H. R. 2852

To promote the domestic manufacture and use of advanced, fuel efficient vehicles and zero emission vehicles, encourage electrification of the transportation sector, create jobs, and improve air quality, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. __________ introduced the following bill; which was referred to the Committee on ____________________

A BILL

To promote the domestic manufacture and use of advanced, fuel efficient vehicles and zero emission vehicles, encourage electrification of the transportation sector, create jobs, and improve air quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “New Opportunities to Expand Healthy Air Using Sustainable Transportation Act of 2021” or the “NO EXHAUST Act of 2021”.
TITLe I—ELECTRIC VEHICLE INFRASTRUCTURE

SEC. 101. DEFINITIONS.

In this title:

(1) ELECTRIC VEHICLE SUPPLY EQUIPMENT.—
The term “electric vehicle supply equipment” means any conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.

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

(3) UNDERSERVED OR DISADVANTAGED COMMUNITY.—The term “underserved or disadvantaged community” means—

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

(i) a low-income community; or

(ii) a community of color;

(B) a community in which climate change, pollution, or environmental destruction have exacerbated systemic racial, regional, social, envi-
ronmental, and economic injustices by dis-
proportionately affecting indigenous peoples,
communities of color, migrant communities,
deindustrialized communities, depopulated rural
communities, the poor, low-income workers,
women, the elderly, the unhoused, people with
disabilities, or youth; or

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

SEC. 102. ELECTRIC VEHICLE SUPPLY EQUIPMENT REBATE

PROGRAM.

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

(b) Rebate Program Requirements.—

(1) Eligible Entities.—A rebate under the
rebate program may be made to an individual, a
State, local, Tribal, or Territorial government, a pri-
vate entity, a not-for-profit entity, a nonprofit entity,
or a metropolitan planning organization.
(2) ELIGIBLE EQUIPMENT.—

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

(B) UPDATES.—The Secretary may, by regulation, add to, or otherwise revise, the list of electric vehicle supply equipment under subparagraph (A) if the Secretary determines that such addition or revision will likely lead to—

(i) greater usage of electric vehicle supply equipment;

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

(iii) an improved experience for users of electric vehicle supply equipment, including accessibility in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(C) LOCATION REQUIREMENT.—To be eligible for the rebate program, the electric vehicle supply equipment described in subparagraph (A) shall be installed—
(i) in the United States;

(ii) on property—

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

(II) on which the eligible entity under paragraph (1) has authority to install electric vehicle supply equipment; and

(iii) at a location that is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

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

(3) APPLICATION.—

(A) IN GENERAL.—An eligible entity under paragraph (1) may submit to the Secretary an application for a rebate under the rebate program. Such application shall include—

(i) the estimated cost of covered expenses to be expended on the electric vehicle supply equipment that is eligible under paragraph (2);
(ii) the estimated installation cost of
the electric vehicle supply equipment that
is eligible under paragraph (2);

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

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

(II) a workplace;

(III) a commercial location; or

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

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

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

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

(II) is not further than 50 miles
from the global positioning system lo-
cation identified under clause (iii);
and
(vi) any other information determined
by the Secretary to be necessary for a com-
plete application.

(B) Review Process.—The Secretary
shall review an application for a rebate under
the rebate program and approve an eligible en-
tity under paragraph (1) to receive such rebate
if the application meets the requirements of the
rebate program under this subsection.

(C) Notification to Eligible Entity.—
Not later than 1 year after the date on which
the eligible entity under paragraph (1) applies
for a rebate under the rebate program, the Sec-
retary shall notify the eligible entity whether
the eligible entity will be awarded a rebate
under the rebate program following the submis-
ion of additional materials required under
paragraph (5).

(4) Rebate Amount.—
(A) In General.—Except as provided in
subparagraph (B), the amount of a rebate made
under the rebate program for each charging
unit shall be the lesser of—
(i) 75 percent of the applicable covered expenses;

(ii) $2,000 for covered expenses associated with the purchase and installation of non-networked level 2 charging equipment;

(iii) $4,000 for covered expenses associated with the purchase and installation of networked level 2 charging equipment; or

(iv) $100,000 for covered expenses associated with the purchase and installation of networked direct current fast charging equipment.

(B) Rebate Amount for Replacement Equipment.—A rebate made under the rebate program for replacement of pre-existing electric vehicle supply equipment at a single location shall be the lesser of—

(i) 75 percent of the applicable covered expenses;

(ii) $1,000 for covered expenses associated with the purchase and installation of non-networked level 2 charging equipment;

(iii) $2,000 for covered expenses associated with the purchase and installation of networked level 2 charging equipment; or
(iv) $25,000 for covered expenses associated with the purchase and installation of networked direct current fast charging equipment.

(5) DISBURSEMENT OF REBATE.—

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

(B) MATERIALS REQUIRED FOR DISBURSEMENT OF REBATE.—Not later than one year after the date on which the eligible entity under paragraph (1) receives notice under paragraph (3)(C) that the eligible entity has been approved for a rebate, such eligible entity shall submit to the Secretary the following—

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

(ii) a record of payment for the electric vehicle supply equipment that is eligible under paragraph (2);
(iii) the global positioning system location of where such electric vehicle supply equipment was installed and identification of whether such location is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

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

(iv) the technical specifications of the electric vehicle supply equipment that is eligible under paragraph (2), including the maximum power voltage and amperage of such equipment; and

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

(C) AGREEMENT TO MAINTAIN.—To be eligible for a rebate under the rebate program, an eligible entity under paragraph (1) shall enter into an agreement with the Secretary to maintain the electric vehicle supply equipment that is eligible under paragraph (2) in a satisfactory manner for not less than 5 years after the date
on which the eligible entity under paragraph (1) receives the rebate under the rebate program.

(D) EXCEPTION.—The Secretary shall not disburse a rebate under the rebate program if materials submitted under subparagraph (B) do not meet the same global positioning system location and technical specifications for the electric vehicle supply equipment that is eligible under paragraph (2) provided in an application under paragraph (3).

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

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

(8) HYDROGEN FUEL CELL REFUELING INFRASTRUCTURE.—Hydrogen refueling equipment shall
be eligible for a rebate under the rebate program as though it were networked direct current fast charging equipment. All requirements related to public accessibility of installed locations shall apply.

(9) REPORT.—Not later than 3 years after the first date on which the Secretary awards a rebate under the rebate program, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report of the number of rebates awarded for electric vehicle supply equipment and hydrogen fuel cell refueling equipment in each of the location categories described in paragraph (2)(C)(iii).

(c) DEFINITIONS.—In this section:

(1) COVERED EXPENSES.—The term “covered expenses” means an expense that is associated with the purchase and installation of electric vehicle supply equipment, including—

(A) the cost of electric vehicle supply equipment;

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

(C) material costs associated with the in-
stallation of such electric vehicle supply equip-
ment, including expenses involving electrical
equipment and necessary upgrades or modifica-
tions to the electrical grid and associated infra-
structure required for the installation of such
electric vehicle supply equipment;

(D) permit costs associated with the instal-
lacion of such electric vehicle supply equipment;

and

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

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

(3) MULTI-PORT CHARGER.—The term “multi-
port charger” means electric vehicle supply equip-
ment capable of charging more than one electric ve-
hicle.
(4) **LEVEL 2 CHARGING EQUIPMENT.**—The term “level 2 charging equipment” means electric vehicle supply equipment that provides an alternating current power source at a minimum of 208 volts.

(5) **NETWORKED DIRECT CURRENT FAST CHARGING EQUIPMENT.**—The term “networked direct current fast charging equipment” means electric vehicle supply equipment that provides a direct current power source at a minimum of 50 kilowatts and is enabled to connect to a network to facilitate data collection and access.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2022 through 2031.

**SEC. 103. MODEL BUILDING CODE FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT.**

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

(1) integrating electric vehicle supply equipment into residential and commercial buildings that include space for individual vehicle or fleet vehicle parking; and

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

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to stakeholders representing the building construction industry, manufacturers of electric vehicles and electric vehicle supply equipment, State and local governments, and any other persons with relevant expertise or interests to facilitate understanding of the model code and best practices for adoption by jurisdictions.

SEC. 104. ELECTRIC VEHICLE SUPPLY EQUIPMENT COORDINATION.

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

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

(2) develop an electric vehicle charging network to provide reliable charging for electric vehicles nationwide, taking into consideration range anxiety and the location of charging infrastructure to ensure
an electric vehicle can travel throughout the United
States without losing a charge; and

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

(b) REPORT TO CONGRESS.—Not later than 1 year
after the date of enactment of this Act, the Secretary shall
provide to the Committee on Energy and Commerce of the
House of Representatives and to the Committee on En-
ergy and Natural Resources of the Senate a report con-
taining the results of the assessment carried out under
subsection (a) and recommendations to overcome any bar-
riers to standards development or adoption identified by
the group convened under such subsection.

SEC. 105. STATE CONSIDERATION OF ELECTRIC VEHICLE
CHARGING.

(a) CONSIDERATION AND DETERMINATION RESPECT-
ing CERTAIN RATEMAKING STANDARDS.—Section 111(d)
of the Public Utility Regulatory Policies Act of 1978 (16
U.S.C. 2621(d)) is further amended by adding at the end
the following:

“(22) ELECTRIC VEHICLE CHARGING PRO-
GRAMS.—
“(A) IN GENERAL.—Each State shall consider measures to promote greater electrification of the transportation sector, including—

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

“(ii) authorizing each electric utility of the State to recover from ratepayers any capital, operating expenditure, or other costs of the electric utility relating to load management, programs, or investments associated with the integration of electric vehicle supply equipment into the grid; and

“(iii) allowing a person or agency that owns and operates an electric vehicle charging facility for the sole purpose of recharging an electric vehicle battery to be excluded from regulation as an electric utility pursuant to section 3(4) when making electricity sales from the use of the electric vehicle charging facility, if such sales are the only sales of electricity made by the person or agency.
“(B) DEFINITION.—For purposes of this paragraph, the term ‘electric vehicle supply equipment’ means conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.”.

(b) OBLIGATIONS TO CONSIDER AND DETERMINE.—

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

“(9)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each non-regulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standards established by paragraph (22) of section 111(d).

“(B) Not later than 2 years after the date of the enactment of this paragraph, each State regulatory authority (with respect to each electric utility
for which it has ratemaking authority), and each
nonregulated electric utility, shall complete the con-
sideration, and shall make the determination, re-
ferred to in section 111 with respect to each stand-
ard established by paragraph (22) of section
111(d).”.

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

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

“(i) PRIOR STATE ACTIONS.—Subsections (b) and
(c) of this section shall not apply to the standard estab-
lished by paragraph (22) of section 111(d) in the case of
any electric utility in a State if, before the enactment of
this subsection—

“(1) the State has implemented for such utility
the standard concerned (or a comparable standard);
“(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility;

“(3) the State legislature has voted on the implementation of such standard (or a comparable standard) for such utility; or

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

(4) PRIOR AND PENDING PROCEEDINGS.—Section 124 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2634) is amended by adding at the end the following: “In the case of the standard established by paragraph (22) of section 111(d), the reference contained in this section to the date of the enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraph (22).”.

SEC. 106. STATE ENERGY PLANS.

(a) STATE ENERGY CONSERVATION PLANS.—Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—
(1) in paragraph (16), by striking “; and” and
inserting a semicolon;

(2) by redesignating paragraph (17) as para-

(3) by inserting after paragraph (16) the fol-

“(17) a State energy transportation plan devel-

(b) Authorization of Appropriations.—Section
365(f) of the Energy Policy and Conservation Act (42
U.S.C. 6325(f)) is amended to read as follows:

“(f) Authorization of Appropriations.—

“(1) State energy conservation plans.—
For the purpose of carrying out this part, there are
authorized to be appropriated $100,000,000 for each
of fiscal years 2022 through 2031.

“(2) State energy transportation
plans.—In addition to the amounts authorized
under paragraph (1), for the purpose of carrying out
section 368, there are authorized to be appropriated
$25,000,000 for each of fiscal years 2022 through
2031.”.

e) State Energy Transportation Plans.—

(1) In general.—Part D of title III of the
Energy Policy and Conservation Act (42 U.S.C.
6321 et seq.) is further amended by adding at the end the following:

“SEC. 368. STATE ENERGY TRANSPORTATION PLANS.

“(a) IN GENERAL.—The Secretary may provide financial assistance to a State to develop a State energy transportation plan, for inclusion in a State energy conservation plan under section 362(d), to promote the electrification of the transportation system, reduced consumption of fossil fuels, and improved air quality.

“(b) DEVELOPMENT.—A State developing a State energy transportation plan under this section shall carry out this activity through the State energy office that is responsible for developing the State energy conservation plan under section 362.

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

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

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

“(d) COORDINATION.—In developing a State energy transportation plan under this section, a State shall coordinate, as appropriate, with—

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

“(2) electric utilities;

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

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

“(5) State transportation agencies, metropolitan planning organizations, and local governments;

“(6) electric vehicle manufacturers;

“(7) public and private entities that manage vehicle fleets; and

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

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

“(f) Electric Vehicle Supply Equipment Defined.—For purposes of this section, the term ‘electric vehicle supply equipment’ means conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.”.

(2) Conforming Amendment.—The table of sections for part D of title III of the Energy Policy and Conservation Act is further amended by adding at the end the following:

“Sec. 368. State energy security plans.”.

SEC. 107. TRANSPORTATION ELECTRIFICATION.

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

(1) in subsection (a)(6)—

(A) in subparagraph (A), by inserting “,

including ground support equipment at ports’” before the semicolon;

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

(C) in subparagraph (H), by striking “and” at the end;
(D) in subparagraph (I)—

(i) by striking “battery chargers,”;

and

(ii) by striking the period at the end

and inserting a semicolon; and

(E) by adding at the end the following:

“(J) installation of electric vehicle supply
equipment for recharging plug-in electric drive
vehicles, including such equipment that is acces-
sible in rural and urban areas and in under-
served or disadvantaged communities and such
equipment for medium- and heavy-duty vehicles,
including at depots and in-route locations;

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

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

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

and

“(N) sharing of best practices, and tech-
nical assistance provided by the Department to
public utilities commissions and utilities, for
medium- and heavy-duty vehicle electrifica-
”;}
(2) in subsection (b)—

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

(B) in paragraph (6), by striking
“$90,000,000 for each of fiscal years 2008
through 2012” and inserting “$2,000,000,000
for each of fiscal years 2022 through 2031”;

(3) in subsection (c)—

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

(B) in paragraph (4), by striking
“$95,000,000 for each of fiscal years 2008
through 2013” and inserting “$2,500,000,000
for each of fiscal years 2022 through 2031”;
and

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

“(d) PRIORITY.—In providing grants under sub-
sections (b) and (c), the Secretary shall give priority con-
sideration to applications that contain a written assurance
that all laborers and mechanics employed by contractors
or subcontractors during construction, alteration, or re-
pair that is financed, in whole or in part, by a grant pro-
vided under this section 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 ac-
cordance with sections 3141 through 3144, 3146, and
3147 of title 40, United States Code (and the Secretary
of Labor shall, with respect to the labor standards de-
scribed in this clause, 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).”.

SEC. 108. FEDERAL FLEETS.

(a) MINIMUM FEDERAL FLEET REQUIREMENT.—
13212) is amended—

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

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

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

“(b) PERCENTAGE REQUIREMENTS.—
“(1) IN GENERAL.—

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

“(i) at least 50 percent shall be zero emission vehicles or plug-in hybrids in fiscal years 2025 through 2034;

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

“(iii) 100 percent shall be zero emission vehicles in fiscal year 2050 and thereafter.

“(B) MEDIUM- AND HEAVY-DUTY VEHICLES.—The following percentages of the total number of medium- and heavy-duty vehicles acquired by a Federal entity for a Federal fleet shall be alternative fueled vehicles:

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

“(ii) At least 30 percent in fiscal years 2030 through 2039.
“(iii) At least 40 percent in fiscal years 2040 through 2049.

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

“(2) EXCEPTION.—The Secretary, in consultation with the Administrator of General Services where appropriate, may permit a Federal entity to acquire for a Federal fleet a smaller percentage than is required in paragraph (1) for a fiscal year, so long as the aggregate percentage acquired for each class of vehicle for all Federal fleets in the fiscal year is at least equal to the required percentage.

“(3) DEFINITIONS.—In this subsection:

“(A) FEDERAL FLEET.—The term ‘Federal fleet’ means a fleet of vehicles that are centrally fueled or capable of being centrally fueled and are owned, operated, leased, or otherwise controlled by or assigned to any Federal executive department, military department, Government corporation, independent establishment, or executive agency, the United States Postal Service, the Congress, the courts of the United States, or the Executive Office of the President.

Such term does not include—
“(i) motor vehicles held for lease or rental to the general public;

“(ii) motor vehicles used for motor vehicle manufacturer product evaluations or tests;

“(iii) law enforcement vehicles;

“(iv) emergency vehicles; or

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

“(B) FLEET.—The term ‘fleet’ means—

“(i) 20 or more light-duty vehicles, located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000; or

“(ii) 10 or more medium- or heavy-duty vehicles, located at a Federal facility or located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000.”; and
(3) in subsection (f)(2)(B)—

(A) by striking “, either”; and

(B) in clause (i), by striking “or” and inserting “and”.

(b) Federal Fleet Conservation Requirements.—Section 400FF(a) of the Energy Policy and Conservation Act (42 U.S.C. 6374e) is amended—

(1) in paragraph (1)—

(A) by striking “18 months after the date of enactment of this section” and inserting “12 months after the date of enactment of the NO EXHAUST Act of 2021”;

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

(C) by striking “and increase alternative fuel consumption” and inserting “, increase alternative fuel consumption, and reduce vehicle greenhouse gas emissions”; and

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

“(2) Goals.—The goals of the requirements under paragraph (1) are that each Federal agency shall—
“(A) reduce fleet-wide per-mile greenhouse
gas emissions from agency fleet vehicles, rel-
ative to a baseline of emissions in 2015, by—
“(i) not less than 30 percent by the
end of fiscal year 2025;
“(ii) not less than 50 percent by the
end of fiscal year 2030; and
“(iii) 100 percent by the end of fiscal
year 2050; and
“(B) increase the annual percentage of al-
ternative fuel consumption by agency fleet vehi-
cles as a proportion of total annual fuel con-
sumption by Federal fleet vehicles, to achieve—
“(i) 25 percent of total annual fuel
consumption that is alternative fuel by the
end of fiscal year 2025;
“(ii) 50 percent of total annual fuel
consumption that is alternative fuel by the
end of fiscal year 2035; and
“(iii) at least 85 percent of total an-
nual fuel consumption that is alternative
fuel by the end of fiscal year 2050.”.
TITLE II—ELECTRIC VEHICLES FOR UNDERSERVED COMMUNITIES

SEC. 201. EXPANDING ACCESS TO ELECTRIC VEHICLES IN UNDERSERVED AND DISADVANTAGED COMMUNITIES.

(a) IN GENERAL.—

(1) ASSESSMENT.—The Secretary shall conduct an assessment of the state of, challenges to, and opportunities for the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located throughout the United States.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of the assessment conducted under paragraph (1), which shall—

(A) describe the state of deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located in urban, suburban, and rural areas, including description of—
(i) the state of deployment of electric vehicle charging infrastructure that is—
   (I) publicly accessible;
   (II) installed in or available to occupants of public and affordable housing;
   (III) installed in or available to occupants of multi-unit dwellings;
   (IV) available to public sector and commercial fleets;
   (V) installed in or available at places of work;

(ii) policies, plans, and programs that cities, States, utilities, and private entities are using to encourage greater deployment and usage of electric vehicles and the associated electric vehicle charging infrastructure, including programs to encourage deployment of publicly accessible electric vehicle charging stations and electric vehicle charging stations available to residents in publicly owned and privately owned multi-unit dwellings;

(iii) ownership models for Level 2 charging stations and DC FAST charging
stations located in residential multi-unit dwellings, commercial buildings, and publicly accessible areas;

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

(v) rates charged for the use of Level 2 charging stations and DC FAST charging stations;

(B) identify current barriers to expanding deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas, including barriers to expanding deployment of publicly accessible electric vehicle charging infrastructure;

(C) identify the potential for, and barriers to, recruiting and entering into contracts with locally owned small and disadvantaged businesses, including women and minority-owned businesses, to deploy electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas;

(D) compile and provide an analysis of best practices and policies used by State and
local governments, nonprofit organizations, and private entities to increase deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas, including best practices and policies relating to—

(i) public outreach and engagement;

(ii) increasing deployment of publicly accessible electric vehicle charging infrastructure; and

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

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

(i) the number of existing and planned publicly accessible Level 2 charging stations and DC FAST charging stations for individually owned light-duty and medium-duty electric vehicles;

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

(iii) the number and type of electric vehicle charging stations installed in or available to occupants of public and affordable housing; and

(F) describe the methodology used to obtain the information provided in the report.

(b) Five-Year Update Assessment.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall—

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

(2) make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report, which shall—

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

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

SEC. 202. ELECTRIC VEHICLE CHARGING EQUITY PROGRAM.

(a) Program.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish a program, to be known as the EV Charging Equity Program, to increase deployment and accessibility of electric vehicle charging infrastructure in underserved or disadvantaged communities by—

(1) providing technical assistance to eligible entities described in subsection (e); and

(2) awarding grants on a competitive basis to eligible entities described in subsection (e) for projects that increase such deployment and accessibility of electric vehicle charging infrastructure, including projects that are—

(A) publicly accessible;

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

(i) public or affordable housing;

(ii) multi-unit dwellings; or

(iii) single-family homes; and
(C) located within or easily accessible to places of work, provided that such electric vehicle charging infrastructure is accessible no fewer than 5 days per week.

(b) Cost Share.—

(1) In general.—Except as provided in paragraph (2), the amount of a grant awarded under this section for a project shall not exceed 80 percent of project costs.

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

(e) Limitation.—Not more than 15 percent of the amount awarded for grants under this section in a fiscal year shall be awarded for projects that involve, as a primary focus, single-family homes.

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

(1) provide the greatest benefit to the greatest number of people within an underserved or disadvantaged community;

(2) incorporate renewable energy resources;
(3) maximize local job creation, particularly among low-income, women, and minority workers; or

(4) utilize or involve locally owned small and disadvantaged businesses, including women and minority-owned businesses.

(e) ELIGIBLE ENTITIES.—

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

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

(B) a State, local, Tribal, or Territorial government, or an agency or department thereof;

(C) an electric utility, including—

   (i) a municipally-owned electric utility;

   (ii) a publicly-owned electric utility;

   (iii) an investor-owned utility; and

   (iv) a rural electric cooperative;

(D) a nonprofit organization or institution;

(E) a public housing authority;

(F) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);
(G) a local small or disadvantaged business; or

(H) a partnership between any number of eligible entities described in subparagraphs (A) through (G).

(2) Updates.—The Secretary may add to or otherwise revise the list of eligible entities under paragraph (1) if the Secretary determines that such an addition or revision would be beneficial to increasing deployment and accessibility of electric vehicle charging infrastructure in underserved or disadvantaged communities.

(f) Public Notice and Request for Applications.—The Secretary shall publish in the Federal Register, and such other publications as the Secretary considers to be appropriate, a notice and request for applications to carry out projects under the EV Charging Equity Program.

(g) Education and Outreach.—

(1) In General.—In carrying out the EV Charging Equity Program, the Secretary shall establish an education and outreach component of such Program to ensure that information regarding such Program and the benefits and opportunities for electric vehicle charging is made available to individuals
and relevant entities that live within or serve underserved or disadvantaged communities.

(2) REQUIREMENTS.—At a minimum, the education and outreach component of the EV Charging Equity Program established under this subsection shall include—

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

(i) maintained electronically on a website;

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

(iii) directed specifically towards individuals and relevant entities that live within or serve underserved or disadvantaged communities;

(B) targeted outreach towards, and coordinated public outreach with, relevant local, State, and Tribal entities, nonprofit organizations, and institutions of higher education, that are located within or serve underserved or disadvantaged communities; and

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

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

(i) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out this section
$96,000,000 for each of fiscal years 2022 through 2031.

SEC. 203. ENSURING PROGRAM BENEFITS FOR UNDER-
SERVED AND DISADVANTAGED COMMU-
NITIES.

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

(1) promotes electric vehicle charging infra-
structure;
(2) supports clean and multi-modal transportation;
(3) provides improved air quality and emissions reductions; and
(4) prioritizes the needs of underserved or disadvantaged communities.

SEC. 204. DEFINITIONS.

In this title:

(1) ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.—The term “electric vehicle charging infrastructure” means electric vehicle supply equipment, including any conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purposes of delivering energy to an electric vehicle.

(2) PUBLICLY ACCESSIBLE.—The term “publicly accessible” means, with respect to electric vehicle charging infrastructure, electric vehicle charging infrastructure that is available, at zero or reasonable cost, to members of the public for the purpose of charging a privately owned or leased electric vehicle, or electric vehicle that is available for use by members of the general public as part of a ride service
or vehicle sharing service or program, including within or around—

(A) public sidewalks and streets;
(B) public parks;
(C) public buildings, including—
   (i) libraries;
   (ii) schools; and
   (iii) government offices;
(D) public parking;
(E) shopping centers; and
(F) commuter transit hubs.

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

(A) the State energy program under part D of title III the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.);
(B) the Clean Cities program;
(C) the Energy Efficiency and Conservation Block Grant Program established under section 542 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17152);
(D) loan guarantees made pursuant to title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.); and
(E) such other programs as the Secretary
determines appropriate.

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

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

(A) a low-income community;

(B) a community of color;

(C) a Tribal community;

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

(E) any other community that the Sec-
retary determines is disproportionately vulner-
able to, or bears a disproportionate burden of,
any combination of economic, social, environ-
mental, and climate stressors.
TITLE III—PROMOTING DOMESTIC ADVANCED VEHICLE MANUFACTURING

SEC. 301. DOMESTIC MANUFACTURING CONVERSION GRANT PROGRAM.


(1) in the subtitle header, by inserting “Plug-In Electric Vehicles,” before “Hybrid Vehicles”; and

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

(b) Plug-In Electric Vehicles.—Section 711 of the Energy Policy Act of 2005 (42 U.S.C. 16061) is amended to read as follows:

“SEC. 711. PLUG-IN ELECTRIC VEHICLES.

“The Secretary shall accelerate efforts, related to domestic manufacturing, that are directed toward the improvement of batteries, power electronics, and other technologies for use in plug-in electric vehicles.”.

(c) Efficient Hybrid and Advanced Diesel Vehicles.—Section 712 of the Energy Policy Act of 2005 (42 U.S.C. 16062) is amended—
(1) in subsection (a)—

   (A) in paragraph (1), by inserting ‘‘, plug-in electric,’’ after ‘‘efficient hybrid’’; and

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

   ‘‘(3) PRIORITY.—Priority shall be given to—

       ‘‘(A) the refurbishment or retooling of manufacturing facilities that have recently ceased operation or would otherwise cease operation in the near future; and

       ‘‘(B) applications containing—

           ‘‘(i) a written assurance that—

               ‘‘(I) all laborers and mechanics employed by contractors or sub-contractors during construction, alteration, or repair, or at any manufacturing operation, that is financed, in whole or in part, by a loan under this section shall be paid wages at rates not less than those prevailing in a similar firm or on similar construction in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code; and
“(II) the Secretary of Labor shall, with respect to the labor standards described in this paragraph, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code;

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

“(iii) specific information regarding the actions the applicant will take to demonstrate compliance with, and where possible exceedance of, requirements under applicable labor, employment, civil rights, and health and safety laws, and actions the applicant will take to ensure that its direct suppliers demonstrate compliance with ap-
applicable labor, employment, civil rights, and health and safety laws; and

“(iv) an estimate and description of the jobs and types of jobs to be retained or created by the project and the specific actions the applicant will take to increase employment and retention of dislocated workers, veterans, individuals from low-income communities, women, minorities, and other groups underrepresented in manufacturing, and individuals with a barrier to employment.”; and

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

“(c) COST SHARE AND GUARANTEE OF OPERATION.—

“(1) CONDITION.—A recipient of a grant under this section shall pay the Secretary the full amount of the grant if the facility financed in whole or in part under this subsection fails to manufacture goods for a period of at least 10 years after the completion of construction.

“(2) COST SHARE.—Section 988(c) shall apply to a grant made under this subsection.
“(d) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this section $2,500,000,000 for each of fiscal years 2022 through 2031.

“(e) Period of availability.—An award made under this section after the date of enactment of this subsection shall only be available with respect to facilities and equipment placed in service before December 30, 2035.”.

(d) Conforming Amendment.—The table of contents of the Energy Policy Act of 2005 is amended—

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

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

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

SEC. 302. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.

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

(1) in subsection (a)—

(A) by amending paragraph to read as follows:
“(1) ADVANCED TECHNOLOGY VEHICLE.—The term ‘advanced technology vehicle’ means—

“(A) an ultra efficient vehicle;

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

“(i) meets the Bin 160 Tier III emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)), or a lower-numbered Bin emission standard;

“(ii) meets any new emission standard in effect for fine particulate matter prescribed by the Administrator under that Act (42 U.S.C. 7401 et seq.); and

“(iii) either—

“(I) complies with the applicable regulatory standard for emissions of greenhouse gases for model year 2027 or later; or

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

“(C) a heavy-duty vehicle (excluding a medium-duty passenger vehicle) that—
“(i) demonstrates achievement below the applicable regulatory standards for emissions of greenhouse gases for model year 2027 vehicles promulgated by the Administrator on October 25, 2016 (81 Fed. Reg. 73478);

“(ii) complies with the applicable regulatory standard for emissions of greenhouse gases for model year 2030 or later; or

“(iii) emits zero emissions of greenhouse gases.”;

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(C) by striking paragraph (4) and inserting the following:

“(3) QUALIFYING COMPONENT.—The term ‘qualifying component’ means a material, technology, component, system, or subsystem in an advanced technology vehicle, including an ultra-efficient component.

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

“(A) a component of an ultra efficient vehicle;
“(B) fuel cell technology;

“(C) battery technology, including a battery cell, battery, battery management system, or thermal control system;

“(D) an automotive semiconductor or computer;

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

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

(D) in paragraph (5)—

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

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

and

(iii) by adding at the end the following:

“(D) at least 75 miles per gallon equivalent while operating as a hydrogen fuel cell electric vehicle.”;

(2) by amending subsection (b) to read as follows:

“(b) ADVANCED VEHICLES MANUFACTURING FACILITY.—
“(1) IN GENERAL.—The Secretary shall provide facility funding awards under this section to advanced technology vehicle manufacturers and component suppliers to pay not more than 50 percent of the cost of—

“(A) reequipping, expanding, or establishing a manufacturing facility in the United States to produce—

“(i) advanced technology vehicles; or

“(ii) qualifying components; and

“(B) engineering integration performed in the United States of advanced technology vehicles and qualifying components.

“(2) ULTRA-EFFICIENT COMPONENTS COST SHARE.—Notwithstanding paragraph (1), a facility funding award under such paragraph may pay not more than 80 percent of the cost of a project to reequip, expand, or establish a manufacturing facility in the United States to produce ultra-efficient components.”;

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

(4) in subsection (d)—

(A) by amending paragraph (2) to read as follows:
“(2) APPLICATION.—An applicant for a loan under this subsection shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

“(A) a written assurance that—

“(i) all laborers and mechanics employed by contractors or subcontractors during construction, alteration, or repair, or at any manufacturing operation, that is financed, in whole or in part, by a loan under this section shall be paid wages at rates not less than those prevailing in a similar firm or on similar construction in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code; and

“(ii) the Secretary of Labor shall, with respect to the labor standards described in this paragraph, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code;
“(B) a disclosure of whether there has been any administrative merits determination, arbitral award or decision, or civil judgment, as defined in guidance issued by the Secretary of Labor, rendered against the applicant in the preceding 3 years for violations of applicable labor, employment, civil rights, or health and safety laws;

“(C) specific information regarding the actions the applicant will take to demonstrate compliance with, and where possible exceedance of, requirements under applicable labor, employment, civil rights, and health and safety laws, and actions the applicant will take to ensure that its direct suppliers demonstrate compliance with applicable labor, employment, civil rights, and health and safety laws; and

“(D) an estimate and description of the jobs and types of jobs to be retained or created by the project and the specific actions the applicant will take to increase employment and retention of dislocated workers, veterans, individuals from low-income communities, women, minorities, and other groups underrepresented in
manufacturing, and individuals with a barrier to employment.”;

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

“(3) SELECTION OF ELIGIBLE PROJECTS.—

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

“(i) the loan recipient—

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

“(II) will provide sufficient information to the Secretary for the Secretary to ensure that the qualified investment is expended efficiently and effectively; and

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

“(ii) the amount of the loan (when combined with amounts available to the loan recipient from other sources) will be sufficient to carry out the project.
"(B) Reasonable prospect of repayment.—The Secretary shall base a determination of whether there is a reasonable prospect of repayment of the principal and interest on a loan under subparagraph (A) on a comprehensive evaluation of whether the loan recipient has a reasonable prospect of repaying the principal and interest, including evaluation of—

"(i) the strength of an eligible project’s contractual terms (if commercially reasonably available);

"(ii) the forecast of noncontractual cash flows supported by market projections from reputable sources, as determined by the Secretary;

"(iii) cash sweeps and other structure enhancements;

"(iv) the projected financial strength of the loan recipient at the time of loan close and projected throughout the loan term after the project is completed;

"(v) the financial strength of the loan recipient’s investors and strategic partners, if applicable; and
“(vi) other financial metrics and analyses that are relied upon by the private lending community and nationally recognized credit rating agencies, as determined appropriate by the Secretary.”; and

(C) in paragraph (4)—

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

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

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

(iv) by adding at the end the following:

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

(5) by amending subsection (e) to read as follows:

“(e) REGULATIONS.—Not later than 6 months after the date of enactment of the NO EXHAUST Act of 2021, the Secretary shall issue a final rule establishing regulations to carry out this section.”;

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

(7) by amending subsection (g) to read as fol-

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

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

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

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

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

(8) in subsection (h)—

(A) in the header, by striking “AUTO-
MOBILE” and inserting “ADVANCED TECH-
NOLOGY VEHICLE”; and
(B) in paragraph (1)(B), by striking “automobiles, or components of automobiles” and inserting “advanced technology vehicles, or components of advanced technology vehicles”;

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

(10) by adding at the end the following:

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

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

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

and

“(2) conduct outreach, including through conferences and online programs, to disseminate information on awards and loans under this section to potential applicants.

“(l) REPORT.—Not later than 2 years after the date of the enactment of this subsection, and every 3 years thereafter, the Secretary shall submit to Congress a report on the status of projects supported by a loan under this section, including—
“(1) a list of projects receiving a loan under this section, including the loan amount and construction status of each such project;

“(2) the status of each project’s loan repayment, including future repayment projections;

“(3) data regarding the number of direct and indirect jobs retained, restored, or created by financed projects;

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

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

“(6) any other metrics the Secretary finds appropriate.

“(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2022 through 2031.”.