

117TH CONGRESS
1ST SESSION

H. R. 1879

To promote American leadership in vehicle manufacturing, job creation, improved air quality, and climate protection through domestic manufacturing of low- and zero-emission vehicles and development of electric vehicle charging networks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2021

Mrs. DINGELL introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To promote American leadership in vehicle manufacturing, job creation, improved air quality, and climate protection through domestic manufacturing of low- and zero-emission vehicles and development of electric vehicle charging networks, 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 “U.S.A. Electrify For-
5 ward Act”.

1 **SEC. 2. DOMESTIC MANUFACTURING CONVERSION GRANT**
2 **PROGRAM.**

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

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

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

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

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

16 “The Secretary shall accelerate efforts, related to do-
17 mestic manufacturing, that are directed toward the im-
18 provement of batteries, power electronics, and other tech-
19 nologies for use in plug-in electric vehicles.”.

20 (c) EFFICIENT HYBRID AND ADVANCED DIESEL VE-
21 HICLES.—Section 712 of the Energy Policy Act of 2005
22 (42 U.S.C. 16062) is amended—

23 (1) in subsection (a)—

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

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

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

4 “(A) the refurbishment or retooling of
5 manufacturing facilities that have recently
6 ceased operation or would otherwise cease oper-
7 ation in the near future; and

8 “(B) applications containing a written as-
9 surance that—

10 “(i) all laborers and mechanics em-
11 ployed by contractors or subcontractors
12 during construction, alteration, retooling,
13 or repair that is financed, in whole or in
14 part, by a grant under this subsection shall
15 be paid wages at rates not less than those
16 prevailing on similar construction in the lo-
17 cality, as determined by the Secretary of
18 Labor in accordance with sections 3141
19 through 3144, 3146, and 3147 of title 40,
20 United States Code; and

21 “(ii) all laborers and mechanics em-
22 ployed by the owner or operator of a man-
23 ufacturing facility that is financed, in
24 whole or in part, by a grant under this
25 subsection shall be paid wages at rates not

1 less than those prevailing on similar con-
2 struction in the locality, as determined by
3 the Secretary of Labor in accordance with
4 sections 3141 through 3144, 3146, and
5 3147 of title 40, United States Code.”;
6 and

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

9 “(c) COST SHARE AND GUARANTEE OF OPER-
10 ATION.—

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

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

19 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
20 is authorized to be appropriated to the Secretary to carry
21 out this section \$2.5 billion for each of fiscal years 2022
22 through 2031.

23 “(e) PERIOD OF AVAILABILITY.—An award made
24 under this section after the date of enactment of this sub-

1 section shall only be available with respect to facilities and
 2 equipment placed in service before December 30, 2035.”.

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

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

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

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

13 **SEC. 3. MODEL BUILDING CODE FOR ELECTRIC VEHICLE**
 14 **SUPPLY EQUIPMENT.**

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

17 (1) integrating electric vehicle supply equipment
 18 into residential and commercial buildings that in-
 19 clude space for individual vehicle or fleet vehicle
 20 parking; and

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

1 (b) TECHNICAL ASSISTANCE.—The Secretary shall
 2 provide technical assistance to stakeholders representing
 3 the building construction industry, manufacturers of elec-
 4 tric vehicles and electric vehicle supply equipment, State
 5 and local governments, and any other persons with rel-
 6 evant expertise or interests to facilitate understanding of
 7 the model code and best practices for adoption by jurisdic-
 8 tions.

9 **SEC. 4. TRANSPORTATION ELECTRIFICATION.**

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

12 (1) in subsection (a)(6)—

13 (A) in subparagraph (A), by inserting “,
 14 including ground support equipment at ports”
 15 before the semicolon;

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

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

20 (D) in subparagraph (I)—

21 (i) by striking “battery chargers,”;
 22 and

23 (ii) by striking the period at the end
 24 and inserting a semicolon; and

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

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

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

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

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

15 “(N) sharing of best practices, and tech-
16 nical assistance provided by the Department to
17 public utilities commissions and utilities, for
18 medium- and heavy-duty vehicle electrifica-
19 tion.”;

20 (2) in subsection (b)—

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

1 (B) in paragraph (6), by striking
2 “\$90,000,000 for each of fiscal years 2008
3 through 2012” and inserting “\$2,000,000,000
4 for each of fiscal years 2022 through 2031”;
5 (3) in subsection (c)—

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

8 (B) in paragraph (4), by striking
9 “\$95,000,000 for each of fiscal years 2008
10 through 2013” and inserting “\$2,500,000,000
11 for each of fiscal years 2022 through 2031”;
12 and

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

16 “(d) PRIORITY.—In providing grants under sub-
17 sections (b) and (c), the Secretary shall give priority con-
18 sideration to applications that contain a written assurance
19 that all laborers and mechanics employed by contractors
20 or subcontractors during construction, alteration, or re-
21 pair that is financed, in whole or in part, by a grant pro-
22 vided under this section shall be paid wages at rates not
23 less than those prevailing on similar construction in the
24 locality, as determined by the Secretary of Labor in ac-
25 cordance with sections 3141 through 3144, 3146, and

1 3147 of title 40, United States Code (and the Secretary
 2 of Labor shall, with respect to the labor standards de-
 3 scribed in this clause, have the authority and functions
 4 set forth in Reorganization Plan Numbered 14 of 1950
 5 (5 U.S.C. App.) and section 3145 of title 40, United
 6 States Code).”.

7 **SEC. 5. STATE CONSIDERATION OF ELECTRIC VEHICLE**
 8 **CHARGING.**

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

14 “(20) ELECTRIC VEHICLE CHARGING PRO-
 15 GRAMS.—

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

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

23 “(ii) authorizing each electric utility
 24 of the State to recover from ratepayers any
 25 capital, operating expenditure, or other

1 costs of the electric utility relating to load
2 management, programs, or investments as-
3 sociated with the integration of electric ve-
4 hicle supply equipment into the grid; and

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

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

24 (b) OBLIGATIONS TO CONSIDER AND DETERMINE.—

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

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

13 “(B) Not later than 2 years after the date of
14 the enactment of this paragraph, each State regu-
15 latory authority (with respect to each electric utility
16 for which it has ratemaking authority), and each
17 nonregulated electric utility, shall complete the con-
18 sideration, and shall make the determination, re-
19 ferred to in section 111 with respect to each stand-
20 ard established by paragraph (20) of section
21 111(d).”.

22 (2) FAILURE TO COMPLY.—Section 112(c) of
23 the Public Utility Regulatory Policies Act of 1978
24 (16 U.S.C. 2622(c)) is amended by adding at the
25 end the following: “In the case of the standard es-

1 tablished by paragraph (20) of section 111(d), the
2 reference contained in this subsection to the date of
3 enactment of this Act shall be deemed to be a ref-
4 erence to the date of enactment of that paragraph.”.

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

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

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

16 “(2) the State regulatory authority for such
17 State or relevant nonregulated electric utility has
18 conducted a proceeding to consider implementation
19 of the standard concerned (or a comparable stand-
20 ard) for such utility;

21 “(3) the State legislature has voted on the im-
22 plementation of such standard (or a comparable
23 standard) for such utility; or

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

4 (4) PRIOR AND PENDING PROCEEDINGS.—Sec-
5 tion 124 of the Public Utility Regulatory Policies
6 Act of 1978 (16 U.S.C. 2634) is amended by adding
7 at the end the following: “In the case of the stand-
8 ard established by paragraph (20) of section 111(d),
9 the reference contained in this section to the date of
10 the enactment of this Act shall be deemed to be a
11 reference to the date of enactment of such para-
12 graph (20).”.

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