

118TH CONGRESS  
1ST SESSION

# H. R. 4576

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 HOUSE OF REPRESENTATIVES

JULY 12, 2023

Mr. FITZPATRICK (for himself, Mr. BOYLE of Pennsylvania, Mr. NORCROSS, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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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”.

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                   TORTION 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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