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SEC. 1201. FINDINGS AND PURPOSE.

(a) Findings.—Congress finds that—

(1) The Preamble to the Constitution of the United States establishes a Constitutional duty for the people of the United States to secure the blessings of liberty to ourselves and our posterity.

(2) The posterity of the United States includes America's children, grandchildren, and generations not yet born. Those future generations are set to inherit the consequences of choices made by the United States today.

(3) The United States has too often permitted pollution, waste, monopoly power, and short-term extraction to shift costs onto children, communities, ratepayers, taxpayers, and future generations.

(4) Plastic pollution, microplastics, perfluoroalkyl and polyfluoroalkyl substances, methane waste emissions, carbon pollution, contaminated water, degraded ecosystems, and other persistent harms threaten public health and the inheritance of future generations.

(5) The electric grid of the United States is aging, congested, and insufficiently prepared for the scale of electrification, renewable generation, extreme weather, and industrial modernization required in the coming decades. Electrification presents an opportunity to lower household costs, reduce pollution, improve public health, strengthen energy independence, and build a cleaner and more resilient economy.

(6) Utility customers are frequently burdened by monopoly returns, political expenses, lobbying costs, investor relations costs, luxury executive expenses, or other nonservice costs that frequently fail to provide reliable and affordable utility service.

(7) Public lands, coastal ecosystems, working waterfronts, fisheries, rivers, watersheds, and water supplies are public inheritance systems. They should be managed for long-term public benefit rather than short-term extraction or neglect.

(8) Research funded by and through the people of the United States should produce public benefit, broad access, domestic capacity, competition, affordability, and practical application for the public good.

(9) Sustainability requires not scarcity or retreat, but the disciplined use of American ingenuity, public investment, fair markets, and responsible stewardship to build systems that can endure.

(b) Purpose.—The purpose of this title is to align public policy with the Constitutional duty to leave the United States cleaner, healthier, more resilient, and more abundant than it was when inherited, by stacking sustainability.

SEC. 1202. RESIDUAL RISK REVIEW CLARIFICATION.

Section 112(f)(2) of the Clean Air Act ([42 U.S.C. 7412\(f\)\(2\)](#)) is amended by inserting after the final sentence the following: "The Administrator shall conduct additional residual risk assessments at reasonable intervals thereafter, including whenever updated data indicate that emissions from a

source category may result in risks exceeding the acceptable risk levels applied by the Administrator under this subsection."

SEC. 1203. COASTAL VESSEL FUEL TRANSITION AND ECOSYSTEM RESILIENCE.

(a) Transition to alternative fuel commercial fishing vessels.—

(1) Definitions.—In this subsection:

(A) Administrator.—The term "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration.

(B) Alternative fuel commercial fishing vessel.—The term "alternative fuel commercial fishing vessel" means a commercial fishing vessel that runs on an energy source other than an energy source that is exclusively derived from petroleum, including a hybrid energy source.

(C) Commercial fishing vessel.—The term "commercial fishing vessel" has the meaning given the term "fishing vessel" in [section 2101 of title 46](#), United States Code.

(D) Necessary shoreside infrastructure.—The term "necessary shoreside infrastructure" means shoreside infrastructure necessary to facilitate the transition of commercial fishing vessels to alternative fuel commercial fishing vessels, including charging stations for electric alternative fuel commercial fishing vessels and refueling stations for alternative fuel commercial fishing vessels.

(E) Pilot program.—The term "pilot program" means the pilot program established under paragraph (2)(A).

(2) Pilot program.—

(A) Establishment.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Commandant of the Coast Guard, shall establish a pilot program to facilitate the transition of United States-flagged commercial fishing vessels to alternative fuel commercial fishing vessels.

(B) Use of funds.—In carrying out the pilot program, the Administrator may make loans—

(i) to facilitate the transition from commercial fishing vessels using energy sources exclusively derived from petroleum to alternative fuel commercial fishing vessels, including loans for the building of new alternative fuel commercial fishing vessels or retrofitting existing commercial fishing vessels into alternative fuel commercial fishing vessels; and

(ii) for research and development of alternative fuel technologies for commercial fishing vessels and necessary shoreside infrastructure.

(C) Regulations.—Not later than 180 days after the date of enactment of this Act, the Administrator and the Commandant of the Coast Guard shall each promulgate regulations necessary for the implementation of the pilot program.

(3) Study.—Not later than 2 years after the date of enactment of this Act, the Administrator, jointly with the Commandant of the Coast Guard, shall carry out, and submit to Congress a report describing the results of, a study on—

- (A) methods to further develop alternative fuels for use with commercial fishing vessels;
- (B) how to improve existing alternative fuel technologies in commercial fishing vessels;
- (C) the fuel sources available for commercial fishing vessels, and the limitations of those fuel sources; and
- (D) opportunities for the use of hybrid technologies in commercial fishing vessels.

(4) Authorizations of appropriations.—

(A) In general.—There is authorized to be appropriated to the Administrator \$20,000,000 for each of fiscal years 2027 through 2031 to carry out paragraph (2).

(B) Allocation of funding.—Of the amounts made available under subparagraph (A) for each fiscal year—

- (i) not more than 5 percent may be used for administrative expenses of the pilot program;
- (ii) 50 percent of the amounts remaining after application of clause (i) shall be used to make loans described in paragraph (2)(B)(i); and
- (iii) 50 percent of the amounts remaining after application of clause (i) shall be used to make loans described in paragraph (2)(B)(ii).

(b) Vegetated coastal ecosystems and Great Lakes ecosystems.—

(1) Definitions.—In this subsection:

(A) Administrator.—The term "Administrator" means the Under Secretary of Commerce for Oceans and Atmosphere in the Under Secretary's capacity as the Administrator of the National Oceanic and Atmospheric Administration.

(B) Indian Tribe.—The term "Indian Tribe" has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act ([25 U.S.C. 5304](#)).

(C) Interagency Working Group.—The term "Interagency Working Group" means the Interagency Working Group on Vegetated Coastal Ecosystems and Great Lakes Ecosystems established under paragraph (2)(A).

(D) Natural infrastructure.—The term "natural infrastructure" has the meaning given that term in [section 101\(a\) of title 23](#), United States Code.

(E) Nonprofit organization.—The term "nonprofit organization" means an organization described in [section 501\(c\)\(3\)](#) of the Internal Revenue Code of 1986 and exempt from taxation under [section 501\(a\)](#) of that Code.

(F) State.—The term "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.

(G) Vegetated coastal ecosystems.—The term "vegetated coastal ecosystems" includes mangroves, tidal marshes, seagrasses, kelp forests, and other tidal, freshwater, or salt-water wetlands.

(2) Interagency Working Group on vegetated coastal ecosystems and Great Lakes ecosystems.—

(A) Establishment.—The Subcommittee on Ocean Science and Technology of the National Science and Technology Council shall establish an interagency working group to be known as the "Interagency Working Group on Vegetated Coastal Ecosystems and Great Lakes Ecosystems".

(B) Membership.—The Interagency Working Group shall be comprised of the Ocean Policy Committee established by [section 8932 of title 10](#), United States Code.

(C) Chairperson.—The Interagency Working Group shall be chaired by the Administrator.

(D) Responsibilities.—The Administrator, in consultation with the Interagency Working Group, shall produce, update, maintain, and use a map and inventory of vegetated coastal ecosystems and Great Lakes ecosystems as described in paragraph (3).

(3) National-level map and inventory of vegetated coastal ecosystems and Great Lakes ecosystems.—

(A) In general.—The Interagency Working Group shall produce, update, and maintain a national-level map and inventory of vegetated coastal and Great Lakes ecosystems that includes—

(i) the types of habitats and the species in such ecosystems;

(ii) the condition of such ecosystems, including whether an ecosystem is degraded, drained, eutrophic, or tidally restricted;

(iii) the type of public or private ownership and any protected status of such ecosystems;

(iv) the size of such ecosystems;

(v) the salinity boundaries of such ecosystems;

(vi) the tidal boundaries of such ecosystems;

(vii) an assessment of carbon sequestration potential, methane production, and net greenhouse gas reductions with respect to such ecosystems, including consideration of—

(I) quantification;

(II) verifiability;

(III) comparison to a historical baseline as available; and

(IV) permanence of those benefits;

(viii) the potential for landward migration within such ecosystems as a result of sea level rise;

(ix) any upstream restrictions of such ecosystems that are detrimental to the watershed process and conditions, such as dams, dikes, levees, and other water management practices;

(x) the conversion of such ecosystems to other land uses and the cause of such conversion; and

(xi) a depiction of the effects of climate change, including sea level rise, environmental stressors, and other stressors on the sequestration rate, carbon storage, and potential of such ecosystems.

(B) Data incorporation; engagement.—In carrying out subparagraph (A), the Interagency Working Group shall—

(i) incorporate, to the extent practicable, data collected—

(I) by Federal agencies, State agencies, Indian Tribes, or local agencies through research that is funded, in whole or in part, by the Federal Government; and

(II) through peer-reviewed published works; and

(ii) engage regional experts, State agencies, Indian Tribes, and additional data and information resources in order to accurately account for regional differences in vegetated coastal ecosystems and Great Lakes ecosystems.

(C) Use of map and inventory.—The Interagency Working Group shall use the national-level map and inventory produced under subparagraph (A)—

(i) to assess the carbon sequestration potential of different vegetated coastal ecosystems and Great Lakes ecosystems and account for any regional differences;

(ii) to assess and quantify emissions from degraded and destroyed vegetated coastal ecosystems and Great Lakes ecosystems;

(iii) to develop regional assessments in partnership with, or to provide technical assistance to—

(I) regional, State, and local government agencies;

(II) Indian Tribes; and

(III) regional coastal observing systems, as defined in section 12303(6) of the Integrated Coastal and Ocean Observation System Act of 2009 ([33 U.S.C. 3602\(6\)](#));

(iv) to assess degraded vegetated coastal ecosystems and Great Lakes ecosystems and the potential for restoration of such ecosystems, including developing scenario modeling to identify vulnerable land areas and living shorelines where management, conservation, and restoration efforts should be focused;

(v) to produce predictions relating to carbon sequestration rates in the context of climate change, environmental stressors, and other stressors;

(vi) to inform how and where coastal vegetation can serve as natural infrastructure to most effectively protect coastlines from storm surges and climate hazards; and

(vii) to further understand which types of coastal and Great Lakes vegetation can be used as natural infrastructure to protect coastlines in different climates, especially cold climates, including the Arctic region.

(4) Grants for pilot projects and research on coastal natural infrastructure in cold climates.—

(A) In general.—During fiscal years 2027 and 2028, the Administrator shall award grants through the national sea grant college program, on a competitive basis, to eligible entities to support—

(i) the implementation of coastal natural infrastructure pilot projects in cold climates, including the Arctic region of the United States, that will protect the coastline from storm surges, hazards caused by climate change, erosion, and permafrost melt; and

(ii) research on how effective coastal natural infrastructure projects can be in protecting coastlines in cold climates, including the Arctic region.

(B) Eligibility.—To be eligible to receive a grant under subparagraph (A), an entity shall be—

(i) a State or local government;

(ii) an Indian Tribe;

(iii) an academic institution;

(iv) a nonprofit organization; or

(v) a combination of entities described in clauses (i) through (iv).

(C) Authorization of appropriations.—There is authorized to be appropriated to carry out this paragraph \$3,000,000 for each of fiscal years 2027 and 2028.

(D) National sea grant college program defined.—In this paragraph, the term "national sea grant college program" means the national sea grant college program maintained under section 204 of the National Sea Grant College Program Act ([33 U.S.C. 1123](#)).

(c) Ocean acidification.—

(1) Definitions in Federal Ocean Acidification Research and Monitoring Act of 2009.—Section 12403 of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3702](#)) is amended—

(A) by striking paragraph (4);

(B) by redesignating paragraphs (2), (3), and (5) as paragraphs (4), (5), and (6), respectively;

(C) by inserting after paragraph (1) the following:

"(2) Indian Tribe.—The term 'Indian Tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act ([25 U.S.C. 5304](#)).

"(3) Community-based coastal resource organization.—The term 'community-based coastal resource organization' means a nonprofit organization, fishing or seafood cooperative, community acidification network, coastal resource management organization, working waterfront organization, or other community-based organization with experience in coastal resource stewardship, coastal adaptation, fisheries, aquaculture, seafood infrastructure, ocean acidification, coastal acidification, or coastal ecosystem resilience.";

(D) in paragraph (4), as redesignated by subparagraph (B), by inserting "an increase of" before "carbon dioxide"; and

(E) by adding at the end the following:

"(7) Subcommittee.—The term 'Subcommittee' means the National Science and Technology Council Subcommittee on Ocean Science and Technology.

"(8) United States.—The term 'United States' means the States, collectively."

(2) Improvement of collaboration on ocean acidification.—

(A) Ongoing input mechanism.—Section 12404(c)(2) of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3703\(c\)\(2\)](#)) is amended—

(i) in subparagraph (B), by striking "; and" and inserting a semicolon;

(ii) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(D) establish an ongoing mechanism, such as a liaison or other contact of the National Oceanic and Atmospheric Administration, standing meetings, or an online platform, to engage affected industry members, coastal stakeholders, community acidification networks, fishery management councils and commissions, Indian Tribes, Tribal organizations, Tribal consortia, community-based coastal resource organizations, non-Federal resource managers, and scientific experts not employed by the Federal Government to provide input on research, data, and monitoring that is necessary to support on-the-ground management, decision making, and adaptation related to ocean acidification and coastal acidification and the impacts of ocean acidification and coastal acidification."

(B) Advisory board membership.—Section 12404(c)(3) of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3703\(c\)\(3\)](#)) is amended—

(i) by redesignating subparagraphs (G) through (Q) as subparagraphs (H) through (R), respectively;

(ii) by inserting after subparagraph (F) the following:

"(G) 2 representatives from Indian Tribes, Tribal organizations, Tribal consortia, or community-based coastal resource organizations affected by ocean acidification and coastal acidification."; and

(iii) in subparagraph (H), as redesignated by clause (i), by striking "Six" and inserting "Four".

(C) Appointment of advisory board members.—Section 12404(c)(4)(C) of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3703\(c\)\(4\)\(C\)](#)) is amended by inserting "Indian Tribes and community-based coastal resource organizations," after "managers,".

(D) Engagement and coordination with Indian Tribes and community-based coastal resource organizations.—Paragraph (9) of section 12404(c) of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3703\(c\)](#)) is amended to read as follows:

"(9) Engagement and coordination with Indian Tribes and community-based coastal resource organizations.—

"(A) Policy required.—Not later than 1 year after the date on which the Advisory Board is established, the Advisory Board shall develop and commence maintaining a policy for engagement and coordination with Indian Tribes and community-based coastal resource organizations affected by ocean acidification and coastal acidification.

"(B) Consultation.—In developing the policy under subparagraph (A), the Advisory Board shall consult with Indian Tribes and community-based coastal resource organizations affected by ocean acidification and coastal acidification.".

(E) Collaboration on vulnerability assessments, research planning, and similar activities.—Section 12404(e)(4)(A) of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3703\(e\)\(4\)\(A\)](#)) is amended—

(i) by redesignating clauses (ix) and (x) as clauses (x) and (xi), respectively; and

(ii) by inserting after clause (viii) the following:

"(ix) identifies the efforts of the Secretary to collaborate with State and local governments, Indian Tribes, and community-based coastal resource organizations on community vulnerability assessments, research planning, and similar activities, pursuant to section 12406(e);".

(F) Contents of strategic research plan.—Section 12405(b) of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3704\(b\)](#)) is amended—

(i) in paragraph (10), by striking "section 12404(c)(4)" and inserting "section 12404(e)(4)"; and

(ii) in paragraph (11), by striking "potentially affected industry members, coastal stakeholders, fishery management councils and commissions, Tribal governments, non-Federal resource managers, and scientific experts" and inserting "affected industry members, coastal stakeholders, community acidification networks, fishery management councils and commissions, Indian Tribes, community-based coastal resource organizations, non-Federal resource managers, and scientific experts not employed by the Federal Government".

(G) Improving collaboration on NOAA ocean acidification activities.—Section 12406 of the Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3705](#)) is amended—

(i) in subsection (a)—

(I) in paragraph (1)—

(aa) in subparagraph (D), by adding a semicolon at the end; and

(bb) in subparagraph (F), by striking "Tribal governments" and inserting "Indian Tribes and community-based coastal resource organizations";

(II) in paragraph (4), by striking "industry members, coastal stakeholders, fishery management councils and commissions, non-Federal resource managers, community acidification networks, indigenous knowledge groups, and scientific experts" and inserting "affected industry members, coastal stakeholders, community acidification networks, fishery management councils and commissions, Indian Tribes, community-based coastal resource organizations, non-Federal resource managers, and scientific experts not employed by the Federal Government";

(ii) in subsection (c)—

(I) in paragraph (1), by striking "State, local, and Tribal governments" and inserting "State and local governments, Indian Tribes, and community-based coastal resource organizations,";

(II) in paragraph (2)—

(aa) in subparagraph (A), by striking "; or" and inserting a semicolon;

(bb) by redesignating subparagraph (B) as subparagraph (C);

(cc) by inserting after subparagraph (A) the following:

"(B) on ocean acidification and coastal acidification research, data, and monitoring from affected industry members, coastal stakeholders, community acidification networks, fishery management councils and commissions, Indian Tribes, community-based coastal resource organizations, non-Federal resource managers, and scientific experts not employed by the Federal Government; or"; and

(dd) in subparagraph (C), as redesignated by item (bb), by striking "State governments, local governments, Tribal governments" and inserting "State and local governments, Indian Tribes, and community-based coastal resource organizations";

(iii) in subsection (d)(1)(C), by striking "Tribes or Tribal governments" and inserting "Indian Tribes, Tribal organizations, Tribal consortia, and community-based coastal resource organizations"; and

(iv) by adding at the end the following:

"(e) Better collaboration on vulnerability assessments, research planning, and similar activities.—

"(1) In general.—In carrying out the program under subsection (a), and in support of vulnerability assessments transmitted under section 12404(e)(4) and recommendations included in the strategic research plan described in section 12405(b)(10), the Secretary shall build upon existing activities and collaborate with State and local governments and Indian Tribes that are conducting or have completed vulnerability assessments, research planning, climate action plans, or other similar activities related to ocean acidification and coastal acidification and the impacts of ocean acidification and coastal acidification on coastal communities, for the purpose of—

"(A) supporting collaborative interagency relationships and information sharing at the State, local, and Tribal levels; and

"(B) assisting State and local governments and Indian Tribes in—

"(i) improving existing systems and programs to better address ocean acidification and coastal acidification; and

"(ii) identifying whether such activities can be used as a model for other communities.

"(2) Indian Tribes, Tribal organizations, Tribal consortia, and community-based coastal resource organizations.—In carrying out the program under subsection (a), and in support of vulnerability assessments transmitted under section 12404(e)(4) and recommendations included in the strategic research plan described in section 12405(b)(10), the Secretary may build upon existing activities and collaborate with Indian Tribes, Tribal organizations, Tribal consortia, and community-based coastal resource organizations that are conducting or have completed vulnerability assessments, research planning, climate action plans, or other similar activities related to ocean acidification and coastal acidification and the impacts of ocean acidification and coastal acidification on coastal communities.".

(3) Technical corrections.—The Federal Ocean Acidification Research and Monitoring Act of 2009 ([33 U.S.C. 3701 et seq.](#)) is amended—

(A) in section 12402 ([33 U.S.C. 3701](#))—

(i) in paragraph (1), by striking "development coordination and implementation" and inserting "development, coordination, and implementation"; and

(ii) in paragraph (4), by striking "research adaptation strategies and mitigating the impacts" and inserting "research on adaptation strategies and mitigation of the impacts";

(B) in section 12404 ([33 U.S.C. 3703](#))—

(i) in subsection (b)(5), by striking "; and" and inserting a period;

(ii) in subsection (c)(2)(A)—

(I) in clause (i), by striking "subsection (d)(2)" and inserting "subsection (e)(2)"; and

(II) in clause (ii), by striking "subsection (d)(3)" and inserting "subsection (e)(3)";

(iii) in subsection (d)(3), by striking "this section" and inserting "this subsection"; and

(iv) in subsection (e)—

(I) in paragraph (2)(B), by striking "interagency" and inserting "the"; and

(II) in paragraph (3), by striking "years until 2031 thereafter" and inserting "years thereafter until 2031";

(C) in section 12406(d)(2) ([33 U.S.C. 3705\(d\)\(2\)](#)), by striking "The Secretary to," and inserting "The Secretary, to".

(d) Coastal aquatic invasive species mitigation grant program and mitigation fund.—

(1) Transfer.—

(A) In general.—Subsection (f) of section 903 of the Vessel Incidental Discharge Act of 2018 ([16 U.S.C. 4729](#)) is—

(i) transferred to section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 ([16 U.S.C. 4722](#));

(ii) redesignated as subsection (l) of that section 1202; and

(iii) added at the end of that section 1202.

(B) Availability of appropriations.—Paragraph (1) shall not affect the availability of amounts made available in appropriation Acts for the purpose of carrying out the program transferred by subparagraph (A) to the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 ([16 U.S.C. 4701 et seq.](#)).

(2) Amendments.—Subsection (l) of section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 ([16 U.S.C. 4722](#)), as transferred and redesignated under paragraph (1), is amended—

(A) in paragraph (1)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (D), (E), and (F), respectively;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "and the Foundation" both places the term appears;

(ii) in subparagraph (C)(i)—

(I) in subclause (I), by striking "programs, including permissible State ballast water" and inserting "programs for Federal and State agencies, territories of the United States, Tribal governments or organizations, and interstate organizations, including permissible ballast water";

(II) by striking subclause (III);

(III) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively; and

(IV) in subclause (IV), as redesignated by subclause (III), by striking "infrastructure, such as hydroelectric infrastructure, from aquatic invasive species" and inserting "aquaculture and associated infrastructure from aquatic invasive species with particular emphasis on underserved communities";

(iii) in subparagraph (D), by striking "Not later than 90 days after the date of enactment of this Act, the Foundation, in consultation with the Secretary" and inserting "Not later than 90 days after the date of enactment of the POPULIST Act, the Secretary";

(iv) in subparagraph (F), by striking "and the Foundation are" and inserting "is";

(C) in paragraph (3)—

(i) by striking subparagraph (B) and inserting the following:

"(B) Authorization of appropriations.—There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2027 through 2031."; and

(ii) in subparagraph (C), by striking "and the Foundation".

(3) Conforming amendment.—Section 903 of the Vessel Incidental Discharge Act of 2018 ([16 U.S.C. 4729](#)), as amended by paragraph (1), is further amended by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

SEC. 1204. PUBLIC ACCESS AND RETURN ON FEDERALLY FUNDED RESEARCH.

(a) Definitions.—In this section:

(1) Exclusive license.—The term "exclusive license" means any license, assignment, option, or other agreement that grants to 1 person, or to a limited class of persons, the exclusive right to make, use, sell, offer for sale, import, distribute, sublicense, commercialize, or otherwise exploit a federally supported research product.

(2) Federal research or development support.—The term "Federal research or development support" means any grant, cooperative agreement, contract, loan, loan guarantee, prize, facility access, data access, technical assistance, in-kind contribution, or other Federal financial or technical assistance for research or development.

(3) Federally supported research product.—The term "federally supported research product" means any invention, technology, software, data set, database, model, material, process, method, device, diagnostic, drug, energy technology, environmental technology, or other product developed in whole or in substantial part with Federal research or development support.

(4) Federally supported research result.—The term "federally supported research result" means any peer-reviewed manuscript, final published article, data set, software, model, protocol, method, research tool, or other research output produced in whole or in substantial part with Federal research or development support.

(5) Funding agency.—The term "funding agency" means any Federal agency that awards, administers, funds, or otherwise supports research or development.

(6) Practical application.—The term "practical application" has the meaning given such term in [section 201 of title 35](#), United States Code.

(7) Reasonable public access.—The term "reasonable public access" means availability to the public on reasonable terms, including reasonable price, sufficient supply, nondiscriminatory access, and terms that reflect the contribution of Federal research or development support.

(b) Policy.—Each funding agency shall administer Federal research or development support to maximize public access, public benefit, domestic production, competition, affordability, and broad diffusion of knowledge and technology developed with support from the people of the United States.

(c) Public access to research results.—

(1) In general.—Each funding agency shall require, as a condition of Federal research or development support, that federally supported research results be made publicly available in a freely accessible digital repository.

(2) Peer-reviewed manuscripts and articles.—A federally supported research result consisting of a peer-reviewed manuscript or final published article shall be made publicly available not later than the date of publication.

(3) Data and supporting materials.—A federally supported research result consisting of data, software, models, protocols, methods, or other supporting research output shall be made publicly available not later than—

(A) the date of publication of a related peer-reviewed manuscript or final published article, if the federally supported research result is necessary to validate or replicate the findings in such manuscript or article; or

(B) a reasonable date established by the funding agency, if no related peer-reviewed manuscript or final published article is published.

(4) Federal license.—Each funding agency shall require each recipient of Federal research or development support to grant to the United States a nonexclusive, irrevocable, paid-up license to make federally supported research results publicly available under this subsection.

(5) Exceptions.—A funding agency may limit public access under this subsection to the extent necessary to protect—

(A) classified information;

(B) national security;

(C) cybersecurity;

(D) trade secrets or confidential commercial information not developed with Federal research or development support;

(E) personal privacy;

(F) human subjects research protections;

(G) Tribal cultural resources, sacred sites, or sensitive Tribal information;

(H) sensitive environmental, habitat, or species-location information; or

(I) any other category of information for which withholding is required by Federal law.

(d) Fair licensing of federally supported research products.—

(1) In general.—Each funding agency shall require, as a condition of Federal research or development support, that any exclusive license for a federally supported research product include terms sufficient to protect the public interest.

(2) Required terms.—Terms required under paragraph (1) shall include—

(A) a requirement that the federally supported research product be made available to the public on reasonable terms;

(B) a requirement that the licensee make diligent efforts to achieve practical application;

(C) a requirement that the licensee avoid unreasonable pricing, unreasonable scarcity, or unreasonable restrictions on access;

(D) a requirement that the licensee report such pricing, supply, sublicensing, and commercialization information as the funding agency determines necessary to enforce this section;

(E) authority sufficient to allow the funding agency to require additional licensing under subsection (f); and

(F) a requirement that domestic manufacturing and domestic supply chains be used to the maximum extent practicable.

(3) Preference for nonexclusive licensing.—A funding agency shall prefer nonexclusive licensing for research tools, enabling technologies, standards-essential technologies, platform

technologies, and other federally supported research products for which broad access would materially advance competition, follow-on innovation, public health, environmental protection, energy affordability, or public safety.

(e) Reasonable pricing and anti-gouging.—

(1) Access plan.—Before entering into or approving an exclusive license for a federally supported research product, a funding agency shall require the licensee to submit a public access and reasonable pricing plan.

(2) Contents.—A plan required under paragraph (1) shall describe—

(A) the Federal research or development support used to develop the federally supported research product;

(B) the expected public uses and public benefits of the federally supported research product;

(C) the expected price, pricing methodology, and supply plan for the federally supported research product;

(D) any expected sublicensing terms;

(E) any expected domestic manufacturing or domestic supply-chain commitments; and

(F) any measures necessary to ensure reasonable public access.

(3) Determination.—A funding agency may determine that a price, licensing term, supply practice, or commercialization practice is unreasonable after considering—

(A) the amount and importance of Federal research or development support;

(B) the cost of development, manufacturing, distribution, and regulatory compliance;

(C) the price charged to the Federal Government, State governments, consumers, researchers, small businesses, hospitals, schools, public utilities, or other affected users;

(D) the price charged in comparable foreign markets;

(E) the availability of competing products or substitute technologies;

(F) the need to permit a reasonable return on private investment not supplied by the Federal Government; and

(G) the effect of the price, term, or practice on public health, environmental protection, energy affordability, competition, public safety, or broad public access.

(f) Public interest protections.—

(1) In general.—If a funding agency determines that a recipient of Federal research or development support, contractor, assignee, or licensee has failed to provide reasonable public access to a federally supported research product, the funding agency may take 1 or more of the actions described in paragraph (2).

(2) Actions.—A funding agency may—

- (A) require corrective action;
- (B) require additional public reporting;
- (C) require nonexclusive, partially exclusive, or exclusive licensing to responsible applicants on reasonable terms;
- (D) modify or terminate an exclusive license issued by the funding agency;
- (E) require sublicensing as a condition of continued Federal support;
- (F) exercise march-in rights under [section 203 of title 35](#), United States Code, if applicable;
- (G) deny, suspend, or condition future Federal research or development support; or
- (H) refer the matter to the Federal Trade Commission, the Attorney General, or another appropriate Federal or State enforcement authority.

(3) Procedures.—Before taking an action under paragraph (2), a funding agency shall provide notice and an opportunity to cure, except where the funding agency determines that immediate action is necessary to protect public health, safety, national security, energy reliability, environmental protection, or substantial public resources.

(g) Relation to Bayh-Dole Act.—

(1) Additional protections.—The protections, conditions, and authorities established by this section are in addition to those available to the United States under [chapter 18 of title 35](#), United States Code.

(2) No limitation.—Nothing in this section shall be construed to limit the authority of a Federal agency to exercise march-in rights under [section 203 of title 35](#), United States Code, require preference for United States industry under [section 204 of title 35](#), United States Code, or impose public interest conditions under any other provision of law.

(h) Regulations.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, in consultation with the Director of the Office of Management and Budget, the Secretary of Commerce, the Secretary of Energy, the Secretary of Health and Human Services, the Director of the National Science Foundation, the Administrator of the Environmental Protection Agency, and the heads of other funding agencies, shall issue guidance and model funding-agreement terms to carry out this section.

SEC. 1205. PLASTIC POLLUTION AND MICROPLASTICS CONTROL.

(a) Definitions.—In this section:

(1) Administrator.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) Plastic facility.—The term "plastic facility" means a facility that—

(A) manufactures, processes, handles, stores, or transports plastic feedstock;

(B) manufactures ethylene, propylene, or another petrochemical feedstock for conversion into plastic feedstock;

(C) manufactures, processes, or produces any plastic polymer, monomer, resin, or preproduction plastic material;

(D) depolymerizes, chemically recycles, pyrolyzes, gasifies, combusts, or otherwise chemically breaks down plastic polymers; or

(E) expands the production capacity, storage capacity, or preproduction plastic material handling capacity of a facility described in subparagraphs (A) through (D).

(3) Plastic feedstock.—The term "plastic feedstock" means ethylene, propylene, and raw plastic material in any form, including pellets, resin, nurdles, powder, flakes, and any plastic polymer identified by the Administrator.

(4) Preproduction plastic material.—The term "preproduction plastic material" means plastic resin, plastic pellets, nurdles, powders, flakes, powdered coloring for plastics, or any other plastic material intended for use in manufacturing, compounding, packaging, transporting, or processing plastic products.

(5) Secretary.—The term "Secretary" means the Secretary of Agriculture.

(6) Temporary pause period.—The term "temporary pause period" means the period—

(A) beginning on the date of enactment of this Act; and

(B) ending on the date on which the Administrator certifies that the final rules required under subsection (c) are in effect.

(b) Temporary pause on new and expanded plastic facilities.—

(1) In general.—During the temporary pause period, the Administrator may not issue, and may not approve a State or local permitting authority to issue, any new permit, renewed permit, modified permit, or other authorization under the Clean Air Act ([42 U.S.C. 7401 et seq.](#)) or the Federal Water Pollution Control Act ([33 U.S.C. 1251 et seq.](#)) that would authorize the construction of a new plastic facility or the expansion of production capacity, storage capacity, or preproduction plastic material handling capacity at an existing plastic facility.

(2) Section 404 permits.—During the temporary pause period, the Secretary of the Army, acting through the Chief of Engineers, may not issue any permit under section 404 of the Federal Water Pollution Control Act ([33 U.S.C. 1344](#)) for the construction of a new plastic facility or the expansion of production capacity, storage capacity, or preproduction plastic material handling capacity at an existing plastic facility.

(3) State permits.—During the temporary pause period, the Administrator shall object to any State-issued permit described in paragraph (1) if the permit would authorize the construction of a new plastic facility or the expansion of production capacity, storage capacity, or preproduction plastic material handling capacity at an existing plastic facility.

(4) Exceptions.—This subsection shall not apply to—

- (A) a material recovery facility;
- (B) a mechanical recycling facility;
- (C) a compost facility;
- (D) a repair, maintenance, monitoring, remediation, pollution-control, or safety project that does not increase production capacity, storage capacity, or preproduction plastic material handling capacity; or
- (E) a modification that the Administrator determines is necessary to prevent or reduce emissions, discharges, releases, spills, fires, explosions, or other hazards.

(c) Air, water, and fenceline protections for plastic facilities.—

(1) Rulemaking.—Not later than January 1, 2029, the Administrator shall promulgate final rules under the Clean Air Act ([42 U.S.C. 7401 et seq.](#)), the Federal Water Pollution Control Act ([33 U.S.C. 1251 et seq.](#)), and any other applicable Federal environmental law to reduce emissions, discharges, releases, and cumulative impacts from plastic facilities.

(2) Requirements.—The rules promulgated under paragraph (1) shall include—

- (A) requirements for fenceline monitoring and public reporting of air pollutants, water pollutants, preproduction plastic materials, and other hazardous releases from plastic facilities;
- (B) enforceable limits on emissions, discharges, leaks, spills, and releases of pollutants and preproduction plastic materials;
- (C) requirements for cumulative-impact analysis before issuance, renewal, or modification of a permit for a plastic facility;
- (D) requirements for financial assurance sufficient to remediate spills, releases, contamination, and closure obligations;
- (E) requirements for emergency response planning, public notice, and community notification for releases, fires, explosions, and other incidents;
- (F) requirements to prevent discharge of preproduction plastic materials into wastewater, stormwater, drainage systems, runoff, or waters of the United States; and
- (G) requirements to protect schools, residences, daycare centers, nursing homes, hospitals, parks, playgrounds, community centers, drinking water sources, and other sensitive community locations from the cumulative impacts of plastic facilities.

(3) No end of pause before rules are effective.—The temporary pause period may not end until the rules required under paragraph (1) are in effect.

(d) Microplastics research and mitigation.—

(1) Food and beverage study.—Not later than 2 years after the date of enactment of this Act, the Commissioner of Food and Drugs, in consultation with the Administrator, shall conduct and submit to Congress a study on—

(A) the presence of microplastics and nanoplastics in food, beverages, drinking water, food-contact materials, and food packaging;

(B) the sources and pathways through which microplastics and nanoplastics enter food, beverages, drinking water, food-contact materials, and food packaging;

(C) potential human exposure to microplastics and nanoplastics through ingestion and inhalation; and

(D) recommendations for reducing microplastics and nanoplastics in food, beverages, drinking water, food-contact materials, and food packaging.

(2) Environmental Protection Agency pilot program.—

(A) Establishment.—Not later than 1 year after the date of enactment of this Act, the Administrator shall establish a pilot program to test, evaluate, and deploy technologies and practices to prevent, capture, remove, or reduce microplastics and nanoplastics in wastewater, stormwater, drinking water, surface water, sediment, and industrial discharges.

(B) Priority.—In carrying out the pilot program under subparagraph (A), the Administrator shall prioritize projects that—

(i) reduce microplastics and nanoplastics near plastic facilities, wastewater treatment plants, stormwater outfalls, ports, rail transfer facilities, and other likely release points;

(ii) can be implemented by public water systems, publicly owned treatment works, local governments, Indian Tribes, or regional water authorities; and

(iii) generate data that can be used to develop best practices or regulatory standards.

(3) National Institutes of Health research.—The Director of the National Institutes of Health shall support research on human exposure to microplastics and nanoplastics, including research on—

(A) the presence of microplastics and nanoplastics in human tissue, organs, blood, urine, breastmilk, stool, and other biospecimens;

(B) the effects of microplastics and nanoplastics on reproductive health, fetal development, child development, immune function, endocrine function, cardiovascular health, neurological health, and cancer risk;

(C) the role of additives, absorbed pollutants, and degradation products associated with microplastics and nanoplastics; and

(D) methods to reduce human exposure to microplastics and nanoplastics.

(e) Reducing single-use plastics in agriculture.—

(1) Conservation practice.—For purposes of programs administered by the Secretary through the Natural Resources Conservation Service, including the environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 ([16 U.S.C. 3839aa et seq.](#)), the replacement of plastic weed barriers, plastic mulch, plastic weed mitigants, or other single-use on-farm plastic materials with nonplastic, reusable, or biodegradable alternatives shall be treated as an eligible conservation practice.

(2) Grant program.—

(A) Establishment.—The Secretary shall establish a grant program to support producers, producer cooperatives, agricultural associations, and other eligible agricultural entities in reducing or eliminating single-use plastics from post-production distribution packaging.

(B) Uses.—A grant under this paragraph may be used for—

(i) replacing plastic clamshells, bags, liners, trays, wraps, pallet wraps, cushioning, containers, labels, or other single-use post-production distribution packaging with nonplastic, reusable, recyclable, compostable, or biodegradable alternatives;

(ii) purchasing equipment necessary to package, aggregate, store, transport, or distribute agricultural products without single-use plastics;

(iii) redesigning distribution practices to reduce single-use plastic packaging;

(iv) testing and verifying the performance of alternatives to single-use plastic packaging; and

(v) providing technical assistance to producers seeking to reduce single-use plastic packaging.

(C) Amount and term.—A grant under this paragraph may not exceed \$250,000 and may be made for a period of not more than 3 years.

(D) Priority.—In awarding grants under this paragraph, the Secretary shall give priority to applications that—

(i) achieve the greatest measurable reduction in single-use plastic packaging per dollar of Federal assistance;

(ii) are submitted by a beginning farmer or rancher;

(iii) support organic or regenerative agricultural production;

(iv) are submitted by a producer cooperative or other aggregation of small or mid-sized producers; or

(v) create a replicable model for reducing single-use plastic packaging in regional food systems.

(E) Authorization of appropriations.—There is authorized to be appropriated to carry out this paragraph \$25,000,000 for each of fiscal years 2027 through 2031.

(f) Plastic pellet-free waters.—

(1) Prohibition.—Beginning on the date of enactment of this Act, no person may discharge, spill, release, or allow the discharge, spill, or release of plastic pellets or other preproduction plastic material—

(A) into waters of the United States;

(B) into wastewater, stormwater, runoff, drainage systems, or other conveyances that discharge or may reasonably be expected to discharge into waters of the United States; or

(C) from any plastic facility, point source, transportation facility, packaging facility, transfer facility, port, rail facility, warehouse, or other facility that makes, uses, packages, stores, transports, or handles plastic pellets or other preproduction plastic material.

(2) Permit requirements.—The Administrator shall require each permit issued under section 402 of the Federal Water Pollution Control Act ([33 U.S.C. 1342](#)), and each other applicable Federal permit for a facility described in paragraph (1)(C), to include requirements sufficient to achieve zero discharge of plastic pellets and other preproduction plastic material.

(3) Interim final rule.—Not later than 60 days after the date of enactment of this Act, the Administrator shall issue an interim final rule to implement this subsection.

(4) Final rule.—Not later than 2 years after the date of enactment of this Act, the Administrator shall, after notice and opportunity for public comment, issue a final rule to implement this subsection.

(5) Minimum requirements.—The rules issued under paragraphs (3) and (4) shall include—

(A) best management practices for preventing the discharge, spill, or release of plastic pellets and other preproduction plastic material;

(B) containment, capture, filtration, inspection, housekeeping, loading, unloading, storage, packaging, transportation, and stormwater-control requirements;

(C) monitoring, recordkeeping, reporting, and public disclosure requirements;

(D) requirements for prompt reporting and cleanup of any discharge, spill, or release;

(E) requirements for employee training and written spill-prevention plans; and

(F) requirements for third-party transporters, packagers, warehouses, ports, rail facilities, and transfer facilities that handle plastic pellets or other preproduction plastic material.

(g) Enforcement.—

(1) Clean Water Act enforcement.—A violation of subsection (f) or a rule issued under subsection (f) shall be treated as a violation of section 301 of the Federal Water Pollution

Control Act ([33 U.S.C. 1311](#)) and shall be subject to enforcement under sections 309 and 505 of that Act ([33 U.S.C. 1319](#), [1365](#)).

(2) Minimum civil penalties.—In addition to any penalty otherwise authorized by law, any person that violates subsection (f) shall be subject to a civil penalty of not less than \$5,000 for each day on which the violation occurs.

(3) Failure to report or remediate.—In addition to any penalty otherwise authorized by law, any person that knowingly fails to report or remediate a discharge, spill, or release of plastic pellets or other preproduction plastic material shall be subject to a civil penalty of not less than \$25,000 for each day on which the failure continues.

(4) Untaxed released resin.—If plastic pellets or other preproduction plastic material released in violation of subsection (f) have not been subject to the tax imposed under section 5000L of the Internal Revenue Code of 1986, as added by section 1243, the person responsible for the release shall be subject to an additional civil penalty equal to 10 times the tax that would have been imposed if the released material had been sold on the date of release or September 30, 2027, whichever is later.

SEC. 1206. E15 REID VAPOR PRESSURE PARITY.

(a) Existing waivers.—Section 211(f)(4) of the Clean Air Act ([42 U.S.C. 7545\(f\)\(4\)](#)) is amended—

(1) by striking "(4) The Administrator, upon" and inserting the following:

"(4) Waivers.—

"(A) In general.—The Administrator, on";

(2) in subparagraph (A), as so designated—

(A) in the first sentence—

(i) by striking "of this subsection" each place it appears; and

(ii) by striking "if he determines" and inserting "if the Administrator determines"; and

(B) in the second sentence, by striking "The Administrator" and inserting the following:

"(B) Final action.—The Administrator"; and

(3) by adding at the end the following:

"(C) Reid vapor pressure.—A fuel or fuel additive may be introduced into commerce if—

"(i) the Administrator determines that—

"(I) the fuel or fuel additive is substantially similar to a fuel or fuel additive utilized in the certification of any model year vehicle pursuant to paragraph (1)(A); or

"(II) the fuel or fuel additive has been granted a waiver under subparagraph (A) and meets all of the conditions of that waiver other than any limitation of the waiver with respect to the Reid vapor pressure of the fuel or fuel additive; and

"(ii) the fuel or fuel additive meets all other applicable Reid vapor pressure requirements under subsection (h).".

(b) Reid vapor pressure limitation.—Section 211(h) of the Clean Air Act ([42 U.S.C. 7545\(h\)](#)) is amended—

(1) in paragraph (4), in the matter preceding subparagraph (A), by striking "10 percent" and inserting "10 to 15 percent"; and

(2) in paragraph (5)(A), by striking "10 percent" and inserting "10 to 15 percent".

Subtitle A—Power to the People

PART I—POWER GENERATION, PERMITTING, AND RATEPAYER PROTECTION

SEC. 1211. UTILITY PROFIT AND RATEPAYER PROTECTION.

(a) Federal Power Act utility profit and ratepayer protection.—Section 205 of the Federal Power Act ([16 U.S.C. 824d](#)) is amended by adding at the end the following:

"(h) Utility profit and ratepayer protection.

"(1) Definitions.—In this subsection:

"(A) Adjusted lowest market return.—The term 'adjusted lowest market return' means the lowest return on equity in the range of reasonableness established under subparagraph (H), after the downward adjustment required under subparagraph (I). Until the Commission first establishes the adjusted lowest market return, the adjusted lowest market return shall be deemed equal to the risk-free administrative rate.

"(B) Applicable benchmark return.—The term 'applicable benchmark return' means the lower of—

"(i) the risk-free administrative rate; and

"(ii) the adjusted lowest market return.

"(C) Financial academic.—The term 'financial academic' means an accredited, full-time finance teaching program that regularly publishes United States equity market expected return data and provides a curriculum in business administration or finance.

"(D) Financial institution.—The term 'financial institution' means an entity that manages not less than \$2,000,000,000,000 in combined assets and regularly publishes United States equity market expected return data.

"(E) Global systemically important bank.—The term 'global systemically important bank' means an entity classified as a global systemically important bank by the Financial Stability Board that regularly publishes United States equity market expected return data.