

Energy & Sustainability Washington Update

—January 2024

December 22, 2023 | | By [R. Neal Martin](#)

Climate Corps Listening Sessions

The White House has [announced](#) a series of [virtual listening sessions](#) for the newly launched American Climate Corps to be held in January and February 2024. With a goal of recruiting 20,000 young workers for public service or private sector careers in climate change prevention, the corps will focus on conserving and restoring the nation's lands and waters, bolstering community resilience, deploying clean energy, implementing energy-efficient technologies, and advancing environmental justice.

Treasury's Clean Vehicle Tax Credit Gets Pushback

On December 1, the Treasury Department and Internal Revenue Service (IRS) issued a [Notice of Proposed Rulemaking](#) (NPRM) regarding the Section 30D Clean Vehicle Tax Credit. The NPRM was issued with the goal of providing clarity and certainty around the foreign entity of concern (FEOC) requirements of the Inflation Reduction Act (IRA). Under the proposal, to strengthen the security of America's supply chains, beginning in 2024, an eligible clean vehicle may not contain any battery components that are manufactured or assembled by a FEOC, and, beginning in 2025, an eligible clean vehicle may not contain any critical minerals that were extracted, processed, or recycled by a FEOC. In conjunction with the Treasury NPRM, the Department of Energy released [proposed guidance](#) defining what entities are an FEOC.

In response to the NPRM, [Senate Energy & Natural Resources Committee chairman Joe Manchin \(D-WV\)](#) [wrote](#) to the Government Accountability Office requesting a legal opinion on whether guidance issued by the US Department of the Treasury for implementing section 30D — the Clean Vehicle Tax Credit — of the Inflation Reduction Act, is subject to review under the Congressional Review Act, which provides a mechanism for Congress to disapprove a final rule under certain circumstances. Chairman Manchin argues that the proposal from the Treasury Department and IRS makes it easier for Foreign Entities of Concern (FEOC) to take advantage of the 30D tax credit while hurting American taxpayers and increasing America's reliance on foreign nations for battery and vehicle component supply chains, including China.

Biden Administration Advances EV Charging Network & Connector Standard

The first electric vehicle (EV) charging stations funded by the Bipartisan Infrastructure Law's National Electric Infrastructure (NEVI) Formula Program have launched in [Ohio](#) and [New York](#). The US Department of Transportation's Federal Highway Administration (FHWA) is working with the US Department of Energy through the Joint Office of Energy and Transportation to implement a nationwide system of EV corridors that eliminate range anxiety, encourage EV adoption, and facilitate long-distance travel with ease.

The Joint Office has also applauded the release of a [critical milestone](#) for the new SAE J3400 standard for the Tesla-developed connector used to charge EVs, saying, "The new SAE J3400 connector will ensure that any vehicle or charging equipment supplier or manufacturer will be able to use, manufacture, or deploy the connector and expands charging access for current and future EV drivers across the country." In response, the [FHWA announced](#) it will soon publish a Request for Information to inform how new technology and innovation, like the J3400 connector, are incorporated into its minimum requirements. The Bipartisan Infrastructure Law's \$7.5 billion investment to build out a national EV charging network is intended to enable as many Americans as possible to utilize the public charging network. Current federal requirements allow for alternative types of connectors on all federally funded DC fast chargers, provided there is also a Combined Charging System (CCS) connector.

Federal Funding for Building Energy Efficiency Audit Training

The Energy Department is accepting applications for \$40 million in competitive grants in the Energy Auditor Training (EAT) program to upskill the workforce with energy efficiency certifications. The funding is available to states to train individuals to conduct energy audits or surveys of commercial and residential buildings. Visit the [Energy Auditor Training](#) program webpage for more information, sign up for updates, and register for an informational webinar scheduled for January 17, 2024.

New DOE Office of Critical and Emerging Technology

The Energy Department recently launched a **new Office of Critical and Emerging Technology** tasked with ensuring investments in artificial technology, biotechnology, quantum computing, and semiconductors leverage the department's assets and expertise to accelerate progress in these sectors. The Office will focus on efforts across DOE to amplify DOE expertise in critical and emerging technology and leverage these capabilities to solve critical science, energy, and security challenges; coordinate DOE equities in critical and emerging technologies across diverse program portfolios, including the DOE National Laboratories, to support and inform policy-making; and develop partnerships with industry and academia to advance breakthroughs and accelerate the integration of technologies into the US commercial sector.

Bipartisan Infrastructure Law & Inflation Reduction Act Opportunities

Visit our **Energy Funding Matrix** for a roundup of various federal clean energy funding and financing opportunities. We update the matrix on a biweekly basis and welcome any inquiries about how the Bipartisan Infrastructure Law and Inflation Reduction Act, along with other relevant federal opportunities, may impact your business or organization.

Authors



R. Neal Martin, Senior Director of Government Relations

R. Neal Martin is a Senior Director of Government Relations at ML Strategies. He focuses on transportation, infrastructure, clean energy, trade, and federal appropriations, leveraging his many years of experience in government and government relations.