TEXT OF HOUSE AMENDMENT #1 TO THE SENATE AMENDMENT TO H.J. RES. 59

AMENDMENT TO H.J. RES. 59

OFFERED BY MR. PAULSEN OF MINNESOTA

In the matter proposed to be inserted by the Senate amendment, strike section 105 and all that follows through section 129 and insert the following (renumbering succeeding sections accordingly):

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 Act 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) December 15, 2013.

SEC. 107. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation,

1 fund, or authorization whenever a bill in which such appli-
2 cable appropriation, fund, or authorization is contained is
3 enacted into law.

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

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

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

1 SEC. 111. (a) For entitlements and other mandatory
2 payments whose budget authority was provided in appro-
3 priations Acts for fiscal year 2013, and for activities under
4 the Food and Nutrition Act of 2008, activities shall be
5 continued at the rate to maintain program levels under
6 current law, under the authority and conditions provided
7 in the applicable appropriations Act for fiscal year 2013,
8 to be continued through the date specified in section
9 106(3).

10 (b) Notwithstanding section 106, obligations for man-
11 datory payments due on or about the first day of any
12 month that begins after October 2013 but not later than
13 30 days after the date specified in section 106(3) may con-
14 tinue to be made, and funds shall be available for such
15 payments.

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

1 SEC. 113. Funds appropriated by this joint resolution
2 may be obligated and expended notwithstanding section 10
3 of Public Law 91–672 (22 U.S.C. 2412), section 15 of
4 the State Department Basic Authorities Act of 1956 (22
5 U.S.C. 2680), section 313 of the Foreign Relations Au-
6 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
7 6212), and section 504(a)(1) of the National Security Act
8 of 1947 (50 U.S.C. 3094(a)(1)).

9 SEC. 114. (a) Each amount incorporated by reference
10 in this joint resolution that was previously designated by
11 the Congress for Overseas Contingency Operations/Global
12 War on Terrorism pursuant to section 251(b)(2)(A) of the
13 Balanced Budget and Emergency Deficit Control Act of
14 1985 or as being for disaster relief pursuant to section
15 251(b)(2)(D) of such Act is designated by the Congress
16 for Overseas Contingency Operations/Global War on Ter-
17 rorism pursuant to section 251(b)(2)(A) of such Act or
18 as being for disaster relief pursuant to section
19 251(b)(2)(D) of such Act, respectively.

20 (b) Of the amounts made available by section 101
21 for "Social Security Administration, Limitation on Admin-
22 istrative Expenses" for the cost associated with continuing
23 disability reviews under titles II and XVI of the Social
24 Security Act and for the cost associated with conducting
25 redeterminations of eligibility under title XVI of the Social

1 Security Act, $273,000,000 is provided to meet the terms
2 of section 251(b)(2)(B)(ii)(III) of the Balanced Budget
3 and Emergency Deficit Control Act of 1985, as amended,
4 and $469,639,000 is additional new budget authority
5 specified for purposes of section 251(b)(2)(B) of such Act.
6 (c) Section 5 of Public Law 113–6 shall apply to
7 amounts designated in subsection (a) for Overseas Contin-
8 gency Operations/Global War on Terrorism.
9 SEC. 115. Section 3003 of division G of Public Law
10 113–6 shall be applied to funds appropriated by this joint
11 resolution by substituting "fiscal year 2014" for "fiscal
12 year 2013" each place it appears.
13 SEC. 116. Section 408 of the Food for Peace Act (7
14 U.S.C. 1736b) shall be applied by substituting the date
15 specified in section 106(3) of this joint resolution for "De-
16 cember 31, 2012".
17 SEC. 117. Amounts made available under section 101
18 for "Department of Commerce—National Oceanic and At-
19 mospheric Administration—Procurement, Acquisition and
20 Construction" may be apportioned up to the rate for oper-
21 ations necessary to maintain the planned launch schedules
22 for the Joint Polar Satellite System and the Geostationary
23 Operational Environmental Satellite system.
24 SEC. 118. The authority provided by sections 1205
25 and 1206 of the National Defense Authorization Act for

1 Fiscal Year 2012 (Public Law 112–81) shall continue in
2 effect, notwithstanding subsection (h) of section 1206,
3 through the earlier of the date specified in section 106(3)
4 of this joint resolution or the date of the enactment of
5 an Act authorizing appropriations for fiscal year 2014 for
6 military activities of the Department of Defense.

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

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

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

1 SEC. 122. For the period covered by this joint resolu-
2 tion, section 550(b) of Public Law 109–295 (6 U.S.C. 121
3 note) shall be applied by substituting the date specified
4 in section 106(3) of this joint resolution for "October 4,
5 2013".

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

9 SEC. 124. The authority provided by section 831 of
10 the Homeland Security Act of 2002 (6 U.S.C. 391) shall
11 continue in effect through the date specified in section
12 106(3) of this joint resolution.

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

22 (1) sustain the staffing levels of U.S. Customs
23 and Border Protection Officers, equivalent to the
24 staffing levels achieved on September 30, 2013, and
25 comply with the last proviso under the heading "De-

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

1 such funds shall only become available if funds previously
2 provided for wildland fire suppression will be exhausted
3 imminently and the Secretary of the Interior notifies the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate in writing of the need for these addi-
6 tional funds: *Provided further*, That such funds are also
7 available for transfer to other appropriations accounts to
8 repay amounts previously transferred for wildfire suppres-
9 sion.

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

1 SEC. 128. The authority provided by section 347 of
2 the Department of the Interior and Related Agencies Ap-
3 propriations Act, 1999 (as contained in section 101(e) of
4 division A of Public Law 105–277; 16 U.S.C. 2104 note)
5 shall continue in effect through the date specified in sec-
6 tion 106(3) of this joint resolution.

7 SEC. 129. (a) The authority provided by subsection
8 (m)(3) of section 8162 of the Department of Defense Ap-
9 propriations Act, 2000 (40 U.S.C. 8903 note; Public Law
10 106–79), as amended, shall continue in effect through the
11 date specified in section 106(3) of this joint resolution.

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

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

20 "(C) FISCAL YEAR 2014.—

21 "(i) IN GENERAL.—Except as pro-
22 vided in clauses (ii) and (iii), the total
23 number of principal aliens who may be
24 provided special immigrant status under
25 this section in fiscal year 2014 during the

1 period ending on December 15, 2013 shall
2 be the sum of—
3 "(I) the number of aliens de-
4 scribed in subsection (b) whose appli-
5 cation for special immigrant status
6 under this section is pending on Sep-
7 tember 30, 2013; and
8 "(II) 2,000.
9 "(ii) EMPLOYMENT PERIOD.—The 1-
10 year period during which the principal
11 alien is required to have been employed by
12 or on behalf of the United States Govern-
13 ment in Iraq under subsection (b)(1)(B)
14 shall begin on or after March 20, 2003,
15 and end on or before September 30, 2013.
16 "(iii) APPLICATION DEADLINE.—The
17 principal alien seeking special immigrant
18 status under this subparagraph shall apply
19 to the Chief of Mission in accordance with
20 subsection (b)(4) not later than December
21 15, 2013.".
22 SEC. 131. (a) REPEAL OF MEDICAL DEVICE EXCISE
23 TAX.—Chapter 32 of the Internal Revenue Code of 1986
24 is amended by striking subchapter E.

1 (b) CONFORMING AMENDMENTS.—(1) Subsection (a)
2 of section 4221 of such Code is amended by striking the
3 last sentence.
4 (2) Paragraph (2) of section 6416(b) of such Code
5 is amended by striking the last sentence.
6 (3) The table of subchapters for chapter 32 of such
7 Code is amended by striking the item relating to sub-
8 chapter E.
9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to sales after the date of the enact-
11 ment of this joint resolution.

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