card, debit card, or similar credit or debit financial instrument by any domestic financial institution, financial agency, or credit card company or association, for or on behalf of a foreign banking institution, if such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument, involves any such jurisdiction or institution, or if any such transaction may be conducted through such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument.''; and

(8) in subsection (c)(1), by inserting ''or is impeding United States tax enforcement'' after ''primary money laundering concern'';

(9) in subsection (c)(2)(A)—

(A) in clause (ii), by striking ''bank secrecy or special regulatory advantages'' and inserting ''bank, tax, corporate, trust, or financial secrecy or regulatory advantages'';

(B) in clause (iii), by striking ''supervisory and counter-money'' and inserting ''supervisory, international tax enforcement, and counter-money'';

(C) in clause (v), by striking ''banking or secrecy'' and inserting ''banking, tax, or secrecy''; and

(D) in clause (vi), by inserting '', tax treaty, or tax information exchange agreement'' after ''treaty'';

(10) in subsection (c)(2)(B)—

(A) in clause (i), by inserting ''or tax evasion'' after ''money laundering''; and

(B) in clause (iii), by inserting '', tax evasion,'' after ''money laundering''; and

(11) in subsection (d), by inserting ''involving money laundering, and shall notify, in writing, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of any such action involving United States tax enforcement'' after ''such action''.

SA 4363. Ms. CANTWELL (for herself, Mr. LEMIEUX, Mrs. FEINSTEIN, Ms. STABENOW, Mr. MERKLEY, Mr. NELSON of Nebraska, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, insert the following:

SEC. 2___. EXTENSION AND EXPANSION OF GRANTS FOR SPECIFIED ENERGY PROPERTY IN LIEU OF TAX CREDITS.

(a) EXTENSION.—

(1) IN GENERAL.—Subsection (a) of section 1603 of division B of the American Recovery and Reinvestment Act of 2009 is amended—

(A) in paragraph (1), by striking ''2009 or 2010'' and inserting ''2009, 2010, 2011, or 2012'', and

(B) in paragraph (2)—

(i) by striking ''after 2010'' and inserting ''after 2012'', and

(ii) by striking ''2009 or 2010'' and inserting ''2009, 2010, 2011, or 2012''.

(2) CONFORMING AMENDMENT.—Subsection (j) of section 1603 of division B of such Act is amended by striking ''2011'' and inserting ''2013''.

(b) EXPANSION OF GRANTS TO CERTAIN GOVERNMENTAL UNITS AND CO-OPERATIVE ELECTRIC COMPANIES.—

(1) IN GENERAL.—

(A) EXPANSION.—Section 1603(g) of division B of the American Recovery and Reinvestment Act of 2009 is amended—

(i) in paragraph (1), by inserting ''other than a governmental unit which is a State utility with a service obligation (as such terms are defined in section 217 of the Federal Power Act)'' after ''thereof),'',

(ii) in paragraph (2), by inserting ''other than a mutual or cooperative electric company described in section 501(c)(12) of such Code'' after ''such Code'', and

(iii) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(B) CONFORMING AMENDMENT.—Paragraph (3) of section 1603(g) of division B of such Act, as redesignated by subparagraph (A)(iii), is amended by striking ''paragraph (1), (2), or (3)'' and inserting ''paragraph (1) or (2)''.

(2) SPECIAL RULE WITH RESPECT TO POWER MARKETING ADMINISTRATIONS AND TVA.—Section 1603 of division B of such Act, as amended by subsection (a), is amended by redesignating subsections (h), (i), and (j) as subsections (i), (j), and (k), respectively, and by inserting after subsection (g) the following new subsection:

''(h) CERTAIN PERSONS DEEMED ELIGIBLE.—Notwithstanding any other provision of this section—

''(1) the Tennessee Valley Authority shall be eligible for a grant under this subsection, and

''(2) no person shall be considered to be ineligible for a grant under this section on the basis that such person has a contract or other business arrangement relating to the specified energy property with a power marketing administration (within the meaning of section 2605(a)(2) of the Energy Policy Act of 1992) or the Tennessee Valley Authority, including any contract to sell or assign the rights to the output from such specified energy property or any other contract or business arrangement under which the specified energy property is considered to be used by the power marketing administration or the Tennessee Valley Authority.''.

(c) NO GRANTS FOR PROPERTY FOR WHICH CREBS HAVE BEEN ISSUED.—Section 1603 of division B of such Act, as amended by this section, is amended by redesignating subsections (h), (i), (j), and (k) as subsections (i), (j), (k) and (l), respectively, and by inserting after subsection (g) the following new subsection:

''(h) EXCEPTION FOR CERTAIN PROJECTS.—The Secretary of the Treasury shall not make any grant under this section to any governmental unit or cooperative electric company (as defined in section 54(j)(1)) with respect to any specified energy property described in subsection (d)(1) if such entity has issued any bond—

''(1) which is designated as a clean renewable energy bond under section 54 of the Internal Revenue Code of 1986 or as a new clean renewable energy bond under section 54C of such Code, and

''(2) the proceeds of which are used for expenditures in connection with the same qualified facility with respect to which such specified energy property is a part.''.

(d) TREATMENT OF GRANTS FOR COOPERATIVE ELECTRIC COMPANIES.—Section 501(c)(12) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) In the case of a mutual or cooperative electric company described in this paragraph or an organization described in section 1381(a)(2)(C), subparagraph (A) shall be applied without taking into account any grant received under section 1603 of division B of the American Recovery and Reinvestment Act of 2009.''.

(e) APPLICATION OF GRANTS FOR SPECIFIED ENERGY PROPERTY TO CERTAIN REGULATED COMPANIES.—The first sentence of section 1603(f) of division B of the American Recovery and Reinvestment Act of 2009 is amended by inserting ''(other than paragraph (2) of subsection (d) thereof)'' after ''section 50 of the Internal Revenue Code of 1986''.

(f) APPLICATION OF GRANTS TO REITS.—The first sentence of section 1603(f) of division B of the American Recovery and Reinvestment Act of 2009, as amended by subsection (e), is amended by striking ''paragraph (2)'' and inserting ''paragraphs (1) and (2)''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

(2) APPLICATION TO CERTAIN REGULATED COMPANIES.—The amendment made by subsections (b)(1), (d), and (e) shall take effect as if included in section 1603 of division B the American Recovery and Reinvestment Act of 2009.

SEC. 2___. TAXES ATTRIBUTABLE TO OIL SPILL LIABILITY TRUST FUND FINANCING RATE NOT DEDUCTIBLE FOR CERTAIN TAXPAYERS.

(a) IN GENERAL.—Section 275 is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

''(b) TAXES ON PETROLEUM PAID BY CERTAIN TAXPAYERS.—

''(1) IN GENERAL.—In the case of any taxpayer who is a disqualified taxpayer for a taxable year, no deduction shall be allowed for such taxable year for so much of the taxes imposed under section 4611 as are attributable to the Oil Spill Liability trust Fund financing rate determined under section 4611(c)(2)(B).

''(2) DISQUALIFIED TAXPAYER.—For purposes of this subsection, the term 'disqualified taxpayer' means, with respect to any taxable year, any taxpayer who has gross revenues in excess of $100,000,000 for such taxable year.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxes on crude oil received at a United States refinery and petroleum products entered into the United States after the date of the enactment of this Act.

SA 4364. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

SEC. 621. HOMEOWNERS AFFECTED BY TOXIC DRYWALL.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by adding at the end the following:

''(10) HOMEOWNERS ADVERSELY AFFECTED BY TOXIC DRYWALL.—

''(A) DEFINITION.—In this paragraph, the term 'toxic drywall' means drywall that the Consumer Product Safety Commission determines is problem drywall.

''(B) IN GENERAL.—The Administrator may make a loan to an individual under this section, if the Adminstrator determines that the primary residence of the individual has been adversely affected by the installation of toxic drywall.

''(C) PERMISSIBLE USES OF LOANS.—A loan under this paragraph may be used by an individual only for the repair or replacement of toxic drywall in the primary residence of the individual, or of components of the primary residence that are directly affected by toxic drywall (including electrical wiring), in accordance with guidance issued by a member agency of the Federal Interagency Task Force on Problem Drywall.''.