Susan M. Collins

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PENDING

AMENDMENT NO. ____ Calendar No. ____

Purpose: To provide for a manufacturer's jobs credit, and for other purposes.

IN THE SENATE OF THE UNITED STATES—108th Cong., 2d Sess.

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AMENDMENT No. 3108

By Collins

To: S. 1637

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Page(s)

GPO: 2002 83-247(Mac)

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. COLLINS

Viz:

On page 139, between lines 13 and 14, insert the following:

SEC. ___. MANUFACTURER'S JOBS CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business-related credits), as amended by this Act, is amended by adding at the end the following:

1 **"SEC. 45S. MANUFACTURER'S JOBS CREDIT.**

2 "(a) GENERAL RULE.—For purposes of section 38,
3 in the case of an eligible taxpayer, the manufacturer's jobs
4 credit determined under this section is an amount equal
5 to the lesser of the following:

6 "(1) The excess of the W–2 wages paid by the
7 taxpayer during the taxable year over the W–2
8 wages paid by the taxpayer during the preceding
9 taxable year.

10 "(2) The W–2 wages paid by the taxpayer dur-
11 ing the taxable year to any employee who is an eligi-
12 ble TAA recipient (as defined in section 35(c)(2))
13 for any month during such taxable year.

14 "(3) 22.4 percent of the W–2 wages paid by the
15 taxpayer during the taxable year.

16 "(b) LIMITATION.—The amount of credit determined
17 under subsection (a) shall be reduced by an amount which
18 bears the same ratio to the amount of the credit (deter-
19 mined without regard to this subsection) as—

20 "(1) the excess of the W–2 wages paid by the
21 taxpayer to employees outside the United States
22 during the taxable year over such wages paid during
23 the most recent taxable year ending before the date
24 of the enactment of this section, bears to

25 "(2) the excess of the W–2 wages paid by the
26 taxpayer to employees within the United States dur-

1 ing the taxable year over such wages paid during
2 such most recent taxable year.
3 "(c) ELIGIBLE TAXPAYER.—For purposes of this sec-
4 tion, the term 'eligible taxpayer' means any taxpayer—
5 "(1) which has domestic production gross re-
6 ceipts for the taxable year and the preceding taxable
7 year, and
8 "(2) which is not treated at any time during
9 the taxable year as an inverted domestic corporation
10 under section 7874.
11 "(d) DEFINITIONS.—For purposes of this section,
12 W–2 wages and domestic production gross receipts shall
13 be determined in the same manner as under section 199.
14 "(e) CERTAIN RULES MADE APPLICABLE.—For pur-
15 poses of this section, rules similar to the rules of section
16 52 shall apply.
17 "(f) TERMINATION.—This section shall not apply to
18 any taxable year beginning after December 31, 2005.".
19 (b) CREDIT TO BE PART OF GENERAL BUSINESS
20 CREDIT.—Section 38(b) (relating to current year business
21 credit), as amended by this Act, is amended by striking
22 "plus" at the end of paragraph (29), by striking the period
23 at the end of paragraph (30) and inserting ", plus", and
24 by adding at the end the following:

1 "(31) the manufacturer's jobs credit determined
2 under section 45S.".
3 (c) CLERICAL AMENDMENT.—The table of sections
4 for subpart D of part IV of subchapter A of chapter 1,
5 as amended by this Act, is amended by adding at the end
6 the following:

"Sec. 45S. Manufacturer's jobs credit.".

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

10 On page 335, line 8, strike "December 31, 2004,"
11 and insert "the date of the enactment of this Act".