118TH CONGRESS 2D SESSION	<b>S.</b>	

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.	BLACKBUE	RN (f	for herself	, Mr	. Keli	л, М	fr. Co	RNYN,	and	Ms.	Bal	DW	IN)
	introduced	the	following	bill;	which	was	read	twice	and	refer	$\operatorname{red}$	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	"(11) was identified by the United
2	States Trade Representative in the most
3	recent report required by section 182 of
4	the Trade Act of 1974 (19 U.S.C. 2242)
5	as a priority foreign country under sub-
6	section (a)(2) of that section; and
7	"(iii) is subject to monitoring by the
8	United States Trade Representative under
9	section 306 of the Trade Act of 1974 (19
10	U.S.C. 2416).
11	"(B) International agreements.—
12	This paragraph shall be applied in a manner
13	consistent with the obligations of the United
14	States under international agreements.
15	"(C) Exceptions.—
16	"(i) Prior contracts.—
17	"(I) In general.—Subject to
18	subclause (II), this paragraph shall
19	not apply to any contract or sub-
20	contract made by an eligible recipient
21	with a school bus manufacturer de-
22	scribed in subparagraph (A) if the
23	manufacturer and the eligible recipi-
24	ent have a contract for school bus
25	procurement that was executed before

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

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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)".