

112TH CONGRESS
1ST SESSION

S. 367

To amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2011

Mr. BROWN of Massachusetts (for himself and Mrs. HAGAN) 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 allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard, 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. SHORT TITLE.**

4 This Act may be cited as the “Hire A Hero Act of
5 2011”.

1 **SEC. 2. WORK OPPORTUNITY CREDIT TO SMALL BUSI-**
 2 **NESSES FOR HIRING MEMBERS OF READY**
 3 **RESERVE OR NATIONAL GUARD.**

4 (a) **IN GENERAL.**—Paragraph (1) of section 51(d) of
 5 the Internal Revenue Code of 1986 is amended by striking
 6 “or” at the end of subparagraph (H), by striking the pe-
 7 riod at the end of subparagraph (I) and inserting “, or”,
 8 and by adding at the end the following new subparagraph:

9 “(J) in the case of an eligible employer (as
 10 defined in section 408(p)(2)(C)(i)), an indi-
 11 vidual who is a member of—

12 “(i) the Ready Reserve (as described
 13 in section 10142 of title 10, United States
 14 Code), or

15 “(ii) the National Guard (as defined
 16 in section 101(e)(1) of such title 10).”.

17 (b) **EFFECTIVE DATE.**—

18 (1) **IN GENERAL.**—The amendment made by
 19 this section shall apply to wages paid or incurred
 20 after the date of the enactment of this Act in tax-
 21 able years ending after such date.

22 (2) **CURRENT EMPLOYEES COVERED BY CRED-**
 23 **IT.**—For purposes of applying section 51 of the In-
 24 ternal Revenue Code of 1986, individuals described
 25 in section 51(d)(1)(J) of such Code, as added by
 26 this section, who are employed by an eligible em-

1 ployer (as defined in section 408(p)(2)(C)(i) of such
2 Code) on the date of the enactment of this Act shall
3 be treated as beginning work for such employer on
4 such date.

5 **SEC. 3. PERMANENT EXTENSION OF WORK OPPORTUNITY**
6 **CREDIT FOR EMPLOYERS HIRING QUALIFIED**
7 **VETERANS AND MEMBERS OF READY RE-**
8 **SERVE AND NATIONAL GUARD.**

9 (a) **IN GENERAL.**—Section 51(c)(4) of the Internal
10 Revenue Code of 1986 is amended by inserting “(other
11 than any individual described in subparagraph (B) or (J)
12 of subsection (d)(1))” after “individual”.

13 (b) **EFFECTIVE DATE.**—The amendment made by
14 this section shall apply to individuals who begin work for
15 the employer after December 31, 2011.

16 **SEC. 4. RESCISSION OF UNSPENT FEDERAL FUNDS TO OFF-**
17 **SET LOSS IN REVENUES.**

18 (a) **IN GENERAL.**—Notwithstanding any other provi-
19 sion of law, of all available unobligated funds, appro-
20 priated discretionary funds are hereby rescinded in such
21 amounts as determined by the Director of the Office of
22 Management and Budget such that the aggregate amount
23 of such rescission equals the reduction in revenues to the
24 Treasury by reason of the amendments made by sections
25 2 and 3.

1 (b) IMPLEMENTATION.—The Director of the Office of
2 Management and Budget shall determine and identify
3 from which appropriation accounts the rescission under
4 subsection (a) shall apply and the amount of such rescis-
5 sion that shall apply to each such account. Not later than
6 60 days after the date of the enactment of this Act, the
7 Director of the Office of Management and Budget shall
8 submit a report to the Secretary of the Treasury and Con-
9 gress of the accounts and amounts determined and identi-
10 fied for rescission under the preceding sentence.

11 (c) EXCEPTION.—This section shall not apply to the
12 unobligated funds of the Department of Veterans Affairs
13 or the Social Security Administration.

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