

118TH CONGRESS
1ST SESSION

S. 2242

To amend the Clean Air Act to require the Administrator of the Environmental Protection Agency to make available for sale renewable fuel credits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 11, 2023

Mr. CASEY (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Clean Air Act to require the Administrator of the Environmental Protection Agency to make available for sale renewable fuel credits, 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 “Safeguarding Domestic
5 Energy Production and Independence Act of 2023”.

1 **SEC. 2. RENEWABLE FUEL COST CONTAINMENT CREDITS.**

2 Section 211(o)(7) of the Clean Air Act (42 U.S.C.
3 7545(o)(7)) is amended by adding at the end the fol-
4 lowing:

5 “(G) CONVENTIONAL BIOFUEL.—

6 “(i) CONVENTIONAL BIOFUEL WAIVER
7 CREDITS.—

8 “(I) IN GENERAL.—The Admin-
9 istrator shall make available for sale
10 renewable fuel credits to any person
11 with a renewable volume obligation
12 under paragraph (2) at a price of not
13 more than \$0.20 per credit.

14 “(II) ADJUSTMENTS FOR INFLA-
15 TION.—As determined appropriate by
16 the Administrator, the price referred
17 to in subclause (I) shall be adjusted
18 for inflation.

19 “(ii) USE OF CREDITS.—A renewable
20 fuel credit sold under this paragraph—

21 “(I) shall only be used for the
22 purpose of complying with the re-
23 quirement under paragraph (2) for
24 the year for which the credit was sold;
25 and

26 “(II) may not—

1 “(aa) be resold or trans-
2 ferred to another person; or

3 “(bb) be used to fulfill the
4 cellulosic biofuel, biomass-based
5 diesel, or advanced biofuel re-
6 quirements under paragraph (2).

7 “(iii) USE OF REVENUES.—Revenues
8 from the sale of renewable fuel credits
9 under this subparagraph shall be allocated
10 in accordance with the following:

11 “(I) $\frac{1}{3}$ shall be made available to
12 the Administrator to provide grants
13 and technical assistance to any person
14 with a renewable volume obligation
15 under paragraph (2) and partners of
16 those persons for purposes of sup-
17 porting investments in advanced
18 biofuels.

19 “(II) $\frac{1}{3}$ shall be made available
20 to the Secretary of Agriculture to pro-
21 vide financial and technical assistance
22 to agricultural producers for voluntary
23 investments in alternative crops and
24 diversified cropping systems.

1 “(III) $\frac{1}{3}$ shall be deposited into
2 the Habitat and Wildlife Restoration
3 Fund established by clause (iv)(I).

4 “(iv) HABITAT AND WILDLIFE RES-
5 TORTATION FUND.—

6 “(I) ESTABLISHMENT.—There is
7 established in the Treasury a fund, to
8 be known as the ‘Habitat and Wildlife
9 Restoration Fund’ (referred to in this
10 subparagraph as the ‘Fund’).

11 “(II) AMOUNTS.—The Fund
12 shall consist of—

13 “(aa) amounts deposited in
14 the Fund under clause (iii)(III);
15 and

16 “(bb) any amounts appro-
17 priated to the Fund.

18 “(III) USES.—

19 “(aa) IN GENERAL.—
20 Amounts in the Fund shall be
21 available, without further appro-
22 priation, to the Secretary of the
23 Interior, acting in consultation
24 with the Secretary of Agriculture,
25 for existing programs, the pur-

1 poses of which are to protect,
2 conserve, or restore the types of
3 habitat and wildlife that are most
4 impacted by the conversion of na-
5 tive habitat to crop production,
6 including grasslands, wetlands,
7 forests, and adjacent waterways
8 in areas that have experienced
9 significant expansion of corn and
10 soy production since January 1,
11 2007.

12 “(bb) AGREEMENT.—The
13 Secretary of the Interior and the
14 Secretary of Agriculture shall
15 jointly enter into an agreement
16 with the National Fish and Wild-
17 life Foundation to cooperatively
18 manage amounts in the Fund in
19 accordance with the National
20 Fish and Wildlife Foundation
21 Establishment Act (16 U.S.C.
22 3701 et seq.).”

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