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AMENDMENT NO. _____ Calendar No. _____

Purpose: To pay for the cost of the bill by eliminating certain tax breaks for millionaires and billionaires, including deductions for gambling losses and entertainment expenses and credits for energy and child care expenses.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

S. 3457

AMENDMENT NO 2824

By COBURN

To: _____

S. 3457

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Page(s)

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COBURN

GPO: 2010 68-070 (mac)

1 Strike section 14 and all that follows and insert the
2 following:

3 **SEC. 14. EXTENSION OF MODIFIED PENSION FOR CERTAIN**
4 **VETERANS COVERED BY MEDICAID PLANS**
5 **FOR SERVICES FURNISHED BY NURSING FA-**
6 **CILITIES.**

7 Section 5503(d)(7) of title 38, United States Code,
8 is amended by striking "September 30, 2016" and insert-
9 ing "March 31, 2017".

1 **SEC. 15. REVOCATION OR DENIAL OF PASSPORT IN CASE**
2 **OF CERTAIN UNPAID TAXES.**

3 (a) IN GENERAL.—Subchapter D of chapter 75 of the
4 Internal Revenue Code of 1986 is amended by adding at
5 the end the following new section:

6 **“SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE**
7 **OF CERTAIN TAX DELINQUENCIES.**

8 “(a) IN GENERAL.—If the Secretary receives certifi-
9 cation by the Commissioner of Internal Revenue that any
10 individual has a seriously delinquent tax debt in an
11 amount in excess of \$50,000, the Secretary shall transmit
12 such certification to the Secretary of State for action with
13 respect to denial, revocation, or limitation of a passport
14 pursuant to section 15(d) of the Veterans Jobs Corps Act
15 of 2012.

16 “(b) SERIOUSLY DELINQUENT TAX DEBT.—For pur-
17 poses of this section, the term ‘seriously delinquent tax
18 debt’ means an outstanding debt under this title for which
19 a notice of lien has been filed in public records pursuant
20 to section 6323 or a notice of levy has been filed pursuant
21 to section 6331, except that such term does not include—

22 “(1) a debt that is being paid in a timely man-
23 ner pursuant to an agreement under section 6159 or
24 7122, and

25 “(2) a debt with respect to which collection is
26 suspended because a collection due process hearing

1 under section 6330, or relief under subsection (b),
2 (c), or (f) of section 6015, is requested or pending.

3 “(c) ADJUSTMENT FOR INFLATION.—In the case of
4 a calendar year beginning after 2012, the dollar amount
5 in subsection (a) shall be increased by an amount equal
6 to—

7 “(1) such dollar amount, multiplied by

8 “(2) the cost-of-living adjustment determined
9 under section 1(f)(3) for the calendar year, deter-
10 mined by substituting ‘calendar year 2011’ for ‘cal-
11 endar year 1992’ in subparagraph (B) thereof.

12 If any amount as adjusted under the preceding sentence
13 is not a multiple of \$1,000, such amount shall be rounded
14 to the next highest multiple of \$1,000.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for subchapter D of chapter 75 of the Internal Revenue
17 Code of 1986 is amended by adding at the end the fol-
18 lowing new item:

“Sec. 7345. Revocation or denial of passport in case of certain tax delin-
quencies.”.

19 (c) AUTHORITY FOR INFORMATION SHARING.—

20 (1) IN GENERAL.—Subsection (l) of section
21 6103 of the Internal Revenue Code of 1986 is
22 amended by adding at the end the following new
23 paragraph:

1 “(23) DISCLOSURE OF RETURN INFORMATION
2 TO DEPARTMENT OF STATE FOR PURPOSES OF PASS-
3 PORT REVOCATION UNDER SECTION 7345.—

4 “(A) IN GENERAL.—The Secretary shall,
5 upon receiving a certification described in sec-
6 tion 7345, disclose to the Secretary of State re-
7 turn information with respect to a taxpayer who
8 has a seriously delinquent tax debt described in
9 such section. Such return information shall be
10 limited to—

11 “(i) the taxpayer identity information
12 with respect to such taxpayer, and

13 “(ii) the amount of such seriously de-
14 linquent tax debt.

15 “(B) RESTRICTION ON DISCLOSURE.—Re-
16 turn information disclosed under subparagraph
17 (A) may be used by officers and employees of
18 the Department of State for the purposes of,
19 and to the extent necessary in, carrying out the
20 requirements of section 15(d) of the Veterans
21 Jobs Corps Act of 2012.”.

22 “(2) CONFORMING AMENDMENT.—Paragraph (4)
23 of section 6103(p) of such Code is amended by strik-
24 ing “or (22)” each place it appears in subparagraph

1 (F)(ii) and in the matter preceding subparagraph
2 (A) and inserting “(22), or (23)”.

3 (d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

4 (1) DENIAL.—

5 (A) IN GENERAL.—Except as provided
6 under subparagraph (B), upon receiving a cer-
7 tification described in section 7345 of the Inter-
8 nal Revenue Code of 1986 from the Secretary
9 of the Treasury, the Secretary of State may not
10 issue a passport to any individual who has a se-
11 riously delinquent tax debt described in such
12 section.

13 (B) EMERGENCY AND HUMANITARIAN SIT-
14 UATIONS.—Notwithstanding subparagraph (A),
15 the Secretary of State may issue a passport, in
16 emergency circumstances or for humanitarian
17 reasons, to an individual described in subpara-
18 graph (A).

19 (2) REVOCATION.—

20 (A) IN GENERAL.—The Secretary of State
21 may revoke a passport previously issued to any
22 individual described in paragraph (1)(A).

23 (B) LIMITATION FOR RETURN TO UNITED
24 STATES.—If the Secretary of State decides to

1 revoke a passport under subparagraph (A), the
2 Secretary of State, before revocation, may—

3 (i) limit a previously issued passport
4 only for return travel to the United States;
5 or

6 (ii) issue a limited passport that only
7 permits return travel to the United States.

8 (3) HOLD HARMLESS.—The Secretary of the
9 Treasury and the Secretary of State shall not be lia-
10 ble to an individual for any action with respect to a
11 certification by the Commissioner of Internal Rev-
12 enue under section 7345 of the Internal Revenue
13 Code of 1986.

14 (e) REVOCATION OR DENIAL OF PASSPORT IN CASE
15 OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT
16 NUMBER.—

17 (1) DENIAL.—

18 (A) IN GENERAL.—Except as provided
19 under subparagraph (B), upon receiving an ap-
20 plication for a passport from an individual that
21 either—

22 (i) does not include the social security
23 account number issued to that individual,
24 or

1 (ii) includes an incorrect or invalid so-
2 cial security number willfully, intentionally,
3 negligently, or recklessly provided by such
4 individual,

5 the Secretary of State is authorized to deny
6 such application and is authorized to not issue
7 a passport to the individual.

8 (B) EMERGENCY AND HUMANITARIAN SIT-
9 UATIONS.—Notwithstanding subparagraph (A),
10 the Secretary of State may issue a passport, in
11 emergency circumstances or for humanitarian
12 reasons, to an individual described in subpara-
13 graph (A).

14 (2) REVOCATION.—

15 (A) IN GENERAL.—The Secretary of State
16 may revoke a passport previously issued to any
17 individual described in paragraph (1)(A).

18 (B) LIMITATION FOR RETURN TO UNITED
19 STATES.—If the Secretary of State decides to
20 revoke a passport under subparagraph (A), the
21 Secretary of State, before revocation, may—

22 (i) limit a previously issued passport
23 only for return travel to the United States;
24 or

1 (ii) issue a limited passport that only
2 permits return travel to the United States.

3 (f) EFFECTIVE DATE.—The provisions of, and
4 amendments made by, this section shall take effect on
5 January 1, 2013.

6 **SEC. 16. NO MORTGAGE INTEREST DEDUCTION FOR MIL-**
7 **LIONAIRES AND BILLIONAIRES.**

8 (a) IN GENERAL.—Section 163(h)(4) of the Internal
9 Revenue Code of 1986 is amended by adding at the end
10 the following new subparagraph:

11 “(G) NO DEDUCTION FOR MILLIONAIRES
12 AND BILLIONAIRES.—

13 “(i) IN GENERAL.—Except as pro-
14 vided in clause (ii), no deduction shall be
15 allowed by reason of paragraph (2)(D) for
16 any taxable year with respect to any tax-
17 payer with an adjusted gross income equal
18 to or greater than \$1,000,000 for such
19 taxable year.

20 “(ii) TERMINATION.—Clause (i) shall
21 not apply to any taxable year beginning
22 after the date on which the aggregate sav-
23 ings from the elimination of the deductions
24 and credits for millionaires attributable to
25 the enactment of sections 16 through 22 of

1 the Veterans Jobs Corps Act of 2012
2 matches dollar for dollar the increase of
3 expenditures attributable to the enactment
4 of sections 2 through 14 of such Act.”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 this section shall apply to taxable years beginning after
7 December 31, 2012.

8 **SEC. 17. NO RENTAL EXPENSE DEDUCTION FOR MILLION-**
9 **AIRES AND BILLIONAIRES.**

10 (a) IN GENERAL.—Section 212 of the Internal Rev-
11 enue Code of 1986 is amended by adding at the end the
12 following new flush sentence:

13 “Paragraph (2) shall not apply for any taxable year with
14 respect to any taxpayer with an adjusted gross income
15 equal to or greater than \$1,000,000 for such taxable year.
16 The preceding sentence shall not apply to any taxable year
17 beginning after the date on which the aggregate savings
18 from the elimination of the deductions and credits for mil-
19 lionaires attributable to the enactment of sections 16
20 through 22 of the Veterans Jobs Corps Act of 2012
21 matches dollar for dollar the increase of expenditures at-
22 tributable to the enactment of sections 2 through 14 of
23 such Act.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to taxable years beginning after
3 December 31, 2012.

4 **SEC. 18. NO GAMBLING LOSS DEDUCTION FOR MILLION-**
5 **AIRES AND BILLIONAIRES.**

6 (a) IN GENERAL.—Section 165(d) of the Internal
7 Revenue Code of 1986 is amended by adding at the end
8 the following: “In the case of a taxpayer with an adjusted
9 gross income equal to or greater than \$1,000,000 for the
10 taxable year, the preceding sentence shall not apply for
11 any taxable year beginning before the date on which the
12 aggregate savings from the elimination of the deductions
13 and credits for millionaires attributable to the enactment
14 of sections 16 through 22 of the Veterans Jobs Corps Act
15 of 2012 matches dollar for dollar the increase of expendi-
16 tures attributable to the enactment of sections 2 through
17 14 of such Act.”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 this section shall apply to taxable years beginning after
20 December 31, 2012.

21 **SEC. 19. NO DISCHARGE OF INDEBTEDNESS DEDUCTION**
22 **FOR MILLIONAIRES AND BILLIONAIRES.**

23 (a) IN GENERAL.—Section 108 of the Internal Rev-
24 enue Code of 1986 is amended by adding at the end the
25 following new subsection:

1 “(j) NO DEDUCTION FOR MILLIONAIRES AND BIL-
2 LIONAIRES.—

3 “(1) IN GENERAL.—Except as provided in para-
4 graph (2), no exclusion shall be allowed by reason of
5 this section for any taxable year with respect to any
6 taxpayer with an adjusted gross income equal to or
7 greater than \$1,000,000 for such taxable year.

8 “(2) TERMINATION.—Paragraph (1) shall not
9 apply to any taxable year beginning after the date
10 on which the aggregate savings from the elimination
11 of the deductions and credits for millionaires attrib-
12 utable to the enactment of sections 16 through 22
13 of the Veterans Jobs Corps Act of 2012 matches
14 dollar for dollar the increase of expenditures attrib-
15 utable to the enactment of sections 2 through 14 of
16 such Act.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 this section shall apply to taxable years beginning after
19 December 31, 2012.

20 **SEC. 20. NO ELECTRIC PLUG-IN VEHICLE TAX CREDIT FOR**
21 **MILLIONAIRES AND BILLIONAIRES.**

22 (a) IN GENERAL.—Section 30D(f) of the Internal
23 Revenue Code of 1986 is amended by adding at the end
24 the following new paragraph:

1 “(8) NO CREDIT FOR MILLIONAIRES AND BIL-
2 LIONAIRES.—

3 “(A) IN GENERAL.—Except as provided in
4 subparagraph (B), no credit described in sub-
5 section (c)(2) shall be allowed under this sec-
6 tion for any taxable year with respect to any
7 taxpayer with an adjusted gross income equal
8 to or greater than \$1,000,000 for such taxable
9 year.

10 “(B) TERMINATION.—Subparagraph (A)
11 shall not apply to any taxable year beginning
12 after the date on which the aggregate savings
13 from the elimination of the deductions and
14 credits for millionaires attributable to the en-
15 actment of sections 16 through 22 of the Vet-
16 erans Jobs Corps Act of 2012 matches dollar
17 for dollar the increase of expenditures attrib-
18 utable to the enactment of sections 2 through
19 14 of such Act.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 this section shall apply to taxable years beginning after
22 December 31, 2012.

1 **SEC. 21. NO HOUSEHOLD AND DEPENDENT CARE CREDIT**
2 **FOR MILLIONAIRES AND BILLIONAIRES.**

3 (a) IN GENERAL.—Section 21 of the Internal Rev-
4 enue Code of 1986 is amended by redesignating subsection
5 (f) as subsection (g) and by inserting after subsection (e)
6 the following new subsection:

7 “(f) NO CREDIT FOR MILLIONAIRES AND BILLION-
8 AIRES.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), no credit shall be allowed under this sec-
11 tion for any taxable year with respect to any tax-
12 payer with an adjusted gross income equal to or
13 greater than \$1,000,000 for such taxable year.

14 “(2) TERMINATION.—Paragraph (1) shall not
15 apply to any taxable year beginning after the date
16 on which the aggregate savings from the elimination
17 of the deductions and credits for millionaires attrib-
18 utable to the enactment of sections 16 through 22
19 of the Veterans Jobs Corps Act of 2012 matches
20 dollar for dollar the increase of expenditures attrib-
21 utable to the enactment of sections 2 through 14 of
22 such Act.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 this section shall apply to taxable years beginning after
25 December 31, 2012.

1 **SEC. 22. NO RESIDENTIAL ENERGY EFFICIENT PROPERTY**
2 **CREDIT FOR MILLIONAIRES AND BILLION-**
3 **AIRES.**

4 (a) IN GENERAL.—Section 25D(e) of the Internal
5 Revenue Code of 1986 is amended by adding at the end
6 the following new paragraph:

7 “(9) NO CREDIT FOR MILLIONAIRES AND BIL-
8 LIONAIRES.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), no credit shall be allowed
11 under this section for any taxable year with re-
12 spect to any taxpayer with an adjusted gross in-
13 come equal to or greater than \$1,000,000 for
14 such taxable year.

15 “(B) TERMINATION.—Subparagraph (A)
16 shall not apply to any taxable year beginning
17 after the date on which the aggregate savings
18 from the elimination of the deductions and
19 credits for millionaires attributable to the en-
20 actment of sections 16 through 22 of the Vet-
21 erans Jobs Corps Act of 2012 matches dollar
22 for dollar the increase of expenditures attrib-
23 utable to the enactment of sections 2 through
24 14 of such Act.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to taxable years beginning after
3 December 31, 2012.

4 **SEC. 23. SCORING OF BUDGETARY EFFECTS.**

5 The budgetary effects of this Act, for the purpose of
6 complying with the Statutory Pay-As-You-Go-Act of 2010,
7 shall be determined by reference to the latest statement
8 titled “Budgetary Effects of PAYGO Legislation” for this
9 Act, submitted for printing in the Congressional Record
10 by the Chairman of the Senate Budget Committee, pro-
11 vided that such statement has been submitted prior to the
12 vote on passage.