

“Sec. 1369. Amortization of built-in gain amount upon death of shareholder.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to with respect to decedents dying after the date of the enactment of this Act, in taxable years ending after such date.

**SEC. 13546. EXTENSION OF TIME FOR MAKING S CORPORATION ELECTIONS.**

(a) IN GENERAL.—Subsection (b) of section 1362 is amended to read as follows:

“(b) WHEN MADE.—

“(1) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year not later than the due date for filing the return of the S corporation for such taxable year (including extensions).

“(2) CERTAIN ELECTIONS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

“(A) an election under subsection (a) is made for any taxable year within the period described in paragraph (1), but

“(B) either—

“(i) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

“(ii) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

“(3) AUTHORITY TO TREAT LATE ELECTIONS, ETC., AS TIMELY.—If—

“(A) an election under subsection (a) is made for any taxable year after the date prescribed by this subsection for making such election for such taxable year or no such election is made for any taxable year, and

“(B) the Secretary determines that there was reasonable cause for the failure to timely make such election,

the Secretary may treat such an election as timely made for such taxable year.

“(4) ELECTION ON TIMELY FILED RETURNS.—Except as otherwise provided by the Secretary, an election under subsection (a) for any taxable year may be made on a timely filed return of the S corporation for such taxable year.

“(5) SECRETARIAL AUTHORITY.—The Secretary may prescribe such regulations, rules, or other guidance as may be necessary or appropriate for purposes of applying this subsection.”.

(b) COORDINATION WITH CERTAIN OTHER PROVISIONS.—

(1) QUALIFIED SUBCHAPTER S SUBSIDIARIES.—Section 1361(b)(3)(B) is amended by adding at the end the following flush sentence:

“Rules similar to the rules of section 1362(b) shall apply with respect to any election under clause (i).”.

(2) QUALIFIED SUBCHAPTER S TRUSTS.—Section 1361(d)(2) is amended by striking subparagraph (D).

(c) REVOCATIONS.—Paragraph (1) of section 1362(d) is amended—

(1) by striking “subparagraph (D)” in subparagraph (C) and inserting “subparagraphs (D) and (E)”, and

(2) by adding at the end the following new subparagraph:

“(E) AUTHORITY TO TREAT LATE REVOCATIONS AS TIMELY.—If—

“(i) a revocation under subparagraph (A) is made for any taxable year after the date prescribed by this paragraph for making such revocation for such taxable year or no such revocation is made for any taxable year, and

“(ii) the Secretary determines that there was reasonable cause for the failure to timely make such revocation,

the Secretary may treat such a revocation as timely made for such taxable year.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to elections for taxable years beginning after December 31, 2017.

(2) REVOCATIONS.—The amendments made by subsection (c) shall apply to revocations after December 31, 2017.

**SA 1661.** Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 1, to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. INCREASE INCOME EXCLUSION FOR BENEFITS PROVIDED TO VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL RESPONDERS.**

(a) IN GENERAL.—

(1) APPLICABLE DOLLAR LIMITATION.—Section 139B(c)(2)(B) is amended by striking “\$30” and inserting “\$100”.

(2) PERMANENT EXCLUSION.—Section 139B is amended by striking subsection (d).

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2017.

(b) ADJUSTMENT TO CORPORATE TAX RATE.—

(1) IN GENERAL.—Section 11(b), as amended by section 13001 of this Act, is amended by striking “20 percent” and inserting “21 percent”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2018.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. TILIS. Mr. President, I have 7 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, to conduct a hearing on nominations.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, at 10:30 a.m. to conduct a hearing on the nominations of Barry Lee Myers, of Pennsylvania, to be Under Secretary of Commerce for Oceans and Atmosphere.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, at 10 a.m. in room SD-406 to conduct a hearing on 19 General Services Administra-

tion resolutions and the following nominations: Kathleen Hartnett White, of Texas, to be a Member of the Council on Environmental Quality and Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, at 9:30 a.m. in room SD-430 to conduct a hearing on the nominations of Alex Michael Azar II, of Indiana, to be Secretary of Health and Human Services.

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, at 10 a.m., in room SD-226, to conduct a hearing on the following nominations: Stuart Kyle Duncan, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, David Ryan Stras, of Minnesota, to be United States Circuit Judge for the Eighth Circuit, Fernando Rodriguez, Jr., to be United States District Judge for the Southern District of Texas, and Andrei Iancu, of California, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

**COMMITTEE ON VETERANS’ AFFAIRS**

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, at 2:30 p.m., in room SR-418 to conduct a hearing on the bill entitled “Caring for Our Veterans Act of 2017”.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, November 29, 2017, at 3 p.m., in room S-127 to hold a closed hearing.

**PRIVILEGES OF THE FLOOR**

Mr. WYDEN. Mr. President, I ask unanimous consent that the following individuals in my personal and Finance Committee offices be granted floor privileges for the remainder of this Congress: Claudette Yazbek, Karlen Yallup, Lawrence Doppelt, Jonathan Harris, Rachael Kauss, and Michael Cecil.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent for six additional full floor access passes to be equally divided between the majority and the minority during the consideration of H.R. 1 for the following staffers: for the majority, Eric Euland, Rebecca Cole, and Paul Vinovich; for the minority, Mike Jones, Jill Harrelson, and Josh Smith; finally, that Natalie Rico, a fellow in Senator SANDERS’ office, be granted floor privileges during the consideration of H.R. 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I ask unanimous consent for six additional full floor access passes to be equally divided between the majority and minority during the consideration of H.R. 1, the Tax Cuts and Jobs Act legislation, for the following staffers: from the majority on the Finance Committee: Randy Herndon, Zach Rudisill, and Shay Hawkins; from the minority on the Finance Committee: Ryan Abraham, Adam Carasso, and Sarah Schneider.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENTS CORRECTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a correction to appointments made on November 28, 2017, be printed in the RECORD. For the information of the Senate, this correction is clerical and does not change membership of the Frederick Douglass Bicentennial Commission made by the appointments.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of Public Law 115-77, appoints the following individuals to the Frederick Douglass Bicentennial Commission: Kay Coles James of Virginia and Star Parker of California.

#### HONORING THE LIFE AND ACHIEVEMENTS OF DR. ROBERT LAWRENCE JR.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 344, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 344) honoring the life and achievements of Dr. Robert Lawrence Jr.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 344) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### INDIAN EMPLOYMENT, TRAINING AND RELATED SERVICES CONSOLIDATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of H.R. 228, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 228) to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 228) was ordered to a third reading, was read the third time, and passed.

#### ESTHER MARTINEZ NATIVE AMERICAN LANGUAGES PRESERVATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 30, S. 254.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 254) to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Hoeven amendment, which is at the desk, be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1637) was agreed to, as follows:

(Purpose: To amend the authorization of appropriations for the Native American languages grant program under section 803C of the Native American Programs Act of 1974)

On page 2, strike lines 21 and 22 and insert the following:

amended by striking "such sums" and all that follows through the period at the end and inserting "\$13,000,000 for each of fiscal years 2019 through 2023."

The bill (S. 254), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 254

*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 "Esther Martinez Native American Languages Preservation Act".

#### SEC. 2. NATIVE AMERICAN LANGUAGES GRANT PROGRAM.

Section 803C of the Native American Programs Act of 1974 (42 U.S.C. 2991b-3) is amended—

(1) in subsection (b)(7)—

(A) in subparagraph (A)(i), by striking "10" and inserting "5"; and

(B) in subparagraph (B)(i), by striking "15" and inserting "10"; and

(2) in subsection (e)(2)—

(A) by striking "or 3-year basis" and inserting "3-year, 4-year, or 5-year basis"; and

(B) by inserting ", 4-year, or 5-year" after "on a 3-year".

#### SEC. 3. REAUTHORIZATION OF NATIVE AMERICAN LANGUAGES PROGRAM.

(a) IN GENERAL.—Section 816(e) of the Native American Programs Act of 1974 (42 U.S.C. 2992d(e)) is amended by striking "2008, 2009, 2010, 2011, and 2012" and inserting "2018 through 2022".

(b) TECHNICAL CORRECTION.—Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended in subsections (a) and (b) by striking "subsection (e)" each place it appears and inserting "subsection (d)".

#### JOHN P. SMITH ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 33, S. 302.

The PRESIDING OFFICER. The clerk will report bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 302) to enhance tribal road safety, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 302) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 302

*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 "John P. Smith Act".

#### SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Interior.

#### SEC. 3. APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.

(a) DEFINITION OF TRIBAL TRANSPORTATION SAFETY PROJECT.—

(1) IN GENERAL.—In this section, the term "tribal transportation safety project" means a project described in paragraph (2) that is eligible for funding under section 202 of title 23, United States Code, and that—

(A) corrects or improves a hazardous road location or feature; or

(B) addresses a highway safety problem.

(2) PROJECTS DESCRIBED.—A project described in this paragraph is a project for one or more of the following:

(A) An intersection safety improvement.

(B) Pavement and shoulder widening (including the addition of a passing lane to remedy an unsafe condition).