

114TH CONGRESS
1ST SESSION

H. R. 2202

To amend the Internal Revenue Code of 1986 to impose an excise tax
on greenhouse gas emissions.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2015

Mr. DELANEY (for himself, Mr. HUFFMAN, Mr. CARTWRIGHT, and Mr. POLIS)
introduced the following bill; which was referred to the Committee on
Ways and Means, and in addition to the Committee on Education and
the Workforce, for a period to be subsequently determined by the Speak-
er, in each case for consideration of such provisions as fall within the ju-
risdiction of the committee concerned

A BILL

To amend the Internal Revenue Code of 1986 to impose
an excise tax on greenhouse gas emissions.

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 “Tax Pollution, Not
5 Profits Act”.

1 **SEC. 2. GREENHOUSE GAS EMISSIONS.**

2 (a) IN GENERAL.—Chapter 38 of the Internal Rev-
 3 enue Code of 1986 is amended by adding at the end there-
 4 of the following new subchapter:

5 **“Subchapter E—Greenhouse Gas Emissions**

“Sec. 4691. Tax imposed on greenhouse gas emissions.

“Sec. 4692. Border adjustments.

“Sec. 4693. Definitions and other rules.

6 **“SEC. 4691. TAX IMPOSED ON GREENHOUSE GAS EMIS-**
 7 **SIONS.**

8 “(a) IN GENERAL.—There is hereby imposed a tax
 9 on greenhouse gas emissions from fossil fuel products and
 10 on greenhouse gas emissions from any facility which is re-
 11 quired to report emissions, or to which emissions are at-
 12 tributed, under subpart A of part 98 of title 40, Code of
 13 Federal Regulations, as in effect on the date of the enact-
 14 ment of the Tax Pollution, Not Profits Act, and emitted
 15 not less than 25,000 tons of carbon dioxide emissions dur-
 16 ing the preceeding calendar year.

17 “(b) APPLICATION OF TAX.—The Secretary, in co-
 18 ordination with the Administrator of the Environmental
 19 Protection Agency, shall apply the tax at natural
 20 chokepoints in the supply chain in a way that maximizes
 21 the coverage of the tax on sources of emission while mini-
 22 mizing the burden on administration and compliance.

23 “(c) AMOUNT OF TAX.—The amount of the tax will
 24 equal \$30 per metric ton of carbon dioxide or carbon diox-

1 ide equivalent in 2016, and increase each subsequent year
2 by 4 percent above inflation, as measured by the Con-
3 sumer Price Index for all urban consumers (all items;
4 United States city average), rounded up to the next whole
5 dollar amount.

6 “(d) REFUND.—The Secretary shall provide a refund
7 equal to the tax per metric ton of carbon dioxide or carbon
8 dioxide equivalent for the capture and permanent seques-
9 ter of greenhouse gas emissions or from the use of a fossil
10 fuel in manufacturing which does not result in the emis-
11 sion of a greenhouse gas in a manner that can be reason-
12 ably assumed to permanently sequester the greenhouse
13 gas content of the fossil fuel.

14 **“SEC. 4692. BORDER ADJUSTMENTS.**

15 “(a) EXPORTS.—In the case of any good exported
16 from the United States, the Secretary may provide an
17 equivalency refund to the person exporting such good
18 equal to the cost associated with the tax imposed in section
19 4691.

20 “(b) IMPORTS.—In the case of any good imported
21 into the United States that would have had an increased
22 cost imposed by section 4691 had that good been produced
23 in the United States, the Secretary may impose an equiva-
24 lency fee on the person importing such good equivalent
25 to the tax that would have been imposed under section

1 4691 at any point in the supply chain of that good, had
2 that good been produced in the United States.

3 “(c) REGULATORY AUTHORITY.—The Secretary shall
4 consult with the Administrator of the Environmental Pro-
5 tection Agency, the United States Trade Representative,
6 and the Secretary of Energy in establishing rules and reg-
7 ulations implementing the purposes of this section.

8 **“SEC. 4693. DEFINITIONS AND OTHER RULES.**

9 “(a) DEFINITIONS.—For purposes of this sub-
10 chapter—

11 “(b) CARBON DIOXIDE EQUIVALENT.—The term
12 ‘carbon dioxide equivalent’ means, for each greenhouse
13 gas, the quantity of greenhouse gas that the Administrator
14 of the Environmental Protection Agency determines
15 makes the same contribution to global warming as 1 met-
16 ric ton of carbon dioxide.

17 “(c) GREENHOUSE GAS.—The term ‘greenhouse gas’
18 means any of the following:

19 “(1) Carbon dioxide.

20 “(2) Methane.

21 “(3) Nitrous oxide.

22 “(4) Sulfur hexafluoride.

23 “(5) Hydrofluorocarbons.

24 “(6) Perfluorocarbons.

1 “(d) REGULATIONS.—The Secretary shall prescribe
 2 such regulations as may be necessary to carry out the pro-
 3 visions of this subchapter.”.

4 (b) CLERICAL AMENDMENT.—The table of sub-
 5 chapters for chapter 38 of the Internal Revenue Code of
 6 1986 is amended by adding at the end the following new
 7 item:

“SUBCHAPTER E. GREENHOUSE GAS EMISSIONS”.

8 (c) EFFECTIVE DATE.—The amendments made by
 9 this section shall apply to taxable years beginning after
 10 December 31, 2015.

11 **SEC. 3. ASSISTANCE TO LOW INCOME FAMILIES.**

12 (a) IN GENERAL.—The Social Security Act (42
 13 U.S.C. 301 et seq.) is amended by adding at the end the
 14 following:

15 **“TITLE XXII—LOW-INCOME EN-**
 16 **ERGY COST MITIGATION PRO-**
 17 **GRAM**

18 **“SEC. 2201. LOW-INCOME ENERGY COST MITIGATION PRO-**
 19 **GRAM.**

20 “(a) IN GENERAL.—The Secretary, in consultation
 21 with the Commissioner of Social Security and the Sec-
 22 retary of Agriculture, shall formulate and administer the
 23 program provided for in this section, which shall be known
 24 as the ‘Low-Income Energy Cost Mitigation Program’,

1 and under which eligible households are provided an en-
 2 ergy refund.

3 “(b) ELIGIBILITY OF HOUSEHOLDS TO RECEIVE EN-
 4 ERGY REFUND.—Each eligible household shall be entitled
 5 to receive monthly cash payments under this section in
 6 an amount equal to the monthly energy refund amount
 7 determined under subsection (d).

8 “(c) ELIGIBILITY.—

9 “(1) ELIGIBLE HOUSEHOLDS.—A household
 10 shall be considered to be an eligible household for
 11 purposes of this section if—

12 “(A) except as provided in subsection
 13 (d)(4), the gross income of the household does
 14 not exceed 200 percent of the poverty line;

15 “(B) the State agency for the State in
 16 which the household is located determines that
 17 the household is participating in—

18 “(i) the Supplemental Nutrition As-
 19 sistance Program authorized by the Food
 20 and Nutrition Act of 2008 (7 U.S.C. 2011
 21 et seq.);

22 “(ii) the Food Distribution Program
 23 on Indian Reservations authorized by sec-
 24 tion 4(b) of such Act (7 U.S.C. 2013(b));
 25 or

1 “(iii) the program for nutrition assist-
2 ance in Puerto Rico or American Samoa
3 under section 19 of such Act (7 U.S.C.
4 2028);

5 “(C) the household consists of a single in-
6 dividual or a married couple, and—

7 “(i) receives the subsidy described in
8 section 1860D–14 of this Act (42 U.S.C.
9 1395w–114); or

10 “(ii)(I) participates in the program
11 under title XVIII of this Act; and

12 “(II) meets the income requirements
13 described in section 1860D–14(a)(1) or
14 (a)(2) of this Act (42 U.S.C. 1395w–
15 114(a)(1) or (a)(2)); or

16 “(D) the household consists of a single in-
17 dividual or a married couple, and receives bene-
18 fits under the supplemental security income
19 program under title XVI of this Act (42 U.S.C.
20 1381–1383f).

21 “(2) LIMITATION.—Notwithstanding any other
22 provision of law, the Secretary shall provide refunds
23 to United States citizens, United States nationals,
24 and individuals lawfully residing in the United
25 States who qualify for a refund under paragraph

1 (1)(A), and shall establish procedures to ensure that
2 other individuals do not receive refunds.

3 “(3) NATIONAL STANDARDS.—The Secretary
4 shall consult with the Secretary of Agriculture and
5 establish uniform national standards of eligibility en-
6 suring that States may co-administer the energy re-
7 fund program with the Supplemental Nutrition As-
8 sistance Program in accordance with the provisions
9 of this section. No State agency shall impose any
10 other standard or requirement as a condition of eli-
11 gibility or refund receipt under the program. Assist-
12 ance in the Energy Refund Program shall be fur-
13 nished promptly to all eligible households who make
14 application for such participation or are already en-
15 rolled in any program referred to in paragraph (1).

16 “(d) MONTHLY ENERGY REFUND AMOUNT.—

17 “(1) ESTIMATED ANNUAL REFUND.—Not later
18 than 30 days after the date of the enactment of the
19 Tax Pollution, Not Profits Act, and each November
20 30 thereafter, the Energy Information Administra-
21 tion shall estimate, pursuant to a method that is ap-
22 propriate for such purposes, the annual total loss in
23 purchasing power that will result from subchapter E
24 of chapter 38 of the Internal Revenue Code of 1986
25 (relating to excise tax on carbon dioxide and other

1 greenhouse gas emissions) in the next calendar year
2 for households of each size with gross income equal
3 to 150 percent of the poverty line, based on the pro-
4 jected total market value of all compliance costs, ex-
5 cluding the amount of the increase in households'
6 energy consumption that is financed by higher cost
7 of living adjustments to Federal benefits that result
8 from increased carbon costs.

9 “(2) MONTHLY ENERGY REFUND.—Subject to
10 paragraph (3), the amount of the monthly energy re-
11 fund for an eligible household under this section
12 shall be—

13 “(A) if the household has 1, 2, 3, or 4
14 members, $\frac{1}{12}$ of the amount estimated under
15 paragraph (1) for such calendar year for a
16 household of the same size, rounded to the
17 nearest whole dollar amount; or

18 “(B) if the household has 5 or more mem-
19 bers, $\frac{1}{12}$ of the arithmetic mean value of the
20 amounts estimated under paragraph (1) for
21 such calendar year for households with 5 or
22 more members, rounded to the nearest whole
23 dollar amount.

24 “(3) PHASEOUT.—In any case in which the
25 gross income of an eligible household exceeds 150

1 percent of the poverty line applicable to such house-
2 hold, the refund determined under paragraph (2)
3 shall be reduced ratably (but not below zero) by 2
4 percentage points for each percentage point that the
5 gross income exceeds 150 percent of such poverty
6 line.

7 “(4) EXTENSION OF PHASEOUT INTO MIDDLE
8 CLASS.—

9 “(A) DETERMINATION.—Not later than 30
10 days after the date of the enactment of the Tax
11 Pollution, Not Profits Act, and each November
12 30 thereafter, the Secretary shall estimate for
13 the next calendar year the amount of revenues
14 to be received in the general fund of the Treas-
15 ury by reason of subchapter E of chapter 38
16 (relating to carbon dioxide and other green-
17 house gas emissions) and the expenditures dur-
18 ing such calendar year to carry out the Tax
19 Pollution, Not Profits Act and the amendments
20 made by such Act.

21 “(B) MODIFIED PHASEOUT.—If such reve-
22 nues exceed such expenditures, then—

23 “(i) for such calendar year the phase-
24 out in paragraph (3) shall be applied by
25 substituting for ‘2 percentage points’ the

percentage determined by the Secretary to extend the phaseout under paragraph (3) in such a manner as to reduce such excess to zero, and

“(ii) in the case of households the gross income of which exceeds 200 percent of the poverty line, Secretary may under regulations allow a credit under subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 for the aggregate of the monthly energy refunds.

“(e) DELIVERY MECHANISM.—

“(1) Subject to standards and an implementation schedule set by the Secretary, the energy refund shall be provided in monthly installments via—

“(A) direct deposit into the eligible household’s designated bank account;

“(B) the State’s electronic benefit transfer system; or

“(C) another Federal or State mechanism, if such a mechanism is approved by the Secretary.

“(2) The standards described under paragraph (1) shall—

1 “(A) protect the privacy of energy refund
2 applicants and recipients;

3 “(B) provide energy refund recipients with
4 choices, as appropriate, for delivery and receipt
5 of refunds;

6 “(C) ensure ease of use and access to re-
7 funds, including a prohibition on any fees
8 charged for withdrawals or other related serv-
9 ices;

10 “(D) protect, in a cost-effective manner,
11 against improper access to energy refunds;

12 “(E) ensure interoperability of the Energy
13 Refund Program between States and permit
14 monitoring and investigations by authorized law
15 enforcement agencies; and

16 “(F) include such standards, as deter-
17 mined appropriate by the Secretary, to protect
18 applicant and recipient households from fraud
19 and abuse and promote effective and efficient
20 administration of Energy Refund Program.

21 “(f) ADMINISTRATION.—

22 “(1) IN GENERAL.—The State agency of each
23 participating State shall assume responsibility for
24 the certification of applicant households and for the

1 issuance of refunds and the control and account-
2 ability thereof.

3 “(2) ADMINISTRATIVE COSTS.—Subject to such
4 standards as determined appropriate by the Sec-
5 retary, the Secretary shall reimburse each State
6 agency for 100 percent of administrative costs.

7 “(3) PROCEDURES.—Under standards estab-
8 lished by the Secretary, the State agency shall estab-
9 lish procedures governing the administration of the
10 Energy Refund Program that the State agency de-
11 termines best serve households in the State, includ-
12 ing households with special needs, such as house-
13 holds with elderly or disabled members, households
14 in rural areas, homeless individuals, and households
15 residing on reservations as defined in the Indian
16 Child Welfare Act of 1978 and the Indian Financing
17 Act of 1974. In carrying out this paragraph, a State
18 agency—

19 “(A) shall provide timely, accurate, and
20 fair service to applicants for, and participants
21 in, the Energy Refund Program;

22 “(B) shall permit an applicant household
23 to apply to participate in the program at the
24 time that the household first contacts the State
25 agency, and shall consider an application that

1 contains the name, address, and signature of
2 the applicant to be sufficient to constitute an
3 application for participation;

4 “(C) shall screen any applicant household
5 for the Supplemental Nutrition Assistance Pro-
6 gram, the State’s medical assistance program
7 under section XIX of this Act, the Children’s
8 Health Insurance Program under section XXI
9 of this Act, and a State program that provides
10 basic assistance under a State program funded
11 under title IV of this Act or with qualified
12 State expenditures as defined in section
13 409(a)(7) of this Act for eligibility for the En-
14 ergy Refund Program and, if eligible, shall en-
15 roll such applicant household in the Energy Re-
16 fund Program;

17 “(D) shall complete certification of and
18 provide a refund to any eligible household not
19 later than 30 days following its filing of an ap-
20 plication;

21 “(E) shall use appropriate bilingual per-
22 sonnel and materials in the administration of
23 the program in those portions of the State in
24 which a substantial number of members of low-

1 income households speak a language other than
2 English; and

3 “(F) shall utilize State agency personnel
4 who are employed in accordance with the cur-
5 rent standards for a Merit System of Personnel
6 Administration or any standards later pre-
7 scribed by the Office of Personnel Management
8 pursuant to section 208 of the Intergovern-
9 mental Personnel Act of 1970 (42 U.S.C. 4728)
10 modifying or superseding such standards relat-
11 ing to the establishment and maintenance of
12 personnel standards on a merit basis to make
13 all tentative and final determinations of eligi-
14 bility and ineligibility.

15 “(4) STREAMLINED ELIGIBILITY FOR CERTAIN
16 BENEFICIARIES OF FEDERAL PROGRAMS.—

17 “(A) IN GENERAL.—The Secretary, the
18 Commissioner of Social Security, the Railroad
19 Retirement Board, or the Secretary of Veterans
20 Affairs shall develop procedures to directly pro-
21 vide energy refunds to individuals that are
22 beneficiaries under the benefit programs admin-
23 istered by such entities and are eligible to re-
24 ceive such refunds under the Energy Refund
25 Program, if the Secretary determines, in con-

1 sultation with the Commissioner of Social Secu-
2 rity, the Railroad Retirement Board, and the
3 Secretary of Veterans Affairs, that—

4 “(i) one or more of such entities are
5 able to determine the gross income of such
6 beneficiaries for purposes of determining
7 eligibility for the energy refund;

8 “(ii) such entities are able to coordi-
9 nate to ensure that such beneficiaries do
10 not receive multiple energy refunds; and

11 “(iii) Federal provision of energy re-
12 funds would be more efficient and result in
13 receipt of energy refunds by a greater
14 number of eligible beneficiaries than deliv-
15 ery of such refunds by the States.

16 “(B) RECEIPT OF REFUNDS.—Any low-in-
17 come beneficiary who receives an energy refund
18 pursuant to the procedures developed under this
19 paragraph shall not be eligible for an energy re-
20 fund otherwise provided by a State agency
21 under this section.

22 “(5) REGULATIONS.—

23 “(A) Except as provided in subparagraph
24 (B), the Secretary shall issue such regulations
25 consistent with this section as the Secretary

1 deems necessary or appropriate for the effective
2 and efficient administration of the Energy Re-
3 fund Program, and shall promulgate all such
4 regulations in accordance with the procedures
5 set forth in section 553 of title 5, United States
6 Code.

7 “(B) Without regard to section 553 of title
8 5 of such Code, the Secretary may by rule pro-
9 mulgate as final, to be effective until not later
10 than 2 years after the date of the enactment of
11 the Tax Pollution, Not Profits Act, any proce-
12 dures that are substantially the same as the
13 procedures governing the Supplemental Nutri-
14 tion Assistance Program in section 273.2,
15 273.12, or 273.15 of title 7, Code of Federal
16 Regulations.

17 “(C) Notwithstanding paragraphs (2) and
18 (3) of subsection (i), the Secretary shall pro-
19 mulgate regulations requiring streamlined eligi-
20 bility determinations for some or all households
21 which include individuals receiving medical as-
22 sistance under a State plan approved under
23 title XIX or XXI of this Act or individuals re-
24 ceiving premium credits for the purchase of
25 qualified health insurance coverage pursuant to

1 section 36B of the Internal Revenue Code of
2 1986. The regulations shall institute procedures
3 whereby the gross income and family size infor-
4 mation used for determining eligibility under
5 such provisions serve as the basis for deter-
6 mining eligibility for the Energy Refund Pro-
7 gram.

8 “(D) Notwithstanding any other provision
9 of this section, the Secretary may authorize
10 States to provide benefits under this section on
11 a quarterly basis if the Secretary determines
12 that the amount of the benefits that would be
13 provided on a monthly basis to households is in-
14 sufficient to be efficiently paid on a monthly
15 basis in light of the administrative expenses of
16 the Energy Refund Program.

17 “(6) CONTROLLING LAW.—For purposes of any
18 administrative or judicial action or proceeding initi-
19 ated by a household to a provision arising under this
20 section, including any procedures established by a
21 State agency under paragraph (3) or any regulations
22 issued by the Secretary under paragraph (4), such
23 action or proceeding shall be subject to the following
24 conditions:

1 “(A) LIMITATION ON RECOVERY FOR
2 WRONGFUL OR ERRONEOUS WITHHOLDING OF
3 REFUNDS.—Any energy refunds that are deter-
4 mined to have been wrongfully or erroneously
5 withheld from a household shall be restored for
6 a period of not greater than 1 year prior to the
7 date that the underlying action or proceeding
8 was filed, or in the case of an action seeking re-
9 view of a final State agency determination, not
10 more than 1 year prior to the date of the filing
11 of a request with the State for the restoration
12 of such allotments or, in either case, not more
13 than 1 year prior to the date the State agency
14 is notified or otherwise discovers the possible
15 loss to a household.

16 “(B) RECORDS.—Any records maintained
17 by a State agency under this section for the
18 purpose of certification of applicant households,
19 the issuance of energy refunds, or compliance
20 with any requirements established by the Sec-
21 retary shall be made available to a household to
22 the extent necessary to carry out such action or
23 proceeding and consistent with the privacy
24 standards established under subsection
25 (e)(2)(A).

1 “(C) REGULATIONS.—For purposes of any
2 such administrative or judicial action, all par-
3 ties shall be required to comply with any sub-
4 stantive and procedural regulations established
5 by the Secretary for the operation of the En-
6 ergy Refund Program unless such regulations
7 are not in accordance with law.

8 “(g) TREATMENT.—The value of the refund provided
9 under this section shall not be considered income or re-
10 sources for any purpose under any Federal, State, or local
11 laws, including, but not limited to, laws relating to an in-
12 come tax, or public assistance programs (including, but
13 not limited to, health care, cash aid, child care, nutrition
14 programs, and housing assistance) and no participating
15 State or political subdivision thereof shall decrease any as-
16 sistance otherwise provided an individual or individuals be-
17 cause of the receipt of a refund under this section.

18 “(h) PROGRAM INTEGRITY.—For purposes of ensur-
19 ing program integrity and complying with the require-
20 ments of the Improper Payment Information Act of 2002,
21 the Secretary shall, to the maximum extent possible, rely
22 on and coordinate with the quality control sample and re-
23 view procedures of paragraphs (2), (3), (4), and (5) of
24 section 16(c) of the Food and Nutrition Act of 2008 (7
25 U.S.C. 2025(c)).

1 “(i) DEFINITIONS.—

2 “(1) ELECTRONIC BENEFIT TRANSFER SYS-
3 TEM.—The term ‘electronic benefit transfer system’
4 means a system by which household benefits or re-
5 funds defined under subsection (e) are issued from
6 and stored in a central databank via electronic ben-
7 efit transfer cards.

8 “(2) GROSS INCOME.—The term ‘gross income’
9 means the gross income of a household that is deter-
10 mined in accordance with standards and procedures
11 established under section 5 of the Food and Nutri-
12 tion Act of 2008 (7 U.S.C. 2014) and its imple-
13 menting regulations.

14 “(3) HOUSEHOLD.—

15 “(A) The term ‘household’ means—

16 “(i) in subparagraphs (A) and (B) of
17 subsection (c)(1) of this section, except as
18 provided in subparagraph (C) of this para-
19 graph, an individual or a group of individ-
20 uals who are a household under section
21 3(n) of the Food and Nutrition Act of
22 2008 (7 U.S.C. 2012(n));

23 “(ii) in subsection (c)(1)(C) of this
24 section, a single individual or married cou-
25 ple that receives benefits under section

1 1860D–14 of this Act (42 U.S.C. 1395w–
2 114) and is not an institutionalized indi-
3 vidual or couple (as defined in section
4 1902(q)(1)(B)); and

5 “(iii) in subsection (c)(1)(D) of this
6 section, a single individual or married cou-
7 ple that receives benefits under the supple-
8 mental security income program under title
9 XVI of this Act (42 U.S.C. 1381–1383f)
10 and is not an institutionalized individual or
11 couple.

12 “(B) The Secretary shall establish rules
13 for providing the energy refund in an equitable
14 and administratively simple manner to house-
15 holds where the group of individuals who live
16 together includes members not all of whom are
17 described in a single clause of subparagraph
18 (A), or includes additional members not de-
19 scribed in any such clause.

20 “(C) The Secretary shall establish rules re-
21 garding the eligibility and delivery of the energy
22 refund to groups of individuals described in sec-
23 tion 3(n)(4) or (5) of the Food and Nutrition
24 Act of 2008 (7 U.S.C. 2012(n)).

1 “(4) POVERTY LINE.—The term ‘poverty line’
2 has the meaning given the term in section 673(2) of
3 the Community Services Block Grant Act (42 U.S.C.
4 9902(2)), including any revision required by that
5 section.

6 “(5) STATE.—The term ‘State’ means the 50
7 States, the District of Columbia, the Commonwealth
8 of Puerto Rico, American Samoa, the United States
9 Virgin Islands, Guam, and the Commonwealth of the
10 Northern Mariana Islands.

11 “(6) STATE AGENCY.—The term ‘State agency’
12 means an agency of State government, including the
13 local offices thereof, that has responsibility for ad-
14 ministration of the 1 or more federally aided public
15 assistance programs within the State, and in those
16 States where such assistance programs are operated
17 on a decentralized basis, the term shall include the
18 counterpart local agencies administering such pro-
19 grams.

20 “(7) OTHER TERMS.—Other terms not defined
21 in this title shall have the same meaning applied in
22 the Supplemental Nutrition Assistance Program au-
23 thorized by the Food and Nutrition Act of 2008 (7
24 U.S.C. 2011 et seq.) unless the Secretary finds for
25 good cause that application of a particular definition

1 would be detrimental to the purposes of the Energy
2 Refund Program.

3 “(j) STATE OPT IN.—The Secretary shall carry out
4 the requirements specified by this section for a State or
5 State agency unless the State or State agency elects to
6 carry out such requirements.”.

7 (b) CONFORMING AMENDMENT.—Section 1324(b)(2)
8 of title 31, United States Code, is amended by inserting
9 the following before the period at the end: “, or under
10 section 2201(d)(4)(B)(ii) of the Social Security Act”.

11 **SEC. 4. ASSISTANCE TO DISPLACED WORKERS IN THE COAL**
12 **INDUSTRY.**

13 For a period of 10 years after the enactment of the
14 Tax Pollution, Not Profit Act, up to 2 percent of the reve-
15 nues generated under this Act may be used by the Sec-
16 retary of Labor to implement a program to assist workers
17 in the coal industry that may be displaced as a result of
18 the enactment of this Act. This assistance can take the
19 form of the following:

20 (1) Worker retraining.

21 (2) Relocation expenses for those who move to
22 find new employment.

23 (3) Early retirement.

24 (4) Health Benefits.

1 (5) Other assistance that the Secretary deter-
2 mines appropriate.

3 **SEC. 5. REDUCTION IN CORPORATE TAX RATE.**

4 (a) IN GENERAL.—Section 11(b)(1) of the Internal
5 Revenue Code of 1986 is amended—

6 (1) by striking subparagraphs (C) and (D), by
7 inserting “and” at the end of subparagraph (B), and
8 by inserting after subparagraph (B) the following:

9 “(C) applicable percentage of so much of
10 the taxable income as exceeds \$75,000.”,

11 (2) by striking “\$11,750” and inserting “appli-
12 cable dollar amount”, and

13 (3) by striking the last sentence.

14 (b) APPLICABLE PERCENTAGE; APPLICABLE DOLLAR
15 AMOUNT.—Section 11 of such Code is amended by adding
16 at the end the following:

17 “(e) APPLICABLE PERCENTAGE.—For purposes of
18 this section—

19 “(1) APPLICABLE PERCENTAGE.—The term
20 ‘applicable percentage’ means—

21 “(A) 32 percent in the case of taxable
22 years beginning in 2016,

23 “(B) 31 percent in the case of taxable
24 years beginning in 2017,

1 “(C) 30 percent in the case of taxable
2 years beginning in 2018,

3 “(D) 29 percent in the case of taxable
4 years beginning in 2019, and

5 “(E) 28 percent in the case of taxable
6 years beginning after 2019.

7 “(2) APPLICABLE DOLLAR AMOUNT.—The term
8 ‘applicable dollar amount’ means—

9 “(A) \$6,750 in the case of taxable years
10 beginning in 2016,

11 “(B) \$5,500 in the case of taxable years
12 beginning in 2017,

13 “(C) \$5,000 in the case of taxable years
14 beginning in 2018,

15 “(D) \$4,500 in the case of taxable years
16 beginning in 2019, and

17 “(E) \$4,000 in the case of taxable years
18 beginning after 2019.”.

19 (c) CONFORMING AMENDMENTS.—

20 (1) Section 11(b)(2) of such Code is amended
21 by striking “35 percent” and inserting “the applica-
22 ble percentage”.

23 (2) Section 1201(a) of such Code is amended—

1 (A) by striking “35 percent” both places it
 2 appears and inserting “the applicable percent-
 3 age”, and

4 (B) by striking “2 sentences” and insert-
 5 ing “sentence”.

6 (3) Section 1445(e) of such Code is amended by
 7 striking “35 percent” each places it occurs and in-
 8 serting “the applicable percentage”.

9 (d) EFFECTIVE DATE.—

10 (1) IN GENERAL.—Except as otherwise pro-
 11 vided in this subsection, the amendments made by
 12 this section shall apply to taxable years beginning
 13 after December 31, 2015.

14 (2) WITHHOLDING.—The amendments made by
 15 subsection (b)(4) shall apply to distributions made
 16 after December 31, 2015.

17 **SEC. 6. PUBLIC DISCLOSURE OF REVENUES AND EXPENDI-**
 18 **TURES.**

19 (a) ESTABLISHMENT OF WEBSITE.—The Secretary
 20 of the Treasury, or the Secretary’s designee, shall estab-
 21 lish a website for purposes of making the disclosures de-
 22 scribed in subsection (b).

23 (b) DISCLOSURES.—The Secretary shall make pub-
 24 licly available, on an ongoing basis and as frequently as
 25 possible, information regarding the amount and sources

- 1 of revenue attributable to this Act and the amendments
- 2 made by this Act.

