

117TH CONGRESS
2D SESSION

H. R. 7379

To transition the nontactical vehicle fleet of the Department of Defense to electric or other zero emission vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2022

Mr. GARAMENDI (for himself, Mr. GOMEZ, and Mrs. DINGELL) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To transition the nontactical vehicle fleet of the Department of Defense to electric or other zero emission vehicles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Vehicle Fleet
5 Electrification Act”.

6 **SEC. 2. PROCUREMENT OF ELECTRIC OR ZERO EMISSION**
7 **VEHICLES FOR THE DEPARTMENT OF DE-**
8 **FENSE.**

9 (a) **PROCUREMENT REQUIREMENT.**—

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

3 **“§ 2922g. Procurement of electric or zero emission ve-**
4 **hicles**

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

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

11 “(2) use a charging connector type (or other
12 means to transmit electricity to the vehicle) that
13 meets applicable industry accepted standards for
14 interoperability and safety.

15 “(b) COVERED NONTACTICAL VEHICLE DEFINED.—

16 In this section, the term ‘covered nontactical vehicle’
17 means any vehicle—

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

20 “(2) that is purchased or leased by the Depart-
21 ment of Defense, or by another department or agen-
22 cy of the Federal Government for the use of the De-
23 partment of Defense, pursuant to a contract entered
24 into, renewed, modified, or amended on or after Oc-
25 tober 1, 2022.

1 “(c) RELATION TO OTHER VEHICLE TECHNOLOGIES
2 THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—The
3 head of the Federal department or agency concerned may
4 authorize the purchase or lease of covered nontactical vehi-
5 cles that use a technology other than electric or zero emis-
6 sion technology only if the head of such department or
7 agency determines, on a case by case basis, that—

8 “(1) the technology used in the vehicles to be
9 purchased or leased reduces the consumption of fos-
10 sil fuels compared to any vehicles being replaced by
11 the newly purchased or leased vehicles (regardless of
12 the engine technology used in the vehicles being re-
13 placed);

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

18 “(3) the purchase or lease of such vehicles will
19 not result in a total number of non-electric or non-
20 zero emission vehicles in excess of the threshold
21 specified in subsection (a); and

22 “(4) the purchase or lease of electric or zero
23 emission vehicles is impracticable under the cir-
24 cumstances.

25 “(d) DOMESTIC SOURCING REQUIREMENTS.—

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

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

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

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

10 “(2) DOMESTIC SOURCING OF BATTERIES.—
11 Any vehicle battery included in a covered nontactical
12 vehicle shall be sourced from a manufacturer—

13 “(A) within the national technology and in-
14 dustrial base (as defined in section 4801 of this
15 title); or

16 “(B) from a qualifying country (as defined
17 in section 225.003 of title 48, Code of Federal
18 Regulations).

19 “(3) APPLICABILITY TO LEASED VEHICLES.—
20 The requirements of paragraphs (1) and (2) shall
21 apply to leased vehicles in the same manner that
22 such requirements apply to purchased vehicles.

23 “(4) PROHIBITION ON WAIVER.—No provision
24 of a memorandum of understanding or related
25 agreement referred to in section 4851 of this title

1 (commonly referred to as a ‘Reciprocal Defense Pro-
 2 curement Agreement’) may waive or supercede the
 3 requirements of paragraphs (1) and (2).

4 “(e) PROHIBITION ON COMPONENT SOURCING FROM
 5 NON-ALLIED FOREIGN NATIONS.—A covered nontactical
 6 vehicle that is an electric or zero emission vehicle pur-
 7 chased or leased by or for the use of the Department of
 8 Defense may not include an automotive item, including a
 9 vehicle battery, battery pack, or battery cell, sourced from
 10 a covered nation (as defined in section 4871(d) of title
 11 10, United States Code).”.

12 (2) CLERICAL AMENDMENT.—The table of sec-
 13 tions at the beginning of subchapter II of chapter
 14 173 of title 10, United States Code, is amended by
 15 striking the item relating to section 2922g and in-
 16 serting the following new item:

“2922g. Procurement of electric or zero emission vehicles.”.

17 (b) EFFECTIVE DATE.—The amendments made by
 18 subsection (a) shall take effect on October 1, 2022.

19 **SEC. 3. ELECTRIC VEHICLE CHARGING STATIONS AT MILI-**
 20 **TARY INSTALLATIONS.**

21 (a) CHARGING STATIONS AT COMMISSARY STORES
 22 AND MILITARY EXCHANGES.—

23 (1) IN GENERAL.—Subchapter I of chapter 147
 24 of title 10, United States Code, is amended by add-
 25 ing at the end the following new section:

1 **“§ 2486. Electric vehicle charging stations at com-**
2 **missary stores and military exchanges**

3 “(a) **AUTHORITY.**—The Secretary of Defense may
4 furnish electric vehicle charging stations at a commissary
5 store or military exchange for commercial use by individ-
6 uals authorized to access such facilities.

7 “(b) **RATES AND PROCEDURES.**—If the Secretary of
8 Defense furnishes electric vehicle charging stations pursu-
9 ant to subsection (a)—

10 “(1) the Secretary shall establish rates and pro-
11 cedures that the Secretary determines appropriate
12 for the purchase of electric power from the charging
13 stations; and

14 “(2) such charging stations may be installed
15 and operated by a contractor on a for-profit basis.

16 “(c) **INTEROPERABILITY.**—Any vehicle charging sta-
17 tion provided under this section shall use a charging con-
18 nector type (or other means to transmit electricity to the
19 vehicle) that—

20 “(1) meets applicable industry accepted stand-
21 ards for interoperability and safety; and

22 “(2) is compatible with—

23 “(A) electric vehicles commonly available
24 for purchase by a member of the general public;
25 and

1 “(B) covered nontactical vehicles (as de-
 2 fined in section 2922g(b) of this title) for which
 3 charging is required.”.

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

“2486. Electric vehicle charging stations at commissary stores and military ex-
 changes.”.

7 (b) ADDITIONAL REQUIREMENTS AND AUTHORI-
 8 TIES.—

9 (1) IN GENERAL.—Subchapter II of chapter
 10 173 of title 10, United States Code, is amended by
 11 adding at the end the following new section:

12 **“§ 2922j. Requirements and authorities relating to**
 13 **electric vehicle charging stations**

14 “(a) USE OF QUALIFIED ELECTRICIANS.—Any elec-
 15 trical work (including installation, maintenance, repair, re-
 16 habilitation, or replacement) required for an electric vehi-
 17 cle charging station located at a military installation shall
 18 be carried out by a qualified electrician who—

19 “(1) is licensed to perform such work in the
 20 State in which the work is performed;

21 “(2) is paid wages not less than those pre-
 22 vailing for similar work in the locality, as determined
 23 by the Secretary of Labor under subchapter IV of

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.”.

