

In fact, the first piece of legislation that we considered earlier was the Blue Alert legislation, and that was one of the recommendations that came out of the President's own police and community task force. So, as Mr. PASCRELL said, not only are the Members of the House and the Senate in agreement here, but also the administration, which is a moment that we all need to pause and appreciate that we are all together on this. We see how important and how critical this legislation is and how important and critical it is to show our support for those men and women who leave their families each and every day to keep us safe.

Mr. Speaker, I urge support of this legislation, and I yield back the balance of my time.

Ms. LAWRENCE. Mr. Speaker, as we pass the bipartisan Don't Tax Our Fallen Public Safety Heroes Act, I'd like to share with you a little bit about fallen Michigan State Trooper Paul K. Butterfield II. On September 9th, 2013, Trooper Butterfield was shot on a routine traffic stop.

Responding units located Trooper Butterfield on the ground suffering from a gunshot wound to the head. He was then flown to a regional hospital, where he eventually succumbed to his wounds while in surgery.

Trooper Butterfield was a dedicated public servant; after serving in the U.S. Army, he joined the Michigan State Police where he served for 14 years until his death in the line of duty. Family and friends remember him for being soft-spoken, kind, and always smiling.

This bill honors the legacy of not only Trooper Butterfield, but all first responders who have laid down their lives. Several hundred first responders die every year in the line of duty. These officers, and their families, should know that we support them and what they do. I am proud to cosponsor this bipartisan legislation to ensure that families of public safety officers will receive the full benefits they deserve should their loved ones succumb to the ultimate sacrifice.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. REICHERT) that the House suspend the rules and pass the bill, H.R. 606.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. REICHERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DEFENDING PUBLIC SAFETY EMPLOYEES' RETIREMENT ACT

Mr. REICHERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2146) to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 2146

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 "Defending Public Safety Employees' Retirement Act".

SEC. 2. EARLY RETIREMENT DISTRIBUTIONS TO FEDERAL LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND AIR TRAFFIC CONTROLLERS IN GOVERNMENTAL PLANS.

(a) IN GENERAL.—Section 72(t)(10)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking the period at the end and inserting " , or";

(2) by striking "means any employee" and inserting the following: "means—
"(i) any employee", and

(3) by adding at the end the following new clause:

"(ii) any Federal law enforcement officer described in section 8331(20) or 8401(17) of title 5, United States Code, any Federal customs and border protection officer described in section 8331(31) or 8401(36) of such title, any Federal firefighter described in section 8331(21) or 8401(14) of such title, or any air traffic controller described in 8331(30) or 8401(35) of such title."

(b) APPLICATION TO DEFINED CONTRIBUTION PLANS.—Section 72(t)(10)(A) of such Code is amended by striking "which is a defined benefit plan".

(c) DISTRIBUTIONS NOT TREATED AS MODIFICATION OF SUBSTANTIALLY EQUAL PAYMENTS.—Section 72(t)(4)(A)(ii) of such Code is amended by inserting "or a distribution to which paragraph (10) applies" after "other than by reason of death or disability".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions after December 31, 2014.

SEC. 3. BUDGETARY EFFECTS.

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.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. REICHERT) and the gentleman from New Jersey (Mr. PASCRELL) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. REICHERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2146 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. REICHERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Defending Public Safety Employees' Retirement Act, H.R. 2146, is a straightforward bill that would simply ensure fairness to public safety officials by extending the same treatment that applies to State and local public safety officials to Federal public safety officials as well.

I spent 33 years in law enforcement. I know from my own experience and from those with whom I worked just

how strenuous a job protecting our fellow Americans can be. You never know when or what kind of situation you might be called to intervene in. It is taxing both mentally and physically. I could tell lots of stories here tonight over my 33-year career to illustrate that point, but I won't put Congress through that. Sometimes it is so mentally and physically draining that many law enforcement officials are subject to mandatory retirement at young ages. Think of someone who has spent an entire lifetime, 30, 35 years, in law enforcement, and the things that they have witnessed and seen.

I was a homicide detective. I, unfortunately, was in an assignment where you had to process the scenes of murder victims and collect the remains of people who had been victims of serious assaults resulting in death. Those memories never leave you. The stress of responding to a "person with a gun" call, a "man with a knife," a domestic violence call, and never knowing what is going to happen day after day after day in responding to those calls—it is a stressful job. Through no fault of their own, they may need to access savings earlier than a standard retirement age. So we should ensure they are granted access without penalty.

Under the current law, Mr. Speaker, individuals who attempt to access their retirement savings before the age of 59½ are hit with a 10 percent tax. In 2006 Congress removed this penalty for State and local government public safety officers accessing their retirement accounts at the age of 50. This legislation would give Federal law enforcement officers, Federal firefighters, and air traffic controllers, who often must retire early, the same treatment. They are treated equally as local officials and officers. We previously recognized the need for this to happen at the State and local level, and it is just common sense that Federal public safety officials should receive the same opportunity.

When it comes down to it, these men and women have spent a majority of their lives protecting us, and because of that, we should be able to protect them from the IRS.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. PASCRELL. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Mr. REICHERT for all the work he has done on this legislation to bring it to the floor this evening. We are talking about H.R. 2146.

Law enforcement officers face physically demanding work day in and day out. Current law recognizes this by making Federal law enforcement officers and firefighters eligible to retire after 20 years and at age 50.

By the way, if I may say something on this, Mr. Speaker, I don't particularly like this idea because it is a way to get rid of experienced police officers throughout the United States of America. If you dump on them the fact that

what we are going to do is we are going to play games with their pension funds, you force even more out. We are not saving any money, and we are not saving any time when we push the most experienced officers off the payroll.

A flaw in the system makes it impossible for many of these retirees to access their earned benefits in their fifties. Most Federal employees—we are talking about Federal here—receive retirement benefits through the Federal Employees Retirement System. This three-part system is made up of a defined pension plan, a defined TSP contribution plan, and Social Security.

However, although Federal law enforcement officers can retire at 50 and access two-thirds of their retirement benefits, they face a 10 percent tax penalty if they withdraw from the defined contribution plans like TSP before the age of 59½. State and local law enforcement officers do not face the same penalty because Congress rightly recognized they should not be penalized after a physically taxing career protecting our communities.

Federal law enforcement officers do not enjoy these same protections. This bill would bring equity to the men and women carrying out their sworn duty to protect and serve. It would address a fundamental unfairness in the U.S. Tax Code by removing Federal law enforcement from the 10 percent penalty provisions that currently apply to early withdrawals from government plans.

Additionally, Mr. Speaker, the bill would ensure that the penalty-free withdrawals apply to both governmental defined benefit and defined contribution plans like the Federal Thrift Savings Plan.

There is no justifiable reason that Federal law enforcement officers and firefighters from a diverse array of agencies and missions must wait up to 9½ years longer than their State and local counterparts before they can fully access their savings without incurring a penalty.

□ 1815

The brave men and women who work in our law enforcement agencies, fire departments, and others who sacrifice themselves each day deserve equitable treatment under the Tax Code.

Let's stand up for their fair treatment and well-deserved retirement benefits for the men and women who work so hard to protect us.

The American Federation of Government Employees writes:

On a daily basis, Federal firefighters, BOP correctional workers, Customs and Border Protection officers, and Federal law enforcement officers secure our Federal buildings' safety, handle the most dangerous offenders behind bars, and patrol our Nation's borders. When these Federal employees meet all of the established requirements for Federal retirement, they deserve full access to their government retirement plan.

Let's honor the faithful commitment these officers have shown us by showing our commitment to them here on the floor of Congress.

I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. REICHERT. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. PAULSEN), a member of the Ways and Means Committee.

Mr. PAULSEN. Mr. Speaker and Members, I rise in support of this very commonsense bill, as Mr. PASCRELL just laid out, to correct an inequity that exists within the retirement system for Federal law enforcement officers.

Public safety employees are often subject to mandatory retirement upon reaching a certain age. Unfortunately, for many Federal law enforcement officers, this forced retirement occurs a couple of years before they are able to legally access their retirement accounts without a penalty.

It makes no sense to force these officers who protect us and who serve our communities to then retire without being able to access their own money that they have earned and diligently saved. The Defending Public Safety Employees' Retirement Act corrects this inequity and gives these public safety officers the certainty they deserve after years of service.

I want to thank Sheriff REICHERT for his leadership on this issue and look forward to its passage.

Mr. REICHERT. Mr. Speaker, I yield myself such time as I may consume.

I wanted to just comment on some of the words from my friend, Mr. PASCRELL. Again, I appreciate his partnership in co-chairing the Law Enforcement Caucus with me and all those who are members of the Law Enforcement Caucus in recognizing this is a very important week, a sad week, for a lot of families that are here in Washington, D.C., putting names of their loved ones on the National Law Enforcement Officers Memorial.

On Thursday night, there will be a candlelight vigil at the National Law Enforcement Officers Memorial. On Friday afternoon, with the President, there will be a service on the front lawn of the Capitol recognizing those who lost their lives in service to their communities across this country with all of those family members present in the audience.

There are three bills tonight that we considered that have come together to really, I think, show bipartisan support from the administration, to the House of Representatives, to the Senate, both Democrats and Republicans coming together to show their support for the men and women who wear the badge and the uniform across this country.

There are still things that we can do, and people wonder what the Federal Government can do for local law enforcement. Well, we showed three things tonight that we can do to help local law enforcement and show our support for them.

Mr. PASCRELL pointed out, I think, one other, and that is the retirement

issue. I think that is another thing that we can work on. I agree with Mr. PASCRELL on that issue.

I think that there is another issue that we can work on that some Members may not be fully aware of, and that is the delayed payment of death benefits for those killed in the line of duty.

For example, Mr. Speaker, in my community, a police officer died in the line of duty over 3½ years ago—3½ years ago—and, as far as I know, today, his family has still not received the death benefit that is due. Three-and-a-half years is too long for a family to wait when their loved one has lost their life in service to this country.

Mr. PASCRELL and I will continue to work together with the law enforcement organizations across this country looking for ways that we can support them and show that we care and show the families that we care.

I urge my colleagues to support this legislation, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, as we vote on H.R. 2146 in the House today, I would like to share with you the dire reality facing our brave first responders who put their lives on the line for the safety of the American people.

The health-related risks associated with the work of our first responders, though rarely considered by the average American, are largely due to stress and overexertion. The United States Fire Administration (USFA) tracks the number of first responder fatalities each year and has provided valuable analysis for nearly four decades. The data shows that over the course of the past 10 years, 757 first responders in the United States have suffered from heart-related fatalities; including heart attacks, due to the extremely stressful nature of their work.

While firefighting can be an incredibly rewarding profession for a first responder—make no mistake—it is also one of the deadliest. High rates of cancer and heart attacks plague our public safety defenders. Under our current law, first responders can retire at the age of 50, as long as they have completed 20 years of service. Those 20 years are consumed by immediate midnight response calls, the physical toll of carrying heavy equipment, ventilating smoke-filled areas, salvaging building contents, rescuing victims and administering emergency medical care.

H.R. 2146 is a bipartisan proposal that would reform federal tax law by allowing firefighters, federal law enforcement officers and air traffic controllers, to access funds from their government plans after age 50 and without facing a 10 percent penalty fee. These first responders have more than earned their ability to access their retirement after over 20 years of strenuous service. We should feel ashamed for penalizing our public safety defenders by levying penalties and fees on those who are entitled and deserve to retire.

When our lives are on the line and we call 911, we expect help to come without hesitation and our brave first responders do not fail in their duty. For this reason we must not fail them after a lifetime of service.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr.

REICHERT) that the House suspend the rules and pass the bill, H.R. 2146, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. REICHERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. YOUNG of Iowa) at 6 o'clock and 31 minutes p.m.

DON'T TAX OUR FALLEN PUBLIC SAFETY HEROES ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 606) to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income, 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 Washington (Mr. REICHERT) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 413, nays 0, not voting 18, as follows:

[Roll No. 216]

YEAS—413

Abraham Bonamici Carter (GA)
 Adams Bost Carter (TX)
 Aderholt Boustany Cartwright
 Aguilar Boyle, Brendan Castor (FL)
 Allen F. Castro (TX)
 Amash Brady (PA) Chabot
 Amodei Brady (TX) Chaffetz
 Ashford Brat Chu, Judy
 Babin Bridenstine Cicilline
 Barr Brooks (AL) Clark (MA)
 Barton Brooks (IN) Clarke (NY)
 Bass Brown (FL) Clawson (FL)
 Beatty Brownley (CA) Clay
 Becerra Buchanan Cleaver
 Benishek Buck Clyburn
 Bera Bucshon Coffman
 Beyer Burgess Cohen
 Bilirakis Bustos Cole
 Bishop (GA) Butterfield Collins (GA)
 Bishop (MI) Byrne Collins (NY)
 Bishop (UT) Calvert Comstock
 Black Capuano Conaway
 Blackburn Cardenas Connolly
 Blum Carney Conyers
 Blumenauer Carson (IN) Cook

Cooper Hultgren Newhouse Thornberry Wagner Whitfield
 Costa Hunter Noem Tiberi Walberg Williams
 Costello (PA) Hurd (TX) Nolan Walden Wilson (FL)
 Courtney Hurt (VA) Norcross Walker Wilson (SC)
 Cramer Israel Nugent Walorski Wittman
 Crenshaw Issa Nunes Torres Walters, Mimi Womack
 Crowley Jackson Lee O'Rourke Trott Walz Woodall
 Cuellar Jeffries Olson Tsongas Wasserman Yarmuth
 Culberson Jenkins (KS) Palazzo Turner Schultz Yoder
 Cummings Jenkins (WV) Pallone Upton Waters, Maxine Yoho
 Curbelo (FL) Johnson (GA) Palmer Valadao Watson Coleman Young (AK)
 Davis (CA) Johnson (OH) Pascarell Van Hollen Weber (TX) Young (IA)
 Davis, Danny Johnson, E. B. Paulsen Vargas Webster (FL) Young (IN)
 Davis, Rodney Johnson, Sam Payne Veasey Welch Zeldin
 DeFazio Johnson, Sam Jolly Pearce Vela Westerman Zinke
 DeGette Jones Perlmutter Vela Westerman Zinke
 Delaney Jordan Perlmutter Visclosky Westerman Zinke
 DeLauro Joyce Perry
 DeBene Kaptur Peters
 Denham Keating Peterson
 Dent Kelly (IL) Pingree
 DeSantis Kelly (PA) Pittenger
 DeSaulnier Kennedy Pitts
 Deutch Kildee Pocan
 Diaz-Balart Kilmer Poe (TX)
 Dingell Kind Poliquin
 Doggett King (IA) Polis
 Dold King (NY) Pompeo
 Doyle, Michael Kingzinger (IL) Posey
 F. Kirkpatrick Price (NC)
 Duckworth Kline Price, Tom
 Duffy Knight Quigley
 Duncan (SC) Kuster Rangel
 Duncan (TN) Labrador Ratcliffe
 Edwards LaMalfa Reed
 Ellison Lamborn Reichert
 Ellmers (NC) Lance Renacci
 Emmmer (MN) Langevin Ribble
 Eshoo Larsen (WA) Rice (NY)
 Esty Larson (CT) Rice (SC)
 Farenthold Latta Richmond
 Farr Lawrence Rigell
 Fattah Lee Roby
 Fitzpatrick Levin Roe (TN)
 Fleming Lewis Rogers (AL)
 Flores Lipinski Rogers (KY)
 Forbes LoBiondo Rohrabacher
 Fortenberry Loebsack Rooney (FL)
 Foster Lofgren Ros-Lehtinen
 Foxx Long Roskam
 Frankel (FL) Loudermilk Ross
 Franks (AZ) Love Rothfus
 Frelinghuysen Lowenthal Rouzer
 Fudge Lucas Roybal-Allard
 Gabbard Lucas Royce
 Gallego Luetkemeyer Ruppertsberger
 Garamendi Lujan Grisham Russell
 Garrett (NM)
 Gibbs Lujan, Ben Ray Ryan (OH)
 Gibson (NM)
 Gohmert Lummis Ryan (WI)
 Goodlatte MacArthur Salmon
 Gosar Maloney Sanchez, Linda
 Gowdy Carolyn T.
 Graham Maloney, Sean Sanchez, Loretta
 Granger Marino Sanford
 Graves (GA) Massie Sarbanes
 Graves (LA) Matsui Scalise
 Graves (MO) McCarthy Schiff Schakowsky
 Grayson McCaul Schiff
 Green, Al McClintock Schrader
 Green, Gene McCollum Schweikert
 Griffith McDermott Scott (VA)
 Grijalva McGovern Scott, Austin
 Grothman McHenry Scott, David
 Guthrie McKinley Sensenbrenner
 Hahn McMorris Serrano
 Hanna Rodgers Sessions
 Hardy McNeermy Sherman
 Harper Meadows Shimkus
 Harris Meehan Shuster
 Hartzler Meeks Simpson
 Hastings Messer Sinema
 Heck (NV) Mica Sires
 Heck (WA) Miller (FL) Slaughter
 Heck (WA) Miller (MI) Smith (MO)
 Hensarling Moolenaar Smith (NE)
 Herrera Beutler Mooney (WV) Smith (NJ)
 Hice, Jody B. Moore Smith (TX)
 Higgins Moulton Smith (WA)
 Hill Mullin Speier
 Himes Mulvaney Stivers
 Holding Murphy (FL) Stutzman
 Honda Murphy (PA) Swalwell (CA)
 Hoyer Nadler Takai
 Hudson Nadler Takano
 Huelsskamp Napolitano Thompson (CA)
 Huffman Neal Thompson (MS)
 Huizenga (MI) Neugebauer Thompson (PA)

Wagner Whitfield
 Walberg Williams
 Walden Wilson (FL)
 Walker Wilson (SC)
 Walorski Wittman
 Walters, Mimi Womack
 Walz Woodall
 Wasserman Yarmuth
 Schultz Yoder
 Waters, Maxine Yoho
 Watson Coleman Young (AK)
 Weber (TX) Young (IA)
 Webster (FL) Young (IN)
 Welch Zeldin
 Westerman Zinke
 Westmoreland

NOT VOTING—18

Barletta Fleischmann Marchant
 Capps Gutierrez Meng
 Crawford Hinojosa Rokita
 DesJarlais Katko Ruiz
 Engel Lieu, Ted Rush
 Fincher Lynch Sewell (AL)

□ 1857

Mr. PRICE of North Carolina and Mr. TIPTON changed their votes from "nay" to "yea."

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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
 HOUSE OF REPRESENTATIVES,
 Washington, DC, May 6, 2015.

Hon. JOHN BOEHNER,
 Speaker, House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Robert A. Brehm and Mr. Todd D. Valentine, Co-Executive Directors of the New York State Board of Elections, indicating that, according to the preliminary results of the Special Election held May 5, 2015, the Honorable Dan Donovan was elected Representative to Congress for the Eleventh Congressional District, State of New York.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
 Clerk.

Enclosure.

STATE OF NEW YORK,
 STATE BOARD OF ELECTIONS,
 Albany, NY, May 6, 2015.

Hon. KAREN HAAS,
 Clerk, House of Representatives,
 Washington, DC.

DEAR MS. HAAS: This correspondence is being sent to advise that the unofficial results as calculated after the close of polls at the Special Election held on Tuesday, May 5, 2015 for Representative in Congress from New York's 11th Congressional District are as follows: Vincent J. Gentile received 15,808 votes, Dan Donovan received 23,409 votes, James C. Lane received 527 votes.

Absentee and provisional ballots will be counted pursuant to New York's statutes, beginning on Wednesday, May 13, 2015. Absentee ballots mailed to eligible voters numbered 5,528 and voted ballots returned to date number 2,922. The number of absentee and