

**AMENDMENT TO RULES**  
**COMMITTEE PRINT 116-63**  
**OFFERED BY MS. SPEIER OF CALIFORNIA**

At the end of title II, add the following:

1           **Subtitle G—Electric Vehicle**  
2                           **Manufacturing**

3   **SEC. 2701. PRIVATE ACTIVITY BONDS RELATED TO ELEC-**  
4                           **TRIC VEHICLE MANUFACTURING.**

5           (a) IN GENERAL.—Section 142(a) of the Internal  
6 Revenue Code of 1986 is amended by striking “or” at the  
7 end of paragraph (14), by striking the period at the end  
8 of paragraph (15) and inserting “, or”, and by adding at  
9 the end the following new paragraph:

10                   “(16) a qualified battery electric motor vehicle  
11           manufacturing facility or a qualified electric vehicle  
12           battery manufacturing facility.”.

13           (b) FACILITIES DEFINED.—Section 142 of such Code  
14 is amended by adding at the end the following new sub-  
15 section:

16                   “(n) QUALIFIED BATTERY ELECTRIC MOTOR VEHI-  
17 CLE MANUFACTURING AND QUALIFIED ELECTRIC VEHI-  
18 CLE BATTERY MANUFACTURING FACILITIES.—

1           “(1) IN GENERAL.—For purposes of subsection  
2           (a)(16)—

3           “(A) the term ‘qualified battery electric  
4           motor vehicle manufacturing facility’ means a  
5           battery electric motor vehicle manufacturing fa-  
6           cility designated by the Secretary under this  
7           subsection, and

8           “(B) the term ‘qualified electric vehicle  
9           battery manufacturing facility’ means an elec-  
10          tric vehicle battery manufacturing facility des-  
11          ignated by the Secretary under this subsection.

12          “(2) BATTERY ELECTRIC MOTOR VEHICLE MAN-  
13          UFACTURING FACILITY.—For purposes of this sub-  
14          section—

15          “(A) IN GENERAL.—The term ‘battery  
16          electric motor vehicle manufacturing facility’  
17          means a facility for manufacturing battery elec-  
18          tric motor vehicles.

19          “(B) BATTERY ELECTRIC MOTOR VEHI-  
20          CLES.—The term ‘battery electric motor vehicle’  
21          means an automobile which is powered by a  
22          battery electric drive train and which produces  
23          zero exhaust emissions of any criteria pollutant  
24          (including any precursor pollutant) or green-  
25          house gas (other than emissions from air condi-

1           tioning systems) under any possible operational  
2           modes or conditions.

3           “(3) ELECTRIC VEHICLE BATTERY MANUFAC-  
4           TURING FACILITY.—The term ‘electric vehicle bat-  
5           tery manufacturing facility’ means a facility for  
6           manufacturing batteries for use in battery electric  
7           motor vehicles.

8           “(4) AGGREGATE LIMITATION ON DESIGNA-  
9           TIONS.—

10           “(A) IN GENERAL.—An issue shall not be  
11           treated as an issue described in subsection  
12           (a)(16) if the aggregate face amount of bonds  
13           issued by the State or local government pursu-  
14           ant thereto for any facility (when added to the  
15           aggregate face amount of bonds previously so  
16           issued for such facility) exceeds the amount al-  
17           located to such facility by the Secretary under  
18           this subsection.

19           “(B) AGGREGATE LIMITATION.—The Sec-  
20           retary may not allocate more than  
21           \$15,000,000,000 to facilities designated under  
22           this subsection.

23           “(5) STANDARDS FOR DESIGNATION.—The Sec-  
24           retary shall not designate a facility for purposes of  
25           this subsection unless—

1           “(A) an application has been submitted to  
2           the Secretary with respect to such facility which  
3           meets the requirements of paragraph (7),

4           “(B) such facility is located in the United  
5           States,

6           “(C) such facility has been nominated by a  
7           State or local government during the 180-day  
8           period ending with the date of such application,  
9           and

10           “(D) such State or local government pro-  
11           vides written assurances of the accuracy of the  
12           application with respect to such facility.

13           “(6) PRIORITY FOR RETOOLING OF EXISTING  
14           FACILITIES.—The Secretary shall give priority in  
15           making designations and allocations under this sub-  
16           section to the retooling of existing manufacturing fa-  
17           cilities, especially the oldest facilities or facilities  
18           that have been in existence for at least 20 years  
19           (whether or not such facilities are idle).

20           “(7) CONDITIONAL DESIGNATIONS.—The Sec-  
21           retary may approve a designation under this sub-  
22           section subject to such conditions as the Secretary  
23           may determine are necessary to satisfy the purposes  
24           of this subsection or to protect the national security  
25           interests of the United States.

1           “(8) APPLICATION.—An application with re-  
2           spect to a facility for designation under this sub-  
3           section shall include—

4                   “(A) a written agreement that—

5                           “(i) all laborers and mechanics em-  
6                           ployed by contractors or subcontractors  
7                           during construction, alteration, or repair  
8                           that is financed, in whole or in part, by the  
9                           proceeds of the issue shall be paid wages  
10                          at rates not less than those prevailing on  
11                          similar construction in the locality, as de-  
12                          termined by the Secretary of Labor in ac-  
13                          cordance with sections 3141–3144, 3146,  
14                          and 3147 of title 40, United States Code,  
15                          and

16                           “(ii) the Secretary of Labor shall,  
17                           with respect to the labor standards de-  
18                           scribed in clause (i), have the authority  
19                           and functions set forth in Reorganization  
20                           Plan Numbered 14 of 1950 (5 U.S.C.  
21                           App.) and section 3145 of title 40, United  
22                           States Code,

23                           “(B) evidence satisfactory to the Secretary  
24                           that the project will improve the global competi-  
25                           tive position of the United States in the electric

1           vehicle industry, will stimulate the regional  
2           economy at the facility location, and will pro-  
3           vide quality jobs and labor standards consistent  
4           with the United States automobile industry,  
5           and

6                   “(C) a demonstration that the facility in-  
7           cludes the use of energy efficiency, renewable  
8           energy, and other sustainable design features to  
9           the extent feasible.

10           “(9) TIME LIMIT ON EXPENDITURE OF BOND  
11           PROCEEDS.—An issue shall not be treated as an  
12           issue described in subsection (a)(16) unless at least  
13           95 percent of the net proceeds of the issue are ex-  
14           pended for the facility designated under this sub-  
15           section within the 5-year period beginning on the  
16           date of issuance. If at least 95 percent of such net  
17           proceeds is not so expended within such 5-year pe-  
18           riod, an issue shall be treated as continuing to be  
19           described in subsection (a)(16) if the issuer uses all  
20           remaining proceeds of the issue to redeem bonds of  
21           the issue within 90 days after the end of such 5-year  
22           period. The Secretary, at the request of the issuer,  
23           may extend such 5-year period if the issuer estab-  
24           lishes that the failure to make such expenditures is

1       due to circumstances beyond the control of the  
2       issuer.”.

3       (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply to bonds issued after the date of  
5 the enactment of this Act.

