

SUBCHAPTER VIII—HYDROGEN

§ 16151. Purposes

The purposes of this subchapter are—

- (1) to enable and promote comprehensive development, demonstration, and commercialization of hydrogen and fuel cell technology in partnership with industry;
- (2) to make critical public investments in building strong links to private industry, institutions of higher education, National Laboratories, and research institutions to expand innovation and industrial growth;
- (3) to build a mature hydrogen economy that creates fuel diversity in the massive transportation sector of the United States;
- (4) to sharply decrease the dependency of the United States on imported oil, eliminate most emissions from the transportation sector, and greatly enhance our energy security; and
- (5) to create, strengthen, and protect a sustainable national energy economy.

(Pub. L. 109–58, title VIII, § 802, Aug. 8, 2005, 119 Stat. 844.)

Statutory Notes and Related Subsidiaries**SHORT TITLE**

For short title of title VIII of Pub. L. 109–58, which enacted this subchapter, as the “Spark M. Matsunaga Hydrogen Act of 2005”, see section 801 of Pub. L. 109–58, set out as a note under section 15801 of this title.

FINDINGS; PURPOSE

Pub. L. 117–58, div. D, title III, § 40311, Nov. 15, 2021, 135 Stat. 1005, provided that:

“(a) FINDINGS.—Congress finds that—

- “(1) hydrogen plays a critical part in the comprehensive energy portfolio of the United States;
- “(2) the use of the hydrogen resources of the United States—
 - “(A) promotes energy security and resilience; and
 - “(B) provides economic value and environmental benefits for diverse applications across multiple sectors of the economy; and
- “(3) hydrogen can be produced from a variety of domestically available clean energy sources, including—
 - “(A) renewable energy resources, including biomass;
 - “(B) fossil fuels with carbon capture, utilization, and storage; and
 - “(C) nuclear power.

“(b) PURPOSE.—The purpose of this subtitle [subtitle B (§§ 40311–40315) of title III of div. D of Pub. L. 117–58, see Tables for classification] is to accelerate research, development, demonstration, and deployment of hydrogen from clean energy sources by—

- “(1) providing a statutory definition for the term ‘clean hydrogen’;
- “(2) establishing a clean hydrogen strategy and roadmap for the United States;
- “(3) establishing a clearing house for clean hydrogen program information at the National Energy Technology Laboratory;

“(4) developing a robust clean hydrogen supply chain and workforce by prioritizing clean hydrogen demonstration projects in major shale gas regions;

- “(5) establishing regional clean hydrogen hubs; and
- “(6) authorizing appropriations to carry out the Department of Energy Hydrogen Program Plan, dated November 2020, developed pursuant to title VIII of the Energy Policy Act of 2005 (42 U.S.C. 16151 et seq.).”

[For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction,

alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117–58, including authority of Secretary of Labor, see section 18851 of this title.]

§ 16152. Definitions

In this subchapter:

(1) Clean hydrogen; hydrogen

The terms “clean hydrogen” and “hydrogen” mean hydrogen produced in compliance with the greenhouse gas emissions standard established under section 16166(a) of this title, including production from any fuel source.

(2) Fuel cell

The term “fuel cell” means a device that directly converts the chemical energy of a fuel, which is supplied from an external source, and an oxidant into electricity by electrochemical processes occurring at separate electrodes in the device.

(3) Heavy-duty vehicle

The term “heavy-duty vehicle” means a motor vehicle that—

- (A) is rated at more than 8,500 pounds gross vehicle weight;
- (B) has a curb weight of more than 6,000 pounds; or
- (C) has a basic vehicle frontal area in excess of 45 square feet.

(4) Infrastructure

The term “infrastructure” means the equipment, systems, or facilities used to produce, distribute, deliver, or store hydrogen (except for onboard storage).

(5) Light-duty vehicle

The term “light-duty vehicle” means a motor vehicle that is rated at 8,500 or less pounds gross vehicle weight.

(6) Portable; storage

The terms “portable” and “storage”, when used in reference to a fuel cell, include—

- (A) continuous electric power; and
- (B) backup electric power.

(7) Task Force

The term “Task Force” means the Hydrogen and Fuel Cell Technical Task Force established under section 16155 of this title.

(8) Technical Advisory Committee

The term “Technical Advisory Committee” means the independent Technical Advisory Committee established under section 16156 of this title.

(Pub. L. 109–58, title VIII, § 803, Aug. 8, 2005, 119 Stat. 844; Pub. L. 117–58, div. D, title III, § 40312, Nov. 15, 2021, 135 Stat. 1006.)

Editorial Notes**AMENDMENTS**

2021—Pars. (1) to (4). Pub. L. 117–58, § 40312(2), (3), added par. (1) and redesignated former pars. (1) to (3) as (2) to (4), respectively. Former par. (4) redesignated (5).

Par. (5). Pub. L. 117–58, § 40312(2), redesignated par. (4) as (5). Former par. (5) redesignated (6).

Pub. L. 117–58, § 40312(1), substituted “Portable; storage” for “Stationary; portable” in heading and “The