropriations for fiscal year 2014 for
3 military activities of the Department of Defense.

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

8 SEC. 120. Notwithstanding any other provision of
9 this joint resolution, except section 106, the District of
10 Columbia may expend local funds under the heading "Dis-
11 trict of Columbia Funds" for such programs and activities
12 under title IV of H.R. 2786 (113th Congress), as reported
13 by the Committee on Appropriations of the House of Rep-
14 resentatives, at the rate set forth under "District of Co-
15 lumbia Funds—Summary of Expenses" as included in the
16 Fiscal Year 2014 Budget Request Act of 2013 (D.C. Act
17 20–127), as modified as of the date of the enactment of
18 this joint resolution.

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

23 SEC. 122. For the period covered by this joint resolu-
24 tion, section 550(b) of Public Law 109–295 (6 U.S.C. 121
25 note) shall be applied by substituting the date specified

1 in section 106(3) of this joint resolution for "October 4,
2 2013".

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

6 SEC. 124. The authority provided by section 831 of
7 the Homeland Security Act of 2002 (6 U.S.C. 391) shall
8 continue in effect through the date specified in section
9 106(3) of this joint resolution.

10 SEC. 125. (a) Any amounts made available pursuant
11 to section 101 for "Department of Homeland Security—
12 U.S. Customs and Border Protection—Salaries and Ex-
13 penses", "Department of Homeland Security—U.S. Cus-
14 toms and Border Protection—Border Security Fencing,
15 Infrastructure, and Technology", and "Department of
16 Homeland Security—U.S. Immigration and Customs En-
17 forcement—Salaries and Expenses" shall be obligated at
18 a rate for operations as necessary to respectively—

19 (1) sustain the staffing levels of U.S. Customs
20 and Border Protection Officers, equivalent to the
21 staffing levels achieved on September 30, 2013, and
22 comply with the last proviso under the heading "De-
23 partment of Homeland Security—U.S. Customs and
24 Border Protection—Salaries and Expenses" in divi-
25 sion D of Public Law 113–6;

1 (2) sustain border security operations, including
2 sustaining the operation of Tethered Aerostat Radar
3 Systems; and
4 (3) sustain the staffing levels of U.S. Immigra-
5 tion and Customs Enforcement agents, equivalent to
6 the staffing levels achieved on September 30, 2013,
7 and comply with the sixth proviso under the heading
8 "Department of Homeland Security—U.S. Immigra-
9 tion and Customs Enforcement—Salaries and Ex-
10 penses" in division D of Public Law 113–6.
11 (b) The Secretary of Homeland Security shall notify
12 the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate on each use of the authority
14 provided in this section.
15 SEC. 126. In addition to the amount otherwise pro-
16 vided by section 101 for "Department of the Interior—
17 Department-wide Programs—Wildland Fire Manage-
18 ment", there is appropriated $36,000,000 for an addi-
19 tional amount for fiscal year 2014, to remain available
20 until expended, for urgent wildland fire suppression activi-
21 ties: *Provided*, That of the funds provided, $15,000,000
22 is for burned area rehabilitation: *Provided further*, That
23 such funds shall only become available if funds previously
24 provided for wildland fire suppression will be exhausted
25 imminently and the Secretary of the Interior notifies the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate in writing of the need for these addi-
3 tional funds: *Provided further*, That such funds are also
4 available for transfer to other appropriations accounts to
5 repay amounts previously transferred for wildfire suppres-
6 sion.

7 SEC. 127. In addition to the amount otherwise pro-
8 vided by section 101 for "Department of Agriculture—
9 Forest Service—Wildland Fire Management", there is ap-
10 propriated $600,000,000 for an additional amount for fis-
11 cal year 2014, to remain available until expended, for ur-
12 gent wildland fire suppression activities: *Provided*, That
13 such funds shall only become available if funds previously
14 provided for wildland fire suppression will be exhausted
15 imminently and the Secretary of Agriculture notifies the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate in writing of the need for these addi-
18 tional funds: *Provided further*, That such funds are also
19 available for transfer to other appropriations accounts to
20 repay amounts previously transferred for wildfire suppres-
21 sion.

22 SEC. 128. The authority provided by section 347 of
23 the Department of the Interior and Related Agencies Ap-
24 propriations Act, 1999 (as contained in section 101(e) of
25 division A of Public Law 105–277; 16 U.S.C. 2104 note)

1 shall continue in effect through the date specified in sec-
2 tion 106(3) of this joint resolution.

3 SEC. 129. (a) The authority provided by subsection
4 (m)(3) of section 8162 of the Department of Defense Ap-
5 propriations Act, 2000 (40 U.S.C. 8903 note; Public Law
6 106–79), as amended, shall continue in effect through the
7 date specified in section 106(3) of this joint resolution.

8 (b) For the period covered by this joint resolution,
9 the authority provided by the provisos under the heading
10 "Dwight D. Eisenhower Memorial Commission—Capital
11 Construction" in division E of Public Law 112–74 shall
12 not be in effect.

13 SEC. 130. Section 1244(c)(3) of the National Defense
14 Authorization Act for Fiscal Year 2008 (8 U.S.C. 1157
15 note) is amended by adding at the end the following:

16 "(C) FISCAL YEAR 2014.—

17 "(i) IN GENERAL.—Except as pro-
18 vided in clauses (ii) and (iii), the total
19 number of principal aliens who may be
20 provided special immigrant status under
21 this section in fiscal year 2014 during the
22 period ending on December 15, 2013 shall
23 be the sum of—

24 "(I) the number of aliens de-
25 scribed in subsection (b) whose appli-

1 cation for special immigrant status
2 under this section is pending on Sep-
3 tember 30, 2013; and
4 "(II) 2,000.
5 "(ii) EMPLOYMENT PERIOD.—The 1-
6 year period during which the principal
7 alien is required to have been employed by
8 or on behalf of the United States Govern-
9 ment in Iraq under subsection (b)(1)(B)
10 shall begin on or after March 20, 2003,
11 and end on or before September 30, 2013.
12 "(iii) APPLICATION DEADLINE.—The
13 principal alien seeking special immigrant
14 status under this subparagraph shall apply
15 to the Chief of Mission in accordance with
16 subsection (b)(4) not later than December
17 15, 2013.".
18 SEC. 131. (a) ONE-YEAR DELAY IN IMPLEMENTA-
19 TION OF ACA.—Notwithstanding any other provision of
20 law (including section 106 of this joint resolution), to the
21 extent that a provision of ACA (or a change in law attrib-
22 utable to such a provision) is scheduled to and would oth-
23 erwise take effect on a date during the period beginning
24 on October 1, 2013, and ending on December 31, 2014,
25 such provision (or change) shall not be effective during

1 the 1-year period beginning on such date. During such 1-
2 year period, the previous sentence shall be implemented
3 in a manner as to continue the law as in effect as of the
4 day before such date and shall take into account changes
5 that would otherwise be made without regard to any such
6 provision. Upon the expiration of such 1-year period, ex-
7 cept as may otherwise be provided, the provisions of ACA
8 (including the changes in law attributable to such provi-
9 sions) shall be implemented as if the previous provisions
10 of this subsection had not applied. Section 2713(a)(4) of
11 the Public Health Service Act (42 U.S.C. 300gg–13(a)(4))
12 shall not be effective for any period before January 1,
13 2015, with respect to the requirement for specific coverage
14 for any sponsor of a group health plan (or, in the case
15 of student health plans, the institution of higher education
16 offering such plans), health insurance issuer, or individual
17 opposing such requirement for coverage based on religious
18 or moral objections.

19 (b)(1) INTERNAL REVENUE CODE OF 1986.—In the
20 case of any amendment made by ACA to the Internal Rev-
21 enue Code of 1986, such amendment shall not apply to—

22 (A) except as otherwise provided in this para-
23 graph, taxable years or plan years, as the case may
24 be, beginning during 2014,

1 (B) in the case of sections 36B and 4980H of
2 such Code, months beginning during 2014,
3 (C) in the case of section 4191 of such Code,
4 sales during 2014,
5 (D) in the case of subchapter B of chapter 34
6 of such Code, policy and plan years beginning during
7 2014,
8 (E) in the case of section 5000B of such Code,
9 services performed during 2014,
10 (F) in the case of sections 6055 and 6056 of
11 such Code, calendar year 2014,
12 (G) in the case of any amendment made by
13 ACA to section 6103 of such Code, disclosures dur-
14 ing 2014,
15 (H) in the case of any amendment made by sec-
16 tion 9004 of the Patient Protection and Affordable
17 Care Act, distributions made during 2014, and
18 (I) in the case of any amendment made by sec-
19 tion 1409 of the Health Care and Education Rec-
20 onciliation Act of 2010, transactions entered into
21 during 2014.
22 (2)(A) ANNUAL FEES.—Sections 9008 and 9010 of
23 the Patient Protection and Affordable Care Act shall not
24 apply to annual payment dates (within the meaning of
25 such sections) during 2014.

1 (B) PATIENT-CENTERED OUTCOMES RESEARCH
2 TRUST FUND.—Notwithstanding any other provision of
3 law, during 2014, no amount may be—
4 (i) appropriated, credited, or otherwise trans-
5 ferred to the Patient-Centered Outcomes Research
6 Trust Fund, or
7 (ii) transferred from such Fund.
8 Subsections (a) and (b)(1) shall not apply to section 9511
9 of the Internal Revenue Code of 1986.
10 (3)(A) COORDINATION WITH PROVISIONS SUS-
11 PENDED UNDER THIS SUBSECTION.—Subsection (a) shall
12 not apply with respect to any provision of ACA to which
13 this subsection applies.
14 (B) COORDINATION WITH PROVISIONS NOT SUS-
15 PENDED UNDER SUBSECTION (a).—Paragraph (1) shall
16 not apply to—
17 (i) section 9815 of the Internal Revenue Code
18 of 1986,
19 (ii) the amendments made by section 1322(h)
20 of the Patient Protection and Affordable Care Act,
21 and
22 (iii) the amendments made by section 1004(d)
23 of the Health Care and Education Reconciliation Act
24 of 2010.

1 (c) IMPLEMENTATION.—The Secretaries of Health
2 and Human Services and the Treasury shall take such
3 steps as may be required to implement the provisions of
4 this section on a timely basis.
5 (d) ACA DEFINED.—In this section, the term "ACA"
6 means—
7 (1) the Patient Protection and Affordable Care
8 Act (Public Law 111–148), including any amend-
9 ment made by such Act; and
10 (2) title I and subtitle B of title II of the
11 Health Care and Education Reconciliation Act of
12 2010 (Public Law 111–152), including any amend-
13 ment made by such title or subtitle.