109TH CONGRESS
2D SESSION

H.R. 1499

HOUSE AMENDMENT TO SENATE AMENDMENT

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In the House of Representatives, U. S.,

May 9, 2006.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1499) entitled ''An Act to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income, and for other purposes'', with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

At the end of the Senate amendment add the following:

On page 3, after line 3 of the House engrossed bill, insert the following:

1 *(c) CONTRIBUTIONS FOR TAXABLE YEARS ENDING BE-*
2 *FORE ENACTMENT.—*
3 *(1) IN GENERAL.—In the case of any taxpayer*
4 *with respect to whom compensation was excluded*
5 *from gross income under section 112 of the Internal*
6 *Revenue Code of 1986 for any taxable year beginning*
7 *after December 31, 2003, and ending before the date*
8 *of the enactment of this Act, any contribution to an*

individual retirement plan made on account of such taxable year and not later than the last day of the 3-year period beginning on the date of the enactment of this Act shall be treated, for purposes of such Code, as having been made on the last day of such taxable year.

(2) WAIVER OF LIMITATIONS.—

(A) CREDIT OR REFUND.—If the credit or refund of any overpayment of tax resulting from a contribution to which paragraph (1) applies is prevented at any time by the operation of any law or rule of law (including res judicata), such credit or refund may nevertheless be allowed or made if the claim therefor is filed before the close of the 1-year period beginning on the date that such contribution is made (determined without regard to paragraph (1)).

(B) ASSESSMENT OF DEFICIENCY.—The period for assessing a deficiency attributable to a contribution to which paragraph (1) applies shall not expire before the close of the 3-year period beginning on the date that such contribution is made. Such deficiency may be assessed before the expiration of such 3-year period notwithstanding the provisions of any other law or rule

of law which would otherwise prevent such assessment.

(3) INDIVIDUAL RETIREMENT PLAN DEFINED.—For purposes of this subsection, the term "individual retirement plan" has the meaning given such term by section 7701(a)(37) of such Code.

Attest:

Clerk.