

117TH CONGRESS
1ST SESSION

S. 3152

To amend the Energy Policy Act of 2005 to disqualify certain borrowers from receiving a guarantee for a project, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 3, 2021

Mr. BARRASSO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Energy Policy Act of 2005 to disqualify certain borrowers from receiving a guarantee for a project, 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. DISQUALIFICATION OF BORROWERS WHO**
4 **HAVE PREVIOUSLY DEFAULTED.**

5 (a) INCENTIVES FOR INNOVATIVE TECHNOLOGIES.—
6 Section 1702 of the Energy Policy Act of 2005 (42 U.S.C.
7 16512) is amended—

8 (1) by redesignating subsections (i) through (q)
9 as subsections (j) through (r), respectively; and

1 (2) by inserting after subsection (h) the fol-
2 lowing:

3 “(i) DISQUALIFICATION FOR PREVIOUS DE-
4 FAULTS.—The Secretary may not make a guarantee under
5 this title for a project if the borrower has previously de-
6 faulted on an obligation guaranteed under this title.”.

7 (b) ADVANCED TECHNOLOGY VEHICLES MANUFAC-
8 TURING INCENTIVE PROGRAM.—Section 136(d) of the
9 Energy Independence and Security Act of 2007 (42
10 U.S.C. 17013(d)) is amended by adding at the end the
11 following:

12 “(5) DISQUALIFICATION FOR PREVIOUS DE-
13 FAULTS.—The Secretary may not provide a loan
14 under this subsection to an applicant for the loan if
15 the applicant has previously defaulted on a loan pro-
16 vided under this subsection.”.

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