

119TH CONGRESS  
1ST SESSION

# H. R. 6637

To advance bipartisan priorities.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2025

Mr. FITZPATRICK introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Natural Resources, Education and Workforce, Transportation and Infrastructure, Science, Space, and Technology, Agriculture, Appropriations, Armed Services, the Budget, Rules, Ethics, Financial Services, Foreign Affairs, Homeland Security, House Administration, the Judiciary, Intelligence (Permanent Select), Oversight and Government Reform, Small Business, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To advance bipartisan priorities.

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. TABLE OF CONTENTS.**

4 (a) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Table of contents.

### TITLE I—MARKET CHOICE ACT

Sec. 101. Short title.

Sec. 102. Findings.

Subtitle A—Greenhouse Gas Emissions

Sec. 10101. Treatment of domestic greenhouse gas emissions.

Sec. 10102. Border greenhouse gas adjustments.

Subtitle B—Distribution of Revenues From Taxation of Greenhouse Gas Emissions

CHAPTER 1—REBUILDING INFRASTRUCTURE AND SOLUTIONS FOR THE ENVIRONMENT TRUST FUND

Sec. 10201. Establishment of the RISE Trust Fund.

Sec. 10202. Appropriations from the RISE Trust Fund.

Sec. 10203. State grants.

CHAPTER 2—CERTAIN MANUFACTURERS EXCISE TAXES

Sec. 10211. Repeal of Federal motor vehicle and aviation fuel taxes.

Sec. 10212. Modifications of qualifying advanced coal project credit.

Subtitle C—Amendments to Other Laws

CHAPTER 1—AMENDMENTS TO FEDERAL ENVIRONMENTAL STATUTES

Sec. 10301. Amendments to the Clean Air Act.

Sec. 10302. Frequent and chronic flooding mitigation and adaptation infrastructure projects.

Sec. 10303. No preemption of State law.

CHAPTER 2—ASSISTANCE TO DISPLACED WORKERS IN THE ENERGY SECTOR

Sec. 10321. Assistance to displaced workers in the energy sector.

Subtitle D—National Climate Commission

Sec. 10401. Establishment of Commission.

Sec. 10402. Duties of Commission.

Sec. 10403. Powers of Commission.

Sec. 10404. Funding for the activities of the Commission.

Sec. 10405. Staff of the Commission.

TITLE II—KO CANCER ACT

Sec. 201. Short title.

Sec. 202. Increasing NCI budget for cancer research.

Sec. 203. Report to Congress on cancer drug shortages.

TITLE III—COORDINATOR FOR ENGAGEMENT WITH PFAS-IMPACTED DEFENSE COMMUNITIES

Sec. 301. Coordinator for engagement for PFAS-impacted defense communities.

TITLE IV—NATIONAL BIPARTISAN FISCAL COMMISSION

Sec. 401. Establishment of National Bipartisan Fiscal Commission.

Sec. 402. Consideration of Commission recommendations in Congress.

TITLE V—RESTRICTION OF TRADING AND OWNERSHIP OF CERTAIN FINANCIAL INSTRUMENTS BY MEMBERS OF THE HOUSE OF REPRESENTATIVES

Sec. 501. Restriction.

TITLE VI—END BANKING FOR HUMAN TRAFFICKERS ACT

Sec. 601. Short title.

Sec. 602. Increasing the role of the financial industry in combating human trafficking.

Sec. 603. Minimum standards for the elimination of trafficking.

TITLE VII—MSD ACT

Sec. 701. Short title.

Sec. 702. Emergency Response and Parental Notification Procedures.

Sec. 703. Installation or Modification of Interior and Exterior Doors in Schools.

TITLE VIII—LET AMERICA VOTE ACT

Sec. 801. Short title.

Sec. 802. Requiring States to permit unaffiliated voters to vote in primary elections.

Sec. 803. Prohibiting noncitizens from voting.

TITLE IX—REVIEW OF CERTAIN INTELLIGENCE SHARING WITH UKRAINE

Sec. 901. Review of Certain Intelligence Sharing With Ukraine.

TITLE X—ELECTION DAY ACT

Sec. 1001. Short title.

Sec. 1002. Patriot day.

TITLE XI—FAIRNESS TO VETERAN SMALL BUSINESSES FOR INFRASTRUCTURE INVESTMENT ACT

Sec. 1101. Disadvantaged business enterprises.

TITLE XII—PROTECTING VA EMPLOYEES ACT

Sec. 1201. Short title.

Sec. 1202. Repeal of separate removal, demotion, and suspension processes for certain employees of Department of Veterans Affairs.

Sec. 1203. Restoration of certain disciplinary and grievance procedures for personnel of the Veterans Health Administration.

# 1 **TITLE I—MARKET CHOICE ACT**

## 2 **SEC. 101. SHORT TITLE.**

3 This title may be cited as the “Modernizing America  
4 with Rebuilding to Kickstart the Economy of the Twenty-  
5 first Century with a Historic Infrastructure-Centered Ex-  
6 pansion Act” or the “MARKET CHOICE Act”.

## 7 **SEC. 102. FINDINGS.**

8 Congress finds that—

9 (1) roads, bridges, airports, and urban trans-  
10 portation systems are essential to the economic and  
11 national security of the United States;

12 (2) there is a chronic shortfall in funding for  
13 the maintenance of highways, bridges, and other  
14 critical infrastructure;

15 (3) strategic investments in new infrastructure  
16 will allow for economic growth and dynamism in the  
17 21st century;

18 (4) there has been a marked increase in ex-  
19 treme weather events and the negative impacts of a  
20 changing climate are expected to worsen in every re-  
21 gion of the United States;

22 (5) if left unaddressed, the consequences of a  
23 changing climate have the potential to adversely im-  
24 pact the health of all Americans, harm the economy,

1 and impose substantial costs on local, State, and  
 2 Federal budgets;

3 (6) efforts to reduce climate risk should protect  
 4 our Nation’s economy, security, infrastructure, agri-  
 5 culture, water supply, public health, and public safe-  
 6 ty; and

7 (7) there is bipartisan support for pursuing ef-  
 8 forts to reduce greenhouse gas emissions through  
 9 economically viable, broadly supported private and  
 10 public policies and solutions.

11 **Subtitle A—Greenhouse Gas**  
 12 **Emissions**

13 **SEC. 10101. TREATMENT OF DOMESTIC GREENHOUSE GAS**  
 14 **EMISSIONS.**

15 (a) IN GENERAL.—The Internal Revenue Code of  
 16 1986 is amended by adding at the end the following new  
 17 subtitle:

18 **“Subtitle L—Greenhouse Gas**  
 19 **Emissions**

20 **“PART 1—TAXATION OF GREENHOUSE GAS**  
 21 **EMISSIONS**

“Sec. 9901. Imposition of tax on combusted fossil fuel greenhouse gas emis-  
 sions.

“Sec. 9902. Imposition of tax on greenhouse gas emissions from certain indus-  
 trial processes.

“Sec. 9903. Imposition of tax on greenhouse gas emissions from certain prod-  
 uct uses.

“Sec. 9904. Calculation of taxable emissions.

“Sec. 9905. Credit for state payments.

“Sec. 9906. Penalties for nonpayment.

“Sec. 9907. Definitions.

1 **“SEC. 9901. IMPOSITION OF TAX ON COMBUSTED FOSSIL**  
 2 **FUEL GREENHOUSE GAS EMISSIONS.**

3 “(a) IN GENERAL.—There is hereby imposed a tax  
 4 on fossil fuels produced within, or imported into, the  
 5 United States.

6 “(b) RATE OF TAX.—

7 “(1) GREENHOUSE GASES THAT WOULD BE RE-  
 8 LEASED IF THE FOSSIL FUEL WERE COMBUSTED.—  
 9 The tax imposed by subsection (a) shall be the appli-  
 10 cable amount per ton of carbon dioxide equivalent of  
 11 all greenhouse gasses that would be released if the  
 12 fossil fuel were combusted.

13 “(2) APPLICABLE AMOUNT OF CARBON DIOXIDE  
 14 EQUIVALENT EMISSIONS.—For purposes of para-  
 15 graph (1), the term ‘applicable amount’ means—

16 “(A) for calendar year 2027, \$35 per met-  
 17 ric ton of carbon dioxide equivalent emissions,  
 18 and

19 “(B) for each calendar year after 2027,  
 20 the tax rate shall be the sum of—

21 “(i) the previous calendar year’s tax  
 22 rate, plus

23 “(ii) the sum of—

24 “(I) 5 percentage points, plus

1                   “(II) a percentage increase in the  
2                   previous year’s tax rate equal to the  
3                   increase in the Consumer Price Index  
4                   for the previous calendar year.

5                   “(3) CONSUMER PRICE INDEX FOR ANY CAL-  
6                   ENDAR YEAR.—For purposes of subparagraph (B),  
7                   the Consumer Price Index for the previous calendar  
8                   year is the average of the Consumer Price Index for  
9                   all-urban consumers published by the Department of  
10                  Labor as of the close of the 12-month period ending  
11                  on August 31 of such calendar year. For purposes  
12                  of the preceding sentence, the revision of the Con-  
13                  sumer Price Index which is most consistent with the  
14                  Consumer Price Index for calendar year 1986 shall  
15                  be used.

16                  “(4) RATE ADJUSTMENT BASED ON EMISSION  
17                  LEVELS.—

18                  “(A) REPORT.—Not later than March 30,  
19                  2028, and annually thereafter, the Secretary  
20                  and the Administrator shall jointly report the  
21                  emissions during the calendar year ending on  
22                  the preceding December 31 from sources sub-  
23                  ject to taxation under this part. The report  
24                  shall determine whether the cumulative amount  
25                  of annual emissions reported for the period be-

1 ginning in calendar year 2027 and through the  
2 end of the preceding calendar year were less  
3 than the emissions levels specified in the fol-  
4 lowing schedule:

5 “(i) The total emissions through cal-  
6 endar year 2027 are 4,700 million metric  
7 tons of carbon dioxide equivalent.

8 “(ii) The total emissions through cal-  
9 endar year 2028 are 9,400 million metric  
10 tons of carbon dioxide equivalent.

11 “(iii) The total emissions through cal-  
12 endar year 2029 are 14,000 million metric  
13 tons of carbon dioxide equivalent.

14 “(iv) The total emissions through cal-  
15 endar year 2030 are 18,300 million metric  
16 tons of carbon dioxide equivalent.

17 “(v) The total emissions through cal-  
18 endar year 2031 are 22,600 million metric  
19 tons of carbon dioxide equivalent.

20 “(vi) The total emissions through cal-  
21 endar year 2032 are 26,800 million metric  
22 tons of carbon dioxide equivalent.

23 “(vii) The total emissions through cal-  
24 endar year 2033 are 31,000 million metric  
25 tons of carbon dioxide equivalent.

1           “(viii) The total emissions through  
2           calendar year 2034 are 35,100 million  
3           metric tons of carbon dioxide equivalent.

4           “(ix) The total emissions through cal-  
5           endar year 2035 are 39,100 million metric  
6           tons of carbon dioxide equivalent.

7           “(x) The total emissions through cal-  
8           endar year 2036 are 43,100 million metric  
9           tons of carbon dioxide equivalent.

10          “(xi) The total emissions through cal-  
11          endar year 2037 are 47,100 million metric  
12          tons of carbon dioxide equivalent.

13          “(B) ADJUSTMENTS FOR REPORT PE-  
14          RIOD.—

15                 “(i) IN GENERAL.—Not later than  
16                 March 30, 2029, and every two years  
17                 thereafter, the Secretary shall determine  
18                 whether an adjustment is required in ac-  
19                 cordance with clause (ii).

20                 “(ii) PERIOD THROUGH 2036.—If the  
21                 emission level reported under subpara-  
22                 graph (A) for calendar year 2028, and  
23                 every second calendar year thereafter  
24                 through calendar year 2038, exceeds the  
25                 level for such calendar year specified in

1 clauses (i) through (xi) of subparagraph  
2 (A), then the applicable amount under  
3 paragraph (2) for the calendar year begin-  
4 ning on the next January 1 following the  
5 determination in clause (i) shall, after the  
6 increase under paragraph (2) for such next  
7 calendar year, be increased by an addi-  
8 tional \$4 per metric ton.

9 “(c) BY WHOM PAID.—The tax imposed by sub-  
10 section (a) shall be paid by the owner of the fossil fuel  
11 at the point of taxation.

12 “(d) POINT OF TAXATION.—

13 “(1) For fossil fuels produced within the United  
14 States, the point of taxation shall be—

15 “(A) for coal, the mine mouth or, for  
16 washed coal, the exit from the coal preparation  
17 and processing plant,

18 “(B) for petroleum products, the exit point  
19 from the refinery, and

20 “(C) for natural gas, the exit from the gas  
21 processing plant or, for natural gas that is not  
22 treated at a gas processing plant, the point of  
23 sale to the person who combusts the gas or in-  
24 corporates it into a product that is not intended  
25 for combustion.

1           “(2) For any fossil fuel imported into the  
2 United States, the point of taxation shall be the  
3 point at which it first enters the United States.

4           “(e) EXEMPTIONS.—

5           “(1) EXEMPTION FOR NONCOMBUSTIVE  
6 USES.—

7           “(A) REFUND FOR REDUCTION OR ELIMI-  
8 NATION OF EMISSIONS.—Any manufacturer of a  
9 product that incorporates a fossil fuel that has  
10 been taxed under this section who can dem-  
11 onstrate to the Secretary that the fossil fuel has  
12 been transformed via the manufacture of the  
13 product so that the fossil fuel’s emissions will  
14 be reduced or eliminated over the product’s life-  
15 time shall be entitled to a refund of the tax  
16 paid under this section on the proportion of the  
17 emissions reduced thereby, as determined by  
18 the Secretary.

19           “(B) RULE.—The Secretary, in consulta-  
20 tion with the Administrator, shall establish by  
21 rule the criteria and process by which product  
22 manufacturers can demonstrate that the condi-  
23 tions in subparagraph (A) have been satisfied.

24           “(C) PUBLICATION OF REGULATIONS.—  
25 The Secretary shall publish the regulations re-

1           required by this subsection no later than one year  
2           prior to the start of the calendar year referred  
3           to in section 9901(b)(2)(A). The Secretary may  
4           not collect the tax imposed by this section for  
5           any calendar year that begins less than one  
6           year after the regulations are published.

7           “(2) EXEMPTION FOR CARBON CAPTURE AND  
8           STORAGE.—

9                   “(A) REFUND FOR SEQUESTERS.—Any  
10           person who sequesters greenhouse gas emissions  
11           resulting from the combustion of fossil fuel that  
12           has passed through a point of taxation shall be  
13           entitled to a refund of the tax imposed by this  
14           section. Emissions that are used for enhanced  
15           oil recovery shall be entitled for such refund  
16           provided that these emissions meet all of the  
17           criteria applicable to other emissions that qual-  
18           ify for such refund.

19                   “(B) RULE.—The Secretary shall establish  
20           by rule the procedures by which to apply for  
21           such refunds and such refunds shall be paid  
22           within six months of the Secretary receiving an  
23           approvable application.

24                   “(C) TIME OF REFUND.—The Secretary  
25           may not refund any amounts under this para-

1 graph until such time as the Secretary has pub-  
2 lished the regulations described in section  
3 45Q(f)(2).

4 **“SEC. 9902. IMPOSITION OF TAX ON GREENHOUSE GAS**  
5 **EMISSIONS FROM CERTAIN INDUSTRIAL**  
6 **PROCESSES.**

7 “(a) IN GENERAL.—There is hereby imposed a tax  
8 on industrial process greenhouse gas emissions by certain  
9 source categories.

10 “(b) LIST OF SOURCE CATEGORIES.—

11 “(1) INITIAL LIST.—The Congress establishes  
12 for purposes of this section a list of source cat-  
13 egories subject to this section as follows:

14 “(A) Iron and steel production and met-  
15 allurgical coke production.

16 “(B) Underground coal mining.

17 “(C) Coal preparation and processing  
18 plants.

19 “(D) Refineries.

20 “(E) Cement production.

21 “(F) Petrochemical production.

22 “(G) Lime production.

23 “(H) Ammonia production.

24 “(I) Aluminum production.

25 “(J) Soda ash production.

1 “(K) Ferroalloy production.

2 “(L) Phosphoric acid production.

3 “(M) Glass production.

4 “(N) Zinc production.

5 “(O) Lead production.

6 “(P) Magnesium production and proc-  
7 essing.

8 “(Q) Nitric acid production.

9 “(R) Adipic acid production.

10 “(S) Semiconductor manufacture.

11 “(T) Electrical transmission and distribu-  
12 tion.

13 “(2) REVISION OF THE LIST.—The Adminis-  
14 trator shall review the list of source categories estab-  
15 lished by this subsection not less than once every  
16 five years to determine if they should continue to be  
17 listed and publish the results of that review. The Ad-  
18 ministrator may, if appropriate, add any source cat-  
19 egories to this list by rule.

20 “(3) REMOVAL OF A SOURCE CATEGORY FROM  
21 THE LIST.—The Administrator may remove a source  
22 category from this list only if—

23 “(A) the total emissions from the entire  
24 source category which are taxable under this  
25 section have been less than 250,000 metric tons

1 of carbon dioxide equivalent per year for each  
2 of three consecutive years,

3 “(B) the average emissions from facilities  
4 in the source category which are taxable under  
5 this section have been less than 25,000 metric  
6 tons of carbon dioxide equivalent per year for  
7 each of the years referred in subparagraph (A),  
8 and

9 “(C) the Administrator determines that  
10 there is no reasonable possibility that the total  
11 emissions from the entire source category which  
12 are taxable under this section will exceed  
13 250,000 metric tons per year of carbon dioxide  
14 equivalent within any of the five years following  
15 such determination.

16 “(4) ADDITION OF A SOURCE CATEGORY TO  
17 THE LIST.—The Administrator may add a source  
18 category to this list only if the Administrator deter-  
19 mines that—

20 “(A) the total emissions from the entire  
21 source category which are taxable under this  
22 section have been greater than 250,000 metric  
23 tons per year of carbon dioxide equivalent in  
24 any two years out of the preceding five years,

1           “(B) the average emissions from facilities  
2           in the source category which are taxable under  
3           this section have been greater than 25,000 met-  
4           ric tons per year of carbon dioxide equivalent in  
5           the years in which emissions from the entire  
6           source category have been greater than 250,000  
7           tons per year, and

8           “(C) there is a reasonable possibility that  
9           the total emissions from the entire source cat-  
10          egory which are taxable under this section will  
11          be greater than 250,000 metric tons per year of  
12          carbon dioxide equivalent in any year within the  
13          next five years following such determination.

14          “(c) RATE OF TAX.—The rate of tax shall be the  
15          same as the rate given in section 9901(b)(2).

16          “(d) BY WHOM PAID.—The tax imposed by sub-  
17          section (a) shall be paid by the owner or operator of the  
18          point of taxation.

19          “(e) POINT OF TAXATION.—The point of taxation  
20          shall be any facility in a source category which emits more  
21          than 25,000 metric tons of carbon dioxide equivalent sub-  
22          ject to taxation under this section in any calendar year.

1 **“SEC. 9903. IMPOSITION OF TAX ON GREENHOUSE GAS**  
2 **EMISSIONS FROM CERTAIN PRODUCT USES.**

3 “(a) IN GENERAL.—There is hereby imposed a tax  
4 on non-fossil-fuel-greenhouse-gas emissions by certain  
5 manufactured products when used for their intended pur-  
6 poses that are manufactured within or imported into, the  
7 United States.

8 “(b) LIST OF PRODUCTS.—

9 “(1) INITIAL LIST.—The Congress establishes  
10 for purposes of this section a list of products subject  
11 to this section as follows:

12 “(A) Fuel ethanol.

13 “(B) Industrial carbonates.

14 “(C) Carbon dioxide urea.

15 “(D) Soda ash.

16 “(E) Nitrous oxide.

17 “(F) Ozone depleting substances, but not  
18 if the United States has ratified the Kigali  
19 Amendment to the Montreal Protocol and is  
20 subject to article 2J, paragraph 1 of the  
21 Amended Montreal Protocol.

22 “(G) Biodiesel.

23 “(H) Solid biomass fuels.

24 “(2) REVISION OF THE LIST.—The Adminis-  
25 trator shall review the list of products established by  
26 this subsection not less than once every five years to

1 determine if they should continue to be listed and  
2 publish the results of that review. The Administrator  
3 may, if appropriate, add any product to this list by  
4 rule.

5 “(3) REMOVAL OF A PRODUCT FROM THE  
6 LIST.—The Administrator may remove a product  
7 from this list only if—

8 “(A) the total emissions from all of the  
9 product used within the United States has been  
10 less than 250,000 metric tons per year of car-  
11 bon dioxide equivalent for each of three con-  
12 secutive years, and

13 “(B) the Administrator determines that  
14 there is no reasonable possibility that the total  
15 emissions from all of the product used in the  
16 United States will exceed 250,000 metric tons  
17 per year of carbon dioxide equivalent within any  
18 of the five years following such determination.

19 “(4) ADDITION OF A PRODUCT TO THE LIST.—  
20 The Administrator may add a product to this list  
21 only if the Administrator determines that—

22 “(A) the total emissions from all of the  
23 product used within the United States has been  
24 greater than 250,000 metric tons per year of

1 carbon dioxide equivalent in any two years out  
2 of the preceding five years, and

3 “(B) there is a reasonable possibility that  
4 the total emissions from all of the product used  
5 within the United States will be greater than  
6 250,000 metric tons per year of carbon dioxide  
7 equivalent in any year within the next five years  
8 following such determination.

9 “(c) RATE OF TAX.—The rate of tax shall be the  
10 same as the rate given in section 9901(b)(2).

11 “(d) BY WHOM PAID.—The tax imposed by sub-  
12 section (a) shall be paid—

13 “(1) for products manufactured in the United  
14 States, by the owner or operator of the point of tax-  
15 ation, and

16 “(2) for products imported into the United  
17 States, by the owner of the product when it enters  
18 the United States.

19 “(e) POINT OF TAXATION.—The point of taxation  
20 shall be—

21 “(1) for products manufactured in the United  
22 States, the manufacturing facility,

23 “(2) for products imported into the United  
24 States, the point at which it first enters the United  
25 States, and

1           “(3) for domestically produced biomass fuel by  
2           a facility that emits from combusted biomass fuel  
3           more than 25,000 metric tons of carbon dioxide  
4           equivalent greenhouse gases in a year, the facility  
5           that combusts the biomass fuel.

6   **“SEC. 9904. CALCULATION OF TAXABLE EMISSIONS.**

7           “(a) HOW TO CALCULATE TAXABLE EMISSIONS.—  
8           In consultation with the Department of Energy, the Ad-  
9           ministrators shall establish by rule (and may, from time  
10          to time, revise) the method by which taxable emissions  
11          under this part shall be calculated.

12          “(b) CATEGORIES AND SUBCATEGORIES CONSID-  
13          ERED.—For purposes of calculating emissions taxable  
14          under—

15                 “(1) section 9901, the Administrator shall de-  
16                 termine by rule the amount of carbon dioxide equiv-  
17                 alent that would be emitted if each fossil fuel were  
18                 combusted, and the Administrator may establish by  
19                 rule such subcategories of each fuel and the means  
20                 by which it is combusted as the Administrator deems  
21                 appropriate,

22                 “(2) section 9902, the Administrator may de-  
23                 termine by rule such subcategories of any industrial  
24                 process category listed in subsection 9902(b) as the  
25                 Administrator deems appropriate, and

1           “(3) section 9903, for fuel ethanol, biodiesel,  
2           and solid biomass fuels the Administrator shall de-  
3           termine by rule the amount of carbon dioxide equiv-  
4           alent that would be emitted based on the lifecycle  
5           greenhouse gas emissions of the product (excluding  
6           emissions from fossil fuels that have passed through  
7           a point of taxation), and the Administrator may de-  
8           termine by rule such subcategories of manufactured  
9           products listed in subsection 9903(b) as the Admin-  
10          istrator deems appropriate.

11          “(c) METHODS.—Where greenhouse gas emissions  
12          subject to taxation under any section of this part are com-  
13          bined with greenhouse gas emissions subject to taxation  
14          under any other section of this part, the Administrator  
15          shall ensure, to the greatest degree possible, that the  
16          methods required to determine the emissions taxable  
17          under any section of this part do not include any emissions  
18          taxable under any other section of this part.

19          “(d) METHOD COST DIFFERENCES.—The Adminis-  
20          trator shall not require the use of any method to calculate  
21          taxable emissions whereby the difference in cost of the  
22          method compared to the next cheapest alternative method  
23          is greater than the amount of the tax that would be paid  
24          on the additional emissions determined by the more expen-  
25          sive method.

1       “(e) PUBLICATION OF REGULATIONS.—The Adminis-  
2 trator shall publish the regulations required by this section  
3 no later than one year prior to the start of the calendar  
4 year referred to in section 9901(b)(2)(A). The Secretary  
5 may not collect the tax imposed by any section in this part  
6 for any calendar year that begins less than one year after  
7 the regulations applicable to each such section are pub-  
8 lished.

9       **“SEC. 9905. CREDIT FOR STATE PAYMENTS.**

10       “(a) CREDIT FOR PAYMENTS.—The Secretary shall  
11 allow any person who is required to make payment for  
12 greenhouse gas emissions under this part a credit for pay-  
13 ments made on those emissions required under any State  
14 law in the following manner:

15               “(1) For the year given in section 9901(b)(2),  
16       a credit equal to 100 percent of the amount paid  
17       pursuant to requirements of State law.

18               “(2) For the first year following the year used  
19       in paragraph (1), a credit equal to 80 percent of the  
20       amount paid pursuant to requirements of State law.

21               “(3) For the second year following the year  
22       used in paragraph (1), a credit equal to 60 percent  
23       of the amount paid pursuant to requirements of  
24       State law.

1           “(4) For the third year following the year used  
2           in paragraph (1), a credit equal to 40 percent of the  
3           amount paid pursuant to requirements of State law.

4           “(5) For the fourth year following the year  
5           used in paragraph (1), a credit equal to 20 percent  
6           of the amount paid pursuant to requirements of  
7           State law.

8           “(b) NO CREDIT.—For all years following the year  
9           used in paragraph (5), no credit shall be allowed.

10   **“SEC. 9906. PENALTIES FOR NONPAYMENT.**

11           “Any person who fails to comply with the require-  
12           ments of section 9901, 9902, or 9903 shall be liable for  
13           payment to the Secretary, without demand, of a penalty  
14           in the amount equal to 3 times the applicable amount  
15           specified by those sections for the same tax year as the  
16           year in which the person failed to comply with such re-  
17           quirements.

18   **“SEC. 9907. DEFINITIONS.**

19           “Unless otherwise provided, the definitions provided  
20           herein are applicable to all provisions of this subtitle.

21           “(1) ADMINISTRATOR.—The term ‘Adminis-  
22           trator’ means the Administrator of the Environ-  
23           mental Protection Agency.

24           “(2) CARDON DIOXIDE EQUIVALENT.—The  
25           term ‘carbon dioxide equivalent’ means the number

1 of metric tons of CO<sub>2</sub> emissions with the same glob-  
2 al warming potential over a 100-year period as one  
3 metric ton of another greenhouse gas.

4 “(3) COAL.—The term ‘coal’ means any of the  
5 recognized classifications and ranks of coal, includ-  
6 ing anthracite, bituminous, semibituminous, subbitu-  
7 minous, lignite, and peat.

8 “(4) COAL PREPARATION AND PROCESSING  
9 PLANT.—The term ‘coal preparation and processing  
10 plant’ means any facility (excluding underground  
11 mining operations) which prepares coal by one or  
12 more of the following processes: breaking, crushing,  
13 screening, wet or dry cleaning, and thermal drying.

14 “(5) ENHANCED OIL RECOVERY.—The term  
15 ‘enhanced oil recovery’ has the meaning defined at  
16 section 1.193–1(b)(2) of title 26, Code of Federal  
17 Regulations, as in effect on the date of enactment of  
18 this section.

19 “(6) FACILITY.—The term ‘facility’ means any  
20 physical property, plant, building, structure, source,  
21 or stationary equipment located on one or more con-  
22 tiguous or adjacent properties in actual physical con-  
23 tact or separated solely by a public roadway or other  
24 public right-of-way and under common ownership or

1 common control, that emits or may emit any green-  
2 house gas.

3 “(7) FOSSIL FUEL.—The term ‘fossil fuel’  
4 means coal, petroleum products, or natural gas.

5 “(8) GREENHOUSE GAS.—The term ‘greenhouse  
6 gas’ means carbon dioxide, nitrous oxide, methane,  
7 hydrofluorocarbons, perfluorocarbons, and sulfur  
8 hexafluoride.

9 “(9) GREENHOUSE GAS EFFECTS.—The term  
10 ‘greenhouse gas effects’ means the adverse effects of  
11 greenhouse gasses on health or welfare caused by  
12 the greenhouse gas’s heat-trapping potential or its  
13 effect on ocean acidification.

14 “(10) LIFECYCLE GREENHOUSE GAS EMIS-  
15 SIONS.—The term ‘lifecycle greenhouse gas emis-  
16 sions’ has the meaning given that term in section  
17 211 of the Clear Air Act.

18 “(11) NATURAL GAS.—The term ‘natural gas’  
19 means any fuel consisting in whole or in part of nat-  
20 ural gas, including components of natural gas such  
21 as methane and ethane; liquid petroleum gas; syn-  
22 thetic gas derived from coal, petroleum, or natural  
23 gas liquids; or any mixture of natural gas and syn-  
24 thetic gas.

1           “(12) PETROLEUM PRODUCTS.—The term ‘pe-  
2           troleum products’ means unfinished oils, liquefied  
3           petroleum gases, pentanes plus, aviation gasoline,  
4           motor gasoline, naphtha-type jet fuel, kerosene-type  
5           jet fuel, kerosene, distillate fuel oil, residual fuel oil,  
6           petrochemical feedstocks, special naphthas, lubri-  
7           cants, waxes, petroleum coke, asphalt, road oil, still  
8           gas, and miscellaneous products obtained from the  
9           processing of crude oil (including lease condensate),  
10          natural gas, and other hydrocarbon compounds. The  
11          term does not include natural gas, liquefied natural  
12          gas, biofuels, methanol, and other nonpetroleum  
13          fuels.

14          “(13) PUBLISH.—The term ‘publish’ means  
15          publication in the Federal Register.

16          “(14) REFINERY.—The term ‘refinery’ means  
17          any facility engaged in producing gasoline, kerosene,  
18          distillate fuel oils, residual fuel oils, lubricants, or  
19          other products through distillation of petroleum or  
20          through redistillation, cracking, or reforming of un-  
21          finished petroleum derivatives.

22          “(15) OWNER.—The term ‘owner’ with respect  
23          to any fossil fuel means any person who has legal  
24          title to the fossil fuel.

1           “(16) OWNER OR OPERATOR.—The term ‘owner  
2 or operator’ with respect to any fossil fuel means  
3 any person who has legal title to the fossil fuel.

4           “(17) SEQUESTERS.—The term ‘sequesters’  
5 means the permanent storage of carbon dioxide or  
6 other greenhouse gas such that it does not escape  
7 into the atmosphere, and is in compliance with the  
8 regulations issued pursuant to section 45Q(f)(2).

9           “(18) SOLID BIOMASS.—The term ‘solid bio-  
10 mass’ means nonfossilized and biodegradable organic  
11 material originating from plants, animals, or micro-  
12 organisms, including products, byproducts, residues  
13 and waste from agriculture, forestry, and related in-  
14 dustries as well as the nonfossilized and biodegrad-  
15 able organic fractions of industrial and municipal  
16 wastes, but does not include gases and liquids recov-  
17 ered from the decomposition of nonfossilized and  
18 biodegradable organic material.

19           “(19) SOURCE CATEGORY.—The term ‘source  
20 category’ means any category or subcategory regu-  
21 lated under part 60 of title 40, Code of Federal Reg-  
22 ulations, or part 90 of title 40, Code of Federal Reg-  
23 ulations.”.

1 (b) CLERICAL AMENDMENT.—The table of subtitles  
 2 for the Internal Revenue Code of 1986 is amended by add-  
 3 ing at the end the following new item:

“Subtitle L—Greenhouse gas emissions”

4 (c) EFFECTIVE DATE.—The amendments made by  
 5 this section shall apply to emissions after the later of De-  
 6 cember 31, 2025, and the date that is one year after the  
 7 date regulations are promulgated under section 9914 of  
 8 the Internal Revenue Code of 1986.

9 **SEC. 10102. BORDER GREENHOUSE GAS ADJUSTMENTS.**

10 (a) IN GENERAL.—Subtitle L of the Internal Rev-  
 11 enue Code of 1986, as added by subsection (a), is further  
 12 amended by adding at the end the following new part:

13 **“PART 2—TAX ADJUSTMENTS FOR IMPORTS AND**  
 14 **EXPORTS OF GREENHOUSE GAS INTENSIVE**  
 15 **PRODUCTS**

“Sec. 9911. Purposes.

“Sec. 9912. Definitions.

“Sec. 9913. Notification of foreign countries.

“Sec. 9914. Border tax adjustment rate.

16 **“SEC. 9911. PURPOSES.**

17 “(a) PURPOSES OF PART.—The purposes of this part  
 18 are—

19 “(1) to promote a strong global effort to signifi-  
 20 cantly reduce greenhouse gas emissions, and

21 “(2) to prevent carbon leakage.

1       “(b) ADDITIONAL PURPOSES OF PART.—The pur-  
2 poses of this part are additionally—

3           “(1) to provide a rebate to exporters in domes-  
4 tic eligible industrial sectors for the greenhouse gas  
5 emission costs of the owners and operators incurred  
6 under this title, but not for costs associated with  
7 other related or unrelated market dynamics,

8           “(2) to ensure that imports from other coun-  
9 tries, and, in particular, fast-growing developing  
10 countries, do not enjoy competitive advantages be-  
11 cause of the carbon tax liability of domestic manu-  
12 facturers, and therefore increase their emissions,

13           “(3) to encourage foreign countries to take sub-  
14 stantial action with respect to their greenhouse gas  
15 emissions, and

16           “(4) to ensure that the measures described in  
17 this subpart are designed and implemented in a  
18 manner consistent with applicable international  
19 agreements to which the United States is a party.

20 **“SEC. 9912. DEFINITIONS.**

21       “In this part:

22           “(1) CARBON LEAKAGE.—The term ‘carbon  
23 leakage’ means any substantial increase (as deter-  
24 mined by the Secretary) in greenhouse gas emissions  
25 by entities located in other countries caused by a

1 cost of production increase in the United States re-  
2 sulting from implementation of this title.

3 “(2) BORDER TAX ADJUSTMENT.—The term  
4 ‘border tax adjustment’ means the levying of a tax  
5 on imported covered goods equivalent to the amount  
6 of tax paid pursuant to part 1 of this subtitle in the  
7 manufacture of comparable domestic manufactured  
8 goods, and the rebating of the tax paid pursuant to  
9 part 1 of this subtitle that has been paid on covered  
10 goods exported from the United States.

11 “(3) BORDER TAX ADJUSTMENT RATE.—The  
12 term ‘border tax adjustment rate’ means the amount  
13 of tax that would be paid on a covered good pro-  
14 duced in the United States in the current year.

15 “(4) COMMISSIONER.—The term ‘Commis-  
16 sioner’ means the Commissioner of United States  
17 Customs and Border Protection.

18 “(5) COVERED GOOD.—The term ‘covered good’  
19 means a good that is—

20 “(A) entered under a heading or sub-  
21 heading of the Harmonized Tariff Schedule of  
22 the United States that corresponds to the  
23 NAICS code for an eligible industrial sector, as  
24 established in the concordance between NAICS  
25 codes and the Harmonized Tariff Schedule of

1 the United States prepared by the United  
2 States Census Bureau, or

3 “(B) a manufactured item for consump-  
4 tion.

5 “(6) ELIGIBLE INDUSTRIAL SECTOR.—The  
6 term ‘eligible industrial sector’ means an industrial  
7 sector determined by the Secretary under section  
8 9913.

9 “(7) INDUSTRIAL SECTOR.—The term ‘indus-  
10 trial sector’ means any sector that—

11 “(A) is in the manufacturing sector (as de-  
12 fined in NAICS codes 31, 32, and 33), or

13 “(B) is part of, or an entire, sector that  
14 beneficiates or otherwise processes (including  
15 agglomeration) metal ores, including iron and  
16 copper ores, soda ash, and phosphate. The term  
17 ‘industrial sector’ does not include any part of  
18 a sector that extracts fossil fuels, metal ores,  
19 soda ash, or phosphate.

20 “(8) MANUFACTURED ITEM FOR CONSUMP-  
21 TION.—The term ‘manufactured item for consump-  
22 tion’ means any good—

23 “(A) that includes in substantial quantities  
24 one or more goods like the goods produced by  
25 an eligible industrial sector, and

1           “(B) for which the Secretary has deter-  
2           mined, with the concurrence of the Commis-  
3           sioner, that the application of the border tax  
4           adjustment program pursuant to this part is  
5           technically and administratively feasible and ap-  
6           propriate to achieve the purposes of this part,  
7           taking into account the greenhouse gas inten-  
8           sity, and where appropriate the trade intensity,  
9           of the industrial sector that produces the good,  
10          as measured consistent with section 9913 and  
11          the ability of the producers to recover cost in-  
12          creases in the marketplace and other appro-  
13          priate factors.

14          “(9) NAICS.—The term ‘NAICS’ means the  
15          North American Industrial Classification System of  
16          2002.

17          “(10) OUTPUT.—The term ‘output’ means the  
18          total tonnage or other standard unit of production  
19          (as determined by the Secretary) produced by an en-  
20          tity in an industrial sector.

21          **“SEC. 9913. NOTIFICATION OF FOREIGN COUNTRIES.**

22          “(a) IN GENERAL.—As soon as practicable after the  
23          date of the enactment of the Modernizing America with  
24          Rebuilding to Kickstart the Economy of the Twenty-first

1 Century with a Historic Infrastructure-Centered Expan-  
2 sion Act, the President shall notify each foreign country—

3 “(1) requesting the foreign country to take ap-  
4 propriate measures to limit the greenhouse gas emis-  
5 sions of the foreign country, and

6 “(2) indicating that a border tax adjustment  
7 may apply to covered goods imported into and ex-  
8 ported from the United States.

9 “(b) LISTS.—

10 “(1) IN GENERAL.—Not later than 1 year after  
11 the date of the enactment of the Modernizing Amer-  
12 ica with Rebuilding to Kickstart the Economy of the  
13 Twenty-first Century with a Historic Infrastructure-  
14 Centered Expansion Act, the Secretary shall promul-  
15 gate a rule designating, based on the criteria under  
16 subsection (c)(2), industrial sectors where covered  
17 products are liable for the border tax adjustment.

18 “(2) CONTENT.—The list shall include the  
19 amount of the border tax adjustment rate for each  
20 covered good in the following calendar year pursuant  
21 to section 9914.

22 “(3) SUBSEQUENT LISTS.—Not later than Jan-  
23 uary 31 of each calendar year after the calendar  
24 year in which the Modernizing America with Re-  
25 building to Kickstart the Economy of the Twenty-

1 first Century with a Historic Infrastructure-Cen-  
2 tered Expansion Act is enacted, the Secretary shall  
3 publish in the Federal Register an updated version  
4 of the list published under paragraph (1).

5 “(c) ELIGIBLE INDUSTRIAL SECTORS.—

6 “(1) PRESUMPTIVELY ELIGIBLE INDUSTRIAL  
7 SECTORS.—

8 “(A) ELIGIBILITY CRITERIA.—

9 “(i) IN GENERAL.—

10 “(I) Imported covered goods are  
11 liable under this part if they are pro-  
12 duced in the United States in an in-  
13 dustrial sector that is included in a 6-  
14 digit classification of the NAICS that  
15 meets the criteria in both clauses (ii)  
16 and (iii).

17 “(II) Exported covered goods are  
18 eligible under this part if they are  
19 produced in the United States in an  
20 industrial sector that is included in a  
21 6-digit classification of the NAICS  
22 that meets the criteria in clauses (ii)  
23 and (iii).

24 “(ii) GREENHOUSE GAS INTENSITY.—

25 As determined by the Secretary, an indus-

1 trial sector meets the criteria of this clause  
2 if the United States industrial sector has a  
3 greenhouse gas intensity of at least 5 per-  
4 cent, calculated by dividing—

5 “(I) the number of metric tons of  
6 carbon dioxide equivalent greenhouse  
7 gas emissions (including direct emis-  
8 sions from fuel combustion, process  
9 emissions, and indirect emissions from  
10 the generation of electricity used to  
11 produce the output of the sector) of  
12 the sector based on data described in  
13 subparagraph (C), multiplied by the  
14 applicable rate in section 9901(b)(2),  
15 by

16 “(II) the value of the shipments  
17 of the sector, based on data described  
18 in subparagraph (C).

19 “(iii) TRADE INTENSITY.—As deter-  
20 mined by the Secretary, an industrial sec-  
21 tor meets the criteria of this clause if the  
22 industrial sector has a trade intensity of at  
23 least 15 percent, calculated by dividing—

24 “(I) the value of the total im-  
25 ports and exports of the sector, by

1                   “(II) the value of the shipments  
2                   plus the value of imports of the sec-  
3                   tor, based on data described in sub-  
4                   paragraph (C).

5                   “(B) METAL AND PHOSPHATE PRODUC-  
6                   TION CLASSIFIED UNDER MORE THAN ONE  
7                   NAICS CODE.—For purposes of this section, the  
8                   Secretary shall—

9                   “(i) aggregate data for the  
10                   beneficiation or other processing (including  
11                   agglomeration) of metal ores, including  
12                   iron and copper ores, soda ash, or phos-  
13                   phate with subsequent steps in the process  
14                   of metal and phosphate manufacturing, re-  
15                   gardless of the NAICS code under which  
16                   the activity is classified, and

17                   “(ii) aggregate data for the manufac-  
18                   turing of steel with the manufacturing of  
19                   steel pipe and tube made from purchased  
20                   steel in a nonintegrated process.

21                   “(C) DATA SOURCES.—

22                   “(i) VALUE OF SHIPMENTS.—

23                   “(I) IN GENERAL.—The Sec-  
24                   retary shall determine the value of  
25                   shipments under this subsection from

1 data from the United States Census  
2 Annual Survey of Manufacturers.

3 “(II) AVERAGE DATA AVAIL-  
4 ABLE.—The Secretary shall use the  
5 average of data from the most recent  
6 3 years for which the data are avail-  
7 able.

8 “(III) AVERAGE DATA NOT  
9 AVAILABLE.—If data described in sub-  
10 clause (II) are unavailable, the Sec-  
11 retary shall make a determination  
12 based on—

13 “(aa) data from the most  
14 detailed industrial classification  
15 level of the Manufacturing En-  
16 ergy Consumption Survey of the  
17 Energy Information Administra-  
18 tion, and

19 “(bb) data from the most re-  
20 cent Economic Census of the  
21 United States.

22 “(IV) DATA NOT AVAILABLE FOR  
23 SECTOR.—If data from the Manufac-  
24 turing Energy Consumption Survey or  
25 Economic Census are unavailable for

1 any sector at the 6-digit classification  
2 level in the NAICS, the Secretary may  
3 use available Manufacturing Energy  
4 Consumption Survey or Economic  
5 Census data pertaining to a broader  
6 industrial category classified in the  
7 NAICS.

8 “(V) DATA NOT AVAILABLE FOR  
9 PROCESSING.—If data relating to the  
10 beneficiation or other processing (in-  
11 cluding agglomeration) of metal ores  
12 (including iron and copper ores, soda  
13 ash, or phosphate) are not available  
14 from the specified data sources, the  
15 Secretary—

16 “(aa) shall use the best  
17 available Federal or State gov-  
18 ernment data, and

19 “(bb) may use, to the extent  
20 necessary, representative data  
21 submitted by entities that per-  
22 form the beneficiation or other  
23 processing (including agglomer-  
24 ation), in making a determina-  
25 tion.

1 “(ii) IMPORTS AND EXPORTS.—

2 “(I) IN GENERAL.—The Sec-  
3 retary shall base the value of imports  
4 and exports under this subsection on  
5 United States International Trade  
6 Commission data.

7 “(II) AVERAGE DATA AVAIL-  
8 ABLE.—The Secretary shall use the  
9 average of data from the three most  
10 recent years for which the data are  
11 available.

12 “(III) AVERAGE DATA NOT  
13 AVAILABLE.—If data from the United  
14 States International Trade Commis-  
15 sion are unavailable for any sector at  
16 the 6-digit classification level in the  
17 NAICS, the Secretary may use United  
18 States International Trade Commis-  
19 sion data pertaining to a broader in-  
20 dustrial category classified in the  
21 NAICS.

22 “(iii) PERCENTAGES.—The Secretary  
23 shall round the greenhouse gas intensity  
24 and trade intensity percentages under sub-

1 paragraph (A) to the nearest whole num-  
2 ber.

3 “(iv) GREENHOUSE GAS EMISSION  
4 CALCULATIONS.—When calculating the  
5 metric tons of carbon dioxide equivalent  
6 greenhouse gas emissions for each sector  
7 under subparagraph (A)(ii)(I), the Sec-  
8 retary—

9 “(I) shall use the best available  
10 data from the three most recent years  
11 for which the data are available, and

12 “(II) may, to the extent nec-  
13 essary with respect to a sector, use  
14 economic and engineering models and  
15 the best available information on tech-  
16 nology performance levels for the sec-  
17 tor.

18 “(2) ADMINISTRATIVE DETERMINATION OF AD-  
19 DITIONAL ELIGIBLE INDUSTRIAL SECTORS.—

20 “(A) UPDATED TRADE INTENSITY DATA.—

21 The Secretary shall designate as liable for the  
22 border tax adjustment rate on imported prod-  
23 ucts under this part an industrial sector that—

24 “(i) met the greenhouse gas intensity  
25 criteria in paragraph (1)(A)(ii) as of the

1 date of promulgation of the rule under  
2 paragraph (1), and

3 “(ii) meets the trade intensity criteria  
4 established under paragraph (1)(A)(iii),  
5 using data sources described in paragraph  
6 (1)(C) from any year after the passage of  
7 this Act.

8 “(B) INDIVIDUAL SHOWING PETITION.—

9 “(i) PETITION.—In addition to des-  
10 ignation under subparagraph (A), the  
11 owner or operator of an entity or a group  
12 of entities that collectively produce not less  
13 than 80 percent of the average annual  
14 value of shipments from within the sector  
15 of the group consistent with subclause (I),  
16 that manufacture similar products in an  
17 industrial sector may petition the Sec-  
18 retary to designate as eligible industrial  
19 sectors under this part an entity or a  
20 group of entities that—

21 “(I) represent a sector using a  
22 standard product classification, and

23 “(II) meet the respective import  
24 and/or export eligibility criteria in  
25 paragraph (1)(A)(i).

1           “(ii) DATA.—In making a determina-  
2           tion under this subparagraph, the Sec-  
3           retary shall consider—

4                   “(I) data submitted by the peti-  
5                   tioner,

6                   “(II) data solicited by the Sec-  
7                   retary from other entities in the sec-  
8                   tor, and

9                   “(III) data specified in para-  
10                   graph (1)(C).

11           “(iii) BASIS OF SUBSECTOR DETER-  
12           MINATION.—

13                   “(I) IN GENERAL.—Except as  
14                   provided in subclause (II), the Sec-  
15                   retary shall determine an entity or  
16                   group of entities to be a subsector of  
17                   a 6-digit section of the NAICS code  
18                   based only on the products manufac-  
19                   tured and not the industrial process  
20                   by which the products are manufac-  
21                   tured.

22                   “(II) TYPE OF MATERIAL.—The  
23                   Secretary may determine an entity or  
24                   group of entities that manufacture a  
25                   product from primarily virgin material

1 to be a separate subsector from an-  
2 other entity or group of entities that  
3 manufacture the same product pri-  
4 marily from recycled material.

5 “(iv) USE OF MOST RECENT DATA.—

6 In determining whether to designate a sec-  
7 tor or subsector as an eligible industrial  
8 sector under this subparagraph, the Sec-  
9 retary shall use the most recent data avail-  
10 able from the sources described in para-  
11 graph (1)(C), rather than the data from  
12 the years specified in paragraph (1)(C), to  
13 determine the trade intensity of the sector  
14 or subsector, but only for determining the  
15 trade intensity.

16 “(v) FINAL ACTION.—The Secretary  
17 shall take final action on a petition de-  
18 scribed in this subparagraph not later than  
19 180 days after the date the completed peti-  
20 tion is received by the Secretary.

21 “(3) CESSATION OF QUALIFYING ACTIVITIES.—

22 If, as determined by the Secretary, an industrial sec-  
23 tor or a covered good within the sector is no longer  
24 liable to be designated under this section, the Com-  
25 missioner shall cease to apply the border tax adjust-

1           ment on the relevant covered goods with effect from  
2           January 1 of the following year.

3   **“SEC. 9914. BORDER TAX ADJUSTMENT RATE.**

4           “(a) ESTABLISHMENT.—The Secretary, with the con-  
5           currence of the Commissioner, shall, no later than the date  
6           that is one year after the date of the enactment of this  
7           section, promulgate regulations—

8                   “(1) establishing the products which are liable  
9                   for, and requiring payment of, the border tax adjust-  
10                  ment rate,

11                   “(2) establishing a general methodology for cal-  
12                  culating the level of the border tax adjustment rate  
13                  that a domestic importer of any covered good must  
14                  submit and the rebate that an exporter will receive,

15                   “(3) establishing an administrative process  
16                  whereby any determination by the Secretary under  
17                  this subsection may be appealed,

18                   “(4) exempting from this section products that  
19                  originate from—

20                           “(A) any country that the United Nations  
21                           has identified as among the least developed of  
22                           developing countries, or

23                           “(B) any country that the President has  
24                           determined to be responsible for less than 0.5  
25                           percent of total global greenhouse gas emissions

1           and less than 5 percent of global production in  
2           the eligible industrial sector,

3           “(5) specifying the procedures that the Com-  
4           missioner will apply for the declaration and entry of  
5           covered goods with respect to the eligible industrial  
6           sector into the customs territory of the United  
7           States, and

8           “(6) establishing procedures that prevent cir-  
9           cumvention of the carbon tax liability for covered  
10          goods that are manufactured or processed in more  
11          than one foreign country.

12          “(b) PRESIDENTIAL DISCRETION.—The President  
13          may elect not to levy the border tax adjustment for an  
14          eligible industrial sector or for specific products within  
15          that sector if the President determines and certifies to  
16          Congress that the program would not be in the national  
17          interest, economic interest, or environmental interest of  
18          the United States.”.

19          (b) EFFECTIVE DATE.—The amendments made by  
20          this section shall apply to emissions after the later of De-  
21          cember 31, 2025, and the date that is one year after the  
22          date regulations are promulgated under section 9914 of  
23          the Internal Revenue Code of 1986.

1 **Subtitle B—Distribution of Reve-**  
2 **nues From Taxation of Green-**  
3 **house Gas Emissions**

4 **CHAPTER 1—REBUILDING INFRASTRUC-**  
5 **TURE AND SOLUTIONS FOR THE ENVI-**  
6 **RONMENT TRUST FUND**

7 **SEC. 10201. ESTABLISHMENT OF THE RISE TRUST FUND.**

8       There is hereby created in the Treasury of the United  
9 States a trust fund to be known as the “Rebuilding Infra-  
10 structure and Solutions for the Environment Trust Fund”  
11 (hereafter in this Act referred to as the “RISE Trust  
12 Fund”), consisting of amounts paid into the Treasury pur-  
13 suant to subtitle L of the Internal Revenue Code of 1986  
14 (as added by title I of this Act), and 75 percent of such  
15 amounts are hereby appropriated and transferred to the  
16 RISE Trust Fund.

17 **SEC. 10202. APPROPRIATIONS FROM THE RISE TRUST**  
18 **FUND.**

19       (a) IN GENERAL.—Amounts in the RISE Trust  
20 Fund for a fiscal year shall be available, as provided by  
21 appropriation Acts, as follows:

22           (1) 70 percent for each of the fiscal years 2027  
23 through 2036 to the Highway Trust Fund.

24           (2) 1.5 percent for each of the fiscal years 2027  
25 through 2036 for the weatherization program devel-

1 oped under part A of title IV of the Energy Con-  
2 servation and Production Act (42 U.S.C. 6861 et  
3 seq.).

4 (3) 3 percent for each of the fiscal years 2027  
5 through 2036 for assistance for displaced energy  
6 workers under section 321.

7 (4) 2.5 percent for each of the fiscal years 2027  
8 through 2036 to the Airport and Airway Trust Fund  
9 under section 9502 of the Internal Revenue Code of  
10 1986.

11 (5) 0.1 percent for each of the fiscal years 2027  
12 through 2036 to the Leaking Underground Storage  
13 Trust Fund under section 9508 of the Internal Rev-  
14 enue Code of 1986.

15 (6) 1.5 percent for each of the fiscal years 2027  
16 through 2036 to the Abandoned Mine Reclamation  
17 Fund under section 401 of the Surface Mining Con-  
18 trol and Reclamation Act of 1977 (30 U.S.C. 1231).

19 (7) 4 percent for each of the fiscal years 2027  
20 through 2036 for frequent and chronic coastal flood-  
21 ing mitigation and adaptation infrastructure projects  
22 under section 302.

23 (8) 1.5 percent for each of the fiscal years 2027  
24 through 2036 for Advanced Research Projects Agen-

1 cy-Energy under section 5012 of the America COM-  
2 PETES Act (42 U.S.C. 16538).

3 (9) 0.7 percent for each of the fiscal years 2027  
4 through 2036 for the Carbon Capture Research and  
5 Development Program of the National Energy Tech-  
6 nology Laboratory, Office of Fossil Energy, Depart-  
7 ment of Energy.

8 (10) 0.5 percent for each of the fiscal years  
9 2027 through 2036 for assistance for Carbon Stor-  
10 age DOE Fossil Energy Research, Development, and  
11 Demonstration Program Areas, Coal Program Area  
12 (Carbon Storage).

13 (11) 0.5 percent for each of the fiscal years  
14 2027 through 2036 for assistance to the National  
15 Energy Technology Laboratory of the Office of Fos-  
16 sil Energy for the research and development of car-  
17 bon removal technologies.

18 (12) 0.3 percent for each of the fiscal years  
19 2027 through 2036 to the Secretary of Energy for  
20 research and development to identify and assess  
21 novel uses for carbon oxides, including the conver-  
22 sion of carbon dioxide for commercial and industrial  
23 products, such as chemicals, plastics, building mate-  
24 rials, fuels, cement, products of coal use in power

1 systems or other applications, or other products with  
2 demonstrated market value.

3 (13) 0.2 percent for each of the fiscal years  
4 2027 through 2036 to the Secretary of Energy to  
5 provide grants to entities constructing common car-  
6 rier pipeline infrastructure to transport anthropo-  
7 genic carbon dioxide for the incremental cost of pro-  
8 viding extra capacity for future carbon dioxide trans-  
9 port needs.

10 (14) 0.5 percent for each of the fiscal years  
11 2027 through 2036 for research and development re-  
12 lating to energy storage by battery through the Of-  
13 fice of Electricity, Department of Energy.

14 (15) 10 percent for each of the fiscal years  
15 2027 through 2036 for State grants under section  
16 203.

17 (16) 1 percent for each of the fiscal years 2027  
18 through 2036 to the Reforestation Trust Fund (16  
19 U.S.C. 1606a).

20 (17) 0.1 percent for each of the fiscal years  
21 2027 through 2036 for assistance through coopera-  
22 tive agreements to decrease the environmental im-  
23 pact of energy-related activities pursuant to section  
24 931 of the Energy Policy Act of 2005 (42 U.S.C.  
25 16231).

1           (18) 1.6 percent for each of the fiscal years  
2           2027 through 2036 for the environmental quality in-  
3           centives program under chapter 4 of subtitle D of  
4           title XII of the Food Security Act of 1985 (16  
5           U.S.C. 3839aa et seq.) for payments to producers to  
6           implement practices that promote improvements  
7           identified in subparagraphs (A) and (C) of section  
8           1240B(d)(3) of such Act (16 U.S.C. 3839aa–2).

9           (19) 0.5 percent for each of the fiscal years  
10          2027 through 2036 for the regional conservation  
11          partnership program under section 1271 of the Food  
12          Security Act of 1985 (16 U.S.C. 3871) for eligible  
13          activities on eligible land through partnership agree-  
14          ments with eligible partners and contracts with pro-  
15          ducers that address one of the following goals:

16                   (A) Soil health.

17                   (B) Nutrient management.

18                   (C) Forest restoration.

19                   (D) Reduction of methane emissions.

20                   (E) Other related activities that the Sec-  
21           retary determines will help achieve conservation  
22           benefits and increase carbon sequestration or  
23           reduce greenhouse gas emissions.

24          (b) CARBON REMOVAL.—For purposes of subsection

25 (a)(11), the term “carbon removal technologies” includes:

1           (1) Direct air capture and storage technologies,  
2           which shall not include any equipment which cap-  
3           tures carbon dioxide which is deliberately released  
4           from naturally occurring subsurface springs or using  
5           natural photosynthesis.

6           (2) Bioenergy with carbon capture and seques-  
7           tration.

8           (3) Enhanced geological weathering.

9           (4) Agricultural and grazing practices.

10          (5) Forest management and afforestation.

11          (6) Planned or managed carbon sinks, including  
12          natural and artificial.

13          (c) WAGE RATE REQUIREMENTS.—Notwithstanding  
14          any other provision of law and in a manner consistent with  
15          other provisions in this title, all laborers and mechanics  
16          employed by contractors and subcontractors on projects  
17          funded directly by or assisted in whole or in part by and  
18          through the Federal Government pursuant to this title  
19          shall be paid wages at rates not less than those prevailing  
20          on projects of a character similar in the locality as deter-  
21          mined by the Secretary of Labor in accordance with sub-  
22          chapter IV of chapter 31 of title 40, United States Code.  
23          With respect to the labor standards specified in this sec-  
24          tion, the Secretary of Labor shall have the authority and  
25          functions set forth in Reorganization Plan Numbered 14

1 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145  
2 of title 40, United States Code.

3 (d) CONFORMING AMENDMENTS.—

4 (1) LEAKING UNDERGROUND STORAGE TANK  
5 TRUST FUND.—Section 9508(b) of the Internal Rev-  
6 enue Code of 1986 is amended—

7 (A) by striking “and” at the end of para-  
8 graph (3),

9 (B) by striking the period at the end of  
10 paragraph (4) and inserting “, and”, and

11 (C) by inserting after paragraph (4) the  
12 following:

13 “(5) amounts made available to the Leaking  
14 Underground Storage Tank Trust Fund from the  
15 RISE Trust Fund under section 202(a)(5) of the  
16 Modernizing America with Rebuilding to Kickstart  
17 the Economy of the Twenty-first Century with a  
18 Historic Infrastructure-Centered Expansion Act.”.

19 (2) REFORESTATION TRUST FUND.—

20 (A) SOURCE OF FUNDS.—Section 303(a)  
21 of the Act of October 14, 1980 (16 U.S.C.  
22 1606a(a)) is amended by striking “subsection  
23 (b)(1)” and inserting “paragraph (1) or (4) of  
24 subsection (b)”.

1 (B) SPECIAL RULE RELATING TO LIMITA-  
2 TION.—Section 303(b) of the Act of October  
3 14, 1980 (16 U.S.C. 1606a(b)) is amended—

4 (i) in paragraph (2) by inserting  
5 “under paragraph (1)” after “The Sec-  
6 retary of the Treasury shall transfer”, and

7 (ii) by adding at the end the fol-  
8 lowing:

9 “(4) Not later than 9 months after the enact-  
10 ment of the Modernizing America with Rebuilding to  
11 Kickstart the Economy of the Twenty-first Century  
12 with a Historic Infrastructure-Centered Expansion  
13 Act, the Secretary shall transfer to the Trust Fund  
14 the amounts made available under section  
15 202(a)(13) of such Act.”.

16 **SEC. 10203. STATE GRANTS.**

17 (a) IN GENERAL.—From amounts made available  
18 under section 202(a)(15), the Secretary of the Treasury  
19 shall make a annual grant to each State (hereafter in this  
20 section referred to as “State grant”) to distribute to eligi-  
21 ble low-income households in accordance with this section.

22 (b) ELIGIBLE LOW-INCOME HOUSEHOLD.—A house-  
23 hold shall be considered to be an eligible low-income house-  
24 hold for purposes of this section if—

1           (1) except as provided in subsection (d)(4), the  
2 gross income of the household does not exceed 150  
3 percent of the poverty line;

4           (2) the appropriate State agency for the State  
5 in which the household is located determines that  
6 the household is participating in—

7                 (A) the Supplemental Nutrition Assistance  
8 Program authorized by the Food and Nutrition  
9 Act of 2008 (7 U.S.C. 2011 et seq.);

10                (B) the Food Distribution Program on In-  
11 dian Reservations authorized by section 4(b) of  
12 such Act (7 U.S.C. 2013(b)); or

13                (C) the program for nutrition assistance in  
14 Puerto Rico or American Samoa under section  
15 19 of such Act (7 U.S.C. 2028);

16           (3) the household consists of a single individual  
17 or a married couple, and—

18                 (A) receives the subsidy described in sec-  
19 tion 1860D–14 of the Social Security Act (42  
20 U.S.C. 1395w–114); or

21                 (B)(i) participates in the program under  
22 title XVIII of the Social Security Act; and

23                 (ii) meets the income requirements de-  
24 scribed in section 1860D–14(a)(1) or (a)(2) of

1           the Social Security Act (42 U.S.C. 1395w–  
2           114(a)(1) or (a)(2)); or

3           (4) the household consists of a single individual  
4           or a married couple, and receives benefits under the  
5           supplemental security income program under title  
6           XVI of the Social Security Act (42 U.S.C. 1381–  
7           1383f).

8           (c) AMOUNT.—The Secretary of the Treasury, in con-  
9           sultation with the Secretary of Energy and the Adminis-  
10          trator of the Environmental Protection Agency, shall de-  
11          termine the amount of each State grant in proportion to  
12          the percentage of total United States greenhouse gas emis-  
13          sions attributable to electricity, natural gas, gasoline, die-  
14          sel, and fuel ethanol sold in such State during the pre-  
15          ceding calendar year.

16          (d) RULE RELATING TO PROCESS.—Not later than  
17          1 year after the enactment of this Act, the Secretary of  
18          the Treasury shall establish by rule a date in each year  
19          by which each State shall notify the Secretary how the  
20          State intends to distribute the State Grant. The Secretary  
21          shall transfer the State Grant to each State only upon  
22          the State demonstrating to the Secretary’s satisfaction  
23          that the State intends to distribute the State Grant in ac-  
24          cordance with this section.

1 (e) STATE.—For the purposes of this section, the  
2 term “State” includes the District of Columbia and any  
3 territory or possession of the United States.

4 **CHAPTER 2—CERTAIN MANUFACTURERS**  
5 **EXCISE TAXES**

6 **SEC. 10211. REPEAL OF FEDERAL MOTOR VEHICLE AND**  
7 **AVIATION FUEL TAXES.**

8 (a) IN GENERAL.—Subpart A of part III of sub-  
9 chapter A of chapter 32 of the Internal Revenue Code of  
10 1986 is hereby repealed.

11 (b) EFFECTIVE DATE.—The repeal made by sub-  
12 section (a) shall apply to transactions after December 31,  
13 2025.

14 **SEC. 10212. MODIFICATIONS OF QUALIFYING ADVANCED**  
15 **COAL PROJECT CREDIT.**

16 (a) SEQUESTRATION REQUIREMENT FOR CERTAIN  
17 EQUIPMENT.—Section 48A(e)(1)(G) of the Internal Rev-  
18 enue Code of 1986 is amended by inserting “and 60 per-  
19 cent in the case of an application for a reallocation of cred-  
20 its under subsection (d)(4) with respect to an electrical  
21 generating unit in existence on October 3, 2008” after  
22 “under subsection (d)(4)”.

23 (b) NAMEPLATE GENERATING CAPACITY REQUIRE-  
24 MENT.—Section 48A(e)(1)(C) of such Code is amended by

1 striking “400 megawatts” and inserting “200  
2 megawatts”.

3 (c) ADVANCED COAL-BASED GENERATION TECH-  
4 NOLOGY REQUIREMENTS.—

5 (1) IN GENERAL.—Section 48A(f)(1) of such  
6 Code is amended by striking “generation technology  
7 if—” and all that follows through “the unit is de-  
8 signed” and inserting “generation technology if the  
9 unit is designed”.

10 (2) CONFORMING AMENDMENTS.—Section  
11 48A(f) is amended—

12 (A) by striking all that precedes “the pur-  
13 pose of this section” and inserting the fol-  
14 lowing:

15 “(f) ADVANCED COAL-BASED GENERATION TECH-  
16 NOLOGY.—For”;

17 (B) by striking “in subparagraph (B)” in  
18 the second sentence and inserting “in this sub-  
19 section”; and

20 (C) by striking paragraphs (2) and (3).

21 (d) PERFORMANCE REQUIREMENTS IN CASE OF  
22 BEST AVAILABLE CONTROL TECHNOLOGY.—Section  
23 48A(f) of such Code, as amended by this Act, is amended  
24 by adding at the end the following: “In the case of a ret-  
25 rofit of a unit which has undergone a best available control

1 technology analysis after August 8, 2005, with respect to  
2 the removal or emissions of any pollutant which is SO<sub>2</sub>  
3 or NO<sub>x</sub>, the removal or emissions design level with respect  
4 to such pollutant shall be the level determined in such  
5 analysis.”.

6 (e) CLARIFICATION OF REALLOCATION AUTHOR-  
7 ITY.—Section 48A(d)(4) of the Internal Revenue Code of  
8 1986 is amended—

9 (1) in subparagraph (A)—

10 (A) by striking “Not later than 6 years  
11 after the date of enactment of this section, the”  
12 and inserting “The”; and

13 (B) by inserting “and every 6 months  
14 thereafter until all credits available under this  
15 section have been allowed” after “the date  
16 which is 6 years after the date of enactment of  
17 this section”;

18 (2) in subparagraph (B)—

19 (A) by striking “may reallocate credits  
20 available under clauses (i) and (ii) of paragraph  
21 (3)(B)” and inserting “shall reallocate credits  
22 remaining available under paragraph (3)”;

23 (B) by striking “or” at the end of clause  
24 (i); and

1 (C) by striking clause (ii) and inserting the  
2 following:

3 “(ii) any applicant for certification  
4 which submitted an accepted application  
5 has subsequently failed to satisfy the re-  
6 quirements under paragraph (2)(D), or

7 “(iii) any certification made pursuant  
8 to paragraph (2) has been revoked pursu-  
9 ant to paragraph (2)(E).”; and

10 (3) in subparagraph (C)—

11 (A) by striking “clause (i) or (ii) of para-  
12 graph (3)(B)” and inserting “paragraph (3)”;

13 (B) by striking “is authorized to” and in-  
14 serting “shall”; and

15 (C) by striking “an additional program”  
16 and inserting “additional programs”.

17 (f) EFFECTIVE DATE.—

18 (1) IN GENERAL.—Except as provided in para-  
19 graph (2), the amendments made by this section  
20 shall apply to allocations and reallocations after the  
21 date of the enactment of this Act.

22 (2) REALLOCATION.—The amendments made  
23 by subsection (e) shall apply to credits remaining  
24 available under section 48A(d)(3) of the Internal

1 Revenue Code of 1986 on the date of the enactment  
2 of this Act.

3 **Subtitle C—Amendments to Other**  
4 **Laws**

5 **CHAPTER 1—AMENDMENTS TO FEDERAL**  
6 **ENVIRONMENTAL STATUTES**

7 **SEC. 10301. AMENDMENTS TO THE CLEAN AIR ACT.**

8 (a) IN GENERAL.—Title III of the Clean Air Act (42  
9 U.S.C. 7601) is amended by adding at the end the fol-  
10 lowing:

11 **“SEC. 330. MORATORIUM AGAINST CERTAIN REGULATIONS**  
12 **BASED ON GREENHOUSE GAS EFFECTS.**

13 “(a) FUELS.—Unless specifically authorized in sec-  
14 tion 202, 211, 213, 231, or this section, after a fossil fuel  
15 has passed through a point of taxation as provided in sec-  
16 tion 9901(d) of the Internal Revenue Code of 1986, sub-  
17 ject to subsection (g), the Administrator shall not issue  
18 or enforce any rule limiting the emission of greenhouse  
19 gases from the combustion of that fuel under this Act (or  
20 impose any requirement on any State to limit such emis-  
21 sion) on the basis of the emission’s greenhouse gas effects.

22 “(b) EMISSIONS.—Unless specifically authorized in  
23 section 202, 211, 213, 231, or this section, if emission  
24 of any greenhouse gas is subject to taxation pursuant to  
25 section 9902 or 9903 of the Internal Revenue Code of

1 1986, the Administrator shall not issue or enforce any rule  
2 limiting such emission under this Act (or impose any re-  
3 quirement on any State to limit such emission) on the  
4 basis of the emission’s greenhouse gas effects.

5 “(c) AUTHORIZED REGULATION.—Notwithstanding  
6 subsections (a) and (b), nothing in this section limits the  
7 Administrator’s authority pursuant to any other provision  
8 of this Act—

9 “(1) to limit the emission of any greenhouse  
10 gas because of any adverse impact on health or wel-  
11 fare other than its greenhouse gas effects;

12 “(2) in limiting emissions as described in para-  
13 graph (1), to consider the collateral benefits of lim-  
14 iting the emissions because of greenhouse gas ef-  
15 fects;

16 “(3) to limit the emission of any other pollutant  
17 that is not a greenhouse gas that the Administrator  
18 determines by rule has heat-trapping properties; or

19 “(4) to take any action with respect to any  
20 greenhouse gas other than limiting its emission, in-  
21 cluding—

22 “(A) monitoring, reporting, and record-  
23 keeping requirements;

24 “(B) conducting or supporting investiga-  
25 tions; and

1 “(C) information collection.

2 “(d) EXCEPTION FOR CERTAIN GREENHOUSE GAS  
3 EMISSIONS.—Notwithstanding subsections (a) and (b),  
4 nothing in this section limits the Administrator’s authority  
5 to regulate greenhouse gas emissions from—

6 “(1) facilities that—

7 “(A) are subject to subpart OOOO or  
8 OOOOa of part 60 of title 40, Code of Federal  
9 Regulations, as in effect on January 1, 2018, or

10 “(B) would be subject to either subpart  
11 OOOO or OOOOa if those subparts applied to  
12 facilities without regard to the date on which  
13 construction, modification, or reconstruction  
14 commenced, and

15 “(2) POTW Treatment Plants (as defined in  
16 section 403.3(r) of title 40, Code of Federal Regula-  
17 tions (as in effect on the date of enactment of this  
18 section)).

19 “(e) DEFINITIONS.—In this section, the terms  
20 ‘greenhouse gas’ and ‘greenhouse gas effects’ have the  
21 meanings given to those terms in section 9907 of the In-  
22 ternal Revenue Code of 1986.

23 “(f) MORATORIUM EXPIRATION.—Subsections (a)  
24 and (b) shall cease to apply beginning on January 1, 2039.

25 “(g) EXCEPTIONS.—

1           “(1) 2030.—Notwithstanding subsections (a)  
2           and (b) of this section and section 211(c)(5) of this  
3           Act, if the Administrator determines by March 30,  
4           2031, pursuant to the report required by section  
5           9901(b)(3)(A) of the Internal Revenue Code of  
6           1986, that total greenhouse gas emissions from  
7           sources subject to taxation under sections 9901  
8           through 9903 of such Code during the period of cal-  
9           endar years 2027 through 2030 exceed the emission  
10          level specified in section 9901(b)(3)(A) of such Code  
11          for calendar year 2028, then beginning on October  
12          1, 2031, subsections (a) and (b) shall cease to apply.

13          “(2) 2034.—Notwithstanding subsections (a)  
14          and (b) of this section and section 211(c)(5) of this  
15          Act, if the Administrator determines by March 30,  
16          2035, pursuant to the report required by section  
17          9901(b)(3)(A) of the Internal Revenue Code of  
18          1986, that total greenhouse gas emissions from  
19          sources subject to taxation under sections 9901  
20          through 9903 of such Code during the period of cal-  
21          endar years 2027 through 2034 exceed the emission  
22          level specified in section 9901(b)(3)(A) of such Code  
23          for calendar year 2034, then beginning on October  
24          1, 2035, subsections (a) and (b) shall cease to  
25          apply.”.

1 (b) NEW MOTOR VEHICLES AND NEW MOTOR VEHI-  
2 CLE ENGINES.—Section 202(b) of the Clean Air Act (42  
3 U.S.C. 7521(b)) is amended—

4 (1) by redesignating the second paragraph (3)  
5 (as redesignated by section 230(4)(C) of Public Law  
6 101–549 (104 Stat. 2529)) as paragraph (4); and

7 (2) by adding at the end the following:

8 “(5) Notwithstanding section 330(a), the Ad-  
9 ministrator may—

10 “(A) limit the emission of any greenhouse  
11 gas (as defined in section 9907 of the Internal  
12 Revenue Code of 1986) on the basis of the  
13 emission’s greenhouse gas effects (as defined in  
14 section 9907 of the Internal Revenue Code of  
15 1986) from any class or classes of new motor  
16 vehicles or new motor vehicle engines subject to  
17 regulation under subsection (a)(1); and

18 “(B) grant a waiver under section  
19 209(b)(1) for standards for the control of  
20 greenhouse gas emissions.”.

21 (c) FUELS.—Section 211(c) of the Clean Air Act (42  
22 U.S.C. 7545(c)) is amended by adding at the end the fol-  
23 lowing new paragraph:

24 “(5) Except as required in subsection (o), the  
25 Administrator shall not, pursuant to this subsection,

1 impose on any manufacturer, processor, or dis-  
2 tributor of fuel any requirement for the purpose of  
3 reducing the emission of any greenhouse gas (as de-  
4 fined in section 9907 of the Internal Revenue Code  
5 of 1986) produced by combustion of the fuel on the  
6 basis of the emission's greenhouse gas effects (as de-  
7 fined in section 9907 of the Internal Revenue Code  
8 of 1986).”.

9 (d) NONROAD ENGINES AND VEHICLES EMISSIONS  
10 STANDARDS.—Section 213 of the Clean Air Act (42  
11 U.S.C. 7547) is amended by adding at the end the fol-  
12 lowing:

13 “(e) GREENHOUSE GAS EMISSIONS.—Notwith-  
14 standing subsections (a) and (b) of section 330, the Ad-  
15 ministrator may limit the emission of any greenhouse gas  
16 (as defined in section 9907 of the Internal Revenue Code  
17 of 1986) on the basis of the emission's greenhouse gas  
18 effects (as defined in section 9907 of the Internal Revenue  
19 Code of 1986) from any nonroad engines and nonroad ve-  
20 hicles subject to regulation under this section.”.

21 (e) AIRCRAFT EMISSION STANDARDS.—Section 231  
22 of the Clean Air Act (42 U.S.C. 757) is amended by add-  
23 ing at the end the following new subsection:

24 “(d) Notwithstanding subsections (a) and (b) of sec-  
25 tion 330, the Administrator may limit the emission of any

1 greenhouse gas (as defined in section 9907 of the Internal  
2 Revenue Code of 1986) on the basis of the emission’s  
3 greenhouse gas effects (as defined in section 9907 of the  
4 Internal Revenue Code of 1986) from any class or classes  
5 of aircraft engines, so long as any such limitation is not  
6 more stringent than the standards adopted by the Inter-  
7 national Civil Aviation Organization.”.

8 **SEC. 10302. FREQUENT AND CHRONIC FLOODING MITIGA-**  
9 **TION AND ADAPTATION INFRASTRUCTURE**  
10 **PROJECTS.**

11 (a) IN GENERAL.—The Secretary of Commerce and  
12 the Secretary of the Army (hereinafter referred to as “the  
13 Secretaries”), in consultation with the Secretary of Home-  
14 land Security, may make grants to State and local govern-  
15 ments and federally recognized Indian Tribes for frequent  
16 and chronic flooding mitigation and adaptation infrastruc-  
17 ture projects.

18 (b) AUTHORIZED USES.—Amounts provided as a  
19 grant under this section may be used for any of the fol-  
20 lowing:

21 (1) Adaptation of existing infrastructure to  
22 mitigate impacts of climate change, including en-  
23 hancements to both built and natural environments.

24 (2) Maintenance and updating of existing flood  
25 risk reduction infrastructure, such as gravity drain-

1 age structures, road elevation, bulkheads, gates, and  
2 floodwalls.

3 (3) Increasing resilience to frequent and chronic  
4 flooding, including (as combined or separate  
5 projects)—

6 (A) the creation of bulkheads, levees, and  
7 other hard infrastructure alone or in combina-  
8 tion with natural infrastructure described in  
9 subparagraph (B); and

10 (B) habitat restoration work, including  
11 dune enhancement, vegetative restoration,  
12 beach renourishment, coral and oyster reef res-  
13 toration, floodplain restoration, and other ac-  
14 tions to restore the function of the natural eco-  
15 logical function and processes to provide flood  
16 risk reduction benefits.

17 (4) Improvements to conveyance, diversion, re-  
18 moval, and storage infrastructure to reduce risks  
19 caused by frequent and chronic flooding.

20 (5) Innovative methods to reduce risks caused  
21 by chronic flooding along street infrastructure sys-  
22 tems, including canal streets, absorbent streets,  
23 floodable parks, bioswales, rain gardens, permeable  
24 pavement, and underground cisterns.

1           (6) Deployment of technologies designed to  
2 mitigate power outages, continue delivery of vital  
3 electricity services, and maintain the flow of power  
4 to facilities critical to public health, safety, and wel-  
5 fare, including distributed generation, energy stor-  
6 age, and microgrids.

7           (c) LIMITATION ON PROJECT ELIGIBILITY.—A  
8 project shall not be eligible for funding under this section  
9 if it will have any long-term negative impact on important  
10 ecological functions and habitat or existing natural protec-  
11 tion features and functions.

12          (d) PRIORITY.—In making grants under this section  
13 the Secretaries shall give priority to the following:

14           (1) Protecting areas designated as special flood  
15 hazard areas for purposes of the national flood in-  
16 surance program under the National Flood Insur-  
17 ance Act of 1968 (42 U.S.C. 4001 et seq.) and the  
18 Flood Disaster Protection Act of 1973 (42 U.S.C.  
19 4001 et seq.), hazard areas that incorporate at least  
20 2 feet of additional freeboard, or 3 feet in the case  
21 of critical infrastructure, above base flood elevation.

22           (2) Protecting critical infrastructure, as that  
23 term is defined in section 1016(e) of the USA PA-  
24 TRIOT Act of 2001 (42 U.S.C. 5195c(e)).

1           (3) Projects that yield flood risk reduction ben-  
2           efits and additional environmental, social, and eco-  
3           nomic benefits.

4           (e) JOINT APPLICATION.—Two or more contiguous  
5           local governments or Tribes may jointly apply for, and re-  
6           ceive, a grant under this section.

7           (f) COST SHARING.—

8           (1) LIMITATION ON FEDERAL SHARE.—The  
9           Federal share of the cost of any activity carried out  
10          with a grant under this section shall not exceed 90  
11          percent of the cost of such activity.

12          (2) NON-FEDERAL SHARE.—The Secretary  
13          shall apply to the non-Federal share of an activity  
14          carried out with a grant under this section the  
15          amount of funds, and the fair market value of prop-  
16          erty and services, provided by non-Federal sources  
17          and used for the activity.

18          (g) REPORTS.—Each recipient of a grant under this  
19          section shall report annually to the Secretaries on the  
20          progress made on the project carried out with the grant.

21       **SEC. 10303. NO PREEMPTION OF STATE LAW.**

22          Nothing in this title shall preempt or supersede, or  
23          be interpreted to preempt or supersede, any State law or  
24          regulation.

1 **CHAPTER 2—ASSISTANCE TO DISPLACED**  
2 **WORKERS IN THE ENERGY SECTOR**

3 **SEC. 10321. ASSISTANCE TO DISPLACED WORKERS IN THE**  
4 **ENERGY SECTOR.**

5 (a) IN GENERAL.—For a period of 10 years after the  
6 enactment of the Modernizing America with Rebuilding to  
7 Kickstart the Economy of the Twenty-first Century with  
8 a Historic Infrastructure-Centered Expansion Act, from  
9 amounts made available under section 202 of this Act, the  
10 Secretary of Labor shall carry out a program to assist  
11 workers in the energy sector.

12 (b) WORKERS IN THE ENERGY SECTOR.—For pur-  
13 poses of this section, the term “workers in the energy sec-  
14 tor” means—

15 (1) workers in fossil energy sectors that may be  
16 displaced as a result of the enactment of this Act;  
17 and

18 (2) workers in the nuclear power sector that  
19 work at a nuclear power plant—

20 (A) that ceased operation in the two years  
21 preceding the date of enactment of this Act; or

22 (B) the owner of which announced prior to  
23 the date of enactment of this Act its intent to  
24 cease the operation of the plant at a future  
25 date.

1 (c) ELIGIBLE ACTIVITIES.—Such assistance may  
2 take the form of the following:

3 (1) Worker retraining.

4 (2) Relocation expenses for those who move to  
5 find new employment.

6 (3) Early retirement.

7 (4) Health benefits.

8 (5) Block grants to affected communities for  
9 economic redevelopment and infrastructure invest-  
10 ments.

11 (6) Transfers to the trustees of the 1974  
12 United Mine Workers of America Pension Plan to  
13 pay benefits required under that plan. No such  
14 transfer shall be made in a first fiscal year begin-  
15 ning after a plan year for which the funded percent-  
16 age (as defined in section 432(j)(2) of the Internal  
17 Revenue Code of 1986) of the 1974 United Mine  
18 Workers of America Pension Plan is at least 100  
19 percent.

20 **Subtitle D—National Climate**  
21 **Commission**

22 **SEC. 10401. ESTABLISHMENT OF COMMISSION.**

23 (a) ESTABLISHMENT.—There is established a bipar-  
24 tisan commission to be known as the “National Climate

1 Commission” (in this title referred to as the “Commis-  
2 sion”).

3 (b) MEMBERSHIP.—

4 (1) COMPOSITION.—The Commission shall be  
5 composed of 10 members, appointed as follows:

6 (A) One cochair appointed by the Presi-  
7 dent.

8 (B) One cochair appointed by the majority  
9 or minority leader of the Senate, whoever is of  
10 the opposite party as the President, in consulta-  
11 tion with the Speaker or minority leader of the  
12 House of Representatives, whoever is of the op-  
13 posite party as the President.

14 (C) Two members appointed by the major-  
15 ity leader of the Senate.

16 (D) Two members appointed by the minor-  
17 ity leader of the Senate.

18 (E) Two members appointed by the Speak-  
19 er of the House of Representatives.

20 (F) Two members appointed by the minor-  
21 ity leader of the House of Representatives.

22 (2) QUALIFICATIONS.—

23 (A) IN GENERAL.—To be considered for  
24 membership on the Commission, an individual  
25 shall demonstrate expertise in the economy, en-

1           ergy, climate, or public health, and be a rep-  
2           resentative from—

3                   (i) an academic, scientific, or other  
4                   non-governmental organization; or

5                   (ii) an industry organization or small  
6                   business in a relevant sector such as—

7                           (I) energy supply and trans-  
8                           mission, including fossil fuels and re-  
9                           newable energy;

10                           (II) energy exploration and pro-  
11                           duction, including fossil fuels and re-  
12                           newable energy;

13                           (III) solid waste and wastewater;

14                           (IV) transportation;

15                           (V) chemical manufacturing;

16                           (VI) agriculture;

17                           (VII) construction; and

18                           (VIII) forestry.

19                   (B) CERTAIN PERSONS INELIGIBLE.—No  
20                   employee, owner, director, or other person affili-  
21                   ated with an entity that has donated funding  
22                   for the activities of the Commission pursuant to  
23                   section 404(a) may be appointed to the Com-  
24                   mission.

1           (C) APPOINTMENT DEADLINE.—Members  
2 of the Commission shall be appointed not later  
3 than 180 days after the date of the enactment  
4 of this Act.

5           (D) PERIOD OF APPOINTMENT.—Members  
6 of the Commission shall be appointed for a  
7 term of 6 years, which may be renewed.

8           (E) VACANCY.—A vacancy in the Commis-  
9 sion shall not affect the powers of the Commis-  
10 sion and shall be filled in the same manner in  
11 which the original appointment was made.

12          (3) COMPENSATION OF EMPLOYEES.—Each  
13 member of the Commission may be compensated at  
14 a rate not to exceed the daily equivalent of the an-  
15 nual rate of basic pay in effect for a position at level  
16 IV of the Executive Schedule under section 5315 of  
17 title 5, United States Code, for each day during  
18 which that member is engaged in the performance of  
19 the duties of the Commission.

20          (4) TRAVEL EXPENSES.—Each member shall  
21 receive travel expenses to perform the duties of the  
22 Commission, including per diem in lieu of subsist-  
23 ence, at rates authorized under subchapter I of  
24 chapter 57 of title 5, United States Code.

25          (c) MEETINGS.—

1           (1) INITIAL MEETING.—The Commission shall  
2           hold its first meeting not later than 2 years after the  
3           date of enactment of this Act.

4           (2) MEETING.—The Commission shall meet not  
5           less than once every 3 years.

6           (3) QUORUM.—Six members of the Commission  
7           shall constitute a quorum.

8   **SEC. 10402. DUTIES OF COMMISSION.**

9           (a) GOALS.—The Commission shall set goals for  
10          emissions reduction to be achieved by 2031 and every five  
11          years thereafter through 2056, using such estimated rates  
12          of reduction as the Commission determines reflect the lat-  
13          est scientific findings of what is necessary to avoid the  
14          serious human health and environmental consequences of  
15          climate change.

16          (b) REVIEW.—The Commission shall assess the effect  
17          of existing policies and programs of the Federal govern-  
18          ment with the aim of achieving the emissions reduction  
19          goals in subsection (a).

20          (c) REPORT.—Beginning in 2032, and every 5 years  
21          thereafter, the Commission shall issue a report to the  
22          President, Congress, and the States, which shall include—

23                  (1) an analysis of whether the policies and pro-  
24                  grams assessed under subsection (b) are on pace to

1 achieving the emissions reduction goals set under  
2 subsection (a);

3 (2) recommendations, if any, for reducing  
4 greenhouse gas emissions; and

5 (3) a minority report with dissenting views, if  
6 applicable.

7 **SEC. 10403. POWERS OF COMMISSION.**

8 (a) **OBTAINING OFFICIAL DATA.—**

9 (1) **IN GENERAL.—**The Commission may secure  
10 directly from any executive department, bureau,  
11 agency, board, commission, office, independent es-  
12 tablishment, or instrumentality of the government,  
13 unrestricted information, suggestions, estimates, and  
14 statistics for the purpose of carrying out this title.  
15 Each department, bureau, agency, board, commis-  
16 sion, office, independent establishment, or instru-  
17 mentality shall, to the extent authorized by provi-  
18 sions of law other than this section, furnish such un-  
19 restricted information, suggestions, estimates, and  
20 statistics directly to the Commission, upon request  
21 made by a cochair or any member designated by a  
22 majority of the Commission.

23 (2) **RECEIPT, HANDLING, STORAGE, AND DIS-**  
24 **SEMINATION.—**Unrestricted information provided to  
25 the Commission under paragraph (1) shall be re-



1 purpose of carrying out this title, to be deposited in the  
2 Treasury and made available consistent with the author-  
3 ization of appropriations in subsection (c).

4 (b) TRANSPARENCY.—The amounts and sources of  
5 all funds donated under subsection (a) and all spending  
6 by the Commission shall be made publicly available on the  
7 website of the Commission.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
9 authorized to be appropriated to the Commission, for the  
10 purpose of carrying out the activities of this title,  
11 \$5,000,000 for each of fiscal years 2027 through 2036.

12 **SEC. 10405. STAFF OF THE COMMISSION.**

13 (a) DETAIL OF GOVERNMENT EMPLOYEES.—Any  
14 Federal Government employee may be detailed to the  
15 Commission without reimbursement from the Commission,  
16 and such detail shall be without interruption or loss of  
17 civil service status or privilege.

18 (b) EXPERT AND CONSULTANT SERVICES.—The  
19 Commission may procure the services of experts and con-  
20 sultants in accordance with section 3109 of title 5, United  
21 States Code, at rates not to exceed the daily equivalent  
22 of the annual rate of basic pay in effect for a position  
23 at level IV of the Executive Schedule under section 5315  
24 of title 5, United States Code.

1           **TITLE II—KO CANCER ACT**

2   **SEC. 201. SHORT TITLE.**

3           This title may be cited as the “Knock Out Cancer  
4 Act” or the “KO Cancer Act”.

5   **SEC. 202. INCREASING NCI BUDGET FOR CANCER RE-**  
6                           **SEARCH.**

7           To conduct or support cancer research, there is here-  
8 by appropriated, for each of fiscal years 2026 through  
9 2030, to the National Cancer Institute, out of amounts  
10 in the Treasury not otherwise appropriated, an amount  
11 that is equal to 25 percent of the total amount appro-  
12 priated to the National Cancer Institute for fiscal year  
13 2024, to remain available until expended. Amounts appro-  
14 priated pursuant to the preceding sentence shall be in ad-  
15 dition to amounts otherwise made available to the Na-  
16 tional Cancer Institute.

17   **SEC. 203. REPORT TO CONGRESS ON CANCER DRUG SHORT-**  
18                           **AGES.**

19           (a) **STUDY.**—The Secretary of Health and Human  
20 Services, acting through the Commissioner of Food and  
21 Drugs, in collaboration with such other agencies as the  
22 Secretary deems necessary, shall study the reasons for  
23 cancer drug shortages, including—

- 24                   (1) economic reasons;  
25                   (2) supply chain failures;

1 (3) delays and other complications relating to—

2 (A) the development of cancer drugs; and

3 (B) the approval of such drugs by the

4 Food and Drug Administration; and

5 (4) insufficient generic drugs and biosimilar bi-  
6 ological products.

7 (b) REPORT.—

8 (1) IN GENERAL.—Not later than 1 year after  
9 the date of enactment of this Act, the Secretary of  
10 Health and Human Services, acting through the  
11 Commissioner of Food and Drugs, shall complete  
12 the study under subsection (a) and submit a report  
13 to the appropriate committees of the Congress on  
14 the results of such study.

15 (2) RECOMMENDATIONS.—The report under  
16 paragraph (1) shall include recommendations for ad-  
17 dressing the reasons for cancer drug shortages.

18 **TITLE III—COORDINATOR FOR**  
19 **ENGAGEMENT WITH PFAS-IM-**  
20 **PACTED DEFENSE COMMU-**  
21 **NITIES**

22 **SEC. 301. COORDINATOR FOR ENGAGEMENT FOR PFAS-IM-**  
23 **PACTED DEFENSE COMMUNITIES.**

24 (a) ESTABLISHMENT.—Not later than one year after  
25 the date of enactment of this Act, the Secretary shall des-

1 designate an official of the Department of Defense as the  
2 “Coordinator for Engagement with Defense Communities  
3 Affected by PFAS”.

4 (b) RESPONSIBILITIES.—The responsibilities of the  
5 Coordinator designated under subsection (a) are—

6 (1) to improve the outreach, education, and  
7 communication efforts of the Department with re-  
8 spect to current or former defense communities lo-  
9 cated in the United States that have been affected  
10 by the contamination or leakage of perfluoroalkyl  
11 and polyfluoroalkyl substances (referred to in this  
12 section as “PFAS”); and

13 (2) to serve as a dedicated liaison between the  
14 Department of State and local governments, advo-  
15 cacy organizations, and individual citizens in the  
16 current and former defense communities where the  
17 Department has ongoing or incomplete PFAS reme-  
18 diation projects.

19 (c) DEFINITION OF PERFLUOROALKYL AND  
20 POLYFLUOROALKYL SUBSTANCES.—For the purposes of  
21 this section, the terms “perfluoroalkyl substance” and  
22 “polyfluoroalkyl substance” have the meanings given such  
23 terms in section 333(b) of the National Defense Author-  
24 ization Act for Fiscal Year 2021 (Public Law 116–283;  
25 134 Stat. 3531; 10 U.S.C. 3062 note).

1 **TITLE IV—NATIONAL BIPAR-**  
2 **TISAN FISCAL COMMISSION**

3 **SEC. 401. ESTABLISHMENT OF NATIONAL BIPARTISAN FIS-**  
4 **CAL COMMISSION.**

5 (a) ESTABLISHMENT.—Not later than 90 days after  
6 the enactment of this Act, there shall be established within  
7 the legislative branch a Commission to be known as the  
8 National Bipartisan Fiscal Commission (referred to in this  
9 title as the “Commission”).

10 (b) MEMBERSHIP.—

11 (1) COMPOSITION.—The Commission shall be  
12 composed of 20 members, including the following:

13 (A) 4 members of Congress, not more than  
14 two who shall be from the same party, ap-  
15 pointed by the President.

16 (B) 4 members of Congress from each of  
17 the Speaker of the House, the Minority Leader  
18 in the House, the Majority Leader in the Sen-  
19 ate, and the Minority Leader in the Senate.

20 (2) APPOINTMENT.—Members of the Commis-  
21 sion shall be appointed not later than 30 days after  
22 the establishment of the Commission.

23 (3) CHAIR.—Two of the members of the Com-  
24 mission appointed by the President shall be des-

1           ignated by the President to serve as Chair and Vice  
2           Chair of the Commission.

3           (c) DUTIES.—The Commissions shall review and rec-  
4           ommend a legislative package for Congress to stabilize  
5           long-term deficits and debt, as well as require CBO to con-  
6           sider the cost of servicing the debt in its estimations.

7           (d) REPORT.—Not later than 18 months after, the  
8           Commission shall submit to Congress a report which in-  
9           cludes their review and recommendation required by sub-  
10          section (c), including the legislative package required by  
11          such subsection.

12          (e) POWERS OF COMMISSION.—

13               (1) SUBPOENA POWER.—

14                       (A) IN GENERAL.—In carrying out this  
15                       section, the Commission may require, by sub-  
16                       poena or otherwise, the attendance and testi-  
17                       mony of such witnesses and the production of  
18                       such books, records, correspondence, memoran-  
19                       dums, papers, and documents as the Commis-  
20                       sions deems necessary.

21                       (B) ISSUANCE.—A subpoena may be  
22                       issued under this paragraph subsection only by  
23                       the agreement of the chair and the vice chair of  
24                       the Commission or by the affirmative vote of  
25                       ten voting members of the Commission.

1           (C) SERVICE.—A subpoena may be served  
2           by any person designated by the chair of the  
3           Commission, in consultation with the vice chair  
4           of the Commission, or any such voting member  
5           of the Commission designated by the chair in  
6           consultation with the vice chair.

7           (2) HEARINGS AND EVIDENCE.—The Commis-  
8           sion, or on the authority of the Commission, may for  
9           the purpose of carrying out this section hold such  
10          hearings, sit and act at such times and places, take  
11          testimony, and receive such evidence as the Commis-  
12          sion may deem advisable.

13          (3) OATHS.—The chair of the Commission, the  
14          vice chair of the Commission, or any voting member  
15          of the Commission designated by the chair may ad-  
16          minister oaths to any witness.

17          (f) OPERATION OF COMMISSION.—

18          (1) INITIAL MEETING.—The Commission shall  
19          meet and begin operations of the Commission as  
20          soon as practicable, but in any case not later than  
21          180 days after the date of the enactment of this Act.

22          (2) QUORUM.—After its initial meeting, the  
23          Commission shall meet upon the call of the chair or  
24          a majority of its voting members. Ten voting mem-  
25          bers of the Commission shall constitute a quorum.

1           (3) VACANCY.—Any vacancy in the Commission  
2 shall not affect its powers but shall be filled in the  
3 same manner in which the original appointment was  
4 made and within 90 days of the vacancy.

5           (g) NONAPPLICABILITY OF FEDERAL ADVISORY  
6 COMMITTEE ACT.—Chapter 10 of title 5, United States  
7 Code (commonly referred to as the Federal Advisory Com-  
8 mittee Act) shall not apply to the Commission.

9   **SEC. 402. CONSIDERATION OF COMMISSION RECOMMENDA-**  
10                           **TIONS IN CONGRESS.**

11           (a) PROPOSED JOINT RESOLUTION.—

12                   (1) SUBMISSION OF PROPOSED JOINT RESOLU-  
13           TION.—Not later than 60 days after the date on  
14           which the Commission submits a report to Congress  
15           under section 401(d), the President shall transmit to  
16           Congress a special message on the report, accom-  
17           panied by a proposed joint resolution consisting of  
18           legislative language to implement the recommenda-  
19           tions contained in such report.

20                   (2) REQUIREMENTS FOR PREPARATION OF PRO-  
21           POSED JOINT RESOLUTION.—

22                           (A) CONSULTATION WITH CONGRESS.—

23                                   (i) IN GENERAL.—The President may  
24                                   not transmit a proposed joint resolution  
25                                   under subsection (a) until after the Presi-

1           dent completes consultation with Congress  
2           in accordance with this paragraph.

3           (ii) CONSULTATION WITH COMMIT-  
4           TEES.—The President shall consult with  
5           the chairman and ranking minority mem-  
6           ber of each relevant committee of the Sen-  
7           ate or of the House of Representatives re-  
8           garding the contents of a proposed joint  
9           resolution.

10          (iii) REQUIREMENTS FOR CONSULTA-  
11          TION.—The consultation required under  
12          subparagraph (B) shall provide the oppor-  
13          tunity for the chairman and ranking mem-  
14          ber of each relevant committee of the Sen-  
15          ate or of the House of Representatives to  
16          provide—

17               (I) recommendations for alter-  
18               native means of addressing the rec-  
19               ommendations contained in the Com-  
20               mission report; and

21               (II) recommendations regarding  
22               which recommendations contained in  
23               the Commission report should not be  
24               addressed in the proposed joint reso-  
25               lution.

1                   (iv) RELEVANT COMMITTEES.—The  
2                   relevant committees of the Senate and the  
3                   House of Representatives for purposes of  
4                   this paragraph shall be—

5                               (I) determined by the President;

6                               and

7                               (II) based on the content of the  
8                   proposed joint resolution.

9                   (B) CONSULTATION WITH GAO AND CBO.—

10                   The President shall prepare a proposed joint  
11                   resolution transmitted under subsection (a) in  
12                   consultation with the Comptroller General of  
13                   the United States and the Director of the Con-  
14                   gressional Budget Office.

15                   (3) CONTENTS OF SPECIAL MESSAGE.—A spe-  
16                   cial message transmitted under subsection (a)  
17                   shall—

18                               (A) specify recommendations outlined in  
19                   the Commission report that are excluded from  
20                   the proposed joint resolution;

21                               (B) detail why the recommendations de-  
22                   scribed in paragraph (1) were excluded from  
23                   the proposed joint resolution;

1           (C) specify recommendations outlined in  
2           the Commission report that are included in the  
3           proposed joint resolution; and

4           (D) identify programs included in the  
5           Commission report that should be eliminated or  
6           consolidated.

7           (4) TRANSMITTAL.—The President shall submit  
8           the special message to the Secretary of the Senate  
9           if the Senate is not in session and to the Clerk of  
10          the House of Representatives if the House is not in  
11          session.

12          (5) PUBLIC AVAILABILITY.—The President  
13          shall make a copy of the special message and the  
14          proposed joint resolution publicly available, including  
15          publicly available on a website of the President, and  
16          shall publish in the Federal Register a notice of the  
17          message and information on how it can be obtained.

18          (b) EXPEDITED CONSIDERATION OF PROPOSED  
19          JOINT RESOLUTION.—

20                 (1) QUALIFYING LEGISLATION.—

21                     (A) IN GENERAL.—Only a Commission  
22                     joint resolution shall be entitled to expedited  
23                     consideration under this section.

24                     (B) DEFINITION.—In this section, the  
25                     term “Commission joint resolution” means a

1 joint resolution which consists solely of the text  
2 of the proposed joint resolution submitted by  
3 the President under section 3(a).

4 (2) CONSIDERATION IN THE HOUSE OF REP-  
5 REPRESENTATIVES.—

6 (A) INTRODUCTION.—A Commission joint  
7 resolution may be introduced in the House of  
8 Representatives (by request)—

9 (i) by the majority leader of the  
10 House of Representatives, or by a Member  
11 of the House of Representatives designated  
12 by the majority leader of the House of  
13 Representatives, on the next legislative day  
14 after the date on which the President sub-  
15 mits the proposed joint resolution under  
16 section 3(a); or

17 (ii) if the Commission joint resolution  
18 is not introduced under subparagraph (A),  
19 by any Member of the House of Represent-  
20 atives on any legislative day beginning on  
21 the legislative day after the legislative day  
22 described in subparagraph (A).

23 (B) REFERRAL AND REPORTING.—Any  
24 committee of the House of Representatives to  
25 which a Commission joint resolution is referred

1 shall report the Commission joint resolution to  
2 the House of Representatives without amend-  
3 ment not later than 10 legislative days after the  
4 date on which the Commission joint resolution  
5 was so referred. If a committee of the House of  
6 Representatives fails to report a Commission  
7 joint resolution within that period, it shall be in  
8 order to move that the House of Representa-  
9 tives discharge the committee from further con-  
10 sideration of the Commission joint resolution.  
11 Such a motion shall not be in order after the  
12 last committee authorized to consider the Com-  
13 mission joint resolution reports it to the House  
14 of Representatives or after the House of Rep-  
15 resentatives has disposed of a motion to dis-  
16 charge the Commission joint resolution. The  
17 previous question shall be considered as ordered  
18 on the motion to its adoption without inter-  
19 vening motion except 20 minutes of debate  
20 equally divided and controlled by the proponent  
21 and an opponent. If such a motion is adopted,  
22 the House of Representatives shall proceed im-  
23 mediately to consider the Commission joint res-  
24 olution in accordance with paragraphs (3) and

1 (4). A motion to reconsider the vote by which  
2 the motion is disposed of shall not be in order.

3 (C) PROCEEDING TO CONSIDERATION.—

4 After the last committee authorized to consider  
5 a Commission joint resolution reports it to the  
6 House of Representatives or has been dis-  
7 charged (other than by motion) from its consid-  
8 eration, it shall be in order to move to proceed  
9 to consider the Commission joint resolution in  
10 the House of Representatives. Such a motion  
11 shall not be in order after the House of Rep-  
12 resentatives has disposed of a motion to proceed  
13 with respect to the Commission joint resolution.  
14 The previous question shall be considered as or-  
15 dered on the motion to its adoption without in-  
16 tervening motion. A motion to reconsider the  
17 vote by which the motion is disposed of shall  
18 not be in order.

19 (D) CONSIDERATION.—The Commission  
20 joint resolution shall be considered as read. All  
21 points of order against the Commission joint  
22 resolution and against its consideration are  
23 waived. The previous question shall be consid-  
24 ered as ordered on the Commission joint resolu-  
25 tion to its passage without intervening motion

1           except 2 hours of debate equally divided and  
2           controlled by the proponent and an opponent  
3           and 1 motion to limit debate on the Commis-  
4           sion joint resolution. A motion to reconsider the  
5           vote on passage of the Commission joint resolu-  
6           tion shall not be in order.

7           (E) VOTE ON PASSAGE.—The vote on pas-  
8           sage of the Commission joint resolution shall  
9           occur not later than 3 legislative days after the  
10          date on which the last committee authorized to  
11          consider the Commission joint resolution re-  
12          ports it to the House of Representatives or is  
13          discharged.

14         (3) EXPEDITED PROCEDURE IN THE SENATE.—

15           (A) INTRODUCTION IN THE SENATE.—A  
16          Commission joint resolution may be introduced  
17          in the Senate (by request)—

18                 (i) by the majority leader of the Sen-  
19                 ate, or by a Member of the Senate des-  
20                 ignated by the majority leader of the Sen-  
21                 ate, on the next legislative day after the  
22                 date on which the President submits the  
23                 proposed joint resolution under section  
24                 3(a); or

1                   (ii) if the Commission joint resolution  
2                   is not introduced under subparagraph (A),  
3                   by any Member of the Senate on any day  
4                   on which the Senate is in session beginning  
5                   on the day after the day described in sub-  
6                   paragraph (A).

7                   (B) COMMITTEE CONSIDERATION.—A  
8                   Commission joint resolution introduced in the  
9                   Senate under paragraph (1) shall be jointly re-  
10                  ferred to the committee or committees of juris-  
11                  diction, which committees shall report the Com-  
12                  mission joint resolution without any revision  
13                  and with a favorable recommendation, an unfa-  
14                  vorable recommendation, or without rec-  
15                  ommendation, not later than 10 session days  
16                  after the date on which the Commission joint  
17                  resolution was so referred. If any committee to  
18                  which a Commission joint resolution is referred  
19                  fails to report the Commission joint resolution  
20                  within that period, that committee shall be  
21                  automatically discharged from consideration of  
22                  the Commission joint resolution, and the Com-  
23                  mission joint resolution shall be placed on the  
24                  appropriate calendar.

1           (C) PROCEEDING.—Notwithstanding rule  
2           XXII of the Standing Rules of the Senate, it is  
3           in order, not later than 2 days of session after  
4           the date on which a Commission joint resolution  
5           is reported or discharged from all committees to  
6           which the Commission joint resolution was re-  
7           ferred, for the majority leader of the Senate or  
8           the designee of the majority leader to move to  
9           proceed to the consideration of the Commission  
10          joint resolution. It shall also be in order for any  
11          Member of the Senate to move to proceed to the  
12          consideration of the Commission joint resolution  
13          at any time after the conclusion of such 2-day  
14          period. A motion to proceed is in order even  
15          though a previous motion to the same effect has  
16          been disagreed to. All points of order against  
17          the motion to proceed to the Commission joint  
18          resolution are waived. The motion to proceed is  
19          not debatable. The motion is not subject to a  
20          motion to postpone. A motion to reconsider the  
21          vote by which the motion is agreed to or dis-  
22          agreed to shall not be in order. If a motion to  
23          proceed to the consideration of the Commission  
24          joint resolution is agreed to, the Commission  
25          joint resolution shall remain the unfinished

1 business until disposed of. All points of order  
2 against a Commission joint resolution and  
3 against consideration of the Commission joint  
4 resolution are waived.

5 (D) NO AMENDMENTS.—An amendment to  
6 a Commission joint resolution, or a motion to  
7 postpone, or a motion to proceed to the consid-  
8 eration of other business, or a motion to recom-  
9 mit the Commission joint resolution, is not in  
10 order.

11 (E) RULINGS OF THE CHAIR ON PROCE-  
12 DURE.—Appeals from the decisions of the Chair  
13 relating to the application of the rules of the  
14 Senate, as the case may be, to the procedure re-  
15 lating to a Commission joint resolution shall be  
16 decided without debate.

17 (4) AMENDMENT.—A Commission joint resolu-  
18 tion shall not be subject to amendment in either the  
19 Senate or the House of Representatives.

20 (5) CONSIDERATION BY THE OTHER HOUSE.—

21 (A) IN GENERAL.—If, before passing a  
22 Commission joint resolution, a House receives  
23 from the other House a Commission joint reso-  
24 lution of the other House—

1 (i) the Commission joint resolution of  
2 the other House shall not be referred to a  
3 committee; and

4 (ii) the procedure in the receiving  
5 House shall be the same as if no Commis-  
6 sion joint resolution had been received  
7 from the other House until the vote on  
8 passage, when the Commission joint reso-  
9 lution received from the other House shall  
10 supplant the Commission joint resolution  
11 of the receiving House.

12 (B) REVENUE MEASURES.—This sub-  
13 section shall not apply to the House of Rep-  
14 resentatives if a Commission joint resolution re-  
15 ceived from the Senate is a revenue measure.

16 (6) RULES TO COORDINATE ACTION WITH  
17 OTHER HOUSE.—

18 (A) TREATMENT OF COMMISSION JOINT  
19 RESOLUTION OF OTHER HOUSE.—If a Commis-  
20 sion joint resolution is not introduced in the  
21 Senate or the Senate fails to consider a Com-  
22 mission joint resolution under this section, the  
23 Commission joint resolution of the House of  
24 Representatives shall be entitled to expedited  
25 floor procedures under this section.

1           (B) TREATMENT OF COMPANION MEAS-  
2           URES IN THE SENATE.—If, following passage of  
3           a Commission joint resolution in the Senate,  
4           the Senate then receives from the House of  
5           Representatives a Commission joint resolution,  
6           the House-passed Commission joint resolution  
7           shall not be debatable. The vote on passage of  
8           the Commission joint resolution in the Senate  
9           shall be considered to be the vote on passage of  
10          the Commission joint resolution received from  
11          the House of Representatives.

12          (C) VETOES.—If the President vetoes a  
13          Commission joint resolution, consideration of a  
14          veto message in the Senate under this para-  
15          graph shall be 10 hours equally divided between  
16          the majority and minority leaders of the Senate  
17          or the designees of the majority and minority  
18          leaders of the Senate.

19          (7) EXERCISE OF RULEMAKING POWER.—This  
20          section is enacted by Congress—

21                (A) as an exercise of the rulemaking power  
22                of the Senate and House of Representatives, re-  
23                spectively, and as such it is deemed a part of  
24                the rules of each House, respectively, but appli-  
25                cable only with respect to the procedure to be

1 followed in that House in the case of a Commis-  
2 sion joint resolution, and it supersedes other  
3 rules only to the extent that it is inconsistent  
4 with such rules; and

5 (B) with full recognition of the constitu-  
6 tional right of either House to change the rules  
7 (so far as relating to the procedure of that  
8 House) at any time, in the same manner, and  
9 to the same extent as in the case of any other  
10 rule of that House.

11 **TITLE V—RESTRICTION OF**  
12 **TRADING AND OWNERSHIP**  
13 **OF CERTAIN FINANCIAL IN-**  
14 **STRUMENTS BY MEMBERS OF**  
15 **THE HOUSE OF REPRESENTA-**  
16 **TIVES**

17 **SEC. 501. RESTRICTION.**

18 Rule XXIII of the Rules of the House of Representa-  
19 tives is amended by adding at the end the following:

20 “(23)(A) In this Code of Official Conduct, the  
21 term ‘covered financial instrument’ means any in-  
22 vestment in a security or security future (as defined  
23 by the Securities Exchange Act of 1934) or a com-  
24 modity (as defined by the Commodity Exchange  
25 Act), and any economic interest acquired through

1 synthetic means, such as the use of a derivative, in-  
2 cluding an option, warrant, or other similar means.

3 “(B) A Member of the House of Rep-  
4 resentatives may not own or trade a covered fi-  
5 nancial instrument.

6 “(C) Nothing in this paragraph shall be  
7 construed to prevent a Member of the House of  
8 Representatives from owning or trading a wide-  
9 ly held investment fund that is registered as a  
10 management company; a United States Treas-  
11 ury bill, note, or bond; any bond issued by a  
12 State or local government; or any investment  
13 under the Thrift Savings Plan.

14 “(D) Each Member of the House of Rep-  
15 resentatives shall submit to the House Com-  
16 mittee on Ethics a pledge of compliance with  
17 the requirements of this paragraph and shall  
18 produce, upon request of the House Committee  
19 on Ethics, material or information determined  
20 by the House Committee on Ethics to be nec-  
21 essary to indicate compliance with the provi-  
22 sions of this paragraph.”.

1       **TITLE VI—END BANKING FOR**  
2       **HUMAN TRAFFICKERS ACT**

3       **SEC. 601. SHORT TITLE.**

4           This title may be cited as the “End Banking for  
5 Human Traffickers Act of 2025”.

6       **SEC. 602. INCREASING THE ROLE OF THE FINANCIAL IN-**  
7                   **DUSTRY IN COMBATING HUMAN TRAF-**  
8                   **FICKING.**

9           (a) **REQUIRED REVIEW OF PROCEDURES.**—Not later  
10 than 180 days after the date of the enactment of this Act,  
11 the Financial Institutions Examination Council, in con-  
12 sultation with the Secretary of the Treasury, the private  
13 sector, victims of severe forms of trafficking in persons,  
14 advocates of persons at risk of becoming victims of severe  
15 forms of trafficking in persons, and appropriate law en-  
16 forcement agencies, shall—

17                   (1) review and enhance training and examina-  
18 tions procedures to improve the capabilities of anti-  
19 money laundering and countering the financing of  
20 terrorism programs to detect financial transactions  
21 relating to severe forms of trafficking in persons;

22                   (2) review and enhance procedures for referring  
23 potential cases relating to severe forms of trafficking  
24 in persons to the appropriate law enforcement agen-  
25 cy; and

1           (3) determine, as appropriate, whether require-  
2           ments for financial institutions are sufficient to de-  
3           tect and deter money laundering relating to severe  
4           forms of trafficking in persons.

5           (b) INTERAGENCY TASK FORCE RECOMMENDATIONS  
6 TARGETING MONEY LAUNDERING RELATED TO HUMAN  
7 TRAFFICKING.—

8           (1) IN GENERAL.—Not later than 270 days  
9           after the date of the enactment of this Act, the  
10          Interagency Task Force To Monitor and Combat  
11          Trafficking shall submit to the Committee on Finan-  
12          cial Services and the Committee on the Judiciary of  
13          the House of Representatives, the Committee on  
14          Banking, Housing, and Urban Affairs and the Com-  
15          mittee on the Judiciary of the Senate, and the head  
16          of each Federal banking agency—

17                 (A) an analysis of anti-money laundering  
18                 efforts of the United States Government and  
19                 United States financial institutions relating to  
20                 severe forms of trafficking in persons; and

21                 (B) appropriate legislative, administrative,  
22                 and other recommendations to strengthen ef-  
23                 forts against money laundering relating to se-  
24                 vere forms of trafficking in persons.

1           (2) REQUIRED RECOMMENDATIONS.—The rec-  
2           ommendations under paragraph (1) shall include—

3                   (A) feedback from financial institutions on  
4                   best practices of successful programs to combat  
5                   severe forms of trafficking in persons currently  
6                   in place that may be suitable for broader adop-  
7                   tion by similarly situated financial institutions;

8                   (B) feedback from stakeholders, including  
9                   victims of severe forms of trafficking in per-  
10                  sons, advocates of persons at risk of becoming  
11                  victims of severe forms of trafficking in per-  
12                  sons, and financial institutions, on policy pro-  
13                  posals derived from the analysis conducted by  
14                  the task force referred to in paragraph (1) that  
15                  would enhance the efforts and programs of fi-  
16                  nancial institutions to detect and deter money  
17                  laundering relating to severe forms of traf-  
18                  ficking in persons, including any recommended  
19                  changes to internal policies, procedures, and  
20                  controls relating to severe forms of trafficking  
21                  in persons;

22                  (C) any recommended changes to training  
23                  programs at financial institutions to better  
24                  equip employees to deter and detect money

1           laundering relating to severe forms of traf-  
2           ficking in persons;

3           (D) any recommended changes to expand  
4           information sharing relating to severe forms of  
5           trafficking in persons among financial institu-  
6           tions and between such financial institutions,  
7           appropriate law enforcement agencies, and ap-  
8           propriate Federal agencies; and

9           (E) recommended changes, if necessary, to  
10          existing statutory law to more effectively detect  
11          and deter money laundering relating to severe  
12          forms of trafficking in persons, where such  
13          money laundering involves the use of emerging  
14          technologies and virtual currencies.

15          (c) LIMITATION.—Nothing in this title shall be con-  
16          strued to—

17               (1) grant rulemaking authority to the Inter-  
18               agency Task Force To Monitor and Combat Traf-  
19               ficking; or

20               (2) encourage financial institutions to deny  
21               services to victims of trafficking, victims of severe  
22               forms of trafficking in persons, or individuals not re-  
23               sponsible for promoting severe forms of trafficking  
24               in persons.

25          (d) DEFINITIONS.—As used in this section—

1           (1) the term “Federal banking agency” has the  
2 meaning given the term in section 3(q) of the Fed-  
3 eral Deposit Insurance Act (12 U.S.C. 1813(q));

4           (2) the term “severe forms of trafficking in per-  
5 sons” has the meaning given such term in section  
6 103 of the Trafficking Victims Protection Act of  
7 2000 (22 U.S.C. 7102);

8           (3) the term “Interagency Task Force To Mon-  
9 itor and Combat Trafficking” means the Interagency  
10 Task Force To Monitor and Combat Trafficking es-  
11 tablished by the President pursuant to section 105  
12 of the Trafficking Victims Protection Act of 2000  
13 (22 U.S.C. 7103); and

14           (4) the term “law enforcement agency” means  
15 an agency of the United States, a State, or a polit-  
16 ical subdivision of a State, authorized by law or by  
17 a government agency to engage in or supervise the  
18 prevention, detection, investigation, or prosecution of  
19 any violation of criminal or civil law.

20 **SEC. 603. MINIMUM STANDARDS FOR THE ELIMINATION OF**  
21 **TRAFFICKING.**

22           Section 108(b) of the Trafficking Victims Protection  
23 Act of 2000 (22 U.S.C. 7106(b)) is amended by adding  
24 at the end the following new paragraph:

1           “(13) Whether the government of the country,  
 2           consistent with the capacity of the country, has in  
 3           effect a framework to prevent financial transactions  
 4           involving the proceeds of severe forms of trafficking  
 5           in persons, and is taking steps to implement such a  
 6           framework, including by investigating, prosecuting,  
 7           convicting, and sentencing individuals who attempt  
 8           or conduct such transactions.”.

## 9                           **TITLE VII—MSD ACT**

### 10   **SEC. 701. SHORT TITLE.**

11           This title may be cited as the “Measures for Safer  
 12   School Districts Act” or the “MSD Act”.

### 13   **SEC. 702. EMERGENCY RESPONSE AND PARENTAL NOTIFI-** 14                           **CATION PROCEDURES.**

15           Title VIII of the Elementary and Secondary Edu-  
 16   cation Act of 1965 (20 U.S.C. 7801 et seq.) is amended  
 17   by adding at the end the following:

### 18                           **“PART H—EMERGENCY RESPONSE AND** 19                           **PARENTAL NOTIFICATION PROCEDURES**

### 20   **“SEC. 8701. EMERGENCY RESPONSE AND PARENTAL NOTI-** 21                           **FICATION PROCEDURES.**

22           “(a) **POLICIES AND NOTIFICATION REQUIRED.**—As  
 23   a condition of receiving funds under this Act, each local  
 24   educational agency shall—

1           “(1) develop and implement emergency re-  
2           sponse procedures covering all students, faculty, and  
3           staff at public elementary and secondary schools  
4           under the jurisdiction of the agency; and

5           “(2) pursuant to such procedures, ensure that  
6           parents and guardians receive timely notification of  
7           covered threats and emergencies that occur on  
8           school grounds, during school transportation, or dur-  
9           ing school-sponsored activities.

10          “(b) ADDITIONAL REQUIREMENTS.—The emergency  
11         response and notification procedures developed under sub-  
12         section (a) shall meet the following criteria:

13           “(1) The procedures shall be developed in con-  
14           sultation with appropriate public safety agencies.

15           “(2) Commonly used alarm system responses  
16           for specific types of emergencies shall be imple-  
17           mented.

18           “(3) The procedures shall identify—

19           “(A) the primary emergency response  
20           agency that is responsible for each type of cov-  
21           ered threat or emergency; and

22           “(B) the individuals within each school  
23           who are responsible for contacting the primary  
24           emergency response agency in the event of such  
25           a threat or emergency.

1       “(c) COVERED THREATS AND EMERGENCIES DE-  
2 FINED.—In this section, the term ‘covered threats and  
3 emergencies’ means—

4           “(1) weapons possession or use when there is  
5 intended harm toward another person;

6           “(2) active shooter or hostage situations;

7           “(3) bomb threats;

8           “(4) murder, homicide, or manslaughter;

9           “(5) sex offenses, including rape, sexual as-  
10 sult, or sexual misconduct involving a student and  
11 school personnel;

12           “(6) trespassing;

13           “(7) fires;

14           “(8) natural weather emergencies, including  
15 hurricanes, tornadoes, and severe storms;

16           “(9) natural disasters;

17           “(10) exposure to harmful substances or condi-  
18 tions as a result of a manmade emergency; and

19           “(11) such other threats and emergencies as a  
20 local educational agency determines appropriate to  
21 address through the procedures required under sub-  
22 section (a).”.

1 **SEC. 703. INSTALLATION OR MODIFICATION OF INTERIOR**  
2 **AND EXTERIOR DOORS IN SCHOOLS.**

3 (a) IN GENERAL.—Not later than 90 days after the  
4 date of the enactment of this Act, the Director of the Cy-  
5 bersecurity and Infrastructure Security Agency (CISA) of  
6 the Department of Homeland Security, in consultation  
7 with the Secretary of Homeland Security, shall convene  
8 a rulemaking advisory committee to review and develop  
9 findings and recommendations to require the installation  
10 or modification of interior and exterior doors in any ele-  
11 mentary or secondary school in the United States which  
12 receives Federal funding.

13 (b) MEMBERSHIP.—The Director of CISA shall chair  
14 and, in consultation with the Secretary of Homeland Secu-  
15 rity, appoint the members of the rulemaking committee  
16 under subsection (a), which shall be comprised of the Sec-  
17 retary of Education (or his or her designee) and at least  
18 one representative from the constituencies of—

- 19 (1) State and local law enforcement officers;  
20 (2) school safety personnel or school resource  
21 officers;  
22 (3) school safety advocates, which may include  
23 parents;  
24 (4) public, private, or parochial school teachers  
25 or administrators;

1           (5) individuals with expertise in the area of bal-  
2           listic shielding technology;

3           (6) individuals with expertise in the field of  
4           school construction, including structural engineering  
5           or architecture; and

6           (7) other stakeholders or experts the Director  
7           of CISA, in consultation with the Secretary of  
8           Homeland Security, determines appropriate.

9           (c) CONSIDERATIONS.—The rulemaking advisory  
10          committee under subsection (a) shall consider the fol-  
11          lowing:

12           (1) Requirements for any reinforced door, in-  
13           cluding an identification or specification of appro-  
14           priate technologies, mechanisms, covers, adhesives,  
15           or other qualities of such doors that may be utilized  
16           to better guarantee security within a classroom or  
17           elementary or secondary school building.

18           (2) Reinforced door performance standards that  
19           manufacturers and elementary or secondary schools  
20           are required to satisfy.

21           (3) The development, certification, testing,  
22           manufacturing, installation, and training relating to  
23           reinforced doors.

24           (4) The appropriate term of service or lifetime  
25           of a reinforced door.

1           (5) How requirements will ensure the effective-  
2           ness of a reinforced door in protecting against  
3           threats while not inhibiting the movement of law en-  
4           forcement personnel in pursuit of a threat or the  
5           ability of students, teachers, and elementary or sec-  
6           ondary school personnel to safely evacuate in the  
7           event of an emergency.

8           (6) Other considerations the Director of CISA  
9           determines appropriate.

10          (d) REPORT TO CONGRESS.—Not later than one year  
11          after the convening of the rulemaking advisory committee  
12          under subsection (a), the Director of CISA shall submit  
13          to the Committee on Homeland Security and the Com-  
14          mittee on Education and Workforce of the House of Rep-  
15          resentatives and the Committee on Homeland Security  
16          and Governmental Affairs and the Committee on Health,  
17          Education, Labor, and Pensions of the Senate a report  
18          based on the findings and recommendations of such com-  
19          mittee.

20          (e) FINAL RULE RELATING TO INSTALLATION OR  
21          MODIFICATION OF INTERIOR AND EXTERIOR DOORS IN  
22          SCHOOLS.—Not later than six months after the date of  
23          submission of the report required under subsection (d),  
24          the Director of CISA, taking into consideration the find-  
25          ings and recommendations contained in such report, shall

1 issue a final rule requiring the installation or modification  
2 of interior and exterior doors in elementary or secondary  
3 schools for the purpose of reinforcing such doors.

4 (f) STATE HOMELAND SECURITY GRANT PRO-  
5 GRAM.—This section shall be administered under the au-  
6 thorization of the Homeland Security Grant Program  
7 under section 2004 of the Homeland Security Act of 2002  
8 (6 U.S.C. 605). There is authorized to be appropriated  
9 to such Program to carry out this section an additional  
10 \$100,000,000 for the fiscal year in which the final rule  
11 is issued in accordance with subsection (e) and for each  
12 of the nine fiscal years thereafter. Such additional  
13 amounts may only be obligated and expended for the pur-  
14 pose of carrying out this section.

15 **TITLE VII—LET AMERICA VOTE**  
16 **ACT**

17 **SEC. 801. SHORT TITLE.**

18 This title may be cited as the “Let America Vote  
19 Act”.

20 **SEC. 802. REQUIRING STATES TO PERMIT UNAFFILIATED**  
21 **VOTERS TO VOTE IN PRIMARY ELECTIONS.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that the right of a citizen of the United States to  
24 vote in any taxpayer-funded election for public office shall  
25 not be denied or abridged by the United States or by any

1 State on the grounds of political party affiliation or lack  
2 thereof.

3 (b) REQUIREMENTS FOR ELECTIONS FOR FEDERAL  
4 OFFICE.—

5 (1) ACCESS OF UNAFFILIATED VOTERS TO PRI-  
6 MARIES.—Each State shall permit an unaffiliated  
7 voter who is registered to vote in an election for  
8 Federal office held in the State to vote in any pri-  
9 mary election for such office held in the State, ex-  
10 cept that the State shall not permit an unaffiliated  
11 voter to vote in primary elections for such office of  
12 more than one political party.

13 (2) RESTRICTIONS RELATING TO UNAFFILI-  
14 ATED VOTERS.—

15 (A) RESTRICTIONS ON SHARING OF INFOR-  
16 MATION.—A State shall not share information  
17 relating to an unaffiliated voter in a primary  
18 election for Federal office, including the voter's  
19 name and contact information, with a political  
20 party or with any other person who may rea-  
21 sonably be expected to use the information for  
22 a political or politically-connected commercial  
23 purpose, including soliciting funds.

24 (B) RESTRICTIONS ON STATUS OF VOTER  
25 ON OFFICIAL REGISTRATION LIST.—For pur-

1 poses of a State's official voter registration list,  
2 a State shall not treat an individual who is an  
3 unaffiliated voter as a member of, or as an indi-  
4 vidual who is otherwise affiliated with, the polit-  
5 ical party who held the primary election in  
6 which the individual voted solely on the grounds  
7 that the individual voted in that primary elec-  
8 tion.

9 (c) ELECTIONS FOR STATE AND LOCAL OFFICE.—  
10 Notwithstanding any other provision of law, a State may  
11 not use any funds provided by the Federal Government  
12 directly for election administration purposes unless the  
13 State certifies to the Election Assistance Commission  
14 that—

15 (1) the State permits an unaffiliated voter who  
16 is registered to vote in an election for State or local  
17 office held in the State to vote in any primary elec-  
18 tion for such office held in the State, except that the  
19 State shall not permit an unaffiliated voter to vote  
20 in primary elections for such office of more than one  
21 political party;

22 (2) the State applies the restrictions on sharing  
23 information relating to unaffiliated voters in primary  
24 elections for Federal office, as described in sub-  
25 section (a)(2)(A), to information relating to unaffili-

1       ated voters in primary elections for State and local  
2       office; and

3               (3) the State applies the restrictions on treating  
4       unaffiliated voters in primary elections for Federal  
5       office as members of, or as individuals who are oth-  
6       erwise affiliated with, a political party, as described  
7       in subsection (a)(2)(B), to unaffiliated voters in pri-  
8       mary elections for State and local office.

9       (d) TRANSITION ASSISTANCE GRANTS.—

10               (1) PAYMENT OF GRANTS.—If a State certifies  
11       to the Election Assistance Commission that the  
12       State is in compliance with the requirements of this  
13       section with respect to a fiscal year, the Commission  
14       shall make a payment to the State during that fiscal  
15       year and each of the 4 succeeding fiscal years in an  
16       amount equal to 2 percent of the total amount of re-  
17       quirements payments made to the State under sec-  
18       tion 251 of the Help America Vote Act of 2002 (52  
19       U.S.C. 21001).

20               (2) USE OF FUNDS.—A State shall use the pay-  
21       ment received under this subsection to cover the  
22       costs of permitting unaffiliated voters who are reg-  
23       istered to vote in elections for Federal, State, or  
24       local office held in the State to vote in any primary  
25       election for such office held in the State.

1           (3) AUTHORIZATION OF APPROPRIATIONS.—

2           There are authorized to be appropriated for fiscal  
3           year 2026 and each succeeding fiscal year such sums  
4           as may be necessary for grants under this sub-  
5           section.

6           (e) DEFINITIONS.—For purposes of this section—

7           (1) the terms “election” and “Federal office”  
8           have the meanings give such terms in section 301 of  
9           the Federal Election Campaign Act of 1971 (52  
10          U.S.C. 30101);

11          (2) the term “primary election” means an elec-  
12          tion (including a primary election held for the ex-  
13          pression of a preference for the nomination of indi-  
14          viduals for election to the office of President) held  
15          by any political party to nominate individuals who  
16          would appear on a general election ballot as a can-  
17          didate for election for Federal office, including a  
18          convention or caucus of a political party which has  
19          authority to nominate such a candidate;

20          (3) the term “State” has the meaning given  
21          such term in section 901 of the Help America Vote  
22          Act of 2002 (52 U.S.C. 21141); and

23          (4) the term “unaffiliated voter” means an in-  
24          dividual who is not registered to vote as a member

1 of a political party or otherwise affiliated with a po-  
2 litical party.

3 (f) EFFECTIVE DATE.—This title shall apply with re-  
4 spect to elections held after the date of the enactment of  
5 this Act.

6 **SEC. 803. PROHIBITING NONCITIZENS FROM VOTING.**

7 (a) STATEMENT OF POLICY.—It is the policy of the  
8 United States that no person who is not a citizen shall  
9 be permitted or granted the right to vote in any taxpayer-  
10 funded election for public office held by or in the United  
11 States or any State.

12 (b) ELECTIONS FOR FEDERAL OFFICE.—No State  
13 shall permit any person who is not a citizen of the United  
14 States to vote in any election for Federal office held in  
15 the State.

16 (c) ELECTIONS FOR STATE AND LOCAL OFFICE.—  
17 Notwithstanding any other provision of law, a State may  
18 not use any funds provided by the Federal Government  
19 directly for election administration purposes unless the  
20 State certifies to the Election Assistance Commission that  
21 the State does not permit any person who is not a citizen  
22 of the United States to vote in any election for State or  
23 local office or any ballot initiative or referendum held in  
24 the State.

1 **TITLE XI—REVIEW OF CERTAIN**  
2 **INTELLIGENCE SHARING**  
3 **WITH UKRAINE**

4 **SEC. 901. REVIEW OF CERTAIN INTELLIGENCE SHARING**  
5 **WITH UKRAINE.**

6 Not later than 90 days after the enactment of this  
7 Act, the Director of National Intelligence, in consultation  
8 with the Secretary of Defense and the Director of the Cen-  
9 tral Intelligence Agency, shall conduct a review and issue  
10 a classified report to the House Permanent Select Com-  
11 mittee on Intelligence and the Senate Select Committee  
12 on Intelligence which makes a determination whether in-  
13 creased intelligence sharing with Ukraine relating to the  
14 Russian Federation, Belarus, China, North Korea, or any  
15 other entity the Director of National Intelligence deter-  
16 mines appropriate for purposes of this section, improves  
17 the security of the United States and the allies and part-  
18 ners of the United States.

19 **TITLE X—ELECTION DAY ACT**

20 **SEC. 1001. SHORT TITLE.**

21 This title may be cited as the “Election Day Act”.

22 **SEC. 1002. PATRIOT DAY.**

23 Section 6103(a) of title 5, United States Code, is  
24 amended by inserting after the item relating to Columbus  
25 Day the following:

1 “ Election Day.”.

2 **TITLE XI—FAIRNESS TO VET-**  
3 **ERAN SMALL BUSINESSES**  
4 **FOR INFRASTRUCTURE IN-**  
5 **VESTMENT ACT**

6 **SEC. 1101. DISADVANTAGED BUSINESS ENTERPRISES.**

7 Section 11101(e) of the Infrastructure Investment  
8 and Jobs Act (23 U.S.C. 101 note) is amended—

9 (1) in paragraph (2) by adding at the end the  
10 following:

11 “(C) VETERAN-OWNED SMALL BUSINESS  
12 CONCERN.—The term ‘veteran-owned small  
13 business concern’ has the meaning given the  
14 term ‘small business concern owned and con-  
15 trolled by veterans’ in section 3(q) of the Small  
16 Business Act (15 U.S.C. 632(q)).”.

17 (2) in paragraph (3) by inserting “and veteran-  
18 owned small business concerns” before the period at  
19 the end; and

20 (3) in paragraph (4)(B)—

21 (A) in clause (ii) by striking “and” at the  
22 end;

23 (B) in clause (iii) by striking the period at  
24 the end and inserting “; and”; and

25 (C) by adding at the end the following:

1 “(iv) veterans.”.

2 **TITLE XII—PROTECTING VA**  
3 **EMPLOYEES ACT**

4 **SEC. 1201. SHORT TITLE.**

5 This title may be cited as the “Protecting VA Em-  
6 ployees Act”.

7 **SEC. 1202. REPEAL OF SEPARATE REMOVAL, DEMOTION,**  
8 **AND SUSPENSION PROCESSES FOR CERTAIN**  
9 **EMPLOYEES OF DEPARTMENT OF VETERANS**  
10 **AFFAIRS.**

11 (a) REPEAL.—

12 (1) TITLE 38.—Section 714 of title 38, United  
13 States Code, is amended—

14 (A) by striking subsections (a), (b), (c),  
15 (d), and (g);

16 (B) by redesignating subsections (e), (f),  
17 and (h) as subsections (a), (b), and (c), respec-  
18 tively;

19 (C) in subsection (a), as so redesignated,  
20 by striking “under subsection (a)” each place it  
21 appears; and

22 (D) in subsection (c), as so redesignated—

23 (i) by striking paragraphs (3) and (4);

24 and

1 (ii) by redesignating paragraphs (5)  
2 and (6) as paragraphs (3) and (4), respec-  
3 tively.

4 (2) TITLE 5.—Section 4303(f) of title 5, United  
5 States Code, is amended—

6 (A) in paragraph (2), by striking the  
7 comma at the end and inserting “, or”;

8 (B) in paragraph (3), by striking “, or”  
9 and inserting a period; and

10 (C) by striking paragraph (4).

11 (b) CONFORMING AMENDMENTS.—Chapter 7 of title  
12 38, United States Code, is amended—

13 (1) in section 719, by striking “under section  
14 713, 714, or 7461 of this title” each place it appears  
15 and inserting “under section 713 or 7461 of this  
16 title”;

17 (2) in section 714, as amended by subsection  
18 (a), by striking the section heading and inserting  
19 “Protections for whistleblowers from removal, demo-  
20 tion, and suspension”;

21 (3) by redesignating section 714 as section 734;

22 (4) by transferring section 734, as so redesign-  
23 ated, so as to appear after section 733; and

24 (5) in the table of sections—

1 (A) by striking the item relating to section  
2 714; and

3 (B) by inserting after the item relating to  
4 section 733 the following new item:

“734. Protections for whistleblowers from removal, demotion, and suspension.”.

5 **SEC. 1203. RESTORATION OF CERTAIN DISCIPLINARY AND**  
6 **GRIEVANCE PROCEDURES FOR PERSONNEL**  
7 **OF THE VETERANS HEALTH ADMINISTRA-**  
8 **TION.**

9 The following provisions of title 38, United States  
10 Code, are each amended to read as such provisions read  
11 on the day before the date of the enactment of the Depart-  
12 ment of Veterans Affairs Accountability and Whistle-  
13 blower Protection Act of 2017 (Public Law 115–41):

14 (1) Section 7461(b).

15 (2) Section 7462(b).

16 (3) Section 7463(c).

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