AFCC's FY2025 Appropriation Requests - E&W #3

FY2025 Appropriations Requests for Department of Energy Programs of Key Importance to AFCC's 150+ Member Companies

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Appropriations Subcommittee:

Energy and Water Development

E&W Priority: #3

Federal Agency:

Department of Energy

Agency Accounts:

Energy Programs

Program Titles:

Departmental Administration
Advanced Research Projects Agency – Energy (ARPA-E)
Office of Science (OS)
Office of Energy Efficiency and Renewable Energy (EERE)
Title 17 Innovative Technology Loan Guarantee Program
Advanced Technology Vehicles Manufacturing (ATVM) Loan Program

Program Description:

See the prior funding levels and AFCC FY2025 appropriations requests table, rationale, explanations, and proposed legislative language that follow.

Amount Requested by AFCC:

See the FY2025 appropriations request table that follows.

Alternative Fuels & Chemicals Coalition

Advocating for Public Policies to Promote the Development & Production of Alternative Fuels, Renewable Chemicals, Biobased Products, and Sustainable Aviation Fuels

AFCC's 2025 Appropriations Requests – E&W #3

Energy & Water (E&W)
Key Programs of Importance to AFCC's 150+ Member Companies

9 requests | 5 priorities | AFCC's priorities are indicated in green text

Subcommittee: Energy & Water

Agency: U.S. Department of Energy (DOE)

Account / Program:	FY 2021 Appropriation	FY 2022 Appropriation	FY 2023 Appropriation	FY 2024 Appropriation	FY 2025 President's Request	AFCC's FY 2025 Request	
DOE: Energy Programs; Departmental Administration - see (1) in Rationale / Explanations below							
A no cost request using existing authorities and appropriations (1)	A proposed set-aside of funds to be made available for unsolicited proposals **using existing authorities and appropriations per FAR 15.6** -- if needed and, if not, released for their other appropriated purposes -- through the FY2025 appropriations for the Department of Energy offices, programs, and activities that publish funding opportunity announcements for applications, to draw attention to, increase access to, and provide funding for innovative, game-changing, meritorious projects that fall outside of published funding opportunity announcements and, therefore, can fall by the wayside, never advancing, and never being able to be of benefit to the American public. **See (1) in Rationale / Explanations below and AFCC's FY2025 Appropriations Request E&W #2.**					***A no cost request using existing authorities and appropriations*** see **(1)** below and AFCC's FY2025 Appropriations Request E&W #2	
DOE: Energy Programs; Advanced Research Projects Agency – Energy (ARPA-E)							
FY Appropriation	$427,000,000	$450,000,000	$470,000,000	$460,000,000		**$470,000,000**	
DOE: Energy Programs; Office of Science (OS)							

A Collaborative Government Affairs Effort
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Subcommittee: Energy & Water

Agency: U.S. Department of Energy (DOE)

Account / Program:	FY 2021 Appropriation	FY 2022 Appropriation	FY 2023 Appropriation	FY 2024 Appropriation	FY 2025 President's Request	AFCC's FY 2025 Request	
FY Appropriation	$7,025,000,000	$7,475,000,000	$8,100,000,000	8,240,000,000		**$8,240,000,000**	
DOE: Energy Programs; Office of Energy Efficiency and Renewable Energy (EERE)							
FY Appropriation	$2,864,000,293	$3,200,000,000	$3,460,000,000	3,460,000,000		**$3,460,000,000**	

The Department of Energy's Title 17 Innovative Technology Loan Guarantee Program (2) (3) (4)

Account / Program:	FY 2021 Appropriation	FY 2022 Appropriation	FY 2023 Appropriation	FY 2024 Appropriation	FY 2025 President's Request	AFCC's FY 2025 Request	
DOE: Energy Programs; Title 17 Innovative Technology Loan Program - see (2) in Rationale / Explanations below							
FY Appropriation	The addition of a competitive, 50/50 matching Development Capital grant program, which will be **funded in the same way in which each year's appropriations provide administrative expenses for the Title 17 loan guarantee programs … thus following an established precedent** … by drawing on repayments to the general fund from the Title 17 loan guarantee obligations, **which subsequently are offset by the payments derived from the Title 17 operations that are collected by the general fund so that the net appropriation is $0 (or, in the case of the development capital fund, the revenues collected by the general fund will be increased.)** The purpose of the Development Capital grant program is to increase the number of projects that meet the requirements to apply for Title 17 loan guarantees, thus increasing the number of projects financed by Title 17 which will, in turn, increase the amount of repayments to the U.S. Treasury and the amount of interest collected by the U.S. Treasury, making the program self-supporting within 2-3 years and a potential additional revenue generator for the U.S. Treasury thereafter. **See (2) in Rationale / Explanations below and AFCC's FY2025 Appropriations Request E&W #1.**					**$500,000,000** see **(2)** below and AFCC's FY2025 Appropriations Request E&W #1	

The Department of Energy's Title 17 Innovative Technology Loan Guarantee Program (2) (3) (4)

Account / Program:	FY 2021 Appropriation	FY 2022 Appropriation	FY 2023 Appropriation	FY 2024 Appropriation	FY 2025 President's Request	**AFCC's FY 2025 Request**	
Title 17 Innovative Technology Loan Program Office Administrative Costs - see (3) and (4) in Rationale / Explanations below							
FY Appropriation	$32,000,000 *less fees*	$32,000,000 *less fees*	$66,206,000 as well as (see below):	$70,000,000		**$70,000,000**	
Inflation Reduction Act (P.L. 117-169)			Additional appropriation of $3,600,000,000 for the costs of Section 1703 guarantees, $75,000,000 for the costs of Tribal Energy projects, and $5,000,000,000 for the costs of energy infrastructure reinvestment projects, including credit subsidy costs				
DOE: Energy Programs; Title 17 Loan Authority							
Remaining Loan Authority	No change; full loan authority maintained	No change; full loan authority maintained	No change; full loan authority of up to	N/A		**Maintain full loan authority**	

The Department of Energy's Title 17 Innovative Technology Loan Guarantee Program (2) (3) (4)

Account / Program:	FY 2021 Appropriation	FY 2022 Appropriation	FY 2023 Appropriation	FY 2024 Appropriation	FY 2025 President's Request	AFCC's FY 2025 Request	
			$22,400,000,000 in unutilized capacity for Section 1703 guarantees and $2,000,000,000 for Tribal Energy projects maintained				
Inflation Reduction Act (P.L. 117-169			Loan authority increased by $40,000,000,000 for Section 1703 guarantees, $20,00,000,000 for Tribal Energy projects, and $250,000,000,000 for energy infrastructure reinvestment projects				

The Department of Energy’s Advanced Technologies Vehicle Manufacturing (ATVM) Loan Program (5)

Account / Program:	FY 2021 Appropriation	FY 2022 Appropriation	FY 2023 Appropriation	FY 2024 Appropriation	FY 2025 President’s Request	AFCC’s FY 2025 Request	
DOE: Energy Programs; Advanced Technology Vehicles Manufacturing (ATVM) Loan Program – see (5) in Rationale / Explanations below							
FY Appropriation	$5,000,000	$5,000,000	$9,800,000 as well as (see below):	13,000,000		**13,000,000**	
Inflation Reduction Act (P.L. 117-169)			Additional appropriation of $3,000,000,000 for costs of direct loans, including credit subsidy costs				
DOE: Energy Programs; ATVM Loan Authority							
Remaining Loan Authority	No change; full loan authority maintained	No change; full loan authority maintained	No change; full loan authority of $17,700,000,000 in unutilized capacity maintained	N/A		**Maintain full loan authority**	
Inflation Reduction Act (P.L. 117-169)			ATVM loan authority increased by $30,000,000,000				

Rationale / Explanation – E&W (1)

(1) For Departmental Administration, AFCC is proposing that language be added to the Department of Energy FY2025 appropriation, **using existing authorities and appropriations**, to provide better access and draw attention to the availability of unsolicited proposals as a means obtaining project funding for projects that fall outside of the scopes of published solicitations and funding opportunity announcements and, therefore, can far too easily fall by the wayside.

Time is of the essence in addressing the problems that the Nation is facing … and addressing the climate crisis. Every technology and innovation that can help needs to be deployed as rapidly as possible.

Unfortunately, five obstacles stand in the way of advancing much needed innovations through federal grant programs. These five obstacles are:

1. The difficulty and delays in securing the development capital that is necessary for innovations to advance … and the lack of a federal grant program to fulfill this need.
2. The sometimes too narrowly focused, exclusionary, and limited visions of the notices of funding opportunities, announcements, and other competitive methods of acquisition issued by federal agencies … that preclude projects with great promise … and can advance an agency's mission and requirements … from applying.
3. The refusal by some federal agency offices and divisions to consider unsolicited proposals for funding outside of the strict limits of the funding opportunity notices they have issued.
4. The limitations of the DOE's Title 17 (i.e., the lack of any federal assistance in securing development capital and the length of time and cost of applying for Title 17).
5. The limitations placed on the submission of unsolicited proposals when the proposal resembles or appears that it would have had the capability to address a previously issued funding opportunity notice, without a limit on how far back this limitation stretches.

AFCC's proposed appropriations language aims to overcome these obstacles by encouraging the Department of Energy to place more emphasis on, give greater consideration to, and offer more flexibility in funding unsolicited proposals.

This request is described more fully in AFCC's FY2025 Appropriations Request E&W #2 (which you can download by clicking here).

Proposed Legislative Language for E&W (1)

Add to Division D, Title III, after *Departmental Administration* and before *Office of the Inspector General* (see page 180, Consolidated Appropriations Act of 2023, P.L. 117-328):

UNSOLICITED PROPOSALS

To expand opportunities for advancing the requirements and mission of the Department of Energy, and to increase the benefits provided to the American people, the Secretary shall ensure that up to ten percent (10%) of the funds made available in this Act to the offices, programs, projects, demonstrations, funds, operations, and activities that publish funding opportunity announcements, notices, or other competitive methods of acquisition shall be made available to enter into contracts and provide funds under 46 CFR 15.6 for unsolicited proposals that offer new and innovative ideas, endeavors, or capabilities that compliment, supplement, accelerate, or exceed the other undertakings of said offices, programs, projects, demonstrations, funds, operations, and activities*:* *Provided,* That the Secretary shall not withhold funds from any program expenditure during the fiscal year unless one or more unsolicited proposals are under consideration and have the potential for an award: *Provided further,* That the number of contracts and the amounts of awards for unsolicited proposals, if any, shall be determined by the Secretary: *Provided further,* That unsolicited proposals shall be reviewed and considered by all offices, programs, projects, demonstrations, funds, operations, and activities that publish funding opportunity announcements, notices, or other competitive methods of acquisition: *Provided further,* That contracts and funds for unsolicited proposals shall be awarded only upon acceptance and at the discretion of the Secretary: *Provided further,* That, notwithstanding 46 CFR 15.602, 15.603(5) and (6), 15.607(2), and 6.302-1(2)(i)(C), 10 USC 3204(b)(A)(ii), and 41 USC 3304(b)(1), and to not exclude any meritorious opportunity, the Secretary shall consider and may enter into contracts to provide funding for unsolicited proposals, provided that the unsolicited proposal: (1) exceeds the objectives, targeted advancements, or scope of the published funding opportunity announcements, notices, or other competitive methods of acquisition in advancing the mission or satisfying a requirement of an office, program, project, demonstration fund, operation, or activity; (2) will avoid delays of two (2) or more fiscal years in advancing said missions or requirements by offering a means to enhance, advance, or accelerate a mission or requirement, which is not available through another source, and which shall be considered for the purposes of 10 USC 3204(b)(B)(ii), 41 USC 3304(b)(2)(b), and 46 CFR 6.302-1(2)(ii)(B) an avoidance of an 'unacceptable delay; or (3) addresses a previously published funding opportunity announcement, notice, or other competitive method of acquisition, which was issued more than twenty-four (24) months prior to receipt of an unsolicited proposal and, in the opinion of the Secretary, the unsolicited proposal is innovative, meritorious, contributes to the advancement of the Department's requirements and mission, and worthy of an award.

Rationale / Explanation - E&W (2)

(2) For the Title 17 Innovative Technology Loan Program, AFCC is requesting that language be added to the FY2025 appropriation for the Title 17 program (see *Proposed Legislative Language* below) for a **self-sustaining, revenue generating** Development Capital grant program.

This request is described more fully in AFCC's FY2025 Appropriations Request E&W #1 (which you can download by clicking here).

This request will be funded in the same way in which each year's appropriations provide administrative expenses for the Title 17 loan guarantee and the Advanced Technologies Vehicle Manufacturing (ATVM) loan programs … thus following an established precedent … by drawing on repayments to the general fund from the Title 17 and ATVM obligations, which subsequently are offset by the payments derived from their operations that are collected by the general fund so that the net appropriation is $0 (or, in the case of the grant program, collections will increase).

The intent of this request is to make greater use of the funds generated for the U.S. Treasury from the Title 17 loan guarantee repayments … **and overcome a challenge that hobbles every new initiative** ... the extreme difficulty and delays in securing the development capital necessary to advance through each development stage to deployment.

According to the Loan Program Office's (LPO's) 2022 Annual Portfolio Status Report:

- The Title 17 repayments in FY2022 amounted to $1.7 billion in principal retirement.
- These FY2022 repayments generated $523 million in interest.
- Since the issuance of its first loan guarantee obligations in 2009, the Title 17 repayments have totaled $13.7 billion (43% of the total funds distributed) and generated $4.3 billion in interest payments to the U.S. Treasury.

AFCC proposes that the funds for the Development Capital grant program be drawn from the interest payments generated by the repayments of the Title 17 obligations. The amount being proposed by AFCC for FY2025 is $500 million, slightly less than the amount of interest that was generated in FY2022 from Title 17 repayments.

These funds will be used to accelerate the development of projects that can qualify for the Title 17 program. This will:

- *increase* the number of projects that receive financing through Title 17
- *increase* the number of innovative projects that are deployed
- *increase* the number of jobs that are created
- *increase* economic growth and tax revenues in local communities
- *increase* the Nation's global competitiveness
- *increase* the Nation's ability to address climate change
- *increase* the number of Title 17 repayments to the U.S. Treasury

and

- *increase* the amount of interest generated for the U.S. Treasury by these repayments

According to the LPO's FY2022 annual report, there were 15 active projects as of September 30, 2022, representing $36.3 billion in loan and loan guarantee commitments, with eight previous loans repaid in full, and interest earnings for the U.S. Treasury of $523 million.

For purposes of comparison: at of the end of January 2024, the LPO had 205 active applications with $263.1 billion in loans requested.

- If half of these project are deployed within the next two years (the end of FY2026), they would add $131.5 billion in loan obligations, for a total of $167.8 billion in repayments to the U.S. Treasury
- The interest earned by the U.S. Treasury on these loan obligations would amount to $2.42 billion in FY2027.
- Thus, the U.S. Treasury would be able to:
  - ✓ recover the funds that are used to establish and fund the Development Capital grant program in FY2025-26 ($1 billion)
  - ✓ increase funding for the Development Capital grant program to $1 billion in FY2027
  - ✓ earn $420 million in interest in FY2027, and
  - ✓ provide $1 billion for the Development Capital grant program while earning $1.4 billion in interest in FY2028.

Thus, in as little as three years, the establishment, continuation, and expansion of the Development Grant program, combined with the number of projects being funded by Title 17, could triple the amount of interest earned in FY2022 by the U.S. Treasury.

Rationale / Explanation - E&W (3)

(3) For the Title 17 Innovative Technology Loan Program, Congress expressed its intent in Section 9010(a)(1), Paragraphs (b)(1), (b)(2), and (b)(2)(A) and (B) of the Consolidated Appropriations Act of 2021, by stipulating that, to allow more projects to advance through these programs, the Loan Programs Office (LPO) shall either pay the cost of a guarantee or share the cost of a guarantee with a borrower, providing that appropriations made for this purpose are available, by stating:

- (b)(1) that *"… the cost of a guarantee shall be paid by the Secretary using an appropriation made for the cost of the guarantee, subject to the availability of such an appropriation."*
- (b)(2) that *"If sufficient appropriated funds to pay the cost of a guarantee are not available, then the guarantee shall not be made unless—*

  ''(A) the Secretary has received from the borrower a payment in full for the cost of the guarantee and deposited the payment into the Treasury; or

  ''(B) a combination of one or more appropriations and one or more payments from the borrower under this subsection has been made that is sufficient to cover the cost of the guarantee.''

The enactment of Section 9010, combined with new, aggressive LPO management, has resulted in more companies than ever before applying for Tite 17 loan guarantees, with more than 200 applications under consideration by the LPO at the end of January 2024.

This surge of applications, and the costs associated with them, have exceeded the amounts appropriated for the Title 17 program in the Consolidated Appropriations Act of 2023 and Inflation Reduction Act of 2022 (P.L. 117-169), Sec. 50141(c) for the administrative expenses necessary in carrying out the loan guarantee program.

Because of this, the LPO began requiring in May 2023 that borrowers pay for the third-party consultant due diligence that each application undergoes prior to commencement of the due diligence. The cost of this due diligence ranges between $2 and $3 million per application, or $410 to $615 million for the 205 applications that the LPO had under consideration at the end of January 2024.

This cost is a barrier to many borrowers and is therefore contrary to the intent of Section 9010 to allow more projects to advance through the Title 17 program.

It also is contrary to Section 9010(a)(3)(A), which stipulates that "(1) IN GENERAL. – The Secretary shall charge, *and collect on or after the date of the financial close of an obligation*, a few for a guarantee in an amount that the Secretary determines is sufficient to cover applicable administrative expenses (*including any costs associated with third-party consultants engaged by the Secretary*)." [*Blue text italics* have been added for emphasis.]

AFCC recommends that the FY2025 Title 17 appropriations language recognize that, in addition to the amounts appropriated for administrative expenses, a portion of the interest earned by the U.S. Treasury from Title 17 repayments may be used for the costs associated with third-party consultants engaged by the Secretary should such costs exceed the appropriated amounts for administrative expenses, provided that said costs are reimbursed to the Secretary at the time of financial close by being deducted from the amount of the loan obligation, and provided further the amount of interest earned by the U.S. Treasury that is used in this manner can be no greater than the amount that is used for the Development Capital grant program described in Rational / Explanation (2) above.

Rationale / Explanation - E&W (4)

(4) For the Title 17 Innovative Technology Loan Program, AFCC proposes that the language enacted in Section 9010(a)(3)(A)(1) of the Consolidated Appropriations Act of FY2021 be amplified to remove uncertainty among borrowers and the LPO regarding which costs can be charged to borrowers at closing, to underscore that no costs are to be charged to borrowers until closing, that no application fees will be charged at the time an application is submitted or at closing, and to stipulate that these costs shall be included as part of a borrower's loan guarantee obligation, upon which interest will accrue for the duration of the obligation.

Proposed Legislative Language - E&W (2), (3) & (4)

AFCC's Proposed Amendments to the Title 17 Innovative Technologies Loan Guarantee Program read as follows:

- with blue text indicating the ~~strikeouts~~ and additions for **(2)** above,
- with orange text indicating the additions for **(3)** above,
- with cerise text indicating the additions for **(4)** above, and
- with green text indicating other proposed the ~~strikeouts~~ and additions,

with AFCC's proposed language incorporated into the language contained in the Consolidated Appropriations Act of FY2023 (P.L. 117-328), pages 177-179.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts and interest received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided,* That of said sums, $500,000,000 is appropriated, to remain available until September 30, 2026, which shall be used to provide development capital grants, through a competitive process, to projects that have the potential, in the estimation of the Department of Energy, to qualify for the Title 17 loan guarantee program upon completion of their final technology readiness level development and pre-construction steps, with said grants awarded on a competitive 50/50 matching basis to selected projects to advance to the stage where they can apply under the Title 17 loan guarantee program to stimulate (1) an increase in the number of significantly improved and first-of-their-kind technologies that can be commercially deployed, (2) an increase in the sums received from borrowers, and (3) an increase in the interest collected by the general fund on said sums, so that the cost of the development capital grant program is offset by the additional collections by the general fund: *Provided further,* That should the Department of Energy require additional funds for administrative expenses associated with third-party consultants engaged by the Secretary beyond those appropriated in this Act and in Section 50141(c) of the Inflation Reduction Act of 2022 (Public Law 117-169), the Department of Energy may use up to $250,000,000 from the above appropriation for such costs, with said costs reimbursed to the Secretary on or after the date of financial close by being deducted from the amount of the loan obligation: *Provided further,* That the amounts used for administrative expenses shall not exceed the amounts made available by the Secretary for development capital grants: *Provided further,* That of said sums, for Department of Energy administrative expenses necessary in carrying out the Title 17 Innovative Technology Loan Guarantee Program, as authorized, an additional ~~$66,206,000~~ $70,000,000 is appropriated, to remain available until September 30, 2025: *Provided further,* That up to $570,000,000 collected in fiscal year 2025 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used to award development capital grants to selected projects and for necessary administrative expenses in this appropriation and shall remain available until September 30, 2026: *Provided further*, That in accordance with Section 9010(a)(3)(A)(1) of the Consolidated Appropriations Act of FY2021 (Public Law 116-260), the Department of Energy shall charge, but only collect on or after the date of the financial close of an obligation, a fee for a guarantee in an amount that the Secretary determines is sufficient to cover applicable administrative expenses, including expenses accrued in processing borrower applications, any costs associated with third-party consultants engaged by the

Department of Energy, and any credit subsidy costs not covered by a credit-based interest rate: *Provided further,* That the Department of Energy shall not charge nor collect a fee for borrowers to apply for a guarantee*: Provided further,* That the sum herein appropriated from the general fund shall be reduced (1) as such fees and interest on borrower payments are received during fiscal year 2025 (estimated at ~~$35,000,000~~ $600,000,000 for fiscal year 2025 and increasing each year thereafter) and (2) to the extent that any remaining general fund appropriations can be derived from interest payments and fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2025 appropriation from the general fund estimated at $0: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.8 of title 10, Code of Federal Regulations. ~~Of the unobligated balances from amounts made available in the first proviso of section 1425 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10) for the cost of loan guarantees under section 1703 of the Energy Policy Act of 2005, $150,000,000 are hereby permanently rescinded:~~ *Provided further,* That, subject to section 502 of the Congressional Budget Act of 1974, commitments to guarantee loans for eligible projects under title 17 of the Energy Policy Act of 2005, shall not exceed a total principal amount of $15,000,000,000 for any single project, to remain available until committed: *Provided further,* That the amounts provided under this paragraph are in addition to those provided in any other Act: *Provided further,* That for amounts collected pursuant to section 1702(b)(2) of the Energy Policy Act of 2005, the source of such payment received from borrowers may not be a loan or other debt obligation that is guaranteed by the Federal Government: *Provided further,* That none of such loan guarantee authority made available under this paragraph shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel, or affiliated entity are expected be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: *Provided further,* That the preceding proviso shall not be interpreted as precluding the use of the loan guarantee authority provided under this paragraph for commitments to guarantee loans for: (1) projects as a result of such projects benefitting from otherwise allowable Federal income tax benefits; (2) projects as a result of such projects benefitting from being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is: (A) paid exclusively in cash; (B) deposited in the Treasury as offsetting receipts; and (C) equal to the fair market value as determined by the head of the relevant Federal agency; (3) projects as a result of such projects benefitting from Federal insurance programs, including under section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; commonly known as the ''Price-Anderson Act''); or (4) electric generation projects using transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: *Provided further,* That none of the loan guarantee authority made available under this paragraph shall be available for any project unless the Director of the Office of Management and Budget has certified in advance in writing, within thirty (30) days of receiving a request by the Department of Energy for said certification, that the loan guarantee and the project comply with the provisions under this paragraph.

Rationale / Explanation - E&W (5)

(5) For the Advanced Technology Vehicle Manufacturing (ATVM) Loan Program, AFCC requests that:

1. The program be expanded from light duty vehicles to mid-duty and heavy-duty vehicles.
2. The program be expanded additionally to encourage the development and manufacture of advanced vehicles, vehicle components, and vehicle adapter technologies.

Proposed Legislative Language for E&W (5)

AFCC's Proposed Amendment to the Advanced Technology Vehicle Manufacturing (ATVM) Loan Program reads as follows, with blue text indicating additions, with AFCC's proposed language added to the end of the language contained in the Consolidated Appropriations Act of FY2023 (P.L. 117-328), pages 179.

ADVANCED TECHNOLOGY VEHICLE MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, ~~$9,800,000~~ $13,000,000, to remain available until September 30, 2025: *Provided,* That of such amount, $1,000,000 shall be used to promote the Loan Program to domestic and foreign vehicle and vehicle component manufacturers with manufacturing facilities in the United States to stimulate advanced technology manufacturing: *Provided further,* That the loan program shall be expanded from light duty vehicles to include mid-duty and heavy-duty vehicles and shall encourage the development and manufacture of advanced vehicles, vehicle components, and vehicle adapter technologies .