

118TH CONGRESS
2D SESSION

H. R. 9334

To strengthen domestic manufacturing, bring next generation iron and steel back to the United States, and revitalize deindustrialized regions.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 9, 2024

Mr. KHANNA (for himself, Mr. DELUZIO, Ms. KAPTUR, Ms. STEVENS, Mrs. DINGELL, Ms. ADAMS, Mr. DAVIS of North Carolina, Ms. BUDZINSKI, Mr. LYNCH, Mrs. FOUSHEE, Ms. LEE of Pennsylvania, and Mr. THANEDAR) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To strengthen domestic manufacturing, bring next generation iron and steel back to the United States, and revitalize deindustrialized regions.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Steel Modernization Act of 2024”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INDUSTRIAL INNOVATION

- Sec. 101. Covered financial assistance.
 Sec. 102. Contract for differences pilot program.
 Sec. 103. Near-zero emissions intensity iron production credit.
 Sec. 104. Green iron and steel facility energy investment credits.
 Sec. 105. Study and report on demand generation.
 Sec. 106. Report on strategy to bring zero-greenhouse gas emissions electricity to the electric grid.
 Sec. 107. Prohibition.
 Sec. 108. Definitions.

TITLE II—TARIFF ON DIRTY IMPORTED STEEL

- Sec. 201. Calculation of emissions intensity.
 Sec. 202. Imposition of emissions intensity tariff.
 Sec. 203. Definitions.

TITLE III—EXPENDITURE OF REVENUES

- Sec. 301. Administrative expenses.
 Sec. 302. Economic Support Fund.

1 **TITLE I—INDUSTRIAL** 2 **INNOVATION**

3 **SEC. 101. COVERED FINANCIAL ASSISTANCE.**

4 (a) IN GENERAL.—The Secretary of Energy shall,
 5 subject to the availability of appropriations for such pur-
 6 pose, award eligible entities covered financial assistance in
 7 accordance with this section.

8 (b) COVERED FINANCIAL ASSISTANCE.—The Sec-
 9 retary of Energy may award, on a competitive basis, cov-
 10 ered financial assistance to an eligible entity to carry out
 11 a project for—

12 (1) construction of an eligible facility that will
 13 use an advanced industrial iron technology or an ad-
 14 vanced industrial steel technology;

1 (2) the purchase, installation, or implementa-
2 tion, of an advanced industrial iron technology or an
3 advanced industrial steel technology at an eligible fa-
4 cility;

5 (3) retrofits, upgrades to, or operational im-
6 provements at, an eligible facility to install or imple-
7 ment an advanced industrial iron technology or an
8 advanced industrial steel technology at such eligible
9 facility;

10 (4) demonstration of an early-stage advanced
11 industrial iron technology or an early-stage advanced
12 industrial steel technology at an eligible facility; or

13 (5) engineering studies and other work needed
14 to construct an eligible facility described in para-
15 graph (1) or prepare an eligible facility for activities
16 described in paragraph (2), (3) or (4).

17 (c) APPLICATION.—

18 (1) IN GENERAL.—To be eligible to receive cov-
19 ered financial assistance under this section, an eligi-
20 ble entity shall submit to the Secretary of Energy an
21 application at such time, in such manner, and con-
22 taining such information as the Secretary may re-
23 quire, including—

24 (A) a plan for the proposed project, includ-
25 ing a description of—

1 (i) the technical and commercial via-
2 bility of the applicable advanced industrial
3 iron technology or advanced industrial steel
4 technology;

5 (ii) how the project will enable the
6 steel or iron industry to decrease its green-
7 house gas emissions; and

8 (B) a description of how the eligible entity
9 plans to source domestically produced material,
10 including iron and steel, for all construction re-
11 lated to the proposed project;

12 (C) any new iron, steel, or other metal pro-
13 duction capacity expected;

14 (D) the expected greenhouse gas emissions
15 reductions to be achieved at the eligible facility
16 and the methods for calculating such emissions
17 reductions;

18 (E) the expected number of new jobs that
19 will be created;

20 (F) the expected number of jobs retained
21 that may have otherwise been terminated;

22 (G) the expected impact on production and
23 capacity at existing facilities, including any re-
24 lated plans to idle or close a facility or layoff
25 or reduce hours for current employees;

1 (H) a breakdown of costs of the project,
2 including a proposed Federal Government share
3 of total costs;

4 (I) a plan to recruit and train, and provide
5 employment and advancement for women, peo-
6 ple of color, people of lower economic status,
7 and other minorities;

8 (J) assurances that all laborers and me-
9 chanics employed by the eligible entity or any
10 contractor or subcontractor in the performance
11 of construction, alteration, or repair work (in-
12 cluding retrofits, upgrades, and any other im-
13 provements) carried out, in whole or in part,
14 with covered financial assistance made available
15 under this Act shall be paid wages at rates not
16 less than those prevailing on projects of a char-
17 acter similar in the locality as determined by
18 the Secretary of Labor in accordance with sub-
19 chapter IV of chapter 31 of title 40, United
20 States Code. With respect to the labor stand-
21 ards specified in this subsection, the Secretary
22 of Labor shall have the authority and functions
23 set forth in Reorganization Plan Numbered 14
24 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and
25 section 3145 of title 40, United States Code;

1 (K) with respect to any eligible facility for
2 which the total estimated cost of the construc-
3 tion contract is \$25,000,000 or more, an assur-
4 ance that every contractor and subcontractor
5 engaged in the construction on the project
6 agree, for that project, to negotiate or become
7 a party to a project labor agreement as that
8 term is defined in section 22.502 of title 48,
9 Code of Federal Regulations; and

10 (L) for eligible entities that are applying
11 for more than \$50,000,000 of covered financial
12 assistance under this section—

13 (i) a plan for how the eligibly entity
14 will carry out the training program de-
15 scribed in subsection (g)(1);

16 (ii) a community benefits plan that
17 meets the requirements of subsection (h);
18 and

19 (iii) a commitment and plan to con-
20 duct town halls with local communities, in-
21 cluding frontline communities, member-
22 ship-based nonprofit organizations with
23 members in the community, and labor or-
24 ganizations, and get letters of support
25 from community groups representing a

1 broad range of constituencies that dem-
2 onstrate that the groups understand the el-
3 igible entity’s planned project and agree to
4 it.

5 (2) EVALUATION CRITERIA.—The Secretary of
6 Energy shall publish criteria on evaluating applica-
7 tions submitted under this subsection.

8 (d) REQUIREMENTS FOR AWARDEES.—

9 (1) PRODUCTION AND EMISSION INTENSITY RE-
10 QUIREMENTS.—

11 (A) IN GENERAL.—An eligible facility with
12 respect to which covered financial assistance
13 under this section is awarded shall—

14 (i) begin production of near-zero emis-
15 sions intensity steel or near-zero emissions
16 intensity iron not later than the earlier
17 of—

18 (I) January 1, 2035; and

19 (II) the date that is 7 years after
20 the date on which covered financial
21 assistance for the project is received
22 by the applicable eligible entity; and

23 (ii) after the date of production de-
24 scribed in clause (i) begins, only produce
25 iron that is near-zero emissions intensity

1 iron or steel that is near-zero emissions in-
2 tensity steel.

3 (B) PROJECTS TO UPGRADE BLAST FUR-
4 NACES.—

5 (i) IN GENERAL.—An eligible facility
6 with respect to which covered financial as-
7 sistance under this section is awarded for
8 any project to upgrade a blast furnace that
9 actively produces iron as of the date of en-
10 actment of this Act shall achieve at least
11 a 50 percent reduction in emissions inten-
12 sity at the start of production of near-zero
13 emissions intensity iron relative to average
14 emissions intensity of the iron produced by
15 the eligible facility between June 1, 2023,
16 and June 1, 2024.

17 (ii) USE OF CLEAN HYDROGEN.—For
18 a project described in clause (i) that will
19 upgrade to a direct reduced iron furnace,
20 such direct reduced iron furnace shall—

21 (I) be capable of using 100 per-
22 cent hydrogen to reduce iron ore;

23 (II) blend at least 10 percent
24 non-fossil based hydrogen not later
25 than 2 years after the direct reduced

1 iron furnace commences operation;
2 and

3 (III) use 100 percent clean hy-
4 drogen by the earlier of the dates de-
5 scribed in clause (i).

6 (iii) MODIFICATIONS TO REQUIRE-
7 MENTS.—In the event that hydrogen is not
8 available in sufficient volumes or at rea-
9 sonable price (as determined by the Sec-
10 retary of Energy, in consultation with
11 stakeholders from relevant industries) the
12 Secretary may, as the Secretary deter-
13 mines appropriate, modify any requirement
14 under clause (ii).

15 (2) EMISSIONS REPORTING REQUIREMENTS.—

16 (A) REPORTING TO DOE.—An eligible enti-
17 ty awarded covered financial assistance under
18 this section shall report to the Secretary of En-
19 ergy any greenhouse gas emissions (determined
20 on a mine-to-metal basis), related to the pro-
21 duction by the applicable eligible facility of iron
22 or steel after the date on which covered finan-
23 cial assistance is received by the eligible entity.

24 (B) ELIGIBLE FACILITY SPECIFIC ENVI-
25 RONMENTAL PRODUCT DECLARATIONS.—An eli-

1 gible entity awarded covered financial assist-
2 ance under this section shall offer to provide
3 buyers of the near-zero emissions intensity steel
4 or near-zero emissions intensity iron produced
5 at the applicable eligible facility environmental
6 product declarations that are—

7 (i) specific to the near-zero emissions
8 intensity steel or near-zero emissions inten-
9 sity iron produced at such eligible facility;
10 and

11 (ii) updated at least annually, begin-
12 ning not later than 12 months after pro-
13 duction of such near-zero emissions inten-
14 sity steel or near-zero emissions intensity
15 iron begins.

16 (3) TRAINING.—Eligible entities that receive
17 covered financial assistance of more than
18 \$50,000,000 under this section shall meet the re-
19 quirements under subsection (g).

20 (4) COMMUNITY BENEFITS.—Eligible entities
21 that receive covered financial assistance of more
22 than \$50,000,000 under this section shall meet the
23 requirements under subsection (h).

1 (5) WAGES.—Eligible entities that receive cov-
2 ered financial assistance under this Act shall comply
3 with the requirements under subsection (e)(1)(J).

4 (6) PROJECT LABOR AGREEMENTS.—With re-
5 spect to any eligible facility for which the total esti-
6 mated cost of the construction contract is
7 \$25,000,000 or more, the eligible entity shall comply
8 with the requirements under subsection (e)(1)(K).

9 (e) PRIORITY.—The Secretary of Energy shall—

10 (1) in awarding covered financial assistance
11 under this section, give priority—

12 (A) to eligible entities that will support
13 training of current and former workers to build
14 skills required to work in an upgraded or new
15 facility and retention of such current workers;

16 (B) to eligible entities that will ensure the
17 utilization of registered apprentices during the
18 construction of the eligible facility in accordance
19 with the standards and requirements set forth
20 in parts 29 and 30 of title 29, Code of Federal
21 Regulations;

22 (C) to projects that will be carried out in
23 existing or legacy iron or steel-making commu-
24 nities;

1 (D) to eligible entities that commit to hir-
2 ing at least 25 percent of the applicable work-
3 force from an existing or legacy iron or steel-
4 making community;

5 (E) to projects based on the extent to
6 which the applicable project would provide the
7 greatest benefit to the greatest number of peo-
8 ple within the metropolitan area in which the
9 eligible facility is located;

10 (F) to projects based on the expected
11 greenhouse gas emissions reductions to be
12 achieved by carrying out the applicable project;

13 (G) to projects based on the extent to
14 which the applicable project will enable the steel
15 or iron industry to decrease its greenhouse gas
16 emissions by 2050;

17 (H) to projects that will result in the larg-
18 est improvement in air quality;

19 (I) to projects to upgrade blast furnaces
20 that actively produce iron as of the date of en-
21 actment of this Act;

22 (J) to eligible entities based on whether
23 the applicable eligible entity participates or
24 would participate in a program that connects
25 producers of near-zero emissions intensity steel

1 or near-zero emissions intensity iron with buy-
2 ers of such near-zero emissions intensity steel
3 or near-zero emissions intensity iron;

4 (K) to eligible entities that commit, and
5 provide a plan, to source at least 30 percent of
6 electricity for use at the project site from zero-
7 carbon sources within 2 years of receiving the
8 covered financial assistance, and use 100 per-
9 cent zero-carbon electricity by 2035, with the
10 Secretary of Energy determining the rate at
11 which such zero-carbon electricity use should
12 scale to 100 percent; and

13 (L) to projects that would result in an in-
14 creased supply of iron or steel products that are
15 needed by current and prospective end users as
16 identified through a request for information
17 issued not later than 2 months after the date
18 of enactment of this Act by the Department of
19 Energy's Office of Clean Energy Demonstra-
20 tions; and

21 (2) in awarding covered financial assistance for
22 over \$50,000,000 under this section, give priority to
23 eligible entities that commit to—

24 (A) employing local individuals and individ-
25 uals from frontline communities, and providing

1 robust training, workforce development oppor-
2 tunities, mentorship programs and career ad-
3 vancement opportunities to these individuals;

4 (B) and provide a plan for—

5 (i) contracting with an objective and
6 independent third party to conduct a re-
7 port to forecast the impact of the applica-
8 ble proposed project on pollution and
9 health of individuals in the project area;
10 and

11 (ii) contracting with an objective and
12 independent third party to conduct air
13 quality monitoring before any construction
14 associated with the proposed project begins
15 and continuing until 6 months after such
16 construction ends, in frontline communities
17 that are exposed to persistent air pollution
18 and within 25 miles of the metropolitan
19 area where which such construction will
20 occur; and

21 (C) building new zero-carbon electricity
22 generation capacity, hydrogen generation capac-
23 ity, or energy storage capacity.

24 (f) COST SHARE AND AMOUNTS.—

1 (1) COST SHARE.—The non-Federal cost share
2 of a project for which covered financial assistance is
3 provided under this section shall be not less than 50
4 percent, as determined by the Secretary of Energy.

5 (2) ALIGNMENT WITH EMISSIONS INTENSITY.—
6 The Secretary of Energy shall determine the cost-
7 share and amount of covered financial assistance
8 awarded to an eligible entity under this section
9 based on the final emissions intensity of the near-
10 zero emissions intensity steel or near-zero emissions
11 intensity iron to be produced.

12 (3) TOTAL AMOUNT.—The amount of covered
13 financial assistance provided under this section shall
14 not exceed \$500,000,000 per project.

15 (4) INFLATION ADJUSTMENT.—

16 (A) IN GENERAL.—In the case of any cal-
17 endar year beginning after 2024, there shall be
18 substituted for any dollar amount described in
19 subparagraph (B), an amount equal to the
20 product of—

21 (i) such dollar amount, multiplied by

22 (ii) the inflation adjustment factor for
23 such calendar year determined under sec-
24 tion 43(b)(3)(B) of the Internal Revenue
25 Code of 1986 for such calendar year, de-

1 terminated by substituting “2023” for
2 “1990”.

3 (B) AMOUNTS DESCRIBED.—Subparagraph
4 (A) shall apply with respect to each dollar
5 amount in—

6 (i) subsection (c)(1)(J);

7 (ii) subsection (e)(2);

8 (iii) paragraph (3) of this subsection;

9 (iv) subsection (g)(1); and

10 (v) section 201.

11 (g) SUPPORTING GOOD CAREERS.—

12 (1) TRAINING REQUIRED.—

13 (A) IN GENERAL.—Beginning on the date
14 that an eligible entity receives any amount of
15 covered financial assistance under this Act in
16 excess of \$50,000,000, and ending on the date
17 that is 5 years after the date the eligible entity
18 received such covered financial assistance, an
19 eligible entity shall—

20 (i) carry out a training program de-
21 scribed in subparagraph (B);

22 (ii) reserve 5 percent of the labor
23 costs of the eligible entity to carry out
24 such training program; and

1 (iii) not later than 12 months after
2 any such receipt, certify to the Secretary
3 that the eligible entity is carrying out such
4 training program.

5 (B) TRAINING REQUIREMENTS.—

6 (i) IN GENERAL.—An eligible entity
7 required to carry out a training program
8 required under subparagraph (A)(i) shall
9 satisfy the following requirements:

10 (I) Participants in the training
11 program shall be trained to learn
12 skills or knowledge that are related to
13 the production of near-zero emissions
14 intensity iron or near-zero emissions
15 intensity steel.

16 (II) Such participants shall be
17 existing employees, new hires, or pro-
18 spective employees of the eligible enti-
19 ty.

20 (III) The participants shall be
21 paid at a rate equivalent to that of an
22 individual working full-time in the po-
23 sition for which they are training.

24 (IV) If a participant is not guar-
25 anteed full-time employment with the

1 eligible entity after the completion of
2 the training program, such a partici-
3 pant shall be provided a stipend (as
4 described in clause (ii)) on a weekly
5 basis.

6 (V) An eligible entity shall pro-
7 vide to each individual who completes
8 the training program a certificate of
9 completion that states the skills and
10 knowledge taught during the program.

11 (ii) STIPEND.—

12 (I) AMOUNT.—The Federal share
13 of a stipend provided to an individual
14 described in clause (i)(IV) shall be—

15 (aa) equal to \$500 for each
16 month; and

17 (bb) not more than \$2500 in
18 aggregate.

19 (II) RELATIONSHIP TO OTHER
20 PROGRAMS.—A stipend provided to an
21 individual described in clause (i)(IV)
22 shall not be taken into account in de-
23 termining the need or eligibility of
24 such individual for any Federal, State,

1 or local program financed in whole or
2 in part with Federal funds.

3 (C) GOVERNMENT MATCH.—

4 (i) AMOUNT.—During the period de-
5 scribed in subparagraph (A), the Secretary
6 of Energy shall provide to an eligible enti-
7 ty, on a monthly basis for each individual
8 participating in training program carried
9 out by the eligible entity, the lesser of—

10 (I) \$500; or

11 (II) an amount not to exceed 25
12 percent of—

13 (aa) the training partici-
14 pant's salary described in sub-
15 paragraph (B)(iii); or

16 (bb) if the training partici-
17 pant is not guaranteed full-time
18 employment after completion of
19 the training program, the stipend
20 provided to the training partici-
21 pant.

22 (ii) MAXIMUM.—The Secretary of En-
23 ergy may not provide to an eligible entity
24 more than \$2,500 per training participant

1 for each instance of covered financial as-
2 sistance provided to the eligible entity.

3 (D) LABOR-MANAGEMENT COMMITTEE.—

4 An eligible entity described in subparagraph (A)
5 shall establish a labor-management committee
6 that—

7 (i) oversees the training program re-
8 quired under subparagraph (A)(i);

9 (ii) regularly raises safety concerns to
10 the eligible entity for the eligible entity to
11 address; and

12 (iii) provides to the eligible entity a
13 reasonable process and time line to address
14 such concerns to mitigate injuries at the
15 workplace.

16 (2) LABOR REPRESENTATION.—

17 (A) IN GENERAL.—With respect to the em-
18 ployees employed by an eligible entity at an eli-
19 gible facility that is supported by covered finan-
20 cial assistance provided under this Act, the eli-
21 gible entity that employs such employees, and
22 any labor organization that seeks to represent
23 such employees, this paragraph shall supersede
24 the National Labor Relations Act (29 U.S.C.

1 151 et seq.) to the extent that such Act con-
2 flicts with this paragraph.

3 (B) RECOGNITION.—An eligible entity de-
4 scribed in subparagraph (A) shall recognize, for
5 purposes of collective bargaining, a labor orga-
6 nization that demonstrates that a majority of
7 the employees at an eligible facility described in
8 subparagraph (A), in a unit appropriate for col-
9 lective bargaining, have signed valid authoriza-
10 tions designating the labor organization as their
11 collective bargaining representative and that no
12 other labor organization is certified or recog-
13 nized pursuant to section 9 of the National
14 Labor Relations Act (29 U.S.C. 159) as the ex-
15 clusive representative of any of the employees in
16 such unit who perform or will perform such
17 work. Upon demonstrating that a majority of
18 the employees in the unit have designated a
19 labor organization as their collective bargaining
20 representative, the eligible entity shall notify
21 the labor organization and the National Labor
22 Relations Board that the eligible entity—

23 (i) has determined that the labor or-
24 ganization represents a majority of the em-

1 employees in such unit who perform or will
2 perform such work; and

3 (ii) recognizes such labor organization
4 as the exclusive representative of the em-
5 ployees in such unit.

6 (C) DISPUTE RESOLUTION AND UNIT CER-
7 TIFICATION.—

8 (i) IN GENERAL.—If a dispute over
9 majority status or the appropriateness of
10 the unit described in subparagraph (B)
11 arises between the eligible entity and the
12 labor organization, either party may re-
13 quest that the National Labor Relations
14 Board investigate and resolve the dispute.

15 (ii) FINDING OF MAJORITY STATUS.—
16 If the Board finds that a majority of the
17 employees in a unit appropriate for pur-
18 poses of collective bargaining who perform
19 or will perform work funded under this
20 section has signed valid authorizations des-
21 ignating the labor organization as their
22 representative for such purposes and that
23 no other individual or labor organization is
24 certified or recognized as the exclusive rep-
25 resentative of any of the employees in the

1 unit who perform or will perform such
2 work for such purposes, the Board shall
3 not direct an election but shall certify the
4 labor organization as the representative de-
5 scribed in section 9(a) of the National
6 Labor Relations Act (29 U.S.C. 159(a)).

7 (D) MEETINGS AND COLLECTIVE BAR-
8 GAINING AGREEMENTS.—Not later than 10
9 days after an eligible entity described in sub-
10 paragraph (A) receives a written request for
11 collective bargaining from a labor organization
12 representing the employees of the entity who
13 perform or will perform work at an eligible fa-
14 cility that is supported by funds provided pur-
15 suant to this Act, or within such period as the
16 parties may agree upon, the labor organization
17 and eligible entity shall meet to begin bar-
18 gaining and shall make every reasonable effort
19 to conclude and sign a collective bargaining
20 agreement.

21 (E) MEDIATION AND CONCILIATION.—If,
22 after the expiration of the 90-day period begin-
23 ning on the date on which collective bargaining
24 is commenced under subparagraph (D), or such
25 additional period as the parties may agree

1 upon, the parties have failed to reach an agree-
2 ment, either party may notify the Federal Medi-
3 ation and Conciliation Service (referred to in
4 this paragraph as the “Service”) of the exist-
5 ence of a dispute and request mediation. When-
6 ever such a request is received, it shall be the
7 duty of the Service promptly to communicate
8 with the parties and to use its best efforts, by
9 mediation and conciliation, to bring them to
10 agreement.

11 (F) TRIPARTITE ARBITRATION.—

12 (i) IN GENERAL.—If, after the expira-
13 tion of the 30-day period beginning on the
14 date on which the request for mediation is
15 made under subparagraph (E), or such ad-
16 ditional period as the parties may agree
17 upon, the Service is not able to bring the
18 parties to agreement by mediation and
19 conciliation, the Service shall refer the dis-
20 pute to a tripartite arbitration panel estab-
21 lished in accordance with such regulations
22 as may the Service may prescribe.

23 (ii) MEMBERS.—A tripartite arbitra-
24 tion panel established under this subpara-
25 graph with respect to a dispute shall be

1 composed of 1 member selected by the
2 labor organization, 1 member selected by
3 the eligible entity, and 1 neutral member
4 mutually agreed to by the labor organiza-
5 tion and the eligible entity. Each such
6 member shall be selected not later than 14
7 days after the expiration of the 30-day pe-
8 riod described in clause (i) with respect to
9 such dispute. Any member not so selected
10 by the date that is 14 days after the expi-
11 ration of such period shall be selected by
12 the Service.

13 (iii) DECISIONS.—

14 (I) IN GENERAL.—A majority of
15 a tripartite arbitration panel estab-
16 lished under this subparagraph with
17 respect to a dispute shall render a de-
18 cision settling the dispute as soon as
19 practicable and (absent extraordinary
20 circumstances or by agreement of the
21 parties) the panel shall render such
22 decision not later than 120 days after
23 the establishment of the panel.

24 (II) LENGTH OF DECISION.—

25 Such a decision shall be binding upon

1 the parties for a period of 2 years, un-
2 less amended during such period by
3 written consent of the parties.

4 (III) DECISION CONSIDER-
5 ATIONS.—The panel shall consider the
6 following when making a decision:

7 (aa) The financial status
8 and future financial status of the
9 eligible entity.

10 (bb) The size and type of
11 the operation and business of the
12 eligible entity.

13 (cc) The cost of living of the
14 employees employed by the eligi-
15 ble entity.

16 (dd) The ability of such em-
17 ployees to sustain themselves,
18 their families, and their depend-
19 ents on the wages and benefits
20 earned from the eligible entity.

21 (ee) The wages and benefits
22 other employees earn in the same
23 or a similar industry.

24 (G) CONTRACTORS AND SUBCONTRAC-
25 TORS.—An eligible entity described in subpara-

1 graph (A) may only procure goods or services
2 from a contractor or subcontractor, whose em-
3 ployees perform or will perform work funded
4 under this section, if the contractor or subcon-
5 tractor comply with the requirements set forth
6 in subparagraphs (A) through (F).

7 (H) DEFINITIONS.—In this paragraph, the
8 terms “employee” and “labor organization”
9 have the meanings given the terms in section 2
10 of the National Labor Relations Act (29 U.S.C.
11 152).

12 (I) LIMITATION OF FUNDS.—An eligible
13 entity may not assist, promote, or deter orga-
14 nizing of labor organizations.

15 (3) SENSE OF CONGRESS.—It is the sense of
16 Congress that—

17 (A) the United States must tap into all our
18 Nation’s talent in order to successfully usher in
19 an industrial renaissance in the United States;

20 (B) building a factory is not enough, it is
21 necessary to build the infrastructure and eco-
22 system to power such factory;

23 (C) the United States must make sure jobs
24 in the iron and steel industries, and in all in-
25 dustries, are good jobs, that all workers have

1 quality, affordable childcare and healthcare, and
2 that all jobs pay a family-sustaining wage;

3 (D) child care is critical to expanding em-
4 ployment opportunities for economically dis-
5 advantaged individuals, especially for economi-
6 cally disadvantaged women and children; and

7 (E) to meet families' needs and expand
8 employment opportunity, child care should be—

9 (i) affordable, with costs in reach for
10 low- and medium-income households;

11 (ii) accessible, at a convenient location
12 with hours that meet workers' needs;

13 (iii) reliable, giving workers confidence
14 that they will not need to miss work for
15 unexpected child care issues; and

16 (iv) high-quality, providing a safe and
17 healthy environment that families can trust
18 and that nurtures the healthy growth and
19 development of children.

20 (h) COMMUNITY BENEFITS.—

21 (1) ADVISORY COUNCIL.—

22 (A) ESTABLISHMENT.—

23 (i) IN GENERAL.—The Secretary of
24 Energy and the Administrator of the Envi-
25 ronmental Protection Agency, in consulta-

1 tion with, and written approval from, the
2 White House Environmental Justice Advi-
3 sory Council, shall jointly establish an ad-
4 visory council (in this section referred to as
5 the “advisory council”) to—

6 (I) not later than 5 months after
7 the date of enactment of this Act,
8 submit to the Secretary of Energy
9 guidance on—

10 (aa) information to be in-
11 cluded in a community benefits
12 plan under this section; and

13 (bb) criteria for weighing
14 the strength of a community ben-
15 efits plan submitted under this
16 section;

17 (II) not later than 2 years after
18 the date of enactment of this Act,
19 submit to the Secretary of Energy
20 guidance on information to be in-
21 cluded in a community benefits agree-
22 ment under this section; and

23 (III) act as a liaison to commu-
24 nities described in paragraph (3)(A)
25 by sharing—

1 (aa) information and re-
2 sources developed by the Depart-
3 ment of Energy or eligible entity
4 applicants about the proposed
5 projects and their environmental,
6 public health, and jobs impacts;
7 and

8 (bb) community input with
9 eligible entity applicants and the
10 Secretary of Energy in order to
11 facilitate the drafting of commu-
12 nity benefits plans.

13 (ii) FORMATION.—In establishing the
14 advisory council, the Secretary of Energy
15 and the Administrator of the Environ-
16 mental Protection Agency shall jointly—

17 (I) publish in the Federal Reg-
18 ister an announcement about its for-
19 mation; and

20 (II) conduct targeted outreach
21 and recruiting to ensure there is ade-
22 quate stakeholder representation on
23 the advisory council.

24 (B) REPRESENTATIVES.—

1 (i) IN GENERAL.—The advisory coun-
2 cil shall consist of representatives from ex-
3 isting or legacy iron or steel-making com-
4 munities, communities that will be signifi-
5 cantly affected by the steel supply chain,
6 labor organizations, civil society and public
7 interest advocates who represent the inter-
8 ests of such communities, membership-
9 based nonprofit organizations with mem-
10 bers in the community, constituencies of
11 such communities, and individuals who
12 have experience negotiating workforce and
13 community benefits agreements.

14 (ii) ADDITIONAL REPRESENTA-
15 TIVES.—The Secretary of Energy may add
16 additional members to the advisory council
17 who represent communities described in
18 paragraph (3)(A), as determined appro-
19 priate by the Secretary.

20 (iii) COMPENSATION.—Frontline com-
21 munity members who serve on the advisory
22 council shall be compensated for their time
23 using funds made available to carry out
24 this Act.

1 (iv) PARTICIPATION.—Participation in
2 the advisory council does not preclude
3 members from also serving in a community
4 benefits group described in paragraph (6).

5 (2) GUIDELINES.—

6 (A) REQUEST FOR INFORMATION.—Not
7 later than 1 month after the date of enactment
8 of this Act, the Secretary of Energy shall pub-
9 lish a request for information (to remain open
10 for a period of not less than 3 months) solie-
11 iting information from individuals living in ex-
12 isting or legacy iron or steel-making commu-
13 nities and individuals with experience negoti-
14 ating community benefits agreements on cri-
15 teria that should be included in guidelines for
16 community benefits plans and guidelines com-
17 munity benefits agreements under this sub-
18 section.

19 (B) PUBLICATION.—The Secretary of En-
20 ergy shall develop and, not later than 5 months
21 after the date of enactment of this Act, publish
22 on the platform established under this sub-
23 section guidelines and required inclusions for
24 community benefits plans and guidelines and
25 required inclusions for community benefits

1 agreements under this subsection. In developing
2 such guidelines and required inclusions, the
3 Secretary shall take into consideration any in-
4 formation solicited pursuant to subparagraph
5 (A), guidance submitted by the advisory council
6 under paragraph (1)(A), and any relevant infor-
7 mation from existing community benefits plan
8 processes of the Department of Energy, includ-
9 ing for the Industrial Demonstrations Program
10 of the Department of Energy.

11 (C) UPDATES.—The Secretary of Energy
12 may update the guidelines published under sub-
13 paragraph (B) as the Secretary determines ap-
14 propriate.

15 (3) REQUIRED INCLUSIONS.—A community
16 benefits plan required to be included in an applica-
17 tion under this section shall include the following:

18 (A) A stakeholder analysis that—

19 (i) identifies any community that is
20 located in an area that is within a 25 mile
21 radius of the applicable eligible facility,
22 and members of such a community, that
23 may be impacted by the applicable pro-
24 posed project or by operation of the appli-
25 cable eligible facility, including impacts on

1 social, economic, and environmental condi-
2 tions, including cumulative effects, and im-
3 pacts on members of such a community
4 who are traditionally excluded from deci-
5 sion-making processes; and

6 (ii) examines potential reasons for
7 such exclusion, including community his-
8 tory and dynamics, including social, cul-
9 tural, environmental, economic, and polit-
10 ical landscapes.

11 (B) Information on prior and ongoing ef-
12 forts by the applicant to engage local stake-
13 holder groups who may be impacted by the ap-
14 plicable proposed project or by operation of the
15 applicable eligible facility.

16 (C) A description of existing concerns im-
17 pacting communities described in subparagraph
18 (A) that have already been identified through
19 input to the advisory council and other govern-
20 ment tools or surveys that enable government
21 agencies to understand the economic, social, en-
22 vironmental, and labor circumstances of these
23 communities, including the Climate and Eco-
24 nomic Justice Screening Tool, academic re-

1 search, media reports, citizen enforcement ac-
2 tions for permit violations, and public hearings.

3 (D) A description of potential concerns im-
4 pacting communities described in subparagraph
5 (A) emanating from the applicable proposed
6 project or operation of the applicable eligible fa-
7 cility.

8 (E) A description of benefits that the ap-
9 plicable eligible entity can deliver to commu-
10 nities described in subparagraph (A) that re-
11 flect the eligible entity's understanding of such
12 existing concerns and such potential concerns.

13 (F) A strategy for—

14 (i) sharing the descriptions under sub-
15 paragraphs (C), (D), and (E);

16 (ii) disseminating the community ben-
17 efits plan; engaging with communities de-
18 scribed in subparagraph (A); and

19 (iii) incorporating such communities'
20 feedback into any applicable community
21 benefits agreement.

22 (G) A strategy for reporting and verifying
23 progress on delivering the benefits described in
24 subparagraph (E) with communities described
25 in subparagraph (A).

1 (H) A description of the resources that the
2 eligible entity plans to provide to ensure the full
3 participation of communities described in sub-
4 paragraph (A) in discussions with the eligible
5 entity, including participation of members of
6 such communities who are traditionally ex-
7 cluded from decision-making processes, includ-
8 ing providing facts regarding the potential im-
9 pacts of the proposed project and operation of
10 the applicable eligible facility after completion
11 of such project on such communities, monetary
12 resources to compensate for members of the ap-
13 plicable community benefits group described in
14 paragraph (6) for their time, experts who can
15 interpret the information shared by the eligible
16 entity and represent such communities' perspec-
17 tives, and other support measures to facilitate
18 engagement, such as providing childcare and
19 food during discussions.

20 (I) A commitment to, and a plan for how
21 such eligible entity will, cover the costs of train-
22 ing and skills and knowledge acquisition for
23 community liaisons focused on air quality moni-
24 toring and reduction of air pollution.

1 (J) A commitment to, and a plan for how
2 such eligible entity will, regularly and actively
3 engage with frontline communities and leaders
4 to determine and develop legally binding com-
5 munity benefit agreements and report progress
6 on its execution.

7 (K) Any additional information the Sec-
8 retary of Energy determines appropriate based
9 on the guidance submitted by the advisory
10 council pursuant to paragraph (1).

11 (4) CONSIDERATION.—The strength of a com-
12 munity benefits plan submitted pursuant to this sec-
13 tion, as determined by the Department of Energy
14 Merit Reviewer process, shall constitute at least 20
15 percent of the graded criteria in determining wheth-
16 er to award covered financial assistance under this
17 section.

18 (5) PLATFORM.—

19 (A) ESTABLISHMENT.—The Secretary of
20 Energy shall establish a platform to host the
21 text of each—

22 (i) community benefits plan submitted
23 by an eligible entity awarded covered fi-
24 nancial assistance under this section;

1 (ii) memorandum of understanding
2 described in paragraph (6); and

3 (iii) final community benefits agree-
4 ment entered into pursuant to paragraph
5 (7).

6 (B) REDACTED INFORMATION.—The Sec-
7 retary of Energy may, on a case-by-case basis,
8 redact confidential business information from
9 the platform established under subparagraph
10 (A).

11 (6) MEMORANDUM OF UNDERSTANDING.—

12 (A) IN GENERAL.—Not later than 6
13 months after initial receipt of covered financial
14 assistance under this section, an eligible entity
15 awarded such covered financial assistance shall
16 seek to enter into a memorandum of under-
17 standing with a community benefits group de-
18 scribed in subparagraph (C).

19 (B) INCLUSIONS.—A memorandum of un-
20 derstanding under this paragraph shall include
21 a commitment to enter into a community bene-
22 fits agreement in accordance with paragraph
23 (7).

24 (C) MEMBERSHIP OF COMMUNITY BENE-
25 FITS GROUP.—A community benefits group de-

1 scribed in this subparagraph shall include indi-
2 viduals who represent the communities identi-
3 fied in paragraph (3)(A), including members of
4 such communities who are traditionally ex-
5 cluded from decision-making processes.

6 (D) RECRUITMENT.—An eligible entity
7 awarded covered financial assistance under this
8 section shall recruit individuals described in
9 subparagraph (C) to serve on a community ben-
10 efits group described in such subparagraph and
11 publicize the opportunity for additional stake-
12 holders to self-identify and self-nominate to the
13 community benefits group.

14 (E) COMPENSATION.—Members of a com-
15 munity benefits group described in subpara-
16 graph (C) shall be remunerated for their time
17 and receive resources in accordance with the eli-
18 gible entity’s community benefits plan.

19 (7) COMMUNITY BENEFITS AGREEMENT.—

20 (A) IN GENERAL.—Not later than one year
21 after entering into a memorandum of under-
22 standing with a community benefits group in
23 accordance with paragraph (6), an eligible enti-
24 ty awarded covered financial assistance under
25 this section shall seek to enter into a legally

1 binding community benefits agreement with
2 such community benefits group.

3 (B) COMPENSATION AND EXPENSES.—

4 (i) COMPENSATION.—Members of the
5 community benefits group participating in
6 negotiations of a community benefits
7 agreement shall be remunerated for their
8 time and receive resources that facilitate
9 their engagement. Failure to enter into a
10 community benefits agreement pursuant to
11 this subsection shall not eliminate the obli-
12 gation of an eligible entity to reimburse
13 the applicable community benefits group
14 and any other member of the impacted
15 community who is participating in such ne-
16 gotiations for their time engaging with the
17 eligible entity.

18 (ii) LEGAL REPRESENTATION.—A
19 community benefits group described under
20 subparagraph (A) shall select its own legal
21 representation for all matters relating to a
22 community benefits agreement, which will
23 be paid for by the applicable eligible entity
24 described in such subparagraph.

1 (C) MEDIATION REQUIRED.—Any dispute
2 that cannot be resolved within a reasonable pe-
3 riod of time (as determined by the Secretary of
4 Energy) between a community benefits group
5 and eligible entity under this section shall be re-
6 solved through mediation with a mediator se-
7 lected by the community benefits group.

8 (D) COMMUNITY LETTER.—If a commu-
9 nity benefits agreement is not entered into by
10 the deadline under subparagraph (A), the appli-
11 cable eligible entity shall be required to submit
12 to the Secretary of Energy a letter from the ap-
13 plicable community benefits group ascertaining
14 good faith effort by the eligible entity in order
15 for the eligible entity to remain eligible to re-
16 ceive covered financial assistance and extend
17 the time allowed for negotiations with commu-
18 nity. In order for currently operating iron and
19 steel facilities to remain eligible for covered fi-
20 nancial assistance, the Administrator of the En-
21 vironmental Protection Agency shall addition-
22 ally confirm through the Environmental Protec-
23 tion Agency’s modeling the emissions and co-
24 pollution reduction potential stipulated in this
25 Act and the award decision.

1 (E) CONSEQUENCES FOR FAILURE TO AD-
2 HERE TO AGREEMENT.—Failure to enter into a
3 community benefits agreement by the deadline
4 under subparagraph (A) and to submit a letter
5 pursuant to subparagraph (D), or failure to
6 abide by a community benefits agreement en-
7 tered into pursuant to this subsection, shall re-
8 sult in the suspension of funding under this
9 section.

10 (i) DENIAL OF DOUBLE BENEFIT.—

11 (1) Section 48C(f) of the Internal Revenue
12 Code of 1986 is amended to read as follows:

13 “(f) DENIAL OF DOUBLE BENEFIT.—A credit shall
14 not be allowed under this section for any qualified invest-
15 ment—

16 “(1) with respect to which any covered financial
17 assistance was awarded under section 101 of the
18 Steel Modernization Act of 2024, or

19 “(2) for which a credit is allowed under section
20 48, 48A, 48B, 48E, 45Q, or 45V.”.

21 (2) EFFECTIVE DATE.—The amendment made
22 by this subsection shall apply to property placed in
23 service after the date of the enactment of this Act.

24 (j) LIMITATION.—Covered financial Assistance
25 awarded under this section may not be used for the con-

1 struction, installation, use, or maintenance of equipment
2 involved in the capture or sequestration of carbon oxides.

3 (k) **TERMINATION OF AWARDS.**—The Secretary of
4 Energy may not award covered financial assistance under
5 this section after December 31, 2032.

6 (l) **AUTHORIZATION OF APPROPRIATIONS.**—There is
7 authorized to be appropriated to carry out this section
8 \$10,000,000,000.

9 **SEC. 102. CONTRACT FOR DIFFERENCES PILOT PROGRAM.**

10 (a) **ESTABLISHMENT OF PILOT PROGRAM.**—The Sec-
11 retary of Energy shall establish a pilot program to enter
12 into contracts, on a competitive basis, with entities for
13 payment of costs associated with the production or pur-
14 chase of near-zero emissions intensity steel.

15 (b) **SELECTION.**—

16 (1) **MINIMUM NUMBER.**—Not later than 10
17 years after the date of enactment of this Act, the
18 Secretary shall enter into at least 2 contracts under
19 the pilot program established under this section,
20 with each contract term for a period of no longer
21 than 5 years.

22 (2) **DIRECT REDUCED IRON FURNACE.**—At
23 least one of the contracts entered into under para-
24 graph (1) shall be for payment of costs associated
25 with the production or purchase of near-zero emis-

1 sions intensity steel that is produced using a direct
2 reduced iron furnace.

3 (c) AMOUNT.—The amount of a payment, with re-
4 spect to near-zero emissions intensity steel described in
5 subsection (a), to an entity with which the Secretary of
6 Energy has entered into a contract under the pilot pro-
7 gram established under subsection (a) shall be—

8 (1) the cost of such near-zero emissions inten-
9 sity steel that is produced or purchased; minus

10 (2) the applicable fair market value, as deter-
11 mined by the Secretary of Energy, to produce or
12 purchase an equal quantity of conventional steel.

13 (d) WAGES AND PROJECT LABOR AGREEMENT RE-
14 QUIREMENTS.—An eligible entity that enters into a con-
15 tract under the pilot program established under this sec-
16 tion shall—

17 (1) comply with the requirements under section
18 101(c)(1)(J); and

19 (2) with respect to any eligible facility for which
20 the total estimated cost of the construction contract
21 is \$25,000,000 or more, comply with the require-
22 ments under section 101(c)(1)(K).

23 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated \$500,000,000 to carry out
25 this section.

1 **SEC. 103. NEAR-ZERO EMISSIONS INTENSITY IRON PRODUC-**
2 **TION CREDIT.**

3 (a) IN GENERAL.—Subpart D of subchapter A of
4 chapter 1 of the Internal Revenue Code of 1986 is amend-
5 ed by adding at the end the following new section:

6 **“SEC. 45BB. NEAR-ZERO EMISSIONS INTENSITY IRON PRO-**
7 **DUCTION CREDIT.**

8 “(a) IN GENERAL.—For purposes of section 38, in
9 the case of an eligible taxpayer, the near-zero emissions
10 intensity iron production credit for any taxable year is an
11 amount equal to \$89 per ton of near-zero emissions inten-
12 sity iron produced by the taxpayer at an eligible facility
13 during such taxable year.

14 “(b) LIMITATION.—The amount determined under
15 subsection (a) with respect to iron produced at an eligible
16 facility with respect to which a credit was allowed under
17 section 38 by reason of subsection (a) for 10 prior taxable
18 years shall be zero.

19 “(c) DEFINITIONS.—For purposes of this section—

20 “(1) ELIGIBLE TAXPAYER.—The term ‘eligible
21 taxpayer’ means a taxpayer that—

22 “(A) is not under the influence, control, or
23 ownership of a foreign entity of concern (as de-
24 fined in section 108 of the Steel Modernization
25 Act of 2024),

1 “(B) has, with respect to any eligible facil-
2 ity with respect to which a credit is determined
3 under section 38 by reason of this section for
4 a taxable year, fulfilled the following require-
5 ments at all times during such taxable year:

6 “(i) The requirements described in
7 paragraphs (1), (5), and (6) of section
8 101(d) of the Steel Modernization Act of
9 2024.

10 “(ii) All requirements made applicable
11 to any entity described in section 101(g) of
12 the Steel Modernization Act of 2024.

13 “(2) ELIGIBLE FACILITY; NEAR-ZERO EMIS-
14 SIONS INTENSITY IRON.—The terms ‘eligible facility’
15 and ‘near-zero emissions intensity iron’ have the
16 meanings given such terms in section 108 of the
17 Steel Modernization Act of 2024.

18 “(d) NO DOUBLE BENEFIT.—The amount deter-
19 mined under subsection (a) with respect to any near-zero
20 emissions intensity iron which was produced pursuant to
21 a contract established under section 102 of the Steel Mod-
22 ernization Act of 2024 shall be zero.

23 “(e) INFLATION ADJUSTMENT.—In the case of any
24 taxable year beginning in a calendar year after 2024, there

1 shall be substituted for the dollar amount in subsection
2 (a) an amount equal to the product of—

3 “(1) such dollar amount, multiplied by

4 “(2) the inflation adjustment factor for such
5 calendar year determined under section 43(b)(3)(B)
6 for such calendar year, determined by substituting
7 ‘2023’ for ‘1990’.

8 “(f) SUNSET.—This section shall not apply to taxable
9 years beginning after December 31, 2045.”.

10 (b) CREDIT ALLOWED AS PART OF GENERAL BUSI-
11 NESS CREDIT.—Section 38(b) of such Code is amended
12 by striking “plus” at the end of paragraph (40), by strik-
13 ing the period at the end of paragraph (41) and inserting
14 “, and”, and by adding at the end the following new para-
15 graph:

16 “(42) in the case of an eligible taxpayer (as de-
17 fined in section 45BB(c)), the near-zero emissions
18 intensity iron production credit determined under
19 section 45BB(a).”.

20 (c) CLERICAL AMENDMENT.—The table of sections
21 for subpart D of subchapter A of chapter 1 of such Code
22 is amended by adding at the end the following new item:
“Sec. 45BB. Near-zero emissions intensity iron production credit.”.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to iron produced after the date
25 of the enactment of this Act.

1 **SEC. 104. GREEN IRON AND STEEL FACILITY ENERGY IN-**
2 **VESTMENT CREDITS.**

3 (a) IN GENERAL.—Subpart E of subchapter A of
4 chapter 1 of the Internal Revenue Code of 1986 is amend-
5 ed by adding at the end the following new sections:

6 **“SEC. 48F. ON-SITE ZERO-EMISSION ENERGY INVESTMENT**
7 **CREDIT.**

8 “(a) IN GENERAL.—In the case of an eligible tax-
9 payer, for purposes of section 46, the on-site zero-emission
10 energy investment credit for any taxable year is an
11 amount equal to 10 percent of the qualified investment
12 for such taxable year.

13 “(b) QUALIFIED INVESTMENT.—

14 “(1) IN GENERAL.—The qualified investment
15 with respect to any qualified facility for any taxable
16 year is the sum of—

17 “(A) the basis of any property placed in
18 service by the taxpayer during the taxable
19 year—

20 “(i) which is—

21 “(I) tangible personal property,
22 or

23 “(II) other tangible property (not
24 including a building or its structural
25 components), but only if such prop-

1 erty is used as an integral part of the
2 qualified facility,

3 “(ii) with respect to which deprecia-
4 tion (or amortization in lieu of deprecia-
5 tion) is allowable, and

6 “(iii)(I) the construction, reconstruc-
7 tion, or erection of which is completed by
8 the taxpayer, or

9 “(II) which is acquired by the tax-
10 payer if the original use of such property
11 commences with the taxpayer, and

12 “(B) the basis of any qualified property
13 placed in service by the taxpayer during such
14 taxable year which is part of a facility described
15 in subsection (c).

16 “(2) CERTAIN QUALIFIED PROGRESS EXPENDI-
17 TURES RULES MADE APPLICABLE.—Rules similar to
18 the rules of subsections (c)(4) and (d) of section 46
19 (as in effect on the day before the enactment of the
20 Revenue Reconciliation Act of 1990) shall apply for
21 purposes of this section.

22 “(3) LIMITATIONS.—

23 “(A) CREDIT LIMITED TO ALLOCATED
24 AMOUNT.—The amount which is treated as the
25 qualified investment for all taxable years with

1 respect to any qualifying advanced energy
2 project shall not exceed the amount designated
3 by the Secretary as eligible for the credit under
4 this section.

5 “(B) LIMITATION ON AGGREGATE FINAN-
6 CIAL ASSISTANCE.—The amount which is treat-
7 ed as the qualified investment for all taxable
8 year with respect to any qualified facility
9 project shall not exceed the amount that is
10 equal to—

11 “(i) \$500,000,000, minus

12 “(ii) the sum of—

13 “(I) any financial assistance pro-
14 vided to such project pursuant to the
15 Steel Modernization Act of 2024,

16 “(II) any credits allowed for any
17 taxable year relating to such project
18 under this section, plus

19 “(III) any credits allowed for any
20 taxable year relating to such project
21 under section 48G.

22 “(c) QUALIFIED FACILITY PROJECT.—In this sec-
23 tion, the term ‘qualified facility project’ means a project,
24 any portion of the qualified investment of which is cer-
25 tified by the Secretary under subsection (e) as eligible for

1 a credit under this section, which re-equips, expands, or
2 establishes a zero-carbon electricity or heat generating or
3 storage facility which is located on-site with an eligible fa-
4 cility (as such term is defined in section 108 of the Steel
5 Modernization Act of 2024).

6 “(d) ELIGIBLE TAXPAYER.—In this section, the term
7 ‘eligible taxpayer’ means a taxpayer that—

8 “(1) is not under the influence, control, or own-
9 ership of a foreign entity of concern (as defined in
10 section 108 of the Steel Modernization Act of 2024);
11 and

12 “(2) has, with respect to any qualified facility
13 project, met the requirements described in section
14 101(d)(5) and (6) of the Steel Modernization Act of
15 2024.

16 “(e) ON-SITE ZERO-EMISSION ENERGY PROJECT
17 PROGRAM.—

18 “(1) ESTABLISHMENT.—

19 “(A) IN GENERAL.—Not later than 180
20 days after the date of enactment of this section,
21 the Secretary shall establish an on-site zero-
22 emission energy project program to consider
23 and award certifications for qualified invest-
24 ments eligible for credits under this section to
25 qualified facility project sponsors.

1 “(B) LIMITATION.—The total amount of
2 credits that may be allocated under the pro-
3 gram shall not exceed \$500,000,000.

4 “(2) CERTIFICATION.—

5 “(A) APPLICATION PERIOD.—Each appli-
6 cant for certification under this paragraph shall
7 submit an application containing such informa-
8 tion as the Secretary may require during the 2-
9 year period beginning on the date the Secretary
10 establishes the program under paragraph (1).

11 “(B) TIME TO MEET CRITERIA FOR CER-
12 TIFICATION.—Each applicant for certification
13 shall have 1 year from the date of acceptance
14 by the Secretary of the application during
15 which to provide to the Secretary evidence that
16 the requirements of the certification have been
17 met.

18 “(C) PERIOD OF ISSUANCE.—An applicant
19 which receives a certification shall have 3 years
20 from the date of issuance of the certification in
21 order to place the project in service and if such
22 project is not placed in service by that time pe-
23 riod, then the certification shall no longer be
24 valid.

1 “(3) SELECTION CRITERIA.—In determining
2 which qualified facility projects to certify under this
3 section, the Secretary—

4 “(A) shall take into consideration only
5 those projects where there is a reasonable ex-
6 pectation of commercial viability, and

7 “(B) shall take into consideration which
8 projects—

9 “(i) will provide the greatest domestic
10 job creation (both direct and indirect) dur-
11 ing the credit period,

12 “(ii) will provide the greatest net im-
13 pact in avoiding or reducing air pollutants
14 or anthropogenic emissions of greenhouse
15 gases,

16 “(iii) have the greatest potential for
17 technological innovation and commercial
18 deployment,

19 “(iv) have the lowest levelized cost of
20 generated or stored energy, or

21 “(v) of measured reduction in energy
22 consumption or greenhouse gas emission
23 (based on costs of the full supply chain),

24 “(C) have the shortest project time from
25 certification to completion, and

1 “(D) shall take into consideration only
2 those projects that have met the requirements
3 described in section 101(d)(5) and (6) of the
4 Steel Modernization Act of 2024.

5 “(4) REVIEW AND REDISTRIBUTION.—

6 “(A) REVIEW.—Not later than 4 years
7 after the date of enactment of this section, the
8 Secretary shall review the credits allocated
9 under this section as of such date.

10 “(B) REDISTRIBUTION.—The Secretary
11 may reallocate credits awarded under this sec-
12 tion if the Secretary determines that—

13 “(i) there is an insufficient quantity
14 of qualifying applications for certification
15 pending at the time of the review, or

16 “(ii) any certification made pursuant
17 to paragraph (2) has been revoked pursu-
18 ant to paragraph (2)(B) because the
19 project subject to the certification has been
20 delayed as a result of third party opposi-
21 tion or litigation to the proposed project.

22 “(C) REALLOCATION.—If the Secretary de-
23 termines that credits under this section are
24 available for reallocation pursuant to the re-
25 quirements set forth in paragraph (2), the Sec-

1 retary is authorized to conduct an additional
2 program for applications for certification.

3 “(5) DISCLOSURE OF ALLOCATIONS.—The Sec-
4 retary shall, upon making a certification under this
5 subsection, publicly disclose the identity of the appli-
6 cant and the amount of the credit with respect to
7 such applicant.

8 “(f) INFLATION ADJUSTMENT.—In the case of any
9 taxable year beginning in a calendar year after 2024, there
10 shall be substituted for the dollar amount in subsection
11 (b)(3)(B)(i) an amount equal to the product of—

12 “(1) such dollar amount, multiplied by

13 “(2) the inflation adjustment factor for such
14 calendar year determined under section 43(b)(3)(B)
15 for such calendar year, determined by substituting
16 ‘2023’ for ‘1990’.

17 “(g) SUNSET.—This section shall not apply to tax-
18 able years beginning after December 31, 2045.

19 **“SEC. 48G. IRON AND STEEL GREEN ENERGY AND GRID**
20 **SYSTEM UPGRADE INVESTMENT CREDIT.**

21 “(a) IN GENERAL.—In the case of an eligible tax-
22 payer, for purposes of section 46, the iron and steel green
23 energy and grid system upgrade investment credit for any
24 taxable year is an amount equal to 10 percent of the quali-
25 fied investment for such taxable year.

1 “(b) DEFINITIONS.—For purposes of this section—

2 “(1) ELIGIBLE TAXPAYER.—In this section, the
3 term ‘eligible taxpayer’ means a taxpayer that—

4 “(A) is not under the influence, control, or
5 ownership of a foreign entity of concern (as de-
6 fined in section 108 of the Steel Modernization
7 Act of 2024), and

8 “(B) has, with respect to any qualified
9 interconnection property and qualified property,
10 met the requirements described in section
11 101(d)(5) and (6) of the Steel Modernization
12 Act of 2024.

13 “(2) QUALIFIED INVESTMENT.—The qualified
14 investment for any taxable year is the sum of—

15 “(A) the amount of any expenditures
16 which are paid or incurred by the taxpayer for
17 qualified interconnection property—

18 “(i) placed in service during the tax-
19 able year of the taxpayer, and

20 “(ii) properly chargeable to capital ac-
21 count of the taxpayer, and

22 “(B) the basis of any qualified property
23 placed in service by the taxpayer during such
24 taxable year which is part of a qualified facility.

1 “(3) QUALIFIED INTERCONNECTION PROP-
2 ERTY.—The term ‘qualified interconnection prop-
3 erty’ means qualified interconnection property (as
4 such term is defined in section 48(a)(8)(B)) which
5 is necessary to transmit energy to an eligible facility.

6 “(4) QUALIFIED PROPERTY.—The term ‘quali-
7 fied property’ has the meaning given such term in
8 section 48E(b)(2).

9 “(5) QUALIFIED FACILITY.—The term ‘quali-
10 fied facility’ means a qualified facility (as defined in
11 section 48E(B)(3) except that such paragraph shall
12 be applied without regard to subparagraph (C)
13 thereof) which sells energy attribution certificates to
14 an eligible facility.

15 “(6) ELIGIBLE FACILITY.—The term ‘eligible
16 facility’ has the meaning given such term in section
17 108 of the Steel Modernization Act of 2024.

18 “(c) SUNSET.—This section shall not apply to taxable
19 years beginning after December 31, 2045.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) Section 46 of such Code is amended by
22 striking “and” at the end of paragraph (6), by strik-
23 ing the period at the end of paragraph (7) and in-
24 serting a comma, and by adding at the end the fol-
25 lowing new paragraphs:

1 “(8) the on-site zero-emission energy invest-
2 ment credit, and

3 “(9) the iron and steel green energy and grid
4 system upgrade investment credit.”.

5 (2) Section 49(a)(1)(C) of such Code is amend-
6 ed by striking “and” at the end of clause (vii), by
7 striking the period at the end of clause (viii) and in-
8 serting a comma, and by adding at the end the fol-
9 lowing new clauses:

10 “(ix) the basis of any qualified prop-
11 erty which is part of a qualified facility
12 under section 48F, and

13 “(x) the basis of any qualified inter-
14 connection property and any qualified
15 property which is part of a qualified facil-
16 ity under section 48G.”.

17 (c) CLERICAL AMENDMENT.—The table of sections
18 for subpart E of subchapter A of chapter 1 of such Code
19 is amended by inserting after the item relating to section
20 48E the following new items:

 “Sec. 48F. On-site zero-emission energy investment credit.

 “Sec. 48G. Iron and steel green energy and grid system upgrade investment
 credit.”.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to property placed in service after
23 the date of the enactment of this Act.

1 **SEC. 105. STUDY AND REPORT ON DEMAND GENERATION.**

2 The Secretary of Energy shall conduct a study, and
3 publish a report on the findings of such study on a publicly
4 accessible website, on opportunities for new Federal,
5 State, and local policies, regulations, and other measures
6 to help stimulate demand for near-zero emissions intensity
7 iron and near-zero emissions intensity steel, including de-
8 mand related to shipbuilding, railroads, and offshore wind
9 electricity generation.

10 **SEC. 106. REPORT ON STRATEGY TO BRING ZERO-GREEN-**
11 **HOUSE GAS EMISSIONS ELECTRICITY TO THE**
12 **ELECTRIC GRID.**

13 Not later than 1 year after the date of enactment
14 of this Act, the Secretary of Energy shall submit to Con-
15 gress a report describing—

16 (1) a whole of Government strategy to—

17 (A) increase the supply of zero-greenhouse
18 gas emissions electricity on the electric grid;

19 (B) improve electricity transmission;

20 (C) upgrade regional energy distribution
21 systems; and

22 (D) ensure industrial entities can afford
23 zero-greenhouse gas emissions electricity;

24 (2) the amount of steel, aluminum, and other
25 materials produced in the United States that would
26 be needed to implement such strategy; and

1 (3) additional investments and policies rec-
2 ommended to be able to finish and fabricate mate-
3 rials described in paragraph (2) domestically.

4 **SEC. 107. PROHIBITION.**

5 None of the funds authorized to be appropriated or
6 otherwise made available pursuant to this Act may be
7 made available—

8 (1) to construct, modify, retrofit, or otherwise
9 be used for a facility that is not located in the
10 United States; or

11 (2) to any entity that is partly or wholly owned
12 by—

13 (A) the Government of the People’s Repub-
14 lic of China; or

15 (B) a foreign entity of concern.

16 **SEC. 108. DEFINITIONS.**

17 In this title:

18 (1) **ADVANCED INDUSTRIAL IRON TECH-**
19 **NOLOGY.**—The term “advanced industrial iron tech-
20 nology” means a technology related to iron produc-
21 tion that is directly involved in an industrial process,
22 and designed to reduce, or results in a reduction of,
23 greenhouse gas emissions, as determined by the Sec-
24 retary of Energy.

1 (2) ADVANCED INDUSTRIAL STEEL TECH-
2 NOLOGY.—The term “advanced industrial steel tech-
3 nology” means a technology related to steel produc-
4 tion that is directly involved in an industrial process,
5 and designed to reduce, or results in a reduction of,
6 greenhouse gas emissions, as determined by the Sec-
7 retary of Energy.

8 (3) CLEAN HYDROGEN.—

9 (A) IN GENERAL.—The term “clean hydro-
10 gen” means hydrogen that is produced through
11 a process that results in a lifecycle greenhouse
12 gas emissions rate of not greater than 0.45
13 kilograms of carbon dioxide equivalent per kilo-
14 gram of hydrogen.

15 (B) LIFECYCLE GREENHOUSE GAS EMIS-
16 SIONS.—For purposes of subparagraph (A), the
17 term “lifecycle greenhouse gas emissions” shall
18 only include emissions through the point of pro-
19 duction, as determined under the most recent
20 Greenhouse gases, Regulated Emissions, and
21 Energy use in Transportation model (commonly
22 referred to as the “GREET model”) developed
23 by Argonne National Laboratory, or a successor
24 model (as determined by the Secretary of En-
25 ergy).

1 (4) COVERED FINANCIAL ASSISTANCE.—The
2 term “covered financial assistance” includes a grant,
3 rebate, direct loan, cooperative agreement, low- to
4 no-interest loans, and a loan guarantee.

5 (5) EARLY-STAGE.—The term “early-stage”
6 means, with respect to a technology, that the tech-
7 nology has not yet been proven viable at scale.

8 (6) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means the owner or operator of an eligible facil-
10 ity.

11 (7) ELIGIBLE FACILITY.—The term “eligible fa-
12 cility” means a domestic, non-Federal, nonpower in-
13 dustrial or manufacturing facility engaged in pro-
14 duction processes or research and development for
15 iron, steel, steel mill products, or other industrial
16 processes related to iron or steel-making, as deter-
17 mined by the Secretary of Energy.

18 (8) ENVIRONMENTAL JUSTICE COMMUNITY.—
19 The term “environmental justice community” means
20 a community with significant representation of com-
21 munities of color, low-income communities, or Tribal
22 and indigenous communities, that experiences, or is
23 at risk of experiencing, higher or more adverse
24 human health or environmental effects than other
25 communities.

1 (9) EXISTING OR LEGACY IRON OR STEEL-MAK-
2 ING COMMUNITY.—The term “existing or legacy iron
3 or steel-making community” means—

4 (A) an area that is within a 25 mile radius
5 of an iron or steel production facility—

6 (i) that is producing iron or steel as
7 of the date of enactment of this Act; or

8 (ii) that has produced iron or steel
9 anytime since January 1, 1985; or

10 (B) any community within a 25 mile ra-
11 dius of a location in which metallurgical coke,
12 or metallurgical coal destined to be metallur-
13 gical coke, has been produced, mined, or proc-
14 essed at any time since January 1, 1985.

15 (10) FOREIGN ENTITY OF CONCERN.—The
16 term “foreign entity of concern” has the meaning
17 given such term in section 40207(a)(5) of the Infra-
18 structure Investment and Jobs Act (42 U.S.C.
19 18741(a)(5)).

20 (11) FRONTLINE COMMUNITY.—The term
21 “frontline community” means—

22 (A) a low-income community;

23 (B) an environmental justice community;

24 or

1 (C) a disadvantaged community (as de-
2 fined by the Justice40 Initiative established
3 under section 223 of Executive Order 14008, ti-
4 tled “Tackling the Climate Crisis at Home and
5 Abroad”).

6 (12) MINE-TO-METAL BASIS.—The term “mine-
7 to-metal basis” means the greenhouse gas account-
8 ing rule under criterion 10.4, “Determination of
9 site-level GHG emissions for the purpose of report-
10 ing GHG emissions intensity when producing crude
11 steel for determining a site’s greenhouse gas emis-
12 sions”, under Responsible Steel International Pro-
13 duction Standard Version 2.1, effective from May
14 21, 2024.

15 (13) NEAR-ZERO EMISSIONS INTENSITY IRON.—
16 The term “near-zero emissions intensity iron”
17 means iron that has an emissions intensity of 0.35
18 tons of carbon dioxide equivalent per ton of iron or
19 less, with greenhouse gas emissions determined on a
20 mine-to-metal basis.

21 (14) NEAR-ZERO EMISSIONS INTENSITY
22 STEEL.—The term “near-zero emissions intensity
23 steel” means steel that has an emissions intensity
24 that is equal to or less than progress level 4 emis-
25 sions intensity that is determined, using a sliding

1 scale of emissions intensity based on scrape share of
2 metallics input, in accordance with criterion 10.6 of
3 Responsible Steel International Production Standard
4 Version 2.1, effective from May 21, 2024, and with
5 greenhouse gas emissions determined on a mine-to-
6 metal basis.

7 **TITLE II—TARIFF ON DIRTY** 8 **IMPORTED STEEL**

9 **SEC. 201. CALCULATION OF EMISSIONS INTENSITY.**

10 (a) DOMESTIC EMISSIONS INTENSITY REPORT.—Not
11 later than June 30, 2026, and every 2 years thereafter,
12 the United States International Trade Commission shall
13 transmit to the President and publish a report with re-
14 spect to the following:

15 (1) The average greenhouse gas emissions in-
16 tensity of domestic iron and steel production, ex-
17 pressed in tons of CO₂-e per ton of iron or steel, re-
18 spectively.

19 (2) The average greenhouse gas emissions in-
20 tensity of the domestic manufacture of covered iron
21 and steel product categories and finished goods pro-
22 duced using covered iron and steel product cat-
23 egories, expressed in tons of CO₂-e per ton of iron
24 or steel, respectively.

1 (3) An estimate the 90th emissions intensity
2 percentiles for all domestically manufactured re-
3 ported product categories.

4 (b) INTERNATIONAL EMISSIONS INTENSITY RE-
5 PORT.—

6 (1) IN GENERAL.—No later than June 30,
7 2026, and every 2 years thereafter, the United
8 States International Trade Commission shall trans-
9 mit to the President and publish a report with re-
10 spect to the emissions intensity of the manufacture
11 of covered iron and steel products in all foreign mar-
12 kets from which the United States imported in ex-
13 cess of \$200,000,000 of iron and steel products, in-
14 cluding finished goods, in any 1 of the preceding 5
15 years. The emissions intensity with respect to such
16 covered products shall be determined based on—

17 (A) the emissions intensity of the general
18 economy of the country of origin of covered
19 products as compared to the emissions intensity
20 of the United States economy; or

21 (B) if the Commission determines that
22 transparent, verifiable, and reliable information
23 is available with respect to the iron and steel in-
24 dustry in the country of origin of covered prod-

1 ucts and that the country of origin is a trans-
2 parent market economy—

3 (i) the emissions intensity of the iron
4 and steel industry in such country; or

5 (ii) if sufficiently disaggregated infor-
6 mation is available, the emissions intensity
7 of the manufacture of specific covered
8 product in such country.

9 (2) AGGREGATION RULE.—For purposes of this
10 subsection, the average emissions intensity with re-
11 spect to the production of a covered iron or steel
12 product shall be determined based upon greenhouse
13 gas emission and production data from all facilities
14 which produce such good which are under common
15 control of the manufacturer of such good, including
16 any subsidiary, parent company, or joint venture of
17 such manufacturer within the country of origin.

18 (3) INPUTS.—With respect to any covered iron
19 or steel product which is imported into the United
20 States and for which other covered iron or steel
21 products were used as inputs by the manufacturer in
22 the production of the imported product, any green-
23 house gas emissions associated with the production
24 of the other inputs shall be included in the deter-

1 mination of the greenhouse gas emissions associated
2 with production of the imported product.

3 (4) EMISSIONS INTENSITY OF THE GENERAL
4 ECONOMY.—For purposes of this subsection, with re-
5 spect to any country, the emissions intensity of the
6 general economy of such country shall be an amount
7 equal to the quotient of—

8 (A) the greenhouse gas emissions of such
9 country for the most recent year for which the
10 President determines there is reliable informa-
11 tion, divided by

12 (B) the gross domestic product of such
13 country for such most recent year.

14 (5) RECOMMENDED EMISSIONS INTENSITY TAR-
15 IFF.—The Commission shall also include in each re-
16 port published pursuant to paragraph (1) rec-
17 ommendations with respect to each applicable for-
18 eign market of the tariff rate to impose with respect
19 to the importation of covered products from such
20 market in order to compensate for any greater emis-
21 sions intensity of production in such market.

22 (c) PETITION.—In the case of any entity which im-
23 ports a covered iron or steel product for which the Com-
24 mission determines the emissions intensity under sub-
25 section (b)(1)(A) or subsection (b)(1)(B)(i), such entity

1 may submit to the President a petition to determine any
2 tariff pursuant to section 202 based on the average emis-
3 sions intensity with respect to the production of the spe-
4 cific covered product by the manufacturer, including such
5 information as the President may determine necessary to
6 calculate such average emissions intensity.

7 **SEC. 202. IMPOSITION OF EMISSIONS INTENSITY TARIFF.**

8 (a) IN GENERAL.—

9 (1) COVERED PRODUCTS.—In the case of any
10 covered iron or steel product imported into the
11 United States or withdrawn from warehouse for con-
12 sumption on or after the date that is 90 days after
13 the publication of the first report required by section
14 201(a), the President shall impose an additional tar-
15 iff—

16 (A) pursuant to the recommendation with
17 respect to the applicable foreign market in the
18 most recent report published pursuant to sec-
19 tion 201(b)); or

20 (B) in such other amount as the President
21 may determine appropriate to carry out the
22 purposes of this title.

23 (2) FINISHED GOODS.—In the case of any fin-
24 ished good which is imported into the United States
25 on or after January 1, 2027, the President shall im-

1 pose an additional tariff in an amount equal to the
2 sum of the rates determined in accordance with
3 paragraph (1) with respect to each covered iron or
4 steel product that is a component part of such fin-
5 ished good.

6 (3) COVERED PRODUCTS FROM NONMARKET
7 ECONOMIES.—For any covered iron or steel product
8 imported from a country the Commission deter-
9 mines, pursuant to section 201(b)(1)(B), is not a
10 transparent market economy, the tariff imposed
11 shall be double the amount calculated pursuant to
12 paragraph (1) or paragraph (2).

13 (b) CARBON CLUBS WAIVER.—The President may
14 waive the tariff otherwise imposed under this section with
15 respect to covered iron and steel products imported from
16 a country if the President determines that the country—

17 (1) has implemented policies which impose ex-
18 plicit costs on the emission of greenhouse gases
19 which are materially similar to the charges imposed
20 pursuant to the provisions of this section;

21 (2) imposes such costs on similar product cat-
22 egories and based on the emissions intensity of pro-
23 duction in the country of origin;

24 (3) achieves an emissions intensity for the do-
25 mestic manufacture of covered product categories

1 that does not exceed 150 percent of the emissions
2 intensity of manufacture in the United States; and

3 (4) waives any tariffs that would be imposed
4 pursuant to such emissions policy on products from
5 the United States.

6 (c) MELTED AND POURED STANDARD.—If a covered
7 iron or steel product imported into the United States is
8 melted or poured in a third country, the tariff imposed
9 under this section shall be determined based on the emis-
10 sions intensity of the third country rather than the coun-
11 try from which the product is imported, unless the Presi-
12 dent has approved a petition submitted pursuant to sec-
13 tion 201(c) with respect to the importation of such prod-
14 uct.

15 **SEC. 203. DEFINITIONS.**

16 In this title:

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the Environ-
19 mental Protection Agency.

20 (2) CO₂-e.—

21 (A) IN GENERAL.—Subject to subpara-
22 graph (B), the term “CO₂-e” means, with re-
23 spect to a greenhouse gas, the quantity of such
24 gas that has a global warming potential equiva-
25 lent to 1 metric ton of carbon dioxide, as deter-

1 mined pursuant to table A-1 of subpart A of
2 part 98 of title 40, Code of Federal Regula-
3 tions, as in effect on the date of the enactment
4 of this subchapter.

5 (B) METHANE.—In the case of methane,
6 the term “CO₂-e” means the quantity of meth-
7 ane that has the same global warming potential
8 over a 20-year period as 1 metric ton of carbon
9 dioxide, as determined by the Administrator.

10 (3) COVERED IRON PRODUCT; COVERED STEEL
11 PRODUCT.—

12 (A) IN GENERAL.—The terms “covered
13 iron product” and “covered steel product” are
14 defined as follows:

15 (i) Articles classifiable under the fol-
16 lowing headings of the Harmonized Tariff
17 Schedule of the United States:

18 (I) 7206.10 through 7216.50.

19 (II) 7216.99 through 7301.10.

20 (III) 7302.10.

21 (IV) 7302.40 through 7302.90.

22 (V) 7304.10 through 7306.90.

23 (ii) Subject to subparagraph (B), any
24 other iron or steel article the President de-
25 termines is imported from a country with

1 a greater emissions intensity than the
2 United States, if the President directs and
3 the Commission subsequently includes—

4 (I) an analysis of the domestic
5 production of such product in the
6 most recent study published in accord-
7 ance with section 201(a); and

8 (II) an analysis of the foreign
9 production of such product in the
10 most recent study published in accord-
11 ance with section 201(b).

12 (B) EXCLUSIONS.—A product otherwise
13 meeting the definition under subparagraph (A)
14 shall not be treated as a covered iron product
15 or a covered steel product, as applicable, under
16 this title if—

17 (i) a like or similar article is not pro-
18 duced in the United States;

19 (ii) the product is produced in (includ-
20 ing as a component of a finished good) and
21 imported from a relatively least developed
22 country (as described in section 124 of the
23 Foreign Assistance Act of 1961 (22 U.S.C.
24 2151v)) that does not produce at least 3

1 percent of total global exports, by value, of
2 the product; or

3 (iii) the product is imported from a
4 country during any period in which a waiv-
5 er is in effect with respect to such country
6 pursuant to section 202(b).

7 (4) FINISHED GOOD.—

8 (A) IN GENERAL.—The term “finished
9 good” means any good which—

10 (i) for calendar years 2027 and
11 2028—

12 (I) contains greater than 500
13 pounds of any combination of any cov-
14 ered iron or steel products, or

15 (II) was produced from inputs of
16 any combination of covered iron or
17 steel products, the value of which
18 comprise more than 90 percent of the
19 total value of the material inputs in-
20 volved in the production of such good,

21 (ii) for calendar years 2029 and
22 2030—

23 (I) contains greater than 100
24 pounds of any combination of any cov-
25 ered iron or steel products, or

1 (II) was produced from inputs of
2 any combination of covered iron or
3 steel products, the value of which
4 comprise more than 75 percent of the
5 total value of the material inputs in-
6 volved in the production of such good,
7 and

8 (iii) for any calendar year after cal-
9 endar year 2030—

10 (I) contains greater than such
11 amount as is determined by the Sec-
12 retary (as determined in coordination
13 with the relevant parties, and which
14 shall not be greater than 100 pounds)
15 of any combination of any covered
16 iron or steel products, or

17 (II) was produced from inputs of
18 any combination of covered iron or
19 steel products, the value of which
20 comprise more than such percentage
21 as is determined by the Secretary (as
22 determined in coordination with the
23 relevant parties, and which shall not
24 be greater than 75 percent) of the

1 total value of the material inputs in-
2 volved in the production of such good.

3 (B) EXCEPTION.—The term “finished
4 good” shall not include any waste or scrap
5 product that is imported or exported.

6 (5) GREENHOUSE GAS.—The term “greenhouse
7 gas” has the meaning given such term under section
8 211(o)(1)(G) of the Clean Air Act, as in effect on
9 the date of the enactment of this subchapter.

10 (6) GREENHOUSE GAS EMISSIONS.—The term
11 “greenhouse gas emissions” means the amount of
12 greenhouse gases, expressed in metric tons of CO₂-
13 e, which were emitted to the atmosphere.

14 (7) RELEVANT PARTIES.—The term “relevant
15 parties” means—

16 (A) the Administrator,

17 (B) the Secretary of Energy,

18 (C) the Secretary of Commerce,

19 (D) the United States Trade Representa-
20 tive, and

21 (E) the Chair and Vice Chair of the
22 United States International Trade Commission.

1 **TITLE III—EXPENDITURE OF**
2 **REVENUES**

3 **SEC. 301. ADMINISTRATIVE EXPENSES.**

4 For fiscal year 2025 and each subsequent fiscal year,
5 there is appropriated, out of any funds in the Treasury
6 not otherwise appropriated, to the Secretary of Energy an
7 amount equal to 75 percent of the total amount collected
8 in the preceding fiscal year pursuant to the tariff imposed
9 under section 202, to be made available to carry out this
10 Act.

11 **SEC. 302. ECONOMIC SUPPORT FUND.**

12 For fiscal year 2025 and each subsequent fiscal year,
13 in addition to amounts otherwise available, there is appro-
14 priated, out of any funds in the Treasury not otherwise
15 appropriated, an amount equal to 25 percent of the total
16 amount collected in the preceding fiscal year pursuant to
17 the tariff imposed under section 202, to be made available
18 to carry out programs, projects, and activities authorized
19 pursuant to section 531 of the Foreign Assistance Act of
20 1961 (22 U.S.C. 2346; referred to as the “economic sup-
21 port fund”) to provide bilateral and multilateral assistance
22 to foreign countries to support decarbonization programs
23 and other climate and clean energy programs.

○