

111TH CONGRESS
2D SESSION

S. 3936

To establish a competitive grant program in the Department of Energy to provide grants to States and units of local government to carry out clean energy and carbon reduction measures, to close big oil company tax loopholes to pay for the competitive grant program and reduce the deficit, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Mr. BENNET introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To establish a competitive grant program in the Department of Energy to provide grants to States and units of local government to carry out clean energy and carbon reduction measures, to close big oil company tax loopholes to pay for the competitive grant program and reduce the deficit, 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 “States as Energy
5 Leaders for the Future Act” or “SELF Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ELIGIBLE ENTITY.**—The term “eligible enti-
4 ty” means an entity described in section 3(b).

5 (2) **SECRETARY.**—The term “Secretary” means
6 the Secretary of Energy.

7 **SEC. 3. CLEAN ENERGY GRANT PROGRAM.**

8 (a) **IN GENERAL.**—There is established in the De-
9 partment of Energy a program to provide grants to eligi-
10 ble entities, on a competitive basis, to develop and carry
11 out clean energy and carbon reduction measures, such
12 as—

13 (1) renewable electricity standards;

14 (2) regional or statewide climate action plans;

15 (3) the use of hybrid, electric, compressed nat-
16 ural gas, or fuel cell vehicles in State or local fleets;

17 (4) measures to increase the percentage of pub-
18 lic buildings of the eligible entity that are certified
19 with respect to standards for energy efficiency;

20 (5) participation in a regional greenhouse gas
21 reduction program;

22 (6) facilitation of on-bill financing for energy
23 efficiency improvements for residences and business
24 served by rural coops;

1 (7) provision of State tax incentives for the
2 manufacture or installation of clean energy compo-
3 nents or energy efficiency upgrades;

4 (8) provision of innovative financing mecha-
5 nisms to private sector entities to encourage the de-
6 ployment of clean energy technologies;

7 (9) implementation of best management prac-
8 tices for the public utility commission of an eligible
9 entity;

10 (10) improvement and updating of grid tech-
11 nology; and

12 (11) implementation of carbon efficiency stand-
13 ards.

14 (b) ELIGIBLE ENTITIES.—To be eligible to receive a
15 grant under this section, a State or unit of local govern-
16 ment, or a regional consortium comprised of States or
17 units of local governments, in partnership with private sec-
18 tor and nongovernmental organization partners, shall—

19 (1) meet any requirements established by the
20 Secretary under subsection (e); and

21 (2) submit an application to the Secretary at
22 such time, in such form, and containing such infor-
23 mation as the Secretary may require.

1 (c) AWARD.—The Secretary shall determine which el-
2 igible entities shall receive grants and the amount of the
3 grants provided based on—

4 (1) the information provided in an application
5 submitted under subsection (b)(2); and

6 (2) any criteria for reviewing and ranking appli-
7 cations developed by the Secretary by regulation
8 under subsection (e).

9 (d) USE OF FUNDS.—Grant funds provided under
10 this section shall only be used for eligible uses specified
11 by the Secretary by regulation under subsection (e).

12 (e) REGULATIONS.—

13 (1) IN GENERAL.—As soon as practicable after
14 the date of enactment of this Act, the Secretary
15 shall issue regulations that establish criteria for
16 grants under this section, including specifying the
17 types of measures that are eligible for grants, estab-
18 lishing application criteria, and developing a point
19 system to assist the Secretary in reviewing and
20 ranking grant applications.

21 (2) CONSIDERATIONS.—In developing the regu-
22 lations under paragraph (1), the Secretary shall take
23 into account—

24 (A) regional disparities in the ways in
25 which energy is produced and used; and

1 (B) the clean energy resource potential of
 2 the measures.

3 (f) EXPLANATION.—As soon as practicable after the
 4 date of enactment of this Act, the Secretary shall publish
 5 in the Federal Register an explanation of the manner by
 6 which grants awarded under subsection (c) would ensure
 7 an objective evaluation based on the criteria regulations
 8 promulgated under subsection (e)(1).

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

10 There is authorized to be appropriated to the Sec-
 11 retary for fiscal year 2011 to carry out this Act
 12 \$5,000,000,000, to remain available until expended.

13 **SEC. 5. COST OFFSET FOR CLEAN ENERGY GRANT PRO-**
 14 **GRAM, AND DEFICIT REDUCTION, RESULTING**
 15 **FROM DENIAL OF DEDUCTION FOR MAJOR**
 16 **INTEGRATED OIL COMPANIES FOR INCOME**
 17 **ATTRIBUTABLE TO DOMESTIC PRODUCTION**
 18 **OF OIL, GAS, OR PRIMARY PRODUCTS THERE-**
 19 **OF.**

20 (a) IN GENERAL.—Subparagraph (B) of section
 21 199(c)(4) of the Internal Revenue Code of 1986 is amend-
 22 ed by striking “or” at the end of clause (ii), by striking
 23 the period at the end of clause (iii) and inserting “, or”,
 24 and by inserting after clause (iii) the following new clause:

1 “(iv) in the case of a taxpayer which
 2 is a major integrated oil company (as de-
 3 fined in section 167(h)(5)(B)), oil related
 4 qualified production activities (within the
 5 meaning of subsection (d)(9)(B)).”.

6 (b) CONFORMING AMENDMENT.—Section
 7 199(d)(9)(A) of the Internal Revenue Code of 1986 is
 8 amended by inserting “(other than a major integrated oil
 9 company (as defined in section 167(h)(5)(B))” after “tax-
 10 payer”.

11 (c) EFFECTIVE DATE.—The amendments made by
 12 this section shall apply to taxable years beginning after
 13 December 31, 2010.

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