

118TH CONGRESS
1ST SESSION

H. R. 6872

To require the Secretary of Energy to establish a grant program to support hydrogen-fueled equipment at ports and to conduct a study with the Secretary of Transportation and the Secretary of Homeland Security on the feasibility and safety of using hydrogen-derived fuels, including ammonia, as a shipping fuel.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2023

Ms. PORTER (for herself and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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 require the Secretary of Energy to establish a grant program to support hydrogen-fueled equipment at ports and to conduct a study with the Secretary of Transportation and the Secretary of Homeland Security on the feasibility and safety of using hydrogen-derived fuels, including ammonia, as a shipping fuel.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Hydrogen for Ports
3 Act”.

4 **SEC. 2. MARITIME MODERNIZATION GRANT PROGRAM.**

5 (a) DEFINITIONS.—In this section:

6 (1) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty” means an entity described in subsection (d).

8 (2) INDIAN TRIBE.—The term “Indian Tribe”
9 has the meaning given the term in section 4 of the
10 Indian Self-Determination and Education Assistance
11 Act (25 U.S.C. 5304).

12 (3) LOW-INCOME OR DISADVANTAGED COMMU-
13 NITY.—The term “low-income or disadvantaged
14 community” means a community (including a city, a
15 town, a county, and any reasonably isolated and di-
16 visible segment of a larger municipality) with an an-
17 nual median household income that is less than 100
18 percent of the statewide annual median household
19 income for the State in which the community is lo-
20 cated, according to the most recent decennial census.

21 (4) PROGRAM.—The term “program” means
22 the program established under subsection (b).

23 (5) SECRETARY.—The term “Secretary” means
24 the Secretary of Energy.

25 (b) IN GENERAL.—Not later than 180 days after the
26 date of enactment of this Act, the Secretary shall establish

1 a program under which the Secretary shall provide grants,
2 on a competitive basis, to eligible entities for—

3 (1) the purchase, installation, construction, fa-
4 cilitation, maintenance, or operation of, as appro-
5 priate—

6 (A) hydrogen- or ammonia-fueled cargo-
7 handling equipment, including, at a minimum,
8 equipment used for drayage applications;

9 (B) hydrogen fuel cell or ammonia-fueled
10 trucks for use at ports;

11 (C) hydrogen fuel cell or ammonia-fueled
12 ferries, tugboats, dredging vessels, container
13 ships, bulk carriers, fuel tankers, and other ma-
14 rine vessels;

15 (D) hydrogen fuel cell-based shore power
16 for ships while docked at the port;

17 (E) hydrogen fuel cell or ammonia onsite
18 power plants; and

19 (F) port infrastructure for hydrogen or
20 ammonia import, export, storage, and fueling;
21 and

22 (2) the training of ship crew and shore per-
23 sonnel to handle hydrogen or ammonia.

24 (c) GOALS.—The goals of the program shall be—

1 (1) to demonstrate fuel cell, hydrogen, or am-
2 monia technologies in maritime and associated logis-
3 tics applications;

4 (2) to assist in the development and validation
5 of technical targets for hydrogen, ammonia, and fuel
6 cell systems for maritime and associated logistics ap-
7 plications;

8 (3) to benchmark the conditions required for
9 broad commercialization of hydrogen, ammonia, and
10 fuel cell technologies in maritime and associated lo-
11 gistics applications;

12 (4) to assess the operational and technical con-
13 siderations for installing, constructing, and using
14 hydrogen- or ammonia-fueled equipment and sup-
15 porting infrastructure at ports; and

16 (5) to reduce emissions and improve air quality
17 in areas in and around ports.

18 (d) ELIGIBLE ENTITIES.—

19 (1) IN GENERAL.—An entity eligible to receive
20 a grant under the program is—

21 (A) a State;

22 (B) a political subdivision of a State;

23 (C) a local government;

24 (D) a public agency or publicly chartered
25 authority established by 1 or more States;

1 (E) a special purpose district with a trans-
2 portation function;

3 (F) an Indian Tribe or a consortium of In-
4 dian Tribes;

5 (G) a multistate or multijurisdictional
6 group of entities described in any of subpara-
7 graphs (A) through (F); or

8 (H) subject to paragraph (2), a private en-
9 tity or group of private entities, including the
10 owners or operators of 1 or more facilities at a
11 port.

12 (2) JOINT ELIGIBILITY WITH PRIVATE ENTI-
13 TIES.—A private entity or group of private entities
14 is eligible for a grant under the program if—

15 (A) the private entity or group of private
16 entities partners with an entity described in any
17 of subparagraphs (A) through (G) of paragraph
18 (1) for purposes of applying for, and carrying
19 out activities under, the grant; and

20 (B) the entity described in the applicable
21 subparagraph of that paragraph is the lead en-
22 tity with respect to the application and those
23 activities.

24 (e) APPLICATIONS.—

1 (1) IN GENERAL.—An eligible entity desiring a
2 grant under the program shall submit to the Sec-
3 retary an application at such time, in such manner,
4 and containing such information as the Secretary
5 may require.

6 (2) REQUIREMENT.—The application of an eli-
7 gible entity described in subparagraph (H) of sub-
8 section (d)(1) shall be submitted jointly with an en-
9 tity described in subparagraphs (A) through (G) of
10 that subsection.

11 (f) CONSIDERATIONS.—In providing grants under the
12 program, the Secretary, to the maximum extent prac-
13 ticable, shall—

14 (1) select projects that will generate the great-
15 est benefit to low-income or disadvantaged commu-
16 nities; and

17 (2) select projects that will—

18 (A) maximize the creation or retention of
19 jobs in the United States; and

20 (B) provide the highest job quality.

21 (g) PRIORITY.—In selecting eligible entities to receive
22 a grant under the program, the Secretary shall give pri-
23 ority to projects that will provide greater net impact in
24 avoiding or reducing emissions of greenhouse gases.

1 (h) LEAK DETECTION.—Each eligible entity that re-
2 ceives a grant under the program shall conduct—

3 (1) a hydrogen leakage monitoring, reporting,
4 and verification (also known as “MRV”) program;
5 and

6 (2) a hydrogen leak detection and repair (also
7 known as “LDAR”) program.

8 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Secretary to carry
10 out this section \$100,000,000 for each of fiscal years 2024
11 through 2028.

12 (j) PROHIBITION ON USE OF FUNDS.—None of the
13 funds made available under this section may be used to
14 provide a grant to purchase fully automated cargo han-
15 dling equipment that is remotely operated or remotely
16 monitored with or without the exercise of human interven-
17 tion or control, if the Secretary of Transportation deter-
18 mines such equipment would result in a net loss of jobs
19 within a port or port terminal.

20 **SEC. 3. STUDY.**

21 (a) IN GENERAL.—The Secretary of Energy, in con-
22 sultation with the Secretary of Transportation and the
23 Secretary of Homeland Security, shall conduct, and sub-
24 mit to Congress a report describing the results of, a
25 study—

1 (1) to fully address the challenges to ensure the
2 safe use and handling of hydrogen, ammonia, and
3 other hydrogen-based fuels on vessels and in ports;

4 (2) to identify, compare, and evaluate the feasi-
5 bility of, the safety, environmental, and health im-
6 pacts of, and best practices with respect to, the use
7 of hydrogen-derived fuels, including ammonia, as a
8 shipping fuel;

9 (3) to identify and evaluate considerations for
10 hydrogen and ammonia storage, including—

11 (A) at ports;

12 (B) on board vessels; and

13 (C) for subsea hydrogen storage; and

14 (4) to assess the cost and value of a hydrogen
15 or ammonia strategic reserve, either as a new facility
16 or as a modification to the Strategic Petroleum Re-
17 serve established under part B of title I of the En-
18 ergy Policy and Conservation Act (42 U.S.C. 6231
19 et seq.).

20 (b) REQUIREMENTS.—In carrying out subsection (a),
21 the Secretary of Energy, the Secretary of Transportation,
22 and the Secretary of Homeland Security shall—

23 (1) take into account lessons learned from dem-
24 onstration projects in other industries, including—

1 (A) projects carried out in the United
2 States;

3 (B) projects carried out in other countries;
4 and

5 (C) projects relating to the automotive in-
6 dustry, buses, petroleum refining, chemical pro-
7 duction, fertilizer production, and stationary
8 power; and

9 (2) evaluate the applicability of the lessons de-
10 scribed in paragraph (1) to the use of hydrogen in
11 maritime and associated logistics applications.

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