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

At the end of title II, add the following:

Subtitle G—Electric Vehicle Manufacturing

SEC. 2701. PRIVATE ACTIVITY BONDS RELATED TO ELECTRIC VEHICLE MANUFACTURING.

(a) In General.—Section 142(a) of the Internal Revenue Code of 1986 is amended by striking “or” at the end of paragraph (14), by striking the period at the end of paragraph (15) and inserting “, or”, and by adding at the end the following new paragraph:

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

(b) Facilities Defined.—Section 142 of such Code is amended by adding at the end the following new subsection:

“(n) QUALIFIED BATTERY ELECTRIC MOTOR VEHICLE MANUFACTURING AND QUALIFIED ELECTRIC VEHICLE BATTERY MANUFACTURING FACILITIES.—
“(1) IN GENERAL.—For purposes of subsection
(a)(16)—

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

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

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

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

“(B) BATTERY ELECTRIC MOTOR VEH-
ICLES.—The term ‘battery electric motor vehicle’
means an automobile which is powered by a
battery electric drive train and which produces
zero exhaust emissions of any criteria pollutant
(including any precursor pollutant) or green-
house gas (other than emissions from air condi-
tioning systems) under any possible operational modes or conditions.

“(3) ELECTRIC VEHICLE BATTERY MANUFACTURING FACILITY.—The term ‘electric vehicle battery manufacturing facility’ means a facility for manufacturing batteries for use in battery electric motor vehicles.

“(4) AGGREGATE LIMITATION ON DESIGNATIONS.—

“(A) IN GENERAL.—An issue shall not be treated as an issue described in subsection (a)(16) if the aggregate face amount of bonds issued by the State or local government pursuant thereto for any facility (when added to the aggregate face amount of bonds previously so issued for such facility) exceeds the amount allocated to such facility by the Secretary under this subsection.

“(B) AGGREGATE LIMITATION.—The Secretary may not allocate more than $15,000,000,000 to facilities designated under this subsection.

“(5) STANDARDS FOR DESIGNATION.—The Secretary shall not designate a facility for purposes of this subsection unless—
“(A) an application has been submitted to
the Secretary with respect to such facility which
meets the requirements of paragraph (7),
“(B) such facility is located in the United
States,
“(C) such facility has been nominated by a
State or local government during the 180-day
period ending with the date of such application,
and
“(D) such State or local government pro-
vides written assurances of the accuracy of the
application with respect to such facility.
“(6) PRIORITY FOR RETOOLING OF EXISTING
FACILITIES.—The Secretary shall give priority in
making designations and allocations under this sub-
section to the retooling of existing manufacturing fa-
cilities, especially the oldest facilities or facilities
that have been in existence for at least 20 years
(whether or not such facilities are idle).
“(7) CONDITIONAL DESIGNATIONS.—The Sec-
retary may approve a designation under this sub-
section subject to such conditions as the Secretary
may determine are necessary to satisfy the purposes
of this subsection or to protect the national security
interests of the United States.
“(8) APPLICATION.—An application with respect to a facility for designation under this subsection shall include—

“(A) a written agreement that—

“(i) all laborers and mechanics employed by contractors or subcontractors during construction, alteration, or repair that is financed, in whole or in part, by the proceeds of the issue shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with sections 3141–3144, 3146, and 3147 of title 40, United States Code, and

“(ii) the Secretary of Labor shall, with respect to the labor standards described in clause (i), have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code,

“(B) evidence satisfactory to the Secretary that the project will improve the global competitive position of the United States in the electric
vehicle industry, will stimulate the regional economy at the facility location, and will provide quality jobs and labor standards consistent with the United States automobile industry, and

“(C) a demonstration that the facility includes the use of energy efficiency, renewable energy, and other sustainable design features to the extent feasible.

“(9) Time limit on expenditure of bond proceeds.—An issue shall not be treated as an issue described in subsection (a)(16) unless at least 95 percent of the net proceeds of the issue are expended for the facility designated under this subsection within the 5-year period beginning on the date of issuance. If at least 95 percent of such net proceeds is not so expended within such 5-year period, an issue shall be treated as continuing to be described in subsection (a)(16) if the issuer uses all remaining proceeds of the issue to redeem bonds of the issue within 90 days after the end of such 5-year period. The Secretary, at the request of the issuer, may extend such 5-year period if the issuer establishes that the failure to make such expenditures is
due to circumstances beyond the control of the issuer.’’

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