S. 4285

At the request of Mr. MANCHIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 4285, a bill to establish a pilot program through which the Institute of Museum and Library Services shall allocate funds to States for the provision of Internet-connected devices to libraries.

S. 4286

At the request of Mr. MARKEY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 4286, a bill to authorize appropriations for offsetting the costs related to reductions in research productivity resulting from the coronavirus pandemic.

S. 4290

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 4290, a bill to provide much needed liquidity to America's job creators.

S. 4296

At the request of Mr. PORTMAN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 4296, a bill to provide the Administrator of the Drug-Free Communities Support Program the authority to waive the Federal fund limitation for the Drug-Free Communities Support Program.

S. 4317

At the request of Mr. CORNYN, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Georgia (Mr. PERDUE), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 4317, a bill to lessen the burdens on interstate commerce by discouraging insubstantial lawsuits relating to COVID–19 while preserving the ability of individuals and businesses that have suffered real injury to obtain complete relief.

S. 4338

At the request of Mr. BOOKER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 4338, a bill to direct the Secretary of Agriculture to temporarily suspend increased line speeds at meat and poultry establishments, and for other purposes.

S. 4344

At the request of Mr. TESTER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 4344, a bill to provide a tax credit to live event venues that provided refunds on tickets for events that were cancelled due to the coronavirus pandemic.

S. 4362

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 4362, a bill to prohibit water and power shutoffs during the COVID–19 emergency period, provide drinking and waste water assistance to households, and for other purposes.

S. 4374

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 4374, a bill to establish a Government-wide initiative to promote diversity and inclusion in the Federal workforce, and for other purposes.

S. 4390

At the request of Mr. KAINE, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 4390, a bill to establish a grant program to support schools of medicine and schools of osteopathic medicine in underserved areas.

S. 4395

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 4395, a bill to amend title 46, United States Code, to authorize maritime transportation emergency relief, and for other purposes.

S. 4402

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 4402, a bill to amend the Federal Water Pollution Control Act to clarify certain activities that would have been authorized under Nationwide Permit 12 and other Nationwide Permits, and for other purposes.

S. 4433

At the request of Mr. CORNYN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 4433, a bill to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 4439

At the request of Ms. SMITH, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 4439, a bill to require any COVID–19 drug developed in whole or in part with Federal support to be affordable and accessible by prohibiting monopolies and price gouging, and for other purposes.

S. 4442

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 4442, a bill to amend subtitle A of title II of division A of the CARES Act to provide Pandemic Unemployment Assistance to individuals with mixed income sources, and for other purposes.

S. RES. 524

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 524, a resolution condemning the practice of politically motivated imprisonment, calling for the immediate release of political prisoners in the Russian Federation, and urging action by the United States Government to impose sanctions with respect to persons responsible for that form of human rights abuse.

S. RES. 578

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Ohio (Mr. PORTMAN), the Senator from Virginia (Mr. KAINE), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Georgia (Mr. PERDUE), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Maryland (Mr. CARDIN), the Senator from Kansas (Mr. MORAN), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 578, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 658

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. Res. 658, a resolution calling for a free, fair, and transparent presidential election in Belarus taking place on August 9, 2020, including the unimpeded participation of all presidential candidates.

AMENDMENT NO. 2582

At the request of Ms. ERNST, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of amendment No. 2582 intended to be proposed to S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

AMENDMENT NO. 2593

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 2593 intended to be proposed to S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself and Mr. WARNER):

S. 4502. A bill to amend the Natural Gas Act to bolster fairness and transparency in the consideration of interstate natural gas pipeline permits, to provide for greater public input opportunities in the natural gas pipeline permitting process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KAINE. Mr. President, today I am introducing a bipartisan bill to

make the process of siting natural gas pipelines fairer, more transparent, and more responsive to landowner concerns.

For some time now, I have been listening to Virginians with passionate views on the process involved in permitting the Atlantic Coast and Mountain Valley Pipelines. For various reasons, many oppose one or both of these projects while others support these projects. The Federal Energy Regulatory Commission, FERC, is tasked with analyzing all the issues—purpose and need for a project, impacts on people living on the route, potential risks to the environment or property—and deciding what course best serves the public interest.

From listening to all sides, I have concluded that while reasonable people may reach different conclusions, FERC's public input process is flawed and could be better. Accordingly, this legislation proposes several steps to address several shortcomings, all of which were originally brought to my attention by Virginia constituents. For instance, this bill requires programmatic analysis of pipelines proposed around the same time and in the same geographic vicinity so that the full impacts of multiple projects can be analyzed. It requires a greater number of public comment meetings so that citizens are not required to commute long distances to meetings at which they must speed through just a few minutes of remarks on these complex topics. It ensures that affected landowners are given proper notice and compensation. It guarantees that landowner complaints will be heard before construction commences. And it clarifies the circumstances under which eminent domain should and should not be used.

I am pleased to be joined by my colleague Senator MARK WARNER on this bill, which is an update to a version we introduced in the 115th Congress. The public deserves reasonable opportunity to weigh in on energy infrastructure projects, and we are heeding calls by our constituents to make this process fairer and more transparent without mandating a particular outcome.

I encourage the Senate to consider this legislation, not to pave the way for pipelines nor to throw up insurmountable roadblocks to them, but to give the public greater certainty that the federal government's infrastructure decisions are fair and transparent.

By Ms. COLLINS (for herself and Mr. PETERS):

S. 4504. A bill to amend title XVIII of the Social Security Act to expand the availability of medical nutrition therapy services under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to join my colleague from Michigan, Senator PETERS, in introducing legislation to expand Medicare beneficiaries' access to Medical Nutrition Therapy, or MNT, which is a cost-effective component of treatment for obesity, diabetes, hypertension, dyslipidemia, and other chronic conditions. At a time when we are seeing many diet-related chronic conditions contribute to poor COVID–19 outcomes, increasing access to MNT should be part of the strategy to improve disease management and prevention for America's seniors. Our legislation, the Medical Nutrition Therapy Act of 2020, would make two important changes to support patients, improve health outcomes, and reduce unnecessary healthcare costs.

First, it would expand Medicare Part B coverage of outpatient medical nutrition therapy services to a number of currently uncovered diseases or conditions—including prediabetes, obesity, high blood pressure, high cholesterol, malnutrition, eating disorders, cancer, celiac disease, and HIV/AIDS. Currently, Medicare Part B only covers outpatient MNT for diabetes, renal disease, and post-kidney transplant. Second, the bill would allow more types of providers—including nurse practitioners, physician assistants, clinical nurse specialists, and psychologists—to refer patients to MNT. This is especially critical for a rural State like Maine, where a NP or PA may be one's trusted primary care provider.

MNT counseling is provided by registered dietitian nutritionists, RDNs, as part of a collaborative healthcare team. It is evidenced-based and proven to positively impact weight, blood pressure, blood lipids, and blood sugar control, and nutritional counseling by RDNs is even recommended by the National Lipid Association to promote long-term adherence to an individualized, heart-healthy diet. Through MNT, individuals benefit from in-depth individualized nutrition assessments and trusted followup visits for the repeated reinforcement necessary to aid with behavior and lifestyle changes.

Seniors deserve improved access to this cost-effective medical treatment, but many older adults are missing out under the current Medicare policy. Marcy Kyle, a RDN from Rockport, ME, shared numerous stories of patients being denied access to medically necessary MNT that illustrate why this legislation is needed. In one story, a patient with prediabetes was referred by his primary care physician for MNT at age 64. At that time, his private insurance covered the service and he booked the first available appointment the following week. But this patient turned 65 that week and transitioned onto Medicare. You can imagine his surprise upon arriving for his appointment that MNT would not be covered. While the outpatient facility changed its process after this case in order to prevent similar situations, it demonstrates how the current restrictions are detrimental for older adults at a critical juncture in their health journey.

Another example from Maine was a patient with a new diagnosis of celiac disease complicated by severe weight loss. His private insurance covered MNT as celiac disease is a very controllable disease with proper nutrition. But when transitioning from private insurance to Medicare, this patient lost his opportunity for MNT. We know that early treatment with MNT can prevent future and more serious health complications and chronic conditions in older adults, and conditions such as prediabetes and celiac disease should be covered.

The health and financial crisis brought on by the COVID–19 pandemic makes access to MNT even more important. Seniors with diet-related conditions are suffering more than any other population in terms of the worst health outcomes, including death. Data from the Centers for Medicare & Medicaid Services, CMS, in June confirmed elevated risk for seniors with underlying health conditions. Among those hospitalized with COVID–19, 79 percent of patients had hypertension, 60 percent had hyperlipidemia, 50 percent of patients either presented with chronic kidney disease or diabetes. Tragically, of those hospitalized, 28 percent were never able to leave the hospital because they passed away.

In addition to the significant health impacts, the economic impact of chronic diseases is staggering. According to the U.S. Centers for Disease Control and Prevention, 90 percent of the $3.5 trillion the United States spends annually on health care goes to the treatment of people with chronic diseases and mental health conditions. Preventing chronic diseases, or managing symptoms when prevention is not possible, is one way to reduce these costs. This is particularly important for the Medicare Program as more than two-thirds of seniors on Medicare live with multiple chronic conditions. As one registered dietition nutritionist in Maine told me, ''We all know a dollar spent on prevention saves many health care dollars in the long run and is the right thing to do for our seniors at a time when they have limited budgets.''

The Medical Nutrition Therapy Act of 2020 is supported by more than 30 national organizations, including the Academy of Nutrition and Dietetics, the American Diabetes Association, the Endocrine Society, the American Cancer Society Cancer Action Network, and the National Kidney Foundation.

I urge my colleagues to support this important legislation to improve access to cost-effective medical treatment for Medicare patients with chronic diseases.

By Ms. SMITH:

S. 4466. A bill to authorize the Attorney General to make grants to improve public safety, and for other purposes; to the Committee on the Judiciary.

Ms. SMITH. Mr. President, I rise today to continue to lift up the voices of millions of Americans who are demanding policing reform as a necessary

step on the path towards racial justice in this country. The challenges in defeating systemic racism can seem insurmountable, but there are clear next steps.

We need to start by transforming our policing system to root out the systemic racism and the culture of violence that is killing Black and Brown and indigenous people and people of color.

I want to talk today about four areas of this work that need our urgent attention.

First, we need to bring justice, accountability, and change to police departments by passing the Justice in Policing Act.

Second, we need to invest in new models of public safety by supporting community-led reform and innovation. I am asking the Senate to take up and pass my new bill to do just that.

Third, we need to end the criminalization of poverty, which happens when other social systems fail.

Finally, we need to root out racism in our systems of education, healthcare, housing, and economic opportunity so that everyone in this country can have the freedom and the opportunity to build the lives they choose.

In order to bring justice, accountability, and change to policing departments around the country, we need to start by passing the Justice in Policing Act. Led by Senator BOOKER and Senator HARRIS, this bill is a comprehensive set of needed Federal-level reforms to a system that is designed to shield police officers from accountability and consequences and denies justice to victims of police violence.

These reforms—like ending qualified immunity, establishing a national use-of-force standard, creating a registry of police misconduct, and banning dangerous practices like choke holds and no-knock warrants—are long overdue.

Indeed, communities and activists have pushed for many of the reforms in this bill for decades. A few weeks ago, I spoke on this floor about the urgent need to pass this bill. Unfortunately, this critical legislation is still sitting on Leader MCCONNELL's desk. But I promise that I will keep fighting until the Justice in Policing Act is signed into law.

Policing needs other changes, too, like banning so-called warrior training, which encourages law enforcement officials to see the public as hostile enemies. We need to empower the Civil Rights Division of the Department of Justice to independently investigate police departments that systematically violate the constitutional rights of our communities.

We need to reform Federal sentencing to repeal 1994 crime bill provisions, like mandatory minimums and draconian sentencing enhancements, and we need to prohibit police union contracts that create unfair barriers to effective investigations, civilian oversight, and holding police departments accountable to the communities they are sworn to serve.

In our work to transform policing, the second step we need to take at the Federal level is to support local community-led innovation in public safety.

Although Congress has the responsibility to establish national standards for justice and accountability, Federal-level change can only go so far. State, local, and Tribal governments are responsible for overseeing policing in their communities. I believe that these communities know best what will work in their own cities and towns. The Federal Government, though, can play a catalytic role by supporting and funding innovative, anti-racist policing reform.

With this in mind, today I am introducing a bill, the Supporting Innovation and Public Safety Act, which would help State, local, and Tribal governments reimagine policing in their communities by funding innovative projects and best practices that will transform how we deliver public safety and other social services.

My bill would empower local governments to develop and implement projects to improve public safety through systemic change, not just by growing police department budgets.

There are great examples of innovation already happening. Local jurisdictions are experimenting with new ways to provide mental health crisis response. They are addressing ways of dealing with gun violence as a public health issue and even how to enforce low-level traffic safety violations without involving an armed police officer.

I have long believed that those who are closest to the work know best how to get the work done. Through these grants from the Federal level, we will be able to help local communities adopt new approaches to public safety, tailoring their needs and unique circumstances to what they need to do. Then we can develop robust evaluation of these community-led projects, which will generate new data and new models of public safety in policing and also sow the seeds of progress and broad transformation.

The third thing we need to do at all levels of government is to work together to stop criminalizing poverty and using the criminal justice system as the solution for every social ill.

For decades, we have dramatically underfunded efforts to support housing, mental health, and substance abuse. And then we criminalize the results of this lack of support. We ask police departments to control behavior like loitering or trespassing, public intoxication, and public nuisances—all offenses that largely don't threaten public safety. Then we put people in jail because they have a mental illness or lack a safe place to live. Poverty becomes the reason why people, especially people of color, get caught up in the criminal justice system.

It is time that we stop criminalizing poverty and start investing in solutions to get to the root causes of social problems. We need to refocus policing on violence prevention and crisis response, which connects people to the services that they need.

A good place to start is by dramatically reforming cash bail so that those who haven't been convicted of a crime don't remain in jail just because they can't afford bail. Almost 60 percent of the nearly 750,000 people currently in jail have not been convicted of any crime. They are in jail just because they cannot afford bail, and the data tells us that this is yet another burden that falls disproportionately on communities of color.

Indeed, when we criminalize poverty, we facilitate the systemic racist harassment, surveillance, and control of Black and Brown, and indigenous communities. That is why we need to ban the use of quotas for law enforcement officers to enforce so-called broken windows offenses. These offenses do not threaten public safety, and they are disproportionately enforced on communities of color.

A recent New York Times investigation found that in many large police departments, serious violent crimes make up only about 1 percent of all calls for service—1 percent. Many of those same departments are solving less than 30 percent of those serious crimes. We could actually improve public safety by devoting resources to combating violent crime rather than overenforcing low-level offenses in communities of color.

Let's think about what this means for marijuana offenses. The Federal marijuana prohibition is a failed policy that contributes to mass incarceration and overpolicing of communities of color. White and Black people use marijuana at roughly the same rate, but a Black person is almost four times as likely to be arrested for a marijuana offense.

The Federal Government is behind both State law and public opinion. Forty-two States and the District of Columbia already allow some type of marijuana use, despite the long-time Federal prohibition.

It is time to legalize marijuana, and we should do it in a practical and commonsense way that protects the health and safety and the civil rights of our communities.

We need to take up and pass Senator HARRIS's Marijuana Opportunity Reinvestment and Expungement Act, the MORE Act, which I am proud to cosponsor. The MORE Act would address the devastating impact on communities of color on the War on Drugs by expunging marijuana-related convictions and reinvesting in community.

Also, I recently introduced a bill, the Substance Resolution and Safety Act, which would ensure that marijuana is regulated to protect the health and the safety of youth, of consumers, and of drivers. We do this without replicating the racist enforcement patterns of our current drug policy.

Finally, we need to recognize that racial justice is not only about policing and criminal justice reform. We need to root out racist policies that are built into our systems of housing, healthcare, education, and economic opportunity.

The legacy of slavery, of oppression, and of discrimination is pervasive in these areas and our communities bear the scars of these past crimes even as new injuries accumulate. This is why a Black or a Brown child living in the neighborhood where George Floyd was murdered has fewer opportunities than a White child living just a few miles away.

The impact of generations of stolen labor, of systemic violence, and exclusion from opportunity is revealed today in legal disparities, achievement gaps, housing instability, and the dramatic difference in wealth and wages between White people and people of color.

Addressing these challenges are crucial to the unfinished work of racial justice in our country. This means that we need to implement anti-racist practices and policies, like ending the use of armed police officers in schools, eliminating discipline disparities, and shutting off the school-to-prison pipeline. It means addressing the systemic exclusion of Black and Brown and indigenous people from the wealth-building opportunities of homeownership. It means tackling the root causes of racial health disparities, including environmental injustices and discrimination in healthcare. It means supporting economic opportunity for all by removing racist barriers to employment, entrepreneurship, credit, and capital.

The scale of the injustice that we see in our country can sometimes feel overwhelming, and the path can seem very long. These are some concrete steps that we can take on that path, and they are necessary steps, to fulfill our country's promise of freedom and equity for all of us. Community leaders and activists are showing us the path forward, and following this path requires us to be courageous, requires us to be humble, and, at times, requires us to be uncomfortable. But it is a path rooted in love and trust and hope.

By Mr. THUNE (for himself, Mr. ROUNDS, Mr. GRASSLEY, and Ms. ERNST):

S. 4481. A bill to require the Administrator of the Environmental Protection Agency to update the modeling used for lifecycle greenhouse gas assessments for corn-based ethanol and biodiesel, and for other purposes; to the Committee on Environment and Public Works.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Adopt the Greenhouse Gases, Regulated Emissions, and Energy Use in Transportation Model Act'' or the ''Adopt GREET Act''.

SEC. 2. DEFINITION OF ADMINISTRATOR.

In this Act, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

SEC. 3. LIFECYCLE GREENHOUSE GAS EMISSIONS FROM CORN-BASED ETHANOL.

(a) IN GENERAL.—Subject to subsection (b), not later than 90 days after the date of enactment of this Act, and every 5 years thereafter, the Administrator shall update the methodology used by the Environmental Protection Agency in lifecycle analyses with respect to greenhouse gas emissions that result from corn-based ethanol.

(b) REQUIREMENTS.—

(1) FIRST UPDATE.—In carrying out the first update required under subsection (a), the Administrator shall adopt—

(A) the most recent Greenhouse gases, Regulated Emissions, and Energy use in Transportation model (commonly referred to as the ''GREET model'') developed by Argonne National Laboratory; or

(B) the methodology described in the study by the Office of the Chief Economist of the Department of Agriculture entitled ''The greenhouse gas benefits of corn ethanol–assessing recent evidence'' and published on March 25, 2019.

(2) SUBSEQUENT UPDATES.—In carrying out the second and each subsequent update required under subsection (a), the Administrator shall—

(A) as necessary, adopt, review, or update a methodology determined to be appropriate by the Administrator; or

(B) adopt a methodology described in subparagraph (A) or (B) of paragraph (1).

(c) REPORT.—If the Administrator fails to carry out subsection (b)(2) before the applicable deadline described in subsection (a), the Administrator shall submit to the Committees on Agriculture, Nutrition, and Forestry, Energy and Natural Resources, and Environment and Public Works of the Senate and the Committees on Agriculture, Energy and Commerce, and Science, Space, and Technology of the House of Representatives a report describing the reasons for the failure to carry out subsection (b)(2), which may include a determination by the Administrator that the methodology adopted or updated in a previous update under subsection (a) remains the most current methodology based on available data, research, and technology.

SEC. 4. LIFECYCLE GREENHOUSE GAS EMISSIONS FROM BIODIESEL.

(a) IN GENERAL.—Subject to subsection (b), not later than 90 days after the date of enactment of this Act, and every 5 years thereafter, the Administrator shall update the methodology used by the Environmental Protection Agency in lifecycle analyses with respect to greenhouse gas emissions that result from biodiesel.

(b) REQUIREMENTS.—

(1) FIRST UPDATE.—In carrying out the first update required under subsection (a), the Administrator shall adopt the most recent Greenhouse gases, Regulated Emissions, and Energy use in Transportation model (commonly referred to as the ''GREET model'') developed by Argonne National Laboratory.

(2) SUBSEQUENT UPDATES.—In carrying out the second and each subsequent update required under subsection (a), the Administrator shall—

(A) as necessary, adopt, review, or update a methodology determined to be appropriate by the Administrator; or

(B) adopt the methodology described in paragraph (1).

(c) REPORT.—If the Administrator fails to carry out subsection (b)(2) before the applicable deadline described in subsection (a), the Administrator shall submit to the Committees on Agriculture, Nutrition, and Forestry, Energy and Natural Resources, and Environment and Public Works of the Senate and the Committees on Agriculture, Energy and Commerce, and Science, Space, and Technology of the House of Representatives a report describing the reasons for the failure to carry out subsection (b)(2), which may include a determination by the Administrator that the methodology adopted or updated in a previous update under subsection (a) remains the most current methodology based on available data, research, and technology.

By Mr. DURBIN:

S. 4484. A bill to amend the Internal Revenue Code of 1986 to establish a carbon fee to reduce greenhouse gas emissions, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S, 4484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''America's Clean Future Fund Act''.

SEC. 2. CLIMATE CHANGE FINANCE CORPORATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the executive branch an independent agency, to be known as the ''Climate Change Finance Corporation'' (referred to in this section as the ''C2FC''), which shall finance clean energy and climate change resiliency activities in accordance with subsection (c).

(2) MISSION.—

(A) IN GENERAL.—The mission of the C2FC is to combat and reduce the effects of climate change by building resilience among communities facing harmful impacts of climate change and supporting a dramatic reduction in greenhouse gas emissions—

(i) through the deployment of clean and renewable technology, resilient infrastructure, research and development, the commercialization of new technology, clean energy manufacturing, and industrial decarbonization; and

(ii) to meet the goals of—

(I) by 2030, a net reduction of greenhouse gas emissions by 45 percent, based on 2018 levels; and

(II) by 2050, a net reduction of greenhouse gas emissions by 100 percent, based on 2018 levels.

(B) ACTIVITIES.—The C2FC shall carry out the mission described in subparagraph (A) by—

(i) financing investments in clean energy and transportation, resiliency, and infrastructure;

(ii) using Federal investment to encourage the infusion of private capital and investment into the clean energy and resilient infrastructure sectors, while creating new workforce opportunities; and

(iii) providing financing in cases where private capital cannot be leveraged, while minimizing competition with private investment.

(3) EXERCISE OF POWERS.—Except as otherwise provided expressly by law, all Federal laws dealing with public or Federal contracts, property, works, officers, employees,

budgets, or funds, including the provisions of chapters 5 and 7 of title 5, United States Code, shall apply to the exercise of the powers of the C2FC.

(b) BOARD OF DIRECTORS.—

(1) IN GENERAL.—The management of the C2FC shall be vested in a Board of Directors (referred to in this section as the ''Board'') consisting of 7 members, who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) CHAIRPERSON AND VICE CHAIRPERSON.—

(A) IN GENERAL.—A Chairperson and Vice Chairperson of the Board shall be appointed by the President, by and with the advice and consent of the Senate, from among the individuals appointed to the Board under paragraph (1).

(B) TERM.—An individual—

(i) shall serve as Chairperson or Vice Chairperson of the Board for a 3-year term; and

(ii) may be renominated for the position until the term of that individual on the Board under paragraph (3)(C) expires.

(3) BOARD MEMBERS.—

(A) CITIZENSHIP REQUIRED.—Each member of the Board shall be an individual who is a citizen of the United States.

(B) REPRESENTATION.—The members of the Board shall fairly represent agricultural, educational, research, industrial, nongovernmental, labor, and commercial interests throughout the United States.

(C) TERM.—

(i) IN GENERAL.—Except as otherwise provided in this section, each member of the Board—

(I) shall be appointed for a term of 6 years; and

(II) may be reappointed for 1 additional term.

(ii) INITIAL STAGGERED TERMS.—Of the members first appointed to the Board—

(I) 2 shall each be appointed for a term of 2 years;

(II) 3 shall each be appointed for a term of 4 years; and

(III) 2 shall each be appointed for a term of 6 years.

(4) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board are appointed under paragraph (1), the Board shall hold an initial meeting.

(c) INVESTMENT TOOLS.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE BORROWER.—The term ''eligible borrower'' means any person, including a business owner or project developer, that seeks a loan to carry out approved practices or projects described in subparagraph (A)(i) of paragraph (2) from an eligible lender that may receive a loan guarantee under that paragraph for that loan, according to criteria determined by the C2FC.

(B) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) a State;

(ii) a unit of local government; and

(iii) a research and development institution (including a National Laboratory).

(C) ELIGIBLE LENDER.—The term ''eligible lender'' means—

(i) a Federal- or State-chartered bank;

(ii) a Federal- or State-chartered credit union;

(iii) an agricultural credit corporation;

(iv) a United States Green Bank Institution; and

(v) any other lender that the Board determines has a demonstrated ability to underwrite and service loans for the intended approved practice for which the loan will be used.

(2) GRANTS, LOAN GUARANTEES, AND OTHER INVESTMENT TOOLS.—

(A) IN GENERAL.—The C2FC—

(i) shall provide grants to eligible entities and loan guarantees to eligible lenders issuing loans to eligible borrowers for approved practices and projects relating to climate change mitigation and resilience measures, including—

(I) energy efficiency upgrades to infrastructure;

(II) electric, hydrogen, and clean transportation programs and deployment, including programs—

(aa) to purchase personal vehicles, commercial vehicles, and public transportation fleets and school bus fleets;

(bb) to deploy electric vehicle charging and hydrogen infrastructure; and

(cc) to develop and deploy low carbon sustainable aviation fuels;

(III) clean energy and vehicle manufacturing research, demonstrations, and deployment;

(IV) battery storage research, demonstrations, and deployment;

(V) development or purchase of equipment for practices described in section 6;

(VI) development and deployment of clean energy and clean technologies, with a focus on—

(aa) carbon capture, utilization, and sequestration, bioenergy with carbon capture and sequestration, direct air capture, and infrastructure associated with those processes, including construction of carrier pipelines for the transportation of anthropogenic carbon dioxide;

(bb) energy storage and grid modernization;

(cc) geothermal energy;

(dd) commercial and residential solar;

(ee) wind energy; and

(ff) any other clean technology use or development, as determined by the Board;

(VII) measures that anticipate and prepare for climate change impacts, and reduce risks and enhance resilience to sea level rise, extreme weather events, and other climate change impacts, including by—

(aa) building resilient energy, water, and transportation infrastructure;

(bb) providing weatherization assistance for low-income households; and

(cc) increasing the resilience of the agriculture sector; and

(VIII) natural infrastructure research, demonstrations, and deployment; and

(ii) may implement other investment tools and products approved by the Board, pursuant to subparagraph (D), to achieve the mission of the C2FC described in subsection (a)(2).

(B) PROJECT PRIORITIZATION.—

(i) DEFINITION OF ENVIRONMENTAL JUSTICE COMMUNITY.—The term ''environmental justice community'' means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

(ii) PRIORITIZATION.—In providing financial and other assistance under subparagraph (A), the C2FC shall give priority to, as determined by the C2FC—

(I) deindustrialized communities or communities with significant local economic reliance on carbon-intensive industries;

(II) environmental justice communities, communities with populations of color, communities of color, indigenous communities, and low-income communities that—

(aa) experience a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazards; or

(bb) may not have access to public information and opportunities for meaningful public participation relating to human health and environmental planning, regulations, and enforcement;

(III) communities at risk of impacts of natural disasters or sea level rise exacerbated by climate change;

(IV) public or nonprofit entities that serve dislocated workers, veterans, or individuals with a barrier to employment; and

(V) communities that have minimal or no investment in the approved practices and projects described in subparagraph (A)(i).

(C) LOAN GUARANTEES.—

(i) IN GENERAL.—In providing loan guarantees under subparagraph (A), the C2FC shall cooperate with eligible lenders through agreements to participate on a deferred (guaranteed) basis.

(ii) LEVEL OF PARTICIPATION IN GUARANTEED LOANS.—In providing a loan guarantee under subparagraph (A), the C2FC shall guarantee 75 percent of the balance of the financing outstanding at the time of disbursement of the loan.

(iii) INTEREST RATES.—Notwithstanding the provisions of the constitution of any State or the laws of any State limiting the rate or amount of interest that may be charged, taken, received, or reserved, the maximum legal rate of interest on any financing made on a deferred basis under this subsection shall not exceed a rate prescribed by the C2FC.

(iv) GUARANTEE FEES.—

(I) IN GENERAL.—With respect to each loan guaranteed under this subsection (other than a loan that is repayable in 1 year or less), the C2FC shall collect a guarantee fee, which shall be payable by the eligible lender, and may be charged to the eligible borrower in accordance with subclause (II).

(II) BORROWER CHARGES.—A guarantee fee described in subclause (I) charged to an eligible borrower shall not—

(aa) exceed 2 percent of the deferred participation share of a total loan amount that is equal to or less than $150,000;

(bb) exceed 3 percent of the deferred participation share of a total loan amount that is greater than $150,000 but less than $700,000; or

(cc) exceed 3.5 percent of the deferred participation share of a total loan amount that is equal to or greater than $700,000.

(D) OTHER INVESTMENT TOOLS AND PRODUCTS.—

(i) IN GENERAL.—The Board may, based on market needs, develop and implement any other investment tool or product necessary to achieve the mission of the C2FC described in subsection (a)(2) and the deployment of projects described in subparagraph (A)(i), including offering—

(I) warehousing and aggregation credit facilities;

(II) zero interest loans;

(III) credit enhancements; and

(IV) construction finance.

(ii) STATE AND LOCAL GREEN BANKS.—The Board shall provide funds to United States Green Bank Institutions as necessary to finance projects that are best served by those entities.

(3) WAGE RATE REQUIREMENTS.—All laborers and mechanics employed by eligible entities and eligible borrowers on projects funded directly by or assisted in whole or in part by the activities of the C2FC under this section shall be paid at wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the ''Davis-Bacon Act'').

(4) BUY AMERICA REQUIREMENTS.—

(A) IN GENERAL.—All iron, steel, and manufactured goods used for projects under this

section shall be produced in the United States.

(B) WAIVER.—The Board may waive the requirement in subparagraph (A) if the Board finds that—

(i) enforcing the requirement would be inconsistent with the public interest;

(ii) the iron, steel, and manufactured goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality; or

(iii) enforcing the requirement will increase the overall cost of the project by more than 25 percent.

(d) PROGRAM REVIEW AND REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter, the Board shall—

(1) conduct a review of the activities of the C2FC; and

(2) submit to Congress a report that—

(A) describes the projects and funding opportunities that have been most successful in progressing towards the mission described in subsection (a)(2) during the time period covered by the report; and

(B) includes recommendations on the clean energy and resiliency projects that should be prioritized in forthcoming years to achieve that mission.

(e) INITIAL CAPITALIZATION.—

(1) IN GENERAL.—There is appropriated to carry out this section, out of any funds in the Treasury not otherwise appropriated, $7,500,000,000 for each of fiscal years 2021 and 2022, to remain available until expended.

(2) ADDITIONAL CAPITALIZATION.—If, pursuant to section 4692(g) of the Internal Revenue Code of 1986 (as added by section 3), the carbon fee has been reduced to zero for calendar year 2022, there is appropriated to carry out this section, out of any funds in the Treasury not otherwise appropriated, $7,500,000,000 for fiscal year 2023, to remain available until expended.

SEC. 3. CARBON FEE.

Chapter 38 of subtitle D of the Internal Revenue Code of 1986 is amended by adding at the end the following new subchapter:

"Subchapter E—Carbon Fee

''Sec. 4691. Definitions.
''Sec. 4692. Carbon fee.
''Sec. 4693. Fee on noncovered fuel emissions.
''Sec. 4694. Refunds for carbon capture, sequestration, and utilization.
''Sec. 4695. Border adjustments.

"SEC. 4691. DEFINITIONS.

''For purposes of this subchapter—

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) CARBON DIOXIDE EQUIVALENT OR CO_2-E.—The term 'carbon dioxide equivalent' or 'CO_2-e' means the number of metric tons of carbon dioxide emissions with the same global warming potential over a 100-year period as one metric ton of another greenhouse gas.

''(3) CARBON-INTENSIVE PRODUCT.—The term 'carbon-intensive product' means—

''(A) iron, steel, steel mill products (including pipe and tube), aluminum, cement, glass (including flat, container, and specialty glass and fiberglass), pulp, paper, chemicals, or industrial ceramics, and

''(B) any manufactured product which the Secretary, in consultation with the Administrator, the Secretary of Commerce, and the Secretary of Energy, determines is energy-intensive and trade-exposed (with the exception of any covered fuel).

''(4) COVERED ENTITY.—The term 'covered entity' means—

''(A) in the case of crude oil—

''(i) any operator of a United States refinery (as described in subsection (d)(1) of section 4611), and

''(ii) any person entering such product into the United States for consumption, use, or warehousing (as described in subsection (d)(2) of such section),

''(B) in the case of coal—

''(i) any producer subject to the tax under section 4121, and

''(ii) any importer of coal into the United States,

''(C) in the case of natural gas—

''(i) any entity which produces natural gas (as defined in section 613A(e)(2)) from a well located in the United States, and

''(ii) any importer of natural gas into the United States,

''(D) in the case of any noncovered fuel emissions, the entity which is the source of such emissions, provided that the total amount of carbon dioxide or methane emitted by such entity for the preceding year (as determined using the methodology required under section 4692(e)(4)) was not less than 25,000 metric tons, and

''(E) any entity or class of entities which, as determined by the Secretary, is transporting, selling, or otherwise using a covered fuel in a manner which emits a greenhouse gas into the atmosphere and which has not been covered by the carbon fee, the fee on noncovered fuel emissions, or the carbon border fee adjustment.

''(5) COVERED FUEL.—The term 'covered fuel' means crude oil, natural gas, coal, or any other product derived from crude oil, natural gas, or coal which shall be used so as to emit greenhouse gases to the atmosphere.

''(6) GREENHOUSE GAS.—The term 'greenhouse gas'—

''(A) has the meaning given such term in section 901 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17321), and

''(B) includes any other gases identified by rule of the Administrator.

''(7) GREENHOUSE GAS CONTENT.—The term 'greenhouse gas content' means the amount of greenhouse gases, expressed in metric tons of CO_2-e, which would be emitted to the atmosphere by the use of a covered fuel.

''(8) NONCOVERED FUEL EMISSION.—The term 'noncovered fuel emission' means any carbon dioxide or methane emitted as a result of the production, processing, transport, or use of any product or material within the energy or industrial sectors—

''(A) including any fugitive or process emissions associated with the production, processing, or transport of a covered fuel, and

''(B) excluding any emissions from the combustion or use of a covered fuel.

''(9) QUALIFIED CARBON OXIDE.—The term 'qualified carbon oxide' has the meaning given the term in section 45Q(c).

''(10) UNITED STATES.—The term 'United States' shall be treated as including each possession of the United States (including the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands).

"SEC. 4692. CARBON FEE.

''(a) DEFINITIONS.—In this section:

''(1) APPLICABLE PERIOD.—Subject to subsection (g), the term 'applicable period' means, with respect to any determination made by the Secretary under subsection (e)(3) for any calendar year, the period—

''(A) beginning on January 1, 2022, and

''(B) ending on December 31 of the preceding calendar year.

''(2) CUMULATIVE EMISSIONS.—The term 'cumulative emissions' means an amount equal to the sum of any greenhouse gas emissions resulting from the use of covered fuels and any noncovered fuel emissions for all years during the applicable period.

''(3) CUMULATIVE EMISSIONS TARGET.—The term 'cumulative emissions target' means an amount equal to the sum of the emissions targets for all years during the applicable period.

''(4) EMISSIONS TARGET.—The term 'emissions target' means the target for greenhouse gas emissions during a calendar year as determined under subsection (e)(1).

''(b) CARBON FEE.—Subject to subsection (g), during any calendar year that begins after December 31, 2021, there is imposed a carbon fee on any covered entity's use, sale, or transfer of any covered fuel.

''(c) AMOUNT OF THE CARBON FEE.—The carbon fee imposed by this section is an amount equal to—

''(1) the greenhouse gas content of the covered fuel, multiplied by

''(2) the carbon fee rate, as determined under subsection (d).

''(d) CARBON FEE RATE.—The carbon fee rate shall be determined in accordance with the following:

''(1) IN GENERAL.—The carbon fee rate, with respect to any use, sale, or transfer during a calendar year, shall be—

''(A) in the case of calendar year 2022, $25, and

''(B) except as provided in paragraphs (2) and (3), in the case of any calendar year after 2022, the amount equal to the sum of—

''(i) the amount under subparagraph (A), plus

''(ii)(I) in the case of calendar year 2023, $10, and

''(II) in the case of any calendar year after 2023, the amount in effect under this clause for the preceding calendar year, plus $10.

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any calendar year after 2022, the amount determined under paragraph (1)(B) shall be increased by an amount equal to—

''(i) that dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for that calendar year, determined by substituting '2021'for '2016' in subparagraph (A)(ii) thereof.

''(B) ROUNDING.—If any increase determined subparagraph (A) is not a multiple of $1, such increase shall be rounded up to the next whole dollar amount.

''(3) ADJUSTMENT OF CARBON FEE RATE.—

''(A) INCREASE IN RATE FOLLOWING MISSED CUMULATIVE EMISSIONS TARGET.—In the case of any calendar year following a determination by the Secretary pursuant to subsection (e)(3) that the cumulative emissions for the preceding calendar year exceeded the cumulative emissions target for such year, paragraph (1)(B)(ii)(II) shall be applied—

''(i) in the case of calendar years 2025 through 2030, by substituting '$15' for '$10',

''(ii) in the case of calendar years 2031 through 2040, by substituting '$20' for '$10', and

''(iii) in the case of any calendar year beginning after 2040, by substituting '$25' for '$10'.

''(B) CESSATION OF RATE INCREASE FOLLOWING ACHIEVEMENT OF CUMULATIVE EMISSIONS TARGET.—In the case of any year following a determination by the Secretary pursuant to subsection (e)(3) that—

''(i) the average annual emissions of greenhouse gases from covered entities over the preceding 3-year period are not more than 10 percent of the greenhouse gas emissions during the year 2018, and

''(ii) the cumulative emissions did not exceed the cumulative emissions target,

paragraph (1)(B)(ii)(II) shall be applied by substituting '$0' for '$10'.

''(C) METHODOLOGY.—With respect to any year, the annual greenhouse gas emissions and cumulative emissions described in subparagraph (A) or (B) shall be determined using the methodology required under subsection (e)(4).

''(e) EMISSIONS TARGETS.—

''(1) IN GENERAL.—

''(A) REFERENCE YEAR.—For purposes of subsection (d), the emissions target for any year shall be the amount of greenhouse gas emissions that is equal to—

''(i) for calendar years 2022 and 2023, the applicable percentage of the total amount of greenhouse gas emissions from the use of any covered fuel during calendar year 2018, and

''(ii) for calendar year 2024 and each calendar year thereafter, the applicable percentage of the total amount of greenhouse gas emissions from the use of any covered fuel and noncovered fuel emissions during calendar year 2018.

''(B) METHODOLOGY.—For purposes of subparagraph (A), with respect to determining the total amount of greenhouse gas emissions from the use of any covered fuel and noncovered fuel emissions during calendar year 2018, the Administrator shall use such methods as are determined appropriate, provided that such methods are, to the greatest extent practicable, comparable to the methods established under paragraph (4).

''(2) APPLICABLE PERCENTAGE.—

''(A) 2022 THROUGH 2035.—In the case of calendar years 2022 through 2035, the applicable percentage shall be determined as follows:

"Year	Applicable percentage
2022	85 percent
2023	79 percent
2024	74 percent
2025	69 percent
2026	66 percent
2027	62 percent
2028	59 percent
2029	56 percent
2030	53 percent
2031	50 percent
2032	47 percent
2033	44 percent
2034	42 percent
2035	40 percent

''(B) 2036 THROUGH 2050.—In the case of calendar years 2036 through 2050, the applicable percentage shall be equal to—

''(i) the applicable percentage for the preceding year, minus

''(ii) 2 percentage points.

''(C) AFTER 2050.—In the case of any calendar year beginning after 2050, the applicable percentage shall be equal to 10 percent.

''(3) EMISSIONS REPORTING AND DETERMINATIONS.—

''(A) REPORTING.—Not later than September 30, 2023, and annually thereafter, the Administrator, in consultation with the Secretary, shall make available to the public a report on—

''(i) the cumulative emissions with respect to the preceding calendar year, and

''(ii) any other relevant information, as determined appropriate by the Administrator.

''(B) DETERMINATIONS.—Not later than September 30, 2024, and annually thereafter, the Administrator, in consultation with the Secretary and as part of the report described in subparagraph (A), shall determine whether cumulative emissions with respect to the preceding calendar year exceeded the cumulative emissions target with respect to such year.

''(4) EMISSIONS ACCOUNTING METHODOLOGY.—

''(A) IN GENERAL.—Not later than January 1, 2022, the Administrator shall prescribe rules for greenhouse gas accounting for covered entities for purposes of this subchapter, which shall—

''(i) to the greatest extent practicable, employ existing data collection methodologies and greenhouse gas accounting practices,

''(ii) ensure that the method of accounting—

''(I) applies to—

''(aa) all greenhouse gas emissions from covered fuels and all noncovered fuel emissions, and

''(bb) all covered entities,

''(II) excludes—

''(aa) any greenhouse gas emissions which are not described item (aa) of subclause (I), and

''(bb) any entities which are not described in item (bb) of such subclause, and

''(III) appropriately accounts for—

''(aa) qualified carbon oxide which is captured and disposed or used in a manner described in section 4694, and

''(bb) nonemitting uses of covered fuels, as described in subsection (f),

''(iii) subject to such penalties as are determined appropriate by the Administrator, require any covered entity to report, not later than April 1 of each calendar year—

''(I) the total greenhouse gas content of any covered fuels used, sold, or transferred by such covered entity during the preceding calendar year, and

''(II) the total noncovered fuel emissions of the covered entity during the preceding calendar year, and

''(iv) require any information reported pursuant to clause (iii) to be verified by a third-party entity that, subject to such process as is determined appropriate by the Administrator, has been certified by the Administrator with respect to the qualifications, independence, and reliability of such entity.

''(B) GREENHOUSE GAS REPORTING PROGRAM.—For purposes of establishing the rules described in subparagraph (A), the Administrator may elect to modify the activities of the Greenhouse Gas Reporting Program to satisfy the requirements described in clauses (i) through (iv) of such subparagraph.

''(5) REVISIONS.—With respect to any determination made by the Administrator as to the amount of greenhouse gas emissions for any calendar year (including calendar year 2018), any subsequent revision by the Administrator with respect to such amount shall apply for purposes of the fee imposed under subsection (b) for any calendar years beginning after such revision.

''(f) EXEMPTION AND REFUND.—The Secretary shall prescribe such rules as are necessary to ensure the carbon fee imposed by this section is not imposed with respect to any nonemitting use, or any sale or transfer for a nonemitting use, including rules providing for the refund of any carbon fee paid under this section with respect to any such use, sale, or transfer.

''(g) DELAYED APPLICATION OF CARBON FEE FOR 2022.—

''(1) FIRST QUARTER OF 2022.—Not later than November 1, 2021, the Secretary shall determine whether the requirement described in paragraph (3) has been satisfied, and if such requirement has not been satisfied, the carbon fee imposed by this section shall be reduced to zero for the first calendar quarter of 2022.

''(2) REMAINING QUARTERS OF 2022.—If, pursuant to paragraph (1), the carbon fee imposed by this section has been reduced to zero for the first calendar quarter of 2022, the Secretary shall, not later than February 1, 2022, determine whether the requirement described in paragraph (3) has been satisfied, and if such requirement has not been satisfied—

''(A) the carbon fee imposed by this section shall be reduced to zero for the second, third, and fourth calendar quarters of 2022, and

''(B) subsection (a)(1)(A) shall be applied by substituting 'January 1, 2023' for 'January 1, 2022'.

''(3) UNEMPLOYMENT RATE REQUIREMENT.—The requirement described in this paragraph is that the unemployment rate for each census division, as determined by the Secretary, in coordination with the Bureau of Labor Statistics of the Department of Labor, based upon the most recently completed calendar quarter for which such information is available, is less than 5 percent.

''(h) ADMINISTRATIVE AUTHORITY.—The Secretary, in consultation with the Administrator, shall prescribe such regulations, and other guidance, to assess and collect the carbon fee imposed by this section, including—

''(1) the identification of covered entities that are liable for payment of a fee under this section or section 4693,

''(2) as may be necessary or convenient, rules for distinguishing between different types of covered entities,

''(3) as may be necessary or convenient, rules for distinguishing between the greenhouse gas emissions of a covered entity and the greenhouse gas emissions that are attributed to the covered entity but not directly emitted by the covered entity,

''(4) requirements for the quarterly payment of such fees, and

''(5) rules to ensure that the carbon fee under this section, the fee on noncovered fuel emissions under section 4693, or the carbon border fee adjustment is not imposed on an emission from covered fuel or noncovered fuel emission more than once.

"SEC. 4693. FEE ON NONCOVERED FUEL EMISSIONS.

''(a) IN GENERAL.—During any calendar year that begins after December 31, 2023, there is imposed a fee on a covered entity for any noncovered fuel emissions which occur during the calendar year.

''(b) AMOUNT.—The fee to be paid under subsection (a) by the covered entity which is the source of the emissions described in that subsection shall be an amount equal to—

''(1) the total amount, in metric tons of CO_2-e, of emitted greenhouse gases, multiplied by

''(2) an amount equal to the carbon fee rate in effect under section 4692(d) for the calendar year of such emission.

''(c) ADMINISTRATIVE AUTHORITY.—The Secretary, in consultation with the Administrator, shall prescribe such regulations, and other guidance, to assess and collect the carbon fee imposed by this section, including regulations describing the requirements for the quarterly payment of such fees.

"SEC. 4694. REFUNDS FOR CARBON CAPTURE, SEQUESTRATION, AND UTILIZATION.

''(a) IN GENERAL.—

''(1) CAPTURE, SEQUESTRATION, AND USE.—The Secretary, in consultation with the Administrator and the Secretary of Energy, shall prescribe regulations for providing payments to any person which captures qualified carbon oxide which is—

''(A) disposed of by such person in secure geological storage, as described in section 45Q(f)(2), or

''(B) used in a manner which has been approved by the Secretary pursuant to subsection (c).

''(2) ELECTION.—If the person described in paragraph (1) makes an election under this paragraph in such time and manner as the Secretary may prescribe by regulations, the credit under this section—

''(A) shall be allowable to the person that owns the facility described in subsection (b)(1), and

''(B) shall not be allowable to the person described in paragraph (1).

''(b) PAYMENTS FOR CARBON CAPTURE.—

''(1) IN GENERAL.—In the case of any facility for which carbon capture equipment has been placed in service, the Secretary shall make payments in the same manner as if such payment was a refund of an overpayment of the fee imposed by section 4692 or 4693.

''(2) AMOUNT OF PAYMENT.—The payment determined under this subsection shall be an amount equal to—

''(A) the metric tons of qualified carbon oxide captured and disposed of, used, or utilized in a manner consistent with subsection (a), multiplied by

''(B)(i) the carbon fee rate during the year in which the carbon fee was imposed by section 4692 on the covered fuel to which such carbon oxide relates, or

''(ii) in the case of a direct air capture facility (as defined in section 45Q(e)(1)), the carbon fee rate during the year in which the qualified carbon oxide was captured and disposed of, used, or utilized.

''(c) APPROVED USES OF QUALIFIED CARBON OXIDE.—The Secretary, in consultation with Administrator and the Secretary of Energy, shall, through regulation or other public guidance, determine which uses of qualified carbon oxide are eligible for payments under this section, which may include—

''(1) use as a tertiary injectant in a qualified enhanced oil or natural gas recovery project (as defined in subsection (e)(2) of section 45Q) and disposal in secure geological storage,

''(2) utilization in a manner described in clause (i) or (ii) of section 45Q(f)(5)(A), or

''(3) any other use which ensures minimal leakage or escape of such carbon oxide.

''(d) EXCEPTION.—In the case of any facility which is owned by an entity that is determined to be in violation of any applicable air or water quality regulations, such facility shall not be eligible for any payment under this section during the period of such violation.

''SEC. 4695. BORDER ADJUSTMENTS.

''(a) IN GENERAL.—The fees imposed by, and refunds allowed under, this section shall be referred to as 'the carbon border fee adjustment'.

''(b) EXPORTS.—

''(1) CARBON-INTENSIVE PRODUCTS.—In the case of any carbon-intensive product which is exported from the United States, the Secretary shall pay to the person exporting such product a refund equal to the amount of the cost of such product attributable to any fees imposed under this subchapter related to the manufacturing of such product (as determined under regulations established by the Secretary).

''(2) COVERED FUELS.—In the case of any covered fuel which is exported from the United States, the Secretary shall pay to the person exporting such fuel a refund equal to the amount of the cost of such fuel attributable to any fees imposed under this subchapter related to the use, sale, or transfer of such fuel.

''(c) IMPORTS.—

''(1) CARBON-INTENSIVE PRODUCTS.—

''(A) IMPOSITION OF EQUIVALENCY FEE.—In the case of any carbon-intensive product imported into the United States, there is imposed an equivalency fee on the person importing such product in an amount equal to the cost of such product that would be attributable to any fees imposed under this subchapter related to the manufacturing of such product if any inputs or processes used in manufacturing such product were subject to such fees (as determined under regulations established by the Secretary).

''(B) REDUCTION IN FEE.—The amount of the equivalency fee under subparagraph (A) shall be reduced by the amount, if any, of any fees imposed on the carbon-intensive product by the foreign nation or governmental units from which such product was imported.

''(2) COVERED FUELS.—

''(A) IN GENERAL.—In the case of any covered fuel imported into the United States, there is imposed a fee on the person importing such fuel in an amount equal to the amount of any fees that would be imposed under this subchapter related to the use, sale, or transfer of such fuel.

''(B) REDUCTION IN FEE.—The amount of the fee under subparagraph (A) shall be reduced by the amount, if any, of any fees imposed on the covered fuel by the foreign nation or governmental units from which the fuel was imported.

''(d) TREATMENT OF ALTERNATIVE POLICIES AS FEES.—Under regulations established by the Secretary, foreign policies that have substantially the same effect in reducing emissions of greenhouse gases as fees shall be treated as fees for purposes of subsections (b) and (c).

''(e) REGULATORY AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall consult with the Administrator, the Secretary of Commerce, and the Secretary of Energy in establishing rules and regulations implementing the purposes of this section.

''(2) TREATIES.—The Secretary, in consultation with the Secretary of State, may adjust the applicable amounts of the refunds and equivalency fees under this section in a manner that is consistent with any obligations of the United States under an international agreement.''.

SEC. 4. AMERICA'S CLEAN FUTURE FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''SEC. 9512. AMERICA'S CLEAN FUTURE FUND.

''(a) ESTABLISHMENT AND FUNDING.—There is established in the Treasury of the United States a trust fund to be known as the 'America's Clean Future Fund' (referred to in this section as the 'Trust Fund'), consisting of such amounts as are appropriated to the Trust Fund under subsection (b).

''(b) TRANSFERS TO AMERICA'S CLEAN FUTURE FUND.—There is appropriated to the Trust Fund, out of any funds in the Treasury not otherwise appropriated, amounts equal to the fees received into the Treasury under sections 4692, 4693, and 4695, less—

''(1) any amounts refunded or paid under sections 4692(d), 4694, and 4695(b), and

''(2) for each of the first 18 fiscal years beginning after September 30, 2022, an amount equal to the quotient of—

''(A) $100,000,000,000, and

''(B) 18.

''(c) EXPENDITURES.—For each fiscal year, amounts in the Trust Fund shall be apportioned as follows:

''(1) CARBON FEE REBATE AND PAYMENTS FOR CARBON REDUCTION AND SEQUESTRATION.—

''(A) CARBON FEE REBATE.—For the purposes described in section 5 of the America's Clean Future Fund Act and any expenses necessary to administer such section—

''(i) for each of the first 10 fiscal years beginning after September 30, 2022, an amount equal to—

''(I) 75 percent of those amounts, minus

''(II) the amount determined under subparagraph (B) for such fiscal year, and

''(ii) for any fiscal year beginning after the period described in clause (i), the applicable percentage of such amounts.

''(B) PAYMENTS FOR CARBON REDUCTION AND SEQUESTRATION.—For the purposes described in section 6 of the America's Clean Future Fund Act, for each of the first 10 fiscal years beginning after September 30, 2022, an amount equal to 7 percent of the amount determined annually under subparagraph (A)(i)(I).

''(C) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A)(ii), the applicable percentage shall be equal to—

''(i) for the first fiscal year beginning after the period described in subparagraph (A)(i), 76 percent,

''(ii) for each of the first 3 fiscal years subsequent to the period described in clause (i), the applicable percentage for the preceding fiscal year increased by 1 percentage point, and

''(iii) for any fiscal year subsequent to the period described in clause (ii), 80 percent.

''(2) CLIMATE CHANGE FINANCE CORPORATION.—

''(A) IN GENERAL.—For the purposes described in section 2 of the America's Clean Future Fund Act, the applicable percentage of such amounts.

''(B) APPLICABLE PERCENTAGE.—For purposes of this paragraph, the applicable percentage shall be equal to—

''(i) for each of the first 10 fiscal years beginning after the period described in subsection (e) of such section, 15 percent,

''(ii) for each of the first 4 fiscal years subsequent to the period described in clause (i), the applicable percentage for the preceding fiscal year increased by 1 percentage point, and

''(iii) for any fiscal year subsequent to the period described in clause (ii), 20 percent.

''(3) TRANSITION ASSISTANCE FOR IMPACTED COMMUNITIES.—

''(A) IN GENERAL.—For the purposes described in section 7 of the America's Clean Future Fund Act, the applicable percentage of such amounts.

''(B) APPLICABLE PERCENTAGE.—For purposes of this paragraph, the applicable percentage shall be equal to—

''(i) for each of the first 10 fiscal years beginning after September 30, 2022, 10 percent,

''(ii) for each of the first 4 fiscal years subsequent to the period described in clause (i), the applicable percentage for the preceding fiscal year reduced by 2 percentage points, and

''(iii) for any fiscal year subsequent to the period described in clause (ii), 0 percent.

''(d) ADJUSTMENT.—If, pursuant to section 4692(g), the carbon fee has been reduced to zero for calendar year 2022—

''(1) subsection (b)(2) and paragraphs (1)(A)(i), (1)(B), and (3)(B)(i) of subsection (c) shall each be applied by substituting 'September 30, 2023' for 'September 30, 2022', and

''(2) subsection (b)(2)(A) shall be applied by substituting '$150,000,000,000' for '$100,000,000,000'.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 9512. America's Clean Future Fund.''.

SEC. 5. AMERICA'S CLEAN FUTURE FUND STIMULUS.

(a) ELIGIBLE INDIVIDUAL.—

(1) IN GENERAL.—In this section, the term ''eligible individual'' means, with respect to any quarter, any natural living person—

(A) who has a valid Social Security number or taxpayer identification number,

(B) who has attained 18 years of age, and

(C) whose principal place of abode is in the United States for more than one-half of the most recent taxable year for which a return has been filed.

(2) VERIFICATION.—The Secretary of the Treasury, or the Secretary's delegate (referred to in this section as the ''Secretary'') may verify the eligibility of an individual to receive a carbon fee rebate payment under subsection (b).

(b) REBATES.—Subject to subsections (c)(2) and (l), from amounts in the America's Clean Future Fund established by section 9512(c)(1)(A) of the Internal Revenue Code of 1986 that are available in any year, the Secretary shall, for each calendar quarter beginning after September 30, 2022, make carbon fee rebate payments to each eligible individual, to be known as ''America's Clean Future Fund Stimulus payments'' (referred to

in this section as ''carbon fee rebate payments'').

(c) PRO-RATA SHARE.—

(1) IN GENERAL.—With respect to each quarter during any fiscal year beginning after September 30, 2022, the carbon fee rebate payment is 1 pro-rata share for each eligible individual of an amount equal to 25 percent of amounts apportioned under section 9512(c)(1)(A) of the Internal Revenue Code of 1986 for such fiscal year.

(2) INITIAL ANNUAL REBATE PAYMENTS.—

(A) IN GENERAL.—From amounts appropriated under subsection (j), the Secretary shall, for each of fiscal years 2021 and 2022, make carbon fee rebate payments to each eligible individual during the third quarter of each such fiscal year.

(B) PRO-RATA SHARE.—For purposes of this paragraph, the carbon fee rebate payment is 1 pro-rata share for each eligible individual of the amount appropriated under subsection (j) for the fiscal year.

(3) ESTIMATE.—For each fiscal year described in paragraph (1), the Secretary shall, not later than the first day of such fiscal year, publicly announce an estimate of the amount of the carbon fee rebate payment for each quarter during such fiscal year.

(d) PHASEOUT.—

(1) DEFINITIONS.—In this subsection:

(A) MODIFIED ADJUSTED GROSS INCOME.—The term ''modified adjusted gross income'' means adjusted gross income increased by any amount excluded from gross income under section 911, 931, or 933 of the Internal Revenue Code of 1986.

(B) HOUSEHOLD MEMBER.—The term ''household member of the taxpayer'' means the taxpayer, the taxpayer's spouse, and any dependent of the taxpayer.

(C) THRESHOLD AMOUNT.—The term ''threshold amount'' means—

(i) $150,000 in the case of a taxpayer filing a joint return, and

(ii) $75,000 in the case of a taxpayer not filing a joint return.

(2) PHASEOUT OF PAYMENTS.—In the case of any taxpayer whose modified adjusted gross income for the most recent taxable year for which a return has been filed exceeds the threshold amount, the amount of the carbon fee rebate payment otherwise payable to any household member of the taxpayer under this section shall be reduced (but not below zero) by a dollar amount equal to 5 percent of such payment (as determined before application of this paragraph) for each $1,000 (or fraction thereof) by which the modified adjusted gross income of the taxpayer exceeds the threshold amount.

(e) FEE TREATMENT OF PAYMENTS.—Amounts paid under this section shall not be includible in gross income for purposes of Federal income taxes.

(f) FEDERAL PROGRAMS AND FEDERAL ASSISTED PROGRAMS.—The carbon fee rebate payment received by any eligible individual shall not be taken into account as income and shall not be taken into account as resources for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(g) DISCLOSURE OF RETURN INFORMATION.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION RELATING TO CARBON FEE REBATE PAYMENTS.—

''(A) DEPARTMENT OF TREASURY.—Return information with respect to any taxpayer shall, without written request, be open to inspection by or disclosure to officers and employees of the Department of the Treasury whose official duties require such inspection or disclosure for purposes of administering section 5 of the America's Clean Future Fund Act.

''(B) RESTRICTION ON DISCLOSURE.—Information disclosed under this paragraph shall be disclosed only for purposes of, and to the extent necessary in, carrying out such section.''.

(h) REGULATIONS.—The Secretary shall prescribe such regulations, and other guidance, as may be necessary to carry out the purposes of this section, including—

(1) establishment of rules for eligible individuals who have not filed a recent tax return, and

(2) in coordination with the Commissioner of Social Security, the Secretary of Veterans Affairs, and any relevant State agencies, establish methods to identify eligible individuals and provide carbon fee rebate payments to such individuals through appropriate means of distribution, including through the use of electronic benefit transfer cards.

(i) PUBLIC AWARENESS CAMPAIGN.—The Secretary shall conduct a public awareness campaign, in coordination with the Commissioner of Social Security and the heads of other relevant Federal agencies, to provide information to the public regarding the availability of carbon fee rebate payments under this section.

(j) INITIAL APPROPRIATION.—For purposes of subsection (c)(2), there is appropriated, out of any funds in the Treasury not otherwise appropriated, to remain available until expended—

(1) for the fiscal year ending September 30, 2021, $37,500,000,000,

(2) for the fiscal year ending September 30, 2022, $37,500,000,000, and

(3) if, pursuant to section 4692(g) of the Internal Revenue Code of 1986 (as added by section 3), the carbon fee has been reduced to zero for calendar year 2022, $37,500,000 for the fiscal year ending September 30, 2023.

(k) ADJUSTMENT.—If, pursuant to section 4692(g) of the Internal Revenue Code of 1986, the carbon fee has been reduced to zero for calendar year 2022—

(1) subsections (b) and (c)(1) shall each be applied by substituting ''September 30, 2023'' for ''September 30, 2022'', and

(2) subsection (c)(2) shall be applied by substituting ''2021, 2022, and 2023'' for ''2021 and 2022''.

(l) TERMINATION.—This section shall not apply to any calendar quarter beginning after—

(1) a determination by the Secretary under section 4692(d)(3)(B) of the Internal Revenue Code of 1986; or

(2) any period of 8 consecutive calendar quarters for which the amount of carbon fee rebate payment (without application of subsection (d)) during each such quarter is less than $20.

SEC. 6. PAYMENTS FOR CARBON REDUCTION AND SEQUESTRATION.

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary''), in consultation with the Administrator of the Environmental Protection Agency, shall provide payments to farmers, ranchers, private forest landowners, and other agricultural landowners in the United States that reduce or sequester greenhouse gas emissions through the adoption of qualifying farming, ranching, and forestry practices described in subsection (b).

(b) QUALIFYING PRACTICES.—

(1) IN GENERAL.—For a farming, ranching, or forestry practice to be eligible for payments under subsection (a), the Secretary shall determine that the practice qualifies as measurable, reportable, and verifiable for reducing or sequestering greenhouse gas emissions.

(2) INCLUDED PRACTICES.—Farming, ranching, and forestry practices that the Secretary may determine to be eligible for payments under paragraph (1) are—

(A) conservation enhancements, which may include—

(i) improved soil, water, and land management;

(ii) cover crops;

(iii) prairie, buffer, and edge-of-field strips;

(iv) conservation tillage;

(v) easements;

(vi) fertilizer practice improvements;

(vii) ecologically-appropriate reforestation and other sustainable forestry and related stewardship practices;

(viii) land or soil carbon sequestration;

(ix) avoidance of the conversion of grassland, wetland, and forest land; and

(x) grassland management, including prescribed grazing;

(B) livestock management, which may include—

(i) enteric fermentation reduction; and

(ii) aerobic digestion or improved manure management;

(C) capital upgrades and infrastructure investments to reduce greenhouse gas emissions, which may include—

(i) building and equipment refurbishment or upgrades;

(ii) adoption of renewable or clean energy and energy efficiency technologies; and

(iii) avoiding or removing agricultural land from urban or suburban development; and

(D) any other practice, as determined by the Secretary, that results in a quantifiable reduction in or sequestration of greenhouse gas emissions.

(c) CONSIDERATIONS.—In determining the amount and duration of a payment under subsection (a), the Secretary shall consider—

(1) the degree of additionality of the greenhouse gas reduction or sequestration as a result of the applicable qualifying practice described in subsection (b), as compared to a historical baseline;

(2) whether the recipient of the payment was an early adopter of 1 or more practices that reduce or sequester greenhouse gas emissions; and

(3) the degree of transitionality or permanence of the greenhouse gas reduction or sequestration as a result of the applicable qualifying practice described in subsection (b).

(d) MEASUREMENT, REPORTING, MONITORING, AND VERIFICATION.—

(1) IN GENERAL.—The Secretary shall approve and provide oversight of 1 or more third-party agents to provide services described in paragraph (2).

(2) SERVICES DESCRIBED.—Services referred to in paragraph (1) are determining the reduction or sequestration of greenhouse gas emissions as a result of qualifying practices described in subsection (b) by—

(A) measurement;

(B) reporting;

(C) monitoring;

(D) verification; and

(E) using methods to account for additionality, as compared to a historical baseline.

(3) USE OF PROTOCOLS.—Services referred to in paragraph (1) shall be provided using generally accepted protocols.

(4) USE OF DEPARTMENT OF AGRICULTURE RESOURCES.—The Secretary shall require a third-party agent approved under paragraph (1) to use the resources, boards, committees, geospatial data, aerial or other maps, employees, offices, and capacities of the Department of Agriculture in providing services under that paragraph.

(5) PRIVACY AND DATA SECURITY.—

(A) IN GENERAL.—The Secretary shall establish—

(i) safeguards to protect the privacy of information that is submitted through or retained by a third-party agent approved under paragraph (1), including employees and contractors of the third-party agent; and

(ii) such other rules and standards of data security as the Secretary determines to be appropriate to carry out this section.

(B) PENALTIES.—The Secretary shall establish penalties for any violations of privacy or confidentiality under subparagraph (A).

(6) DISCLOSURE OF INFORMATION.—

(A) PUBLIC DISCLOSURE.—Information collected for purposes of services provided under paragraph (1) may be disclosed to the public or disclosed for purposes of audit, research, or improvement of the program under this section—

(i) if the information is transformed into a statistical or aggregate form such that the information does not include any identifiable or personal information of individual producers; or

(ii) in a form that may include identifiable or personal information of a producer if that producer consents to the disclosure of the information.

(B) REQUIREMENT.—The participation of a producer in, and the receipt of any benefit by the producer under, the program under this section or any other program administered by the Secretary may not be conditioned on the producer providing consent under subparagraph (A)(ii).

(e) INELIGIBILITY.—A person that is determined to be in violation of any applicable air quality regulation or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (including regulations) shall not be eligible for any payment under subsection (a) during the period of the violation.

(f) REGULATIONS.—Not later than July 1, 2022, the Secretary shall issue regulations to carry out this section, including—

(1) the amount of a payment under subsection (a), which shall be based on—

(A) the quantity of carbon dioxide equivalent emissions reduced or sequestered; and

(B) the considerations described in subsection (c);

(2) a methodology that any third-party agents approved under subsection (d)(1) shall use to provide the services under that subsection;

(3) a limitation on the total amount of payments that may be made under subsection (a) with respect to a producer; and

(4) a requirement for the duration of emissions reduction or sequestration for purposes of eligibility for payments under subsection (a).

(g) EFFECTIVENESS.—

(1) IN GENERAL.—The authority to provide payments under this section shall be effective for each of the first 10 fiscal years beginning after September 30, 2022.

(2) ADJUSTMENT.—If, pursuant to section 4692(g) of the Internal Revenue Code of 1986 (as added by section 3), the carbon fee has been reduced to zero for calendar year 2022, paragraph (1) shall be applied by substituting ''September 30, 2023'' for ''September 30, 2022''.

SEC. 7. TRANSITION ASSISTANCE FOR IMPACTED COMMUNITIES.

(a) IN GENERAL.—The Secretary of Commerce, acting through the Assistant Secretary of Commerce for Economic Development (referred to in this section as the ''Secretary''), in coordination with the Secretary of Labor, shall provide grants to eligible entities for transition assistance to a low-carbon economy.

(b) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section is a labor organization, an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), a unit of State or local government, an economic development organization, a nonprofit organization, community-based organization, or intermediary, or a State board or local board (as those terms are defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)) that serves or is located in a community that—

(1) as determined by the Secretary, in coordination with the Secretary of Labor, has been or will be impacted by economic changes in carbon-intensive industries, including job losses;

(2) as determined by the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, has been or is at risk of being impacted by extreme weather events, sea level rise, and natural disasters related to climate change; or

(3) as determined by the Secretary, in consultation with the Administrator of the Environmental Protection Agency, has been impacted by harmful residuals from a fossil fuel or carbon-intensive industry.

(c) USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant for—

(1) economic and workforce development activities, such as—

(A) job creation;

(B) providing reemployment and worker transition assistance, including registered apprenticeships, subsidized employment, job training, transitional jobs, and supportive services (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)), with priority given to—

(i) workers impacted by changes in carbon-intensive industries;

(ii) individuals with a barrier to employment (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)); and

(iii) programs that lead to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102));

(C) local and regional investment, including commercial and industrial economic diversification;

(D) export promotion; and

(E) establishment of a monthly subsidy payment for workers who retire early due to economic changes in carbon-intensive industries;

(2) climate change resiliency, such as—

(A) building electrical, communications, utility, transportation, and other infrastructure in flood-prone areas above flood zone levels;

(B) building flood and stormproofing measures in flood-prone areas and erosion-prone areas;

(C) increasing the resilience of a surface transportation infrastructure asset to withstand extreme weather events and climate change impacts;

(D) improving stormwater infrastructure;

(E) increasing the resilience of agriculture to extreme weather;

(F) ecological restoration;

(G) increasing the resilience of forests to wildfires; and

(H) increasing coastal resilience;

(3) environmental cleanup from fossil fuel industry facilities that are abandoned or retired, or closed due to bankruptcy, and residuals from carbon-intensive industries, such as—

(A) coal ash and petroleum coke cleanup;

(B) mine reclamation; and

(C) remediation of impaired waterways and drinking water resources; or

(4) other activities as the Secretary, in coordination with the Secretary of Labor, the Administrator of the Federal Emergency Management Agency, and the Administrator of the Environmental Protection Agency, determines to be appropriate.

(d) REQUIREMENTS.—

(1) LABOR STANDARDS; NONDISCRIMINATION.—An eligible entity that receives a grant under this section shall use the funds in a manner consistent with sections 181 and 188 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3241, 3248).

(2) WAGE RATE REQUIREMENTS.—All laborers and mechanics employed by eligible entities to carry out projects and activities funded directly by or assisted in whole or in part by a grant under this section shall be paid at wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the ''Davis-Bacon Act'').

(3) BUY AMERICA REQUIREMENTS.—

(A) IN GENERAL.—All iron, steel, and manufactured goods used for projects and activities carried out with a grant under this section shall be produced in the United States.

(B) WAIVER.—The Secretary may waive the requirement in subparagraph (A) if the Secretary finds that—

(i) enforcing the requirement would be inconsistent with the public interest;

(ii) the iron, steel, and manufactured goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality; or

(iii) enforcing the requirement will increase the overall cost of the project or activity by more than 25 percent.

(e) COORDINATION.—An eligible entity that receives a grant under this section is encouraged to collaborate or partner with other eligible entities in carrying out activities with that grant.

(f) REPORT.—Not later than 3 years after the date on which the Secretary establishes the grant program under this section, the Secretary and the Secretary of Labor shall submit to Congress a report on the effectiveness of the grant program, including—

(1) the number of individuals that have received reemployment or worker transition assistance under this section;

(2) a description of any job creation activities carried out with a grant under this section and the number of jobs created from those activities;

(3) the percentage of individuals that have received reemployment or worker transition assistance under this section who are, during the second and fourth quarters after exiting the program—

(A) in education or training activities; or

(B) employed;

(4) the average wages of individuals that have received reemployment or worker transition assistance under this section during the second and fourth quarters after exit from the program;

(5) a description of any regional investment activities carried out with a grant under this section;

(6) a description of any export promotion activities carried out with a grant under this section, including—

(A) a description of the products promoted; and

(B) an analysis of any increase in exports as a result of the promotion;

(7) a description of any resilience activities carried out with a grant under this section; and

(8) a description of any cleanup activities from fossil fuel industry facilities or carbon-intensive industries carried out with a grant under this section.

(g) FUNDING.—

(1) INITIAL FUNDING.—

(A) IN GENERAL.—There is appropriated to the Secretary, out of any funds in the Treasury not otherwise appropriated, $5,000,000,000 for each of fiscal years 2021 and 2022 to carry out this section, to remain available until expended.

(B) ADDITIONAL FUNDING.—If, pursuant to section 4692(g) of the Internal Revenue Code of 1986 (as added by section 3), the carbon fee has been reduced to zero for calendar year 2022, there is appropriated to carry out this section, out of any funds in the Treasury not otherwise appropriated, $5,000,000,000 for fiscal year 2023, to remain available until expended.

(2) AMERICA'S CLEAN FUTURE FUND.—The Secretary shall carry out this section using amounts made available from the America's Clean Future Fund under section 4.

SEC. 8. STUDY ON CARBON PRICING.

(a) IN GENERAL.—Not later than January 1, 2024, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall carry out a study not less frequently than once every 5 years to evaluate the effectiveness of the fees established under sections 4692 and 4693 of the Internal Revenue Code of 1986 in achieving the following goals:

(1) A net reduction of greenhouse gas emissions by 45 percent, based on 2018 levels, by 2030.

(2) A net reduction of greenhouse gas emissions by 100 percent, based on 2018 levels, by 2050.

(b) REQUIREMENTS.—In executing the agreement under subsection (a), the Administrator shall ensure that, in carrying out a study under that subsection, the National Academy of Sciences—

(1) includes an evaluation of—

(A) total annual greenhouse gas emissions by the United States, including greenhouse gas emissions not subject to the fees described in that subsection; and

(B) the historic trends in the total greenhouse gas emissions evaluated under subparagraph (A);

(2) analyzes the extent to which greenhouse gas emissions have been or would be reduced as a result of current and potential future policies, including—

(A) a projection of greenhouse gas emissions reductions that would result if the regulations of the Administrator were to be adjusted to impose stricter limits on greenhouse gas emissions than the goals described in that subsection, with a particular focus on greenhouse gas emissions not subject to the fees described in that subsection;

(B) the status of greenhouse gas emissions reductions that result from fees charged under sections 4692 and 4693 of the Internal Revenue Code of 1986;

(C) a projection of greenhouse gas emissions reductions that would result if fees charged under such sections were annually increased—

(i) at the current price path; and

(ii) above the current price path;

(D) an analysis of greenhouse gas emissions reductions that result from the policies of States, units of local government, Tribal communities, and the private sector;

(E) a projection of greenhouse gas emissions reductions that would result from the promulgation of additional Federal climate policies, including a clean energy standard, increased fuel economy and greenhouse gas emissions standards for motor vehicles, a low-carbon fuel standard, electrification of cars and heavy-duty trucks, and reforestation of not less than 3,000,000 acres of land within the National Forest System; and

(F) the status and projections of decarbonization in other major economies; and

(3) submits a report to the Administrator, Congress, and the Board of Directors of the Climate Change Finance Corporation describing the results of the study.

SEC. 9. EFFECTIVE DATE.

The amendments made by this Act shall apply to any calendar year beginning after December 31, 2021.

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. 4491. A bill to designate methamphetamine as an emerging threat, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, psychostimulant overdose deaths, including methamphetamine-related deaths, increased by 27 percent in 1 year. That is a higher rate of increase than any other illicit substance in our country, including fentanyl.

It is time to sound the alarm. We must take immediate action to prevent methamphetamine from becoming the next drug overdose crisis facing our country.

That is why I am introducing the Methamphetamine Response Act with my colleague, Senator GRASSLEY.

This bill does two things.

First, it declares methamphetamine an emerging drug threat.

Second, it requires the Office of National Drug Control Policy, ONDCP, to develop and implement a national plan that is specific to methamphetamine, in accordance the ONDCP Reauthorization, which I was proud to coauthor, and which was enacted in 2018 as part of the SUPPORT Act.

This plan must include an assessment of the methamphetamine threat, including the current availability of, and demand for, the drug, and the effectiveness of evidence-based prevention and treatment programs, as well as law enforcement programs; short- and long-term goals focused on supply and demand reduction and the expansion of prevention and treatment programs; performance measures related to the plan's goals; and the level of funding needed to implement the plan, including an assessment of whether available funding can be reprogrammed or transferred or whether additional funds are needed.

There is no question that methamphetamine is emerging yet again as a major drug threat to our Nation.

Between 2008 and 2017, methamphetamine-related treatment admissions increased from 15 percent to nearly 24 percent. Heroin use among those admitted for methamphetamine treatment increased from 5.3 percent to 23.6 percent, indicating a significant and troubling increase in poly substance use.

Between 2018 and 2019, psychostimulant overdose deaths, including methamphetamine deaths, increased in 27 of the 38 states that provide drug-specific data to the Centers for Disease Control and Prevention. This amounts to a 27-percent increase nationally.

By the end of 2019, methamphetamine availability, use, purity, and potency had increased, as street level prices declined.

Data shows that methamphetamine use is no longer limited to Midwest and Western States but is increasingly prevalent in Northeastern States.

Emergency room admissions for suspected stimulant overdoses, including methamphetamine, increased by 23 percent between January 2019 and 2020. These increases occurred in 36 States and the District of Colombia.

In the first 9 months of fiscal year 2020, methamphetamine seizures increased by 52 percent.

COVID–19 is likely to exacerbate these trends.

In fact, the National Institute on Drug Abuse has warned clinicians to be prepared to monitor adverse effects associated with increased methamphetamine use, including respiratory and pulmonary effects, among COVID–19 patients.

Additionally, the necessary social distancing requirements associated with COVID–19 have made in-person treatment more difficult, increasing the probability that those seeking treatment may not be able to access it.

These facts alone are enough to declare methamphetamine an emerging threat, but public reports indicating that Mexican cartels are stockpiling methamphetamine at the border and are poised to flood the United States with methamphetamine make the situation that much more urgent.

In 1 year methamphetamine killed more than 16,000 Americans. Absent immediate action and a whole-of-government plan, these fatalities will continue to increase.

Please join me in supporting Methamphetamine Response Act to stop methamphetamine from becoming the next wave in a series of preventable crises that have impacted the United States.

By Mr. SCHUMER:

S. 4496. A bill to direct the Secretary of Labor to promulgate an occupational safety and health standard that requires covered employers to protect employees from injury and death related to grease trap manholes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bryce Raynor Act of 2020''.

SEC. 2. OCCUPATIONAL SAFETY AND HEALTH STANDARD REGARDING GREASE TRAP MANHOLES.

(a) DEFINITIONS.—In this section, the terms "employee" and "employer" have the meanings given the terms in section 3 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 652).

(b) INTERIM FINAL STANDARD.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Labor shall promulgate an interim final occupational safety and health standard protecting employees from death and injury related to grease trap manholes that—

(A) shall be included as a new section in subpart D of part 1910 of title 29, Code of Federal Regulations or any successor subpart, with the heading "Grease Trap Manholes"; and

(B) requires employers to protect all employees from falling in or tripping on grease trap manholes by—

(i) ensuring that the grease trap manholes and surrounding areas are inspected regularly and in accordance with clause (iv) and maintained in a safe condition, consistent with paragraphs (1), (2), and (3) of section 1910.22(d) of such subpart;

(ii) ensuring that, consistent with section 1910.28(b)(3) of such subpart, each employee—

(I) is protected from falling through any grease trap manhole opening that is 4 feet (1.2 meters) or more above a lower level by a cover, guardrail system, travel restraint system, or personal fall arrest system; and

(II) is protected from tripping into or stepping into or through any grease trap manhole opening that is less than 4 feet (1.2 meters) above a lower level by a cover or guardrail system;

(iii) ensuring that each grease trap manhole opening—

(I) has a cover that, consistent with the requirements of section 1910.29(e) of such subpart—

(aa) is capable of supporting, without failure, at least twice the maximum intended load that may be imposed on the cover at any one time;

(bb) is manufactured for commercial use;

(cc) is secured by a bolt or locking mechanism to prevent accidental displacement; and

(dd) is made of round cast iron, or metal of a similar construction rated for heavy road traffic, with sufficient weight to prevent unauthorized access; and

(II) has a secondary protection device consisting of a screen or netting sufficient to prevent a person from falling into the grease trap manhole opening; and

(iv) ensuring that each grease trap manhole and cover for a grease trap manhole opening is inspected twice a year to ensure that the cover is made of metal, locked, and can support twice the maximum intended load.

(2) NOTICE AND COMMENT.—Notwithstanding any other provision of section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), the Secretary of Labor shall, prior to promulgating the interim final standard under paragraph (1), provide notice of the interim final standard and a 30-day opportunity for public comment.

(3) EFFECTIVE DATE OF INTERIM FINAL STANDARD.—

(A) IN GENERAL.—The interim final standard promulgated under paragraph (1) shall—

(i) take effect on a date specified by the Secretary of Labor that is not later than 30 days after the date of promulgation, except that such interim final standard may include a reasonable phase-in period for the implementation of required engineering controls that take effect after such date;

(ii) have the legal effect of, and be enforced in the same manner as, an occupational safety and health standard promulgated under section 6(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655(b)); and

(iii) be in effect until the final standard described in subsection (c)(2) becomes effective and enforceable.

(B) FAILURE TO PROMULGATE.—If an interim final standard described in paragraph (1) is not promulgated by the date that is 2 years after the date of enactment of this Act, the provisions of such paragraph shall be in effect and enforced in the same manner as any standard promulgated under section 6(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655(b)) until such provisions are superseded in whole by an interim final standard promulgated by the Secretary that meets the requirements of paragraph (1).

(c) FINAL STANDARD.—

(1) PROPOSED FINAL STANDARD.—Not later than 30 months after the date of enactment of this Act, the Secretary of Labor shall, pursuant to section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), promulgate a proposed final standard protecting employees from death and injury related to grease trap manholes that shall include, at a minimum, the elements contained in the interim final standard promulgated under subsection (b).

(2) FINAL STANDARD.—Not later than 42 months after the date of enactment of this Act, the Secretary of Labor shall, pursuant to section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), promulgate a final standard protecting employees from death and injury related to grease trap manholes. Such final standard shall include, at a minimum, the elements contained in the interim final standard promulgated under subsection (b).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 668—COMMEMORATING THE FEDERAL LAW ENFORCEMENT TRAINING CENTER'S 50TH ANNIVERSARY

Mrs. LOEFFLER (for herself and Mr. PERDUE) submitted the following resolution; which was considered and agreed to:

S. RES. 668

Whereas the Federal Law Enforcement Training Center ("FLETC") was established on July 1, 1970, in response to a need for standard training across Federal law enforcement agencies;

Whereas the FLETC headquarters in Glynco, Georgia, opened in 1975;

Whereas FLETC became a part of the Department of Homeland Security on March 1, 2003, pursuant to the Homeland Security Act of 2002 (P.L. 107–296);

Whereas, in 2016, Congress passed, and the President signed into law, FLETC's first authorizing legislation, the Federal Law Enforcement Training Centers Reform and Improvement Act of 2015 (P.L. 114–285);

Whereas FLETC provides basic and advanced law enforcement training for 95 Federal law enforcement agencies and to State, local, and Tribal law enforcement agencies nationwide;

Whereas FLETC includes training locations in Glynco, Georgia, Artesia, New Mexico, Charleston, South Carolina, and Cheltenham, Maryland;

Whereas the mission of FLETC is to prepare the Federal law enforcement community to safeguard the people of the United States, our homeland, and our values through strategic partnerships; and

Whereas FLETC trains nearly 70,000 law enforcement personnel annually in 872 training programs and maintains more than 3,400 acres of training ground: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 50th anniversary of the Federal Law Enforcement Training Center; and

(2) recognizes the staff, students, and leadership of the Federal Law Enforcement Training Center for their commitment to preparing law enforcement to protect the people of the United States.

SENATE RESOLUTION 669—TO EXPRESS THE SENSE OF THE SENATE ON UNITED STATES-ISRAEL COOPERATION ON PRECISION-GUIDED MUNITIONS

Mr. ROUNDS submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 669

Resolved, That it is the sense of the Senate that—

(1) the Department of Defense has cooperated extensively with Israel to assist in the procurement of precision-guided munitions, and such cooperation represents an important example of robust United States support for Israel;

(2) to the extent practicable, the Secretary of Defense should take further measures to expedite deliveries of precision-guided munitions to Israel; and

(3) regularized annual purchases of precision-guided munitions by Israel, in accordance with existing requirements and practices regarding the export of defense articles and defense services, coordinated with the United States Air Force annual purchase of precision-guided munitions, would enhance the security of both the United States and Israel by—

(A) promoting a more efficient use of defense resources by taking advantage of economies of scale;

(B) enabling the United States and Israel to address crisis requirements for precision-guided munitions in a timely and flexible manner; and

(C) encouraging the defense industrial base to maintain routine production lines of precision-guided munitions.

SENATE RESOLUTION 670—RECOGNIZING THE SERIOUSNESS OF POLYCYSTIC OVARY SYNDROME (PCOS) AND EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2020 AS "PCOS AWARENESS MONTH"

Ms. WARREN (for herself, Mr. PERDUE, Mr. CARDIN, Mrs. LOEFFLER, Mr. BOOKER, Mrs. FISCHER, Ms. STABENOW, Ms. COLLINS, Ms. BALDWIN, Mr. LANKFORD, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. ROSEN, Ms. SINEMA, and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 670

Whereas polycystic ovary syndrome (in this preamble referred to as "PCOS") is a