

118TH CONGRESS  
1ST SESSION

# H. R. 6185

To require coordination among Federal agencies on regulatory actions that affect the reliable operation of the bulk-power system.

---

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2023

Mr. DUNCAN introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To require coordination among Federal agencies on regulatory actions that affect the reliable operation of the bulk-power system.

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 “Guaranteeing Reliable  
5 Infrastructure Development Act” or the “GRID Act”.

6 **SEC. 2. COORDINATION PROCESS TO PROTECT ELECTRIC**  
7 **RELIABILITY.**

8 Section 215 of the Federal Power Act (16 U.S.C.  
9 824o) is amended—

1           (1) by redesignating subsections (h) through (k)  
2 as subsections (i) through (l), respectively; and

3           (2) by inserting after subsection (g) the fol-  
4 lowing:

5           “(h) COMMISSION REVIEW AND COMMENT FOR PRO-  
6 POSED COVERED AGENCY ACTIONS.—

7           “(1) REQUIREMENT.—If the Commission or a  
8 State commission determines, on its own motion or  
9 on a request from another Federal agency, that a  
10 covered agency action proposed by a Federal agency  
11 other than the Commission is likely to have a signifi-  
12 cant negative impact on the reliability and adequacy  
13 of the bulk-power system in North America, the  
14 agency head with respect to such proposed covered  
15 agency action shall provide to the Commission such  
16 proposed covered agency action for review and com-  
17 ment—

18           “(A) on the first date on which such pro-  
19 posed covered agency action is provided to the  
20 Office of Management and Budget or any other  
21 Federal agency for review and comment; or

22           “(B) if such proposed covered agency ac-  
23 tion is not provided to the Office of Manage-  
24 ment and Budget or any other Federal agency  
25 for review and comment, not later than 90 days

1 before the date on which the agency head pub-  
2 lishes in the Federal Register or otherwise  
3 makes available for public inspection or com-  
4 ment such proposed covered agency action.

5 “(2) COMMISSION COMMENTS.—The Commis-  
6 sion, in consultation with the ERO, shall, by order,  
7 provide to the agency head that provides a proposed  
8 covered agency action to the Commission under  
9 paragraph (1) comments on such proposed covered  
10 agency action.

11 “(3) AGENCY RESPONSE.—An agency head may  
12 not finalize a proposed covered agency action for  
13 which a determination is made under paragraph  
14 (1)—

15 “(A) until the agency head has responded  
16 in writing to the Commission with an expla-  
17 nation of how the agency head has modified, or  
18 why the agency head has determined not to  
19 modify, such proposed covered agency action in  
20 response to each comment provided by the  
21 Commission under paragraph (2); or

22 “(B) if the Commission finds that the  
23 agency head has not modified such proposed  
24 covered agency action based on the comments  
25 provided by the Commission under paragraph

1 (2) to prevent a significant negative impact on  
2 the reliability and adequacy of the bulk-power  
3 system in North America.

4 “(4) PUBLIC AVAILABILITY OF COMMENTS AND  
5 RESPONSES.—An agency head shall include the com-  
6 ments and responses for the proposed covered agen-  
7 cy action in the proposed agency action as—

8 “(A) submitted to the Federal Register for  
9 publication; or

10 “(B) otherwise made available for public  
11 inspection or comment.

12 “(5) DEFINITIONS.—In this subsection:

13 “(A) AGENCY HEAD.—The term ‘agency  
14 head’ means the head of a Federal agency that  
15 proposed a covered agency action.

16 “(B) COVERED AGENCY ACTION.—The  
17 term ‘covered agency action’ means a rule, reg-  
18 ulation, standard, criteria document, deadline,  
19 or determination.

20 “(C) FEDERAL AGENCY.—The term ‘Fed-  
21 eral agency’ means an Executive department  
22 (as that term is defined in section 101 of title  
23 5, United States Code) or any other Executive  
24 agency that is in the President’s cabinet.”.

○