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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To determine the feasibility of utilizing American-made critical transmission materials, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. DONALDS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To determine the feasibility of utilizing American-made critical transmission materials, 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. SHORT TITLE.**

4 This Act may be cited as the “American Trans-  
5 mission Act”.

1 **SEC. 2. MADE IN THE UNITED STATES REQUIREMENT FOR**  
2 **CRITICAL MATERIALS USED TO CONSTRUCT**  
3 **OR MODIFY ELECTRIC TRANSMISSION INFRA-**  
4 **STRUCTURE.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that critical materials used to construct or modify  
7 electric transmission infrastructure using Federal funds  
8 should be made in the United States.

9 (b) REQUIREMENT.—Subject to subsection (c)(3)(C),  
10 any entity that receives Federal funds to construct or  
11 modify electric transmission infrastructure in the United  
12 States may only use critical materials that are made in  
13 the United States for such construction or modification.

14 (c) WORKING GROUP.—

15 (1) ESTABLISHMENT.—Not later than 30 days  
16 after the date of enactment of this section, the  
17 President shall establish a working group which  
18 shall, not later than 180 days after the date of en-  
19 actment of this section, submit to the appropriate  
20 congressional committees a report that determines—

21 (A) whether it is feasible to implement  
22 subsection (b), which such feasibility shall be  
23 based on—

24 (i) whether implementation of sub-  
25 section (b) is consistent with the public in-  
26 terest;

1 (ii) the cost to implement subsection  
2 (b);

3 (iii) whether there is a sufficient sup-  
4 ply of critical materials that are made in  
5 the United States; and

6 (iv) whether implementation of sub-  
7 section (b) is consistent with national secu-  
8 rity; and

9 (B) the status of critical materials that are  
10 made in the United States, including how such  
11 critical materials are used to construct or mod-  
12 ify electric transmission infrastructure.

13 (2) MEMBERSHIP.—The working group estab-  
14 lished under paragraph (1) shall be made up of rep-  
15 resentatives from the Federal Energy Regulatory  
16 Commission, the Department of Energy, the Envi-  
17 ronmental Protection Agency, the Department of  
18 Commerce, the United States Geological Survey, and  
19 the Office of Procurement Policy in the Executive  
20 Office of the President.

21 (3) IMPLEMENTATION.—

22 (A) PRESIDENTIAL DETERMINATION OF  
23 FEASIBILITY.—Based on the report submitted  
24 under paragraph (1), the President shall deter-  
25 mine whether implementation of subsection (b)

1 is feasible in accordance with paragraph (1)(A)  
2 of this subsection.

3 (B) TRANSMISSION.—The President shall  
4 transmit to the heads of the Federal agencies  
5 that are members of the working group and the  
6 appropriate congressional committees a report  
7 that includes the determination under subpara-  
8 graph (A) by not later than 45 days after the  
9 working group submits the report under para-  
10 graph (1).

11 (C) EFFECTIVE DATE.—Subsection (b)  
12 shall take effect on the date on which the Presi-  
13 dent transmits a report under subparagraph  
14 (B) that affirmatively determines that imple-  
15 mentation of subsection (b) is feasible.

16 (D) RULEMAKING.—Not later than 60  
17 days after the effective date described in sub-  
18 paragraph (C), the Federal Energy Regulatory  
19 Commission shall issue a proposed rule to im-  
20 plement the requirements of subsection (b).

21 (4) TERMINATION DATE.—The working group  
22 established under paragraph (1) shall terminate  
23 after submission of the report under such para-  
24 graph.

25 (d) DEFINITIONS.—In this section:

1           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES.—The term “appropriate congressional com-  
3           mittees” means—

4                   (A) the Committees on Natural Resources  
5                   and Energy and Commerce of the House of  
6                   Representatives; and

7                   (B) the Committees on Energy and Nat-  
8                   ural Resources and Environment and Public  
9                   Works of the Senate.

10           (2) CRITICAL MATERIAL.—The term “critical  
11           material” has the meaning given such term in sec-  
12           tion 7002(a) of the Consolidated Appropriations Act,  
13           2021 (30 U.S.C. 1606(a)).

14           (3) MADE IN THE UNITED STATES.—The term  
15           “made in the United States” means, with respect to  
16           a critical material used to construct or modify trans-  
17           mission infrastructure, such a critical material was  
18           mined, produced, or manufactured in the United  
19           States.