

“(2) AMOUNT OF FEE.—

“(A) IN GENERAL.—Subject to subparagraph (B), the fee assessed under paragraph (1) shall be \$5 per acre of the area covered by the applicable expression of interest.

“(B) ADJUSTMENT OF FEE.—The Secretary shall, by regulation, not less frequently than every 4 years, adjust the amount of the fee under subparagraph (A) to reflect the change in inflation.”

(e) ELIMINATION OF NONCOMPETITIVE LEASING.—

(1) IN GENERAL.—Section 17 of the Mineral Leasing Act (30 U.S.C. 226) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(A)—

(I) in the first sentence, by striking “paragraphs (2) and (3) of this subsection” and inserting “paragraph (2)”; and

(II) by striking the last sentence; and

(ii) by striking paragraph (3);

(B) by striking subsection (c) and inserting the following:

“(c) ADDITIONAL ROUNDS OF COMPETITIVE BIDDING.—Land made available for leasing under subsection (b)(1) for which no bid is accepted or received, or the land for which a lease terminates, expires, is cancelled, or is relinquished, may be made available by the Secretary of the Interior for a new round of competitive bidding under that subsection.”; and

(C) by striking subsection (e) and inserting the following:

“(e) TERM OF LEASE.—

“(1) IN GENERAL.—Any lease issued under this section, including a lease for tar sand areas, shall be for a primary term of 10 years.

“(2) CONTINUATION OF LEASE.—A lease described in paragraph (1) shall continue after the primary term of the lease for any period during which oil or gas is produced in paying quantities.

“(3) ADDITIONAL EXTENSIONS.—Any lease issued under this section for land on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced and diligently prosecuted prior to the end of the primary term of the lease shall be extended for 2 years and for any period thereafter during which oil or gas is produced in paying quantities.”

(2) CONFORMING AMENDMENTS.—Section 31 of the Mineral Leasing Act (30 U.S.C. 188) is amended—

(A) in subsection (d)(1), in the first sentence, by striking “or section 17(c) of this Act”;

(B) in subsection (e)—

(i) in paragraph (2)—

(I) by striking “either”; and

(II) by striking “or the inclusion” and all that follows through “, all”; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by adding “and” after the semicolon;

(II) by striking subparagraph (B); and

(III) by striking “(3)(A) payment” and inserting the following:

“(3) payment”;

(C) in subsection (g)—

(i) in paragraph (1), by striking “as a competitive” and all that follows through “of this Act” and inserting “in the same manner as the original lease issued pursuant to section 17”;

(ii) by striking paragraph (2);

(iii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(iv) in paragraph (2) (as so redesignated), by striking “applicable to leases issued under subsection 17(c) of this Act (30 U.S.C. 226(c)) except,” and inserting “except”;

(D) in subsection (h), by striking “subsections (d) and (f) of this section” and inserting “subsection (d)”;

(E) in subsection (i), by striking “(i)(1) In acting” and all that follows through “of this section” in paragraph (2) and inserting the following:

“(i) ROYALTY REDUCTION IN REINSTATED LEASES.—In acting on a petition for reinstatement pursuant to subsection (d)”;

(F) by striking subsection (f); and

(G) by redesignating subsections (g) through (j) as subsections (f) through (i), respectively.

SEC. 50263. ROYALTIES ON ALL EXTRACTED METHANE.

(a) IN GENERAL.—For all leases issued after the date of enactment of this Act, except as provided in subsection (b), royalties paid for gas produced from Federal land and on the outer Continental Shelf shall be assessed on all gas produced, including all gas that is consumed or lost by venting, flaring, or negligent releases through any equipment during upstream operations.

(b) EXCEPTION.—Subsection (a) shall not apply with respect to—

(1) gas vented or flared for not longer than 48 hours in an emergency situation that poses a danger to human health, safety, or the environment;

(2) gas used or consumed within the area of the lease, unit, or communitized area for the benefit of the lease, unit, or communitized area; or

(3) gas that is unavoidably lost.

SA 5282. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle —Safeguarding Patient Access to Cutting-edge Therapies by Protecting Small Businesses From Onerous Permanent Mandates and Catastrophic Penalties Under the New Federal Program

SEC. 1 001. SAFEGUARDING PATIENT ACCESS TO CUTTING-EDGE THERAPIES BY PROTECTING SMALL BUSINESSES FROM ONEROUS PERMANENT MANDATES AND CATASTROPHIC PENALTIES UNDER THE NEW FEDERAL PROGRAM.

Sec. 1192(d) of the Social Security Act, as added by section 11001, is amended—

(1) in paragraph (2)(A), in the matter preceding clause (i), by striking “, with respect to the initial price applicability years 2026, 2027, and 2028,”; and

(2) in paragraph (3)(A)(ii), by striking “for initial price applicability years 2026, 2027, and 2028.”

SEC. 1 002. REDUCTION OF ADDITIONAL IRS FUNDING FOR ENFORCEMENT.

Section 10301(a)(1)(A)(i)(II) of this Act is amended by striking “\$45,637,400,000” and inserting “\$40,637,400,000”.

SA 5283. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the end of part 1 of subtitle B of title I, add the following:

SEC. 11005. ENSURING ACCESS FOR MEDICARE BENEFICIARIES TO GENETICALLY TARGETED TECHNOLOGIES.

Sec. 1192(e)(3) of the Social Security Act, as added by section 11001, is amended by adding at the end the following new subparagraph:

“(D) GENETICALLY TARGETED TECHNOLOGIES.—A drug product using a geneti-

cally targeted technology including cell, gene, siRNA, and radio ligand therapies.”

SA 5284. Mr. TILLIS submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the end of section 11004, insert the following:

SEC. 11005. EQUALIZING THE NEGOTIATION PERIOD BETWEEN SMALL-MOLECULE AND BIOLOGIC CANDIDATES UNDER THE DRUG PRICE NEGOTIATION PROGRAM.

Part E of title XI of the Social Security Act, as added by section 11001, is amended—

(1) in section 1192(e)(1)(A)(ii), by striking “7 years” and inserting “11 years”; and

(2) in section 1194(g)(1)(A), by striking “9 years” and inserting “13 years”.

SA 5285. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

Beginning on page 689, strike line 8 and all that follows through page 714, line 7, and insert the following:

SEC. 60106. FUNDING TO ADDRESS AIR POLLUTION AT SCHOOLS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$37,500,000, to remain available until September 30, 2031, for grants and other activities to monitor and reduce greenhouse gas emissions and other air pollutants at schools in low-income and disadvantaged communities under subsections (a) through (c) of section 103 of the Clean Air Act (42 U.S.C. 7403(a)–(c)) and section 105 of that Act (42 U.S.C. 7405).

(b) TECHNICAL ASSISTANCE.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$12,500,000, to remain available until September 30, 2031, for providing technical assistance to schools in low-income and disadvantaged communities under subsections (a) through (c) of section 103 of the Clean Air Act (42 U.S.C. 7403(a)–(c)) and section 105 of that Act (42 U.S.C. 7405)—

(1) to address environmental issues;

(2) to develop school environmental quality plans that include standards for school building, design, construction, and renovation; and

(3) to identify and mitigate ongoing air pollution hazards.

(c) DEFINITION OF GREENHOUSE GAS.—In this section, the term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

SEC. 60107. FUNDING FOR SECTION 211(O) OF THE CLEAN AIR ACT.

(a) TEST AND PROTOCOL DEVELOPMENT.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$5,000,000, to remain available until September 30, 2031, to carry out section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) with respect to—

(1) the development and establishment of tests and protocols regarding the environmental and public health effects of a fuel or fuel additive;

(2) internal and extramural data collection and analyses to regularly update applicable regulations, guidance, and procedures for determining lifecycle greenhouse gas emissions of a fuel; and

(3) the review, analysis, and evaluation of the impacts of all transportation fuels, including fuel lifecycle implications, on the general public and on low-income and disadvantaged communities.

(b) **INVESTMENTS IN ADVANCED BIOFUELS.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$10,000,000, to remain available until September 30, 2031, for new grants to industry and other related activities under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) to support investments in advanced biofuels.

(c) **DEFINITION OF GREENHOUSE GAS.**—In this section, the term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

SEC. 60108. FUNDING FOR IMPLEMENTATION OF THE AMERICAN INNOVATION AND MANUFACTURING ACT.

(a) **APPROPRIATIONS.**—

(1) **IN GENERAL.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$20,000,000, to remain available until September 30, 2026, to carry out subsections (a) through (i) and subsection (k) of section 103 of division S of Public Law 116-260 (42 U.S.C. 7675).

(2) **IMPLEMENTATION AND COMPLIANCE TOOLS.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$3,500,000, to remain available until September 30, 2026, to deploy new implementation and compliance tools to carry out subsections (a) through (i) and subsection (k) of section 103 of division S of Public Law 116-260 (42 U.S.C. 7675).

(3) **COMPETITIVE GRANTS.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$15,000,000, to remain available until September 30, 2026, for competitive grants for reclaim and innovative destruction technologies under subsections (a) through (i) and subsection (k) of section 103 of division S of Public Law 116-260 (42 U.S.C. 7675).

(b) **ADMINISTRATION OF FUNDS.**—Of the funds made available pursuant to subsection (a)(3), the Administrator of the Environmental Protection Agency shall reserve 5 percent for administrative costs necessary to carry out activities pursuant to such subsection.

SEC. 60109. FUNDING FOR ENFORCEMENT TECHNOLOGY AND PUBLIC INFORMATION.

(a) **COMPLIANCE MONITORING.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$18,000,000, to remain available until September 30, 2031, to update the Integrated Compliance Information System of the Environmental Protection Agency and any associated systems, necessary information technology infrastructure, or pub-

lic access software tools to ensure access to compliance data and related information.

(b) **COMMUNICATIONS WITH ICIS.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$3,000,000, to remain available until September 30, 2031, for grants to States, Indian tribes, and air pollution control agencies (as such terms are defined in section 302 of the Clean Air Act (42 U.S.C. 7602)) to update their systems to ensure communication with the Integrated Compliance Information System of the Environmental Protection Agency and any associated systems.

(c) **INSPECTION SOFTWARE.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$4,000,000, to remain available until September 30, 2031—

(1) to acquire or update inspection software for use by the Environmental Protection Agency, States, Indian tribes, and air pollution control agencies (as such terms are defined in section 302 of the Clean Air Act (42 U.S.C. 7602)); or

(2) to acquire necessary devices on which to run such inspection software.

SEC. 60110. ENVIRONMENTAL PRODUCT DECLARATION ASSISTANCE.

(a) **IN GENERAL.**—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$250,000,000, to remain available until September 30, 2031, to develop and carry out a program to support the development, enhanced standardization and transparency, and reporting criteria for environmental product declarations that include measurements of the embodied greenhouse gas emissions of the material or product associated with all relevant stages of production, use, and disposal, and conform with international standards, for construction materials and products by—

(1) providing grants to businesses that manufacture construction materials and products for developing and verifying environmental product declarations, and to States, Indian Tribes, and nonprofit organizations that will support such businesses;

(2) providing technical assistance to businesses that manufacture construction materials and products in developing and verifying environmental product declarations, and to States, Indian Tribes, and nonprofit organizations that will support such businesses; and

(3) carrying out other activities that assist in measuring, reporting, and steadily reducing the quantity of embodied carbon of construction materials and products.

(b) **ADMINISTRATIVE COSTS.**—Of the amounts made available under this section, the Administrator of the Environmental Protection Agency shall reserve 5 percent for administrative costs necessary to carry out this section.

(c) **DEFINITIONS.**—In this section:

(1) **GREENHOUSE GAS.**—The term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(2) **STATE.**—The term “State” has the meaning given to that term in section 302(d) of the Clean Air Act (42 U.S.C. 7602(d)).

SEC. 60111. METHANE EMISSIONS REDUCTION PROGRAM.

The Clean Air Act is amended by inserting after section 134 of such Act, as added by section 60103 of this Act, the following:

“SEC. 135. METHANE EMISSIONS AND WASTE REDUCTION INCENTIVE PROGRAM FOR PETROLEUM AND NATURAL GAS SYSTEMS.

“(a) **INCENTIVES FOR METHANE MITIGATION AND MONITORING.**—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$850,000,000, to remain available until September 30, 2028—

“(1) for grants, rebates, contracts, loans, and other activities of the Environmental Protection Agency for the purposes of providing financial and technical assistance to owners and operators of applicable facilities to prepare and submit greenhouse gas reports under subpart W of part 98 of title 40, Code of Federal Regulations;

“(2) for grants, rebates, contracts, loans, and other activities of the Environmental Protection Agency authorized under subsections (a) through (c) of section 103 for methane emissions monitoring;

“(3) for grants, rebates, contracts, loans, and other activities of the Environmental Protection Agency for the purposes of providing financial and technical assistance to reduce methane and other greenhouse gas emissions from petroleum and natural gas systems, mitigate legacy air pollution from petroleum and natural gas systems, and provide funding for—

“(A) improving climate resiliency of communities and petroleum and natural gas systems;

“(B) improving and deploying industrial equipment and processes that reduce methane and other greenhouse gas emissions and waste;

“(C) supporting innovation in reducing methane and other greenhouse gas emissions and waste from petroleum and natural gas systems;

“(D) permanently shutting in and plugging wells on non-Federal land;

“(E) mitigating health effects of methane and other greenhouse gas emissions, and legacy air pollution from petroleum and natural gas systems in low-income and disadvantaged communities; and

“(F) supporting environmental restoration; and

“(4) to cover all direct and indirect costs required to administer this section, prepare inventories, gather empirical data, and track emissions.

“(b) **INCENTIVES FOR METHANE MITIGATION FROM CONVENTIONAL WELLS.**—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$700,000,000, to remain available until September 30, 2028, for activities described in paragraphs (1) through (4) of subsection (a) at marginal conventional wells.

“(c) **WASTE EMISSIONS CHARGE.**—The Administrator shall impose and collect a charge on methane emissions that exceed an applicable waste emissions threshold under subsection (f) from an owner or operator of an applicable facility that reports more than 25,000 metric tons of carbon dioxide equivalent of greenhouse gases emitted per year pursuant to subpart W of part 98 of title 40, Code of Federal Regulations, regardless of the reporting threshold under that subpart.

“(d) **APPLICABLE FACILITY.**—For purposes of this section, the term ‘applicable facility’ means a facility within the following industry segments, as defined in subpart W of part 98 of title 40, Code of Federal Regulations:

“(1) Offshore petroleum and natural gas production.

“(2) Onshore petroleum and natural gas production.

“(3) Onshore natural gas processing.

“(4) Onshore natural gas transmission compression.

“(5) Underground natural gas storage.

“(6) Liquefied natural gas storage.

“(7) Liquefied natural gas import and export equipment.

“(8) Onshore petroleum and natural gas gathering and boosting.

“(9) Onshore natural gas transmission pipeline.

“(e) CHARGE AMOUNT.—The amount of a charge under subsection (c) for an applicable facility shall be equal to the product obtained by multiplying—

“(1) the number of metric tons of methane emissions reported pursuant to subpart W of part 98 of title 40, Code of Federal Regulations, for the applicable facility that exceed the applicable annual waste emissions threshold listed in subsection (f) during the previous reporting period; and

“(2)(A) \$900 for emissions reported for calendar year 2024;

“(B) \$1,200 for emissions reported for calendar year 2025; or

“(C) \$1,500 for emissions reported for calendar year 2026 and each year thereafter.

“(f) WASTE EMISSIONS THRESHOLD.—

“(1) PETROLEUM AND NATURAL GAS PRODUCTION.—With respect to imposing and collecting the charge under subsection (c) for an applicable facility in an industry segment listed in paragraph (1) or (2) of subsection (d), the Administrator shall impose and collect the charge on the reported metric tons of methane emissions from such facility that exceed—

“(A) 0.20 percent of the natural gas sent to sale from such facility; or

“(B) 10 metric tons of methane per million barrels of oil sent to sale from such facility, if such facility sent no natural gas to sale.

“(2) NONPRODUCTION PETROLEUM AND NATURAL GAS SYSTEMS.—With respect to imposing and collecting the charge under subsection (c) for an applicable facility in an industry segment listed in paragraph (3), (6), (7), or (8) of subsection (d), the Administrator shall impose and collect the charge on the reported metric tons of methane emissions that exceed 0.05 percent of the natural gas sent to sale from or through such facility.

“(3) NATURAL GAS TRANSMISSION.—With respect to imposing and collecting the charge under subsection (c) for an applicable facility in an industry segment listed in paragraph (4), (5), or (9) of subsection (d), the Administrator shall impose and collect the charge on the reported metric tons of methane emissions that exceed 0.11 percent of the natural gas sent to sale from or through such facility.

“(4) COMMON OWNERSHIP OR CONTROL.—In calculating the total emissions charge obligation for facilities under common ownership or control, the Administrator shall allow for the netting of emissions by reducing the total obligation to account for facility emissions levels that are below the applicable thresholds within and across all applicable segments identified in subsection (d).

“(5) EXEMPTION.—Charges shall not be imposed pursuant to paragraph (1) on emissions that exceed the waste emissions threshold specified in such paragraph if such emissions are caused by unreasonable delay, as determined by the Administrator, in environmental permitting of gathering or transmission infrastructure necessary for offtake of increased volume as a result of methane emissions mitigation implementation.

“(6) EXEMPTION FOR REGULATORY COMPLIANCE.—

“(A) IN GENERAL.—Charges shall not be imposed pursuant to subsection (c) on an applicable facility that is subject to and in compliance with methane emissions require-

ments pursuant to subsections (b) and (d) of section 111 upon a determination by the Administrator that—

“(i) methane emissions standards and plans pursuant to subsections (b) and (d) of section 111 have been approved and are in effect in all States with respect to the applicable facilities; and

“(ii) compliance with the requirements described in clause (i) will result in equivalent or greater emissions reductions as would be achieved by the proposed rule of the Administrator entitled ‘Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review’ (86 Fed. Reg. 63110 (November 15, 2021)), if such rule had been finalized and implemented.

“(B) RESUMPTION OF CHARGE.—If the conditions in clause (i) or (ii) of subparagraph (A) cease to apply after the Administrator has made the determination in that subparagraph, the applicable facility will again be subject to the charge under subsection (c) beginning in the first calendar year in which the conditions in either clause (i) or (ii) of that subparagraph are no longer met.

“(7) PLUGGED WELLS.—Charges shall not be imposed with respect to the emissions rate from any well that has been permanently shut-in and plugged in the previous year in accordance with all applicable closure requirements, as determined by the Administrator.

“(g) PERIOD.—The charge under subsection (c) shall be imposed and collected beginning with respect to emissions reported for calendar year 2024 and for each year thereafter.

“(h) REPORTING.—Not later than 2 years after the date of enactment of this section, the Administrator shall revise the requirements of subpart W of part 98 of title 40, Code of Federal Regulations, to ensure the reporting under such subpart, and calculation of charges under subsections (e) and (f) of this section, are based on empirical data, including data collected pursuant to subsection (a)(4), accurately reflect the total methane emissions and waste emissions from the applicable facilities, and allow owners and operators of applicable facilities to submit empirical emissions data, in a manner to be prescribed by the Administrator, to demonstrate the extent to which a charge under subsection (c) is owed.

“(i) DEFINITION OF GREENHOUSE GAS.—In this section, the term ‘greenhouse gas’ means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.”

SEC. 60112. CLIMATE POLLUTION REDUCTION GRANTS.

The Clean Air Act is amended by inserting after section 135 of such Act, as added by section 60111 of this Act, the following:

“SEC. 136. GREENHOUSE GAS AIR POLLUTION PLANS AND IMPLEMENTATION GRANTS.

“(a) APPROPRIATIONS.—

“(1) GREENHOUSE GAS AIR POLLUTION PLANNING GRANTS.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, \$250,000,000, to remain available until September 30, 2031, to carry out subsection (b).

“(2) GREENHOUSE GAS AIR POLLUTION IMPLEMENTATION GRANTS.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, \$4,750,000,000, to remain available until September 30, 2026, to carry out subsection (c).

“(3) ADMINISTRATIVE COSTS.—Of the funds made available under paragraph (2), the Ad-

ministrator shall reserve 3 percent for administrative costs necessary to carry out this section, to provide technical assistance to eligible entities, to develop a plan that could be used as a model by grantees in developing a plan under subsection (b), and to model the effects of plans described in this section.

“(b) GREENHOUSE GAS AIR POLLUTION PLANNING GRANTS.—The Administrator shall make a grant to at least one eligible entity in each State for the costs of developing a plan for the reduction of greenhouse gas air pollution to be submitted with an application for a grant under subsection (c). Each such plan shall include programs, policies, measures, and projects that will achieve or facilitate the reduction of greenhouse gas air pollution. Not later than 270 days after the date of enactment of this section, the Administrator shall publish a funding opportunity announcement for grants under this subsection.

“(c) GREENHOUSE GAS AIR POLLUTION REDUCTION IMPLEMENTATION GRANTS.—

“(1) IN GENERAL.—The Administrator shall competitively award grants to eligible entities to implement plans developed under subsection (b).

“(2) APPLICATION.—To apply for a grant under this subsection, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator shall require, which such application shall include information regarding the degree to which greenhouse gas air pollution is projected to be reduced in total and with respect to low-income and disadvantaged communities.

“(3) TERMS AND CONDITIONS.—The Administrator shall make funds available to a grantee under this subsection in such amounts, upon such a schedule, and subject to such conditions based on its performance in implementing its plan submitted under this section and in achieving projected greenhouse gas air pollution reduction, as determined by the Administrator.

“(d) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a State;

“(B) an air pollution control agency;

“(C) a municipality;

“(D) an Indian tribe; and

“(E) a group of one or more entities listed in subparagraphs (A) through (D).

“(2) GREENHOUSE GAS.—The term ‘greenhouse gas’ means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.”

SEC. 60113. ENVIRONMENTAL PROTECTION AGENCY EFFICIENT, ACCURATE, AND TIMELY REVIEWS.

In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$40,000,000, to remain available until September 30, 2026, to provide for the development of efficient, accurate, and timely reviews for permitting and approval processes through the hiring and training of personnel, the development of programmatic documents, the procurement of technical or scientific services for reviews, the development of environmental data or information systems, stakeholder and community engagement, the purchase of new equipment for environmental analysis, and the development of geographic information systems and other analysis tools, techniques, and guidance to improve agency transparency, accountability, and public engagement.

SEC. 60114. LOW-EMBODIED CARBON LABELING FOR CONSTRUCTION MATERIALS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$100,000,000, to remain available until September 30, 2026, for necessary administrative costs of the Administrator of the Environmental Protection Agency to carry out this section and to develop and carry out a program, in consultation with the Administrator of the Federal Highway Administration for construction materials used in transportation projects and the Administrator of General Services for construction materials used for Federal buildings, to identify and label construction materials and products that have substantially lower levels of embodied greenhouse gas emissions associated with all relevant stages of production, use, and disposal, as compared to estimated industry averages of similar materials or products, as determined by the Administrator of the Environmental Protection Agency, based on—

(1) environmental product declarations; or
(2) determinations by State agencies, as verified by the Administrator of the Environmental Protection Agency.

(b) DEFINITION OF GREENHOUSE GAS.—In this section, the term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

Subtitle B—Hazardous Materials**SEC. 60201. ENVIRONMENTAL AND CLIMATE JUSTICE BLOCK GRANTS.**

The Clean Air Act is amended by inserting after section 136, as added by subtitle A of this title, the following:

“SEC. 137. ENVIRONMENTAL AND CLIMATE JUSTICE BLOCK GRANTS.

SA 5286. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

On page 708, strike lines 24 and 25 and insert the following:

“(i) PROHIBITION.—In carrying out this section, the Administrator may not ban the underground injection of fluids or propping agents with respect to hydraulic fracturing operations related to oil, gas, or geothermal production activities.

“(j) DEFINITION OF GREENHOUSE GAS.—In this section, the term ‘greenhouse gas’ means the air pollutants.

SA 5287. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

Strike part 6 of subtitle D of title I.

SA 5288. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

Strike sections 50261 and 50262.

SA 5289. Mrs. BLACKBURN submitted an amendment intended to be

proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

On page 43, strike lines 3 through 7 and insert the following:

(c) NO TAX INCREASES ON CERTAIN TAXPAYERS.—

(1) IN GENERAL.—Nothing in this subsection shall increase taxes on any taxpayer with a taxable income below \$400,000.

(2) AUDITS.—No funds obligated under this subsection shall be dedicated to enforcement activities that increase audit rates against any taxpayer with a taxable income below \$400,000.

SA 5290. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ———. EXEMPTION OF GRANTS FROM TAXATION.

(a) IN GENERAL.—Section 421 of the Coronavirus Economic Relief for Transportation Services Act (15 U.S.C. 9111) is amended by adding at the end the following new subsection:

“(g) TAX TREATMENT.—For purposes of the Internal Revenue Code of 1986—

“(1) no amount shall be included in the gross income of the eligible provider of transportation services by reason of a grant under this section,

“(2) no deduction shall be denied, no tax attribute shall be reduced, and no basis increase shall be denied, by reason of the exclusion from gross income provided by paragraph (1), and

“(3) in the case of an eligible provider of transportation services which is a partnership or S corporation—

“(A) any amount excluded from income by reason of paragraph (1) shall be treated as tax exempt income for purposes of sections 705 and 1366 of such Code, and

“(B) except as provided by the Secretary of the Treasury (or the Secretary’s delegate), any increase in the adjusted basis of a partner’s interest in a partnership under section 705 of such Code with respect to any amount described in subparagraph (A) shall equal the partner’s distributive share of deductions resulting from costs described in subsection (d) which are paid using a grant under this section.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after the date of the enactment of the Coronavirus Economic Relief for Transportation Services Act.

SA 5291. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

On page 374, strike line 20 and all that follows through page 375, line 9, and insert the following:

“(A) any vehicle placed in service after December 31, 2027, with respect to which any of the applicable critical minerals contained in the battery of such vehicle (as described in

subsection (e)(1)(A)) were extracted, processed, or recycled by a foreign entity of concern (as defined in section 40207(a)(5) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)(5))), or

“(B) any vehicle placed in service after December 31, 2026, with respect to which any of the components contained in the battery of such vehicle (as described in subsection (e)(2)(A)) were manufactured or assembled by a foreign entity of concern (as so defined).”.

SA 5292. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 5194 proposed by Mr. SCHUMER to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

SEC. 20002. SUMMER ELECTRONIC BENEFIT TRANSFER FOR CHILDREN PROGRAM.

The Richard B. Russell National School Lunch Act is amended by inserting after section 13 (42 U.S.C. 1761) the following:

“SEC. 13A. SUMMER ELECTRONIC BENEFIT TRANSFER FOR CHILDREN PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) COVERED INDIAN TRIBAL ORGANIZATION.—The term ‘covered Indian Tribal organization’ means an Indian Tribal organization that participates in the special supplemental nutrition program.

“(2) ELIGIBLE CHILD.—The term ‘eligible child’ means, with respect to a summer, a child who was, during the school year immediately preceding such summer—

“(A) certified to receive free or reduced price lunch under the school lunch program under this Act;

“(B) certified to receive free or reduced price breakfast under the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773); or

“(C) enrolled in a school—

“(i) described in subparagraph (B), (C), (D), or (E) of section 11(a)(1); or

“(ii) that is under a local educational agency that elects to receive special assistance payments under subparagraph (F) of that section.

“(3) ELIGIBLE HOUSEHOLD.—The term ‘eligible household’ means a household that includes at least 1 eligible child.

“(4) PROGRAM.—The term ‘program’ means the program established under subsection (b).

“(5) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.—The term ‘special supplemental nutrition program’ means the special supplemental nutrition program for women, infants, and children established under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

“(6) SUMMER EBT BENEFITS.—The term ‘summer EBT benefits’ means benefits provided under the program, during the summer months, through electronic benefit transfer.

“(7) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—The term ‘supplemental nutrition assistance program’ means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

“(b) ESTABLISHMENT.—The Secretary shall establish a program, to be known as the ‘Summer Electronic Benefit Transfer for Children Program’, under which States and covered Indian Tribal organizations participating in the program shall, for summer 2024 and summer 2025, issue summer EBT benefits