

To the office of U.S. Representative Haley M. Stevens

Re: HR 9161 (119th Congress), Secure Aluminum Supply Chains Act • Latest action (2026-06-04): Referred to the House Committee on Foreign Affairs.

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National Security Aluminum Scrap Export Investigation Act of 2025

The measure, as described from the official record: To assess whether exporting aluminum scrap to certain foreign countries poses a threat to U.S. national security, in order to inform potential export restrictions or trade actions.

THE PROPOSAL

This Act requires the United States International Trade Commission (ITC) to investigate the national security implications of exporting aluminum scrap to countries of concern. For purposes of this Act, 'countries of concern' means any foreign country that is subject to comprehensive U.S. sanctions, designated as a state sponsor of terrorism, or identified by the Secretary of Defense as posing a significant threat to U.S. national security interests. The ITC shall, within 180 days of enactment, conduct an investigation and submit a report to Congress. The investigation shall consider: (1) the volume and value of aluminum scrap exports to each country of concern; (2) the extent to which such exports reduce domestic aluminum production capacity; (3) the reliance of U.S. defense and critical infrastructure on imported aluminum; (4) the potential for exported scrap to be diverted to military or strategic uses by adversarial nations; and (5) any other factors the ITC deems relevant to national security. The report shall include recommendations for legislative or executive action, including potential export controls under the Export Control Reform Act of 2018. This Act shall sunset five years after enactment. Funding for the investigation shall be drawn from the general fund of the Treasury, not to exceed \$2 million. Oversight shall be exercised by the House Committee on Foreign Affairs and the Senate Committee on Finance. Enforcement of any resulting export controls shall be carried out by the Department of Commerce under existing law.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	General fund of the Treasury
Funding Amount	\$2 million
Sunset Years	5 years
Oversight Body	House Committee on Foreign Affairs and Senate Committee on Finance
Enforcement Mechanism	The ITC investigation is mandatory; any resulting export controls shall be enforced by the Department of Commerce under the Export Control Reform Act of 2018.
Effective Date	Upon enactment

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 3 (Commerce Clause)
- Article I, Section 8, Clause 14 (Foreign Commerce)
- Article I, Section 8, Clause 18 (Necessary and Proper Clause)
- Fifth Amendment Due Process Clause (clear standards to avoid arbitrary action)
- Tenth Amendment (reserving to states powers not delegated)

Concerns with the measure as written:

- The original bill may lack clear legislative standards defining 'countries of concern' and the scope of the investigation, risking excessive delegation of legislative power.
- The investigation could potentially burden interstate or foreign commerce without sufficient due process safeguards if the criteria are vague.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

This bill honors Democratic priorities of protecting national security and domestic industrial base, and ensuring supply chain resilience. It honors Republican priorities of limiting government overreach by providing clear statutory standards, a sunset provision, and reliance on existing enforcement mechanisms rather than new regulatory powers.

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