

119TH CONGRESS
2D SESSION

S. 4222

To amend the Internal Revenue Code of 1986 to provide for an end date for the credit for certain qualified carbon oxide, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 2026

Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BOOKER, Mr. SANDERS, and Ms. WARREN) 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 provide for an end date for the credit for certain qualified carbon oxide, and for other purposes.

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 “End Polluter Welfare
5 for Enhanced Oil Recovery Act of 2026”.

1 **SEC. 2. ELIMINATION OF USE OF CARBON OXIDE AS TER-**
 2 **TIARY INJECTANT.**

3 (a) IN GENERAL.—Section 45Q(f) of the Internal
 4 Revenue Code of 1986 is amended by adding at the end
 5 the following new paragraph:

6 “(11) ELIMINATION OF USE OF CARBON OXIDE
 7 AS TERTIARY INJECTANT.—In the case of any quali-
 8 fied facility the construction of which begins after
 9 the date of the enactment of the End Polluter Wel-
 10 fare for Enhanced Oil Recovery Act of 2026, sub-
 11 section (a)(3)(B)(ii) shall not apply.”.

12 (b) EFFECTIVE DATE.—The amendments made by
 13 this section shall apply to taxable years beginning after
 14 the date of the enactment of this Act.

15 **SEC. 3. ENHANCED OIL RECOVERY CREDIT.**

16 (a) IN GENERAL.—Subpart D of part IV of sub-
 17 chapter A of chapter 1 of the Internal Revenue Code of
 18 1986 is amended by striking section 43.

19 (b) CONFORMING AMENDMENTS.—

20 (1) Section 38(b) of such Code is amended by
 21 striking paragraph (6).

22 (2) Section 45I(b)(2)(B) of such Code is
 23 amended by inserting “(as in effect on the day be-
 24 fore the date of the enactment of the End Polluter
 25 Welfare for Enhanced Oil Recovery Act of 2026)”
 26 after “section 43(c)(3)(B)”.

1 (3) Section 45K(b)(5)(A) of such Code is
 2 amended by inserting “(as in effect on the day be-
 3 fore the date of the enactment of the End Polluter
 4 Welfare for Enhanced Oil Recovery Act of 2026)”
 5 after “section 43”.

6 (4) Section 45Q of such Code is amended—

7 (A) by striking “section 43(b)(3)(B)” each
 8 place it appears and inserting “section
 9 43(b)(3)(B) (as in effect on the day before the
 10 date of the enactment of the End Polluter Wel-
 11 fare for Enhanced Oil Recovery Act of 2026)”,
 12 and

13 (B) in subsection (e)(4), by inserting “(as
 14 in effect on the day before the date of the en-
 15 actment of the End Polluter Welfare for En-
 16 hanced Oil Recovery Act of 2026)” after “sec-
 17 tion 43(c)(2)”.

18 (5) Section 196(c) of such Code is amended by
 19 striking paragraph (5) and by redesignating para-
 20 graphs (6) through (14) as paragraphs (5) through
 21 (13), respectively.

22 (6) Section 6501(m) of such Code is amended
 23 by striking “43,”.

1 (7) The table of sections for subpart D of part
2 IV of subchapter A of chapter 1 of such Code is
3 amended by striking the item relating to section 43.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall apply to taxable years beginning after
6 the date of the enactment of this Act.

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