

AMENDMENT TO RULES COMMITTEE PRINT 117-

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OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle D of title I, add the following new section:

1 **SEC. 1___ . PROCUREMENT OF ELECTRIC OR ZERO EMIS-**
2 **SION VEHICLES FOR THE DEPARTMENT OF**
3 **DEFENSE.**

4 (a) PROCUREMENT REQUIREMENT.—

5 (1) IN GENERAL.—Section 2922g of title 10,
6 United States Code, is amended to read as follows:

7 **“§ 2922g. Procurement of electric or zero emission ve-**
8 **hicles**

9 “(a) REQUIREMENT TO PROCURE ELECTRIC OR
10 ZERO EMISSION VEHICLES.—Not less than 75 percent of
11 the total number of covered nontactical vehicles purchased
12 or leased by or for the use of the Department of Defense
13 shall—

14 “(1) be electric or zero emission vehicles; and

15 “(2) use a charging connector type (or other
16 means to transmit electricity to the vehicle) that
17 meets applicable industry accepted standards for
18 interoperability and safety.

1 “(b) COVERED NONTACTICAL VEHICLE DEFINED.—

2 In this section, the term ‘covered nontactical vehicle’
3 means any vehicle—

4 “(1) that is not a tactical vehicle designed for
5 use in combat; and

6 “(2) that is purchased or leased by the Depart-
7 ment of Defense, or by another department or agen-
8 cy of the Federal Government for the use of the De-
9 partment of Defense, pursuant to a contract entered
10 into, renewed, modified, or amended on or after Oc-
11 tober 1, 2022.

12 “(c) RELATION TO OTHER VEHICLE TECHNOLOGIES
13 THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—The
14 head of the Federal department or agency concerned may
15 authorize the purchase or lease of covered nontactical vehi-
16 cles that use a technology other than electric or zero emis-
17 sion technology only if the head of such department or
18 agency determines, on a case by case basis, that—

19 “(1) the technology used in the vehicles to be
20 purchased or leased reduces the consumption of fos-
21 sil fuels compared to any vehicles being replaced by
22 the newly purchased or leased vehicles (regardless of
23 the engine technology used in the vehicles being re-
24 placed);

1 “(2) the purchase or lease of such vehicles is
2 consistent with the energy performance goals and
3 plan of the Department of Defense required by sec-
4 tion 2911 of this title;

5 “(3) the purchase or lease of such vehicles will
6 not result in a total number of non-electric or non-
7 zero emission vehicles in excess of the threshold
8 specified in subsection (a); and

9 “(4) the purchase or lease of electric or zero
10 emission vehicles is impracticable under the cir-
11 cumstances.

12 “(d) DOMESTIC SOURCING REQUIREMENTS.—

13 “(1) IN GENERAL.—The following provisions of
14 law shall apply to the purchase or lease of covered
15 nontactical vehicles under this section:

16 “(A) Chapter 83 of title 41 (commonly re-
17 ferred to as the ‘Buy American Act’).

18 “(B) Section 4862 of this title (commonly
19 referred to as the ‘Berry Amendment’).

20 “(C) Section 4863 of this title (commonly
21 referred to as the ‘Specialty Metal Clause’).

22 “(2) DOMESTIC SOURCING OF BATTERIES.—
23 Any vehicle battery included in a covered nontactical
24 vehicle shall be sourced from a manufacturer—

1 “(A) within the national technology and in-
2 dustrial base (as defined in section 4801 of this
3 title); or

4 “(B) from a qualifying country (as defined
5 in section 225.003 of title 48, Code of Federal
6 Regulations).

7 “(3) APPLICABILITY TO LEASED VEHICLES.—
8 The requirements of paragraphs (1) and (2) shall
9 apply to leased vehicles in the same manner that
10 such requirements apply to purchased vehicles.

11 “(4) PROHIBITION ON WAIVER.—No provision
12 of a memorandum of understanding or related
13 agreement referred to in section 4851 of this title
14 (commonly referred to as a ‘Reciprocal Defense Pro-
15 curement Agreement’) may waive or supercede the
16 requirements of paragraphs (1) and (2).

17 “(e) PROHIBITION ON COMPONENT SOURCING FROM
18 NON-ALLIED FOREIGN NATIONS.—A covered nontactical
19 vehicle that is an electric or zero emission vehicle pur-
20 chased or leased by or for the use of the Department of
21 Defense may not include an automotive item, including a
22 vehicle battery, battery pack, or battery cell, sourced from
23 a covered nation (as defined in section 4871(d) of title
24 10, United States Code).”.

1 chapter 31 of title 40 (commonly referred to as the
2 ‘Davis-Bacon Act’); and

3 “(3) holds a valid certification from the non-
4 governmental Electric Vehicle Infrastructure Train-
5 ing Program.

6 “(b) AUTHORITY TO CARRY OUT UNSPECIFIED
7 MINOR MILITARY CONSTRUCTION PROJECTS.—The Sec-
8 retary of Defense may use the authority provided under
9 section 2805 of this title for the installation, maintenance,
10 repair, rehabilitation, or replacement of an electric vehicle
11 charging station on a military installation.

12 “(c) DEFINITIONS.—In this section:

13 “(1) The term ‘military installation’ has the
14 meaning given that term in section 2801 of this
15 title.

16 “(2) The term ‘State’ means any of the several
17 States, the District of Columbia, the Commonwealth
18 of Puerto Rico, Guam, American Samoa, the United
19 States Virgin Islands, and the Commonwealth of the
20 Northern Mariana Islands.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-
22 tions at the beginning of such subchapter is amend-
23 ed by adding at the end the following new item:

“2922j. Requirements and authorities relating to electric vehicle charging sta-
tions.”.

