

**Amendment to the Amendment in the Nature of a Substitute to Subtitle G. Budget
Reconciliation Legislative Recommendations Relating to Green Energy
Offered by Ms. Miller of West Virginia**

This amendment would suspend the Superfund excise taxes when gas prices exceed \$3.00 and when inflation exceeds 2.5%. (The American Consumer Price Protection Amendment.)

AMENDMENT TO H.R.
OFFERED BY Ms. Miller

In section 4611 of the Internal Revenue Code of 1986, as proposed to be amended by section 136701 of part 7, subsection (c)(2) is amended to read as follows:

- 1 (2) RATES.—
- 2 (A) IN GENERAL.—Except as provided in
- 3 subparagraph (B), for the purposes of para-
- 4 graph (1)—
- 5 (i) the Hazardous Substance Super-
- 6 fund financing rate is 16.4 cents a barrel,
- 7 and
- 8 (ii) the Oil Spill Liability Trust Fund
- 9 financing rate is—
- 10 (I) in the case of crude oil re-
- 11 ceived or petroleum products entered
- 12 before January 1, 2017, 8 cents a
- 13 barrel, and
- 14 (II) in the case of crude oil re-
- 15 ceived or petroleum products entered
- 16 after December 31, 2016, 9 cents a
- 17 barrel.

1 (B) NO FEE DURING PERIODS OF HIGH
2 GAS PRICES.—During any period beginning on
3 a date on which the Administrator of the
4 United States Energy Information Administra-
5 tion reports that weekly regular retail gasoline
6 prices are at or above \$3 per gallon and ending
7 on the later of—
8 (i) 180 days after such date, or
9 (ii) the date on which such Adminis-
10 trator reports that weekly regular retail
11 gasoline prices are below \$3 per gallon,
12 the Hazardous Substance Superfund financing
13 rate and the Oil Spill Liability Trust Fund fi-
14 nancing rate are each 0 cents a barrel.

Strike subparagraph (A) of section 136701(a)(2) of part 7.

In section 4611(c)(3) of the Internal Revenue Code of 1986, as proposed to be amended by section 136701 of part 7, strike “amount in paragraph (2)(A)” and insert “amounts in subparagraphs (A)(i) and (B) of paragraph (2)”.

Section 136701 of part 7 is amended by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following new subsection:

1 (b) SUSPENSION OF TAX ON CHEMICALS DURING
2 PERIODS OF HIGH INFLATION.—Section 4661 of the In-
3 ternal Revenue Code of 1986 is amended by redesignating
4 subsection (c) as subsection (d) and inserting after sub-
5 section (b) the following new subsection:

6 “(c) SUSPENSION DURING PERIODS OF HIGH INFLA-
7 TION.—No tax shall be imposed under this section during
8 any period beginning on a date on which the Secretary
9 of Labor determines that the unadjusted 12-month per-
10 cent change for the Consumer Price Index for all-urban
11 consumers for the preceding 12-month period exceeds 2.5
12 percent and ending on the later of—

13 “(1) 180 days after such date, or

14 “(2) the date on which the Secretary of Labor
15 determines that the unadjusted 12-month percent
16 change for the Consumer Price Index for all-urban
17 consumers for the preceding 12-month period is less
18 than 2.5 percent.”.

