

116TH CONGRESS  
2D SESSION

# S. 3582

To amend the Internal Revenue Code of 1986 to expand eligibility for the health care tax credit to workers in certain critical industries.

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## IN THE SENATE OF THE UNITED STATES

MARCH 25, 2020

Ms. CANTWELL (for herself, Mr. JONES, Mr. BENNET, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the Internal Revenue Code of 1986 to expand eligibility for the health care tax credit to workers in certain critical industries.

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. FINDINGS.**

4 Congress finds the following:

5 (1) In 2018, the United States aerospace and  
6 defense manufacturing industry contributed  
7 2,550,000 jobs, accounted for \$151,000,000,000 in  
8 exports, and supported 1,670,000 supply chain jobs.

1           (2) In 2019, aerospace and defense parts man-  
 2           ufacturing and distribution across the United States  
 3           accounted for \$25,400,000,000 in economic activity.

4           (3) The United States aerospace and defense  
 5           manufacturing industry is critical to the national  
 6           economy and national defense.

7   **SEC. 2. EXPANSION OF ELIGIBILITY FOR HEALTH CARE TAX**  
 8                           **CREDIT.**

9           (a) IN GENERAL.—Paragraph (1) of section 35(c) of  
 10          the Internal Revenue Code of 1986 is amended by striking  
 11          “and” at the end of subparagraph (B), by striking the  
 12          period at the end of subparagraph (C) and inserting “,  
 13          and”, and by adding at the end the following new subpara-  
 14          graph:

15                       “(D) an eligible national defense or infra-  
 16                       structure worker.”.

17          (b) ELIGIBLE NATIONAL DEFENSE OR INFRASTRUC-  
 18          TURE WORKER.—Subsection (c) of section 35 of the Inter-  
 19          nal Revenue Code of 1986 is amended by adding at the  
 20          end the following new paragraph:

21                       “(5) ELIGIBLE NATIONAL DEFENSE OR INFRA-  
 22                       STRUCTURE WORKER.—

23                       “(A) IN GENERAL.—The term ‘eligible na-  
 24                       tional defense or infrastructure worker’ means  
 25                       an individual who—

1 “(i) as of January 31, 2020, was em-  
2 ployed in a critical industry,

3 “(ii) filed for unemployment com-  
4 pensation (as defined in section 85(b))  
5 after January 31, 2020, and before the ap-  
6 plicable date, and

7 “(iii) is covered under qualified health  
8 insurance described in subsection  
9 (e)(1)(A).

10 “(B) CRITICAL INDUSTRY.—For purposes  
11 of this paragraph, the term ‘critical industry’  
12 means—

13 “(i) an industry related to critical na-  
14 tional infrastructure or national defense, or

15 “(ii) a critical industry which is se-  
16 verely distressed in connection with the  
17 coronavirus national emergency,

18 as determined by the Secretary, including the  
19 airport, air carrier (as defined in section 40102  
20 of title 49, United States Code), and aerospace  
21 industries.

22 “(C) APPLICABLE DATE.—For purposes of  
23 this paragraph, the term ‘applicable date’  
24 means the earlier of—

1 “(i) the date which is 6 months after  
 2 the last day on which the coronavirus na-  
 3 tional emergency declaration is in effect, or

4 “(ii) January 1, 2023.

5 “(D) CORONAVIRUS NATIONAL EMER-  
 6 GENCY.—For purposes of this paragraph—

7 “(i) IN GENERAL.—The coronavirus  
 8 national emergency is the emergency with  
 9 respect to which the President made the  
 10 declarations described in clause (ii).

11 “(ii) DECLARATIONS.—The last day  
 12 on which the coronavirus national emer-  
 13 gency declaration is in effect is the later  
 14 of—

15 “(I) the last day on which the  
 16 declaration of the emergency involving  
 17 Federal primary responsibility deter-  
 18 mined to exist by the President under  
 19 section 501(b) of the Robert T. Staf-  
 20 ford Disaster Relief and Emergency  
 21 Assistance Act (42 U.S.C. 5191(b))  
 22 with respect to coronavirus disease  
 23 2019 (COVID–19) is in effect; or

24 “(II) the last day on which the  
 25 declaration of the national emergency

1 declared by the President under the  
2 National Emergencies Act (50 U.S.C.  
3 1601 et seq.) with respect to  
4 coronavirus disease 2019 (COVID–  
5 19) is in effect.”.

6 (c) ADVANCE PAYMENT OF CREDIT.—Paragraph (1)  
7 of section 7527(d) of the Internal Revenue Code of 1986  
8 is amended by striking “or” at the end of subparagraph  
9 (A), by striking the period at the end of subparagraph  
10 (B) and inserting “, or”, and by adding at the end the  
11 following new subparagraph:

12 “(C) in the case of an eligible national de-  
13 fense or infrastructure worker (as defined in  
14 section 35(c)(5)), is certified by the Secretary  
15 (or by any other person or entity designated by  
16 the Secretary) (in consultation with the Sec-  
17 retary of Transportation (or any other person  
18 or entity designated by such Secretary), in the  
19 case of a worker in aviation- or aerospace-re-  
20 lated industries).”.

21 (d) EFFECTIVE DATE.—The amendments made by  
22 this section shall apply to months beginning after January  
23 31, 2020.

1 **SEC. 3. EXTENSION OF CREDIT.**

2 (a) IN GENERAL.—Subparagraph (B) of section  
3 35(b)(1) of the Internal Revenue Code of 1986 is amended  
4 by striking “January 1, 2021” and inserting “January 1,  
5 2023”.

6 (b) EFFECTIVE DATE.—The amendment made by  
7 this section shall apply to months beginning after Decem-  
8 ber 31, 2020.

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