

118TH CONGRESS  
2D SESSION

# H. R. 7980

To amend the Internal Revenue Code of 1986 to exclude vehicles the batteries of which contain materials sourced from prohibited foreign entities from the clean vehicle credit.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2024

Mrs. MILLER of West Virginia introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to exclude vehicles the batteries of which contain materials sourced from prohibited foreign entities from the clean vehicle credit.

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 “End Chinese Domi-  
5 nance of Electric Vehicles in America Act of 2024”.

1 **SEC. 2. EXCLUSION FROM CLEAN VEHICLE CREDIT OF VE-**  
2 **HICLES CONTAINING MATERIALS SOURCED**  
3 **FROM PROHIBITED FOREIGN ENTITIES.**

4 (a) IN GENERAL.—Section 30D(d)(7) of the Internal  
5 Revenue Code of 1986 is amended to read as follows:

6 “(7) EXCLUDED ENTITIES.—

7 “(A) IN GENERAL.—For purposes of this  
8 section, the term ‘new clean vehicle’ shall not  
9 include any vehicle—

10 “(i) with respect to which any of the  
11 components contained in the drive battery  
12 or any material contained in such a compo-  
13 nent was extracted, processed, recycled,  
14 manufactured, or assembled by a prohib-  
15 ited foreign entity, or

16 “(ii) the drive battery of which is de-  
17 signed, manufactured, or produced using  
18 any process attributable to any licensing,  
19 royalty, service, or similar agreement with  
20 a prohibited foreign entity the estimated  
21 total contract cost, including variable, con-  
22 tingent, or sales-based payments, of which  
23 exceeds \$5,000,000.

24 “(B) PROHIBITED FOREIGN ENTITY.—For  
25 purposes of subparagraph (A), the term ‘pro-  
26 hibited foreign entity’ means—

1 “(i) any foreign entity of concern (as  
2 defined in section 40207(a)(5) of the In-  
3 frastructure Investment and Jobs Act),

4 “(ii) any entity with respect to which  
5 the government of a covered nation has the  
6 right or power (directly or indirectly) to  
7 appoint or approve the appointment of a  
8 covered officer, or

9 “(iii) any entity 25 percent or more of  
10 the capital or profits interests of which are  
11 owned (directly or indirectly) in the aggre-  
12 gate by 1 or more of the following:

13 “(I) A covered nation or an enti-  
14 ty described in clause (i) or (ii).

15 “(II) A citizen, national, or resi-  
16 dent of a covered nation.

17 “(III) An entity organized under  
18 the laws of a covered nation.

19 “(C) COVERED OFFICER.—For purposes of  
20 this paragraph, the term ‘covered officer’  
21 means—

22 “(i) any member of the board of direc-  
23 tors, board of supervisors, or an equivalent  
24 governing body,

1           “(ii) the president, senior vice presi-  
2           dent, chief executive officer, chief operating  
3           officer, chief financial officer, or general  
4           counsel, or

5           “(iii) any individual who performs du-  
6           ties usually associated with a title listed in  
7           clause (i) or (ii).

8           “(D) COVERED NATION.—For purposes of  
9           this paragraph, the term ‘covered nation’ has  
10          the meaning given such term in section 4872(d)  
11          of title 10, United States Code.

12          “(E) DRIVE BATTERY.—For purposes of  
13          this paragraph, the term ‘drive battery’ means,  
14          with respect to a vehicle, the battery from  
15          which the electric motor of such vehicle draws  
16          electricity.”.

17          (b) EFFECTIVE DATE.—The amendment made by  
18          this subsection shall apply to vehicles placed in service  
19          after the date of enactment of this Act.

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