

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HAGEL:

S. Res. 322. A resolution designating August 16, 2004, as "National Airborne Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 419

At the request of Ms. SNOWE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 419, a bill to amend title XVIII of the Social Security Act to expand coverage of bone mass measurements under part B of the medicare program to all individuals at clinical risk of osteoporosis.

S. 489

At the request of Mr. DEWINE, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 489, a bill to expand certain preferential trade treatment for Haiti.

S. 503

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 503, a bill to amend the Internal Revenue Code of 1986 to allow increase the minimum tax credit where stock acquired pursuant to an incentive stock option is sold or exchanged at a loss.

S. 525

At the request of Mr. LEVIN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 525, a bill to amend the Non-indigenous Aquatic Nuisance Prevention and Control Act of 1990 to reauthorize and improve that Act.

S. 756

At the request of Mr. THOMAS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 756, a bill to amend the Internal Revenue Code of 1986 to modify the qualified small issue bond provisions.

S. 976

At the request of Mr. WARNER, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 1010

At the request of Mr. HARKIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1010, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities.

S. 1180

At the request of Mr. SANTORUM, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S.

1180, a bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit and the welfare-to-work credit.

S. 1398

At the request of Mr. DEWINE, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1398, a bill to provide for the environmental restoration of the Great Lakes.

S. 1422

At the request of Mr. CORZINE, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1422, a bill to provide assistance to train teachers of children with autism spectrum disorders, and for other purposes.

S. 1524

At the request of Mr. SANTORUM, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1524, a bill to amend the Internal Revenue Code of 1986 to allow a 7-year applicable recovery period for depreciation of motorsports entertainment complexes.

S. 1545

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1545, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents.

S. 1638

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 1638, a bill to amend title II of the Higher Education Act of 1965 to increase teacher familiarity with the educational needs of gifted and talented students, and for other purposes.

S. 1647

At the request of Mr. BUNNING, his name was withdrawn as a cosponsor of S. 1647, a bill to amend title XVIII of the Social Security Act to provide for direct access to audiologists for medicare beneficiaries, and for other purposes.

S. 1709

At the request of Mr. CRAIG, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1709, a bill to amend the USA PATRIOT ACT to place reasonable limitations on the use of surveillance and the issuance of search warrants, and for other purposes.

S. 1756

At the request of Mr. CONRAD, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1756, a bill to amend the Internal Revenue Code of 1986 to protect the health benefits of retired miners and to restore stability and equity to the financing of the United Mine Workers of

America Combined Benefit Fund by providing additional sources of revenue to the Fund, and for other purposes.

S. 1833

At the request of Mr. DASCHLE, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1833, a bill to improve the health of minority individuals.

S. 1834

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1834, a bill to waive time limitations in order to allow the Medal of Honor to be awarded to Gary Lee McKiddy, of Miamisburg, Ohio, for acts of valor while a helicopter crew chief and door gunner with the 1st Cavalry Division during the Vietnam War.

S. 1923

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1923, a bill to reauthorize and amend the National Film Preservation Act of 1996.

S. 1934

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1934, a bill to establish an Office of Intercountry Adoptions within the Department of State, and to reform United States laws governing intercountry adoptions.

S. 2020

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2020, a bill to prohibit, consistent with Roe v. Wade, the interference by the government with a woman's right to choose to bear a child or terminate a pregnancy, and for other purposes.

S. 2059

At the request of Mr. FITZGERALD, the names of the Senator from Indiana (Mr. LUGAR), the Senator from Massachusetts (Mr. KENNEDY), the Senator from South Carolina (Mr. HOLLINGS) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 2059, a bill to improve the governance and regulation of mutual funds under the securities laws, and for other purposes.

S. 2076

At the request of Mr. BAUCUS, the names of the Senator from Delaware (Mr. CARPER), the Senator from New York (Mrs. CLINTON) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2076, a bill to amend title XI of the Social Security Act to provide direct congressional access to the office of the Chief Actuary in the Centers for Medicare & Medicaid Services.

S. 2096

At the request of Mr. LUGAR, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2096, a bill to promote a free press and open media through the National Endowment for Democracy and for other purposes.

S. 2152

At the request of Mr. MILLER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2152, a bill to amend title 10, United States Code, to provide eligibility for reduced non-regular service military retired pay before age 60, and for other purposes.

S. 2157

At the request of Mr. BAUCUS, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Maryland (Mr. SARBANES) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2157, a bill to amend the Trade Act of 1974 to extend the trade adjustment assistance program to the services sector, and for other purposes.

S. 2158

At the request of Ms. COLLINS, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2158, a bill to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation.

S. 2176

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2176, a bill to require the Secretary of Energy to carry out a program of research and development to advance high-end computing.

S. 2179

At the request of Mr. BROWNBACK, the names of the Senator from Colorado (Mr. ALLARD), the Senator from Kentucky (Mr. BUNNING), the Senator from Colorado (Mr. CAMPBELL), the Senator from Minnesota (Mr. COLEMAN), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAIG), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nevada (Mr. ENSIGN), the Senator from Wyoming (Mr. ENZI), the Senator from Illinois (Mr. FITZGERALD), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah (Mr. HATCH), the Senator from Hawaii (Mr. INOUE), the Senator from Arizona (Mr. MCCAIN), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Maine (Ms. SNOWE), the Senator from Alaska (Mr. STEVENS) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 2179, a bill to posthumously award a Congressional Gold Medal to the Reverend Oliver L. Brown.

S. 2186

At the request of Mr. LEVIN, his name was added as a cosponsor of S. 2186, a bill to temporarily extend the programs under the Small Business Act and the Small Business Investment Act of 1958, through May 15, 2004, and for other purposes.

S. 2193

At the request of Mr. KERRY, his name was added as a cosponsor of S. 2193, a bill to improve small business loan programs, and for other purposes.

S. 2216

At the request of Mr. HOLLINGS, the names of the Senator from Hawaii (Mr. INOUE), the Senator from Maryland (Ms. MIKULSKI), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 2216, a bill to provide increased rail transportation security.

S. J. RES. 28

At the request of Mr. CAMPBELL, the names of the Senator from Florida (Mr. NELSON), the Senator from Nevada (Mr. REID), the Senator from Ohio (Mr. VOINOVICH) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. J. Res. 28, a joint resolution recognizing the 60th anniversary of the Allied landing at Normandy during World War II.

S. CON. RES. 81

At the request of Mrs. FEINSTEIN, the names of the Senator from Indiana (Mr. BAYH), the Senator from Wyoming (Mr. THOMAS), the Senator from Florida (Mr. GRAHAM), the Senator from Washington (Ms. CANTWELL) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. Con. Res. 81, a concurrent resolution expressing the deep concern of Congress regarding the failure of the Islamic Republic of Iran to adhere to its obligations under a safeguards agreement with the International Atomic Energy Agency and the engagement by Iran in activities that appear to be designed to develop nuclear weapons.

S. CON. RES. 88

At the request of Mr. SARBANES, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. Con. Res. 88, a concurrent resolution expressing the sense of Congress that there should continue to be parity between the adjustments in the pay of members of the uniformed services and the adjustments in the pay of civilian employees of the United States.

S. CON. RES. 90

At the request of Mr. LEVIN, the names of the Senator from Nevada (Mr. REID) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Con. Res. 90, a concurrent resolution expressing the sense of the Congress regarding negotiating, in the United States-Thailand Free Trade Agreement, access to the United States automobile industry.

S. RES. 298

At the request of Mr. CAMPBELL, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 298, a resolution designating May 2004 as "National Cystic Fibrosis Awareness Month".

S. RES. 311

At the request of Mr. BROWNBACK, the names of the Senator from Ohio (Mr.

DEWINE), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 311, a resolution calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thadeus Nguyen Van Ly, and for other purposes.

S. RES. 317

At the request of Mr. HAGEL, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. Res. 317, a resolution recognizing the importance of increasing awareness of autism spectrum disorders, supporting programs for increased research and improved treatment of autism, and improving training and support for individuals with autism and those who care for individuals with autism.

AMENDMENT NO. 2686

At the request of Mr. BUNNING, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 2686 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 2687

At the request of Mr. BUNNING, his name was withdrawn as a cosponsor of amendment No. 2687 proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 2698

At the request of Mrs. FEINSTEIN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Ms. CANTWELL) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2698 intended to be proposed to S. 1637, a bill to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

AMENDMENT NO. 2839

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 2839 proposed to S. Con. Res. 95, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. DOMENICI:

S. 2218. A bill to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States for the purpose of providing a clean, safe, affordable, and reliable water supply to rural residents and for other purposes, to authorize the Secretary to conduct appraisal and feasibility studies for rural water projects, and to establish the guidelines for any projects authorized under this program; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI. Mr. President, I am introducing the Reclamation Rural Water Supply Act of 2004 as a courtesy to the administration.

By Mrs. HUTCHISON:

S. 2220. A bill to amend the Internal Revenue Code of 1986 to encourage a strong community-based banking system; to the Committee on Finance.

Mrs. HUTCHISON. Mr. President, today I am pleased to introduce the Community Savings and Investment Act of 2004. This will create jobs, expand economic activity, and help to revitalize distressed urban and rural communities. It will accomplish this by providing tax relief for community-focused banks and helping to generate financial opportunities in low-income areas.

As we address the challenges many of our communities face and search for ways to help those looking to improve their standard of living, we must properly leverage the tax laws to encourage economic development. Most people and communities do not want hand-outs. They want the chance to find solutions and make it on their own. However, to do this they need financial resources.

The lifeblood of any economic development is capital. Too often it is difficult for people, especially those in distressed areas, to access financial resources and other banking services. Providing community banking will lead to much-needed investments in communities, allowing people to purchase homes, start new businesses, and revitalize their neighborhoods.

The Community Savings and Investment Act will improve access to banking services by lowering taxes for community banks. It also provides incentives for banks to serve distressed communities by excluding any resulting income from taxation. By lowering the costs for banks to operate in communities, we can unleash powerful new forces for economic development.

This initiative will make a significant difference in the lives of thousands of families and communities across this Nation. As we seek ways to further strengthen our economy, I urge the Senate to pass this common-sense approach.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2220

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 "Community Savings and Investment Act of 2004".

SEC. 2. INCOME TAX ON QUALIFIED COMMUNITY LENDERS.

(a) IN GENERAL.—Section 11 of the Internal Revenue Code of 1986 (relating to tax imposed on corporations) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following:

“(d) QUALIFIED COMMUNITY LENDERS.—

“(1) IN GENERAL.—In the case of a qualified community lender, in lieu of the amount of tax under subsection (b), the amount of tax imposed by subsection (a) for a taxable year shall be the sum of—

“(A) 15 percent of so much of the taxable income as exceeds \$250,000 but does not exceed \$1,000,000, and

“(B) the highest rate of tax imposed by subsection (b) multiplied by so much of the taxable income as exceeds \$1,000,000.

“(2) QUALIFIED COMMUNITY LENDER.—For purposes of paragraph (1), the term ‘qualified community lender’ means a bank—

“(A) which achieved a rating of ‘satisfactory record of meeting community credit needs’, or better, at the most recent examination of such bank under the Community Reinvestment Act of 1977,

“(B) the outstanding local community loans of which at all times during the taxable year comprised not less than 60 percent of the total outstanding loans of that bank,

“(C) meets the ownership requirements of paragraph (3), and

“(D) at all times during the taxable year has total assets of not more than \$1,000,000,000.

“(3) OWNERSHIP REQUIREMENTS.—

“(A) IN GENERAL.—The ownership requirements of this paragraph are met with respect to any bank if—

“(i) no shares of, or other ownership interests in, the bank are publicly traded, or

“(ii) in the case of a bank the shares of which or ownership interests in which are publicly traded, the last known address of the holders of at least ⅓ of all such shares or interests, including persons for whose benefit such shares or interests are held by another, is in the home State of the bank or a State contiguous to such home State.

“(B) HOME STATE DEFINED.—For purposes of subparagraph (A), the term ‘home State’ means—

“(i) with respect to a national bank or Federal savings association, the State in which the main office of the bank or savings association is located, and

“(ii) with respect to a State bank or State savings association, the State by which the bank or savings association is chartered.

“(4) OTHER DEFINITIONS.—For purposes of this subsection—

“(A) BANK.—The term ‘bank’—

“(i) has the meaning given to such term in section 581, and

“(ii) includes any bank—

“(I) in which at least 80 percent of the shares of, or other ownership interests in, the bank are owned by other qualified community lenders, and

“(II) the sole purpose of which is to serve the banking needs of such lenders.

“(B) LOCAL COMMUNITY LOAN.—The term ‘local community loan’ means—

“(i) any loan originated by a bank to any person, other than a related person with re-

spect to the bank, who is a resident of a community in which the bank is chartered or in which it operates an office at which deposits are accepted, and

“(ii) any loan originated by a bank to any person, other than a related person with respect to the bank, who is engaged in a trade or business in any such community, to the extent that all or substantially all of the proceeds of such loan are expended in connection with the trade or business of such person in any such community.

“(C) RELATED PERSON.—The term ‘related person’ means, with respect to any bank, any affiliate of the bank, any person who is a director, officer, or principal shareholder of the bank, and any member of the immediate family of any such person.”

(b) S CORPORATION INCOME.—Section 1 of the Internal Revenue Code of 1986 (relating to tax imposed) is amended by adding at the end the following:

“(j) COMMUNITY LENDER INCOME FROM S CORPORATION.—

“(1) IN GENERAL.—If a taxpayer has community lender income from a S corporation for any taxable year, the tax imposed by this section for such taxable year shall be the sum of—

“(A) the tax computed at the rates and in the same manner as if this subsection had not been enacted on the greater of—

“(i) taxable income reduced by community lender income, or

“(ii) the lesser of—

“(I) the amount of taxable income taxed at a rate below 25 percent, or

“(II) taxable income reduced by community lender income, and

“(B) a tax on community lender income computed at—

“(i) a rate of zero on zero-rate community lender income,

“(ii) a rate of 15 percent on 15 percent community lender income, and

“(iii) the highest rate in effect under this section with respect to the taxpayer on the excess of community lender income on which a tax is determined under clause (i) or (ii).

“(2) COMMUNITY LENDER INCOME.—For purposes of paragraph (1)—

“(A) IN GENERAL.—The term ‘qualified community lender income’ means taxable income (if any) of a qualified community lender (as defined in section 11(d)(2)) that is an S corporation, determined at the entity level.

“(B) ZERO-RATE COMMUNITY LENDER INCOME.—The term ‘zero-rate community lender income’ means the taxpayer’s pro rata share of so much of community lender income as does not exceed \$250,000.

“(C) 15 PERCENT COMMUNITY LENDER INCOME.—The term ‘15 percent community lender income’ means the taxpayer’s pro rata share of so much of community lender income as exceeds \$250,000 but does not exceed \$1,000,000.

“(D) SPECIAL RULES.—

“(i) For purposes of this paragraph, the taxpayer’s pro rata share of community lender income shall be determined under part II of subchapter S.

“(ii) This subsection shall be applied after the application of subsection (h).”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2003.

SEC. 3. EXCLUSION FROM INCOME TAXATION FOR INCOME DERIVED FROM BANKING SERVICES WITHIN DISTRESSED COMMUNITIES.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded from gross income) is amended by inserting after section 140A the following new section: