

107TH CONGRESS  
1ST SESSION

# S. 883

To ensure the energy self-sufficiency of the United States by 2011, and  
for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 15, 2001

Mr. DODD 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 ensure the energy self-sufficiency of the United States  
by 2011, 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 “Energy Independence  
5       Act of 2001”.

6       **SEC. 2. DOMESTIC ENERGY SELF-SUFFICIENCY PLAN.**

7       (a) STRATEGIC PLAN.—

8               (1) IN GENERAL.—Not later than 1 year after  
9       the date of enactment of this Act, the Secretary of  
10      Energy shall develop and submit to Congress a stra-

1        tegic plan to ensure that the United States is energy  
2        self-sufficient by the year 2011.

3            (2) RECOMMENDATIONS.—The plan developed  
4        under paragraph (1) shall include recommendations  
5        for legislative and regulatory actions needed to  
6        achieve the goal of the plan described in that para-  
7        graph.

8            (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
9        authorized to be appropriated to carry out this section  
10       \$20,000,000.

11   **SEC. 3. FEDERAL GOVERNMENT FUEL CELL PILOT PRO-**  
12                                   **GRAM.**

13            (a) PROGRAM.—The Secretary of Energy shall estab-  
14        lish a program for the acquisition, for use at federally  
15        owned or operated facilities, of—

16            (1) not to exceed 100 commercially available  
17        200 kilowatt fuel cell power plants;

18            (2) not to exceed 20 megawatts of power gen-  
19        erated from commercially available fuel cell power  
20        plants; or

21            (3) a combination of the power plants described  
22        in paragraphs (1) and (2).

23            (b) FUNDING.—The Secretary shall provide funding  
24        and any other necessary assistance for the purchase, site  
25        engineering, installation, startup, training, operation, and

1 maintenance costs associated with the acquisition of the  
2 power plants under subsection (a).

3 (c) DOMESTIC ASSEMBLY.—All fuel cell systems and  
4 fuel cell stacks in power plants acquired, or from which  
5 power is acquired, under subsection (a) shall be assembled  
6 in the United States.

7 (d) SITE SELECTION.—In the selection of a federally  
8 owned or operated facility as a site for the location of a  
9 power plant acquired under this section, or as a site to  
10 receive power acquired under this section, priority shall  
11 be given to a site with 1 or more of the following at-  
12 tributes:

13 (1) A location in an area classified as a non-  
14 attainment area under title I of the Clean Air Act  
15 (42 U.S.C. 7401 et seq.).

16 (2) Computer or electronic operations that are  
17 sensitive to power supply disruptions.

18 (3) A need for a reliable, uninterrupted power  
19 supply.

20 (4) A remote location or other factors requiring  
21 off-grid power generation.

22 (5) Critical manufacturing or other activities  
23 that support national security efforts.

24 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
25 authorized to be appropriated to carry out this section

1 \$140,000,000 for the period of fiscal years 2002 through  
2 2004.

3 **SEC. 4. PROTON EXCHANGE MEMBRANE DEMONSTRATION**  
4 **PROGRAMS.**

5 (a) IN GENERAL.—

6 (1) ESTABLISHMENT.—The President, in co-  
7 ordination with the Secretary of Energy, the Sec-  
8 retary of Transportation, the Secretary of Defense,  
9 and the Secretary of Housing and Urban Develop-  
10 ment, shall establish a program for the demonstra-  
11 tion of fuel cell proton exchange membrane tech-  
12 nology in the areas of responsibility of those Secre-  
13 taries with respect to commercial, residential, and  
14 transportation applications, including buses.

15 (2) FOCUS.—The program established under  
16 paragraph (1) shall focus specifically on promoting  
17 the application of, and improving manufacturing  
18 production and processes for, proton exchange mem-  
19 brane fuel cell technology.

20 (3) AUTHORIZATION OF APPROPRIATIONS.—  
21 There is authorized to be appropriated to carry out  
22 this subsection \$140,000,000 for the period of fiscal  
23 years 2002 through 2004.

24 (b) BUS DEMONSTRATION PROGRAM.—

1           (1) ESTABLISHMENT.—The President, in co-  
2           ordination with the Secretary of Energy and the  
3           Secretary of Transportation, shall establish a com-  
4           prehensive proton exchange membrane fuel cell bus  
5           demonstration program to address hydrogen produc-  
6           tion, storage, and use in transit bus applications.

7           (2) COMPONENTS.—The program established  
8           under paragraph (1) shall—

9                   (A) cover all aspects of the introduction of  
10                  proton exchange membrane fuel cells; and

11                  (B) include provisions for—

12                          (i) the development, installation, and  
13                          operation of a hydrogen delivery system lo-  
14                          cated on-site at transit bus terminals;

15                          (ii) the development, installation, and  
16                          operation of—

17                                  (I) on-site storage associated  
18                                  with the hydrogen delivery systems;  
19                                  and

20                                  (II) storage tank systems incor-  
21                                  porated into the structure of a transit  
22                                  bus;

23                                  (iii) the demonstration of the use of  
24                                  hydrogen as a practical, safe, renewable

energy source in a highly efficient, zero-emission power system for buses;

(iv) the development of a hydrogen proton exchange membrane fuel cell power system that is confirmed and verified as being compatible with transit bus application requirements;

(v) durability testing of the fuel cell bus at a national testing facility;

(vi) the identification and implementation of necessary codes and standards for the safe use of hydrogen as a fuel suitable for bus application, including the fuel cell power system and related operational facilities;

(vii) the identification and implementation of maintenance and overhaul requirements for hydrogen proton exchange membrane fuel cell transit buses; and

(viii) the completion of a fleet vehicle evaluation program by bus operators along normal transit routes to provide equipment manufacturers and transit operators with the necessary analyses to enable operation of the hydrogen proton exchange mem-

1                   brane fuel cell bus under a range of oper-  
2                   ating environments.

3                   (3) DOMESTIC ASSEMBLY.—All fuel cell systems  
4                   and fuel cell stacks in power plants acquired, or  
5                   from which power is acquired, under paragraph (1)  
6                   shall be assembled in the United States.

7                   (4) AUTHORIZATION OF APPROPRIATIONS.—  
8                   There is authorized to be appropriated to carry out  
9                   this subsection \$150,000,000 for the period of fiscal  
10                  years 2002 through 2004.

11 **SEC. 5. FEDERAL VEHICLES.**

12                  (a) IN GENERAL.—The head of each agency of the  
13                  Federal Government that maintains a fleet of motor vehi-  
14                  cles shall develop, implement by not later than October  
15                  1, 2006, and carry out through September 30, 2011, a  
16                  plan for a transition of the fleet to vehicles powered by  
17                  fuel cell technology.

18                  (b) REQUIREMENTS OF PLAN.—A plan developed  
19                  under subsection (a) shall—

20                         (1) incorporate and build on the results of com-  
21                         pleted and ongoing Federal demonstration programs,  
22                         including the program established under section 4;  
23                         and

24                         (2) include additional demonstration programs  
25                         and pilot programs as the head of the applicable

1       agency determines to be necessary to test or inves-  
2       tigate available technologies and transition proce-  
3       dures.

4   **SEC. 6. LIFE-CYCLE COST BENEFIT ANALYSIS.**

5       Any life-cycle cost benefit analysis carried out by a  
6   Federal agency under this Act that concerns an invest-  
7   ment in a product, a service, construction, or any other  
8   project shall include an analysis of environmental and  
9   power reliability factors.

10  **SEC. 7. STATE AND LOCAL GOVERNMENT INCENTIVES.**

11       (a) GRANT PROGRAM.—

12           (1) IN GENERAL.—The Secretary of Energy  
13   shall establish a program for to make grants to  
14   State or local governments for the use of fuel cell  
15   technology in meeting energy requirements of the  
16   State or local governments, including the use of fuel  
17   cell technology as a source of power for motor vehi-  
18   cles.

19           (2) COST SHARING.—The Federal share of the  
20   cost of any project or activity funded with a grant  
21   under this section shall not exceed 90 percent.

22       (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
23   authorized to be appropriated to carry out this section  
24   \$110,000,000 for each of fiscal years 2002 through 2006.

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