

108TH CONGRESS
1ST SESSION

H. R. 1491

To authorize programs and activities to improve energy use related to transportation and infrastructure facilities.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2003

Mr. OBERSTAR (for himself, Ms. NORTON, Mr. HONDA, Mr. BLUMENAUER, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, Mr. NADLER, Mr. HOLDEN, Ms. BERKLEY, Mr. DEFazio, Mr. HOEFFEL, Ms. MILLENDER-McDONALD, Mr. MICHAUD, Mr. MATHESON, Mr. RAHALL, Mr. DAVIS of Tennessee, Mr. BISHOP of New York, and Mr. CAPUANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, Ways and Means, Resources, International Relations, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize programs and activities to improve energy use related to transportation and infrastructure facilities.

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 “Securing Transportation Energy Efficiency for Tomor-
6 row Act of 2003”.

1 (b) TABLE OF CONTENTS.—

Sec. 1. Short title.

Sec. 2. Findings.

TITLE I—PUBLIC BUILDINGS AND ECONOMIC DEVELOPMENT

Sec. 101. Use of photovoltaic energy in public buildings.

Sec. 102. Capitol complex.

Sec. 103. Grants for brightfield site development.

TITLE II—SURFACE TRANSPORTATION

Sec. 201. Highway fuel conservation program.

Sec. 202. Fuel cell bus technology development and demonstration projects.

Sec. 203. Conserve by bicycling program.

Sec. 204. Energy impacts of Federal-aid highway and transit projects.

Sec. 205. Railroad efficiency.

TITLE III—AVIATION

Sec. 301. Clean airport bus pilot program.

Sec. 302. Clean aircraft engines.

TITLE IV—WATER RESOURCES

Sec. 401. Marine efficiency.

Sec. 402. Improving hydropower capabilities.

Sec. 403. Encouragement of State and provincial prohibitions on off-shore drilling in the Great Lakes.

TITLE V—TAX PROVISIONS

Sec. 501. Extension of transportation fringe benefit to commuters who bicycle, carpool, or use car-sharing.

2 **SEC. 2. FINDINGS.**

3 Congress finds the following:

4 (1) As the Nation's largest energy consumer,
 5 the Federal Government is in a unique position to
 6 promote energy conservation and efficiency, particu-
 7 larly in the transportation sector and in the oper-
 8 ation of Federal buildings.

9 (2) Each year for the past 2 decades, energy
 10 use in the transportation sector has increased by a
 11 rate of 1.5 percent.

4 (4) The transportation sector is responsible for
5 27 percent of all greenhouse gases emitted in the
6 United States, with transportation-related emissions
7 of carbon dioxide increasing by nearly 15 percent in
8 the 1990's.

9 (5) Transportation remains a primary source of
10 emissions for 3 of the 6 air pollutants regulated
11 under the Clean Air Act: carbon monoxide, nitrogen
12 oxides, and volatile organic compounds.

TITLE I—PUBLIC BUILDINGS AND ECONOMIC DEVELOPMENT

19 SEC. 101. USE OF PHOTOVOLTAIC ENERGY IN PUBLIC
20 BUILDINGS.

21 (a) IN GENERAL.—Subchapter VI of chapter 31 of
22 title 40, United States Code, is amended by adding at the
23 end the following:

3 “(a) PHOTOVOLTAIC ENERGY COMMERCIALIZATION 4 PROGRAM.—

5 “(1) IN GENERAL.—The Administrator of Gen-
6 eral Services may establish a photovoltaic energy
7 commercialization program for the procurement and
8 installation of photovoltaic solar electric systems for
9 electric production in new and existing public build-
10 ings.

11 “(2) PURPOSES.—The purposes of the program
12 shall be to accomplish the following:

13 “(A) To accelerate the growth of a com-
14 mercially viable photovoltaic industry to make
15 this energy system available to the general pub-
16 lic as an option which can reduce the national
17 consumption of fossil fuel.

20 “(C) To attain the goal of installing solar
21 energy systems in 20,000 Federal buildings by
22 2010, as contained in the Federal Government’s
23 Million Solar Roof Initiative of 1997.

“(D) To stimulate the general use within the Federal Government of life-cycle costing and innovative procurement methods.

1 “(E) To develop program performance
2 data to support policy decisions on future incen-
3 tive programs with respect to energy.

4 “(3) ACQUISITION OF PHOTOVOLTAIC SOLAR
5 ELECTRIC SYSTEMS.—

6 “(A) IN GENERAL.—The program shall
7 provide for the acquisition of photovoltaic solar
8 electric systems and associated storage capa-
9 bility for use in public buildings.

10 “(B) ACQUISITION LEVELS.—The acquisi-
11 tion of photovoltaic electric systems shall be at
12 a level substantial enough to allow use of low-
13 cost production techniques with at least 150
14 megawatts (peak) cumulative acquired during
15 the 5 years of the program.

16 “(4) ADMINISTRATION.—The Administrator
17 shall administer the program and shall—

18 “(A) prescribe such rules and regulations
19 as may be appropriate to monitor and assess
20 the performance and operation of photovoltaic
21 solar electric systems installed pursuant to this
22 subsection;

23 “(B) develop innovative procurement strat-
24 egies for the acquisition of such systems; and

1 “(C) transmit to the Committee on Trans-
2 portation and Infrastructure of the House of
3 Representatives and to the Committee on Envi-
4 ronment and Public Works of the Senate an an-
5 nual report on the results of the program.

6 “(b) PHOTOVOLTAIC SYSTEMS EVALUATION PRO-
7 GRAM.—

8 “(1) IN GENERAL.—Not later than 60 days
9 after the date of enactment of this section, the Ad-
10 ministrator, in consultation with the Secretary of
11 Energy, shall establish a photovoltaic solar energy
12 systems evaluation program to evaluate such photo-
13 voltaic solar energy systems as are required in public
14 buildings.

15 “(2) PROGRAM REQUIREMENT.—In evaluating
16 photovoltaic solar energy systems under the pro-
17 gram, the Administrator shall ensure that such sys-
18 tems reflect the most advanced technology.

19 “(c) AUTHORIZATION OF APPROPRIATIONS.—

20 “(1) PHOTOVOLTAIC ENERGY COMMERCIALIZA-
21 TION PROGRAM.—There is authorized to be appro-
22 priated to carry out subsection (a) \$210,000,000 for
23 each of fiscal years 2004 through 2008. Such sums
24 shall remain available until expended.

1 “(2) PHOTOVOLTAIC SYSTEMS EVALUATION
2 PROGRAM.—There is authorized to be appropriated
3 to carry out subsection (b) \$52,700,000 for each of
4 fiscal years 2004 through 2008. Such sums shall re-
5 main available until expended.”.

6 (b) CONFORMING AMENDMENT.—The analysis for
7 such chapter is amended by inserting after the item relat-
8 ing to section 3176 the following:

“3177. Use of photovoltaic energy in public buildings”.

9 **SEC. 102. CAPITOL COMPLEX.**

10 (a) STUDY ON ENERGY INFRASTRUCTURE.—The Ar-
11 chitect of the Capitol, building on the Master Plan Study
12 completed in July 2000, shall conduct a study to evaluate
13 the energy infrastructure of the Capitol Complex to deter-
14 mine how the infrastructure could be augmented to be-
15 come more energy efficient, using photovoltaic solar en-
16 ergy systems, district-heating, and other unconventional
17 and renewable energy resources, in a way that would en-
18 able the Complex to have reliable utility service in the
19 event of power fluctuations, shortages, or outages.

20 (b) REPORT.—Not later than 1 year after the date
21 of enactment of this Act, the Architect of the Capitol shall
22 transmit to Congress a report containing the results of
23 the study conducted under subsection (a).

24 (c) AUTHORIZATION.—There are authorized to be ap-
25 propriated to the Architect of the Capitol such sums as

1 may be necessary to carry out this section. Such sums
2 shall remain available until expended.

3 **SEC. 103. GRANTS FOR BRIGHTFIELD SITE DEVELOPMENT.**

4 (a) IN GENERAL.—Title II of the Public Works and
5 Economic Development Act of 1965 (42 U.S.C. 3141 et
6 seq.) is amended—

7 (1) by redesignating sections 210 through 213
8 as sections 211 through 214, respectively; and

9 (2) by inserting after section 209 the following:

10 **“SEC. 210. GRANTS FOR BRIGHTFIELD SITE DEVELOPMENT.**

11 “(a) BRIGHTFIELD SITE DEFINED.—In this section,
12 the term ‘brightfield site’ means a brownfield site (as de-
13 fined in section 101 of the Comprehensive Environmental
14 Response, Compensation, and Liability Act of 1980 (42
15 U.S.C. 9601)) redeveloped through the incorporation of
16 solar energy technologies.

17 “(b) ESTABLISHMENT OF DEMONSTRATION PRO-
18 GRAM.—The Secretary shall carry out a demonstration
19 program for the development of brightfield sites.

20 “(c) GRANTS.—On the application of an eligible re-
21 cipient, the Secretary may make grants under the program
22 for projects for the development of brightfield sites.

23 “(d) CRITERIA FOR GRANTS.—The Secretary may
24 provide a grant for a project under this section if the Sec-
25 retary determines that the project will—

1 “(1) utilize solar energy technologies to develop
2 abandoned or contaminated sites for commercial use;
3 and

4 “(2) improve the commercial and economic op-
5 portunities in the area where the project is located.

6 “(e) AUTHORIZATION.—There is authorized to be ap-
7 propriated to carry out this section—

8 “(1) \$20,000,000 for fiscal year 2004;

9 “(2) \$30,000,000 for fiscal year 2005;

10 “(3) \$40,000,000 for fiscal year 2006;

11 “(4) \$50,000,000 for fiscal year 2007; and

12 “(5) \$60,000,000 for fiscal year 2008.

13 Such sums shall remain available until expended.”.

14 (b) CONFORMING AMENDMENT.—The table of con-
15 tents in section 1(b) of the Public Works and Economic
16 Development Act of 1965 (42 U.S.C. prec. 3121) is
17 amended by striking the items relating to sections 210
18 through 213 and inserting the following:

“Sec. 210. Grants for brightfield site development.

“Sec. 211. Changed project circumstances.

“Sec. 212. Use of funds in projects constructed under projected cost.

“Sec. 213. Reports by recipients.

“Sec. 214. Prohibition on use of funds for attorney’s and consultant’s fees.”.

1 **TITLE II—SURFACE**

2 **TRANSPORTATION**

3 SEC. 201. HIGHWAY FUEL CONSERVATION PROGRAM.

4 (a) IN GENERAL.—Subchapter I of chapter 1 of title
5 23, United States Code, is amended by adding at the end
6 the following:

7 “§ 165. Energy conservation program

8 "(a) ESTABLISHMENT OF PROGRAM.—The Secretary
9 shall establish and carry out a program to provide grants
10 to States and local governments for fuel conservation
11 projects.

12 "(b) ELIGIBLE PROJECTS.—Projects carried out
13 under the program shall be designed to make operational
14 improvements to reduce fuel consumption on Federal-aid
15 highways and other roads. Such projects may include—

16 “(1) data collection and analysis for improving
17 traffic signal timing;

18 “(2) implementation of improved and coordi-
19 nated traffic signal timing (including capital costs of
20 new systems, or system upgrades);

21 “(3) planning and implementation of freeway
22 management systems; and

23 “(4) operational improvements with high reduc-
24 tions in energy consumption.

1 “(c) APPLICATIONS.—To be eligible to receive a grant
2 under this section, a State or local government shall sub-
3 mit to the Secretary an application at such time, in such
4 form, and in accordance with such requirements as the
5 Secretary shall establish by regulation.

6 “(d) FEDERAL SHARE.—The Federal share of the
7 cost of a project carried out using amounts from a grant
8 under this section shall be 50 percent.

9 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to carry out this section
11 a total of \$200,000,000 for fiscal years 2004 through
12 2008. Such sums shall remain available until expended.”.

13 (b) CONFORMING AMENDMENT.—The analysis for
14 such chapter is amended by inserting after the item relat-
15 ing to section 164 the following:

“165. Energy conservation program.”.

16 **SEC. 202. FUEL CELL BUS TECHNOLOGY DEVELOPMENT**
17 **AND DEMONSTRATION PROJECTS.**

18 Section 5308 of title 49, United States Code, is
19 amended by adding at the end the following:

20 “(g) FUEL CELL BUS TECHNOLOGY DEVELOPMENT
21 AND DEMONSTRATION PROJECTS.—

22 “(1) AUTHORITY TO MAKE GRANTS.—The Sec-
23 retary may make grants under this subsection to not
24 more than 10 designated recipients for projects for

1 the research, development, and demonstration of fuel
2 cell bus technology.

3 “(2) APPLICATIONS.—Not later than January 1
4 of each year, any designated recipient seeking to
5 apply for a grant under this subsection shall submit
6 an application to the Secretary, in such form and in
7 accordance with such requirements as the Secretary
8 shall establish by regulation.

9 “(3) PREFERENCE.—In selecting grant recipi-
10 ents under this subsection, the Secretary shall give
11 preference to those applicants who have an existing
12 investment in fuel cell buses and hydrogen fuel cell
13 infrastructure.

14 “(4) NONAPPLICABILITY OF REQUIREMENTS.—
15 Except as specifically provided in this subsection,
16 the requirements for grants made under this section
17 shall not apply to grants made under this sub-
18 section.

19 “(5) FEDERAL SHARE.—The amount of a grant
20 made to a designated recipient under this subsection
21 for a project shall not exceed 80 percent of the total
22 cost of the project.

23 “(6) AVAILABILITY OF FUNDS.—Any amount
24 made available under this subsection—

1 “(A) shall remain available to a project for
2 1 year after the fiscal year for which the
3 amount is made available; and

4 “(B) that remains unobligated at the end
5 of the period described in subparagraph (A),
6 shall be added to the amount made available
7 under this subsection in the following fiscal
8 year.

9 “(7) DESIGNATED RECIPIENT DEFINED.—The
10 term ‘designated recipient’ has the same meaning as
11 in subsection (a).

12 “(8) FUNDING.—

13 “(A) FROM THE TRUST FUND.—There
14 shall be available from the Mass Transit Ac-
15 count of the Highway Trust Fund to carry out
16 this subsection—

17 “(i) \$20,000,000 for fiscal year 2004;
18 “(ii) \$30,000,000 for fiscal year 2005;
19 “(iii) \$40,000,000 for fiscal year
20 2006;

21 “(iv) \$50,000,000 for fiscal year
22 2007; and

23 “(v) \$60,000,000 for fiscal year 2008.

24 “(B) FROM THE GENERAL FUND.—In ad-
25 dition to amounts made available under sub-

1 paragraph (A), there is authorized to be appro-
2 priated to carry out this subsection—

3 “(i) \$10,000,000 for fiscal year 2004;

4 “(ii) \$15,000,000 for fiscal year 2005;

5 “(iii) \$20,000,000 for fiscal year
6 2006;

7 “(iv) \$25,000,000 for fiscal year
8 2007; and

9 “(v) \$30,000,000 for fiscal year 2008.

10 “(C) CONTRACT AUTHORITY.—

11 “(i) GRANTS FINANCED FROM THE
12 HIGHWAY TRUST FUND.—A grant ap-
13 proved by the Secretary that is financed
14 with amounts made available under sub-
15 paragraph (A) is a contractual obligation
16 of the United States Government to pay
17 the Government’s share of the cost of the
18 project.

19 “(ii) GRANTS FINANCED FROM GEN-
20 ERAL FUNDS.—A grant approved by the
21 Secretary that is financed with amounts
22 made available under subparagraph (B) is
23 a contractual obligation of the Government
24 to pay the Government’s share of the cost
25 of the project only to the extent that

1 amounts are provided in advance in an ap-
2 propriations Act.”.

3 **SEC. 203. CONSERVE BY BICYCLING PROGRAM.**

4 (a) ESTABLISHMENT.—The Secretary of Transpor-
5 tation shall establish a Conserve By Bicycling pilot pro-
6 gram that shall provide for up to 10 geographically dis-
7 persed projects to encourage the use of bicycles in place
8 of motor vehicles.

9 (b) PROJECTS.—Projects carried out under this sec-
10 tion shall—

11 (1) use education and marketing to convert
12 motor vehicle trips to bike trips;

13 (2) establish infrastructure facilities necessary
14 to support the conversion to bike trips;

15 (3) document project results and energy sav-
16 ings; and

17 (4) facilitate partnerships among entities in the
18 fields of transportation, law enforcement, education,
19 public health, environment, or energy.

20 (c) FEDERAL SHARE.—The Federal share of the cost
21 of a project carried out under this section shall not exceed
22 80 percent.

23 (d) REPORT.—Not later than 2 years after implemen-
24 tation of the projects under this section, the Secretary

1 shall transmit to Congress a report on the results of the
2 pilot program.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$10,000,000. Such sums shall remain available until ex-
6 pended.

7 **SEC. 204. ENERGY IMPACTS OF FEDERAL-AID HIGHWAY**
8 **AND TRANSIT PROJECTS.**

9 Section 109 of title 23, United States Code, is
10 amended by adding at the end the following:

11 “(r) CONSIDERATION OF ENERGY IMPACTS.—Envi-
12 ronmental impact statements prepared for Federal-aid
13 highway and transit projects shall consider energy impacts
14 as an environmental consequence of the project. Energy
15 impacts shall be quantified and comparisons made be-
16 tween alternatives. The cost of annual energy consumption
17 shall be determined for each alternative considered in the
18 environmental impact statement.”.

19 **SEC. 205. RAILROAD EFFICIENCY.**

20 (a) ESTABLISHMENT.—The Secretary of Transpor-
21 tation, in conjunction with the Administrator of the Envi-
22 ronmental Protection Agency, shall establish a public-pri-
23 vate research partnership involving the Federal Govern-
24 ment, railroad carriers, locomotive manufacturers and
25 equipment suppliers, and the research and test center

1 dedicated to the advancement of railroad technology, effi-
2 ciency, and safety that is owned by the Federal Railroad
3 Administration and operated in the private sector. The
4 goal of the initiative shall include developing and dem-
5 onstrating locomotive technologies that increase fuel econ-
6 omy, reduce emissions, and lower costs.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$35,000,000 for each of fiscal years 2004 through 2006.
10 Such sums shall remain available until expended.

11 **TITLE III—AVIATION**

12 **SEC. 301. CLEAN AIRPORT BUS PILOT PROGRAM.**

13 (a) IN GENERAL.—Subchapter I of chapter 471 of
14 title 49, United States Code, is amended by adding at the
15 end the following:

16 **“§ 47138. Clean airport bus pilot program**

17 “(a) ESTABLISHMENT.—The Secretary of Transpor-
18 tation shall establish a pilot program for awarding grants
19 on a competitive basis to eligible entities for facilitating
20 the use of alternative fuel and ultra-low sulfur diesel buses
21 at public airports through airport bus replacement and
22 fleet expansion programs under this section.

23 “(b) REQUIREMENTS.—Not later than 6 months
24 after the date of enactment of this Act, the Secretary shall
25 establish and publish in the Federal Register requirements

1 for implementation of the program under this section, in-
2 cluding eligibility for assistance, management, transfer,
3 and ultimate disposition of buses, and certification re-
4 quirements to ensure compliance with this section.

5 “(c) SOLICITATION.—Not later than 9 months after
6 the date of enactment of this Act, the Secretary shall so-
7 licit proposals for grants under this section.

8 “(d) ELIGIBLE RECIPIENTS.—A grant shall be
9 awarded under this section only to a public agency respon-
10 sible for bus service at a public airport.

11 “(e) TYPES OF GRANTS.—

12 “(1) IN GENERAL.—Grants under this section
13 may be for the purposes described in paragraph (2),
14 paragraph (3), or both.

15 “(2) REPLACEMENT BUS GRANTS.—A grant
16 under this section may be used for the acquisition of
17 replacement buses.

18 “(3) FLEET EXPANSION BUS GRANTS.—A grant
19 under this section may be used for the acquisition of
20 not more than 10 buses to expand a fleet of airport
21 buses at any single airport.

22 “(f) PRIORITY OF GRANT APPLICATIONS.—In award-
23 ing bus replacement grants described in subsection (e)(2),
24 the Secretary shall give priority to awarding grants to ap-
25 plicants emphasizing the replacement of buses to be used

1 at a public airport located in a nonattainment area, as
2 defined in section 171 of the Clean Air Act (42 U.S.C.
3 7501).

4 “(g) CONDITIONS OF GRANT.—A grant provided
5 under this section shall include the following conditions:

6 “(1) All buses acquired with funds provided
7 under the grant shall be operated as part of the air-
8 port bus fleet for which the grant was made for a
9 minimum of 5 years.

10 “(2) Funds provided under the grant may only
11 be used—

12 “(A) to acquire new or replacement alter-
13 native fuel and ultra-low sulfur diesel fuel
14 buses, including State taxes and contract fees;
15 and

16 “(B) to construct infrastructure facilities
17 to enable the delivery of fuel and services nec-
18 essary for alternative fuel and ultra-low sulfur
19 diesel fuel buses.

20 “(h) FEDERAL SHARE.—The Federal share of the
21 cost of a bus acquired or other project or activity funded
22 using amounts made available to carry out this section
23 shall be 80 percent.

24 “(i) DEPLOYMENT AND DISTRIBUTION.—The Sec-
25 retary shall seek to the maximum extent practicable to en-

1 sure a broad geographic distribution of grant awards, with
2 a goal of no State receiving more than 10 percent of the
3 grant funding made available under this section for a fis-
4 cal year.

5 “(j) DEFINITIONS.—In this section, the following
6 definitions apply:

7 “(1) AIRPORT BUS.—The term ‘airport bus’
8 means a bus operated by a public agency to provide
9 transportation between the facilities of a public air-
10 port.

11 “(2) ALTERNATIVE FUEL BUS.—The term ‘al-
12 ternative fuel bus’ means a bus powered substan-
13 tially by electricity (including electricity supplied by
14 a fuel cell), or by liquefied natural gas, compressed
15 natural gas, liquefied petroleum gas, hydrogen, pro-
16 pane, or methanol or ethanol at no less than 85 per-
17 cent by volume.

18 “(3) PUBLIC AIRPORT.—The term ‘public air-
19 port’ has the meaning such term has under section
20 47102 of title 49, United States Code.

21 “(4) ULTRA-LOW SULFUR DIESEL BUS.—The
22 term ‘ultra-low sulfur diesel bus’ means a bus pow-
23 ered by diesel fuel which contains sulfur at not more
24 than 15 parts per million.

1 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to the Secretary of Trans-
3 portation for carrying out this section—

4 “(1) \$20,000,000 for fiscal year 2004;
5 “(2) \$30,000,000 for fiscal year 2005;
6 “(3) \$40,000,000 for fiscal year 2006;
7 “(4) \$50,000,000 for fiscal year 2007; and
8 “(5) \$60,000,000 for fiscal year 2008.

9 Such sums shall remain available until expended.”.

10 (b) CONFORMING AMENDMENT.—The analysis for
11 chapter 471 of title 49, United States Code, is amended
12 by inserting after the item relating to section 47137 the
13 following:

“47138. Clean airport bus pilot program.”.

14 **SEC. 302. CLEAN AIRCRAFT ENGINES.**

15 (a) PUBLIC-PRIVATE RESEARCH PARTNERSHIP.—
16 The Administrator of the Federal Aviation Administration
17 shall establish a public-private research partnership in-
18 volving the Federal Aviation Administration, the National
19 Aeronautics and Space Administration, research univer-
20 sities, and representatives of the aero-propulsion industry.

21 (b) DUTIES.—The partnership shall—

22 (1) develop a clean ground demonstrator engine
23 utilizing technologies developed by the Ultra Effi-
24 cient Engine Technology (UEET) and Quiet Air-

1 craft Technology (QAT) programs of the National
2 Aeronautics and Space Administration; and

3 (2) focus on the development and certification
4 of environmentally friendly manufacturing tech-
5 nologies, materials, and overhaul and repair.

6 (c) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this section
8 such sums as may be necessary for fiscal years 2004
9 through 2008. Such sums shall remain available until ex-
10 pended.

11 **TITLE IV—WATER RESOURCES**

12 **SEC. 401. MARINE EFFICIENCY.**

13 (a) ESTABLISHMENT.—The Secretary of Transpor-
14 tation shall establish a public-private research partnership
15 involving the Federal Government, vessel operators, ports,
16 terminal operators, shipyards, and equipment suppliers to
17 develop and demonstrate technologies that—

18 (1) increase fuel economy, reduce emissions,
19 and lower costs of marine transportation; and
20 (2) increase the efficiency of intermodal trans-
21 fers.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 such sums as may be necessary for fiscal years 2004

1 through 2008. Such sums shall remain available until ex-
2 pended.

3 **SEC. 402. IMPROVING HYDROPOWER CAPABILITIES.**

4 (a) STUDY.—The Secretary of the Army shall con-
5 duct a study on the potential for reduced fossil fuel con-
6 sumption through an increase in United States hydro-
7 power capabilities.

8 (b) CONTENTS.—The study shall include an examina-
9 tion of the potential for improving hydropower capabilities
10 at dams owned or operated by the Corps of Engineers.

11 (c) REPORT.—Not later than 1 year after the date
12 of enactment of this Act, the Secretary shall transmit to
13 Congress a report containing the results of the study con-
14 ducted under this section.

15 **SEC. 403. ENCOURAGEMENT OF STATE AND PROVINCIAL**
16 **PROHIBITIONS ON OFF-SHORE DRILLING IN**
17 **THE GREAT LAKES.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) The water resources of the Great Lakes
20 Basin are precious natural resources of the States of
21 Illinois, Indiana, Michigan, Minnesota, New York,
22 Ohio, Pennsylvania, and Wisconsin, and the Cana-
23 dian Province of Ontario.

19 (b) ENCOURAGEMENT OF STATE AND PROVINCIAL
20 PROHIBITIONS.—Congress encourages—

21 (1) the States of Illinois, Michigan, New York,
22 Pennsylvania, and Wisconsin to continue to prohibit
23 off-shore drilling in the Great Lakes for oil and gas;

TITLE V—TAX PROVISIONS

8 SEC. 501. EXTENSION OF TRANSPORTATION FRINGE BEN-
9 EFIT TO COMMUTERS WHO BICYCLE, CAR-
10 POOL, OR USE CAR-SHARING.

11 (a) IN GENERAL.—Paragraph (1) of section 132(f)
12 of the Internal Revenue Code of 1986 (relating to general
13 rule for qualified transportation fringe) is amended by
14 adding at the end the following:

15 “(D) Other commuting allowances.”.

16 (b) OTHER COMMUTING ALLOWANCES DEFINED.—
17 Paragraph (5) of section 132(f) of such Code (relating to
18 definitions) is amended by adding at the end the following:

19 “(F) OTHER COMMUTING ALLOWANCES.—

20 “(i) IN GENERAL.—The term ‘other

21 commuting allowances’ means an amount

22 provided to an employee for transportation

23 by bicycling, carpooling, or car-sharing if

24 such transportation is in connection with

1 travel between the employee's residence
2 and place of employment.

3 “(ii) BICYCLING.—For purposes of
4 clause (i), bicycling includes regular bicycle
5 maintenance, and expenses for accessing
6 space, locker, and shower facilities, secured
7 bike storage, and other services directly as-
8 sociated with bicycling.

9 “(iii) CARPOOLING.—For purposes of
10 clause (i), the term ‘carpooling’ means the
11 carrying of more than 1, but not more
12 than 6, passengers by highway vehicle on
13 any public road or highway, either regu-
14 larly or occasionally, with or without com-
15 pensation, but not for profit.

16 “(iv) CAR-SHARING.—For purposes of
17 clause (i), the term ‘car sharing’ means
18 shared-use vehicle services under which
19 members are provided with access to a
20 fleet of highway vehicles for use on an as-
21 needed basis.”.

22 (c) DOLLAR LIMITATION ON EXCLUSION.—Para-
23 graph (2) of section 132(f) of such Code is amended by
24 striking “and” at the end of subparagraph (A), by striking
25 the period at the end of subparagraph (B) and inserting

1 “, and”, and by inserting after subparagraph (B) the fol-
2 lowing new subparagraph:

3 “(C) \$75 per month in the case of the ben-
4 efits described in subparagraph (D) of para-
5 graph (1).”.

6 (d) ADJUSTMENT FOR INFLATION.—Subparagraph
7 (A) of section 132(f)(6) is amended by adding at the end
8 the following: “In the case of any taxable year beginning
9 in a calendar year after 2003, clause (ii) shall be applied
10 by substituting ‘calendar year 2002’ for ‘calendar year
11 1998’ for purposes of adjusting the dollar amount con-
12 tained in paragraph (2)(C).

13 (e) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to taxable years beginning after
15 December 31, 2002.

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