

**AMENDMENT TO H.R. 2454****OFFERED BY MR. INGLIS OF SOUTH CAROLINA**

In title VII of the Clean Air Act, as proposed to be added by section 311, insert after section 728 the following new section (and amend the table of contents for such title VII accordingly):

1 **“SEC. 729. ADDITIONAL TARIFFS ON IMPORTED PRODUCTS.**

2       “(a) DETERMINATION OF AVERAGE GREENHOUSE  
3 GAS EMISSIONS BY COVERED ENTITIES.—The Adminis-  
4 trator shall determine the average carbon dioxide equiva-  
5 lents of greenhouse gases emitted per unit of each product  
6 produced by listed industries in each vintage year.

7       “(b) IMPOSITION OF ADDITIONAL TARIFF.—

8               “(1) FORMULA.—There is imposed on the im-  
9 portation of any applicable product, in addition to  
10 any other duty that applies, a duty equal to the ap-  
11 plicable amount under paragraph (2) per ton on the  
12 lesser of—

13                       “(A) the carbon dioxide equivalents of  
14 greenhouse gases emitted in the manufacture or  
15 production of such product; or

1           “(B) the carbon dioxide equivalents of  
2           greenhouse gases emissions attributable to the  
3           product as determined under subsection (a).

4           “(2) APPLICABLE AMOUNT.—For purposes of  
5           paragraph (1), the applicable amount with respect to  
6           an applicable product is the market price in the  
7           United States, on the date of entry of such product,  
8           of an emission allowance.

9           “(c) PROCEDURE TO CHALLENGE INFORMATION  
10          PROVIDED BY IMPORTER.—The Administrator, in con-  
11          sultation with the Commissioner responsible for U.S. Cus-  
12          toms and Border Protection, shall establish a procedure  
13          under which interested persons may examine the informa-  
14          tion provided by an importer for purposes of this section,  
15          and bring to the attention of the Administrator any sus-  
16          pected errors in such information.

17          “(d) DEFINITIONS.—In this section:

18                 “(1) APPLICABLE PRODUCT.—The term ‘appli-  
19                 cable product’ means a product that, at the time of  
20                 entry of the applicable product, is described in the  
21                 same heading of the Harmonized Tariff Schedule as  
22                 a like article produced in a listed industry.

23                 “(2) ENTRY.—The term ‘entry’ means entry, or  
24                 withdrawal from warehouse for consumption, in the  
25                 customs territory of the United States.

1 “(3) LISTED INDUSTRY.—

2 “(A) IN GENERAL.—Except as provided in  
3 subparagraph (B), the term ‘listed industry’  
4 means any industry listed by the Administrator  
5 as being among the industries that, in the ag-  
6 gregate, account for 95 percent of United  
7 States greenhouse gas emissions. An industry  
8 may not be omitted from the list under the pre-  
9 ceding sentence if it emits more greenhouse  
10 gases per unit of output than any industry that  
11 is so listed.

12 “(B) SPECIAL RULES FOR 2012 THROUGH  
13 2014.—

14 “(i) 2012.—During 2012, the term  
15 ‘listed industry’ shall include only the in-  
16 dustries on the list under subparagraph  
17 (A) having the 10 highest average carbon  
18 dioxide equivalents of greenhouse gases  
19 emitted per unit of output.

20 “(ii) 2013 AND 2014.—During 2013  
21 and 2014, the term ‘listed industry’ shall  
22 include only—

23 “(I) the industries described in  
24 clause (i); and

1                   “(II)(aa) in the case of 2013, the  
2                   1/3 of the remaining industries on  
3                   such list having the highest average  
4                   carbon dioxide equivalents of green-  
5                   house gases emitted per unit of out-  
6                   put; or

7                   “(bb) in the case of 2014, the 2/  
8                   3 of the remaining industries on such  
9                   list having the highest average carbon  
10                  dioxide equivalents of greenhouse  
11                  gases emitted per unit of output.

12               “(e) DEPOSIT.—Amounts received pursuant to this  
13 section shall be deposited in the Climate Change Con-  
14 sumer Refund Account.”.

Page 683, line 25, strike “allowance,” and all that follows through “766” on page 684, line 2, and insert “allowance”.

Page 945, line 7, insert closed quotation marks and a period after “782(e)”.

Page 945, strike line 8 and all that follows through page 951, line 13, and amend the table of contents accordingly.

Page 710, line 6, strike “, except that” and all that follows through line 13 and insert a period.

Page 925, strike line 17 and all that follows through page 926, line 2.

Page 937, lines 16 through 18, strike “,except as modified by the President pursuant to section 767(c)(3)(A) for a sector”.

Page 938, strike lines 12 through 25 and redesignate the succeeding paragraph accordingly.

