

116TH CONGRESS
1ST SESSION

H. R. 322

To amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to the hiring of veterans in the field of renewable energy.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2019

Ms. LEE of California (for herself and Mr. GARAMENDI) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to the hiring of veterans in the field of renewable energy.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Incentives for our Na-
5 tion’s Veterans in Energy Sustainability Technologies” or
6 as the “INVEST Act”.

1 **SEC. 2. WORK OPPORTUNITY TAX CREDIT FOR VETERANS**
2 **HIRED IN THE FIELD OF RENEWABLE EN-**
3 **ERGY.**

4 (a) IN GENERAL.—Section 51(d)(14) of the Internal
5 Revenue Code of 1986 is amended to read as follows:

6 “(14) CERTAIN VETERANS HIRED IN THE
7 FIELD OF RENEWABLE ENERGY.—

8 “(A) IN GENERAL.—For purposes of this
9 subpart, an individual shall be treated as a
10 member of a targeted group if such individual
11 is a specified veteran, but qualified wages with
12 respect to such individual shall include only
13 wages attributable to services rendered in a
14 field of renewable energy.

15 “(B) SPECIFIED VETERAN.—For purposes
16 of this paragraph, the term ‘specified veteran’
17 means any veteran (as defined in paragraph
18 (3)) who is certified by the designated local
19 agency as—

20 “(i) having received a credential or
21 certification from the Department of De-
22 fense of military occupational specialty or
23 skill in a field of renewable energy or with
24 respect to advanced manufacturing, ma-
25 chinist or welding, or engineering,

“(ii) having completed a vocational degree in a field of renewable energy during the 1-year period ending on the hiring date, or

“(iii) having completed a LEED certification with the United States Green Building Council.

“(C) RENEWABLE ENERGY.—For purposes of this paragraph, renewable energy means resources that rely on fuel sources that restore themselves over short periods of time and do not diminish, including the Sun, wind, moving water, organic plant and waste material, and the Earth’s heat.”.

(b) TREATMENT OF POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS.—

(A) MIRROR CODE POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss to that possession by reason of the amendment made by this section. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession of the United States.

1 (B) OTHER POSSESSIONS.—The Secretary
2 of the Treasury shall pay to each possession of
3 the United States which does not have a mirror
4 code tax system the amount estimated by the
5 Secretary of the Treasury as being equal to the
6 loss to that possession that would have occurred
7 by reason of the amendment made by this sec-
8 tion if a mirror code tax system had been in ef-
9 fect in such possession. The preceding sentence
10 shall not apply with respect to any possession
11 of the United States unless such possession es-
12 tablishes to the satisfaction of the Secretary
13 that the possession has implemented (or, at the
14 discretion of the Secretary, will implement) an
15 income tax benefit which is substantially equiv-
16 alent to the income tax credit in effect after the
17 amendments made by this section.

18 (2) COORDINATION WITH CREDIT ALLOWED
19 AGAINST UNITED STATES INCOME TAXES.—The
20 credit allowed against United States income taxes
21 for any taxable year under the amendment made by
22 this section to section 51 of the Internal Revenue
23 Code of 1986 to any person with respect to any
24 qualified veteran shall be reduced by the amount of
25 any credit (or other tax benefit described in para-

graph (1)(B)) allowed to such person against income taxes imposed by the possession of the United States by reason of this subsection with respect to such qualified veteran for such taxable year.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSESSION OF THE UNITED STATES.—For purposes of this subsection, the term “possession of the United States” includes American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(C) TREATMENT OF PAYMENTS.—For purposes of section 1324(b)(2) of title 31, United States Code, the payments under this subsection shall be treated in the same manner as

1 a refund due from credit provisions described in
2 such section.

3 (c) EFFECTIVE DATE.—The amendment made by
4 this section shall apply to individuals who begin work for
5 the employer after December 31, 2019.

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