

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

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

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**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”.

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

7 Section 211(o)(7) of the Clean Air Act (42 U.S.C.  
8 7545(o)(7)) is amended by adding at the end the following

1 “(G) CONVENTIONAL BIOFUEL.—

2 “(i) CONVENTIONAL BIOFUEL WAIVER  
3 CREDITS.—

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

10 “(II) ADJUSTMENTS FOR INFLA-  
11 TION.—As determined appropriate by  
12 the Administrator, the price referred  
13 to in subclause (I) shall be adjusted  
14 for inflation.

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

17 “(I) shall only be used for the  
18 purpose of complying with the re-  
19 quirement under paragraph (2) for  
20 the year for which the credit was sold;  
21 and

22 “(II) may not—

23 “(aa) be resold or trans-  
24 ferred to another person; or

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

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

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

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

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

1                   “(iv) HABITAT AND WILDLIFE RES-  
2                   TORTION FUND.—

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

8                   “(II) AMOUNTS.—The Fund  
9                   shall consist of—

10                   “(aa) amounts deposited in  
11                   the Fund under clause (iii)(III);  
12                   and

13                   “(bb) any amounts appro-  
14                   priated to the Fund.

15                   “(III) USES.—

16                   “(aa) IN GENERAL.—  
17                   Amounts in the Fund shall be  
18                   available, without further appro-  
19                   priation, to the Secretary of the  
20                   Interior, acting in consultation  
21                   with the Secretary of Agriculture,  
22                   for existing programs, the pur-  
23                   poses of which are to protect,  
24                   conserve, or restore the types of  
25                   habitat and wildlife that are most

1 impacted by the conversion of na-  
2 tive habitat to crop production,  
3 including grasslands, wetlands,  
4 forests, and adjacent waterways  
5 in areas that have experienced  
6 significant expansion of corn and  
7 soy production since January 1,  
8 2007.

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