

Union Calendar No. 353

118TH CONGRESS
2^D SESSION

H. R. 6185

[Report No. 118-427]

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

MARCH 19, 2024

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

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—

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

12 (2) by inserting after subsection (g) the fol-
13 lowing:

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

16 “(1) REQUIREMENT.—If the Commission or a
17 State commission determines, on its own motion or
18 on a request from another Federal agency, that a
19 covered agency action proposed by a Federal agency
20 other than the Commission is likely to have a signifi-
21 cant negative impact on the reliability and adequacy
22 of the bulk-power system in North America, the
23 agency head with respect to such proposed covered
24 agency action shall provide to the Commission such

1 proposed covered agency action for review and com-
2 ment—

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

7 “(B) if such proposed covered agency ac-
8 tion is not provided to the Office of Manage-
9 ment and Budget or any other Federal agency
10 for review and comment, not later than 90 days
11 before the date on which the agency head pub-
12 lishes in the Federal Register or otherwise
13 makes available for public inspection or com-
14 ment such proposed covered agency action.

15 “(2) COMMISSION COMMENTS.—The Commis-
16 sion, in consultation with the ERO, shall, by order,
17 provide to the agency head that provides a proposed
18 covered agency action to the Commission under
19 paragraph (1) comments on such proposed covered
20 agency action.

21 “(3) AGENCY RESPONSE.—An agency head may
22 not finalize a proposed covered agency action for
23 which a determination is made under paragraph
24 (1)—

1 “(A) until the agency head has responded
2 in writing to the Commission with an expla-
3 nation of how the agency head has modified, or
4 why the agency head has determined not to
5 modify, such proposed covered agency action in
6 response to each comment provided by the
7 Commission under paragraph (2); or

8 “(B) if the Commission finds that the
9 agency head has not modified such proposed
10 covered agency action based on the comments
11 provided by the Commission under paragraph
12 (2) to prevent a significant negative impact on
13 the reliability and adequacy of the bulk-power
14 system in North America.

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

19 “(A) submitted to the Federal Register for
20 publication; or

21 “(B) otherwise made available for public
22 inspection or comment.

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

1 “(A) AGENCY HEAD.—The term ‘agency
2 head’ means the head of a Federal agency that
3 proposed a covered agency action.

4 “(B) COVERED AGENCY ACTION.—The
5 term ‘covered agency action’ means a rule, reg-
6 ulation, standard, criteria document, deadline,
7 or determination.

8 “(C) FEDERAL AGENCY.—The term ‘Fed-
9 eral agency’ means an Executive department
10 (as that term is defined in section 101 of title
11 5, United States Code) or any other Executive
12 agency that is in the President’s cabinet.”.

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