

## **Federal Advisory Committee (FAC) Membership Balance Plan**

### **U.S. Department of Energy**

- (1) **Federal Advisory Committee Name:** Electric Vehicle Working Group (EV Working Group).
- (2) **Authority:** The EV Working Group is established pursuant to the Bipartisan Infrastructure Law (hereafter, “BIL”), enacted as the Infrastructure Investment and Jobs Act (hereafter, “IIJA”), (Pub. L. 117-58) and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2, and the rules and regulations in implementation of that Act.
- (3) **Mission/Function:** The EV Working Group is established to advise the Secretary of Energy and Secretary of Transportation with respect the development, adoption, and integration of light-, medium-, and heavy-duty electric vehicles into the transportation and energy systems of the United States. The EV Working Group shall also complete three reports submitted to the Secretaries of Energy and Transportation, the Committees on Commerce, Science, and Transportation and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives including a description of the barriers and opportunities to scaling up electric vehicle adoption through the United States; examples of successful public and private models and demonstration projects that encourage EV adoption; an analysis of current efforts to overcome the barriers for EVs; any other topics, as determined by the EV Working Group described in section 25006 (c)(1) of the BIL.
- (4) **Points of View:** BIL directs the Secretaries to appoint not more than 25 members, of which there will be not more than 6 Federal stakeholders and not more than 19 non-Federal stakeholders. The members shall be appointed by the Secretaries, in consultation with the Joint Office of Energy and Transportation Executive Director, to serve as representatives, Federal Government employees, and special Government employees (SGEs) in accordance with the following membership requirements articulated in the BIL:
  - Federal Stakeholders – The working group –
    - shall include not fewer than 1 representative of each of—
      - the Department of Energy;
      - the Department of Transportation;
      - the Environmental Protection Agency;
      - the Council on Environmental Quality;
      - the General Services Administration; and
    - may include a representative of any other Federal agency the Secretaries consider to be appropriate.
  - Non-Federal Stakeholders – The working group—
    - shall include not fewer than 1 representative of each of—
      - a manufacturer of light-duty electric vehicles or the relevant components of light-duty electric vehicles

- a manufacturer of medium- and heavy-duty vehicles or the relevant components of medium- and heavy-duty electric vehicles
- a manufacturer of electric vehicle batteries
- an owner, operator, or manufacturer of electric vehicle charging equipment
- a representative of the public utility industry
- a public utility regulator or association of public utility regulators
- the transportation fueling distribution industry
- the energy provider industry
- the automotive dealing industry
- the for-hire passenger transportation industry
- an organization representing units of local government
- an organization representing regional transportation or planning agencies
- an organization representing State departments of transportation
- an organization representing State Department of energy or State energy planners
- the intelligent transportation systems and technologies industry
- labor organizations representing workers in transportation manufacturing, construction, or operations;
- the trucking industry
- Tribal governments
- the property development industry
- And may include a representative of any other non-Federal stakeholder that the Secretaries consider to be appropriate.

EV Working Group members will serve for a term of up to three years. Appointments may be made in a manner that allows the terms of the members serving at any time to expire at spaced intervals to ensure continuity in the functioning of the EV Working Group. EV Working Group members will serve at the discretion of the Secretary.

EV Working Group will meet periodically, approximately three times per year. When vacancies occur, the Secretaries will identify appointment nominees who can address the EV Working Group's needs pursuant to BIL.

- (5) **Other Balance Factors:** Other factors to be considered for EV Working Group membership include demographic, professional, and experiential diversity. In addition, the Secretaries will strive for the EV Working Group to reflect the principles of inclusion, equity, and diversity, and to ensure that the EV Working Group's recommendations strive for equitable distribution of benefits for all Americans, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. The Secretaries and the Executive Director also will also strive for geographic diversity in the composition of the EV Working Group, including individuals representing the perspectives of rural, urban, and suburban areas.

- (6) **Candidate Identification Process:** The Designated Federal Officer (DFO) will identify candidates for appointment to the EV Working Group by obtaining nominations from within DOE and DOT and from external regulatory and stakeholder organizations on an annual basis as needed to fill membership vacancies and obtain balance in points of view.

Additionally, open calls for candidates may be published in the *Federal Register*. Once the open nomination period defined in the *Federal Register* closes, the DFO will develop a candidate list that will be evaluated by a selection team comprised of representatives from the DOE Office of Energy Efficiency and Renewable Energy (EERE) and DOT. The selection team will seek balanced viewpoints and consider many criteria, including: (a) scientific or technical expertise, knowledge, and experience; (b) stakeholder representation; (c) availability and willingness to serve; and (d) experience working in committees, subcommittees and advisory panels. The selection team will consult on the nominees recommended for appointment by the Secretaries of Energy and Transportation. The DFO will develop a candidate list that will be evaluated by the Office of General Counsel (for evaluation of conflicts of interest), and the Committee Management Officer (for balance and FACA requirements), and the Under Secretary of Energy (for relevance to the Department's mission). The resulting top candidates will be contacted for interest and availability.

Letters of invitation to serve are extended by the Secretaries of Energy and Transportation. If any vacancies occur during the life of the EV Working Group, the DFO will solicit additional nominations, develop a new candidate list, identify the best qualified candidates to replace the missing points of view, and initiate the review process as described above. EV Working Group members will serve for a term of three years or less. If any vacancies occur during the life of the EV Working Group, the DFO may review the initial candidate list, identify the best qualified candidates to replace the missing point of view, and initiate the review process as described above, or begin a new candidate identification process. EV Working Group members will be appointed for a three-year term or less, and may be reappointed for up to two successive terms. Appointments may be made in a manner that allows the terms of the members serving at any time to expire at spaced intervals to ensure continuity in the functioning of the EV Working Group. The Secretaries, or designees, will consult with the Joint Office of Energy and Transportation Executive Director, or designee, as part of the candidate identification and membership process.

- (7) **Subcommittee Balance:** Subcommittee membership is drawn from that of the full EV Working Group and thus reflects much of the balance described above. Additionally, technical experts may be appointed to the subcommittee in order to provide additional expertise and fulfill any lacking points of view relative to the subcommittee's mission/function.

(8) **Other:** Not Applicable

(9) **Date Prepared/Updated.** June 2022