

111TH CONGRESS  
1ST SESSION

# S. 224

To promote economic recovery through green jobs and infrastructure, and  
for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JANUARY 13, 2009

Ms. STABENOW (for herself and Mr. BROWN) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

---

## A BILL

To promote economic recovery through green jobs and  
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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Green Jobs and Infrastructure Act of 2009”.

6 (b) TABLE OF CONTENTS.—The table of contents of  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—CLEAN TECHNOLOGY MANUFACTURING INCENTIVE  
PROGRAM

Sec. 101. Clean technology manufacturing incentive program.

**TITLE II—ADVANCED TECHNOLOGY VEHICLES MANUFACTURING  
INCENTIVE PROGRAM**

Sec. 201. Advanced technology vehicles manufacturing incentive program.

**TITLE III—ENERGY EFFICIENCY AND CONSERVATION BLOCK  
GRANTS**

Sec. 301. Energy efficiency and conservation block grants.

**TITLE IV—GREEN ENERGY JOBS**

Sec. 401. Clean Energy Service Corps.

Sec. 402. Green jobs.

**1 SEC. 2. DEFINITION OF SECRETARY.**

2 In this Act, the term “Secretary” means the Sec-  
3 retary of Energy.

**4 TITLE I—CLEAN TECHNOLOGY  
5 MANUFACTURING INCENTIVE  
6 PROGRAM**

**7 SEC. 101. CLEAN TECHNOLOGY MANUFACTURING INCEN-  
8 TIVE PROGRAM.**

9 (a) LOANS.—The Secretary shall provide loans to  
10 manufacturers to help finance the cost of—

11 (1) reequipping, expanding, or establishing (in-  
12 cluding applicable engineering costs) a manufac-  
13 turing facility in the United States to produce clean  
14 technology products and the significant component  
15 parts of those products, including—

16 (A) wind turbines;

17 (B) solar energy products;

18 (C) fuel cells;

1 (D) advanced batteries and storage de-  
 2 vices;

3 (E) biomass engines;

4 (F) geothermal equipment;

5 (G) ocean energy equipment;

6 (H) carbon capture and storage;

7 (I) energy efficiency products, including  
 8 appliances and products that are used to in-  
 9 crease energy efficiency by at least 30 percent  
 10 over a baseline product (and significant compo-  
 11 nents of the appliances and products), subject  
 12 to the condition that the parts shall be integral  
 13 to the overall efficiency of the end product; and

14 (J) products for retrofitting a manufac-  
 15 turing facility to improve industrial processes  
 16 and create greater energy efficiency through the  
 17 use of technologies, including—

18 (i) combined heat and power systems;

19 (ii) natural gas pressure recovery;

20 (iii) advanced cogeneration;

21 (iv) gasification;

22 (v) anaerobic digestion; and

23 (vi) landfill gas recovery; and

24 (2) improving the energy-efficiency of the in-  
 25 dustrial processes of the manufacturers other than

1 through the production of products and component  
2 parts described in paragraph (1)(J).

3 (b) PERIOD OF AVAILABILITY.—A loan under sub-  
4 section (a) shall apply to—

5 (1) facilities and equipment placed in service  
6 before December 30, 2012; and

7 (2) clean technology retooling costs, retrofitting  
8 costs, worker training costs, and other costs de-  
9 scribed in subsection (a) incurred during the period  
10 beginning on the date of enactment of this Act and  
11 ending on December 30, 2020.

12 (c) DIRECT LOAN PROGRAM.—

13 (1) IN GENERAL.—Not later than 1 year after  
14 the date of enactment of this Act, subject to the  
15 availability of appropriated funds, the Secretary  
16 shall carry out a program to provide a total of not  
17 more than \$50,000,000,000 in loans to eligible indi-  
18 viduals and entities (as determined by the Secretary)  
19 for the costs of activities described in subsection (a).

20 (2) APPLICATION.—An applicant for a loan  
21 under this section shall submit to the Secretary an  
22 application at such time, in such manner, and con-  
23 taining such information as the Secretary may re-  
24 quire, including a written assurance that the wages  
25 and benefits that will be provided to each individual

1 that is employed by the applicant (including a con-  
 2 tractor or subcontractor) in carrying out activities  
 3 described in subsection (a) are at least equal to the  
 4 average in the area, as determined by the Secretary.

5 (3) SELECTION OF ELIGIBLE PROJECTS.—The  
 6 Secretary shall select eligible projects to receive  
 7 loans under this subsection in cases in which, as de-  
 8 termined by the Secretary, the loan recipient—

9 (A) has a viable market for the product or  
 10 component described in subsection (a);

11 (B) will provide sufficient information to  
 12 the Secretary for the Secretary to ensure that  
 13 the qualified investment is expended efficiently  
 14 and effectively;

15 (C) will provide such information as the  
 16 Secretary may request to demonstrate that the  
 17 qualified investment will preserve or create jobs;  
 18 and

19 (D) has met such other criteria as may be  
 20 established and published by the Secretary.

21 (4) RATES, TERMS, AND REPAYMENT OF  
 22 LOANS.—A loan provided under this subsection—

23 (A) shall have an interest rate that, as of  
 24 the date on which the loan is made, is equal to  
 25 the cost of funds to the Department of the

1 Treasury for obligations of comparable matu-  
2 rity;

3 (B) shall have a term equal to the lesser  
4 of—

5 (i) the projected life, in years, of the  
6 eligible project to be carried out using  
7 funds from the loan, as determined by the  
8 Secretary; and

9 (ii) 25 years;

10 (C) may be subject to a deferral in repay-  
11 ment for not more than 5 years after the date  
12 on which the eligible project carried out using  
13 funds from the loan first begins operations, as  
14 determined by the Secretary;

15 (D) shall be made by the Federal Financ-  
16 ing Bank; and

17 (E) shall be repaid in full if the loan re-  
18 cipient moves production of activities described  
19 in subsection (a) outside of the United States  
20 during the term of the loan.

21 (5) FEES.—Administrative costs shall be no  
22 more than \$100,000 or 10 basis point of the loan.

23 (d) PRIORITY.—In making loans to manufacturers  
24 under this section, the Secretary—

1           (1) shall give priority to those facilities that are  
2       located in regions with the highest unemployment  
3       rates; and

4           (2) may provide awards or loan to facilities that  
5       are idle.

6       (e) MANUFACTURING EXTENSION PARTNERSHIP  
7 PROGRAM.—In carrying out this section, the Secretary  
8 shall coordinate with the Secretary of Commerce in car-  
9 rying out the Manufacturing Extension Partnership pro-  
10 gram established under sections 25 and 26 of the National  
11 Institute of Standards and Technology Act (15 U.S.C.  
12 278k, 278l).

13       (f) FUNDING.—

14           (1) IN GENERAL.—Notwithstanding any other  
15 provision of law, not later than 30 days after the  
16 date of enactment of this Act, on October 1, 2009,  
17 and on each October 1 thereafter through October 1,  
18 2012, out of any funds in the Treasury not other-  
19 wise appropriated, the Secretary of the Treasury  
20 shall transfer to the Secretary for the cost of loans  
21 and loan guarantees to carry out this section such  
22 sums as are necessary to provide the amount of  
23 loans authorized under subsection (c)(1), to remain  
24 available until expended.

1           (2) RECEIPT AND ACCEPTANCE.—The Sec-  
 2       retary shall be entitled to receive, shall accept, and  
 3       shall use to carry out this section the funds trans-  
 4       ferred under paragraph (1), without further appro-  
 5       priation.

6       **TITLE II—ADVANCED TECH-**  
 7       **NOLOGY VEHICLES MANU-**  
 8       **FACTURING INCENTIVE PRO-**  
 9       **GRAM**

10   **SEC. 201. ADVANCED TECHNOLOGY VEHICLES MANUFAC-**  
 11       **TURING INCENTIVE PROGRAM.**

12       Section 136 of the Energy Independence and Security  
 13   Act of 2007 (42 U.S.C. 17013) is amended—

14           (1) in subsection (b), by striking “30 percent”  
 15       and inserting “80 percent”; and

16           (2) in subsection (i)—

17               (A) by striking “(i) AUTHORIZATION OF  
 18       APPROPRIATIONS.—There” and inserting the  
 19       following:

20       “(i) FUNDING.—

21           “(1) AUTHORIZATION OF APPROPRIATIONS.—  
 22       There”; and

23               (B) by adding at the end the following:

24       “(2) MANDATORY FUNDING.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, not later than 30 days after the date of enactment of this paragraph, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary for the cost of awards and loans to carry out this section \$1,000,000,000, to remain available until expended.

“(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subparagraph (A), without further appropriation.”.

## **TITLE III—ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS**

### **SEC. 301. ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS.**

Section 548 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17158) is amended by striking subsection (a) and inserting the following:

“(a) MANDATORY FUNDING.—

“(1) IN GENERAL.—Not later than 30 days after the date of enactment of the Green Jobs and

1       Infrastructure Act of 2009, on October 1, 2009, and  
2       on each October 1 thereafter through October 1,  
3       2011, out of any funds in the Treasury not other-  
4       wise appropriated, the Secretary of the Treasury  
5       shall transfer to the Secretary to carry out the pro-  
6       gram \$10,000,000,000, to remain available until ex-  
7       pended.

8               “(2) RECEIPT AND ACCEPTANCE.—The Sec-  
9       retary shall be entitled to receive, shall accept, and  
10      shall use to carry out the program the funds trans-  
11      ferred under paragraph (1), without further appro-  
12      priation.

13              “(3) ALLOCATION OF GRANTS FUNDS.—Of the  
14      amount of funds made available for grants under the  
15      program for a fiscal year under this subsection—

16              “(A) 49 percent of the amount shall be  
17      distributed using the definition of eligible unit  
18      of local government-alternative 1 in section  
19      541(3)(A); and

20              “(B) 49 percent of the amount shall be  
21      distributed using the definition of eligible unit  
22      of local government-alternative 2 in section  
23      541(3)(B).”.

# 1 **TITLE IV—GREEN ENERGY JOBS**

## 2 **SEC. 401. CLEAN ENERGY SERVICE CORPS.**

3 Section 122(a) of the National and Community Serv-  
4 ice Act of 1990 (42 U.S.C. 12572(a)) is amended—

5 (1) by redesignating paragraph (15) as para-  
6 graph (16); and

7 (2) by inserting after paragraph (14) the fol-  
8 lowing:

9 “(15) A Clean Energy Service Corps program  
10 in which—

11 “(A) participants—

12 “(i) encourage or promote clean en-  
13 ergy technologies; or

14 “(ii) enable communities and non-  
15 profit organizations to assist business own-  
16 ers and households in matters relating to  
17 clean energy technologies, and in becoming  
18 more energy efficient; and

19 “(B) priority is provided for programs that  
20 enroll corps participants who will be trained for  
21 careers that promote a sustainable economy.”.

## 22 **SEC. 402. GREEN JOBS.**

23 Section 171(e)(8) of the Workforce Investment Act  
24 of 1998 (29 U.S.C. 2916(e)(8)) is amended—

1           (1) by redesignating subparagraphs (A), (B),  
 2           and (C) as clauses (i), (ii), and (iii), respectively,  
 3           and indenting appropriately; and

4           (2) by striking “(8)” and all that follows  
 5           through “of which—” and inserting the following:

6           “(8) FUNDING.—

7           “(A) MANDATORY FUNDING.—

8                   “(i) IN GENERAL.—Not later than 30  
 9                   days after the date of enactment of the  
 10                  Green Jobs and Infrastructure Act of  
 11                  2009, out of any funds in the Treasury not  
 12                  otherwise appropriated, the Secretary of  
 13                  the Treasury shall transfer to the Sec-  
 14                  retary to carry out this subsection  
 15                  \$625,000,000, to remain available until ex-  
 16                  pended.

17                  “(ii) RECEIPT AND ACCEPTANCE.—

18                  The Secretary shall be entitled to receive,  
 19                  shall accept, and shall use to carry out this  
 20                  subsection the funds transferred under  
 21                  clause (i), without further appropriation.

22                  “(B) DISCRETIONARY FUNDING.—There is  
 23                  authorized to be appropriated to carry out this  
 24                  subsection \$125,000,000 for fiscal year 2010  
 25                  and each subsequent fiscal year.

1                   “(C) ALLOCATION.—Of the amount avail-  
2                   able under subparagraph (A) or (B) for a fiscal  
3                   year—”.

○