

OCA 2537-88

5 Aug
Reto

29 July 1988

NOTE FOR: Executive Officer, OL

FROM:

[Redacted]

Chief, Facilities Management Division, OL

Facilities Management Division has reviewed H.R. 4968, a bill requiring the use by the Federal Government of certain vehicles capable of operating on alternative fuels beginning 30 September 1993. We do not foresee any problem as vehicles are refitted and alternative fuels are readily available. We defer to the Environmental Protection Agency and the General Services Administration.

[Redacted]

ROUTING AND TRANSMITTAL SLIP

Date 8/4/88

To: (Name, office symbol, room number)	Initials	Date
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REMARKS

John ———
 Attached is OC's view on the alternative fuels bill that you asked us to comment on.

EX O/OC

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FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
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5041-102
 ★ U.S. Government Printing Office: 1987-181-246/60000

OPTIONAL FORM 41 (Rev. 7-76)
 Prescribed by GSA
 FPMR (41 CFR) 101-11.206

100TH CONGRESS
2D SESSION

H. R. 4968

Requiring the use by the Federal Government of certain vehicles capable of operating on alcohol or natural gas fuels or on electricity in areas not in compliance with the Clean Air Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1988

Mr. FAZIO (for himself, Mr. SHARP, Mr. WISE, Mr. GEPHARDT, Mr. MILLER of California, Mr. DURBIN, Mr. FASCELL, Mr. NEAL, Mr. LELAND, Mr. ANDERSON, Mr. TAUKE, Mr. DANNEMEYER, Mr. BROWN of Colorado, Mr. RICHARDSON, Mr. UDALL, Mr. EDWARDS of California, Mrs. COLLINS, Mr. GLICKMAN, Mr. ACKERMAN, Mr. LAGOMARSINO, Mr. PENNY, Mr. OWENS of New York, Mr. SCHUMER, Mr. FRANK, Mr. FAUNTROY, Mr. GARCIA, Mr. JONTZ, Mr. ATKINS, Mr. GREEN, Mr. FOGLIETTA, Mr. LEHMAN of California, Mr. MOORHEAD, Mr. SKAGGS, Mr. BEILENSON, Mr. DIXON, Mr. HUGHES, Ms. PELOSI, Mr. MATSUI, Mr. BERMAN, Mr. FISH, Mr. RHODES, and Mr. MINETA) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

Requiring the use by the Federal Government of certain vehicles capable of operating on alcohol or natural gas fuels or on electricity in areas not in compliance with the Clean Air Act, 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,*

1 **SECTION 1. REQUIRED USE IN NONATTAINMENT AREAS.**

2 (a) **IN GENERAL.**—With respect to any fleet of passen-
3 ger automobiles and light-duty trucks owned or leased for
4 more than 60 days by the United States for operation in an
5 area designated under the Clean Air Act as an area of seri-
6 ous or severe health endangerment for ozone or carbon mon-
7 oxide, or both—

8 (1) 10 percent of the vehicles of such fleet to be
9 used in such area shall be alternative fuel vehicles after
10 September 30, 1993;

11 (2) 20 percent of the vehicles of such fleet to be
12 used in such area shall be alternative fuel vehicles after
13 September 30, 1994;

14 (3) 30 percent of the vehicles of such fleet to be
15 used in such area shall be alternative fuel vehicles after
16 September 30, 1995;

17 (4) 40 percent of the vehicles of such fleet to be
18 used in such area shall be alternative fuel vehicles after
19 September 30, 1996;

20 (5) 50 percent of the vehicles of such fleet to be
21 used in such area shall be alternative fuel vehicles after
22 September 30, 1997;

23 (6) 60 percent of the vehicles of such fleet to be
24 used in such area shall be alternative fuel vehicles after
25 September 30, 1998;

1 (7) 70 percent of the vehicles of such fleet to be
2 used in such area shall be alternative fuel vehicles after
3 September 30, 1999;

4 (8) 80 percent of the vehicles of such fleet to be
5 used in such area shall be alternative fuel vehicles after
6 September 30, 2000;

7 (9) 90 percent of the vehicles of such fleet to be
8 used in such area shall be alternative fuel vehicles after
9 September 30, 2001; and

10 (10) 100 percent of the vehicles of such fleet to be
11 used in such area shall be alternative fuel vehicles after
12 September 30, 2002.

13 (b) **REQUIRED OPERATION.**—The Administrator of the
14 General Services Administration and the Secretary of De-
15 fense, with the concurrence of the Secretary of Energy shall,
16 before October 1, 1992, issue regulations to ensure that a
17 vehicle acquired pursuant to subsection (a)—

18 (1) shall be supplied with alcohol, natural gas, or
19 electricity, as appropriate, in its primary area of oper-
20 ation, using commercially available fueling facilities to
21 the maximum extent practicable; and

22 (2) shall be operated exclusively on such fuel
23 except when operated so as to make it impracticable to
24 obtain such fuel.

1 (c) CONSIDERATIONS.—(1) Funds appropriated for car-
2 rying out this Act shall be applied on a priority basis, for
3 expenditure first in areas of the United States which the Ad-
4 ministrator of the Environmental Protection Agency deter-
5 mines have the most severe air pollution problems.

6 (2) A Federal officer or agent responsible for deciding
7 which types of alternative fuel vehicles to acquire in order to
8 comply with subsection (a) shall consider as a factor in such
9 decision which types of vehicles yield the greatest reduction
10 in pollutants emitted per dollar spent.

11 (d) CONSULTATION.—A Federal officer or agent re-
12 sponsible for deciding which types of alternative fuel vehicles
13 to acquire in order to comply with subsection (a) shall, on an
14 expedited and informal basis, consult with the Environmental
15 Protection Agency and with the lead State or local agency
16 charged with air quality planning for the area in which the
17 vehicles will be operated. The purpose of such consultation
18 shall be to obtain relevant information—

19 (1) with respect to considerations under subsection
20 (c)(2); and

21 (2) to facilitate the coordination of this Act with
22 other Federal, State, and local programs, such as any
23 plans by a State to install alternative fuel pumps near
24 a location where vehicles acquired under subsection (a)
25 will be operated.

1 (e) AVAILABILITY TO THE PUBLIC.—At Federal facili-
2 ties where vehicles acquired under subsection (a) are supplied
3 with alcohol or natural gas, such fuel shall be offered for sale
4 to the public for use in other vehicles, unless—

5 (1) such fuel is commercially available for vehicles
6 in the vicinity of such Federal facilities;

7 (2) security considerations prevent the offering for
8 sale of such fuel at such facility; or

9 (3) the area served by the facility comes into full
10 compliance with the national ambient air quality stand-
11 ards for ozone and carbon monoxide.

12 (f) COST OF VEHICLES TO FEDERAL AGENCY.—(1)
13 Funds appropriated under this Act for the acquisition of vehi-
14 cles under subsection (a) shall be applicable only—

15 (A) to the portion of the cost of vehicles acquired
16 under subsection (a) which exceeds the cost of compa-
17 rable conventional fueled vehicles;

18 (B) to the portion of the costs of fuel storage and
19 dispensing equipment attributable to such vehicles
20 which exceeds the costs for such purposes required for
21 conventional fuel vehicles; and

22 (C) to the portion of the costs of operating and
23 maintaining such vehicles which exceeds the costs for
24 such purposes required for comparable conventional
25 fueled vehicles.

1 (2) The Secretary of Energy shall ensure that the cost
2 to any Federal agency receiving a vehicle under subsection
3 (a) shall not exceed the cost to such agency of a comparable
4 conventional fueled vehicle.

5 (g) EXEMPTION.—The incremental cost of vehicles ac-
6 quired under subsection (a) over the cost of comparable con-
7 ventional fueled vehicles shall not be applied to any calcula-
8 tion with respect to a limitation under law on the maximum
9 cost of individual vehicles which may be acquired by the
10 United States.

11 (h) FLEET AVERAGE FUEL ECONOMY.—In any calcu-
12 lation of the average fuel economy of the fleet of passenger
13 automobiles acquired in a fiscal year by the United States,
14 vehicles acquired under subsection (a) shall be measured in
15 terms of miles per BTU or per kilowatt hour, as appropriate.

16 (i) STUDIES.—Vehicles acquired under subsection (a)
17 may be included in any Federal Government study of the
18 environmental effects or military applications of vehicles op-
19 erated on natural gas, alcohol fuels, or electricity.

20 **SEC. 2. OPERATION OF OTHER FEDERAL VEHICLES.**

21 A gasoline powered vehicle operated in an area desig-
22 nated under the Clean Air Act as an area of serious or severe
23 health endangerment for carbon monoxide which is not a dual
24 energy vehicle or a natural gas dual energy vehicle shall,
25 after March 31, 1989, be supplied with fuel which blends

1 oxygenates with gasoline at its primary fueling facility. Such
2 vehicle shall be operated exclusively on such fuel except
3 when operated—

4 (1) so as to make it impracticable to obtain such
5 fuel; or

6 (2) in an area during any month in which such
7 area is a nonattainment area for ozone under the Clean
8 Air Act, unless the Administrator determines that the
9 use of blended fuel in those months would improve air
10 quality.

11 **SEC. 3. EXEMPTIONS.**

12 The requirements of section 1(a) of this Act shall not
13 apply to vehicles—

14 (1) being operated as an experiment in the use of
15 alternative fuels other than alcohol, natural gas, or
16 electricity; or

17 (2) with respect to which the Secretary of De-
18 fense has claimed an exemption based on national se-
19 curity considerations.

20 **SEC. 4. AIR QUALITY AND HEALTH STUDY.**

21 (a) **COMPREHENSIVE ANALYSIS.**—The Administrator,
22 in cooperation with the Department of Energy National Lab-
23 oratories, shall prepare a comprehensive analysis with re-
24 spect to the air pollutant emission, air quality impact, and
25 human health risks, including toxicity to consumers at self-

1 service fuel pumps, associated with the storage, distribution,
2 and use of significant amounts of alcohols or natural gas as
3 transportation fuels as compared to diesel and gasoline fuels.
4 The Administrator shall include an analysis of the usefulness
5 of alcohols, natural gas, and electricity as substitute transpor-
6 tation fuels to assist areas of the United States in attaining
7 national ambient air quality standards prescribed under sec-
8 tion 109 of the Clean Air Act.

9 (b) REPORT.—The Administrator shall, before October
10 1, 1991, submit a report to the Congress detailing the results
11 of the comprehensive analysis prepared under subsection (a).

12 (c) FUNDING.—There are authorized to be appropriated
13 to carry out the purposes of this section \$975,000 for the
14 fiscal year ending September 30, 1990.

15 **SEC. 5. DEFINITIONS AND CRITERIA.**

16 (a) DEFINITIONS.—For purposes of this Act—

17 (1) the term “acquired” means purchased or
18 leased for a period of 60 days or more;

19 (2) the term “Administrator” means the Adminis-
20 trator of the Environmental Protection Agency;

21 (3) the term “alcohol” means a mixture contain-
22 ing 85 percent or more methanol, ethanol, or other
23 alcohols by volume;

24 (4) the term “alternative fuel vehicle” means a
25 dual energy vehicle, a natural gas dual energy vehicle,

1 a dedicated alcohol vehicle, a dedicated natural gas
2 vehicle, or an electric vehicle;

3 (5) the term "dedicated alcohol vehicle" means a
4 vehicle designed to operate exclusively on alcohol;

5 (6) the term "dedicated natural gas vehicle"
6 means a vehicle designed to operate exclusively on
7 natural gas;

8 (7) the term "dual energy vehicle" means a vehi-
9 cle which—

10 (A) is capable of operating on alcohol and on
11 conventional fuel;

12 (B) provides equal or superior energy effi-
13 ciency, as calculated during fuel economy testing
14 for the Federal Government, while operating on
15 alcohol as it does while operating on conventional
16 fuel; and

17 (C) meets the criteria set forth in subsection
18 (b);

19 (8) the term "electric vehicle" means any vehicle
20 capable of operating exclusively on energy derived
21 from a source of electricity, including batteries capable
22 of being charged by electric current, solar energy, and
23 any other source of electricity;

24 (9) the term "natural gas dual energy vehicle"
25 means a vehicle which—

1 (A) is capable of operating on natural gas
2 and on conventional fuel;

3 (B) provides equal or superior energy effi-
4 ciency, as calculated during fuel economy testing
5 by the Federal Government, while operating on
6 natural gas as it does while operating on conven-
7 tional fuel; and

8 (C) meets the criteria set forth in subsection
9 (b); and

10 (10) the term "vicinity" means an area the Secre-
11 tary of Energy determines to be the area a commercial
12 supplier of alcohol or natural gas fuels would reason-
13 ably expect to serve.

14 (b) CRITERIA FOR VEHICLES.—No vehicle shall be
15 considered an alternative fuel vehicle under this section
16 unless the vehicle meets each of the following criteria:

17 (1) The emission rates for air pollutants, designat-
18 ed by the Administrator, emitted from such vehicle are
19 less than those for comparable vehicles which do not
20 use such alternate fuels.

21 (2) The vehicle emits formaldehyde at a level no
22 greater than that which the Administrator determines
23 to be appropriate for the protection of the public
24 health.

1 **SEC. 6. FUNDING.**

2 There are authorized to be appropriated for the fiscal
3 year ending September 30, 1993, \$10,000,000; for the fiscal
4 year ending September 30, 1994, \$7,000,000; for the fiscal
5 year ending September 30, 1995, \$7,000,000; and for the
6 fiscal year ending September 30, 1996, \$5,000,000, to carry
7 out the purposes of this Act except for the study under sec-
8 tion 4. The authority of the Secretary to obligate amounts
9 authorized under this Act shall be effective for any fiscal year
10 only to the extent provided in advance by appropriation Acts.

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ROUTING AND TRANSMITTAL SLIP

Date: 7/8/88

TO: (Name, office symbol, room number, building, Agency/Post)

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REMARKS

Attached bill, HR 4968, would require certain vehicles operated by Fed. Gov't to use alternative fuels.

would you please ask the appropriate OL officer to review for Agency specific problems and advise me. Placed on OL Legislative Watch List.

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FPMR (41 CFR) 101-11.208

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