

AMENDMENT TO
RULES COMMITTEE PRINT 117-8
OFFERED BY MR. RUSH OF ILLINOIS

At the end, add the following:

1 **DIVISION H—ELECTRIC**
2 **VEHICLES**
3 **TITLE I—ZERO EMISSIONS VEHI-**
4 **CLE INFRASTRUCTURE**
5 **BUILDOUT**
6 **Subtitle A—Electric Vehicle**
7 **Infrastructure**

8 **SEC. 12101. DEFINITIONS.**

9 In this subtitle:

10 (1) **ELECTRIC VEHICLE SUPPLY EQUIPMENT.**—

11 The term “electric vehicle supply equipment” means
12 any conductors, including ungrounded, grounded,
13 and equipment grounding conductors, electric vehicle
14 connectors, attachment plugs, and all other fittings,
15 devices, power outlets, or apparatuses installed spe-
16 cifically for the purpose of delivering energy to an
17 electric vehicle.

18 (2) **SECRETARY.**—The term “Secretary” means
19 the Secretary of Energy.

1 (3) UNDERSERVED OR DISADVANTAGED COM-
2 MUNITY.—The term “underserved or disadvantaged
3 community” means—

4 (A) a community located in a ZIP code
5 that includes a census tract that is identified
6 as—

7 (i) a low-income community; or

8 (ii) a community of color;

9 (B) a community in which climate change,
10 pollution, or environmental destruction have ex-
11 acerbated systemic racial, regional, social, envi-
12 ronmental, and economic injustices by dis-
13 proportionately affecting indigenous peoples,
14 communities of color, migrant communities,
15 deindustrialized communities, depopulated rural
16 communities, the poor, low-income workers,
17 women, the elderly, the unhoused, people with
18 disabilities, or youth; or

19 (C) any other community that the Sec-
20 retary determines is disproportionately vulner-
21 able to, or bears a disproportionate burden of,
22 any combination of economic, social, and envi-
23 ronmental stressors.

1 **SEC. 12102. ELECTRIC VEHICLE SUPPLY EQUIPMENT RE-**
2 **BATE PROGRAM.**

3 (a) REBATE PROGRAM.—Not later than January 1,
4 2022, the Secretary shall establish a rebate program to
5 provide rebates for covered expenses associated with pub-
6 licly accessible electric vehicle supply equipment (in this
7 section referred to as the “rebate program”).

8 (b) REBATE PROGRAM REQUIREMENTS.—

9 (1) ELIGIBLE ENTITIES.—A rebate under the
10 rebate program may be made to an individual, a
11 State, local, Tribal, or Territorial government, a pri-
12 vate entity, a not-for-profit entity, a nonprofit entity,
13 or a metropolitan planning organization.

14 (2) ELIGIBLE EQUIPMENT.—

15 (A) IN GENERAL.—Not later than 180
16 days after the date of the enactment of this
17 Act, the Secretary shall publish and maintain
18 on the Department of Energy internet website
19 a list of electric vehicle supply equipment that
20 is eligible for the rebate program.

21 (B) UPDATES.—The Secretary may, by
22 regulation, add to, or otherwise revise, the list
23 of electric vehicle supply equipment under sub-
24 paragraph (A) if the Secretary determines that
25 such addition or revision will likely lead to—

1 (i) greater usage of electric vehicle
2 supply equipment;

3 (ii) greater access to electric vehicle
4 supply equipment by users; or

5 (iii) an improved experience for users
6 of electric vehicle supply equipment, in-
7 cluding accessibility in compliance with the
8 Americans with Disabilities Act of 1990
9 (42 U.S.C. 12101 et seq.).

10 (C) LOCATION REQUIREMENT.—To be eli-
11 gible for the rebate program, the electric vehicle
12 supply equipment described in subparagraph
13 (A) shall be installed—

14 (i) in the United States;

15 (ii) on property—

16 (I) owned by the eligible entity
17 under paragraph (1); or

18 (II) on which the eligible entity
19 under paragraph (1) has authority to
20 install electric vehicle supply equip-
21 ment; and

22 (iii) at a location that is—

23 (I) a multi-unit housing struc-
24 ture;

25 (II) a workplace;

1 (III) a commercial location; or

2 (IV) open to the public for a
3 minimum of 12 hours per day;

4 (3) APPLICATION.—

5 (A) IN GENERAL.—An eligible entity under
6 paragraph (1) may submit to the Secretary an
7 application for a rebate under the rebate pro-
8 gram. Such application shall include—

9 (i) the estimated cost of covered ex-
10 penses to be expended on the electric vehi-
11 cle supply equipment that is eligible under
12 paragraph (2);

13 (ii) the estimated installation cost of
14 the electric vehicle supply equipment that
15 is eligible under paragraph (2);

16 (iii) the global positioning system lo-
17 cation, including the integer number of de-
18 grees, minutes, and seconds, where such
19 electric vehicle supply equipment is to be
20 installed, and identification of whether
21 such location is—

22 (I) a multi-unit housing struc-
23 ture;

24 (II) a workplace;

25 (III) a commercial location; or

1 (IV) open to the public for a
2 minimum of 12 hours per day;

3 (iv) the technical specifications of
4 such electric vehicle supply equipment, in-
5 cluding the maximum power voltage and
6 amperage of such equipment;

7 (v) an identification of any existing
8 electric vehicle supply equipment that—

9 (I) is available to the public for a
10 minimum of 12 hours per day; and

11 (II) is not further than 50 miles
12 from the global positioning system lo-
13 cation identified under clause (iii);
14 and

15 (vi) any other information determined
16 by the Secretary to be necessary for a com-
17 plete application.

18 (B) REVIEW PROCESS.—The Secretary
19 shall review an application for a rebate under
20 the rebate program and approve an eligible en-
21 tity under paragraph (1) to receive such rebate
22 if the application meets the requirements of the
23 rebate program under this subsection.

24 (C) NOTIFICATION TO ELIGIBLE ENTITY.—
25 Not later than 1 year after the date on which

1 the eligible entity under paragraph (1) applies
2 for a rebate under the rebate program, the Sec-
3 retary shall notify the eligible entity whether
4 the eligible entity will be awarded a rebate
5 under the rebate program following the submis-
6 sion of additional materials required under
7 paragraph (5).

8 (4) REBATE AMOUNT.—

9 (A) IN GENERAL.—Except as provided in
10 subparagraph (B), the amount of a rebate made
11 under the rebate program for each charging
12 unit shall be the lesser of—

13 (i) 75 percent of the applicable cov-
14 ered expenses;

15 (ii) \$2,000 for covered expenses asso-
16 ciated with the purchase and installation of
17 non-networked level 2 charging equipment;

18 (iii) \$4,000 for covered expenses asso-
19 ciated with the purchase and installation of
20 networked level 2 charging equipment; or

21 (iv) \$100,000 for covered expenses as-
22 sociated with the purchase and installation
23 of networked direct current fast charging
24 equipment.

1 (B) REBATE AMOUNT FOR REPLACEMENT
2 EQUIPMENT.—A rebate made under the rebate
3 program for replacement of pre-existing electric
4 vehicle supply equipment at a single location
5 shall be the lesser of—

6 (i) 75 percent of the applicable cov-
7 ered expenses;

8 (ii) \$1,000 for covered expenses asso-
9 ciated with the purchase and installation of
10 non-networked level 2 charging equipment;

11 (iii) \$2,000 for covered expenses asso-
12 ciated with the purchase and installation of
13 networked level 2 charging equipment; or

14 (iv) \$25,000 for covered expenses as-
15 sociated with the purchase and installation
16 of networked direct current fast charging
17 equipment.

18 (5) DISBURSEMENT OF REBATE.—

19 (A) IN GENERAL.—The Secretary shall
20 disburse a rebate under the rebate program to
21 an eligible entity under paragraph (1), following
22 approval of an application under paragraph (3),
23 if such entity submits the materials required
24 under subparagraph (B).

1 (B) MATERIALS REQUIRED FOR DISBURSE-
2 MENT OF REBATE.—Not later than one year
3 after the date on which the eligible entity under
4 paragraph (1) receives notice under paragraph
5 (3)(C) that the eligible entity has been ap-
6 proved for a rebate, such eligible entity shall
7 submit to the Secretary the following—

8 (i) a record of payment for covered
9 expenses expended on the installation of
10 the electric vehicle supply equipment that
11 is eligible under paragraph (2);

12 (ii) a record of payment for the elec-
13 tric vehicle supply equipment that is eligi-
14 ble under paragraph (2);

15 (iii) the global positioning system lo-
16 cation of where such electric vehicle supply
17 equipment was installed and identification
18 of whether such location is—

19 (I) a multi-unit housing struc-
20 ture;

21 (II) a workplace;

22 (III) a commercial location; or

23 (IV) open to the public for a
24 minimum of 12 hours per day;

1 (iv) the technical specifications of the
2 electric vehicle supply equipment that is el-
3 igible under paragraph (2), including the
4 maximum power voltage and amperage of
5 such equipment; and

6 (v) any other information determined
7 by the Secretary to be necessary.

8 (C) AGREEMENT TO MAINTAIN.—To be eli-
9 gible for a rebate under the rebate program, an
10 eligible entity under paragraph (1) shall enter
11 into an agreement with the Secretary to main-
12 tain the electric vehicle supply equipment that
13 is eligible under paragraph (2) in a satisfactory
14 manner for not less than 5 years after the date
15 on which the eligible entity under paragraph (1)
16 receives the rebate under the rebate program.

17 (D) EXCEPTION.—The Secretary shall not
18 disburse a rebate under the rebate program if
19 materials submitted under subparagraph (B) do
20 not meet the same global positioning system lo-
21 cation and technical specifications for the elec-
22 tric vehicle supply equipment that is eligible
23 under paragraph (2) provided in an application
24 under paragraph (3).

1 (6) MULTI-PORT CHARGERS.—An eligible entity
2 under paragraph (1) shall be awarded a rebate
3 under the rebate program for covered expenses relat-
4 ing to the purchase and installation of a multi-port
5 charger based on the number of publicly accessible
6 charging ports, with each subsequent port after the
7 first port being eligible for 50 percent of the full re-
8 bate amount.

9 (7) NETWORKED DIRECT CURRENT FAST
10 CHARGING.—Of amounts appropriated to carry out
11 the rebate program, not more than 40 percent may
12 be used for rebates of networked direct current fast
13 charging equipment.

14 (8) HYDROGEN FUEL CELL REFUELING INFRA-
15 STRUCTURE.—Hydrogen refueling equipment shall
16 be eligible for a rebate under the rebate program as
17 though it were networked direct current fast charg-
18 ing equipment. All requirements related to public ac-
19 cessibility of installed locations shall apply.

20 (9) REPORT.—Not later than 3 years after the
21 first date on which the Secretary awards a rebate
22 under the rebate program, the Secretary shall sub-
23 mit to the Committee on Energy and Commerce of
24 the House of Representatives and the Committee on
25 Energy and Natural Resources of the Senate a re-

1 port of the number of rebates awarded for electric
2 vehicle supply equipment and hydrogen fuel cell re-
3 fueling equipment in each of the location categories
4 described in paragraph (2)(C)(iii).

5 (c) DEFINITIONS.—In this section:

6 (1) COVERED EXPENSES.—The term “covered
7 expenses” means an expense that is associated with
8 the purchase and installation of electric vehicle sup-
9 ply equipment, including—

10 (A) the cost of electric vehicle supply
11 equipment;

12 (B) labor costs associated with the installa-
13 tion of such electric vehicle supply equipment,
14 only if wages for such labor are paid at rates
15 not less than those prevailing on similar labor
16 in the locality of installation, as determined by
17 the Secretary of Labor under subchapter IV of
18 chapter 31 of title 40, United States Code
19 (commonly referred to as the “Davis-Bacon
20 Act”);

21 (C) material costs associated with the in-
22 stallation of such electric vehicle supply equip-
23 ment, including expenses involving electrical
24 equipment and necessary upgrades or modifica-
25 tions to the electrical grid and associated infra-

1 structure required for the installation of such
2 electric vehicle supply equipment;

3 (D) permit costs associated with the instal-
4 lation of such electric vehicle supply equipment;
5 and

6 (E) the cost of an on-site energy storage
7 system.

8 (2) ELECTRIC VEHICLE.—The term “electric
9 vehicle” means a vehicle that derives all or part of
10 its power from electricity.

11 (3) MULTI-PORT CHARGER.—The term “multi-
12 port charger” means electric vehicle supply equip-
13 ment capable of charging more than one electric ve-
14 hicle.

15 (4) LEVEL 2 CHARGING EQUIPMENT.—The
16 term “level 2 charging equipment” means electric
17 vehicle supply equipment that provides an alter-
18 nating current power source at a minimum of 208
19 volts.

20 (5) NETWORKED DIRECT CURRENT FAST
21 CHARGING EQUIPMENT.—The term “networked di-
22 rect current fast charging equipment” means electric
23 vehicle supply equipment that provides a direct cur-
24 rent power source at a minimum of 50 kilowatts and

1 is enabled to connect to a network to facilitate data
2 collection and access.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$100,000,000 for each of fiscal years 2022 through 2026.

6 **SEC. 12103. MODEL BUILDING CODE FOR ELECTRIC VEHI-**
7 **CLE SUPPLY EQUIPMENT.**

8 (a) REVIEW.—The Secretary shall review proposed or
9 final model building codes for—

10 (1) integrating electric vehicle supply equipment
11 into residential and commercial buildings that in-
12 clude space for individual vehicle or fleet vehicle
13 parking; and

14 (2) integrating onsite renewable power equip-
15 ment and electric storage equipment (including elec-
16 tric vehicle batteries to be used for electric storage)
17 into residential and commercial buildings.

18 (b) TECHNICAL ASSISTANCE.—The Secretary shall
19 provide technical assistance to stakeholders representing
20 the building construction industry, manufacturers of elec-
21 tric vehicles and electric vehicle supply equipment, State
22 and local governments, and any other persons with rel-
23 evant expertise or interests to facilitate understanding of
24 the model code and best practices for adoption by jurisdic-
25 tions.

1 **SEC. 12104. ELECTRIC VEHICLE SUPPLY EQUIPMENT CO-**
2 **ORDINATION.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of enactment of this Act, the Secretary, acting
5 through the Assistant Secretary of the Office of Electricity
6 Delivery and Energy Reliability (including the Smart Grid
7 Task Force), shall convene a group to assess progress in
8 the development of standards necessary to—

9 (1) support the expanded deployment of electric
10 vehicle supply equipment;

11 (2) develop an electric vehicle charging network
12 to provide reliable charging for electric vehicles na-
13 tionwide, taking into consideration range anxiety
14 and the location of charging infrastructure to ensure
15 an electric vehicle can travel throughout the United
16 States without losing a charge; and

17 (3) ensure the development of such network will
18 not compromise the stability and reliability of the
19 electric grid.

20 (b) REPORT TO CONGRESS.—Not later than 1 year
21 after the date of enactment of this Act, the Secretary shall
22 provide to the Committee on Energy and Commerce of the
23 House of Representatives and to the Committee on En-
24 ergy and Natural Resources of the Senate a report con-
25 taining the results of the assessment carried out under
26 subsection (a) and recommendations to overcome any bar-

1 riers to standards development or adoption identified by
2 the group convened under such subsection.

3 **SEC. 12105. STATE CONSIDERATION OF ELECTRIC VEHICLE**
4 **CHARGING.**

5 (a) CONSIDERATION AND DETERMINATION RESPECT-
6 ING CERTAIN RATEMAKING STANDARDS.—Section 111(d)
7 of the Public Utility Regulatory Policies Act of 1978 (16
8 U.S.C. 2621(d)) is amended by adding at the end the fol-
9 lowing:

10 “(20) ELECTRIC VEHICLE CHARGING PRO-
11 GRAMS.—

12 “(A) IN GENERAL.—Each State shall con-
13 sider measures to promote greater electrifica-
14 tion of the transportation sector, including—

15 “(i) authorizing measures to stimulate
16 investment in and deployment of electric
17 vehicle supply equipment and to foster the
18 market for electric vehicle charging;

19 “(ii) authorizing each electric utility
20 of the State to recover from ratepayers any
21 capital, operating expenditure, or other
22 costs of the electric utility relating to load
23 management, programs, or investments as-
24 sociated with the integration of electric ve-
25 hicle supply equipment into the grid; and

1 “(iii) allowing a person or agency that
2 owns and operates an electric vehicle
3 charging facility for the sole purpose of re-
4 charging an electric vehicle battery to be
5 excluded from regulation as an electric
6 utility pursuant to section 3(4) when mak-
7 ing electricity sales from the use of the
8 electric vehicle charging facility, if such
9 sales are the only sales of electricity made
10 by the person or agency.

11 “(B) DEFINITION.—For purposes of this
12 paragraph, the term ‘electric vehicle supply
13 equipment’ means conductors, including
14 ungrounded, grounded, and equipment ground-
15 ing conductors, electric vehicle connectors, at-
16 tachment plugs, and all other fittings, devices,
17 power outlets, or apparatuses installed specifi-
18 cally for the purpose of delivering energy to an
19 electric vehicle.”.

20 (b) OBLIGATIONS TO CONSIDER AND DETERMINE.—

21 (1) TIME LIMITATIONS.—Section 112(b) of the
22 Public Utility Regulatory Policies Act of 1978 (16
23 U.S.C. 2622(b)) is amended by adding at the end
24 the following:

1 “(7)(A) Not later than 1 year after the date of
2 enactment of this paragraph, each State regulatory
3 authority (with respect to each electric utility for
4 which it has ratemaking authority) and each non-
5 regulated electric utility shall commence the consid-
6 eration referred to in section 111, or set a hearing
7 date for consideration, with respect to the standards
8 established by paragraph (20) of section 111(d).

9 “(B) Not later than 2 years after the date of
10 the enactment of this paragraph, each State regu-
11 latory authority (with respect to each electric utility
12 for which it has ratemaking authority), and each
13 nonregulated electric utility, shall complete the con-
14 sideration, and shall make the determination, re-
15 ferred to in section 111 with respect to each stand-
16 ard established by paragraph (20) of section
17 111(d).”.

18 (2) FAILURE TO COMPLY.—Section 112(c) of
19 the Public Utility Regulatory Policies Act of 1978
20 (16 U.S.C. 2622(c)) is amended by adding at the
21 end the following: “In the case of the standard es-
22 tablished by paragraph (20) of section 111(d), the
23 reference contained in this subsection to the date of
24 enactment of this Act shall be deemed to be a ref-
25 erence to the date of enactment of that paragraph.”.

1 (3) PRIOR STATE ACTIONS.—Section 112 of the
2 Public Utility Regulatory Policies Act of 1978 (16
3 U.S.C. 2622) is amended by adding at the end the
4 following:

5 “(g) PRIOR STATE ACTIONS.—Subsections (b) and
6 (c) of this section shall not apply to the standard estab-
7 lished by paragraph (20) of section 111(d) in the case of
8 any electric utility in a State if, before the enactment of
9 this subsection—

10 “(1) the State has implemented for such utility
11 the standard concerned (or a comparable standard);

12 “(2) the State regulatory authority for such
13 State or relevant nonregulated electric utility has
14 conducted a proceeding to consider implementation
15 of the standard concerned (or a comparable stand-
16 ard) for such utility;

17 “(3) the State legislature has voted on the im-
18 plementation of such standard (or a comparable
19 standard) for such utility; or

20 “(4) the State has taken action to implement
21 incentives or other steps to strongly encourage the
22 deployment of electric vehicles.”.

23 (4) PRIOR AND PENDING PROCEEDINGS.—Sec-
24 tion 124 of the Public Utility Regulatory Policies
25 Act of 1978 (16 U.S.C. 2634) is amended is amend-

1 ed by adding at the end the following: “In the case
2 of the standard established by paragraph (20) of
3 section 111(d), the reference contained in this sec-
4 tion to the date of the enactment of this Act shall
5 be deemed to be a reference to the date of enact-
6 ment of such paragraph (20).”.

7 **SEC. 12106. STATE ENERGY PLANS.**

8 (a) STATE ENERGY CONSERVATION PLANS.—Section
9 362(d) of the Energy Policy and Conservation Act (42
10 U.S.C. 6322(d)) is amended—

11 (1) in paragraph (16), by striking “; and” and
12 inserting a semicolon;

13 (2) by redesignating paragraph (17) as para-
14 graph (18); and

15 (3) by inserting after paragraph (16) the fol-
16 lowing:

17 “(17) a State energy transportation plan devel-
18 oped in accordance with section 367; and”.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
20 365(f) of the Energy Policy and Conservation Act (42
21 U.S.C. 6325(f)) is amended to read as follows:

22 “(f) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) STATE ENERGY CONSERVATION PLANS.—

24 For the purpose of carrying out this part, there are

1 authorized to be appropriated \$100,000,000 for each
2 of fiscal years 2022 through 2026.

3 “(2) STATE ENERGY TRANSPORTATION
4 PLANS.—In addition to the amounts authorized
5 under paragraph (1), for the purpose of carrying out
6 section 367, there are authorized to be appropriated
7 \$25,000,000 for each of fiscal years 2022 through
8 2026.”.

9 (c) STATE ENERGY TRANSPORTATION PLANS.—

10 (1) IN GENERAL.—Part D of title III of the
11 Energy Policy and Conservation Act (42 U.S.C.
12 6321 et seq.) is amended by adding at the end the
13 following:

14 **“SEC. 367. STATE ENERGY TRANSPORTATION PLANS.**

15 “(a) IN GENERAL.—The Secretary may provide fi-
16 nancial assistance to a State to develop a State energy
17 transportation plan, for inclusion in a State energy con-
18 servation plan under section 362(d), to promote the elec-
19 trification of the transportation system, reduced consump-
20 tion of fossil fuels, and improved air quality.

21 “(b) DEVELOPMENT.—A State developing a State en-
22 ergy transportation plan under this section shall carry out
23 this activity through the State energy office that is respon-
24 sible for developing the State energy conservation plan
25 under section 362.

1 “(c) CONTENTS.—A State developing a State energy
2 transportation plan under this section shall include in such
3 plan a plan to—

4 “(1) deploy a network of electric vehicle supply
5 equipment to ensure access to electricity for electric
6 vehicles, including commercial vehicles, to an extent
7 that such electric vehicles can travel throughout the
8 State without running out of a charge; and

9 “(2) promote modernization of the electric grid,
10 including through the use of renewable energy
11 sources to power the electric grid, to accommodate
12 demand for power to operate electric vehicle supply
13 equipment and to utilize energy storage capacity
14 provided by electric vehicles, including commercial
15 vehicles.

16 “(d) COORDINATION.—In developing a State energy
17 transportation plan under this section, a State shall co-
18 ordinate, as appropriate, with—

19 “(1) State regulatory authorities (as defined in
20 section 3 of the Public Utility Regulatory Policies
21 Act of 1978 (16 U.S.C. 2602));

22 “(2) electric utilities;

23 “(3) regional transmission organizations or
24 independent system operators;

1 “(4) private entities that provide electric vehicle
2 charging services;

3 “(5) State transportation agencies, metropoli-
4 tan planning organizations, and local governments;

5 “(6) electric vehicle manufacturers;

6 “(7) public and private entities that manage ve-
7 hicle fleets; and

8 “(8) public and private entities that manage
9 ports, airports, or other transportation hubs.

10 “(e) TECHNICAL ASSISTANCE.—Upon request of the
11 Governor of a State, the Secretary shall provide informa-
12 tion and technical assistance in the development, imple-
13 mentation, or revision of a State energy transportation
14 plan.

15 “(f) ELECTRIC VEHICLE SUPPLY EQUIPMENT DE-
16 FINED.—For purposes of this section, the term ‘electric
17 vehicle supply equipment’ means conductors, including
18 ungrounded, grounded, and equipment grounding conduc-
19 tors, electric vehicle connectors, attachment plugs, and all
20 other fittings, devices, power outlets, or apparatuses in-
21 stalled specifically for the purpose of delivering energy to
22 an electric vehicle.”.

23 (2) CONFORMING AMENDMENT.—The table of
24 sections for part D of title III of the Energy Policy

1 and Conservation Act is amended by adding at the
2 end the following:

“Sec. 367. State energy security plans.”.

3 **SEC. 12107. TRANSPORTATION ELECTRIFICATION.**

4 Section 131 of the Energy Independence and Security
5 Act of 2007 (42 U.S.C. 17011) is amended—

6 (1) in subsection (a)(6)—

7 (A) in subparagraph (A), by inserting “,
8 including ground support equipment at ports”
9 before the semicolon;

10 (B) in subparagraph (E), by inserting
11 “and vehicles” before the semicolon;

12 (C) in subparagraph (H), by striking
13 “and” at the end;

14 (D) in subparagraph (I)—

15 (i) by striking “battery chargers,”;
16 and

17 (ii) by striking the period at the end
18 and inserting a semicolon; and

19 (E) by adding at the end the following:

20 “(J) installation of electric vehicle supply
21 equipment for recharging plug-in electric drive
22 vehicles, including such equipment that is acces-
23 sible in rural and urban areas and in under-
24 served or disadvantaged communities and such

1 equipment for medium- and heavy-duty vehicles,
2 including at depots and in-route locations;

3 “(K) multi-use charging hubs used for
4 multiple forms of transportation;

5 “(L) medium- and heavy-duty vehicle
6 smart charging management and refueling;

7 “(M) battery recycling and secondary use,
8 including for medium- and heavy-duty vehicles;
9 and

10 “(N) sharing of best practices, and tech-
11 nical assistance provided by the Department to
12 public utilities commissions and utilities, for
13 medium- and heavy-duty vehicle electrifica-
14 tion.”;

15 (2) in subsection (b)—

16 (A) in paragraph (3)(A)(ii), by inserting “,
17 components for such vehicles, and charging
18 equipment for such vehicles” after “vehicles”;
19 and

20 (B) in paragraph (6), by striking
21 “\$90,000,000 for each of fiscal years 2008
22 through 2012” and inserting “\$2,000,000,000
23 for each of fiscal years 2022 through 2026”;

24 (3) in subsection (c)—

1 (A) in the header, by striking “NEAR-
2 TERM” and inserting “LARGE-SCALE”; and

3 (B) in paragraph (4), by striking
4 “\$95,000,000 for each of fiscal years 2008
5 through 2013” and inserting “\$2,500,000,000
6 for each of fiscal years 2022 through 2026”;
7 and

8 (4) by redesignating subsection (d) as sub-
9 section (e) and inserting after subsection (c) the fol-
10 lowing:

11 “(d) PRIORITY.—In providing grants under sub-
12 sections (b) and (c), the Secretary shall give priority con-
13 sideration to applications that contain a written assurance
14 that all laborers and mechanics employed by contractors
15 or subcontractors during construction, alteration, or re-
16 pair that is financed, in whole or in part, by a grant pro-
17 vided under this section shall be paid wages at rates not
18 less than those prevailing on similar construction in the
19 locality, as determined by the Secretary of Labor in ac-
20 cordance with sections 3141 through 3144, 3146, and
21 3147 of title 40, United States Code (and the Secretary
22 of Labor shall, with respect to the labor standards de-
23 scribed in this clause, have the authority and functions
24 set forth in Reorganization Plan Numbered 14 of 1950

1 (5 U.S.C. App.) and section 3145 of title 40, United
2 States Code).”.

3 **SEC. 12108. FEDERAL FLEETS.**

4 (a) MINIMUM FEDERAL FLEET REQUIREMENT.—
5 Section 303 of the Energy Policy Act of 1992 (42 U.S.C.
6 13212) is amended—

7 (1) in subsection (a), by adding at the end the
8 following:

9 “(3) The Secretary, in consultation with the Adminis-
10 trator of General Services, shall ensure that in acquiring
11 medium- and heavy-duty vehicles for a Federal fleet, a
12 Federal entity shall acquire zero emission vehicles to the
13 maximum extent feasible.”;

14 (2) by striking subsection (b) and inserting the
15 following:

16 “(b) PERCENTAGE REQUIREMENTS.—

17 “(1) IN GENERAL.—

18 “(A) LIGHT-DUTY VEHICLES.—Beginning
19 in fiscal year 2025, 100 percent of the total
20 number of light-duty vehicles acquired by a
21 Federal entity for a Federal fleet shall be alter-
22 native fueled vehicles, of which—

23 “(i) at least 50 percent shall be zero
24 emission vehicles or plug-in hybrids in fis-
25 cal years 2025 through 2034;

1 “(ii) at least 75 percent shall be zero
2 emission vehicles or plug-in hybrids in fis-
3 cal years 2035 through 2049; and

4 “(iii) 100 percent shall be zero emis-
5 sion vehicles in fiscal year 2050 and there-
6 after.

7 “(B) MEDIUM- AND HEAVY-DUTY VEHI-
8 CLES.—The following percentages of the total
9 number of medium- and heavy-duty vehicles ac-
10 quired by a Federal entity for a Federal fleet
11 shall be alternative fueled vehicles:

12 “(i) At least 20 percent in fiscal years
13 2025 through 2029.

14 “(ii) At least 30 percent in fiscal
15 years 2030 through 2039.

16 “(iii) At least 40 percent in fiscal
17 years 2040 through 2049.

18 “(iv) At least 50 percent in fiscal year
19 2050 and thereafter.

20 “(2) EXCEPTION.—The Secretary, in consulta-
21 tion with the Administrator of General Services
22 where appropriate, may permit a Federal entity to
23 acquire for a Federal fleet a smaller percentage than
24 is required in paragraph (1) for a fiscal year, so long
25 as the aggregate percentage acquired for each class

1 of vehicle for all Federal fleets in the fiscal year is
2 at least equal to the required percentage.

3 “(3) DEFINITIONS.—In this subsection:

4 “(A) FEDERAL FLEET.—The term ‘Fed-
5 eral fleet’ means a fleet of vehicles that are cen-
6 trally fueled or capable of being centrally fueled
7 and are owned, operated, leased, or otherwise
8 controlled by or assigned to any Federal execu-
9 tive department, military department, Govern-
10 ment corporation, independent establishment,
11 or executive agency, the United States Postal
12 Service, the courts of the United States, or the
13 Executive Office of the President. Such term
14 does not include—

15 “(i) motor vehicles held for lease or
16 rental to the general public;

17 “(ii) motor vehicles used for motor ve-
18 hicle manufacturer product evaluations or
19 tests;

20 “(iii) law enforcement vehicles;

21 “(iv) emergency vehicles; or

22 “(v) motor vehicles acquired and used
23 for military purposes that the Secretary of
24 Defense has certified to the Secretary must
25 be exempt for national security reasons.

- 1 “(B) FLEET.—The term ‘fleet’ means—
- 2 “(i) 20 or more light-duty vehicles, lo-
- 3 cated in a metropolitan statistical area or
- 4 consolidated metropolitan statistical area,
- 5 as established by the Bureau of the Cen-
- 6 sus, with a 1980 population of more than
- 7 250,000; or
- 8 “(ii) 10 or more medium- or heavy-
- 9 duty vehicles, located at a Federal facility
- 10 or located in a metropolitan statistical area
- 11 or consolidated metropolitan statistical
- 12 area, as established by the Bureau of the
- 13 Census, with a 1980 population of more
- 14 than 250,000.”; and
- 15 (3) in subsection (f)(2)(B)—
- 16 (A) by striking “, either”; and
- 17 (B) in clause (i), by striking “or” and in-
- 18 serting “and”.
- 19 (b) FEDERAL FLEET CONSERVATION REQUIRE-
- 20 MENTS.—Section 400FF(a) of the Energy Policy and
- 21 Conservation Act (42 U.S.C. 6374e) is amended—
- 22 (1) in paragraph (1)—
- 23 (A) by striking “18 months after the date
- 24 of enactment of this section” and inserting “12

1 months after the date of enactment of the IN-
2 VEST in America Act”;

3 (B) by striking “2010” and inserting
4 “2022”; and

5 (C) by striking “and increase alternative
6 fuel consumption” and inserting “, increase al-
7 ternative fuel consumption, and reduce vehicle
8 greenhouse gas emissions”; and

9 (2) by striking paragraph (2) and inserting the
10 following:

11 “(2) GOALS.—The goals of the requirements
12 under paragraph (1) are that each Federal agency
13 shall—

14 “(A) reduce fleet-wide per-mile greenhouse
15 gas emissions from agency fleet vehicles, rel-
16 ative to a baseline of emissions in 2015, by—

17 “(i) not less than 30 percent by the
18 end of fiscal year 2025;

19 “(ii) not less than 50 percent by the
20 end of fiscal year 2030; and

21 “(iii) 100 percent by the end of fiscal
22 year 2050; and

23 “(B) increase the annual percentage of al-
24 ternative fuel consumption by agency fleet vehi-

1 cles as a proportion of total annual fuel con-
2 sumption by Federal fleet vehicles, to achieve—

3 “(i) 25 percent of total annual fuel
4 consumption that is alternative fuel by the
5 end of fiscal year 2025;

6 “(ii) 50 percent of total annual fuel
7 consumption that is alternative fuel by the
8 end of fiscal year 2035; and

9 “(iii) at least 85 percent of total an-
10 nual fuel consumption that is alternative
11 fuel by the end of fiscal year 2050.”.

12 **Subtitle B—Electric Vehicles for** 13 **Underserved Communities**

14 **SEC. 12111. EXPANDING ACCESS TO ELECTRIC VEHICLES IN** 15 **UNDERSERVED AND DISADVANTAGED COM-** 16 **MUNITIES.**

17 (a) IN GENERAL.—

18 (1) ASSESSMENT.—The Secretary shall conduct
19 an assessment of the state of, challenges to, and op-
20 portunities for the deployment of electric vehicle
21 charging infrastructure in underserved or disadvan-
22 taged communities located throughout the United
23 States.

24 (2) REPORT.—Not later than 1 year after the
25 date of the enactment of this Act, the Secretary

1 shall submit to the Committee on Energy and Com-
2 merce of the House of Representatives and the Com-
3 mittee on Energy and Natural Resources of the Sen-
4 ate a report on the results of the assessment con-
5 ducted under paragraph (1), which shall—

6 (A) describe the state of deployment of
7 electric vehicle charging infrastructure in un-
8 derserved or disadvantaged communities located
9 in urban, suburban, and rural areas, including
10 a description of—

11 (i) the state of deployment of electric
12 vehicle charging infrastructure that is—

13 (I) publicly accessible;

14 (II) installed in or available to
15 occupants of public and affordable
16 housing;

17 (III) installed in or available to
18 occupants of multi-unit dwellings;

19 (IV) available to public sector
20 and commercial fleets; and

21 (V) installed in or available at
22 places of work;

23 (ii) policies, plans, and programs that
24 cities, States, utilities, and private entities
25 are using to encourage greater deployment

1 and usage of electric vehicles and the asso-
2 ciated electric vehicle charging infrastruc-
3 ture, including programs to encourage de-
4 ployment of publicly accessible electric ve-
5 hicle charging stations and electric vehicle
6 charging stations available to residents in
7 publicly owned and privately owned multi-
8 unit dwellings;

9 (iii) ownership models for Level 2
10 charging stations and DC FAST charging
11 stations located in residential multi-unit
12 dwellings, commercial buildings, and pub-
13 licly accessible areas;

14 (iv) mechanisms for financing electric
15 vehicle charging stations; and

16 (v) rates charged for the use of Level
17 2 charging stations and DC FAST charg-
18 ing stations;

19 (B) identify current barriers to expanding
20 deployment of electric vehicle charging infra-
21 structure in underserved or disadvantaged com-
22 munities in urban, suburban, and rural areas,
23 including barriers to expanding deployment of
24 publicly accessible electric vehicle charging in-
25 frastructure;

1 (C) identify the potential for, and barriers
2 to, recruiting and entering into contracts with
3 locally owned small and disadvantaged busi-
4 nesses, including women and minority-owned
5 businesses, to deploy electric vehicle charging
6 infrastructure in underserved or disadvantaged
7 communities in urban, suburban, and rural
8 areas;

9 (D) compile and provide an analysis of
10 best practices and policies used by State and
11 local governments, nonprofit organizations, and
12 private entities to increase deployment of elec-
13 tric vehicle charging infrastructure in under-
14 served or disadvantaged communities in urban,
15 suburban, and rural areas, including best prac-
16 tices and policies relating to—

17 (i) public outreach and engagement;

18 (ii) increasing deployment of publicly
19 accessible electric vehicle charging infra-
20 structure; and

21 (iii) increasing deployment of electric
22 vehicle charging infrastructure in publicly
23 owned and privately owned multi-unit
24 dwellings;

1 (E) to the extent practicable, enumerate
2 and identify in urban, suburban, and rural
3 areas within each State with detail at the level
4 of ZIP Codes and census tracts—

5 (i) the number of existing and
6 planned publicly accessible Level 2 charg-
7 ing stations and DC FAST charging sta-
8 tions for individually owned light-duty and
9 medium-duty electric vehicles;

10 (ii) the number of existing and
11 planned Level 2 charging stations and DC
12 FAST charging stations for public sector
13 and commercial fleet electric vehicles and
14 medium- and heavy-duty electric vehicles;
15 and

16 (iii) the number and type of electric
17 vehicle charging stations installed in or
18 available to occupants of public and afford-
19 able housing; and

20 (F) describe the methodology used to ob-
21 tain the information provided in the report.

22 (b) FIVE-YEAR UPDATE ASSESSMENT.—Not later
23 than 5 years after the date of the enactment of this Act,
24 the Secretary shall—

1 (1) update the assessment conducted under
2 subsection (a)(1); and

3 (2) make public and submit to the Committee
4 on Energy and Commerce of the House of Rep-
5 resentatives and the Committee on Energy and Nat-
6 ural Resources of the Senate a report, which shall—

7 (A) update the information required by
8 subsection (a)(2); and

9 (B) include a description of case studies
10 and key lessons learned after the date on which
11 the report under subsection (a)(2) was sub-
12 mitted with respect to expanding the deploy-
13 ment of electric vehicle charging infrastructure
14 in underserved or disadvantaged communities in
15 urban, suburban, and rural areas.

16 **SEC. 12112. ELECTRIC VEHICLE CHARGING EQUITY PRO-**
17 **GRAM.**

18 (a) PROGRAM.—Not later than 90 days after the date
19 of the enactment of this Act, the Secretary shall establish
20 a program, to be known as the EV Charging Equity Pro-
21 gram, to increase deployment and accessibility of electric
22 vehicle charging infrastructure in underserved or dis-
23 advantaged communities by—

24 (1) providing technical assistance to eligible en-
25 tities described in subsection (e); and

1 (2) awarding grants on a competitive basis to
2 eligible entities described in subsection (e) for
3 projects that increase such deployment and accessi-
4 bility of electric vehicle charging infrastructure, in-
5 cluding projects that are—

6 (A) publicly accessible;

7 (B) located within or are easily accessible
8 to residents of—

9 (i) public or affordable housing;

10 (ii) multi-unit dwellings; or

11 (iii) single-family homes; and

12 (C) located within or easily accessible to
13 places of work, provided that such electric vehi-
14 cle charging infrastructure is accessible no
15 fewer than 5 days per week.

16 (b) COST SHARE.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), the amount of a grant awarded under
19 this section for a project shall not exceed 80 percent
20 of project costs.

21 (2) SINGLE-FAMILY HOMES.—The amount of a
22 grant awarded under this section for a project that
23 involves, as a primary focus, single-family homes
24 shall not exceed 60 percent of project costs.

1 (c) LIMITATION.—Not more than 15 percent of the
2 amount awarded for grants under this section in a fiscal
3 year shall be awarded for projects that involve, as a pri-
4 mary focus, single-family homes.

5 (d) PRIORITY.—In awarding grants and providing
6 technical assistance under this section, the Secretary shall
7 give priority to projects that—

8 (1) provide the greatest benefit to the greatest
9 number of people within an underserved or dis-
10 advantaged community;

11 (2) incorporate renewable energy resources;

12 (3) maximize local job creation, particularly
13 among low-income, women, and minority workers; or

14 (4) utilize or involve locally owned small and
15 disadvantaged businesses, including women and mi-
16 nority-owned businesses.

17 (e) ELIGIBLE ENTITIES.—

18 (1) IN GENERAL.—To be eligible for a grant or
19 technical assistance under the EV Charging Equity
20 Program, an entity shall be—

21 (A) an individual or household that is the
22 owner of where a project will be carried out;

23 (B) a State, local, Tribal, or Territorial
24 government, or an agency or department there-
25 of;

- 1 (C) an electric utility, including—
- 2 (i) a municipally owned electric utility;
- 3 (ii) a publicly owned electric utility;
- 4 (iii) an investor-owned utility; and
- 5 (iv) a rural electric cooperative;
- 6 (D) a nonprofit organization or institution;
- 7 (E) a public housing authority;
- 8 (F) an institution of higher education (as
- 9 defined in section 101 of the Higher Education
- 10 Act of 1965 (20 U.S.C. 1001));
- 11 (G) a local small or disadvantaged busi-
- 12 ness; or
- 13 (H) a partnership between any number of
- 14 eligible entities described in subparagraphs (A)
- 15 through (G).

16 (2) UPDATES.—The Secretary may add to or

17 otherwise revise the list of eligible entities under

18 paragraph (1) if the Secretary determines that such

19 an addition or revision would be beneficial to in-

20 creasing deployment and accessibility of electric ve-

21 hicle charging infrastructure in underserved or dis-

22 advantaged communities.

23 (f) PUBLIC NOTICE AND REQUEST FOR APPLICA-

24 TIONS.—The Secretary shall publish in the Federal Reg-

25 ister, and such other publications as the Secretary con-

1 siders to be appropriate, a notice and request for applica-
2 tions to carry out projects under the EV Charging Equity
3 Program.

4 (g) EDUCATION AND OUTREACH.—

5 (1) IN GENERAL.—In carrying out the EV
6 Charging Equity Program, the Secretary shall estab-
7 lish an education and outreach component of such
8 Program to ensure that information regarding such
9 Program and the benefits and opportunities for elec-
10 tric vehicle charging is made available to individuals
11 and relevant entities that live within or serve under-
12 served or disadvantaged communities.

13 (2) REQUIREMENTS.—At a minimum, the edu-
14 cation and outreach component of the EV Charging
15 Equity Program established under this subsection
16 shall include—

17 (A) the development and dissemination of
18 an electric vehicle charging resource guide that
19 is—

20 (i) maintained electronically on a
21 website;

22 (ii) available to the public, free of
23 charge; and

24 (iii) directed specifically towards indi-
25 viduals and relevant entities that live with-

1 in or serve underserved or disadvantaged
2 communities;

3 (B) targeted outreach towards, and coordi-
4 nated public outreach with, relevant local,
5 State, and Tribal entities, nonprofit organiza-
6 tions, and institutions of higher education, that
7 are located within or serve underserved or dis-
8 advantaged communities; and

9 (C) any other such forms of education or
10 outreach as the Secretary determines appro-
11 priate to increase awareness of and access to
12 the EV Charging Equity Program.

13 (h) REPORTS TO CONGRESS.—Not later than 1 year
14 after the EV Charging Equity Program is established
15 under this section, and not less frequently than once every
16 2 years after that, the Secretary shall submit to the Com-
17 mittee on Energy and Commerce of the House of Rep-
18 resentatives and the Committee on Energy and Natural
19 Resources of the Senate, and make publicly available, a
20 report on the status of the EV Charging Equity Program,
21 including a list and description of projects that have re-
22 ceived grant awards or technical assistance, and of the
23 funding or assistance provided to such projects.

1 (i) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 \$96,000,000 for each of fiscal years 2022 through 2026.

4 **SEC. 12113. ENSURING PROGRAM BENEFITS FOR UNDER-**
5 **SERVED AND DISADVANTAGED COMMU-**
6 **NITIES.**

7 In administering a relevant program, the Secretary
8 shall, to the extent practicable, invest or direct available
9 and relevant programmatic resources so that such pro-
10 gram—

11 (1) promotes electric vehicle charging infra-
12 structure;

13 (2) supports clean and multi-modal transpor-
14 tation;

15 (3) provides improved air quality and emissions
16 reductions; and

17 (4) prioritizes the needs of underserved or dis-
18 advantaged communities.

19 **SEC. 12114. DEFINITIONS.**

20 In this subtitle:

21 (1) **ELECTRIC VEHICLE CHARGING INFRA-**
22 **STRUCTURE.**—The term “electric vehicle charging
23 infrastructure” means electric vehicle supply equip-
24 ment, including any conductors, electric vehicle con-
25 nectors, attachment plugs, and all other fittings, de-

1 vices, power outlets, or apparatuses installed specifi-
2 cally for the purposes of delivering energy to an elec-
3 tric vehicle.

4 (2) PUBLICLY ACCESSIBLE.—The term “pub-
5 licly accessible” means, with respect to electric vehi-
6 cle charging infrastructure, electric vehicle charging
7 infrastructure that is available, at zero or reasonable
8 cost, to members of the public for the purpose of
9 charging a privately owned or leased electric vehicle,
10 or electric vehicle that is available for use by mem-
11 bers of the general public as part of a ride service
12 or vehicle sharing service or program, including
13 within or around—

14 (A) public sidewalks and streets;

15 (B) public parks;

16 (C) public buildings, including—

17 (i) libraries;

18 (ii) schools; and

19 (iii) government offices;

20 (D) public parking;

21 (E) shopping centers; and

22 (F) commuter transit hubs.

23 (3) RELEVANT PROGRAM.—The term “relevant
24 program” means a program of the Department of
25 Energy, including—

1 (A) the State energy program under part
2 D of title III the Energy Policy and Conserva-
3 tion Act (42 U.S.C. 6321 et seq.);

4 (B) the Clean Cities program;

5 (C) the Energy Efficiency and Conserva-
6 tion Block Grant Program established under
7 section 542 of the Energy Independence and
8 Security Act of 2007 (42 U.S.C. 17152);

9 (D) loan guarantees made pursuant to title
10 XVII of the Energy Policy Act of 2005 (42
11 U.S.C. 16511 et seq.); and

12 (E) such other programs as the Secretary
13 determines appropriate.

14 (4) SECRETARY.—The term “Secretary” means
15 the Secretary of Energy.

16 (5) UNDERSERVED OR DISADVANTAGED COM-
17 MUNITY.—The term “underserved or disadvantaged
18 community” means a community located within a
19 ZIP Code or census tract that is identified as—

20 (A) a low-income community;

21 (B) a community of color;

22 (C) a Tribal community;

23 (D) having a disproportionately low num-
24 ber of electric vehicle charging stations per cap-
25 ita, compared to similar areas; or

1 (E) any other community that the Sec-
2 retary determines is disproportionately vulner-
3 able to, or bears a disproportionate burden of,
4 any combination of economic, social, environ-
5 mental, and climate stressors.

6 **TITLE II—PROMOTING DOMES-**
7 **TIC ADVANCED VEHICLE**
8 **MANUFACTURING**

9 **SEC. 12201. DOMESTIC MANUFACTURING CONVERSION**
10 **GRANT PROGRAM.**

11 (a) HYBRID VEHICLES, ADVANCED VEHICLES, AND
12 FUEL CELL BUSES.—Subtitle B of title VII of the Energy
13 Policy Act of 2005 (42 U.S.C. 16061 et seq.) is amend-
14 ed—

15 (1) in the subtitle header, by inserting “**Plug-**
16 **In Electric Vehicles,**” before “**Hybrid Vehi-**
17 **cles**”; and

18 (2) in part 1, in the part header, by striking
19 “**HYBRID**” and inserting “**PLUG-IN ELECTRIC**”.

20 (b) PLUG-IN ELECTRIC VEHICLES.—Section 711 of
21 the Energy Policy Act of 2005 (42 U.S.C. 16061) is
22 amended to read as follows:

23 **“SEC. 711. PLUG-IN ELECTRIC VEHICLES.**

24 “The Secretary shall accelerate efforts, related to do-
25 mestic manufacturing, that are directed toward the im-

1 improvement of batteries, power electronics, and other tech-
2 nologies for use in plug-in electric vehicles.”.

3 (c) EFFICIENT HYBRID AND ADVANCED DIESEL VE-
4 HICLES.—Section 712 of the Energy Policy Act of 2005
5 (42 U.S.C. 16062) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1), by inserting “, plug-
8 in electric,” after “efficient hybrid”; and

9 (B) by amending paragraph (3) to read as
10 follows:

11 “(3) PRIORITY.—Priority shall be given to—

12 “(A) the refurbishment or retooling of
13 manufacturing facilities that have recently
14 ceased operation or would otherwise cease oper-
15 ation in the near future; and

16 “(B) applications containing—

17 “(i) a written assurance that—

18 “(I) all laborers and mechanics
19 employed by contractors or sub-
20 contractors during construction, alter-
21 ation, or repair, or at any manufac-
22 turing operation, that is financed, in
23 whole or in part, by a loan under this
24 section shall be paid wages at rates
25 not less than those prevailing in a

1 similar firm or on similar construction
2 in the locality, as determined by the
3 Secretary of Labor in accordance with
4 subchapter IV of chapter 31 of title
5 40, United States Code; and

6 “(II) the Secretary of Labor
7 shall, with respect to the labor stand-
8 ards described in this paragraph, have
9 the authority and functions set forth
10 in Reorganization Plan Numbered 14
11 of 1950 (64 Stat. 1267; 5 U.S.C.
12 App.) and section 3145 of title 40,
13 United States Code;

14 “(ii) a disclosure of whether there has
15 been any administrative merits determina-
16 tion, arbitral award or decision, or civil
17 judgment, as defined in guidance issued by
18 the Secretary of Labor, rendered against
19 the applicant in the preceding 3 years for
20 violations of applicable labor, employment,
21 civil rights, or health and safety laws;

22 “(iii) specific information regarding
23 the actions the applicant will take to dem-
24 onstrate compliance with, and where pos-
25 sible exceedance of, requirements under

1 applicable labor, employment, civil rights,
2 and health and safety laws, and actions the
3 applicant will take to ensure that its direct
4 suppliers demonstrate compliance with ap-
5 plicable labor, employment, civil rights,
6 and health and safety laws; and

7 “(iv) an estimate and description of
8 the jobs and types of jobs to be retained or
9 created by the project and the specific ac-
10 tions the applicant will take to increase
11 employment and retention of dislocated
12 workers, veterans, individuals from low-in-
13 come communities, women, minorities, and
14 other groups underrepresented in manufac-
15 turing, and individuals with a barrier to
16 employment.”; and

17 (2) by striking subsection (c) and inserting the
18 following:

19 “(c) COST SHARE AND GUARANTEE OF OPER-
20 ATION.—

21 “(1) CONDITION.—A recipient of a grant under
22 this section shall pay the Secretary the full amount
23 of the grant if the facility financed in whole or in
24 part under this subsection fails to manufacture

1 goods for a period of at least 10 years after the com-
2 pletion of construction.

3 “(2) COST SHARE.—Section 988(c) shall apply
4 to a grant made under this subsection.

5 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
6 is authorized to be appropriated to the Secretary to carry
7 out this section \$2,500,000,000 for each of fiscal years
8 2022 through 2026.

9 “(e) PERIOD OF AVAILABILITY.—An award made
10 under this section after the date of enactment of this sub-
11 section shall only be available with respect to facilities and
12 equipment placed in service before December 30, 2035.”.

13 (d) CONFORMING AMENDMENT.—The table of con-
14 tents of the Energy Policy Act of 2005 is amended—

15 (1) in the item relating to subtitle B of title
16 VII, by inserting “Plug-In Electric Vehicles,” before
17 “Hybrid Vehicles”;

18 (2) in the item relating to part 1 of such sub-
19 title, by striking “Hybrid” and inserting “Plug-In
20 Electric”; and

21 (3) in the item relating to section 711, by strik-
22 ing “Hybrid” and inserting “Plug-in electric”.

1 **SEC. 12202. ADVANCED TECHNOLOGY VEHICLES MANUFAC-**
2 **TURING INCENTIVE PROGRAM.**

3 Section 136 of the Energy Independence and Security
4 Act of 2007 (42 U.S.C. 17013) is amended—

5 (1) in subsection (a)—

6 (A) by amending paragraph to read as fol-
7 lows:

8 “(1) **ADVANCED TECHNOLOGY VEHICLE.**—The
9 term ‘advanced technology vehicle’ means—

10 “(A) an ultra efficient vehicle;

11 “(B) a light-duty vehicle or medium-duty
12 passenger vehicle that—

13 “(i) meets the Bin 160 Tier III emis-
14 sion standard established in regulations
15 issued by the Administrator of the Envi-
16 ronmental Protection Agency under section
17 202(i) of the Clean Air Act (42 U.S.C.
18 7521(i)), or a lower-numbered Bin emis-
19 sion standard;

20 “(ii) meets any new emission standard
21 in effect for fine particulate matter pre-
22 scribed by the Administrator under that
23 Act (42 U.S.C. 7401 et seq.); and

24 “(iii) either—

25 “(I) complies with the applicable
26 regulatory standard for emissions of

1 greenhouse gases for model year 2024
2 or later; or

3 “(II) emits zero emissions of
4 greenhouse gases; or

5 “(C) a heavy-duty vehicle (excluding a me-
6 dium-duty passenger vehicle) that—

7 “(i) demonstrates achievement below
8 the applicable regulatory standards for
9 emissions of greenhouse gases for model
10 year 2027 vehicles promulgated by the Ad-
11 ministrator on October 25, 2016 (81 Fed.
12 Reg. 73478);

13 “(ii) complies with the applicable reg-
14 ulatory standard for emissions of green-
15 house gases for model year 2030 or later;
16 or

17 “(iii) emits zero emissions of green-
18 house gases.”;

19 (B) by striking paragraph (2) and redesign-
20 ating paragraph (3) as paragraph (2);

21 (C) by striking paragraph (4) and insert-
22 ing the following:

23 “(3) QUALIFYING COMPONENT.—The term
24 ‘qualifying component’ means a material, technology,
25 component, system, or subsystem in an advanced

1 technology vehicle, including an ultra-efficient com-
2 ponent.

3 “(4) ULTRA-EFFICIENT COMPONENT.—The
4 term ‘ultra-efficient component’ means—

5 “(A) a component of an ultra efficient ve-
6 hicle;

7 “(B) fuel cell technology;

8 “(C) battery technology, including a bat-
9 tery cell, battery, battery management system,
10 or thermal control system;

11 “(D) an automotive semiconductor or com-
12 puter;

13 “(E) an electric motor, axle, or component;
14 and

15 “(F) an advanced lightweight, high-
16 strength, or high-performance material.”; and

17 (D) in paragraph (5)—

18 (i) in subparagraph (B), by striking
19 “or” at the end;

20 (ii) in subparagraph (C), by striking
21 the period at the end and inserting “; or”;
22 and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(D) at least 75 miles per gallon equiva-
2 lent while operating as a hydrogen fuel cell elec-
3 tric vehicle.”;

4 (2) by amending subsection (b) to read as fol-
5 lows:

6 “(b) **ADVANCED VEHICLES MANUFACTURING FACIL-**
7 **ITY.—**

8 “(1) **IN GENERAL.—**The Secretary shall provide
9 facility funding awards under this section to ad-
10 vanced technology vehicle manufacturers and compo-
11 nent suppliers to pay not more than 50 percent of
12 the cost of—

13 “(A) reequipping, expanding, or estab-
14 lishing a manufacturing facility in the United
15 States to produce—

16 “(i) advanced technology vehicles; or

17 “(ii) qualifying components; and

18 “(B) engineering integration performed in
19 the United States of advanced technology vehi-
20 cles and qualifying components.

21 “(2) **ULTRA-EFFICIENT COMPONENTS COST**
22 **SHARE.—**Notwithstanding paragraph (1), a facility
23 funding award under such paragraph may pay not
24 more than 80 percent of the cost of a project to
25 reequip, expand, or establish a manufacturing facil-

1 ity in the United States to produce ultra-efficient
2 components.”;

3 (3) in subsection (c), by striking “2020” and
4 inserting “2031” each place it appears;

5 (4) in subsection (d)—

6 (A) by amending paragraph (2) to read as
7 follows:

8 “(2) APPLICATION.—An applicant for a loan
9 under this subsection shall submit to the Secretary
10 an application at such time, in such manner, and
11 containing such information as the Secretary may
12 require, including—

13 “(A) a written assurance that—

14 “(i) all laborers and mechanics em-
15 ployed by contractors or subcontractors
16 during construction, alteration, or repair,
17 or at any manufacturing operation, that is
18 financed, in whole or in part, by a loan
19 under this section shall be paid wages at
20 rates not less than those prevailing in a
21 similar firm or on similar construction in
22 the locality, as determined by the Sec-
23 retary of Labor in accordance with sub-
24 chapter IV of chapter 31 of title 40,
25 United States Code; and

1 “(ii) the Secretary of Labor shall,
2 with respect to the labor standards de-
3 scribed in this paragraph, have the author-
4 ity and functions set forth in Reorganiza-
5 tion Plan Numbered 14 of 1950 (64 Stat.
6 1267; 5 U.S.C. App.) and section 3145 of
7 title 40, United States Code;

8 “(B) a disclosure of whether there has
9 been any administrative merits determination,
10 arbitral award or decision, or civil judgment, as
11 defined in guidance issued by the Secretary of
12 Labor, rendered against the applicant in the
13 preceding 3 years for violations of applicable
14 labor, employment, civil rights, or health and
15 safety laws;

16 “(C) specific information regarding the ac-
17 tions the applicant will take to demonstrate
18 compliance with, and where possible exceedance
19 of, requirements under applicable labor, employ-
20 ment, civil rights, and health and safety laws,
21 and actions the applicant will take to ensure
22 that its direct suppliers demonstrate compliance
23 with applicable labor, employment, civil rights,
24 and health and safety laws; and

1 “(D) an estimate and description of the
2 jobs and types of jobs to be retained or created
3 by the project and the specific actions the appli-
4 cant will take to increase employment and re-
5 tention of dislocated workers, veterans, individ-
6 uals from low-income communities, women, mi-
7 norities, and other groups underrepresented in
8 manufacturing, and individuals with a barrier
9 to employment.”;

10 (B) by amending paragraph (3) to read as
11 follows:

12 “(3) SELECTION OF ELIGIBLE PROJECTS.—

13 “(A) IN GENERAL.—The Secretary shall
14 select eligible projects to receive loans under
15 this subsection in cases in which the Secretary
16 determines—

17 “(i) the loan recipient—

18 “(I) has a reasonable prospect of
19 repaying the principal and interest on
20 the loan;

21 “(II) will provide sufficient infor-
22 mation to the Secretary for the Sec-
23 retary to ensure that the qualified in-
24 vestment is expended efficiently and
25 effectively; and

1 “(III) has met such other criteria
2 as may be established and published
3 by the Secretary; and

4 “(ii) the amount of the loan (when
5 combined with amounts available to the
6 loan recipient from other sources) will be
7 sufficient to carry out the project.

8 “(B) REASONABLE PROSPECT OF REPAY-
9 MENT.—The Secretary shall base a determina-
10 tion of whether there is a reasonable prospect
11 of repayment of the principal and interest on a
12 loan under subparagraph (A) on a comprehen-
13 sive evaluation of whether the loan recipient has
14 a reasonable prospect of repaying the principal
15 and interest, including evaluation of—

16 “(i) the strength of an eligible
17 project’s contractual terms (if commer-
18 cially reasonably available);

19 “(ii) the forecast of noncontractual
20 cash flows supported by market projections
21 from reputable sources, as determined by
22 the Secretary;

23 “(iii) cash sweeps and other structure
24 enhancements;

1 “(iv) the projected financial strength
2 of the loan recipient at the time of loan
3 close and projected throughout the loan
4 term after the project is completed;

5 “(v) the financial strength of the loan
6 recipient’s investors and strategic partners,
7 if applicable; and

8 “(vi) other financial metrics and anal-
9 yses that are relied upon by the private
10 lending community and nationally recog-
11 nized credit rating agencies, as determined
12 appropriate by the Secretary.”; and

13 (C) in paragraph (4)—

14 (i) in subparagraph (B)(i), by striking
15 “; and” and inserting “; or”;

16 (ii) in subparagraph (C), by striking
17 “; and” and inserting a semicolon;

18 (iii) in subparagraph (D), by striking
19 the period at the end and inserting “;
20 and”;

21 (iv) by adding at the end the fol-
22 lowing:

23 “(E) shall be subject to the condition that
24 the loan is not subordinate to other financing.”;

1 (5) by amending subsection (e) to read as fol-
2 lows:

3 “(e) REGULATIONS.—Not later than 6 months after
4 the date of enactment of the INVEST in America Act,
5 the Secretary shall issue a final rule establishing regula-
6 tions to carry out this section.”;

7 (6) by amending subsection (f) to read as fol-
8 lows:

9 “(f) FEES.—The Secretary shall charge and collect
10 fees for loans under this section in amounts the Secretary
11 determines are sufficient to cover applicable administra-
12 tive expenses (including any costs associated with third-
13 party consultants engaged by the Secretary), which may
14 not exceed \$100,000 or 10 basis points of the loan and
15 may not be collected prior to financial closing.”;

16 (7) by amending subsection (g) to read as fol-
17 lows:

18 “(g) PRIORITY.—The Secretary shall, in making
19 awards or loans to those manufacturers that have existing
20 facilities (which may be idle), give priority to those facili-
21 ties that are or would be—

22 “(1) oldest or in existence for at least 20 years;

23 “(2) recently closed, or at risk of closure;

1 “(3) utilized primarily for the manufacture of
2 medium-duty passenger vehicles or other heavy-duty
3 vehicles that emit zero greenhouse gas emissions; or

4 “(4) utilized primarily for the manufacture of
5 ultra-efficient components.”;

6 (8) in subsection (h)—

7 (A) in the header, by striking “AUTO-
8 MOBILE” and inserting “ADVANCED TECH-
9 NOLOGY VEHICLE”; and

10 (B) in paragraph (1)(B), by striking
11 “automobiles, or components of automobiles”
12 and inserting “advanced technology vehicles, or
13 components of advanced technology vehicles”;

14 (9) by striking subsection (i) and redesignating
15 subsection (j) as subsection (i); and

16 (10) by adding at the end the following:

17 “(j) COORDINATION.—In carrying out this section,
18 the Secretary shall coordinate with relevant vehicle, bio-
19 energy, and hydrogen and fuel cell demonstration project
20 activities supported by the Department.

21 “(k) OUTREACH.—In carrying out this section, the
22 Secretary shall—

23 “(1) provide assistance with the completion of
24 applications for awards or loans under this section;
25 and

1 “(2) conduct outreach, including through con-
2 ferences and online programs, to disseminate infor-
3 mation on awards and loans under this section to
4 potential applicants.

5 “(1) REPORT.—Not later than 2 years after the date
6 of the enactment of this subsection, and every 3 years
7 thereafter, the Secretary shall submit to Congress a report
8 on the status of projects supported by a loan under this
9 section, including—

10 “(1) a list of projects receiving a loan under
11 this section, including the loan amount and con-
12 struction status of each such project;

13 “(2) the status of each project’s loan repay-
14 ment, including future repayment projections;

15 “(3) data regarding the number of direct and
16 indirect jobs retained, restored, or created by fi-
17 nanced projects;

18 “(4) the number of new projects projected to
19 receive a loan under this section in the next 2 years
20 and the aggregate loan amount;

21 “(5) evaluation of ongoing compliance with the
22 assurances and commitments and of the predictions
23 made by applicants pursuant to subsection (d)(2);
24 and

1 “(6) any other metrics the Secretary finds ap-
2 propriate.

3 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$10,000,000 for each of fiscal years 2022 through 2026.”.

