

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

“(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 of the Treasury, 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) of the Internal Revenue Code of 1986) 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 (as defined in section 1361(a) of the Internal Revenue Code of 1986) which is a partner in a partnership which is engaged in a professional 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 (as so defined) 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 of the Internal Revenue Code of 1986 or a surviving spouse (as defined in section 2(a) of such Code), \$250,000,

“(ii) in the case of a married shareholder (as defined in section 7703 of such Code) 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)(12) 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 of the Internal Revenue Code of 1986 or a surviving spouse (as defined in section 2(a) of such Code), \$250,000,

“(ii) in the case of a married partner (as defined in section 7703 of such Code) 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 as determined under section 62 of the Internal Revenue Code of 1986—

“(A) determined without regard to any deduction allowed under section 164(f) of such Code, and

“(B) increased by the amount excluded from gross income under section 911(a)(1) of such Code.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2012.

SEC. 4. COMPLIANCE PROVISION.

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

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 432—DESIGNATING APRIL 30, 2012, AS “DÍA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS”

Mr. MENENDEZ (for himself, Mr. REID of Nevada, Mr. CRAPO, Mr. DURBIN, Mr. CASEY, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 432

Whereas many nations throughout the world, and especially within the Western hemisphere, celebrate “Día de los Niños”, or “Day of the Children”, on the 30th of April, in recognition and celebration of their country’s future—their children;

Whereas children represent the hopes and dreams of the people of the United States and children are the center of families in the United States;

Whereas the people of the United States should nurture and invest in children to preserve and enhance economic prosperity, democracy, and the American spirit;

Whereas according to the 2010 Census report, there are more than 50,000,000 individuals of Hispanic descent living in the United States, more than 17,000,000 of those are children;

Whereas Hispanics in the United States, the youngest and fastest growing ethnic community in the Nation, continue the tradition of honoring their children on Día de los Niños, and wish to share this custom with the rest of the Nation;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and we rely on children to pass on family values, morals, and culture to future generations;

Whereas the importance of literacy and education are most often communicated to children through family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members, and that encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm for the people of the United States the significance of family, education, and community;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, to articulate their aspirations, and to find comfort and security in the support of their family members and communities;

Whereas the National Latino Children’s Institute, serving as a voice for children, has worked with cities throughout the Nation to

declare April 30, 2012, to be “Día de los Niños: Celebrating Young Americans”, a day to bring together Hispanics and other communities nationwide to celebrate and uplift children; and

Whereas the children of a nation are the responsibility of all of its people, and people should be encouraged to celebrate the gifts of children to society: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2012, as “Día de los Niños: Celebrating Young Americans”; and

(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies, including activities that—

(A) center around children, and are free or minimal in cost so as to encourage and facilitate the participation of all people;

(B) are positive and uplifting, and help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another’s cultures and to share ideas;

(D) include all members of the family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, enabling children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence, and to find the inner strength and the will and fire of the human spirit to make their dreams come true.

SENATE RESOLUTION 433—DESIGNATING APRIL 2012 AS “NATIONAL CHILD ABUSE PREVENTION MONTH”

Ms. COLLINS (for herself and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 433

Whereas in 2010, approximately 695,000 children were determined to be victims of abuse or neglect;

Whereas in 2010, more than 1,530 children died as a result of abuse or neglect;

Whereas in 2010, an estimated 79.4 percent of the children who died due to abuse or neglect were under the age of 4;

Whereas in 2010, of the children under the age of 4 who died due to abuse or neglect, 47.7 percent were under the age of 1;

Whereas abused or neglected children have a higher risk for developing health problems in adulthood, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas a National Institute of Justice study indicated that abused or neglected children—

(1) are 11 times more likely to be arrested for criminal behavior as juveniles; and

(2) are 2.7 times more likely to be arrested for violent and criminal behavior as adults;

Whereas an estimated one-third of abused or neglected children grow up to abuse or neglect their own children;

Whereas providing community-based services to families impacted by child abuse or neglect may be far less costly than—

(1) the emotional and physical damage inflicted on children who have been abused or neglected;