

117TH CONGRESS  
1ST SESSION

# H. R. 5179

To amend the Internal Revenue Code of 1986 to extend and modify the credit for carbon oxide sequestration, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2021

Mr. BEYER (for himself and Ms. DELBENE) introduced the following bill;  
which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to extend and modify the credit for carbon oxide sequestration, and for other purposes.

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.**

4 This Act may be cited as the “Negating Emissions  
5 to Zero Act of 2021” or the “NET Zero Act of 2021”.

6 **SEC. 2. EXTENSION AND MODIFICATION OF CREDIT FOR**  
7 **CARBON OXIDE SEQUESTRATION.**

8 (a) EXTENSION.—Section 45Q(d)(1) is amended by  
9 striking “January 1, 2026” and inserting “January 1,  
10 2032”.

1 (b) MODIFICATION OF CARBON OXIDE CAPTURE RE-  
2 QUIREMENTS.—Section 45Q(d)(2) is amended to read as  
3 follows:

4 “(2) which captures—

5 “(A) in the case of a direct air capture fa-  
6 cility, not less than 10,000 metric tons of quali-  
7 fied carbon oxide during the taxable year,

8 “(B) in the case of an electricity gener-  
9 ating facility, not less than 18,750 metric tons  
10 of qualified carbon oxide during the taxable  
11 year and not less than 75 percent of the carbon  
12 oxide that would otherwise be released into the  
13 atmosphere by such facility during such taxable  
14 year, and

15 “(C) in the case of any other facility, not  
16 less than 12,500 metric tons of qualified carbon  
17 oxide during the taxable year and not less than  
18 50 percent of the carbon oxide that would oth-  
19 erwise be released into the atmosphere by such  
20 facility during such taxable year.”.

21 (c) DETERMINATION OF APPLICABLE DOLLAR  
22 AMOUNT.—

23 (1) IN GENERAL.—Section 45Q(b)(1) is amend-  
24 ed by redesignating subparagraph (B) as subpara-

1 graph (C) and by inserting after subparagraph (A)  
2 the following new subparagraph:

3 “(B) SPECIAL RULE FOR DIRECT AIR CAP-  
4 TURE FACILITIES.—For any taxable year begin-  
5 ning after December 31, 2021, in the case of  
6 any qualified facility described in subsection  
7 (d)(2)(C), the applicable dollar amount shall be  
8 an amount equal to—

9 “(i) for purposes of paragraph (3) of  
10 subsection (a), an amount equal to the  
11 product of \$180 and the inflation adjust-  
12 ment factor for such calendar year deter-  
13 mined under section 43(b)(3)(B) for such  
14 calendar year, determined by substituting  
15 ‘2020’ for ‘1990’, and

16 “(ii) for purposes of paragraph (4) of  
17 such subsection, an amount equal to the  
18 product of \$130 and the inflation adjust-  
19 ment factor for such calendar year deter-  
20 mined under section 43(b)(3)(B) for such  
21 calendar year, determined by substituting  
22 ‘2020’ for ‘1990’.”.

23 (2) CONFORMING AMENDMENTS.—

24 (A) Section 45Q(b)(1)(A) is amended by  
25 striking “The applicable dollar amount” and in-

1           serting “Except as provided in subparagraph  
2           (B), the applicable dollar amount”.

3                   (B) Section 45Q(b)(1)(C), as redesignated  
4           by subparagraph (A), is amended by striking  
5           “subparagraph (A)” and inserting “subpara-  
6           graph (A) or (B)”.

7           (d) EFFECTIVE DATES.—

8                   (1) EXTENSION.—The amendment made by  
9           subsection (a) shall apply to facilities the construc-  
10          tion of which begins after December 31, 2025.

11                   (2) OTHER AMENDMENTS.—The amendments  
12          made by subsections (b) and (c) shall apply to tax-  
13          able years beginning after December 31, 2021.

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