

authorize the Transportation Security Administration to hold itself out as a private shipper for purposes of testing air cargo security measures, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC-5796. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order blocking the property and suspending the entry into the United States of certain persons with respect to grave human rights abuses by the Governments of Iran and Syria via information technology; to the Committee on Banking, Housing, and Urban Affairs.

EC-5797. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5798. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; and Implementation of Entity List Annual Review Changes" (RIN0694-AF57) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-5799. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-5800. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 1 (Scotch) Spearmint Oil for the 2011-2012 Marketing Year" (Docket No. AMS-FV-10-0094; FV11-985-1B IR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5801. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Assessment Rate Decrease for Fresh Pears" (Docket No. AMS-FV-11-0060; FV11-927-2 FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5802. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears" (Docket No. AMS-FV-11-0070; FV11-927-FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5803. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, trans-

mitting, pursuant to law, the report of a rule entitled "Mango Promotion, Research, and Information Order; Assessment Increase" (Docket No. AMS-FV-11-0021) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5804. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Decreased Assessment Rate" (Docket No. AMS-FV-11-0068; FV11-993-1 FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5805. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of Cotton Classification Procedures for Determining Cotton Leaf Grade" (RIN0581-AD19; Docket No. AMS-CN-11-0066) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5806. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pistachios Grown in California, Arizona, and New Mexico; Decreased Assessment Rate" (Docket No. AMS-FV-11-0077; FV11-983-2 FIR) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 237. A bill to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes (Rept. No. 112-159).

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LEVIN:

S. 2339. A bill to suspend temporarily the duty on certain clock movements; to the Committee on Finance.

By Mr. LEVIN:

S. 2340. A bill to suspend temporarily the duty on chime melody rod assemblies; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. 2341. A bill to authorize the Secretary of Agriculture to accept the quitclaim, disclaimer, and relinquishment of a railroad right-of-way within and adjacent to Pike National Forest in El Paso County, Colorado; to the Committee on Energy and Natural Resources.

By Mr. TESTER (for himself and Mr. JOHANNES):

S. 2342. A bill to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REID:

S. 2343. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; placed on the calendar.

By Mr. VITTER:

S. 2344. A bill to extend the National Flood Insurance Program until December 31, 2012; placed on the calendar.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. AKAKA):

S. 2345. A bill to amend the District of Columbia Home Rule Act to permit the Government of the District of Columbia to determine the fiscal year period, to make local funds of the District of Columbia for a fiscal year available for use by the District upon enactment of the local budget act for the year subject to a period of Congressional review, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Mr. REID, Mr. CRAPO, Mr. DURBIN, Mr. CASEY, and Mr. LAUTENBERG):

S. Res. 432. A resolution designating April 30, 2012, as "Día de los Niños: Celebrating Young Americans"; considered and agreed to.

By Ms. COLLINS (for herself and Mr. KERRY):

S. Res. 433. A resolution designating April 2012 as "National Child Abuse Prevention Month"; considered and agreed to.

By Mr. WARNER (for himself, Ms. COLLINS, Mr. SANDERS, Ms. STABENOW, Mr. MENENDEZ, Ms. MIKULSKI, Mr. CASEY, Mrs. GILLIBRAND, and Mr. CONRAD):

S. Res. 434. A resolution supporting the goal of preventing and effectively treating Alzheimer's disease by the year 2025, as articulated in the draft National Plan to Address Alzheimer's Disease from the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 118

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 118, a bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totaling \$5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 687

At the request of Mr. CONRAD, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 1086

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1576

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1576, a bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

S. 1622

At the request of Mr. HELLER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1622, a bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 1935

At the request of Ms. COLLINS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1935, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

At the request of Mr. ENZI, his name was added as a cosponsor of S. 1935, *supra*.

At the request of Mrs. HAGAN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1935, *supra*.

S. 2004

At the request of Mr. UDALL of New Mexico, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 2004, a bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II.

S. 2096

At the request of Mr. WYDEN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2096, a bill to provide for Federal agencies to develop public access

policies relating to research conducted by employees of that agency or from funds administered by that agency.

S. 2103

At the request of Mr. LEE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2122

At the request of Mr. PAUL, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2122, a bill to clarify the definition of navigable waters, and for other purposes.

S. 2134

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2134, a bill to amend title 10, United States Code, to provide for certain requirements relating to the retirement, adoption, care, and recognition of military working dogs, and for other purposes.

S. 2143

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2143, a bill to amend the Internal Revenue Code of 1986 to clarify that paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production.

S. 2148

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2148, a bill to amend the Toxic Substance Control Act relating to lead-based paint renovation and remodeling activities.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2172

At the request of Ms. SNOWE, the name of the Senator from Pennsyl-

vania (Mr. CASEY) was added as a cosponsor of S. 2172, a bill to remove the limit on the anticipated award price for contracts awarded under the procurement program for women-owned small business concerns, and for other purposes.

S. 2205

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2242

At the request of Mr. THUNE, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2242, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 2255

At the request of Mr. BURR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2255, a bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance.

S. 2280

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2280, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 2282

At the request of Mr. INHOFE, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mr. BLUNT), the Senator from Montana (Mr. TESTER), the Senator from Maryland (Mr. CARDIN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 2282, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. RES. 412

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. Res. 412, a resolution commending the African Union for committing to a coordinated military response, comprised of 5,000 troops from Uganda, the Central African Republic, the Democratic Republic of Congo, and South Sudan, in order to fortify ongoing efforts to arrest Joseph Kony and senior commanders of the Lord's Resistance Army and to stop the crimes against humanity and mass atrocities committed by them.

## AMENDMENT NO. 2032

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 2032 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2036

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 2036 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2042

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2042 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2043

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2043 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2047

At the request of Mr. BENNET, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2047 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2050

At the request of Mr. SCHUMER, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 2050 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2056

At the request of Mr. TESTER, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 2056 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 2056 proposed to S. 1789, supra.

## AMENDMENT NO. 2060

At the request of Mr. COBURN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 2060 proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2071

At the request of Mr. WARNER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 2071 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## AMENDMENT NO. 2072

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 2072 intended to be proposed to S. 1789, a bill to improve, sustain, and transform the United States Postal Service.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 2343. A bill to amend the Higher Education act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; placed on the calendar.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

## S. 2343

*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 "Stop the Student Loan Interest Rate Hike Act of 2012".

## SEC. 2. INTEREST RATE EXTENSION.

Section 455(b)(7)(D) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)(7)(D)) is amended—

(1) in the matter preceding clause (i), by striking "and before July 1, 2012," and inserting "and before July 1, 2013,"; and

(2) in clause (v), by striking "and before July 1, 2012," and inserting "and before July 1, 2013,".

## SEC. 3. EMPLOYMENT TAX TREATMENT OF PROFESSIONAL SERVICE BUSINESSES.

(a) IN GENERAL.—Section 1402 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(m) SPECIAL RULES FOR PROFESSIONAL SERVICE BUSINESSES.—

"(1) SHAREHOLDERS PROVIDING SERVICES TO SPECIFIED S CORPORATIONS.—

"(A) IN GENERAL.—In the case of an applicable shareholder who provides substantial services with respect to a professional service business referred to in subparagraph (C) of a specified S corporation—

"(i) such shareholder shall be treated as engaged in the trade or business of such professional service business with respect to items of income or loss described in section 1366 which are attributable to such business, and

"(ii) such shareholder's net earnings from self-employment shall include such shareholder's pro rata share of such items of income or loss, except that in computing such pro rata share of such items the exceptions provided in subsection (a) shall apply.

"(B) TREATMENT OF FAMILY MEMBERS.—Except as otherwise provided by the Secretary, the applicable shareholder's pro rata share of items referred to in subparagraph (A) shall be increased by the pro rata share of such items of each member of such applicable shareholder's family (within the meaning of section 318(a)(1)) who does not provide substantial services with respect to such professional service business.

"(C) SPECIFIED S CORPORATION.—For purposes of this subsection, the term 'specified S corporation' means—

"(i) any S corporation which is a partner in a partnership which is engaged in a profes-

sional service business if substantially all of the activities of such S corporation are performed in connection with such partnership, and

"(ii) any other S corporation which is engaged in a professional service business if 75 percent or more of the gross income of such business is attributable to service of 3 or fewer shareholders of such corporation.

"(D) APPLICABLE SHAREHOLDER.—For purposes of this paragraph, the term 'applicable shareholder' means any shareholder whose modified adjusted gross income for the taxable year exceeds—

"(i) in the case of a shareholder making a joint return under section 6013 or a surviving spouse (as defined in section 2(a)), \$250,000,

"(ii) in the case of a married shareholder (as defined in section 7703) filing a separate return, half of the dollar amount determined under clause (i), and

"(iii) in any other case, \$200,000.

"(2) PARTNERS.—

"(A) IN GENERAL.—In the case of any partnership which is engaged in a professional service business, subsection (a)(13) shall not apply to any applicable partner who provides substantial services with respect to such professional service business.

"(B) APPLICABLE PARTNER.—For purposes of this paragraph, the term 'applicable partner' means any partner whose modified adjusted gross income for the taxable year exceeds—

"(i) in the case of a partner making a joint return under section 6013 or a surviving spouse (as defined in section 2(a)), \$250,000,

"(ii) in the case of a married partner (as defined in section 7703) filing a separate return, half of the dollar amount determined under clause (i), and

"(iii) in any other case, \$200,000.

"(3) PROFESSIONAL SERVICE BUSINESS.—For purposes of this subsection, the term 'professional service business' means any trade or business (or portion thereof) providing services in the fields of health, law, lobbying, engineering, architecture, accounting, actuarial science, performing arts, consulting, athletics, investment advice or management, or brokerage services.

"(4) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this subsection, the term 'modified adjusted gross income' means adjusted gross income—

"(A) determined without regard to any deduction allowed under section 164(f), and

"(B) increased by the amount excluded from gross income under section 911(a)(1).

"(5) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this subsection, including regulations which prevent the avoidance of the purposes of this subsection through tiered entities or otherwise.

"(6) CROSS REFERENCE.—For employment tax treatment of wages paid to shareholders of S corporations, see subtitle C."

(b) CONFORMING AMENDMENT.—Section 211 of the Social Security Act is amended by adding at the end the following new subsection:

"(1) SPECIAL RULES FOR PROFESSIONAL SERVICE BUSINESSES.—

"(1) SHAREHOLDERS PROVIDING SERVICES TO SPECIFIED S CORPORATIONS.—

"(A) IN GENERAL.—In the case of an applicable shareholder who provides substantial services with respect to a professional service business referred to in subparagraph (C) of a specified S corporation—

"(i) such shareholder shall be treated as engaged in the trade or business of such professional service business with respect to items of income or loss described in section 1366 of the Internal Revenue Code of 1986 which are attributable to such business, and