

110TH CONGRESS  
1ST SESSION

# S. 1491

To amend the Agricultural Risk Protection Act of 2000 to direct the Secretary of Agriculture to provide grants for the installation of E-85 fuel infrastructure, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 24, 2007

Ms. KLOBUCHAR (for herself, Mr. OBAMA, Mr. BOND, Mr. VOINOVICH, Ms. STABENOW, Mr. DURBIN, Mrs. MCCASKILL, Mrs. CLINTON, Mr. KERRY, Mr. BROWN, Mr. NELSON of Nebraska, and Mr. DORGAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To amend the Agricultural Risk Protection Act of 2000 to direct the Secretary of Agriculture to provide grants for the installation of E-85 fuel infrastructure, 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 “Ethanol Education and  
5   Expansion Act of 2007”.

1 **SEC. 2. E-85 FUEL EXPANSION PROGRAM.**

2 Section 231 of the Agricultural Risk Protection Act  
3 of 2000 (7 U.S.C. 1621 note; Public Law 106-224) is  
4 amended—

5 (1) by redesignating subsections (d) and (e) as  
6 subsections (e) and (f), respectively;

7 (2) in subsection (e) (as so redesignated), by  
8 striking “subsection (a) or (b)” and inserting “sub-  
9 section (b) or (c)”; and

10 (3) by inserting after subsection (c) the fol-  
11 lowing:

12 “(d) E-85 FUEL PROGRAM.—

13 “(1) DEFINITION OF E-85 FUEL.—In this sub-  
14 section, the term ‘E-85 fuel’ means a blend of gaso-  
15 line at least 85 percent (or any other percentage,  
16 but not less than 70 percent, as determined by the  
17 Secretary, by rule, to provide for requirements relat-  
18 ing to cold start, safety, or vehicle functions) of the  
19 content of which is derived from ethanol.

20 “(2) PROGRAM.—The Secretary shall make  
21 grants under this section to majority-controlled pro-  
22 ducer-based business ventures—

23 “(A) to install E-85 fuel infrastructure,  
24 including infrastructure necessary—

1 “(i) for the direct retail sale of E-85  
 2 fuel, including E-85 fuel pumps and stor-  
 3 age tanks; and

4 “(ii) to directly market E-85 fuel to  
 5 gas retailers, including in-line blending  
 6 equipment, pumps, storage tanks, and  
 7 load-out equipment; and

8 “(B) to provide subgrants to direct retail-  
 9 ers of E-85 fuel that are located in a rural area  
 10 (as defined in section 343(a) of the Consoli-  
 11 dated Farm and Rural Development Act (7  
 12 U.S.C. 1991(a))) for the purpose of installing  
 13 E-85 fuel infrastructure for the direct retail  
 14 sale of E-85 fuel, including E-85 fuel pumps  
 15 and storage tanks.

16 “(3) COST SHARING.—

17 “(A) GRANTS.—The amount of a grant  
 18 under this section shall be equal to 20 percent  
 19 of the total costs of the installation of the E-  
 20 85 fuel infrastructure, as determined by the  
 21 Secretary.

22 “(B) RELATIONSHIP TO OTHER FEDERAL  
 23 FUNDING.—The amount of a grant that a ma-  
 24 jority-controlled producer-based business ven-  
 25 ture receives under this section shall be reduced

by the amount of other Federal funding that the majority-controlled producer-based business venture receives for the same purpose, as determined by the Secretary.

“(C) LIMITATION.—Not more than 70 percent of the total costs of E–85 fuel infrastructure provided assistance under this section shall be provided by the Federal Government and State and local governments.

“(4) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this subsection \$20,000,000 for the period of fiscal years 2008 through 2012, to remain available until expended.”.

**SEC. 3. E–85 FUEL EDUCATION PROGRAM.**

Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding at the end the following:

**“SEC. 9012. E–85 FUEL EDUCATION PROGRAM.**

“(a) DEFINITION OF E–85 FUEL.—In this section, the term ‘E–85 fuel’ means a blend of gasoline at least 85 percent (or any other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehi-

1 cle functions) of the content of which is derived from eth-  
 2 nol.

3 “(b) ESTABLISHMENT.—The Secretary shall estab-  
 4 lish a program to make competitive grants to eligible enti-  
 5 ties to provide education to governmental and private enti-  
 6 ties that operate vehicle fleets, other interested entities (as  
 7 determined by the Secretary), and the public about the  
 8 benefits of E-85 fuel use.

9 “(c) ELIGIBLE ENTITIES.—To be eligible to receive  
 10 a grant under subsection (b), an entity shall—

11 “(1) be a nonprofit organization or institution  
 12 of higher education (as defined in section 101 of the  
 13 Higher Education Act of 1965 (20 U.S.C. 1001));

14 “(2) have demonstrated knowledge of E-85 fuel  
 15 production, use, or distribution; and

16 “(3) have demonstrated the ability to conduct  
 17 educational and technical support programs.

18 “(d) CONSULTATION.—In carrying out this section,  
 19 the Secretary shall consult with the Secretary of Energy.

20 “(e) FUNDING.—Of the funds of the Commodity  
 21 Credit Corporation, the Secretary shall make available to  
 22 carry out this section \$1,000,000 for each of fiscal years  
 23 2008 through 2012, to remain available until expended.”.

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