

*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 113<sup>th</sup> 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 (113<sup>th</sup> Congress). Those provisions are listed in table 2.

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**Table 2. Deficit-Neutral Reserve Funds in the Senate**

(Section numbers reference S. Con. Res. 8 (113<sup>th</sup> Congress).)

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- 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.

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**Table 2. Deficit-Neutral Reserve Funds in the Senate (continued)**

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- 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.
- 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.

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**Table 2. Deficit-Neutral Reserve Funds in the Senate (continued)**

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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.

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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 (113<sup>th</sup> 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 113<sup>th</sup> 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 (110<sup>th</sup> 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 overpayments 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 currently 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 FERS contribute an additional 1.3 percentage points of pay beginning January 1, 2014, for a total of 4.4 percentage points into the CRSDF. 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 FSRDF 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 four 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 offsetting 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 that do not have enough assets set aside to pay 100 percent of the promised benefits are considered underfunded. The sponsors of underfunded defined-benefit plans pay the variable-rate annual premium of \$9 per \$1,000 of underfunding. Beginning in 2014, the variable-rate premium will be indexed to increases in the average wage index. Plans

that terminate their defined-benefit pension plans under certain conditions are liable for a termination premium of \$1,250 per plan participant per year for three years.

Section 703 would increase both flat-rate premiums and variable-rate premiums to reduce the deficit of the PBGC.

Subsection 703(a) would increase the flat-rate premium to \$57 for plan year 2015 and to \$64 for plan year 2016. Subsection 703(b) provides that flat-rate premiums would then be indexed to the growth in wages thereafter.

Subsection 703(c) would increase the variable-rate premium by \$5 in plan year 2015 and an additional \$5 in plan year 2016. Subsection 703(d) provides for conforming changes to ensure that the variable-rate premiums would then be indexed to the growth in wages thereafter.

Subsection 703(d) would increase the variable-rate premium cap to \$500 beginning for plan years beginning after 2015.

Subsection 703(e) provides for these provisions to be effective for plan years beginning after December 31, 2013.

#### *Sec. 704. Cancellation of unobligated balances.*

The Department of Justice (DOJ) Asset Forfeiture Fund was established by the Comprehensive Crime Control Act of 1984 (Public Law 98-473) to seize and collect the proceeds of criminal activities. The fund uses the proceeds of forfeited assets – through a permanent, indefinite appropriation – to cover the costs of carrying out forfeiture activities. Annual Fund receipts are usually in excess of program needs, resulting in a large unobligated balance from year to year. A renewed emphasis on fraud and financial crime cases resulted in average annual outlays of nearly \$1.5 billion since 2007, with collections during that time ranging from \$1.7 billion in 2007 to \$4.2 billion in 2012. Unobligated balances in the fund are currently about \$868 million. Subsection 704(a) would permanently cancel \$693 million of this balance.

The Treasury Forfeiture Fund (TFF) supports participating Treasury Department and Homeland Security (DHS) agencies in the use of asset forfeiture to disrupt and dismantle criminal enterprises and deter criminal activity. The focus of the TFF program is customs enforcement, whereas the Department of Justice Asset Forfeiture Fund specifically combats money laundering and fraud. The TFF collects cash and the proceeds of property forfeited pursuant to customs laws. TFF funds are available to cover costs related to seizures and forfeitures and certain other law enforcement activities. Annual TFF receipts are usually in excess of program needs, resulting in a large unobligated balance from year to year. Program outlays have been about 70 percent of program receipts and collections over the past 5 years. Unobligated balances in the fund are currently about \$888 million. Subsection 704(b) would permanently cancel \$867 million of this balance.

#### *Sec. 705. Conservation planning technical assistance user fees.*

The Department of Agriculture's Natural Resources Conservation Service (NRCS) provides technical assistance for the development of individualized, site-specific conservation plans and the establishment of measures to conserve soil and water, including farm irrigation, flood prevention, and agricultural pollution control. The technical assistance provided to agricultural landowners and operators varies depending upon the complexity of the soil or water conservation resource concern.

Subsection 705(a) would authorize NRCS to prescribe and collect fees of up to \$150 per conservation plan to cover some of the costs of providing technical assistance for completing a conservation plan for a producer or landowner. This section would authorize the Secretary of Agriculture to waive fees for assistance provided to members of historically underserved groups, such as beginning farmers or ranchers, limited resource farmers or ranchers, and socially disadvantaged farmers or ranchers. Fees also could be waived by the Secretary for assistance provided to USDA program participants seeking to maintain payment eligibility under Section 1212 of the Food Security Act of 1985, or to comply with local, state, or Federal regulatory requirements.

Subsection 705(b) provides for the establishment of a Conservation Technical Assistance Fund to receive the fees authorized in subsection (a). Monies deposited in the fund are available only pursuant to future appropriations.

*Sec. 706. Self plus one coverage.*

The law governing the Federal Employees Health Benefits Program (FEHBP), as originally enacted in 1959, only allows for employees to enroll as individuals ("self only") or as a family ("self and family"). Section 706 would modernize the FEHBP to include a "self plus one" enrollment tier. This section would align the FEHB Program with the commercial market and serve to spread costs across different enrollment types.



**AMENDMENT TO H. J. RES. 59**  
**OFFERED BY MR. RYAN OF WISCONSIN**

Strike all after the resolved clause and insert the following:

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

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

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

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.

1                   **TITLE I—BUDGET**  
2                   **ENFORCEMENT**  
3 **Subtitle A—Amendments to the**  
4 **Balanced Budget and Emer-**  
5 **gency Deficit Control Act of**  
6 **1985**

7 **SEC. 101. AMENDMENTS TO THE BALANCED BUDGET AND**  
8 **EMERGENCY DEFICIT CONTROL ACT OF 1985.**

9           (a) REVISED DISCRETIONARY SPENDING LIMITS.—  
10 Section 251(e) of the Balanced Budget and Emergency  
11 Deficit Control Act of 1985 is amended by striking para-  
12 graphs (1) through (10) and inserting the following new  
13 paragraphs:

14                   “(1) for fiscal year 2014—

15                           “(A) for the revised security category,  
16                           \$520,464,000,000 in new budget authority; and

17                           “(B) for the revised nonsecurity category,  
18                           \$491,773,000,000 in new budget authority;

19                   “(2) for fiscal year 2015—

20                           “(A) for the revised security category,  
21                           \$521,272,000,000 in new budget authority; and

22                           “(B) for the revised nonsecurity category,  
23                           \$492,356,000,000 in new budget authority;

24                   “(3) for fiscal year 2016—

1           “(A) for the revised security category,  
2           \$577,000,000,000 in new budget authority; and

3           “(B) for the revised nonsecurity category,  
4           \$530,000,000,000 in new budget authority;

5           “(4) for fiscal year 2017—

6           “(A) for the revised security category,  
7           \$590,000,000,000 in new budget authority; and

8           “(B) for the revised nonsecurity category,  
9           \$541,000,000,000 in new budget authority;

10          “(5) for fiscal year 2018—

11          “(A) for the revised security category,  
12          \$603,000,000,000 in new budget authority; and

13          “(B) for the revised nonsecurity category,  
14          \$553,000,000,000 in new budget authority;

15          “(6) for fiscal year 2019—

16          “(A) for the revised security category,  
17          \$616,000,000,000 in new budget authority; and

18          “(B) for the revised nonsecurity category,  
19          \$566,000,000,000 in new budget authority;

20          “(7) for fiscal year 2020—

21          “(A) for the revised security category,  
22          \$630,000,000,000 in new budget authority; and

23          “(B) for the revised nonsecurity category,  
24          \$578,000,000,000 in new budget authority; and

25          “(8) for fiscal year 2021—

1           “(A) for the revised security category,  
2           \$644,000,000,000 in new budget authority; and

3           “(B) for the revised nonsecurity category,  
4           \$590,000,000,000 in new budget authority;”.

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

10           “(10) IMPLEMENTING DIRECT SPENDING RE-  
11 Ductions FOR FISCAL YEARS 2014 AND 2015.—(A)  
12 OMB shall make the calculations necessary to imple-  
13 ment the direct spending reductions calculated pur-  
14 suant to paragraphs (3) and (4) without regard to  
15 the amendment made to section 251(c) revising the  
16 discretionary spending limits for fiscal years 2014  
17 and 2015 by the Bipartisan Budget Act of 2013.

18           “(B) Paragraph (5)(B) shall not be imple-  
19 mented for fiscal years 2014 and 2015.”.

20           (2) Paragraph (5)(B) of section 251A of the Bal-  
21 anced Budget and Emergency Deficit Control Act of 1985,  
22 as redesignated by subsection (d)(2)(C) of this section, is  
23 amended by striking “On” and inserting “Except as pro-  
24 vided by paragraph (10), on”.

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

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

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

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

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

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

6 “(D) The term ‘revised security category’  
7 means discretionary appropriations in budget func-  
8 tion 050.

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

12 “(F) The term ‘category’ means the subsets of  
13 discretionary appropriations in section 251(c). Dis-  
14 cretionary appropriations in each of the categories  
15 shall be those designated in the joint explanatory  
16 statement accompanying the conference report on  
17 the Balanced Budget Act of 1997. New accounts or  
18 activities shall be categorized only after consultation  
19 with the Committees on Appropriations and the  
20 Budget of the House of Representatives and the  
21 Senate and that consultation shall, to the extent  
22 practicable, include written communication to such  
23 committees that affords such committees the oppor-  
24 tunity to comment before official action is taken  
25 with respect to new accounts or activities.”; and

1 (2) in section 251A (2 U.S.C. 901a)—

2 (A) by striking, in the matter preceding  
3 paragraph (1), “Unless” through “as follows:”  
4 and inserting the following: “Discretionary ap-  
5 propriations and direct spending accounts shall  
6 be reduced in accordance with this section as  
7 follows.”;

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

9 (C) by redesignating paragraphs (3)  
10 through (11) as paragraphs (1) through (9), re-  
11 spectively;

12 (D) in paragraph (2), as redesignated, by  
13 striking “paragraph (3)” and inserting “para-  
14 graph (1)”;

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

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

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

22 (i) by striking “paragraph (5)” each  
23 place it appears and inserting “paragraph  
24 (3)”;



1 (ii) by striking “paragraph (6)” each  
2 place it appears and inserting “paragraph  
3 (4)”;

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

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

7 (ii) by striking “paragraphs (5) and  
8 (6)” and inserting “paragraphs (3) and  
9 (4)”;

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

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

13 (ii) by striking “paragraph (6)” each  
14 place it appears and inserting “paragraph  
15 (4)”;

16 (J) in paragraph (9), as redesignated, by  
17 striking “paragraph (4)” and inserting “para-  
18 graph (2)”.

19 **Subtitle B—Establishing a**  
20 **Congressional Budget**

21 **SEC. 111. FISCAL YEAR 2014 BUDGET RESOLUTION.**

22 (a) FISCAL YEAR 2014.—For the purpose of enforce-  
23 ing the Congressional Budget Act of 1974 for fiscal year  
24 2014, and enforcing, in the Senate, budgetary points of  
25 order in prior concurrent resolutions on the budget, the

1 allocations, aggregates, and levels provided for in sub-  
2 section (b) shall apply in the same manner as for a concur-  
3 rent resolution on the budget for fiscal year 2014 with  
4 appropriate budgetary levels for fiscal year 2014 and for  
5 fiscal years 2015 through 2023.

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

12 (1) for the Committee on Appropriations of  
13 that House, committee allocations for fiscal year  
14 2014 consistent with the discretionary spending lim-  
15 its set forth in this Act for the purpose of enforcing  
16 section 302 of the Congressional Budget Act of  
17 1974;

18 (2) for all committees of that House other than  
19 the Committee on Appropriations, committee alloca-  
20 tions for—

21 (A) fiscal year 2014;

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

24 (C) fiscal years 2014 through 2023;

1 consistent with the May 2013 baseline of the Con-  
2 gressional Budget Office adjusted to account for the  
3 budgetary effects of this Act and legislation enacted  
4 prior to this Act but not included in the May 2013  
5 baseline of the Congressional Budget Office, for the  
6 purpose of enforcing section 302 of the Congres-  
7 sional Budget Act of 1974;

8 (3) aggregate spending levels for fiscal year  
9 2014 in accordance with the allocations established  
10 under paragraphs (1) and (2), for the purpose of en-  
11 forcing section 311 of the Congressional Budget Act  
12 of 1974;

13 (4) aggregate revenue levels for—

14 (A) fiscal year 2014;

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

17 (C) fiscal years 2014 through 2023;

18 consistent with the May 2013 baseline of the Con-  
19 gressional Budget Office adjusted to account for the  
20 budgetary effects of this Act and legislation enacted  
21 prior to this Act but not included in the May 2013  
22 baseline of the Congressional Budget Office, for the  
23 purpose of enforcing section 311 of the Congres-  
24 sional Budget Act of 1974; and

1           (5) in the Senate only, levels of Social Security  
2 revenues and outlays for fiscal year 2014 and for  
3 the periods of fiscal years 2014 through 2018 and  
4 2014 through 2023 consistent with the May 2013  
5 baseline of the Congressional Budget Office adjusted  
6 to account for the budgetary effects of this Act and  
7 legislation enacted prior to this Act but not included  
8 in the May 2013 baseline of the Congressional  
9 Budget Office, for the purpose of enforcing sections  
10 302 and 311 of the Congressional Budget Act of  
11 1974.

12       (c) FURTHER ADJUSTMENTS.—After the date of en-  
13 actment of this Act, the Chairman of the Committee on  
14 the Budget of the House of Representatives may reduce  
15 the aggregates, allocations, and other budgetary levels in-  
16 cluded in the statement of the Chairman of the Committee  
17 on the Budget of the House of Representatives referred  
18 to in subsection (b) to reflect the budgetary effects of any  
19 legislation enacted during the 113th Congress that re-  
20 duces the deficit.

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

23       (a) POINT OF ORDER AGAINST ADVANCE APPRO-  
24 PRIATIONS IN THE SENATE.—

25           (1) IN GENERAL.—

1           (A) POINT OF ORDER.—Except as pro-  
2           vided in paragraph (2), it shall not be in order  
3           in the Senate to consider any bill, joint resolu-  
4           tion, motion, amendment, amendment between  
5           the Houses, or conference report that would  
6           provide an advance appropriation.

7           (B) DEFINITION.—In this subsection, the  
8           term “advance appropriation” means any new  
9           budget authority provided in a bill or joint reso-  
10          lution making appropriations for fiscal year  
11          2014 that first becomes available for any fiscal  
12          year after 2014 or any new budget authority  
13          provided in a bill or joint resolution making ap-  
14          propriations for fiscal year 2015 that first be-  
15          comes available for any fiscal year after 2015.

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

18               (A) for fiscal years 2015 and 2016 for pro-  
19               grams, projects, activities, or accounts identi-  
20               fied in a statement submitted to the Congres-  
21               sional Record by the Chairman of the Com-  
22               mittee on the Budget of the Senate under the  
23               heading “Accounts Identified for Advance Ap-  
24               propriations” in an aggregate amount not to

1 exceed \$28,852,000,000 in new budget author-  
2 ity in each fiscal year;

3 (B) for the Corporation for Public Broad-  
4 casting; and

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

9 (3) SUPERMAJORITY WAIVER AND APPEAL.—

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

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

19 (4) FORM OF POINT OF ORDER.—A point of  
20 order under paragraph (1) may be raised by a Sen-  
21 ator as provided in section 313(e) of the Congres-  
22 sional Budget Act of 1974.

23 (5) CONFERENCE REPORTS.—When the Senate  
24 is considering a conference report on, or an amend-  
25 ment between the Houses in relation to, a bill, upon

1 a point of order being made by any Senator pursu-  
2 ant to this subsection, and such point of order being  
3 sustained, such material contained in such con-  
4 ference report or amendment between the Houses  
5 shall be stricken, and the Senate shall proceed to  
6 consider the question of whether the Senate shall re-  
7 cede from its amendment and concur with a further  
8 amendment, or concur in the House amendment  
9 with a further amendment, as the case may be,  
10 which further amendment shall consist of only that  
11 portion of the conference report or House amend-  
12 ment, as the case may be, not so stricken. Any such  
13 motion in the Senate shall be debatable. In any case  
14 in which such point of order is sustained against a  
15 conference report (or Senate amendment derived  
16 from such conference report by operation of this  
17 paragraph), no further amendment shall be in order.

18 (6) INAPPLICABILITY.—In the Senate, section  
19 402 of S. Con. Res. 13 (111th Congress) shall no  
20 longer apply.

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

1 **SEC. 113. RULE OF CONSTRUCTION IN THE HOUSE OF REP-**  
2 **RESENTATIVES.**

3 In the House of Representatives, for the remainder  
4 of the 113th Congress, the provisions of H. Con. Res. 25  
5 (113th Congress), as deemed in force by H. Res. 243  
6 (113th Congress), shall remain in force to the extent its  
7 budgetary levels are not superseded by this subtitle or by  
8 further action of the House of Representatives.

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

10 (a) SENATE PAY-AS-YOU-GO SCORECARD.—

11 (1) IN GENERAL.—Effective on the date of en-  
12 actment of this Act, for the purpose of enforcing  
13 section 201 of S. Con. Res. 21 (110th Congress),  
14 the Chairman of the Committee on the Budget of  
15 the Senate shall reduce any balances of direct spend-  
16 ing and revenues for any fiscal year to zero.

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

24 (3) PUBLICATION.—Upon resetting the Senate  
25 paygo scorecard pursuant to paragraph (2), the  
26 Chairman of the Committee on the Budget of the



1 Senate shall publish a notification of such action in  
2 the Congressional Record.

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

7 (c) DEFICIT-NEUTRAL RESERVE FUND TO REPLACE  
8 SEQUESTRATION.—The Chairman of the Committee on  
9 the Budget of the Senate may revise the allocations of a  
10 committee or committees, aggregates, and other appro-  
11 priate levels and limits set pursuant to this subtitle for  
12 one or more bills, joint resolutions, amendments, motions,  
13 or conference reports that amend section 251A of the Bal-  
14 anced Budget and Emergency Deficit Control Act of 1985  
15 (2 U.S.C. 901a) to repeal or revise the enforcement proce-  
16 dures established under that section, by the amounts pro-  
17 vided in such legislation for those purposes, provided that  
18 such legislation would not increase the deficit over the pe-  
19 riod of the total of fiscal years 2014 through 2023. For  
20 purposes of determining deficit-neutrality under this sub-  
21 section, the Chairman may include the estimated effects  
22 of any amendment or amendments to the discretionary  
23 spending limits in section 251(c) of the Balanced Budget  
24 and Emergency Deficit Control Act of 1985 (2 U.S.C.  
25 901(c)).

1 (d) ADDITIONAL DEFICIT-NEUTRAL RESERVE  
2 FUNDS.—In the Senate only, sections 302, 303, 304, 305,  
3 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316,  
4 317, 318, 319, 320, 322, 323, 324, 325, 326, 327, 328,  
5 329, 330, 331, 332, 333, 334, 335, 338, 339, 340, 341,  
6 344, 348, 349, 350, 353, 354, 356, 361, 363, 364, 365,  
7 366, 367, 368, 369, 371, 376, 378, 379, and 383 of S.  
8 Con. Res. 8 (113th Congress), as passed the Senate, shall  
9 have force and effect.

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

15 **SEC. 115. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RES-**  
16 **OLUTION IN THE HOUSE OF REPRESENTA-**  
17 **TIVES.**

18 (a) FISCAL YEAR 2015.—If a concurrent resolution  
19 on the budget for fiscal year 2015 has not been adopted  
20 by April 15, 2014, for the purpose of enforcing the Con-  
21 gressional Budget Act of 1974, the allocations, aggre-  
22 gates, and levels provided for in subsection (b) shall apply  
23 in the House of Representatives after April 15, 2014, in  
24 the same manner as for a concurrent resolution on the  
25 budget for fiscal year 2015 with appropriate budgetary

1 levels for fiscal year 2015 and for fiscal years 2016  
2 through 2024.

3 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND  
4 LEVELS.—In the House of Representatives, the Chairman  
5 of the Committee on the Budget shall submit a statement  
6 for publication in the Congressional Record after April 15,  
7 2014, but not later than May 15, 2014, containing—

8 (1) for the Committee on Appropriations, com-  
9 mittee allocations for fiscal year 2015 at the total  
10 level as set forth in section 251(c)(2) of the Bal-  
11 anced Budget and Emergency Deficit Control Act of  
12 1985 for the purpose of enforcing section 302 of the  
13 Congressional Budget Act of 1974;

14 (2) for all committees other than the Com-  
15 mittee on Appropriations, committee allocations for  
16 fiscal year 2015 and for the period of fiscal years  
17 2015 through 2024 at the levels included in the  
18 most recent baseline of the Congressional Budget  
19 Office, as adjusted for the budgetary effects of any  
20 provision of law enacted during the period beginning  
21 on the date such baseline is issued and ending on  
22 the date of submission of such statement, for the  
23 purpose of enforcing section 302 of the Congres-  
24 sional Budget Act of 1974; and

1           (3) aggregate spending levels for fiscal year  
2           2015 and aggregate revenue levels for fiscal year  
3           2015 and for the period of fiscal years 2015 through  
4           2024, at the levels included in the most recent base-  
5           line of the Congressional Budget Office, as adjusted  
6           for the budgetary effects of any provision of law en-  
7           acted during the period beginning on the date such  
8           baseline is issued and ending on the date of submis-  
9           sion of such statement, for the purpose of enforcing  
10          section 311 of the Congressional Budget Act of  
11          1974.

12          (c) **ADDITIONAL MATTER.**—The statement referred  
13 to in subsection (b) may also include for fiscal year 2015,  
14 the matter contained in title IV (reserve funds) and in  
15 sections 601, 603(a), 605(a), and 609 of H. Con. Res.  
16 25 (113th Congress), as adopted by the House, updated  
17 by one fiscal year, including updated amounts for section  
18 601.

19          (d) **FISCAL YEAR 2015 ALLOCATION TO THE COM-**  
20 **MITTEE ON APPROPRIATIONS.**—If the statement referred  
21 to in subsection (b) is not filed by May 15, 2014, then  
22 the matter referred to in subsection (b)(1) shall be sub-  
23 mitted by the Chairman of the Committee on the Budget  
24 for publication in the Congressional Record on the next  
25 day that the House of Representatives is in session.

1 (e) ADJUSTMENTS.—The Chairman of the Com-  
2 mittee on the Budget of the House of Representatives may  
3 adjust the levels included in the statement referred to in  
4 subsection (b) to reflect the budgetary effects of any legis-  
5 lation enacted during the 113th Congress that reduces the  
6 deficit or as otherwise necessary.

7 (f) APPLICATION.—Subsections (a), (b), (c), (d), and  
8 (e) shall no longer apply if a concurrent resolution on the  
9 budget for fiscal year 2015 is agreed to by the Senate  
10 and House of Representatives pursuant to section 301 of  
11 the Congressional Budget Act of 1974.

12 **SEC. 116. AUTHORITY FOR FISCAL YEAR 2015 BUDGET RES-**  
13 **OLUTION IN THE SENATE.**

14 (a) FISCAL YEAR 2015.—For the purpose of enforce-  
15 ing the Congressional Budget Act of 1974, after April 15,  
16 2014, and enforcing budgetary points of order in prior  
17 concurrent resolutions on the budget, the allocations, ag-  
18 gregates, and levels provided for in subsection (b) shall  
19 apply in the Senate in the same manner as for a concur-  
20 rent resolution on the budget for fiscal year 2015 with  
21 appropriate budgetary levels for fiscal years 2014 and  
22 2016 through 2024.

23 (b) COMMITTEE ALLOCATIONS, AGGREGATES, AND  
24 LEVELS.—After April 15, 2014, but not later than May

1 15, 2014, the Chairman of the Committee on the Budget  
2 of the Senate shall file—

3 (1) for the Committee on Appropriations, com-  
4 mittee allocations for fiscal years 2014 and 2015  
5 consistent with the discretionary spending limits set  
6 forth in this Act for the purpose of enforcing section  
7 302 of the Congressional Budget Act of 1974;

8 (2) for all committees other than the Com-  
9 mittee on Appropriations, committee allocations for  
10 fiscal years 2014, 2015, 2015 through 2019, and  
11 2015 through 2024 consistent with the most recent  
12 baseline of the Congressional Budget Office for the  
13 purpose of enforcing section 302 of the Congres-  
14 sional Budget Act of 1974;

15 (3) aggregate spending levels for fiscal years  
16 2014 and 2015 in accordance with the allocations  
17 established under paragraphs (1) and (2), for the  
18 purpose of enforcing section 311 of the Congres-  
19 sional Budget Act of 1974;

20 (4) aggregate revenue levels for fiscal years  
21 2014, 2015, 2015 through 2019, and 2015 through  
22 2024 consistent with the most recent baseline of the  
23 Congressional Budget Office for the purpose of en-  
24 forcing section 311 of the Congressional Budget Act  
25 of 1974; and

1 (5) levels of Social Security revenues and out-  
2 lays for fiscal years 2014, 2015, 2015 through 2019,  
3 and 2015 through 2024 consistent with the most re-  
4 cent baseline of the Congressional Budget Office for  
5 the purpose of enforcing sections 302 and 311 of the  
6 Congressional Budget Act of 1974.

7 (c) **ADDITIONAL MATTER.**—The filing referred to in  
8 subsection (b) may also include, for fiscal year 2015, the  
9 reserve funds included in section 114(c) and (d) of this  
10 Act, updated by one fiscal year.

11 (d) **SUPERSEDING PREVIOUS STATEMENT.**—In the  
12 Senate, the filing referred to in subsection (b) shall super-  
13 sede the statement referred to in section 111(b) of this  
14 Act.

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

20 **SEC. 117. EXCLUSION OF SAVINGS FROM PAYGO SCORE-**  
21 **CARDS.**

22 (a) **STATUTORY PAY-AS-YOU-GO SCORECARDS.**—The  
23 budgetary effects of this Act shall not be entered on either  
24 PAYGO scorecard maintained pursuant to section 4(d) of  
25 the Statutory Pay-As-You-Go Act of 2010.

1 (b) SENATE PAYGO SCORECARDS.—The budgetary  
2 effects of this Act shall not be entered on any PAYGO  
3 scorecard maintained for purposes of section 201 of S.  
4 Con. Res. 21 (110th Congress).

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

6 The provisions of this subtitle are enacted by the  
7 Congress—

8 (1) as an exercise of the rulemaking power of  
9 the House of Representatives and the Senate, re-  
10 spectively, and as such they shall be considered as  
11 part of the rules of each House, respectively, or of  
12 that House to which they specifically apply, and  
13 such rules shall supersede other rules only to the ex-  
14 tent that they are inconsistent therewith; and

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

20 **Subtitle C—Technical Corrections**

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

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



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

4           (2) In section 252(c)(1)(C)(i), strike “para-  
5 graph (1)” and insert “subsection (b)”.

6           (3) In section 254(c)(3)(A), strike “subsection  
7 252(b)” and insert “section 252(b)”.

8           (4) In section 254(f)(4), strike “subsection  
9 252(b)” and insert “section 252(b)”.

10          (5) In section 255(a), strike “section 231b(a),  
11 231b(f)(2), 231c(a), and 231c(f) of title 45 United  
12 States Code” and insert “sections 3 and 4 of the  
13 Railroad Retirement Act of 1937 (45 U.S.C. 231 et  
14 seq.)”.

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

18          (7) In the first subsection (j) of section 255 (re-  
19 lating to Split Treatment Programs), move the mar-  
20 gins for the list items two ems to the right.

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

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

1           (10) In section 258(a)(1), strike “section  
2           254(j)” and insert “section 254(i)”.

3 **SEC. 122. TECHNICAL CORRECTIONS TO THE CONGRES-**  
4 **SIONAL BUDGET ACT OF 1974.**

5           The Congressional Budget Act of 1974 is amended  
6 as follows:

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

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

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

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

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

19           (6) In section 305(b)(1), strike “section  
20 304(a)” and insert “section 304”.

21           (7) In section 306 strike “No” and insert “(a)  
22 IN THE SENATE.— In the Senate, no”, strike “of ei-  
23 ther House” and “in that House”, strike “of that  
24 House”, and add at the end the following new sub-  
25 section:

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

10           (8) In section 308(d), in the subsection head-  
11 ing, strike “Scorekeeping Guidelines.—” and insert  
12 “SCOREKEEPING GUIDELINES.—”

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

16           (10) In section 314(d)(2), strike subparagraph  
17 (A), redesignate subparagraphs (B) and (C) as sub-  
18 paragraphs (A) and (B) respectively, in subpara-  
19 graph (A), as redesignated, strike “under subpara-  
20 graph (A)” and insert “under paragraph (1)”, and  
21 in subparagraph (B), as redesignated, strike “under  
22 subparagraph (B)” and insert “under subparagraph  
23 (A)”.

24           (11) In section 315, add at the end the fol-  
25 lowing new sentence: “In the case of a reported bill

1 or joint resolution considered pursuant to a special  
2 order of business, a point of order under section 303  
3 shall be determined on the basis of the text made in  
4 order as an original bill or joint resolution for the  
5 purpose of amendment or to the text on which the  
6 previous question is ordered directly to passage, as  
7 the case may be.”.

8 (12) In section 401(b)(2), strike “section  
9 302(b)” and insert “section 302(a)”.

10 (13) In section 401(c), add at the end the fol-  
11 lowing new paragraph:

12 “(3) In the House of Representatives, sub-  
13 sections (a) and (b) shall not apply to new authority  
14 described in those subsections to the extent that a  
15 provision in a bill or joint resolution, or an amend-  
16 ment thereto or a conference report thereon, estab-  
17 lishes prospectively for a Federal office or position  
18 a specified or minimum level of compensation to be  
19 funded by annual discretionary appropriations.”.

20 (14) In section 421(5)(A)(i)(II), strike “sub-  
21 paragraph (B)” and insert “subparagraph (B)”.

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

24 (16) In section 904(c)(2), strike  
25 “258A(b)(3)(C)(I)” and “258(h)(3)” and insert

1 “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively,  
2 and strike “and 314(e)” and insert “314(e), and  
3 314(f)”.

4 (17) In section 904(d)(3), strike  
5 “258A(b)(3)(C)(I)” and “258(h)(3)” and insert  
6 “258A(b)(3)(C)(i)” and “258B(h)(3)”, respectively,  
7 and strike “and 312(c)” and insert “312(c), 314(e),  
8 and 314(f)”.

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

11 **SEC. 201. IMPROVING THE COLLECTION OF UNEMPLOY-**  
12 **MENT INSURANCE OVERPAYMENTS.**

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

16 “(m) In the case of a covered unemployment com-  
17 pensation debt (as defined under section 6402(f)(4) of the  
18 Internal Revenue Code of 1986) that remains uncollected  
19 as of the date that is 1 year after the debt was finally  
20 determined to be due and collected, the State to which  
21 such debt is owed shall take action to recover such debt  
22 under section 6402(f) of the Internal Revenue Code of  
23 1986.”.

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

4 **SEC. 202. STRENGTHENING MEDICAID THIRD-PARTY LI-**  
5 **ABILITY.**

6 (a) PAYMENT FOR PRENATAL AND PREVENTIVE PE-  
7 DIATRIC CARE AND IN CASES INVOLVING MEDICAL SUP-  
8 PORT.—Section 1902(a)(25) of the Social Security Act  
9 (42 U.S.C. 1396a(a)(25)) is amended—

10 (1) in subparagraph (E)(i), by inserting before  
11 the semicolon at the end the following: “, except that  
12 the State may, if the State determines doing so is  
13 cost-effective and will not adversely affect access to  
14 care, only make such payment if a third party so lia-  
15 ble has not made payment within 90 days after the  
16 date the provider of such services has initially sub-  
17 mitted a claim to such third party for payment for  
18 such services”; and

19 (2) in subparagraph (F)(i), by striking “30  
20 days after such services are furnished” and inserting  
21 “90 days after the date the provider of such services  
22 has initially submitted a claim to such third party  
23 for payment for such services, except that the State  
24 may make such payment within 30 days after such

1 date if the State determines doing so is cost-effective  
2 and necessary to ensure access to care.”.

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

5 (1) STATE PLAN REQUIREMENTS.—Section  
6 1902(a)(25) of the Social Security Act (42 U.S.C.  
7 1396a(a)(25)) is amended—

8 (A) in subparagraph (B), by striking “to  
9 the extent of such legal liability”; and

10 (B) in subparagraph (H), by striking  
11 “payment by any other party for such health  
12 care items or services” and inserting “any pay-  
13 ments by such third party”.

14 (2) ASSIGNMENT OF RIGHTS OF PAYMENT.—  
15 Section 1912(a)(1)(A) of such Act (42 U.S.C.  
16 1396k(a)(1)(A)) is amended by striking “payment  
17 for medical care from any third party” and inserting  
18 “any payment from a third party that has a legal  
19 liability to pay for care and services available under  
20 the plan”.

21 (3) LIENS.—Section 1917(a)(1)(A) of such Act  
22 (42 U.S.C. 1396p(a)(1)(A)) is amended to read as  
23 follows:

24 “(A) pursuant to—

1           “(i) the judgment of a court on account of  
2           benefits incorrectly paid on behalf of such indi-  
3           vidual, or

4           “(ii) rights acquired by or assigned to the  
5           State in accordance with section  
6           1902(a)(25)(H) or section 1912(a)(1)(A), or”.

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

9           **SEC. 203. RESTRICTION ON ACCESS TO THE DEATH MASTER**  
10           **FILE.**

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

18           (b) CERTIFICATION PROGRAM.—

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

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

24                   (B) to perform periodic and unscheduled  
25                   audits of certified persons to determine the



1 compliance by such certified persons with the  
2 requirements of the program.

3 (2) CERTIFICATION.—A person shall not be cer-  
4 tified under the program established under para-  
5 graph (1) unless such person certifies that access to  
6 the information described in subsection (a) is appro-  
7 priate because such person—

8 (A) has—

9 (i) a legitimate fraud prevention inter-  
10 est, or

11 (ii) a legitimate business purpose pur-  
12 suant to a law, governmental rule, regula-  
13 tion, or fiduciary duty, and

14 (B) has systems, facilities, and procedures  
15 in place to safeguard such information, and ex-  
16 perience in maintaining the confidentiality, se-  
17 curity, and appropriate use of such information,  
18 pursuant to requirements similar to the require-  
19 ments of section 6103(p)(4) of the Internal  
20 Revenue Code of 1986, and

21 (C) agrees to satisfy the requirements of  
22 such section 6103(p)(4) as if such section ap-  
23 plied to such person.

24 (3) FEES.—

1           (A) IN GENERAL.—The Secretary of Com-  
2           merce shall establish under section 9701 of title  
3           31, United States Code, a program for the  
4           charge of fees sufficient to cover (but not to ex-  
5           ceed) all costs associated with evaluating appli-  
6           cations for certification and auditing, inspect-  
7           ing, and monitoring certified persons under the  
8           program. Any fees so collected shall be depos-  
9           ited and credited as offsetting collections to the  
10          accounts from which such costs are paid.

11          (B) REPORT.—The Secretary of Commerce  
12          shall report on an annual basis to the Com-  
13          mittee on Finance of the Senate and the Com-  
14          mittee on Ways and Means of the House of  
15          Representatives on the total fees collected dur-  
16          ing the preceding year and the cost of admin-  
17          istering the certification program under this  
18          subsection for such year.

19          (c) IMPOSITION OF PENALTY.—

20           (1) IN GENERAL.—Any person who is certified  
21           under the program established under subsection (b),  
22           who receives information described in subsection (a),  
23           and who during the period of time described in sub-  
24           section (a)—

1 (A) discloses such information to any per-  
2 son other than a person who meets the require-  
3 ments of subparagraphs (A), (B), and (C) of  
4 subsection (b)(2),

5 (B) discloses such information to any per-  
6 son who uses the information for any purpose  
7 not listed under subsection (b)(2)(A) or who  
8 further discloses the information to a person  
9 who does not meet such requirements, or

10 (C) uses any such information for any pur-  
11 pose not listed under subsection (b)(2)(A),  
12 and any person to whom such information is dis-  
13 closed who further discloses or uses such informa-  
14 tion as described in the preceding subparagraphs,  
15 shall pay a penalty of \$1,000 for each such disclo-  
16 sure or use.

17 (2) LIMITATION ON PENALTY.—

18 (A) IN GENERAL.—The total amount of  
19 the penalty imposed under this subsection on  
20 any person for any calendar year shall not ex-  
21 ceed \$250,000.

22 (B) EXCEPTION FOR WILLFUL VIOLA-  
23 TIONS.—Subparagraph (A) shall not apply in  
24 the case of violations under paragraph (1) that

1           the Secretary of Commerce determines to be  
2           willful or intentional violations.

3           (d) DEATH MASTER FILE.—For purposes of this sec-  
4 tion, the term “Death Master File” means information on  
5 the name, social security account number, date of birth,  
6 and date of death of deceased individuals maintained by  
7 the Commissioner of Social Security, other than informa-  
8 tion that was provided to such Commissioner under sec-  
9 tion 205(r) of the Social Security Act (42 U.S.C. 405(r)).

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

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

17           (2) TREATMENT OF INFORMATION.—For pur-  
18 poses of section 552 of title 5, United States Code,  
19 this section shall be considered a statute described  
20 in subsection (b)(3) of such section 552.

21          (f) EFFECTIVE DATE.—

22           (1) IN GENERAL.—Except as provided in para-  
23 graph (2), this section shall take effect on the date  
24 that is 90 days after the date of the enactment of  
25 this Act.

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

3   **SEC. 204. IDENTIFICATION OF INMATES REQUESTING OR**  
4                           **RECEIVING IMPROPER PAYMENTS.**

5           (a) INFORMATION PROVIDED TO THE PRISONER UP-  
6   DATE PROCESSING SYSTEM (PUPS).—

7           (1)       SECTION       202(x)(3)(B)(i)(I).—Section  
8           202(x)(3)(B)(i)(I) of the Social Security Act (42  
9           U.S.C. 402(x)(3)(B)(i)(I)) is amended by—

10                   (A) inserting “first, middle, and last” be-  
11                   fore “names”;

12                   (B) striking the comma after the words  
13                   “social security account numbers” and inserting  
14                   “or taxpayer identification numbers, prison as-  
15                   signed inmate numbers, last known addresses,”;

16                   (C) inserting “dates of release or antici-  
17                   pated dates of release, dates of work release,”  
18                   before “and, to the extent available”; and

19                   (D) by inserting “and clause (iv) of this  
20                   subparagraph” after “paragraph (1)”.

21           (2)       SECTION       1611(e)(1)(I)(i)(I).—Section  
22           1611(e)(1)(I)(i)(I) of the Social Security Act (42  
23           U.S.C. 1382(e)(1)(I)(i)(I)) is amended by—

24                   (A) inserting “first, middle, and last” be-  
25                   fore “names”;

1 (B) striking the comma after the words  
2 “social security account numbers” and inserting  
3 “or taxpayer identification numbers, prison as-  
4 signed inmate numbers, last known addresses,”;

5 (C) inserting “dates of release or antici-  
6 pated dates of release, dates of work release,”  
7 before “and, to the extent available”; and

8 (D) by inserting “and clause (iv) of this  
9 subparagraph” after “this paragraph”.

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

12 (1) SECTION 202(x)(3)(B).—Section  
13 202(x)(3)(B) of the Social Security Act (42 U.S.C.  
14 402(x)(3)(B)) is amended—

15 (A) in clause (iv), by inserting before the  
16 period the following: “, for statistical and re-  
17 search activities conducted by Federal and  
18 State agencies, and to the Secretary of the  
19 Treasury for the purposes of tax administra-  
20 tion, debt collection, and identifying, pre-  
21 venting, and recovering improper payments  
22 under federally funded programs”; and

23 (B) by adding at the end the following:  
24 “(v)(I) The Commissioner may disclose information  
25 received pursuant to this paragraph to any officer, em-

1 ployee, agent, or contractor of the Department of the  
2 Treasury whose official duties require such information to  
3 assist in the identification, prevention, and recovery of im-  
4 proper payments or in the collection of delinquent debts  
5 owed to the United States, including payments certified  
6 by the head of an executive, judicial, or legislative paying  
7 agency, and payments made to individuals whose eligi-  
8 bility, or continuing eligibility, to participate in a Federal  
9 program (including those administered by a State or polit-  
10 ical subdivision thereof) is being reviewed.

11       “(II) Notwithstanding the provisions of section 552a  
12 of title 5, United States Code, or any other provision of  
13 Federal or State law, the Secretary of the Treasury may  
14 compare information disclosed under subclause (I) with  
15 any other personally identifiable information derived from  
16 a Federal system of records or similar records maintained  
17 by a Federal contractor, a Federal grantee, or an entity  
18 administering a Federal program or activity, and may re-  
19 disclose such comparison of information to any paying or  
20 administering agency and to the head of the Federal Bu-  
21 reau of Prisons and the head of any State agency charged  
22 with the administration of prisons with respect to inmates  
23 whom the Secretary of the Treasury has determined may  
24 have been issued, or facilitated in the issuance of, an im-  
25 proper payment.

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

5           (2)           SECTION           1611(e)(1)(I).—Section  
6           1611(e)(1)(I) of the Social Security Act (42 U.S.C.  
7           1382(e)(1)(I)) is amended—

8                   (A) in clause (iii), by inserting before the  
9                   period the following: “, for statistical and re-  
10                   search activities conducted by Federal and  
11                   State agencies, and to the Secretary of the  
12                   Treasury for the purposes of tax administra-  
13                   tion, debt collection, and identifying, pre-  
14                   venting, and recovering improper payments  
15                   under federally funded programs”; and

16                   (B) by adding at the end the following:

17           “(v)(I) The Commissioner may disclose information  
18 received pursuant to this paragraph to any officer, em-  
19 ployee, agent, or contractor of the Department of the  
20 Treasury whose official duties require such information to  
21 assist in the identification, prevention, and recovery of im-  
22 proper payments or in the collection of delinquent debts  
23 owed to the United States, including payments certified  
24 by the head of an executive, judicial, or legislative paying  
25 agency, and payments made to individuals whose eligi-



1 bility, or continuing eligibility, to participate in a Federal  
2 program (including those administered by a State or polit-  
3 ical subdivision thereof) is being reviewed.

4 “(II) Notwithstanding the provisions of section 552a  
5 of title 5, United States Code, or any other provision of  
6 Federal or State law, the Secretary of the Treasury may  
7 compare information disclosed under subclause (I) with  
8 any other personally identifiable information derived from  
9 a Federal system of records or similar records maintained  
10 by a Federal contractor, a Federal grantee, or an entity  
11 administering a Federal program or activity and may re-  
12 disclose such comparison of information to any paying or  
13 administering agency and to the head of the Federal Bu-  
14 reau of Prisons and the head of any State agency charged  
15 with the administration of prisons with respect to inmates  
16 whom the Secretary of the Treasury has determined may  
17 have been issued, or facilitated in the issuance of, an im-  
18 proper payment.

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

23 (c) CONFORMING AMENDMENT TO THE DO NOT PAY  
24 INITIATIVE.—Section 5(a)(2) of the Improper Payments  
25 Elimination and Recovery Improvement Act of 2012 (31

1 U.S.C. 3321 note) is amended by adding at the end the  
2 following:

3 “(F) Information regarding incarcerated  
4 individuals maintained by the Commissioner of  
5 Social Security under sections 202(x) and  
6 1611(e) of the Social Security Act.”.

7 **TITLE III—NATURAL**  
8 **RESOURCES**

9 **SEC. 301. ULTRA-DEEPWATER AND UNCONVENTIONAL NAT-**  
10 **URAL GAS AND OTHER PETROLEUM RE-**  
11 **SOURCES.**

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

14 (b) RESCISSION.—Any unobligated funds appro-  
15 priated for carrying out the subtitle repealed by subsection  
16 (a) are rescinded.

17 **SEC. 302. AMENDMENT TO THE MINERAL LEASING ACT.**

18 Section 35(b) of the Mineral Leasing Act (30 U.S.C.  
19 191(b)) is amended to read as follows—

20 “(b) DEDUCTION FOR ADMINISTRATIVE COSTS.—In  
21 determining the amount of payments to the States under  
22 this section, beginning in fiscal year 2014 and for each  
23 year thereafter, the amount of such payments shall be re-  
24 duced by 2 percent for any administrative or other costs  
25 incurred by the United States in carrying out the program

1 authorized by this Act, and the amount of such reduction  
2 shall be deposited to miscellaneous receipts of the Treas-  
3 ury.”.

4 **SEC. 303. APPROVAL OF AGREEMENT WITH MEXICO.**

5 The Agreement between the United States of Amer-  
6 ica and the United Mexican States Concerning Trans-  
7 boundary Hydrocarbon Reservoirs in the Gulf of Mexico,  
8 signed at Los Cabos, February 20, 2012, is hereby ap-  
9 proved.

10 **SEC. 304. AMENDMENT TO THE OUTER CONTINENTAL**  
11 **SHELF LANDS ACT.**

12 The Outer Continental Shelf Lands Act (43 U.S.C.  
13 1331 et seq.) is amended by adding at the end the fol-  
14 lowing:

15 **“SEC. 32. TRANSBOUNDARY HYDROCARBON AGREEMENTS.**

16 “(a) AUTHORIZATION.—After the date of enactment  
17 of the Bipartisan Budget Act of 2013, the Secretary may  
18 implement the terms of any transboundary hydrocarbon  
19 agreement for the management of transboundary hydro-  
20 carbon reservoirs entered into by the President and ap-  
21 proved by Congress. In implementing such an agreement,  
22 the Secretary shall protect the interests of the United  
23 States to promote domestic job creation and ensure the  
24 expeditious and orderly development and conservation of  
25 domestic mineral resources in accordance with all applica-

1 ble United States laws governing the exploration, develop-  
2 ment, and production of hydrocarbon resources on the  
3 Outer Continental Shelf.

4 “(b) SUBMISSION TO CONGRESS.—

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

11 “(A) the Speaker of the House of Rep-  
12 resentatives;

13 “(B) the Majority Leader of the Senate;

14 “(C) the Chair of the Committee on Nat-  
15 ural Resources of the House of Representatives;  
16 and

17 “(D) the Chair of the Committee on En-  
18 ergy and Natural Resources of the Senate.

19 “(2) CONTENTS OF SUBMISSION.—The submis-  
20 sion shall include—

21 “(A) any amendments to this Act or other  
22 Federal law necessary to implement the agree-  
23 ment;

24 “(B) an analysis of the economic impacts  
25 such agreement and any amendments neces-

1           sitated by the agreement will have on domestic  
2           exploration, development, and production of hy-  
3           drocarbon resources on the Outer Continental  
4           Shelf; and

5                   “(C) a detailed description of any regula-  
6           tions expected to be issued by the Secretary to  
7           implement the agreement.

8           “(c) IMPLEMENTATION OF SPECIFIC TRANSBOUND-  
9   ARY AGREEMENT WITH MEXICO.—The Secretary may  
10   take actions as necessary to implement the terms of the  
11   Agreement between the United States of America and the  
12   United Mexican States Concerning Transboundary Hydro-  
13   carbon Reservoirs in the Gulf of Mexico, signed at Los  
14   Cabos, February 20, 2012, including—

15                   “(1) approving unitization agreements and re-  
16           lated arrangements for the exploration, development,  
17           or production of oil and natural gas from trans-  
18           boundary reservoirs or geological structures;

19                   “(2) making available, in the limited manner  
20           necessary under the agreement and subject to the  
21           protections of confidentiality provided by the agree-  
22           ment, information relating to the exploration, devel-  
23           opment, and production of oil and natural gas from  
24           a transboundary reservoir or geological structure

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

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

5 “(4) ensuring only appropriate inspection staff  
6 at the Bureau of Safety and Environmental Enforce-  
7 ment or other Federal agency personnel designated  
8 by the Bureau, the operator, or the lessee have au-  
9 thority to stop work on any installation or other de-  
10 vice or vessel permanently or temporarily attached to  
11 the seabed of the United States that may be erected  
12 thereon for the purpose of resource exploration, de-  
13 velopment or production activities as approved by  
14 the Secretary.

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

17 “(1) to authorize the Secretary to participate in  
18 any negotiations, conferences, or consultations with  
19 Cuba regarding exploration, development, or produc-  
20 tion of hydrocarbon resources in the Gulf of Mexico  
21 along the United States maritime border with Cuba  
22 or the area known by the Department of the Interior  
23 as the ‘Eastern Gap’; or

24 “(2) as affecting the sovereign rights and the  
25 jurisdiction that the United States has under inter-

1 national law over the Outer Continental Shelf that  
2 appertains to it.”.

3 **SEC. 305. FEDERAL OIL AND GAS ROYALTY PREPAYMENT**

4 **CAP.**

5 (a) IN GENERAL.—Section 111(i) of the Federal Oil  
6 and Gas Royalty Management Act of 1982 (30 U.S.C.  
7 1721(i)) is amended by striking “(i) Upon” and all that  
8 follows through “For purposes” and inserting the fol-  
9 lowing:

10 “(i) LIMITATION ON INTEREST.—

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

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

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

17 **SEC. 306. STRATEGIC PETROLEUM RESERVE.**

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

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

1 (b) RESCISSION OF FUNDS.—Any unobligated bal-  
2 ances available in the SPR Petroleum Account in the  
3 Treasury on the date of enactment of this section are per-  
4 manently rescinded.

5 **TITLE IV—FEDERAL CIVILIAN**  
6 **AND MILITARY RETIREMENT**

7 **SEC. 401. INCREASE IN CONTRIBUTIONS TO FEDERAL EM-**  
8 **PLOYEES' RETIREMENT SYSTEM FOR NEW**  
9 **EMPLOYEES.**

10 (a) DEFINITION.—

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

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

15 (B) in paragraph (37), by striking the pe-  
16 riod and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(38) the term ‘further revised annuity em-  
19 ployee’ means any individual who—

20 “(A) on December 31, 2013—

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

23 “(ii) is not performing civilian service  
24 which is creditable service under section  
25 8411; and



1                   “(iii) has less than 5 years of cred-  
2                   itable civilian service under section 8411;  
3                   and

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

8                   (2)       TECHNICAL        AMENDMENT.—Section  
9                   8401(37)(B) of title 5, United States Code, is  
10                  amended by inserting “and before January 1,  
11                  2014,” after “after December 31, 2012,”.

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

15                       (1) in subparagraph (A), by inserting “or fur-  
16                       ther revised annuity employees” after “revised annu-  
17                       ity employees”; and

18                       (2) by adding at the end the following:

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

“Employee .....	10.6	After December 31, 2013.
Congressional em- ployee .....	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 traffic controller ....	11.1	After December 31, 2013.
Nuclear materials courier .....	11.1	After December 31, 2013.
Customs and border protection officer ...	11.1	After December 31, 2013.”.

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

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

4           and

5                   (2) by adding at the end the following:

6           “(B)(i) Subject to clauses (ii) and (iii), for purposes  
7 of any period in any year beginning after December 31,  
8 2013, the normal-cost percentage under this subsection  
9 shall be determined and applied as if section 401(b) of  
10 the Bipartisan Budget Act of 2013 had not been enacted.

11           “(ii) Any contributions under this subsection in ex-  
12 cess of the amounts which (but for clause (i)) would other-  
13 wise have been payable shall be applied toward reducing  
14 the unfunded liability of the Civil Service Retirement Sys-  
15 tem.

16           “(iii) After the unfunded liability of the Civil Service  
17 Retirement System has been eliminated, as determined by  
18 the Office, Government contributions under this sub-  
19 section shall be determined and made disregarding this  
20 subparagraph.

1       “(iv) The preceding provisions of this subparagraph  
2 shall be disregarded for purposes of determining the con-  
3 tributions payable by the United States Postal Service and  
4 the Postal Regulatory Commission.”.

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

9       **SEC. 402. FOREIGN SERVICE PENSION SYSTEM.**

10       (a) DEFINITION.—

11               (1) IN GENERAL.—Section 852 of the Foreign  
12 Service Act of 1980 (22 U.S.C. 4071a) is amend-  
13 ed—

14                       (A) by redesignating paragraphs (8), (9),  
15                       and (10) as paragraphs (9), (10), and (11), re-  
16                       spectively; and

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

19                       “(8) the term ‘further revised annuity partici-  
20                       pant’ means any individual who—

21                               “(A) on December 31, 2013—

22                                       “(i) is not a participant;

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

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

3                   “(B) after December 31, 2013, becomes a  
4                   participant performing service which is cred-  
5                   itable service under section 854;”.

6                   (2)       TECHNICAL        AMENDMENT.—Section  
7                   852(7)(B) of the Foreign Service Act of 1980 (22  
8                   U.S.C. 4071a(7)(B)) is amended by inserting “and  
9                   before January 1, 2014,” after “after December 31,  
10                  2012,”.

11                  (b) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—  
12                  Section 856(a)(2) of the Foreign Service Act of 1980 (22  
13                  U.S.C. 4071e(a)(2)) is amended—

14                       (1) in subparagraph (A), by inserting “or a fur-  
15                       ther revised annuity participant” after “revised an-  
16                       nuity participant”; and

17                       (2) by adding at the end the following:

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

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

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

23                       “(c)(1) Subject to paragraphs (2) and (3), for pur-  
24                       poses of any period in any year beginning after December

1 31, 2013, the normal-cost percentage under this section  
2 shall be determined and applied as if section 402(b) of  
3 the Bipartisan Budget Act of 2013 had not been enacted.

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

9 “(3) After the unfunded liability of the Foreign Serv-  
10 ice Retirement and Disability System has been eliminated,  
11 as determined by the Secretary of State, Government con-  
12 tributions under this section shall be determined and made  
13 disregarding this subsection.”.

14 **SEC. 403. ANNUAL ADJUSTMENT OF RETIRED PAY AND RE-**  
15 **TAINER PAY AMOUNTS FOR RETIRED MEM-**  
16 **BERS OF THE ARMED FORCES UNDER AGE 62.**

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

19 (1) in paragraph (1), by striking “paragraphs  
20 (2) and (3)” and inserting “paragraph (2), (3), or  
21 (4)”;

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

24 (3) by inserting after paragraph (3) the fol-  
25 lowing new paragraph (4):

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

3           “(A) IN GENERAL.—Effective on Decem-  
4 ber 1 of each year, the retired pay of each  
5 member and former member under 62 years of  
6 age entitled to that pay shall be adjusted in ac-  
7 cordance with this paragraph instead of para-  
8 graph (2) or (3).

9           “(B) CPI MINUS ONE.—If the percent de-  
10 termined under paragraph (2) is greater than 1  
11 percent, the Secretary shall increase the retired  
12 pay of each member and former member by the  
13 difference between—

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

16                   “(ii) 1 percent.

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

22           “(D) REVISED ADJUSTMENT UPON REACH-  
23 ING AGE 62.—When a member or former mem-  
24 ber whose retired pay has been subject to ad-  
25 justment under this paragraph becomes 62

1           years of age, the Secretary of Defense shall re-  
2           compute the retired pay of the member or  
3           former member, to be effective on the date of  
4           the next adjustment of retired pay under this  
5           subsection, so as to be the amount equal to the  
6           amount of retired pay to which the member or  
7           former member would be entitled on that date  
8           if increases in the retired pay of the member or  
9           former member had been computed as provided  
10          in paragraph (2) or as specified in section 1410  
11          of this title, as applicable, rather than this  
12          paragraph.

13                   “(E) INAPPLICABILITY OF CATCH-UP  
14                   RULE.—Paragraph (5) shall not apply in the  
15                   case of adjustments made, or not made, as a re-  
16                   sult of application of this paragraph.”.

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

21          (c) EFFECTIVE DATE.—The amendments made by  
22          subsections (a) and (b) shall take effect on December 1,  
23          2015.

1     **TITLE V—HIGHER EDUCATION**

2     **SEC. 501. DEFAULT REDUCTION PROGRAM.**

3           Section 428F(a)(1) of the Higher Education Act of  
4 1965 (20 U.S.C. 1078-6(a)(1)) is amended—

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

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

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

13                   “(i) the guaranty agency—

14                           “(I) shall, in the case of a sale  
15 made on or after July 1, 2014, repay  
16 the Secretary 100 percent of the  
17 amount of the principal balance out-  
18 standing at the time of such sale,  
19 multiplied by the reinsurance percent-  
20 age in effect when payment under the  
21 guaranty agreement was made with  
22 respect to the loan; and

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



1                   “(aa) charge to the borrower  
2                   an amount not to exceed 16 per-  
3                   cent of the outstanding principal  
4                   and interest at the time of the  
5                   loan sale; and

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

9   **SEC. 502. ELIMINATION OF NONPROFIT SERVICING CON-**  
10                   **TRACTS.**

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

13                   (1) in section 456 (20 U.S.C. 1087f)—

14                           (A) in subsection (a), by striking para-  
15                           graph (4); and

16                           (B) by striking subsection (c); and

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

19   **TITLE VI—TRANSPORTATION**

20   **SEC. 601. AVIATION SECURITY SERVICE FEES.**

21           (a) AIR CARRIER FEES.—

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

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

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

7           (b) RESTRUCTURING OF PASSENGER FEE.—Section  
8           44940(c) of such title is amended to read as follows:

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

13          (c) DEPOSIT OF RECEIPTS IN GENERAL FUND.—  
14          Section 44940(i) of such title is amended to read as fol-  
15          lows:

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

17                 “(1) IN GENERAL.—Beginning in fiscal year  
18                 2014, out of fees received in a fiscal year under sub-  
19                 section (a)(1), after amounts are made available in  
20                 the fiscal year under section 44923(h), the next  
21                 funds derived from such fees in the fiscal year, in  
22                 the amount specified for the fiscal year in paragraph  
23                 (4), shall be credited as offsetting receipts and de-  
24                 posited in the general fund of the Treasury.

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

6           “(3) RELATIONSHIP TO OTHER PROVISIONS.—  
7           Subsections (b) and (f) shall not apply to amounts  
8           to be used for making deposits under this sub-  
9           section.

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

13                   “(A) \$390,000,000 for fiscal year 2014.

14                   “(B) \$1,190,000,000 for fiscal year 2015.

15                   “(C) \$1,250,000,000 for fiscal year 2016.

16                   “(D) \$1,280,000,000 for fiscal year 2017.

17                   “(E) \$1,320,000,000 for fiscal year 2018.

18                   “(F) \$1,360,000,000 for fiscal year 2019.

19                   “(G) \$1,400,000,000 for fiscal year 2020.

20                   “(H) \$1,440,000,000 for fiscal year 2021.

21                   “(I) \$1,480,000,000 for fiscal year 2022.

22                   “(J) \$1,520,000,000 for fiscal year  
23                   2023.”.

1 (d) IMPOSITION OF FEE INCREASE.—The Secretary  
2 of Homeland Security shall implement the fee increase au-  
3 thorized by the amendment made by subsection (b)—

4 (1) beginning on July 1, 2014; and

5 (2) through the publication of notice of such fee  
6 in the Federal Register, notwithstanding section  
7 9701 of title 31, United States Code, and the proce-  
8 dural requirements of section 553 of title 5, United  
9 States Code.

10 (e) CONTINUED AVAILABILITY OF EXISTING BAL-  
11 ANCES.—The amendments made by this section shall not  
12 affect the availability of funds made available under sec-  
13 tion 44940(i) of title 49, United States Code, before the  
14 date of enactment of this Act.

15 **SEC. 602. TRANSPORTATION COST REIMBURSEMENT.**

16 (a) REPEAL.—Sections 55316 and 55317 of chapter  
17 553 of title 46, United States Code, are repealed.

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

22 **SEC. 603. STERILE AREAS AT AIRPORTS.**

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

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

3               “(1) IN GENERAL.—The Secretary of Homeland  
4 Security shall ensure that the Transportation Secu-  
5 rity Administration is responsible for monitoring  
6 passenger exit points from the sterile area of air-  
7 ports at which the Transportation Security Adminis-  
8 tration provided such monitoring as of December 1,  
9 2013.

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

15       **TITLE VII—MISCELLANEOUS**  
16                               **PROVISIONS**

17       **SEC. 701. EXTENSION OF CUSTOMS USER FEES.**

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

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

23              (2) in subparagraph (B)(i), by striking “Octo-  
24 ber 29, 2021” and inserting “September 30, 2023”.

1 **SEC. 702. LIMITATION ON ALLOWABLE GOVERNMENT CON-**  
2 **TRACTOR COMPENSATION COSTS.**

3 (a) LIMITATION.—

4 (1) CIVILIAN CONTRACTS.—Section  
5 4304(a)(16) of title 41, United States Code, is  
6 amended to read as follows:

7 “(16) Costs of compensation of contractor and  
8 subcontractor employees for a fiscal year, regardless  
9 of the contract funding source, to the extent that  
10 such compensation exceeds \$487,000 per year, ad-  
11 justed annually to reflect the change in the Employ-  
12 ment Cost Index for all workers, as calculated by the  
13 Bureau of Labor Statistics, except that the head of  
14 an executive agency may establish one or more nar-  
15 rowly targeted exceptions for scientists, engineers, or  
16 other specialists upon a determination that such ex-  
17 ceptions are needed to ensure that the executive  
18 agency has continued access to needed skills and ca-  
19 pabilities.”.

20 (2) DEFENSE CONTRACTS.—Section  
21 2324(e)(1)(P) of title 10, United States Code, is  
22 amended to read as follows:

23 “(P) Costs of compensation of contractor  
24 and subcontractor employees for a fiscal year,  
25 regardless of the contract funding source, to the  
26 extent that such compensation exceeds

1           \$487,000 per year, adjusted annually to reflect  
2           the change in the Employment Cost Index for  
3           all workers, as calculated by the Bureau of  
4           Labor Statistics, except that the head of an ex-  
5           ecutive agency may establish one or more nar-  
6           rowly targeted exceptions for scientists, engi-  
7           neers, or other specialists upon a determination  
8           that such exceptions are needed to ensure that  
9           the executive agency has continued access to  
10          needed skills and capabilities.”.

11          (b) CONFORMING AMENDMENTS.—

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

14           (2) CLERICAL AMENDMENT.—The table of sec-  
15          tions at the beginning of chapter 11 of title 41,  
16          United States Code, is amended by striking the item  
17          relating to section 1127.

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

23          (d) REPORTS.—

24           (1) IN GENERAL.—Not later than 60 days after  
25          the end of each fiscal year, the Director of the Office

1 of Management and Budget shall submit a report on  
2 contractor compensation to—

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

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

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

9 (D) the Committee on Oversight and Gov-  
10 ernment Reform of the House of Representa-  
11 tives;

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

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

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

18 (A) the total number of contractor employ-  
19 ees, by executive agency, in the narrowly tar-  
20 geted exception positions described under sub-  
21 section (a) during the preceding fiscal year;

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



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

4 (e) REVIEW.—Not later than 90 days after the date  
5 of the enactment of this Act, the Secretary of Defense and  
6 the Director of the Office of Management and Budget  
7 shall report to Congress on alternative benchmarks and  
8 industry standards for compensation, including whether  
9 any such benchmarks or standards would provide a more  
10 appropriate measure of allowable compensation for the  
11 purposes of section 2324(e)(1)(P) of title 10, United  
12 States Code, and section 4304(a)(16) of title 41, United  
13 States Code, as amended by this Act.

14 **SEC. 703. PENSION BENEFIT GUARANTY CORPORATION**  
15 **PREMIUM RATE INCREASES.**

16 (a) FLAT-RATE PREMIUM INCREASES.—Section  
17 4006(a)(3)(A)(i) of the Employee Retirement Income Se-  
18 curity Act of 1974 (29 U.S.C. 1306(a)(3)(A)(i)) is amend-  
19 ed—

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

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

24 (3) by inserting after subclause (III) the fol-  
25 lowing:

1           “(IV) for plan years beginning after De-  
2           cember 31, 2014, and before January 1, 2016,  
3           \$57; and

4           “(V) for plan years beginning after Decem-  
5           ber 31, 2015, and before January 1, 2017,  
6           \$64.”.

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

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

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

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

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

20           “(i) the product derived by multiplying the pre-  
21           mium rate specified in clause (i) of subparagraph  
22           (A) by the ratio of—

23           “(I) the national average wage index (as  
24           defined in section 209(k)(1) of the Social Secu-  
25           rity Act) for the first of the 2 calendar years

1 preceding the calendar year in which such plan  
2 year begins, to

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

5 “(ii) the premium rate in effect under clause (i)  
6 of subparagraph (A) for plan years beginning in the  
7 preceding calendar year.

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

11 (2) CONFORMING AMENDMENTS.—Section  
12 4006(a)(3)(F) of such Act (29 U.S.C.  
13 1306(a)(3)(F)) is amended—

14 (A) in the matter before clause (i), by in-  
15 serting “and before 2013” after “after 2006”;  
16 and

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

19 (c) VARIABLE RATE PREMIUM INCREASES.—

20 (1) IN GENERAL.—Section 4006(a)(8)(C) of  
21 such Act (29 U.S.C. 1306(a)(8)(C)) is amended—

22 (A) in clause (i), by striking “and” at the  
23 end;

24 (B) in clause (ii), by striking “\$5.” and in-  
25 serting “\$10; and”; and

1 (C) by adding at the end the following:

2 “(iii) in the case of plan years begin-  
3 ning in calendar year 2016, by \$5.”.

4 (2) CONFORMING AMENDMENTS.—Section  
5 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is  
6 amended—

7 (A) in subparagraph (A)—

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

10 (ii) in clause (iii), by striking the pe-  
11 riod at the end and inserting “; and”; and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(iv) for plan years beginning after  
15 calendar year 2016, the amount in effect  
16 for plan years beginning in 2016 (deter-  
17 mined after application of subparagraph  
18 (C)).”; and

19 (B) in subparagraph (D)—

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

22 (ii) in clause (iii), by striking the pe-  
23 riod at the end and inserting “; and”; and

24 (iii) by adding at the end the fol-  
25 lowing:

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

3           (d) INCREASE IN VARIABLE RATE PREMIUM CAP.—

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

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

8                   (B) in subclause (II)—

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

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

13                   (C) by adding at the end the following:

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

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

18                   (A) in subparagraph (K) (as redesignated  
19           by subsection (b)(1)(A)), by inserting “and be-  
20           fore 2016” after “2013”; and

21                   (B) by inserting at the end the following:

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

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

3                   “(I) the national average wage index (as  
4                   defined in section 209(k)(1) of the Social Secu-  
5                   rity Act) for the first of the 2 calendar years  
6                   preceding the calendar year in which such plan  
7                   year begins, to

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

10           “(ii) such dollar amount for plan years begin-  
11           ning in the preceding calendar year.

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

15           (e) EFFECTIVE DATE.—The amendments made by  
16 this section shall apply to plan years beginning after De-  
17 cember 31, 2013.

18 **SEC. 704. CANCELLATION OF UNOBLIGATED BALANCES.**

19           (a) DEPARTMENT OF JUSTICE ASSETS FORFEITURE  
20 FUND.—Effective on the date of enactment of this Act,  
21 of the unobligated balances available under the Depart-  
22 ment of Justice Assets Forfeiture Fund, \$693,000,000 are  
23 permanently cancelled.

24           (b) TREASURY FORFEITURE FUND.—Effective on  
25 the date of enactment of this Act, of the unobligated bal-

1 ances available under the Department of the Treasury  
2 Forfeiture Fund, \$867,000,000, are permanently can-  
3 celled.

4 **SEC. 705. CONSERVATION PLANNING TECHNICAL ASSIST-**  
5 **ANCE USER FEES.**

6 (a) **USER FEES AUTHORIZED.**—Section 3 of the Soil  
7 Conservation and Domestic Allotment Act (16 U.S.C.  
8 590c) is amended—

9 (1) by striking “require—” and inserting “re-  
10 quire the following:”;

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

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

15 (4) by adding at the end the following:

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

19 “(i) reasonable and appropriate;

20 “(ii) assessed for conservation planning tech-  
21 nical assistance resulting in the development of a  
22 conservation plan; and

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

1 “(B) Fees under subparagraph (A) may not exceed  
2 \$150 per conservation plan for which technical assistance  
3 is provided.

4 “(C) The Secretary may waive fees otherwise re-  
5 quired under subparagraph (A) in the case of conservation  
6 planning technical assistance provided—

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

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

12 “(iii) to socially disadvantaged farmers or  
13 ranchers (as defined in section 355(e) of the Con-  
14 solidated Farm and Rural Development Act (7  
15 U.S.C. 2003(e));

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

19 “(v) to comply with Federal, State, or local reg-  
20 ulatory requirements.”.

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



1           (1) by striking “**SEC. 6.**” and all that follows  
2           through “There are hereby authorized” and insert-  
3           ing the following:

4           **“SEC. 6. AUTHORIZATION OF APPROPRIATIONS AND CON-**  
5                           **SERVATION TECHNICAL ASSISTANCE FUNDS.**

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

8           (2) by adding at the end the following:

9           “(b) CONSERVATION TECHNICAL ASSISTANCE  
10          FUND.—

11           “(1) IN GENERAL.—There is established in the  
12          Treasury of the United States a fund to be known  
13          as the ‘Conservation Technical Assistance Fund’ (re-  
14          ferred to in this subsection as the ‘Fund’), to be ad-  
15          ministered by the Secretary of Agriculture.

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

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

1           “(A) only be available to the extent and in  
2           the amount provided in advance in appropria-  
3           tions Acts;

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

6           “(C) remain available until expended.”.

7   **SEC. 706. SELF PLUS ONE COVERAGE.**

8           (a) ELECTION OF COVERAGE.—Section 8905 of title  
9   5, United States Code, is amended—

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

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

14           “(1) as an individual;

15           “(2) for self plus one; or

16           “(3) for self and family.”;

17           (2) in subsection (c)—

18           (A) in paragraph (1), in the matter fol-  
19           lowing subparagraph (B), by inserting “for self  
20           plus one or” before “self and family as provided  
21           in paragraph (2) of this subsection”; and

22           (B) in paragraph (2)—

23           (i) in the matter preceding subpara-  
24           graph (A), by inserting “for self plus one  
25           or” before “for self and family”; and

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

5 (3) in subsection (e), by striking “or each  
6 spouse may enroll as an individual” and inserting  
7 “or for a self plus one enrollment that covers the  
8 spouse, or each spouse may enroll as an individual  
9 or for a self plus one enrollment that does not cover  
10 the other spouse or a child who is covered under the  
11 enrollment of the other spouse”; and

12 (4) in subsection (h)—

13 (A) by striking “self and family enroll-  
14 ment” each place it appears and inserting “self  
15 plus one or self and family enrollment, as nec-  
16 essary to provide health insurance coverage for  
17 each child who is covered under the order.”;

18 (B) by striking “a child” each place it ap-  
19 pears and inserting “1 or more children”;

20 (C) by striking “the child resides” each  
21 place it appears and inserting “the child or chil-  
22 dren reside”;

23 (D) in paragraph (1), by striking “self and  
24 family coverage” each place it appears and in-  
25 serting “self plus one or self and family cov-

1           erage, as necessary to provide health insurance  
2           coverage for each child who is covered under  
3           the order,”; and

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

7           (b) CONTINUED COVERAGE.—Section 8905a of title  
8   5, United States Code, is amended—

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

11          (2) in subsection (f)(3)(A), by striking “for self  
12          and family based on such person’s separation from  
13          service” and inserting “based on such person’s sepa-  
14          ration from service under a self plus one enrollment  
15          that covered the individual or under a self and fam-  
16          ily enrollment”.

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

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

21          (2) by redesignating subparagraph (B) as sub-  
22          paragraph (C); and

23          (3) by inserting after subparagraph (A) the fol-  
24          lowing:

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

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

Amend the title so as to read: “Joint resolution re-  
ducing spending and for other purposes.”.

