

110TH CONGRESS  
2D SESSION

# S. 3544

To amend the Internal Revenue Code of 1986 to extend the financing of the Superfund.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23 (legislative day, SEPTEMBER 17), 2008

Mrs. CLINTON (for herself, Mrs. BOXER, Mr. LAUTENBERG, Mr. CARDIN, Mr. OBAMA, Mr. BIDEN, Mr. NELSON of Florida, Mr. WYDEN, and Mr. DODD) introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To amend the Internal Revenue Code of 1986 to extend the financing of the Superfund.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Superfund Polluter  
5 Pays Act”.

6 **SEC. 2. EXTENSION OF SUPERFUND TAXES.**

7 (a) EXCISE TAXES.—Section 4611(e) of the Internal  
8 Revenue Code of 1986 is amended to read as follows:

1       “(e) APPLICATION OF HAZARDOUS SUBSTANCE  
2 SUPERFUND FINANCING RATE.—The Hazardous Sub-  
3 stance Superfund financing rate under this section shall  
4 apply after December 31, 1986, and before January 1,  
5 1996, and after the date of the enactment of this sub-  
6 section and before January 1, 2017.”.

7       (b) CORPORATE ENVIRONMENTAL INCOME TAX.—  
8 Section 59A(e) of the Internal Revenue Code of 1986 is  
9 amended to read as follows:

10       “(e) APPLICATION OF TAX.—The tax imposed by this  
11 section shall apply to taxable years beginning after De-  
12 cember 31, 1986, and before January 1, 1996, and to tax-  
13 able years beginning after the date of the enactment of  
14 this subsection and before January 1, 2017.”.

15       (c) TECHNICAL AMENDMENTS.—

16           (1) Section 4611(b) of the Internal Revenue  
17 Code of 1986 is amended—

18               (A) by striking “or exported from” in  
19 paragraph (1)(A),

20               (B) by striking “or exportation” in para-  
21 graph (1)(B), and

22               (C) by striking “AND EXPORTATION” in  
23 the heading.

24           (2) Section 4611(d)(3) of such Code is amend-  
25 ed—

1 (A) by striking “or exporting the crude oil,  
2 as the case may be” in the text and inserting  
3 “the crude oil”, and

4 (B) by striking “OR EXPORTS” in the  
5 heading.

6 (d) EFFECTIVE DATES.—

7 (1) EXCISE TAXES.—The amendments made by  
8 subsections (a) and (c) shall take effect on the date  
9 of the enactment of this Act.

10 (2) INCOME TAX.—The amendment made by  
11 subsection (b) shall apply to taxable years beginning  
12 after the date of the enactment of this Act.

○