

110TH CONGRESS
1ST SESSION

S. 331

To provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels.

IN THE SENATE OF THE UNITED STATES

JANUARY 18, 2007

Mr. THUNE (for himself, Mr. SALAZAR, and Mr. HAGEL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide grants from moneys collected from violations of the corporate average fuel economy program to be used to expand infrastructure necessary to increase the availability of alternative fuels.

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. ENERGY SECURITY FUND AND ALTERNATIVE**
4 **FUEL GRANT PROGRAM.**

5 (a) ESTABLISHMENT OF FUND.—

6 (1) IN GENERAL.—There is established in the
7 Treasury a fund, to be known as the “Energy Secu-

1 rity Fund” (referred to in this section as the
2 “Fund”), consisting of—

3 (A) amounts transferred to the Fund
4 under paragraph (2); and

5 (B) amounts credited to the Fund under
6 paragraph (3)(C).

7 (2) TRANSFERS TO FUND.—For fiscal year
8 2007 and each fiscal year thereafter, the Secretary
9 of the Treasury, subject to the availability of appro-
10 priations, shall transfer to the Fund an amount de-
11 termined by the Secretary of the Treasury to be
12 equal to 50 percent of the total amount deposited in
13 the general fund of the Treasury during the pre-
14 ceding fiscal year from fines, penalties, and other
15 funds obtained through enforcement actions con-
16 ducted pursuant to section 32912 of title 49, United
17 States Code (including funds obtained under consent
18 decrees).

19 (3) INVESTMENT OF AMOUNTS.—

20 (A) IN GENERAL.—The Secretary of the
21 Treasury shall invest in interest-bearing obliga-
22 tions of the United States such portion of the
23 Fund as is not, in the judgment of the Sec-
24 retary of the Treasury, required to meet cur-
25 rent withdrawals.

1 (B) SALE OF OBLIGATIONS.—Any obliga-
2 tion acquired by the Fund may be sold by the
3 Secretary of the Treasury at the market price.

4 (C) CREDITS TO FUND.—The interest on,
5 and the proceeds from the sale or redemption
6 of, any obligations held in the Fund shall be
7 credited to, and form a part of, the Fund in ac-
8 cordance with section 9602 of the Internal Rev-
9 enue Code of 1986.

10 (4) USE OF AMOUNTS IN FUND.—Amounts in
11 the Fund shall be made available to the Secretary of
12 Energy, subject to the availability of appropriations,
13 to carry out the grant program under subsection (b).

14 (b) ALTERNATIVE FUELS GRANT PROGRAM.—

15 (1) IN GENERAL.—Not later than 90 days after
16 the date of enactment of this Act, the Secretary of
17 Energy, acting through the Clean Cities Program of
18 the Department of Energy, shall establish and carry
19 out a program under which the Secretary shall pro-
20 vide grants to expand the availability to consumers
21 of alternative fuels (as defined in section 32901(a)
22 of title 49, United States Code).

23 (2) ELIGIBILITY.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), any entity that is eligible to

1 receive assistance under the Clean Cities Pro-
2 gram shall be eligible to receive a grant under
3 this subsection.

4 (B) EXCEPTIONS.—

5 (i) CERTAIN OIL COMPANIES.—A
6 large, vertically-integrated oil company
7 shall not be eligible to receive a grant
8 under this subsection.

9 (ii) PROHIBITION OF DUAL BENE-
10 FITS.—An entity that receives any other
11 Federal funds for the construction or ex-
12 pansion of alternative refueling infrastruc-
13 ture shall not be eligible to receive a grant
14 under this subsection for the construction
15 or expansion of the same alternative refuel-
16 ing infrastructure.

17 (C) ENSURING COMPLIANCE.—Not later
18 than 30 days after the date of enactment of
19 this Act, the Secretary of Energy shall promul-
20 gate regulations to ensure that, before receiving
21 a grant under this subsection, an eligible entity
22 meets applicable standards relating to the in-
23 stallation, construction, and expansion of infra-
24 structure necessary to increase the availability
25 to consumers of alternative fuels (as defined in

1 section 32901(a) of title 49, United States
2 Code).

3 (3) MAXIMUM AMOUNT.—

4 (A) GRANTS.—The amount of a grant pro-
5 vided under this subsection shall not exceed
6 \$30,000.

7 (B) AMOUNT PER STATION.—An eligible
8 entity shall receive not more than \$90,000
9 under this subsection for any station of the eli-
10 gible entity during a fiscal year.

11 (4) USE OF FUNDS.—

12 (A) IN GENERAL.—A grant provided under
13 this subsection shall be used for the construc-
14 tion or expansion of alternative fueling infra-
15 structure.

16 (B) ADMINISTRATIVE EXPENSES.—Not
17 more than 3 percent of the amount of a grant
18 provided under this subsection shall be used for
19 administrative expenses.

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