

ONE HUNDRED NINETEENTH CONGRESS

# Congress of the United States

## House of Representatives

### COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6115

Majority (202) 225-3641

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#### MEMORANDUM

June 3, 2025

TO: Members of the Subcommittee on Energy  
FROM: Committee Majority Staff  
RE: Subcommittee on Energy Markup on June 5, 2025

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#### I. INTRODUCTION

The Subcommittee on Energy will hold a markup on Thursday, June 5, 2025, at 10:00 a.m. (ET) in 2123 Rayburn House Office Building. The markup will consider the following legislation:

- **H.R. 3616, Reliable Power Act (Rep. Balderson)**
- **H.R. 1047, Guaranteeing Reliability through the Interconnection of Dispatchable Power (GRID Power) Act (Rep. Balderson)**
- **H.R. 3632, Power Plant Reliability Act of 2025 (Rep. Griffith)**
- **H.R. 3638, Electric Supply Chain Act (Rep. Latta)**
- **H.R. 3157, State Energy Accountability Act (Rep. Langworthy)**
- **H.R. 3628, State Planning for Reliability and Affordability Act (Rep. Evans)**
- **H.R. 3657, Hydropower Relicensing Transparency Act (Rep. Schrier)**
- **H.R. 3015, National Coal Council Reestablishment Act (Rep. Rulli)**
- **H.R. 3617, Securing America's Critical Minerals Supply Act (Rep. James)**
- **H.R. 3109, Researching Efficient Federal Improvements for Necessary Energy Refining (REFINER) Act (Rep. Latta)**
- **H.R. 3062, Promoting Cross-border Energy Infrastructure Act (Rep. Fedorchak)**
- **H.R. 1949, Unlocking our Domestic LNG Potential Act of 2025 (Rep. Pfluger)**
- **H.R. 3668, Improving Interagency Coordination for Pipeline Reviews Act (Rep. Hudson)**

#### II. LEGISLATION

**A. H.R. 3616, Reliable Power Act**

This legislation would amend the Federal Power Act to provide for the Federal Energy Regulatory Commission (FERC) review of certain federal regulations that may affect the reliable operation of the bulk power system. The legislation would require the electric reliability organization (ERO) to conduct annual long-term assessments of the reliability of the bulk-power system. In the event the ERO determines during such assessments that the bulk-power system does not have sufficient electric generation resources to maintain reliability, FERC would review, provide comment, and as necessary, recommend changes to modify federal regulations proposed or under development that affect generation resources in the bulk-power system. No regulation affecting such resources would be allowed to be finalized if FERC finds it would have a significant negative impact on the reliability of the bulk-power system. (Rep. Balderson introduced this legislation on May 29, 2025.)

**B. H.R. 1047, GRID Power Act**

This legislation would direct FERC to issue a rulemaking requiring transmission providers to prioritize and expedite interconnection queue requests for dispatchable generation projects and projects that enhance grid resilience and reliability. The legislation would require periodic review and updates of regulations promulgated under this rulemaking to ensure interconnection regulations remain effective and relevant to grid reliability and resilience challenges. (Rep. Balderson introduced this legislation on February 6, 2025.)

**C. H.R. 3632, Power Plant Reliability Act of 2025**

This legislation would enhance authority under Section 207 of the Federal Power Act to allow affected parties to contest the retirement of generation resources, for up to a 5-year period, in the event that a retirement causes harm to the reliability of the bulk power system. The bill would also require power plants to provide a 5-year advance notice of plans to retire. This legislation was updated from the discussion draft noticed for the Subcommittee's April 30, 2025, legislative hearing to provide flexibility to FERC in issuing orders pursuant to Section 207 and to clarify which affected parties may contest a plant's closure. (Rep. Griffith introduced this legislation on May 29, 2025.)

**D. H.R. 3638, Electric Supply Chain Act**

This legislation would direct the Department of Energy (DOE) to conduct periodic assessments of trends, risks, and vulnerabilities in the supply chain for electric generation and transmission infrastructure and grid components. As part of the ongoing assessment of electric grid supply chains, the Department would consult stakeholders across the electric grid ecosystem and provide recommendations to address the identified emerging issues and secure domestic supply chains. Periodic reports would be submitted to the Committee. (Rep. Latta introduced this legislation on May 29, 2025.)

**E. H.R. 3157, State Energy Accountability Act**

This legislation would amend section 111(d) of the Public Utility Regulatory Policy Act of 1978 (PURPA) to require each state regulatory authority to consider implementing requirements to evaluate the reliability and resource adequacy impacts of complying with Renewable Portfolio Standards, Clean Energy Standards, or other state policies that require utilities to designate a share of their electricity sold to be generated from intermittent resources. This legislation was updated from the Subcommittee's April 30, 2025, legislative hearing to amend the short title. (Rep. Langworthy introduced this legislation on May 1, 2025.)

**F. H.R. 3628, State Planning for Reliability and Affordability Act**

This legislation would amend section 111(d) of PURPA to require each state regulatory authority to consider implementing requirements for utilities to analyze their reliable generation portfolio as part of their integrated resource plans over a 10-year planning period. This legislation was updated from the subcommittee's April 30, 2025, legislative hearing to clarify the bill's application to regulated utilities under PURPA. (Rep. Evans introduced this legislation on May 29, 2025.)

**G. H.R. 3657, Hydropower Relicensing Transparency Act**

This legislation would require FERC to report periodically to Congress on the status of relicensing applications for hydropower dams to assess the availability of baseload generation and prevent premature retirements of baseload hydropower generation. (Rep. Schrier introduced this legislation on May 29, 2025.)

**H. H.R. 3015, National Coal Council Reestablishment Act**

This legislation would re-establish and codify the National Coal Council, which was a federal advisory committee established in 1984 to provide industry expertise to DOE. The council provides guidance, reports, and recommendations on matters affecting the coal industry and the future of coal technologies. Pursuant to the Federal Advisory Committee Act, DOE was required to renew the council's charter every two years—however, under the Biden Administration, the Department let the charter lapse on November 19, 2021. (Rep. Rulli introduced this legislation on April 24, 2025.)

**I. H.R. 3617, Securing America's Critical Minerals Supply Act**

This legislation would amend the Department of Energy (DOE) Organization Act to require the Secretary of Energy to conduct an ongoing assessment of the nation's supply of critical energy resources, the vulnerability of critical energy resource supply chains, and the energy security considerations related to critical energy resources in the development of energy technologies. It would also direct the Secretary to strengthen critical energy resource supply chains by diversifying sourcing and increasing domestic production, refining, and processing of resources. Under this legislation, the term "critical energy resource" means any energy resource that is essential to the energy sector and energy systems of the United States and the supply chain of which is vulnerable to disruption. Substantially similar legislation passed the House in the 118th Congress with a bipartisan vote. (Rep. James introduced this legislation on May 29, 2025.)

**J. H.R. 3109, Researching Efficient Federal Improvement Acts for Necessary Energy Refining (REFINER) Act**

This legislation would require the Secretary of Energy to direct the National Petroleum Council to issue a report examining the importance of petrochemical refineries to energy security. The report must also contain an analysis of the capacity of such refineries and opportunities to expand capacity, as well as an analysis of risks to refineries. Substantially similar legislation passed the House in the 118th Congress with a bipartisan vote. (Rep. Latta introduced this legislation on April 30, 2025.)

**K. H.R. 3062, Promoting Cross-Border Energy Infrastructure Act**

This legislation would modernize permitting processes by establishing a more uniform and transparent process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity. The legislation would replace the existing Presidential Permit process that has been established through Executive Order with a statutory process. Under the legislation, FERC would be authorized to review applications for cross-border oil and natural gas pipelines, and DOE would be authorized to review applications for cross-border electric transmission facilities. Substantially similar legislation passed the House in the 115th Congress with a bipartisan vote. (Rep. Fedorchak introduced this legislation on April 29, 2025.)

**L. H.R. 1949, Unlocking our Domestic LNG Potential Act of 2025**

This legislation would amend the Natural Gas Act (NGA) to repeal all restrictions on the import and export of natural gas. Under current law, the NGA prohibits the import or export of natural gas, including liquefied natural gas (LNG), without completing a lengthy approval process conducted by DOE. The legislation would align the NGA with the existing national policy on the import and export of other fossil fuels, including crude oil and petroleum products. Substantially similar legislation passed the House in the 118th Congress with a bipartisan vote. (Rep. Pfluger introduced this legislation on March 6, 2025.)

**M. H.R. 3668, Improving Interagency Coordination for Pipeline Reviews Act**

This legislation would improve coordination among federal and state agencies reviewing applications for the construction of interstate natural gas pipelines. The legislation would strengthen FERC's lead agency role under the NGA by requiring set schedules, concurrent reviews, and the establishment of dispute resolution processes among permitting agencies. The legislation would also improve water quality reviews by shifting the review responsibility to FERC, while still requiring the incorporation of necessary terms or conditions proposed by the relevant states in the final certification. Substantially similar legislation passed the House in the 118th Congress with a bipartisan vote. (Rep. Hudson introduced this legislation on June 3, 2025.)

### **III. STAFF CONTACTS**

If you have any questions regarding this subcommittee markup, please contact Mary Martin, Peter Spencer, Andrew Furman, or Clara Cargile of the Committee Staff at (202) 225-3641.