

Union Calendar No. 50

106TH CONGRESS
1ST SESSION

H. R. 1376

[Report No. 106-90]

To extend the tax benefits available with respect to services performed in a combat zone to services performed in the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 1999

Mr. ARCHER (for himself, Mr. RANGEL, Mr. CRANE, Mr. THOMAS, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. HOUGHTON, Mr. HERGER, Mr. McCRERY, Mr. CAMP, Mr. RAMSTAD, Mr. NUSSLE, Mr. SAM JOHNSON of Texas, Ms. DUNN, Mr. COLLINS, Mr. PORTMAN, Mr. ENGLISH, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. HULSHOF, Mr. McINNIS, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. McNULTY, Mr. JEFFERSON, Mr. TANNER, Mr. BECERRA, Mrs. THURMAN, Mr. DOGGETT, Mr. FOSSELLA, and Mr. SWEENEY) introduced the following bill; which was referred to the Committee on Ways and Means

APRIL 13, 1999

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Insert the part printed in italic]

A BILL

To extend the tax benefits available with respect to services performed in a combat zone to services performed in

the Federal Republic of Yugoslavia (Serbia/Montenegro) and certain other areas, and for other purposes.

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. AVAILABILITY OF CERTAIN TAX BENEFITS FOR**
4 **SERVICES AS PART OF OPERATION ALLIED**
5 **FORCE.**

6 (a) GENERAL RULE.—For purposes of the following
7 provisions of the Internal Revenue Code of 1986, a quali-
8 fied hazardous duty area shall be treated in the same man-
9 ner as if it were a combat zone (as determined under sec-
10 tion 112 of such Code):

11 (1) Section 2(a)(3) (relating to special rule
12 where deceased spouse was in missing status).

13 (2) Section 112 (relating to the exclusion of
14 certain combat pay of members of the Armed
15 Forces).

16 (3) Section 692 (relating to income taxes of
17 members of Armed Forces on death).

18 (4) Section 2201 (relating to members of the
19 Armed Forces dying in combat zone or by reason of
20 combat-zone-incurred wounds, etc.).

21 (5) Section 3401(a)(1) (defining wages relating
22 to combat pay for members of the Armed Forces).

1 (6) Section 4253(d) (relating to the taxation of
2 phone service originating from a combat zone from
3 members of the Armed Forces).

4 (7) Section 6013(f)(1) (relating to joint return
5 where individual is in missing status).

6 (8) Section 7508 (relating to time for per-
7 forming certain acts postponed by reason of service
8 in combat zone).

9 (b) QUALIFIED HAZARDOUS DUTY AREA.—For pur-
10 poses of this section, the term “qualified hazardous duty
11 area” means any area of the Federal Republic of Yugo-
12 slavia (Serbia/Montenegro), Albania, the Adriatic Sea, and
13 the northern Ionian Sea (*above the 39th parallel*) during
14 the period (which includes the date of the enactment of
15 this Act) that any member of the Armed Forces of the
16 United States is entitled to special pay under section 310
17 of title 37, United States Code (relating to special pay:
18 duty subject to hostile fire or imminent danger) for serv-
19 ices performed in such area.

20 (c) SPECIAL RULE FOR SECTION 7508.—Solely for
21 purposes of applying section 7508 of the Internal Revenue
22 Code of 1986, in the case of an individual who is per-
23 forming services as part of Operation Allied Force outside
24 the United States while deployed away from such individ-
25 ual’s permanent duty station, the term “qualified haz-

1 arduous duty area” includes, during the period for which
2 the entitlement referred to in subsection (b) is in effect,
3 any area in which such services are performed.

4 (d) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), this section shall take effect on March 24,
7 1999.

8 (2) WITHHOLDING.—Subsection (a)(5) shall
9 apply to remuneration paid after the date of the en-
10 actment of this Act.

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