



Congress of the United States
House of Representatives
Washington, DC 20515

October 11, 2023

The Honorable Janet Yellen
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, D.C. 20220

The Honorable Danny Werfel
Commissioner
Internal Revenue Service
1111 Constitution Ave NW
Washington, D.C. 20224

Dear Secretary Yellen and Commissioner Werfel:

Thank you for all the work that you and your colleagues at the U.S. Department of the Treasury (Treasury Department) and the Internal Revenue Service (IRS) have done to implement the landmark *Inflation Reduction Act*, which all of the undersigned strongly supported in the 117th and 118th Congress. The benefits from this law have had far-reaching impacts for our constituents and we are pleased that the Treasury Department and IRS have quickly published guidance and frequently asked questions for consumers, businesses, and non-profits on how they can benefit from the tax assistance provided in this law.

We are writing today concerning a specific tax credit in the *Inflation Reduction Act* that will provide important benefits for communities throughout the country that have experienced job loss, economic distress, and serious health ramifications because of the construction of coal and gas-fired power plants in their districts, as well as the closure of these operations. Specifically, we write to express our strong support for expanded options for offshore wind energy to qualify for the *Inflation Reduction Act's* Energy Communities Bonus Credit. Although we are appreciative of the Treasury Department and IRS's inclusion of offshore wind projects' main interconnection points in the guidance for the Energy Communities Bonus Credit, we are concerned that the lack of inclusion of marshaling and operations & maintenance ports and secondary points of interconnection runs counter to the intent of the *Inflation Reduction Act* to support the transition of impacted communities to a clean energy economy.

The Treasury Department and IRS's guidance published on April 4, 2023 provides a single and very limited path for eligibility for offshore wind energy projects – its onshore substation located closest to its interconnection point must be in an energy community.¹ While allowing onshore substations to qualify in this manner is a good first step, this narrowly drawn test does not reflect

¹ IRS, Notice 2023-29. Energy Community Bonus Credit Amounts under the Inflation Reduction Act of 2022. <https://www.irs.gov/pub/irs-drop/n-23-29.pdf>.

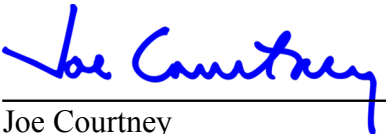
the broad benefits that offshore wind energy projects bring to energy communities, who will bear the brunt of the economic energy transition.

To this end, we urge the Treasury Department and IRS to issue additional guidance as quickly as possible to expand the eligibility for certain offshore wind energy facilities – including marshaling and operations & maintenance ports and secondary points of interconnection – to qualify for the Energy Communities Bonus Credit. This would better align the guidance with Congressional intent for the Energy Communities Bonus Credit, which was to encourage economic investment and new job opportunities in areas burdened by the loss of certain energy industries.

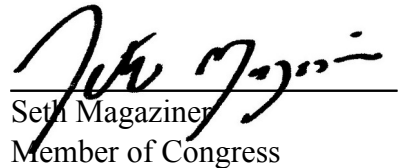
Allowing secondary points of interconnection and marshaling and operations & maintenance ports to qualify for the Energy Communities Bonus Credit will support job creation and clean energy transition in parts of the country that otherwise may not receive the benefits of this essential assistance.

Thank you for your attention to this request. We look forward to continuing our work with you on the continued implementation of the *Inflation Reduction Act* and are available to discuss this issue with you further at your convenience.

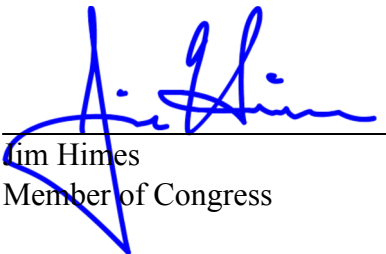
Sincerely,



Joe Courtney
Member of Congress



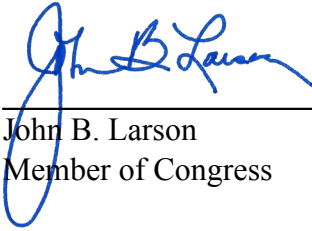
Seth Magaziner
Member of Congress



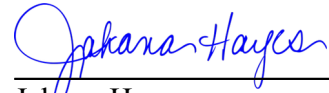
Jim Himes
Member of Congress



Bill Pascrell, Jr.
Member of Congress



John B. Larson
Member of Congress



Jahana Hayes
Member of Congress



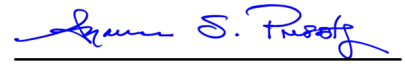
James P. McGovern
Member of Congress



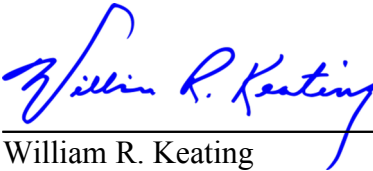
Lori Trahan
Member of Congress



Jake Auchincloss
Member of Congress



Ayanna Pressley
Member of Congress



William R. Keating
Member of Congress



Jerrold Nadler
Member of Congress



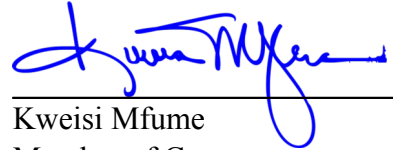
Paul D. Tonko
Member of Congress



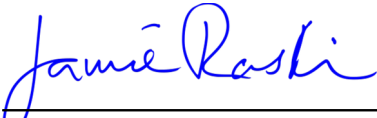
David J. Trone
Member of Congress



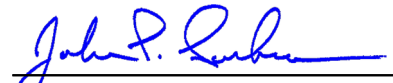
C. A. Dutch Ruppertsberger
Member of Congress



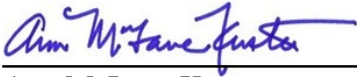
Kweisi Mfume
Member of Congress



Jamie Raskin
Member of Congress



John P. Sarbanes
Member of Congress



Ann McLane Kuster
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Andy Kim
Member of Congress



Frank Pallone, Jr.
Member of Congress



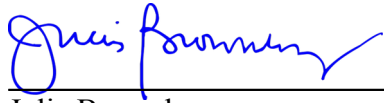
Donald M. Payne, Jr.
Member of Congress



Mikie Sherrill
Member of Congress



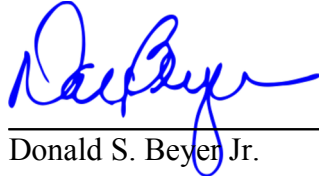
Bonnie Watson Coleman
Member of Congress



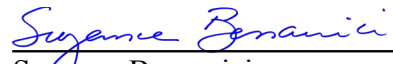
Julia Brownley
Member of Congress



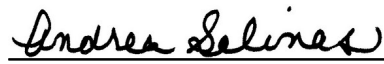
Earl Blumenauer
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Donald S. Beyer Jr.
Member of Congress



Suzanne Bonamici
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Andrea Salinas
Member of Congress



Shri Thanedar
Member of Congress



Rashida Tlaib
Member of Congress



Darren Soto
Member of Congress



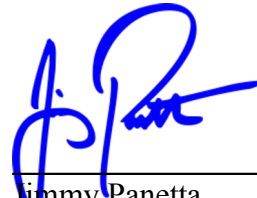
Frederica S. Wilson
Member of Congress



Chellie Pingree
Member of Congress



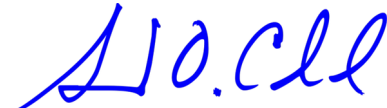
Katie Porter
Member of Congress



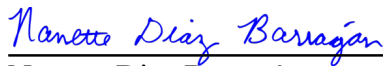
Jimmy Panetta
Member of Congress



Deborah K. Ross
Member of Congress



Salud Carbajal
Member of Congress



Nanette Diaz Barragán
Member of Congress



Rosa L. DeLauro
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Troy Carter
Member of Congress



Steve Cohen
Member of Congress



Mark DeSaulnier
Member of Congress



Valerie P. Foushee
Member of Congress



Robert Garcia
Member of Congress



Jared Huffman
Member of Congress



Sydney Kamlager-Dove
Member of Congress



Barbara Lee
Member of Congress



Betty McCollum
Member of Congress



Eleanor Holmes Norton
Member of Congress



Mary Sattler Peltola
Member of Congress



Scott H. Peters
Member of Congress

CC:

The Honorable Wally Adeyemo
Deputy Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, D.C. 20220

The Honorable Lily Batchelder
Assistant Secretary for Tax Policy

U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, D.C. 20220