

110TH CONGRESS  
1ST SESSION

# H. R. 2439

To amend the Internal Revenue Code of 1986 to reward those Americans who provide volunteer services in times of national need.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2007

Mrs. LOWEY (for herself, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, and Mr. ETHERIDGE) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to reward those Americans who provide volunteer services in times of national need.

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 “Assistance to Individ-  
5       uals Delivering for America Act of 2007” or the “AID  
6       for America Act of 2007”.

1 **SEC. 2. EMPLOYER CREDIT FOR WAGES PAID TO EMPLOY-**  
2 **EES WHO PERFORM VOLUNTEER DISASTER**  
3 **RELIEF SERVICES.**

4 (a) IN GENERAL.—Subpart D of part IV of sub-  
5 chapter A of chapter 1 of the Internal Revenue Code of  
6 1986 (relating to business related credits) is amended by  
7 inserting after section 45M the following new section:

8 **“SEC. 45O. EMPLOYER CREDIT FOR WAGES PAID TO EM-**  
9 **PLOYEES WHO PERFORM VOLUNTEER DIS-**  
10 **ASTER RELIEF SERVICES.**

11 “(a) IN GENERAL.—For purposes of section 38, the  
12 employee disaster relief volunteer services credit deter-  
13 mined under this section for the taxable year is an amount  
14 equal to 50 percent of the wages paid or incurred by the  
15 taxpayer during the taxable year to any employee of the  
16 taxpayer while such employee is performing qualified dis-  
17 aster relief services.

18 “(b) LIMITATIONS.—

19 “(1) MAXIMUM CREDIT OF \$3,000 PER MONTH  
20 PER EMPLOYEE.—The credit determined under this  
21 section with respect to services performed by an em-  
22 ployee shall not exceed \$100 per day of qualified dis-  
23 aster relief services.

24 “(2) MINIMUM PERIOD OF CREDITABLE SERV-  
25 ICE.—A day of qualified disaster relief services of an

1 employee may be taken into account under this sec-  
2 tion only if—

3 “(A) such services are performed for at  
4 least 8 hours of such day, and

5 “(B) such day is within a 7-day period on  
6 at least 5 days of which the requirement of sub-  
7 paragraph (A) is met.

8 “(3) MAXIMUM PERIOD OF CREDITABLE SERV-  
9 ICE.—The period of qualified disaster relief services  
10 performed by an employee which may be taken into  
11 account under this section for the taxable year shall  
12 not exceed 90 days.

13 “(c) EMPLOYER MUST MAINTAIN WAGES AND BENE-  
14 FITS.—No credit shall be determined under this section  
15 for wages paid or incurred by the taxpayer during any pe-  
16 riod unless the wages and benefits provided by the tax-  
17 payer for such period are the same as they would be were  
18 the employee not performing qualified disaster relief serv-  
19 ices and were performing such employee’s normal services  
20 for the employer.

21 “(d) DEFINITIONS.—For purposes of this section—

22 “(1) QUALIFIED DISASTER RELIEF SERVICES.—  
23 The term ‘qualified disaster relief services’ means  
24 any service furnished by an employee of the taxpayer  
25 if—

1           “(A) the services are performed for an or-  
2           ganization—

3                   “(i) which is determined by the Fed-  
4                   eral Emergency Management Agency as a  
5                   bona fide disaster relief organization, and

6                   “(ii) which is determined by the Sec-  
7                   retary to have adequate recordkeeping and  
8                   reporting procedures to make determina-  
9                   tions under this section,

10           “(B) the services are performed in the area  
11           of a Presidentially declared disaster (as defined  
12           in section 1003(h)(3)) or in support of recovery  
13           efforts from such a disaster and are so certified  
14           by such organization, and

15           “(C) the employee receives no additional  
16           compensation for performing such services and  
17           the employer receives no compensation for such  
18           services.

19           “(2) WAGES.—The term ‘wages’ has the mean-  
20           ing given to such term by section 51(c).

21           “(e) CONTROLLED GROUPS.—Rules similar to the  
22           rules of section 1397(b) shall apply for purposes of this  
23           section.”

1 (b) DENIAL OF DOUBLE BENEFIT.—Subsection (a)  
2 of section 280C of such Code is amended by inserting  
3 “45O(a),” after “45A(a),”.

4 (c) CREDIT MADE PART OF GENERAL BUSINESS  
5 CREDIT.—

6 (1) IN GENERAL.—Subsection (b) of section 38  
7 of such Code (relating to current year business cred-  
8 it) is amended by striking “plus” at the end of para-  
9 graph (30), by striking the period at the end of  
10 paragraph (31) and inserting “, plus”, and by add-  
11 ing at the end thereof the following new paragraph:

12 “(32) the employee disaster relief volunteer  
13 services credit determined under section 45O(a).”.

14 (2) DEDUCTION FOR CERTAIN UNUSED BUSI-  
15 NESS CREDITS.—Subsection (c) of section 196 of  
16 such Code is amended by striking “and” at the end  
17 of paragraph (12), by striking the period at the end  
18 of paragraph (13) and inserting “, and”, and by  
19 adding after paragraph (13) the following new para-  
20 graph:

21 “(14) the employee disaster relief volunteer  
22 services credit determined under section 45O(a).”.

23 (d) CLERICAL AMENDMENT.—The table of sections  
24 for subpart D of part IV of subchapter A of chapter 1

1 of such Code is amended by inserting after the item relat-  
2 ing to section 45M the following new item:

“Sec. 45O. Employer credit for wages paid to employees who perform volunteer  
disaster relief services.”.

3 (e) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to services performed after the  
5 date of the enactment of this Act, in taxable years ending  
6 after such date.

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