

DEFAZIO Second Degree to Stauber 193

Strike everything except page 3, line 12 through page 6, line 18.

Second degree
to Stauber
193

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684**

OFFERED BY MR. Stauber

Page 276, line 3, strike "and" at the end.

Page 276, after line 3, insert the following (and re-designate accordingly):

- 1 (D) by inserting "copper, nickel, cobalt,
- 2 platinum group elements, rare earth elements,
- 3 or other minerals extracted from within the
- 4 United States and insular territories," after
- 5 "iron,"; and

Page 390, line 5, strike the closing quotation mark and period at the end.

Page 390, after line 5, add the following:

- 6 "(f) CERTIFICATION.—The Secretary of Commerce
- 7 shall certify that no electric vehicle charging stations in-
- 8 stalled under this section use minerals sourced or proc-
- 9 essed with child labor, as such term is defined in Article
- 10 3 of the International Labor Organization Convention con-
- 11 cerning the prohibition and immediate action for the elimi-

1 nation of the worst forms of child labor (December 2,
2 2000), or in violation of human rights.”.

Page 453, line 6, strike the closing quotation mark
and period at the end.

Page 453, after line 6, add the following:

3 “(11) CERTIFICATION.—The Secretary of Com-
4 merce shall certify that no projects carried out under
5 this subsection use minerals sourced or processed
6 with child labor, as such term is defined in Article
7 3 of the International Labor Organization Conven-
8 tion concerning the prohibition and immediate action
9 for the elimination of the worst forms of child labor
10 (December 2, 2000) or in violation of human
11 rights.”.

Page 801, line 5, strike “and” at the end.

Page 801, line 10, strike the period and closing
quotation mark and insert “; and”.

Page 801, after line 10, insert the following:

12 “(D) for which the recipient has certified
13 that at least 51 percent of critical mineral and
14 rare earth content in the buses were either do-
15 mestically sourced or domestically sourced joint-

1 ly with countries that have a mutual defense al-
2 niance with the United States.”.

Page 802, line 4, strike the closing quotation mark
and period at the end.

Page 802, after line 4, add the following:

3 “(10) CERTIFICATION.—The Secretary of Com-
4 merce shall certify that no projects carried out under
5 this subsection use minerals sourced or processed
6 with child labor, as such term is defined in Article
7 3 of the International Labor Organization Conven-
8 tion concerning the prohibition and immediate action
9 for the elimination of the worst forms of child labor
10 (December 2, 2000), or in violation of human
11 rights.”

Page 1129, after line 12, add the following:

12 **SEC. ____ . TASK FORCE TO PROMOTE AMERICAN VEHICLE**
13 **COMPETITIVENESS.**

14 (a) **IN GENERAL.**—Subtitle III of title 49, United
15 States Code, is amended by adding at the end the fol-
16 lowing:

1 **“CHAPTER 66—DOMESTIC PRODUCTION**
2 **OF ELECTRIC VEHICLES**

3 **“§ 6601. Task force**

4 “(a) ESTABLISHMENT.—The Secretary of Transpor-
5 tation shall establish a Task Force to Promote American
6 Vehicle Competitiveness (hereinafter referred to as the
7 ‘Task Force’) in accordance with this section.

8 “(b) MEMBERSHIP.—

9 “(1) IN GENERAL.—The Task Force shall be
10 composed of the following officers:

11 “(A) The Secretary of Transportation.

12 “(B) The Secretary of the Interior.

13 “(C) The Secretary of Commerce.

14 “(D) The Secretary of Energy.

15 “(E) The Administrator of the Environ-
16 mental Protection Agency.

17 “(2) ADDITIONAL MEMBERS.—The Secretary
18 may designate additional members to serve on the
19 Task Force.

20 “(3) OFFICERS.—The Secretary of Transpor-
21 tation shall serve as Chair and may designate offi-
22 cials to serve as the Vice Chair, and on any working
23 groups of the task force.

24 “(c) DUTIES.—The Task Force shall—

1 “(1) identify and resolve any jurisdictional or
2 regulatory gaps or inconsistencies associated with
3 domestic sourcing and production of electric vehicle
4 batteries to eliminate, so far as practicable, impedi-
5 ments to the prompt and safe deployment of domes-
6 tically produced electric vehicle batteries, including
7 with respect to safety regulation and oversight, envi-
8 ronmental review, and funding issues;

9 “(2) coordinate agency oversight of nontradi-
10 tional and emerging electric vehicle battery sourcing
11 and production technologies, projects, and engage-
12 ment with external stakeholders;

13 “(3) within applicable statutory authority other
14 than this subsection, develop, recommend, and estab-
15 lish processes, solutions, and best practices for iden-
16 tifying, managing, and resolving issues regarding do-
17 mestic sourcing and production of electric vehicle
18 batteries; and

19 “(4) carry out such additional duties as the
20 Secretary of Transportation may prescribe, to the
21 extend consistent with this title.

22 “(d) REPORT.—Not later than 12 months after the
23 date of enactment of this section, and annually thereafter,
24 the Task Force shall submit to the Committee on Trans-
25 portation and Infrastructure of the House of Representa-

1 tives and the Committee on the Environment and Public
2 Works of the Senate a report containing findings on elec-
3 tric vehicle battery sourcing and production issues in the
4 United States, recommended strategies or measures to
5 streamline sourcing and production and promote Amer-
6 ican competitiveness, and any recommended legislative so-
7 lutions.

8 **“§ 6602. Critical mineral sourcing**

9 “(a) IN GENERAL.—The Secretary of Transpor-
10 tation, in conjunction with the Task Force to Promote
11 American Vehicle Competitiveness, shall coordinate with
12 the appropriate agencies to increase domestic sourcing of
13 critical minerals and domestic production of electric vehi-
14 cle batteries.

15 “(b) DEPARTMENT COORDINATION.—The Depart-
16 ment of Transportation shall coordinate with the Task
17 Force and prioritize accordingly when making awards
18 under section 5339(c) and sections 151, 155 of title 23.”

19 (b) CRITICAL MINERAL SOURCING.—

20 (1) SECTION 304 .—Section 304 of title 49,
21 United States Code, is amended—

22 (A) in the section heading by striking
23 “**multimodal**” and inserting “**transpor-**
24 **tation or transportation-related crit-**
25 **ical mineral sourcing**”; and

1 (B) in subsection (a)—

2 (i) in paragraph (1) by striking “De-
3 partment of Transportation operating ad-
4 ministration or secretarial office” and in-
5 serting “Federal agency”; and

6 (ii) by striking paragraphs (2) and (3)
7 and inserting the following:

8 “(2) LEAD AGENCY.—The term ‘lead agency’
9 means a Federal agency, or State agency that has
10 been delegated authority under the National Envi-
11 ronmental Policy Act of 1969 (42 U.S.C. 4321 et
12 seq.), that has the lead responsibility for compliance
13 with such Act with respect to the proposed project.

14 “(3) MULTIMODAL PROJECT.—The term
15 ‘multimodal project’ has the meaning given such
16 term in section 139(a) of title 23.”.

17 (2) SECTION 139.—Section 139(a)(5) of title
18 23, United States Code, is amended to read as fol-
19 lows:

20 “(5) MULTIMODAL PROJECT.—The term
21 ‘multimodal project’ means a project that requires
22 the approval of more than 1 State department of
23 transportation operating, administration, or secre-
24 tarial office, or a project related to domestic

1 sourcing of critical minerals for electric vehicle bat-
2 teries.”.

3 (c) CLERICAL AMENDMENT.—The analysis for sub-
4 title III of title 49, United States Code, is amended by
5 adding at the end the following new item:

“CHAPTER 66—DOMESTIC PRODUCTION OF ELECTRIC VEHICLES

“6601. Task force.

“6602. Critical mining sourcing.”.

Page 1149, after line 11, add the following:

6 SEC. ____ . CERTIFICATION ON ENSURING NO HUMAN
7 RIGHTS ABUSES.

8 The Secretary of Commerce shall certify that no
9 funds for programs related to reducing greenhouse gas
10 emissions authorized under this title, or amendments
11 made by this title, are used for minerals sourced or proc-
12 essed with child labor, as such term is defined in Article
13 3 of the International Labor Organization Convention con-
14 cerning the prohibition and immediate action for the elimi-
15 nation of the worst forms of child labor (December 2,
16 2000), or in violation of human rights.

