

AMENDMENT TO H.R. 3221
OFFERED BY MR. ENGEL OF NEW YORK

In title IX, add at the end the following new subtitle:

1 **Subtitle G—Oil Savings and Fuel**
2 **Choice Action Plan**

3 **SEC. 9601. OIL SAVINGS TARGET AND ACTION PLAN.**

4 Not later than 270 days after the date of enactment
5 of this Act, the Director of the Office of Management and
6 Budget (referred to in this subtitle as the “Director”)
7 shall publish in the Federal Register an action plan consisting of—
8

9 (1) a list of requirements proposed or to be proposed
10 pursuant to section 9603 that are authorized
11 to be issued under law in effect on the date of enactment of this Act, and this subtitle, that will be sufficient, when taken together, to save from the baseline
12 determined under section 9606—
13

14 (A) 2,500,000 barrels of oil per day on average during calendar year 2015; and
15

16 (B) 5,000,000 barrels of oil per day on average during calendar year 2025; and
17
18

1 (2) a Federal Government-wide analysis dem-
2 onstrating—

3 (A) the expected oil savings from the base-
4 line to be accomplished by each requirement;
5 and

6 (B) that all such requirements, taken to-
7 gether, will achieve the oil savings specified in
8 this section.

9 **SEC. 9602. FUEL CHOICE ACTION PLAN.**

10 (a) **ACTION PLAN.**—Not later than 1 year after the
11 date of enactment of this Act, the Secretary of Energy
12 shall transmit to the Congress an action plan detailing
13 specific plans to ensure that—

14 (1) not later than December 31, 2015, not less
15 than 10 percent of the Nation's total ground trans-
16 portation fuel demand can be supplied by fuels de-
17 rived from sources other than oil; and

18 (2) not later than December 31, 2025, not less
19 than 20 percent of the Nation's total ground trans-
20 portation fuel demand can be supplied by fuels de-
21 rived from sources other than oil.

22 (b) **FUELS.**—The action plan may include plans for
23 the use of fuels such as ethanol, methanol, biodiesel, hy-
24 drogen, and electricity. The plan shall seek to the fullest
25 extent practicable to meet the following goals:

1 (1) Not less than 50 percent of the fuels will
 2 be derived from renewable resources.

3 (2) Not less than 50 percent of the fuels shall
 4 be produced from domestic resources.

5 (c) RENEWABLE CONTENT IN TRANSPORTATION
 6 FUELS.—Section 211(o) of the Clean Air Act (42 U.S.C.
 7 7545(o)) is amended—

8 (1) in paragraph (2)(B)—

9 (A) in clause (i)—

10 (i) by striking “2012” and inserting
 11 “2015” in the heading;

12 (ii) by striking “2012” and inserting
 13 “2015”; and

14 (iii) by amending the table to read as
 15 follows:

“Calendar year	Applicable volume of renewable fuel (in billions of gallons)
2006	4.0
2007	4.7
2008	5.4
2009	6.1
2010	6.8
2011	8.0
2012	9.0
2013	11.0
2014	13.0
2015	15.0”;

16 (B) in clause (ii)—

17 (i) by striking “2013” and inserting
 18 “2016” in the heading;

1 (ii) by striking “2013” and inserting
2 “2016”; and

3 (iii) by striking “2012” and inserting
4 “2015”;

5 (C) in clause (iii), by striking “2013” and
6 inserting “2016”; and

7 (D) in clause (iv)—

8 (i) by striking “2013” and inserting
9 “2016”; and

10 (ii) by striking “2012” and inserting
11 “2015”;

12 (2) in paragraph (3)(A), by striking “2011”
13 and inserting “2014”;

14 (3) in paragraph (3)(B)(i), by striking “2012”
15 and inserting “2015”; and

16 (4) in paragraph (6)(A), by striking “2012”
17 and inserting “2015”.

18 **SEC. 9603. STANDARDS AND REQUIREMENTS.**

19 (a) **IN GENERAL.**—On or before the date by which
20 publication of the action plan is required under section
21 9601, the Secretary of Energy, the Secretary of Transpor-
22 tation, the Secretary of Defense, the Secretary of Agri-
23 culture, the Administrator of the Environmental Protec-
24 tion Agency, and the head of any other agency authorized
25 to take an action listed in the action plan shall each pro-

1 pose, or issue a notice of intent to propose, regulations
2 establishing each standard or other requirement listed in
3 the action plan that is under the jurisdiction of the respec-
4 tive agency using authorities described in subsection (b).
5 If a notice of intent to propose is issued, the head of the
6 responsible agency shall propose such regulations not later
7 than 330 days after the date of enactment of this Act.

8 (b) AUTHORITIES.—The head of each agency de-
9 scribed in subsection (a) shall use to carry out this sec-
10 tion—

11 (1) any authority in existence on the date of en-
12 actment of this Act (including regulations); and

13 (2) any new authority provided under this sub-
14 title (including an amendment made by this sub-
15 title).

16 (c) FINAL REGULATIONS.—Not later than 18 months
17 after the date of enactment of this Act, the head of each
18 agency described in subsection (a) shall promulgate final
19 versions of the regulations required under this section.

20 (d) CONTENT OF REGULATIONS.—Each proposed
21 and final regulation promulgated under this section
22 shall—

23 (1) be sufficient to achieve at least the oil sav-
24 ings resulting from the regulation under the action
25 plan published under section 9601; and

1 (2) be accompanied by an analysis by the appli-
2 cable agency demonstrating that the regulation will
3 achieve such oil savings, as measured from the base-
4 line determined under section 9606.

5 **SEC. 9604. EVALUATION.**

6 (a) **IN GENERAL.**—Not later than 2 years after the
7 date of enactment of this Act, and after an opportunity
8 for public comment, the Director shall publish in the Fed-
9 eral Register a Federal Government-wide analysis of the
10 oil savings achieved and the expected oil savings under the
11 standards and requirements established under this subtitle
12 and the amendments made by this subtitle from the base-
13 line established under section 9606, and a determination
14 whether such oil savings will meet the targets established
15 under section 9601.

16 (b) **INADEQUATE OIL SAVINGS.**—If the oil savings
17 are less than the targets established under section 9601,
18 simultaneously with the analysis required under sub-
19 section (a)—

20 (1) the Director shall publish a revised action
21 plan that is sufficient to achieve the targets; and

22 (2) the head of each agency referred to in sec-
23 tion 9603(a) shall propose new or revised regula-
24 tions sufficient to achieve such targets under section
25 9603(a).

1 (c) FINAL REGULATIONS.—Not later than 180 days
2 after the date on which regulations are proposed under
3 subsection (b)(2), the head of each agency shall promul-
4 gate final versions of those regulations that comply with
5 section 9603(d).

6 **SEC. 9605. REVIEW AND UPDATE OF ACTION PLAN.**

7 (a) REVIEW.—Not later than January 1, 2011, and
8 every 3 years thereafter, the Director shall publish a re-
9 port that—

10 (1) evaluates the progress achieved in imple-
11 menting the oil savings targets established under
12 section 9601;

13 (2) analyzes the expected oil savings under the
14 standards and requirements established under this
15 subtitle and the amendments made by this subtitle;
16 and

17 (3)(A) analyzes the potential to achieve oil sav-
18 ings that are in addition to the savings required by
19 section 9601; and

20 (B) if the President determines that it is in the
21 national interest, establishes a higher oil savings tar-
22 get for calendar year 2017 or any subsequent cal-
23 endar year.

24 (b) INADEQUATE OIL SAVINGS.—If the oil savings
25 are less than the targets established under section 9601,

1 simultaneously with the report required under subsection

2 (a)—

3 (1) the Director shall publish a revised action
4 plan that is sufficient to achieve the targets; and

5 (2) the head of each agency referred to in sec-
6 tion 9603(a) shall propose new or revised regula-
7 tions sufficient to achieve such targets under section
8 9603(a).

9 (c) FINAL REGULATIONS.—Not later than 180 days
10 after the date on which regulations are proposed under
11 subsection (b)(2), the head of each agency referred to in
12 section 9603(a) shall promulgate final versions of those
13 regulations that comply with section 9603(d).

14 **SEC. 9606. BASELINE AND ANALYSIS REQUIREMENTS.**

15 In performing the analyses and promulgating pro-
16 posed or final regulations to establish standards and other
17 requirements necessary to achieve the oil savings required
18 by this subtitle, the Director, the Secretary of Energy, the
19 Secretary of Transportation, the Secretary of Defense, the
20 Secretary of Agriculture, the Administrator of the Envi-
21 ronmental Protection Agency, and the head of any other
22 agency authorized to take an action listed in the action
23 plan shall—

24 (1) determine oil savings as the projected re-
25 duction in oil consumption from the baseline estab-

1 lished by the reference case contained in the report
2 of the Energy Information Administration entitled
3 “Annual Energy Outlook 2006”;

4 (2) determine the oil savings projections re-
5 quired on an annual basis for each of calendar years
6 2009 through 2026; and

7 (3) account for any overlap among the stand-
8 ards and other requirements to ensure that the pro-
9 jected oil savings from all the promulgated stand-
10 ards and requirements, taken together, are as accu-
11 rate as practicable.

12 **SEC. 9607. REVIEW AND SCORING OF FEDERAL ACTIONS**
13 **RELATED TO OIL SAVINGS ACTION PLAN.**

14 (a) OFFICE OF MANAGEMENT AND BUDGET.—

15 (1) REQUIREMENT.—The Director shall—

16 (A) establish procedures to evaluate all
17 proposals for Federal legislative or executive ac-
18 tions which could be reasonably considered to
19 impact the supply or demand of oil in the
20 United States; and

21 (B) report to the Congress on the net im-
22 pact the reviewed proposal would have on
23 reaching the goals of the action plan required
24 under section 9601, including a score in terms
25 of projected decreases or increases to oil usage.

1 (2) CONCLUSIONS.—The conclusions of the Di-
2 rector under paragraph (1) shall also be published in
3 the public record and considered as part of any rule-
4 making procedure or impact statement.

5 (b) COMPTROLLER GENERAL.—

6 (1) REQUIREMENT.—The Comptroller General
7 shall—

8 (A) establish procedures to evaluate all
9 proposals for Federal legislative or executive ac-
10 tions which could be reasonably considered to
11 impact the supply or demand of oil in the
12 United States; and

13 (B) report to the Congress on the net im-
14 pact the reviewed proposal would have on
15 reaching the goals of the action plan required
16 under section 9601, including a score in terms
17 of projected decreases or increases to oil usage.

18 (2) CONCLUSIONS.—The conclusions of the
19 Comptroller General under paragraph (1) shall also
20 be published in the public record and considered as
21 part of any rulemaking procedure or impact state-
22 ment.

23 **SEC. 9608. FEDERAL GOVERNMENT OIL USAGE AUDIT.**

24 Not later than 2 years after the date of enactment
25 of this Act, each Federal agency shall complete an audit

1 of oil-derived fuel usage in the agency. The head of the
2 agency shall establish an oil usage baseline and develop
3 a plan to reduce oil consumption by 10 percent over 5
4 years and 20 percent in 10 years. The Secretary of Energy
5 shall compile an annual report containing all agency re-
6 ports and recommendations under this section and deliver
7 it to the Congress not later than January 31 of each year.

8 **SEC. 9609. NATIONWIDE MEDIA CAMPAIGN TO DECREASE**
9 **OIL CONSUMPTION.**

10 (a) IN GENERAL.—The Secretary of Energy, acting
11 through the Assistant Secretary for Energy Efficiency and
12 Renewable Energy (referred to in this section as the “Sec-
13 retary”), shall develop and conduct a national media cam-
14 paign for the purpose of decreasing oil consumption in the
15 United States over the next decade.

16 (b) CONTRACT WITH ENTITY.—The Secretary shall
17 carry out subsection (a) directly or through—

18 (1) competitively bid contracts with 1 or more
19 nationally recognized media firms for the develop-
20 ment and distribution of monthly television, radio,
21 and newspaper public service announcements; or

22 (2) collective agreements with 1 or more nation-
23 ally recognized institutes, businesses, or nonprofit
24 organizations for the funding, development, and dis-

1 tribution of monthly television, radio, and newspaper
2 public service announcements.

3 (c) USE OF FUNDS.—

4 (1) IN GENERAL.—Amounts made available to
5 carry out this section shall be used for the following:

6 (A) ADVERTISING COSTS.—

7 (i) The purchase of media time and
8 space.

9 (ii) Creative and talent costs.

10 (iii) Testing and evaluation of adver-
11 tising.

12 (iv) Evaluation of the effectiveness of
13 the media campaign.

14 (v) The negotiated fees for the win-
15 ning bidder on requests from proposals
16 issued either by the Secretary for purposes
17 otherwise authorized in this section.

18 (vi) Entertainment industry outreach,
19 interactive outreach, media projects and
20 activities, public information, news media
21 outreach, and corporate sponsorship and
22 participation.

23 (B) ADMINISTRATIVE COSTS.—Operational
24 and management expenses.

1 (2) LIMITATIONS.—In carrying out this section,
2 the Secretary shall allocate not less than 85 percent
3 of funds made available under subsection (e) for
4 each fiscal year for the advertising functions speci-
5 fied under paragraph (1)(A).

6 (d) REPORTS.—The Secretary shall annually submit
7 to Congress a report that describes—

8 (1) the strategy of the national media campaign
9 and whether specific objectives of the campaign were
10 accomplished, including—

11 (A) determinations concerning the rate of
12 change of oil consumption, in both absolute and
13 per capita terms; and

14 (B) an evaluation that enables consider-
15 ation whether the media campaign contributed
16 to reduction of oil consumption;

17 (2) steps taken to ensure that the national
18 media campaign operates in an effective and effi-
19 cient manner consistent with the overall strategy
20 and focus of the campaign;

21 (3) plans to purchase advertising time and
22 space;

23 (4) policies and practices implemented to ensure
24 that Federal funds are used responsibly to purchase

1 advertising time and space and eliminate the poten-
2 tial for waste, fraud, and abuse; and

3 (5) all contracts or cooperative agreements en-
4 tered into with a corporation, partnership, or indi-
5 vidual working on behalf of the national media cam-
6 paign.

7 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$5,000,000 for each of fiscal years 2009 through 2013.

Amend the table of contents accordingly.