

[Roll No. 540]

YEAS—425

Abraham DeLauro Jenkins (KS)
 Adams DelBene Jenkins (WV)
 Aderholt Denham Johnson (GA)
 Aguilar Dent Johnson (OH)
 Allen DeSantis Johnson, E. B.
 Amash DeSaulnier Johnson, Sam
 Amodei DesJarlais Jolly
 Ashford Deutch Jones
 Babin Diaz-Balart Jordan
 Barletta Dingell Joyce
 Barr Doggett Kaptur
 Barton Dold Katko
 Bass Donovan Keating
 Beatty Doyle, Michael Kelly (IL)
 Becerra F. Kelly (MS)
 Benishek Duckworth Kelly (PA)
 Bera Duffy Kennedy
 Beyer Duncan (SC) Kildee
 Bilirakis Duncan (TN) Kilmer
 Bishop (GA) Edwards Kind
 Bishop (MI) Ellison King (IA)
 Bishop (UT) Ellmers (NC) King (NY)
 Black Emmer (MN) Kinzinger (IL)
 Blackburn Engel Kirkpatrick
 Blum Eshoo Kline
 Blumenauer Esty Knight
 Bonamici Farenthold Kuster
 Bost Farr Labrador
 Boustany Fincher LaHood
 Boyle, Brendan Fitzpatrick LaMalfa
 F. Fleischmann Lamborn
 Brady (PA) Fleming Lance
 Brady (TX) Flores Langevin
 Brat Forbes Larsen (WA)
 Bridenstine Fortenberry Larson (CT)
 Brooks (AL) Foster Latta
 Brooks (IN) Foxx Lawrence
 Brown (FL) Frankel (FL) Lee
 Brownley (CA) Franks (AZ) Levin
 Buchanan Frelinghuysen Lewis
 Buck Fudge Lieu, Ted
 Bucshon Gabbard Lipinski
 Burgess Gallego LoBiondo
 Bustos Garamendi Loeb sack
 Butterfield Garrett Lofgren
 Byrne Gibbs Long
 Calvert Gibson Loudermilk
 Capps Gohmert Love
 Capuano Goodlatte Lowenthal
 Cárdenas Gosar Lowey
 Carney Gowdy Lucas
 Carson (IN) Graham Luetkemeyer
 Carter (GA) Granger Lujan Grisham
 Carter (TX) Graves (GA) (NM)
 Cartwright Graves (LA) Luján, Ben Ray
 Castor (FL) Graves (MO) (NM)
 Castro (TX) Grayson Lummis
 Chabot Green, Al Lynch
 Chaffetz Green, Gene MacArthur
 Chu, Judy Griffith Maloney,
 Cicilline Grijalva Carolyn
 Clark (MA) Grothman Maloney, Sean
 Clarke (NY) Guinta Marchant
 Clawson (FL) Guthrie Marino
 Clay Gutiérrez Massie
 Cleaver Hahn Matsui
 Clyburn Hanna McCarthy
 Coffman Hardy McCaul
 Cohen Harper McClintock
 Cole Harris McCollum
 Collins (GA) Hartzler McDermott
 Collins (NY) Hastings McGovern
 Comstock Heck (NV) McHenry
 Conaway Heck (WA) McKinley
 Connolly Hensarling McMorris
 Conyers Herrera Beutler Rodgers
 Cook Hice, Jody B. McNeerney
 Cooper Higgins McSally
 Costa Hill Meadows
 Costello (PA) Himes Meehan
 Courtney Hinojosa Meeks
 Cramer Holding Meng
 Crawford Honda Messer
 Crenshaw Hoyer Mica
 Crowley Hudson Miller (FL)
 Cuellar Huelskamp Miller (MI)
 Culberson Huffman Moolenaar
 Cummings Huiuzenga (MI) Mooney (WV)
 Curbelo (FL) Hultgren Moulton
 Davidson Hunter Mullin
 Davis (CA) Hurd (TX) Mulvaney
 Davis, Danny Hurt (VA) Murphy (FL)
 Davis, Rodney Israel Murphy (PA)
 DeFazio Issa Nadler
 DeGette Jackson Lee Napolitano
 Delaney Jeffries Neal

Neugebauer Ros-Lehtinen Thompson (PA)
 Newhouse Roskam Thornberry
 Noem Ross Tipton
 Nolan Rothfus Titus
 Norcross Rouzer Tonko
 Nugent Roybal-Allard Torres
 Nunes Royce Trott
 O'Rourke Ruiz Tsongas
 Olson Ruppersberger Turner
 Palazzo Russell Upton
 Pallone Ryan (OH) Valadao
 Palmer Salmon Van Hollen
 Pascrell Sánchez, Linda Van Hollen
 Paulsen T. Vargas
 Payne Sanford Veasey
 Pearce Sarbanes Vela
 Pelosi Scalise Velázquez
 Perlmutter Schakowsky Visclosky
 Perry Schiff Wagner
 Peters Schrader Walberg
 Peterson Schweikert Walden
 Pingree Scott (VA) Walker
 Pittenger Scott, Austin Walorski
 Pitts Scott, David Walz
 Pocan Sensenbrenner Wasserman
 Poliquin Serrano Schultz
 Polis Sessions Waters, Maxine
 Pompeo Sewell (AL) Watson Coleman
 Poye Sherman Weber (TX)
 Price (NC) Shimkus Webster (FL)
 Price, Tom Shuster Welch
 Quigley Simpson Wenstrup
 Rangel Sinema Westerman
 Ratcliffe Sires Westmoreland
 Reed Slaughter Williams
 Reichert Smith (MO) Wilson (FL)
 Renacci Smith (NE) Wilson (SC)
 Ribble Smith (NJ) Wittman
 Rice (NY) Smith (TX) Womack
 Rice (SC) Smith (WA) Woodall
 Richmond Speier Yarmuth
 Rigell Stefanik Yoder
 Roby Stewart Yoho
 Roe (TN) Stivers Young (AK)
 Rogers (AL) Stutzman Young (IA)
 Rogers (KY) Swalwell (CA) Young (IN)
 Rohrabacher Takano Zeldin
 Rokita Thompson (CA) Zinke
 Rooney (FL) Thompson (MS)

NOT VOTING—6

Moore Rush Tiberi
 Poe (TX) Sanchez, Loretta Walters, Mimi

□ 1845

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to allow the Administrator of the Federal Aviation Administration to enter into reimbursable agreements for certain airport projects."

A motion to reconsider was laid on the table.

BATHROOMS ACCESSIBLE IN EVERY SITUATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5147) to amend title 40, United States Code, to require that male and female restrooms in public buildings be equipped with baby changing facilities, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 34, not voting 8, as follows:

[Roll No. 541]

YEAS—389

Abraham Deutch Kildee
 Adams Diaz-Balart Kilmer
 Aderholt Kind
 Aguilar Doggett King (IA)
 Allen Dold King (NY)
 Amodei Donovan Kinzinger (IL)
 Ashford Doyle, Michael Kirkpatrick
 Babin F. Kline
 Barletta Duckworth Knight
 Barr Duffy Kuster
 Barton Duncan (TN) Labrador
 Bass Edwards LaHood
 Beatty Ellison LaMalfa
 Becerra Ellmers (NC) Lamborn
 Benishek Emmer (MN) Lance
 Bera Engel Langevin
 Beyer Eshoo Larsen (WA)
 Bilirakis Esty Latta
 Bishop (GA) Farr Lawrence
 Bishop (MI) Fincher Lee
 Bishop (UT) Fitzpatrick Levin
 Black Fleischmann Lewis
 Blackburn Fleming Lieu, Ted
 Blum Flores Lipinski
 Blumenauer Forbes LoBiondo
 Bonamici Fortenberry Loeb sack
 Bost Foster Lofgren
 Boustany Foxx Long
 Boyle, Brendan Frankel (FL) Love
 F. Franks (AZ) Lowenthal
 Brady (PA) Frelinghuysen Lowey
 Brady (TX) Fudge Lucas
 Bridenstine Gabbard Luetkemeyer
 Brooks (IN) Brooks (IN) Gallego
 Brown (FL) Brown (FL) Garamendi
 Brownley (CA) Brownley (CA) Garrett
 Buchanan Buchanan Gibbon Luján, Ben Ray
 Buck Gohmert Lynch
 Bucshon Bucshon Goodlatte MacArthur
 Burgess Gallego Gowdy Maloney,
 Bustos Garamendi Graham Carolyn
 Butterfield Garrett Granger Maloney, Sean
 Byrne Gibbs Long Marchant
 Calvert Gibson McCaul Matsui
 Capps Gohmert McCollum
 Capuano Goodlatte McDermott
 Cárdenas Gosar McGovern
 Carney Gowdy Lucas McKinley
 Carson (IN) Graham Lujan Grisham
 Carter (GA) Granger Luján, Ben Ray
 Carter (TX) Graves (GA) (NM)
 Cartwright Graves (LA) (NM)
 Castor (FL) Grayson Lummis
 Castro (TX) Green, Al Lynch
 Chabot Green, Gene MacArthur
 Chaffetz Griffith Maloney,
 Chu, Judy Grijalva Carolyn
 Cicilline Grothman Maloney, Sean
 Clark (MA) Guinta Marchant
 Clarke (NY) Guthrie Marino
 Clawson (FL) Gutiérrez Massie
 Clay Hahn Matsui
 Cleaver Hanna McCarthy
 Clyburn Hardy McCaul
 Coffman Harper McClintock
 Cohen Harris McCollum
 Cole Hartzler McDermott
 Collins (GA) Hastings McGovern
 Collins (NY) Heck (NV) McHenry
 Comstock Heck (WA) McKinley
 Conaway Hensarling McMorris
 Connolly Herrera Beutler Rodgers
 Conyers Hice, Jody B. McNeerney
 Cook Higgins McSally
 Cooper Hill Meadows
 Costa Hill Meehan
 Costello (PA) Himes Meeks
 Courtney Hinojosa Meng
 Cramer Holding Messer
 Crawford Honda Mica
 Crenshaw Hoyer Miller (FL)
 Crowley Hudson Miller (MI)
 Cuellar Huelskamp Moolenaar
 Culberson Huffman Mooney (WV)
 Cummings Huiuzenga (MI) Moulton
 Curbelo (FL) Hultgren Mullin
 Davidson Hunter Mullin
 Davis (CA) Hurd (TX) Mulvaney
 Davis, Danny Hurt (VA) Murphy (FL)
 Davis, Rodney Israel Murphy (PA)
 DeFazio Issa Nadler
 DeGette Jackson Lee Napolitano
 Delaney Jeffries Neal

Pocan	Scalise	Trott
Poliquin	Schakowsky	Tsongas
Polis	Schiff	Turner
Pompeo	Schrader	Upton
Posey	Schweikert	Valadao
Price (NC)	Scott (VA)	Van Hollen
Price, Tom	Scott, Austin	Vargas
Quigley	Scott, David	Veasey
Rangel	Sensenbrenner	Vela
Ratcliffe	Serrano	Velazquez
Reed	Sessions	Visclosky
Reichert	Sewell (AL)	Wagner
Renacci	Sherman	Walberg
Ribble	Shimkus	Walden
Rice (NY)	Shuster	Walker
Rice (SC)	Simpson	Walorski
Richmond	Sinema	Walz
Rigell	Sires	Wasserman
Roby	Slaughter	Schultz
Roe (TN)	Smith (MO)	Watson Coleman
Rogers (AL)	Smith (NE)	Webster (FL)
Rogers (KY)	Smith (NJ)	Welch
Rooney (FL)	Smith (TX)	Wenstrup
Ros-Lehtinen	Smith (WA)	Westerman
Roskam	Speier	Williams
Ross	Stefanik	Wilson (FL)
Rothfus	Stewart	Wilson (SC)
Rouzer	Stivers	Wittman
Roybal-Allard	Swalwell (CA)	Womack
Royce	Takano	Woodall
Ruiz	Thompson (CA)	Yarmuth
Ruppersberger	Thompson (MS)	Yoder
Russell	Thompson (PA)	Young (IA)
Ryan (OH)	Tipton	Young (IN)
Sánchez, Linda	Titus	Zeldin
T.	Tonko	
Sarbanes	Torres	

NAYS—34

Amash	Grothman	Rokita
Brat	Harris	Salmon
Brooks (AL)	Hice, Jody B.	Sanford
Burgess	Huelskamp	Stutzman
Chaffetz	Jones	Thornberry
Clawson (FL)	Loudermilk	Weber (TX)
Collins (GA)	Lummis	Westmoreland
Duncan (SC)	Massie	Yoho
Farenthold	McClintock	Young (AK)
Gibbs	Mulvaney	Zinke
Gosar	Perry	
Griffith	Rohrabacher	

NOT VOTING—8

Larson (CT)	Rush	Walters, Mimi
Moore	Sanchez, Loretta	Waters, Maxine
Poe (TX)	Tiberi	

□ 1851

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to amend title 40, United States Code, to require restrooms in public buildings to be equipped with baby changing facilities."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 535 (on passage of H.R. 3438), 536 (on passage of H.R. 5461), 537 (motion to suspend the rules and pass, as amended H.R. 5859), 538 (motion to suspend the rules and pass, as amended H.R. 6007), 539 (motion to suspend the rules and pass, as amended H.R. 5977), 540 (motion to suspend the rules and pass, as amended H.R. 6014), and 541 (motion to suspend the rules and pass, as amended H.R. 5147) I did not cast my votes due to illness. Had I been present. I would have voted "yea" on all of the votes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RATCLIFFE). Pursuant to clause 8 of

rule XX, the Chair will postpone further proceedings today on additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record votes on postponed questions will be taken later.

MOBILE WORKFORCE STATE INCOME TAX SIMPLIFICATION ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2315) to limit the authority of States to tax certain income of employees for employment duties performed in other States.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2315

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mobile Workforce State Income Tax Simplification Act of 2015".

SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—

(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) WAGES OR OTHER REMUNERATION.—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—The term "employee" has the same meaning given to it by the State in which the employment duties are performed, except that the term "employee" shall not include a professional athlete, professional entertainer, or certain public figures.

(3) PROFESSIONAL ATHLETE.—The term "professional athlete" means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) PROFESSIONAL ENTERTAINER.—The term "professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) CERTAIN PUBLIC FIGURES.—The term "certain public figures" means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(6) EMPLOYER.—The term "employer" has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(7) STATE.—The term "State" means any of the several States.

(8) TIME AND ATTENDANCE SYSTEM.—The term "time and attendance system" means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(9) WAGES OR OTHER REMUNERATION.—The term "wages or other remuneration" may be limited by the State in which the employment duties are performed.

SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—This Act shall take effect on January 1 of the 2d year that begins after the date of the enactment of this Act.

(b) APPLICABILITY.—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from