

An Original Bill relating to extension of the trade adjustment assistance program, and amending the Internal Revenue Code of 1986 to extend and modify the credit for health insurance costs of certain eligible individuals, and for other purposes

Modification to the Chairman's Mark

April 22, 2015

Committee 1, Hatch 1, to offset the proposal by:

Customs User Fees. The provision includes a temporary extension of the increased COBRA (Consolidated Omnibus Budget Reconciliation Act) fee, which varies based on mode of transportation. The purpose of this fee is to ensure all carriers and passengers entering the United States are compliant with U.S. Customs laws. The provision also contains a temporary extension of the 2011 increase in the Merchandise Processing Fee (from 0.21 percent to 0.34 percent of import value) paid by importers who import products from countries with which the United States does not have a free trade agreement. The purpose of this fee is to offset the costs incurred by U.S. Customs and Border Protection (CBP) for the inspection and processing of merchandise that is formally entered or released.

Child Tax Credit not Refundable for Taxpayers Electing to Exclude Foreign Earned Income from Tax. The provision conforms the rules for the additional child tax credit (ACTC) -- i.e., the refundable portion of the child credit -- with the rules for the earned income tax credit (EITC) by denying the ACTC to taxpayers who elect the foreign earned income exclusion (FEIE) under Code section 911. The FEIE allows taxpayers living overseas to exclude up to \$100,800 (indexed for inflation) of foreign earned income from their gross income for U.S. tax purposes. This exclusion can lead to the unintended consequence that taxpayers earning six-figure incomes and who have no tax liability receive a check from the government for the ACTC because they appear to have low earned income.

Time for Payment of Corporate Estimated Taxes. Under current law, large corporations must pay their Federal income tax through four quarterly estimated tax payments, each in an amount equal to 25 percent of the annual tax due. For estimated tax payments made by corporations with assets of more than \$1 billion in July, August, or September of 2020, the provision would increase the estimated tax by 2.75 percent of the amount otherwise due (disregarding any increases outside of the tax code). In addition, the provision would reduce the next estimated tax payment by the same amount.

Coverage and Payment for Renal Dialysis Services for Individuals with Acute Kidney Injury. This provision will allow Medicare beneficiaries with acute kidney infection to receive short-term scheduled dialysis at a Medicare-certified End Stage Renal Disease facility. This policy mirrors a proposal that was contained in the President's FY2016 Budget. It would provide savings in this program without disrupting the level of care provided to patients.

Modification of the Medicare Sequester for Fiscal Year 2024. This section modifies the sequester on Medicare mandatory spending established in the Budget Control Act for the last six months of FY2024 by changing the percentage from 0% to 0.25%. This provision would reapply the sequester to this Medicare funding beyond the first half of 2024, when it expires, to

the second half of that year, but at a lower rate.

An Original Bill to extend the African Growth and Opportunity Act, The Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes
Modification to the Chairman's Mark
April 22, 2015

Committee 17, Hatch 1, to offset the proposal by:

Customs User Fees. The provision includes a temporary extension of the increased COBRA (Consolidated Omnibus Budget Reconciliation Act) fee, which varies based on mode of transportation. The purpose of this fee is to ensure all carriers and passengers entering the United States are compliant with U.S. Customs laws. The provision also contains a temporary extension of the 2011 increase in the Merchandise Processing Fee (from 0.21 percent to 0.34 percent of import value) paid by importers who import products from countries with which the United States does not have a free trade agreement. The purpose of this fee is to offset the costs incurred by U.S. Customs and Border Protection (CBP) for the inspection and processing of merchandise that is formally entered or released.

Time for Payment of Corporate Estimated Taxes. Under current law, large corporations must pay their Federal income tax through four quarterly estimated tax payments, each in an amount equal to 25 percent of the annual tax due. For estimated tax payments made by corporations with assets of more than \$1 billion in July, August, or September of 2020, the provision would increase the estimated tax by 5.25 percent of the amount otherwise due (disregarding any increases outside of the tax code). In addition, the provision would reduce the next estimated tax payment by the same amount.

Committee 23, Roberts 1, to update the Generalized System of Preferences (GSP) by eliminating the statutory exclusion for travel goods (adopted)

Committee 28, Stabenow, Roberts 2, expanding agricultural trade technical assistance with an increased focus on sectors that support women (adopted)

Committee 29, Cantwell/Portman 2, creates tariff classifications specific to “recreational performance outerwear” and eliminate import tariffs on those apparel products (adopted as modified to create tariff classifications only)

Committee 30, Cantwell 2, amends the definition of athletic footwear in the Harmonized Tariff Schedule (HTS) to clarify that it includes certain outdoor performance footwear (adopted)

Committee 45, Bennett 1, an amendment to require a report on how U.S. trade preference programs contribute to the reduction of poverty and the elimination of hunger (adopted)

An Original Bill to reauthorize trade facilitation and trade enforcement functions and activities,
and for other purposes
Modification to the Chairman's Mark
April 22, 2015

Committee 47, Hatch 1, to offset the proposal by:

Customs User Fees. The provision includes a temporary extension of the increased COBRA (Consolidated Omnibus Budget Reconciliation Act) fee, which varies based on mode of transportation. The purpose of this fee is to ensure all carriers and passengers entering the United States are compliant with U.S. Customs laws. The provision also contains a temporary extension of the 2011 increase in the Merchandise Processing Fee paid by importers who import products from countries with which the United States does not have a free trade agreement. The purpose of this fee is to offset the costs incurred by U.S. Customs and Border Protection (CBP) for the inspection and processing of merchandise that is formally entered or released.

Committee 48, Hatch 2, an amendment to counter boycotts, divestments, and sanctions against Israel, and to enhance commercial relations between the United States and Israel. The proposal establishes U.S. policy to support the strengthening of U.S.-Israel economic cooperation; recognizes the benefit of cooperation with Israel to U.S. companies; recognizes the importance of trade and commercial relations to the pursuit and sustainability of peace; opposes politically motivated actions that penalize or otherwise limit commercial relations with Israel; notes the discriminatory effect of such actions; encourages the inclusion of politically motivated actions that penalize or otherwise limit commercial relations specifically with Israel as a topic of discussion at the U.S.-Israel Joint Economic Development Group; supports the efforts to prevent investigations or prosecutions by governments or international organizations of U.S. persons on the sole basis of such persons doing business with Israel; and supports American States examining a company's promotion or compliance with unsanctioned boycotts, divestments from, or sanctions against Israel as part of its consideration in award grants and contracts and supports the divestment of State assets from companies that support or promote actions to boycott, divest from, or sanction Israel. The amendment also requires the President to report to Congress on politically motivated acts of boycott, divestment from, and sanctions against Israel. The amendment would also amend Section 13 of the Securities Exchange Act of 1934 to require foreign issuers to report on discriminatory actions towards Israel. The amendment also states that no U.S. court may recognize or enforce any judgment entered by a foreign court against a U.S. person carrying out business operations in Israel, or in any territory controlled by Israel, and on which is based a determination by the foreign court that the location in Israel, or in any territory controlled by Israel, of the facilities at which the business operations are carried out is sufficient to constitute a violation of law.

Committee 54, Thune/Grassley 1, an amendment to require the U.S. Customs and Border Protection (CBP) distribute all interest payments relating to antidumping and countervailing duties and subject to the Continued Dumping and Subsidy Offset Act of 2000 in a manner consistent with the plain language of the law (adopted)

Committee 55 Thune/Bennet 2, an amendment expressing the sense of congress that the U.S. Trade Representative (USTR) should encourage other nations to follow the lead of the U.S. by increasing the de minimis values to a commercially meaningful level (adopted)

Committee 60 Scott 1, an amendment to expand reporting requirements established in the Act for the Comptroller General's annual report on the effectiveness of CBP enforcement efforts (adopted)

Committee 61 Scott 2, an amendment to expand Customs and Border Protection's annual report on priorities and performance standards to include a description on commercial targeting methodologies used in enforcement efforts, with recommendations (adopted as modified to included classified annex)

Committee 64 Stabenow/Schumer/Menendez/Brown/Casey 1, to establish a Chief Manufacturing Negotiators in the Office of the United States Trade Representative (adopted)

Committee 71 Brown/Portman/Casey/Burr/Bennet/Coats 2, Level the Playing field (adopted)

Committee 9, Cantwell 1, to amend the Social Security Act to include a field of occupational data in employer filings for unemployment insurance to collect labor data to improve workforce development planning (adopted)