

118TH CONGRESS
2D SESSION

S. _____

To amend the Energy Policy Act of 2005 to limit Federal funding of the procurement of certain buses under the Clean School Bus program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. BLACKBURN (for herself, Mr. KELLY, Mr. CORNYN, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Energy Policy Act of 2005 to limit Federal funding of the procurement of certain buses under the Clean School Bus program, 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 “Secure School Buses
5 Act of 2024”.

6 **SEC. 2. LIMITATION ON PROCUREMENT UNDER CLEAN**
7 **SCHOOL BUS PROGRAM.**

8 Section 741 of the Energy Policy Act of 2005 (42
9 U.S.C. 16091) is amended—

1 (1) in subsection (b)—

2 (A) by redesignating paragraph (8) as
3 paragraph (9); and

4 (B) by inserting after paragraph (7) the
5 following:

6 “(8) LIMITATION ON PROCUREMENT OF CER-
7 TAIN SCHOOL BUSES.—

8 “(A) LIMITATION ON USE.—Except as pro-
9 vided in subparagraph (C), financial assistance
10 made available under this subsection shall not
11 be used in awarding a contract or subcontract
12 to an entity on or after the date of enactment
13 of the Secure School Buses Act of 2024 for the
14 procurement of a school bus for use in accord-
15 ance with paragraph (5) if the manufacturer of
16 the school bus is owned or controlled by, is a
17 subsidiary of, is contractually tied to, or is oth-
18 erwise related legally or financially to a cor-
19 poration based in a country that—

20 “(i) is identified as a nonmarket econ-
21 omy country (as defined in section 771(18)
22 of the Tariff Act of 1930 (19 U.S.C.
23 1677(18))) as of the date of enactment of
24 the Secure School Buses Act of 2024;

1 the date of enactment of the Secure
2 School Buses Act of 2024.

3 “(II) EXCLUSION.—For purposes
4 of subclause (I), the term ‘contract or
5 subcontract’ does not include an op-
6 tion, an amendment, or an extension
7 of the original contract that is exer-
8 cised or executed on or after the date
9 of enactment of the Secure School
10 Buses Act of 2024.

11 “(ii) MINORITY RELATIONSHIPS AND
12 INVESTMENTS.—

13 “(I) IN GENERAL.—For purposes
14 of this paragraph but subject to sub-
15 clause (II), the term ‘otherwise re-
16 lated legally or financially’ does not
17 include—

18 “(aa) a minority relationship
19 or investment; or

20 “(bb) a relationship with or
21 investment in a subsidiary, joint
22 venture, or other entity based in
23 a country described in subpara-
24 graph (A) that does not export

1 school buses for use in the
2 United States.

3 “(II) CORPORATIONS BASED IN
4 THE PEOPLE’S REPUBLIC OF
5 CHINA.—Notwithstanding subclause
6 (I)(aa), for purposes of this para-
7 graph, the term ‘otherwise related le-
8 gally or financially’ includes a minor-
9 ity relationship or investment if the
10 relationship or investment involves a
11 corporation based in the People’s Re-
12 public of China.”; and

13 (2) in subsection (c)(3)(E), by striking “sub-
14 section (b)(7)” and inserting “subsection (b)(9)”.