

Fincher Latham
 Fitzpatrick Latta
 Fleischmann Lee (CA)
 Fleming Levin
 Flores Lewis
 Forbes Lipinski
 Fortenberry LoBiondo
 Foster Loeb sack
 Foxx Lofgren
 Frankel (FL) Long
 Franks (AZ) Lowenthal
 Frelinghuysen Lowey
 Fudge Lucas
 Gabbard Luetkemeyer
 Gallego Lujan Grisham
 Garamendi (NM)
 Garcia Lujan, Ben Ray
 Gardner (NM)
 Garrett Lummis
 Gerlach Lynch
 Gibbs Maffei
 Gibson Maloney,
 Gohmert Carolyn
 Goodlatte Maloney, Sean
 Gosar Marchant
 Gowdy Marino
 Granger Massie
 Graves (GA) Matheson
 Graves (MO) Matsui
 Grayson McAllister
 Green, Al McCarthy (CA)
 Green, Gene McCaul
 Griffin (AR) McClintock
 Griffith (VA) McCollum
 Grijalva McDermott
 Grimm McGovern
 Guthrie McHenry
 Gutiérrez McIntyre
 Hahn McKeon
 Hanabusa McKinley
 Hanna McMorris
 Harper Rodgers
 Harris McNeerney
 Hartzler Meadows
 Hastings (FL) Meehan
 Hastings (WA) Meeks
 Heck (NV) Meng
 Heck (WA) Messer
 Hensarling Mica
 Herrera Beutler Michaud
 Higgins Miller (FL)
 Himes Miller (MI)
 Hinojosa Miller, George
 Holding Moore
 Holt Moran
 Honda Mullin
 Horsford Mulvaney
 Hoyer Murphy (FL)
 Hudson Murphy (PA)
 Huelskamp Nadler
 Huffman Napolitano
 Huizenga (MI) Neal
 Hultgren Neugebauer
 Hunter Noem
 Hurt Nolan
 Israel Norcross
 Jackson Lee Nugent
 Jeffries Nunes
 Jenkins Nunnelee
 Johnson (GA) O'Rourke
 Johnson (OH) Olson
 Johnson, E. B. Owens
 Johnson, Sam Palazzo
 Jolly Pallone
 Jones Pascrell
 Jordan Pastor (AZ)
 Kaptur Paulsen
 Keating Payne
 Kelly (IL) Pearce
 Kelly (PA) Pelosi
 Kennedy Perlmutter
 Kildee Perry
 Kilmer Peters (CA)
 Kind Peters (MI)
 King (IA) Peterson
 King (NY) Petri
 Kingston Pingree (ME)
 Kinzinger (IL) Pittenger
 Kirkpatrick Pitts
 Kline Pocan
 Kuster Poe (TX)
 Labrador Polis
 LaMalfa Pompeo
 Lamborn Posey
 Lance Price (GA)
 Langevin Price (NC)
 Lankford Quigley
 Larsen (WA) Rahall
 Larson (CT) Rangel

Reed Westmoreland
 Reichert Westmoreland
 Renacci Whitfield
 Ribble Williams
 Rice (SC) Wilson (FL)
 Richmond
 Rigell
 Roby Bonamici
 Roe (TN)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Roybal-Allard
 Royce
 Ruiz
 Runyan
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Salmon
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schneider
 Schock
 Schwartz
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Shea-Porter
 Sherman
 Shimkus
 Shuster
 Simpson
 Sinema
 Sires
 Slaughter
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stewart
 Stivers
 Stockman
 Stutzman
 Swalwell (CA)
 Takano
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Titus
 Tonko
 Tsongas
 Turner
 Upton
 Valadao
 Van Hollen
 Vargas
 Veasey
 Peterson
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walorski
 Carson (IN)
 Carter
 Cassidy
 Castro (TX)
 Chabot
 Chu
 Cicilline
 Clark (MA)

Wilson (SC) Yoder
 Wittman Yoho
 Wolf Young (AK)
 Womack Young (IN)
 Yarmuth
 NAYS—3
 DeFazio Schrader
 NOT VOTING—18
 Davis, Rodney Joyce
 Doyle McCarthy (NY)
 Duckworth Miller, Gary
 Gingrey (GA) Negrete McLeod
 Hall Rogers (AL)
 Issa Woodall
 Issa Johnson (GA)
 Johnson, Sam
 Jolly
 Joyce
 Kaptur
 Kelly (IL)
 Kelly (PA)
 Kennedy
 Kildee
 King (IA)
 King (NY)
 Kingston
 Kline
 Labrador
 LaMalfa
 Lamborn
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Messer
 Mica
 Michaud
 Miller (MI)
 Moore
 Moran
 Mullin
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nunes
 Nunnelee
 O'Rourke
 Olson
 Palazzo
 Pascrell
 Payne
 Pearce
 Pelosi
 Perlmutter
 Petri
 Pingree (ME)
 Pitts
 Pocan
 Polis
 Pompeo
 Posey
 Price (NC)
 Quigley
 Rangel
 Ribble
 Rice (SC)
 Roby
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Roskam
 Ross
 Rothfus
 Roybal-Allard
 Royce
 Ruiz
 Runyan
 Ruppertsberger
 Ryan (WI)
 Salmon
 Sanford
 Scalise
 Schiff
 Schneider
 Amash
 Barr
 Bass
 Benishek
 Bentivolio
 Bera (CA)
 Bishop (NY)
 Brady (PA)
 Broun (GA)
 Brownley (CA)
 Buchanan
 Bucshon
 Burgess
 Carney
 Cartwright
 Castor (FL)
 Chaffetz
 Clarke (NY)
 Clyburn
 Coffman
 Collins (GA)
 Conaway
 Costa
 Cotton
 Crowley
 Davis, Rodney
 DeFazio
 Delaney
 Denham
 DeSantis
 Duffy
 Ellison
 Esty
 Fitzpatrick
 Fleming
 Flores
 Forbes
 Foxx
 Frelinghuysen
 Fudge
 Garamendi
 Garcia
 Gardner
 Gibson
 Gosar
 Graves (MO)
 Green, Al
 Green, Gene
 Hanna
 Hastings (FL)
 Heck (NV)
 Herrera Beutler
 Holding
 Holt
 Honda
 Hoyer
 Hudson
 Huizenga (MI)
 Israel
 Jackson Lee
 Jeffries
 Jenkins
 Johnson (OH)
 Johnson, E. B.
 Jones
 Jordan
 Keating
 Kilmer
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kirkpatrick
 Kuster
 Lance
 Lee (CA)
 LoBiondo
 Lynch
 Maffei
 Maloney, Sean
 Matheson
 McDermott
 McGovern
 McKinley
 Meeks
 Miller (FL)
 Miller, George
 Mulvaney
 Murphy (FL)
 Norcross
 Nugent
 Pallone
 Pastor (AZ)
 Paulsen
 Perry
 Peters (CA)
 Peters (MI)
 Peterson
 Pittenger
 Poe (TX)
 Price (GA)
 Rahall
 Reed
 Reichert
 Renacci
 Richmond
 Rigell
 Roe (TN)
 Ros-Lehtinen
 Rush
 Ryan (OH)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Sewell (AL)
 Sires
 Slaughter
 Stivers
 Stockman
 Swalwell (CA)
 Terry
 Thompson (CA)

NAYS—3

NOT VOTING—18

□ 1517

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:
 Mr. COSTA. Mr. Speaker, on rollcall No. 541, had I been present, I would have voted "aye."

Mr. ROGERS of Alabama. Mr. Speaker, on rollcall No. 541, I was off the floor in a meeting and missed this second vote in the series. Had I been present, I would have voted "yes."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 275, nays 137, answered "present" 2, not voting 20, as follows:

[Roll No. 542]

YEAS—275

NAYS—137

Thompson (MS)	Valadao	Weber (TX)
Thompson (PA)	Veasey	Wittman
Tiberi	Velázquez	Woodall
Tipton	Visclosky	Yoder
Upton	Walberg	Young (AK)

ANSWERED "PRESENT"—2

Gohmert Owens

NOT VOTING—20

Aderholt	Doyle	McIntyre
Bishop (UT)	Duckworth	Miller, Gary
Brady (TX)	Franks (AZ)	Negrete McLeod
Braley (IA)	Gingrey (GA)	Nolan
Capps	Grijalva	Schwartz
Capuano	Hall	Turner
Diaz-Balart	McCarthy (NY)	

□ 1524

So the Journal was approved.

The result of the vote was announced as above recorded.

ACHIEVING A BETTER LIFE EXPERIENCE ACT OF 2014

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 766, I call up the bill (H.R. 647) to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to H. Res. 766, in lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, the amendment in the nature of a substitute printed in part B of House Report 113-643 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; ETC.

(a) **SHORT TITLE.**—This Act may be cited as the "Achieving a Better Life Experience Act of 2014" or the "ABLE Act of 2014".

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title; etc.

TITLE I—QUALIFIED ABLE PROGRAMS

Sec. 101. Purposes.

Sec. 102. Qualified ABLE programs.

Sec. 103. Treatment of ABLE accounts under certain Federal programs.

Sec. 104. Treatment of able accounts in bankruptcy.

Sec. 105. Investment direction rule for 529 plans.

TITLE II—OFFSETS

Sec. 201. Correction to workers compensation offset age.

Sec. 202. Accelerated application of relative value targets for misvalued services in the Medicare physician fee schedule.

Sec. 203. Consistent treatment of vacuum erection systems in Medicare Parts B and D.

Sec. 204. One-year delay of implementation of oral-only policy under Medicare ESRD prospective payment system.

Sec. 205. Modification relating to Inland Waterways Trust Fund financing rate.

Sec. 206. Certified professional employer organizations.

Sec. 207. Exclusion of dividends from controlled foreign corporations from the definition of personal holding company income for purposes of the personal holding company rules.

Sec. 208. Inflation adjustment for certain civil penalties under the Internal Revenue Code of 1986.

Sec. 209. Increase in continuous levy.

TITLE I—QUALIFIED ABLE PROGRAMS

SEC. 101. PURPOSES.

The purposes of this title are as follows:

(1) To encourage and assist individuals and families in saving private funds for the purpose of supporting individuals with disabilities to maintain health, independence, and quality of life.

(2) To provide secure funding for disability-related expenses on behalf of designated beneficiaries with disabilities that will supplement, but not supplant, benefits provided through private insurance, the Medicaid program under title XIX of the Social Security Act, the supplemental security income program under title XVI of such Act, the beneficiary's employment, and other sources.

SEC. 102. QUALIFIED ABLE PROGRAMS.

(a) **IN GENERAL.**—Subchapter F of chapter 1 is amended by inserting after section 529 the following new section:

"SEC. 529A. QUALIFIED ABLE PROGRAMS.

"(a) **GENERAL RULE.**—A qualified ABLE program shall be exempt from taxation under this subtitle. Notwithstanding the preceding sentence, such program shall be subject to the taxes imposed by section 511 (relating to imposition of tax on unrelated business income of charitable organizations).

"(b) **QUALIFIED ABLE PROGRAM.**—For purposes of this section—

"(1) **IN GENERAL.**—The term 'qualified ABLE program' means a program established and maintained by a State, or agency or instrumentality thereof—

"(A) under which a person may make contributions for a taxable year, for the benefit of an individual who is an eligible individual for such taxable year, to an ABLE account which is established for the purpose of meeting the qualified disability expenses of the designated beneficiary of the account,

"(B) which limits a designated beneficiary to 1 ABLE account for purposes of this section,

"(C) which allows for the establishment of an ABLE account only for a designated beneficiary who is a resident of such State or a resident of a contracting State, and

"(D) which meets the other requirements of this section.

"(2) **CASH CONTRIBUTIONS.**—A program shall not be treated as a qualified ABLE program unless it provides that no contribution will be accepted—

"(A) unless it is in cash, or

"(B) except in the case of contributions under subsection (c)(1)(C), if such contribution to an ABLE account would result in aggregate contributions from all contributors to the ABLE account for the taxable year exceeding the amount in effect under section 2503(b) for the calendar year in which the taxable year begins.

For purposes of this paragraph, rules similar to the rules of section 408(d)(4) (determined without regard to subparagraph (B) thereof) shall apply.

"(3) **SEPARATE ACCOUNTING.**—A program shall not be treated as a qualified ABLE program unless it provides separate accounting for each designated beneficiary.

"(4) **LIMITED INVESTMENT DIRECTION.**—A program shall not be treated as a qualified ABLE program unless it provides that any designated beneficiary under such program may, directly or indirectly, direct the investment of any contributions to the program (or any earnings thereon) no more than 2 times in any calendar year.

"(5) **NO PLEDGING OF INTEREST AS SECURITY.**—A program shall not be treated as a qualified ABLE program if it allows any interest in the program or any portion thereof to be used as security for a loan.

"(6) **PROHIBITION ON EXCESS CONTRIBUTIONS.**—A program shall not be treated as a qualified ABLE program unless it provides adequate safeguards to prevent aggregate contributions on behalf of a designated beneficiary in excess of the limit established by the State under section 529(b)(6). For purposes of the preceding sentence, aggregate contributions include contributions under any prior qualified ABLE program of any State or agency or instrumentality thereof.

"(c) **TAX TREATMENT.**—

"(1) **DISTRIBUTIONS.**—

"(A) **IN GENERAL.**—Any distribution under a qualified ABLE program shall be includible in the gross income of the distributee in the manner as provided under section 72 to the extent not excluded from gross income under any other provision of this chapter.

"(B) **DISTRIBUTIONS FOR QUALIFIED DISABILITY EXPENSES.**—For purposes of this paragraph, if distributions from a qualified ABLE program—

"(i) do not exceed the qualified disability expenses of the designated beneficiary, no amount shall be includible in gross income, and

"(ii) in any other case, the amount otherwise includible in gross income shall be reduced by an amount which bears the same ratio to such amount as such expenses bear to such distributions.

"(C) **CHANGE IN DESIGNATED BENEFICIARIES OR PROGRAMS.**—

"(i) **ROLLOVERS FROM ABLE ACCOUNTS.**—Subparagraph (A) shall not apply to any amount paid or distributed from an ABLE account to the extent that the amount received is paid, not later than the 60th day after the date of such payment or distribution, into another ABLE account for the benefit of the same designated beneficiary or an eligible individual who is a family member of the designated beneficiary.

"(ii) **CHANGE IN DESIGNATED BENEFICIARIES.**—Any change in the designated beneficiary of an interest in a qualified ABLE program during a taxable year shall not be treated as a distribution for purposes of subparagraph (A) if the new beneficiary is an eligible individual for such taxable year and a member of the family of the former beneficiary.

"(iii) **LIMITATION ON CERTAIN ROLLOVERS.**—Clause (i) shall not apply to any transfer if such transfer occurs within 12 months from the date of a previous transfer to any qualified ABLE program for the benefit of the designated beneficiary.

"(D) **OPERATING RULES.**—For purposes of applying section 72—

"(i) except to the extent provided by the Secretary, all distributions during a taxable year shall be treated as one distribution, and

"(ii) except to the extent provided by the Secretary, the value of the contract, income on the contract, and investment in the contract shall be computed as of the close of the calendar year in which the taxable year begins.

"(2) **GIFT TAX RULES.**—For purposes of chapters 12 and 13—

"(A) **CONTRIBUTIONS.**—Any contribution to a qualified ABLE program on behalf of any designated beneficiary—

"(i) shall be treated as a completed gift to such designated beneficiary which is not a future interest in property, and

"(ii) shall not be treated as a qualified transfer under section 2503(e).