

MILITARY VEHICLE FLEET ELECTRIFICATION ACT

Endorsements: Securing America's Future Energy (SAFE) and SAFE's Commanding Heights Initiative, National Electrical Contractors Association, Natural Resources Defense Council, National Mining Association, International Brotherhood of Electrical Workers, E2 (Environmental Entrepreneurs)

Bill Summary (Subsections):

Section 2: Procurement of Electric or Zero Emission Vehicles for the Department of Defense.

- Replaces preference in current law for electric or hybrid vehicles enacted by Section 2844 of the FY2010 NDAA ([Public Law 111-84](#)), which would only have applied from FY2010-2022 under this bill.
- For FY2023 (Oct. 1, 2022) and thereafter, requires that at least 75% of non-tactical vehicles purchased or leased by DOD be electric or zero-emission vehicles.
- Requires that all electric/zero-emission vehicles procured by DOD use nonproprietary, interoperable charging ports and connectors, per industry standards.
- Continues limited waiver under current law, whereby DOD may waive the bill's >75% requirement only if the replacement vehicle is more fuel efficient and otherwise fulfills' DOD's energy performance goals.
- Reinforces the government-wide *Buy American Act* and other applicable federal procurement laws.
- Explicitly states that procurement of nontactical vehicles under this bill be in accordance with DOD-specific Berry Amendment and Specialty Metal Clause. Since neither of those title 10 provisions apply to vehicles, the only relevant application for electric vehicle procurement would be any fabrics for vehicle seats (Berry Amendment) and "automotive items" (Specialty Metals Clause), which should be read to include many vehicle components.
- Ensures that electric vehicle components (including batteries) are sourced from the USA or allied countries and not hostile foreign countries like the People's Republic of China or Russia.
- Apply to both direct procurement by DOD and any non-tactical vehicles for which GSA acts as the procurement or leasing agent. Note that the House-passed "Build Back Better Act" (H.R.5376) would provide \$5 billion (Section 80001) for GSA to convert the federal vehicle fleet to electric vehicles, including non-tactical vehicles used by DOD.
- Covers direct procurement by DOD or leasing by the General Services Administration (GSA).
- Blocks DOD for using reciprocal defense procurement agreements to waive the bill's requirements and its "Buy American" requirements.

Section 3: Electric Vehicle Charging Stations at Military Installations

- Authorizes DOD to let privately operated charging stations at commissaries and exchanges on military installations.
- Requires that all electric vehicle charging stations at military installations:
 - Use nonproprietary, interoperable charging ports and connectors, per industry standards
 - Be installed by state licensed, qualified electricians paid Davis-Bacon wages who are certified by the industry-standard Electric Vehicle Infrastructure Training Program
- Authorizes DOD to use its re-programming authority for unspecified minor military construction project, which allows DOD to reprogram up to \$6 million per project from Congressionally appropriated funds for military construction, to support electric vehicle charging station infrastructure at military installations.