

112TH CONGRESS
2D SESSION

S. 3610

To amend the Internal Revenue Code of 1986 to deny the inclusion of any antidumping or countervailing duties in the determination of the basis of any energy tax credit property.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2012

Mr. WYDEN (for himself and Mr. MERKLEY) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Internal Revenue Code of 1986 to deny the inclusion of any antidumping or countervailing duties in the determination of the basis of any energy tax credit property.

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 “Investment Tax Credit
5 Integrity Act”.

1 **SEC. 2. DENIAL OF THE INCLUSION OF ANY ANTIDUMPING**
2 **OR COUNTERVAILING DUTIES IN THE DETER-**
3 **MINATION OF THE BASIS OF ANY ENERGY**
4 **TAX CREDIT PROPERTY.**

5 (a) **IN GENERAL.**—Subsection (a) of section 48 of the
6 Internal Revenue Code of 1986 is amended by adding at
7 the end the following new paragraph:

8 “(6) **DETERMINATION OF BASIS DOES NOT IN-**
9 **CLUDE ANTIDUMPING AND COUNTERVAILING DU-**
10 **TIES.**—For purposes of this section, the determina-
11 tion of the basis of any energy property shall not in-
12 clude the amount of any antidumping or counter-
13 vailing duty imposed on such property under title
14 VII of the Tariff Act of 1930 (19 U.S.C. 1671 et
15 seq.).”.

16 (b) **EFFECTIVE DATE.**—The amendment made by
17 this section shall apply to any property placed in service
18 after the date of the enactment of this Act.

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