

(2) Nonattainment areas

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$400,000,000, to remain available until September 30, 2031, to make awards under this section to eligible recipients and to eligible contractors that propose to replace eligible vehicles to serve 1 or more communities located in an air quality area designated pursuant to section 7407 of this title as nonattainment for any air pollutant.

(3) Reservation

Of the funds appropriated by paragraph (1), the Administrator shall reserve 3 percent for administrative costs necessary to carry out this section.

(b) Program

Beginning not later than 180 days after August 16, 2022, the Administrator shall implement a program to make awards of grants and rebates to eligible recipients, and to make awards of contracts to eligible contractors for providing rebates, for up to 100 percent of costs for—

- (1) the incremental costs of replacing an eligible vehicle that is not a zero-emission vehicle with a zero-emission vehicle, as determined by the Administrator based on the market value of the vehicles;
- (2) purchasing, installing, operating, and maintaining infrastructure needed to charge, fuel, or maintain zero-emission vehicles;
- (3) workforce development and training to support the maintenance, charging, fueling, and operation of zero-emission vehicles; and
- (4) planning and technical activities to support the adoption and deployment of zero-emission vehicles.

(c) Applications

To seek an award under this section, an eligible recipient or eligible contractor shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator shall prescribe.

(d) Definitions

For purposes of this section:

(1) Eligible contractor

The term “eligible contractor” means a contractor that has the capacity—

- (A) to sell, lease, license, or contract for service zero-emission vehicles, or charging or other equipment needed to charge, fuel, or maintain zero-emission vehicles, to individuals or entities that own, lease, license, or contract for service an eligible vehicle; or
- (B) to arrange financing for such a sale, lease, license, or contract for service.

(2) Eligible recipient

The term “eligible recipient” means—

- (A) a State;
- (B) a municipality;
- (C) an Indian tribe; or
- (D) a nonprofit school transportation association.

(3) Eligible vehicle

The term “eligible vehicle” means a Class 6 or Class 7 heavy-duty vehicle as defined in sec-

tion 1037.801 of title 40, Code of Federal Regulations (as in effect on August 16, 2022).

(4) Greenhouse gas

The term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(5) Zero-emission vehicle

The term “zero-emission vehicle” means a vehicle that has a drivetrain that produces, under any possible operational mode or condition, zero exhaust emissions of—

- (A) any air pollutant that is listed pursuant to section 7408(a) of this title (or any precursor to such an air pollutant); and
- (B) any greenhouse gas.

(July 14, 1955, ch. 360, title I, §132, as added Pub. L. 117-169, title VI, §60101, Aug. 16, 2022, 136 Stat. 2063.)

§ 7433. Grants to reduce air pollution at ports**(a) Appropriations****(1) General assistance**

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$2,250,000,000, to remain available until September 30, 2027, to award rebates and grants to eligible recipients on a competitive basis—

- (A) to purchase or install zero-emission port equipment or technology for use at, or to directly serve, one or more ports;
- (B) to conduct any relevant planning or permitting in connection with the purchase or installation of such zero-emission port equipment or technology; and
- (C) to develop qualified climate action plans.

(2) Nonattainment areas

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$750,000,000, to remain available until September 30, 2027, to award rebates and grants to eligible recipients to carry out activities described in paragraph (1) with respect to ports located in air quality areas designated pursuant to section 7407 of this title as nonattainment for an air pollutant.

(b) Limitation

Funds awarded under this section shall not be used by any recipient or subrecipient to purchase or install zero-emission port equipment or technology that will not be located at, or directly serve, the one or more ports involved.

(c) Administration of funds

Of the funds made available by this section, the Administrator shall reserve 2 percent for administrative costs necessary to carry out this section.

(d) Definitions

In this section:

(1) Eligible recipient

The term “eligible recipient” means—

- (A) a port authority;
- (B) a State, regional, local, or Tribal agency that has jurisdiction over a port authority or a port;
- (C) an air pollution control agency; or
- (D) a private entity that—
 - (i) applies for a grant under this section in partnership with an entity described in any of subparagraphs (A) through (C); and
 - (ii) owns, operates, or uses the facilities, cargo-handling equipment, transportation equipment, or related technology of a port.

(2) Greenhouse gas

The term “greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

(3) Qualified climate action plan

The term “qualified climate action plan” means a detailed and strategic plan that—

- (A) establishes goals, implementation strategies, and accounting and inventory practices to reduce emissions at one or more ports of—
 - (i) greenhouse gases;
 - (ii) an air pollutant that is listed pursuant to section 7408(a) of this title (or any precursor to such an air pollutant); and
 - (iii) hazardous air pollutants;

(B) includes a strategy to collaborate with, communicate with, and address potential effects on low-income and disadvantaged near-port communities and other stakeholders that may be affected by implementation of the plan; and

(C) describes how an eligible recipient has implemented or will implement measures to increase the resilience of the one or more ports involved.

(4) Zero-emission port equipment or technology

The term “zero-emission port equipment or technology” means human-operated equipment or human-maintained technology that—

- (A) produces zero emissions of any air pollutant that is listed pursuant to section 7408(a) of this title (or any precursor to such an air pollutant) and any greenhouse gas other than water vapor; or
- (B) captures 100 percent of the emissions described in subparagraph (A) that are produced by an ocean-going vessel at berth.

(July 14, 1955, ch. 360, title I, § 133, as added Pub. L. 117-169, title VI, § 60102, Aug. 16, 2022, 136 Stat. 2064.)

§ 7434. Greenhouse gas reduction fund

(a) Appropriations

(1) Zero-emission technologies

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$7,000,000,000, to remain available until September 30, 2024, to make grants, on a competitive basis and beginning not later than 180 calendar days after August 16, 2022, to States,

municipalities, Tribal governments, and eligible recipients for the purposes of providing grants, loans, or other forms of financial assistance, as well as technical assistance, to enable low-income and disadvantaged communities to deploy or benefit from zero-emission technologies, including distributed technologies on residential rooftops, and to carry out other greenhouse gas emission reduction activities, as determined appropriate by the Administrator in accordance with this section.

(2) General assistance

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$11,970,000,000, to remain available until September 30, 2024, to make grants, on a competitive basis and beginning not later than 180 calendar days after August 16, 2022, to eligible recipients for the purposes of providing financial assistance and technical assistance in accordance with subsection (b).

(3) Low-income and disadvantaged communities

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$8,000,000,000, to remain available until September 30, 2024, to make grants, on a competitive basis and beginning not later than 180 calendar days after August 16, 2022, to eligible recipients for the purposes of providing financial assistance and technical assistance in low-income and disadvantaged communities in accordance with subsection (b).

(4) Administrative costs

In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$30,000,000, to remain available until September 30, 2031, for the administrative costs necessary to carry out activities under this section.

(b) Use of funds

An eligible recipient that receives a grant pursuant to subsection (a) shall use the grant in accordance with the following:

(1) Direct investment

The eligible recipient shall—

(A) provide financial assistance to qualified projects at the national, regional, State, and local levels;

(B) prioritize investment in qualified projects that would otherwise lack access to financing; and

(C) retain, manage, recycle, and monetize all repayments and other revenue received from fees, interest, repaid loans, and all other types of financial assistance provided using grant funds under this section to ensure continued operability.

(2) Indirect investment

The eligible recipient shall provide funding and technical assistance to establish new or