

113TH CONGRESS
1ST SESSION

H. R. 2417

To amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense and well-being of the United States against natural and manmade electromagnetic pulse (“EMP”) threats and vulnerabilities.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2013

Mr. FRANKS of Arizona (for himself, Mrs. HARTZLER, Mr. POSEY, Mr. LAMBORN, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. PITTS, Mr. PITTINGER, Mr. LAMALFA, Ms. CLARKE, Mr. HUNTER, Mr. STEWART, Mr. WILSON of South Carolina, Mr. JORDAN, Mr. PERRY, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. ROYCE, Mr. FORTENBERRY, and Mr. KLINE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense and well-being of the United States against natural and manmade electromagnetic pulse (“EMP”) threats and vulnerabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Secure High-voltage
3 Infrastructure for Electricity from Lethal Damage Act”
4 or the “SHIELD Act”.

5 **SEC. 2. FINDINGS.**

6 The Congress makes the following findings:

7 (1) According to the Report of the Commission
8 to Assess the Threat to the United States from
9 Electromagnetic Pulse Attack (in this Act referred
10 to as the “EMP Commission Report”), the society
11 and economy of the United States are “critically de-
12 pendent upon the availability of electricity.”.

13 (2) According to the EMP Commission Report,
14 “continued electrical supply is necessary for sus-
15 taining water supplies, production and distribution
16 of food, fuel, communications, and everything else
17 that is part of our economy”.

18 (3) According to the EMP Commission Report,
19 “contemporary U.S. society is not structured, nor
20 does it have the means, to provide for the needs of
21 nearly 300 million Americans without electricity.”.

22 (4) According to the EMP Commission Report,
23 due to the existing electrical system operating at or
24 near its physical capacity, “a relatively modest upset
25 to the system can cause functional collapse.”.

1 (5) According to the EMP Commission Report,
2 electromagnetic pulse (in this Act referred to as
3 “EMP”) is a threat to the overall electrical power
4 system.

5 (6) According to the EMP Commission Report,
6 EMP occurs both naturally, such as geomagnetic
7 storms, and via manmade devices.

8 (7) According to the EMP Commission Report,
9 while the electric infrastructure “has a degree of du-
10 rability against . . . the failure of one or a small
11 number of [electric] components,” the current strat-
12 egy for recovery leaves the United States ill-prepared
13 to respond effectively to an EMP attack that would
14 potentially result in damage to vast numbers of com-
15 ponents nearly simultaneously over an unprece-
16 dented geographic scale.

17 (8) According to the EMP Commission Report,
18 EMP “may couple ultimately unmanageable currents
19 and voltages into an electrical system routinely oper-
20 ated with little margin and cause the collapse of
21 large portions of the electrical system.”.

22 (9) According to the EMP Commission Report,
23 a collapse of large portions of the electrical system
24 will result in significant periods of power-outage and

1 “restoration from collapse or loss of significant por-
2 tions of the system [will be] exceedingly difficult.”.

3 (10) According to the EMP Commission Re-
4 port, “should the electrical power system be lost for
5 any substantial period of time . . . the consequences
6 are likely to be catastrophic to civilian society.”.

7 (11) According to the EMP Commission Re-
8 port, “the Commission is deeply concerned that
9 [negative] impacts [on the electric infrastructure]
10 are certain in an EMP event unless practical steps
11 are taken to provide protection for critical elements
12 of the electric system.”.

13 **SEC. 3. AMENDMENT TO THE FEDERAL POWER ACT.**

14 (a) **CRITICAL ELECTRIC INFRASTRUCTURE SECUR-**
15 **ITY.**—Part II of the Federal Power Act (16 U.S.C. 824
16 et seq.) is amended by adding after section 215 the fol-
17 lowing new section:

18 **“SEC. 215A. CRITICAL ELECTRIC INFRASTRUCTURE SECUR-**
19 **ITY.**

20 “(a) **DEFINITIONS.**—For purposes of this section:

21 “(1) **BULK-POWER SYSTEM; ELECTRIC RELI-**
22 **ABILITY ORGANIZATION; REGIONAL ENTITY.**—The
23 terms ‘bulk-power system’, ‘Electric Reliability Or-
24 ganization’, and ‘regional entity’ have the meanings

1 given such terms in paragraphs (1), (2), and (7) of
2 section 215(a), respectively.

3 “(2) DEFENSE CRITICAL ELECTRIC INFRA-
4 STRUCTURE.—The term ‘defense critical electric in-
5 frastructure’ means any infrastructure located in the
6 United States (including the territories) used for the
7 generation, transmission, or distribution of electric
8 energy that—

9 “(A) is not part of the bulk-power system;
10 and

11 “(B) serves a facility designated by the
12 President pursuant to subsection (d)(1), but is
13 not owned or operated by the owner or operator
14 of such facility.

15 “(3) DEFENSE CRITICAL ELECTRIC INFRA-
16 STRUCTURE VULNERABILITY.—The term ‘defense
17 critical electric infrastructure vulnerability’ means a
18 weakness in defense critical electric infrastructure
19 that, in the event of a malicious act using an electro-
20 magnetic pulse, would pose a substantial risk of dis-
21 ruption of those electrical or electronic devices or
22 communications networks, including hardware, soft-
23 ware, and data, that are essential to the reliability
24 of defense critical electric infrastructure.

1 “(4) ELECTROMAGNETIC PULSE.—The term
2 ‘electromagnetic pulse’ means 1 or more pulses of
3 electromagnetic energy generated or emitted by a de-
4 vice capable of disabling, disrupting, or destroying
5 electronic equipment by means of such a pulse.

6 “(5) GEOMAGNETIC STORM.—The term ‘geo-
7 magnetic storm’ means a temporary disturbance of
8 the Earth’s magnetic field resulting from solar activ-
9 ity.

10 “(6) GRID SECURITY THREAT.—The term ‘grid
11 security threat’ means a substantial likelihood of—

12 “(A) a malicious act using an electro-
13 magnetic pulse, or a geomagnetic storm event,
14 that could disrupt the operation of those elec-
15 trical or electronic devices or communications
16 networks, including hardware, software, and
17 data, that are essential to the reliability of the
18 bulk-power system or of defense critical electric
19 infrastructure; and

20 “(B) disruption of the operation of such
21 devices or networks, with significant adverse ef-
22 fects on the reliability of the bulk-power system
23 or of defense critical electric infrastructure, as
24 a result of such act or event.

1 “(7) GRID SECURITY VULNERABILITY.—The
2 term ‘grid security vulnerability’ means a weakness
3 that, in the event of a malicious act using an electro-
4 magnetic pulse, would pose a substantial risk of dis-
5 ruption to the operation of those electrical or elec-
6 tronic devices or communications networks, includ-
7 ing hardware, software, and data, that are essential
8 to the reliability of the bulk-power system.

9 “(8) LARGE TRANSFORMER.—The term ‘large
10 transformer’ means an electric transformer that is
11 part of the bulk-power system.

12 “(9) PROTECTED INFORMATION.—The term
13 ‘protected information’ means information, other
14 than classified national security information, des-
15 ignated as protected information by the Commission
16 under subsection (e)(2)—

17 “(A) that was developed or submitted in
18 connection with the implementation of this sec-
19 tion;

20 “(B) that specifically discusses grid secu-
21 rity threats, grid security vulnerabilities, de-
22 fense critical electric infrastructure vulner-
23 abilities, or plans, procedures, or measures to
24 address such threats or vulnerabilities; and

1 “(C) the unauthorized disclosure of which
2 could be used in a malicious manner to impair
3 the reliability of the bulk-power system or of
4 defense critical electric infrastructure.

5 “(10) SECRETARY.—The term ‘Secretary’
6 means the Secretary of Energy.

7 “(11) SECURITY.—The definition of ‘security’
8 in section 3(16) shall not apply to the provisions in
9 this section.

10 “(b) EMERGENCY RESPONSE MEASURES.—

11 “(1) AUTHORITY TO ADDRESS GRID SECURITY
12 THREATS.—Whenever the President issues and pro-
13 vides to the Commission (either directly or through
14 the Secretary) a written directive or determination
15 identifying an imminent grid security threat, the
16 Commission may, with or without notice, hearing, or
17 report, issue such orders for emergency measures as
18 are necessary in its judgment to protect the reli-
19 ability of the bulk-power system or of defense critical
20 electric infrastructure against such threat. As soon
21 as practicable, but not later than 180 days after the
22 date of enactment of this section, the Commission
23 shall, after notice and opportunity for comment, es-
24 tablish rules of procedure that ensure that such au-
25 thority can be exercised expeditiously.

1 “(2) NOTIFICATION OF CONGRESS.—Whenever
2 the President issues and provides to the Commission
3 (either directly or through the Secretary) a written
4 directive or determination under paragraph (1), the
5 President (or the Secretary, as the case may be)
6 shall promptly notify congressional committees of
7 relevant jurisdiction, including the Committee on
8 Energy and Commerce of the House of Representa-
9 tives and the Committee on Energy and Natural Re-
10 sources of the Senate, of the contents of, and jus-
11 tification for, such directive or determination.

12 “(3) CONSULTATION.—Before issuing an order
13 for emergency measures under paragraph (1), the
14 Commission shall, to the extent practicable in light
15 of the nature of the grid security threat and the ur-
16 gency of the need for such emergency measures, con-
17 sult with the Secretary, other appropriate Federal
18 agencies, appropriate governmental authorities in
19 Canada and Mexico, the Electric Reliability Organi-
20 zation, and entities described in paragraph (4).

21 “(4) APPLICATION.—An order for emergency
22 measures under this subsection may apply to—

23 “(A) a regional entity; or

1 “(B) any owner, user, or operator of the
2 bulk-power system or of defense critical electric
3 infrastructure within the United States.

4 “(5) DISCONTINUANCE.—The Commission shall
5 issue an order discontinuing any emergency meas-
6 ures ordered under this subsection, effective not
7 later than 30 days after the earliest of the following:

8 “(A) The date upon which the President
9 issues and provides to the Commission (either
10 directly or through the Secretary) a written di-
11 rective or determination that the grid security
12 threat identified under paragraph (1) no longer
13 exists.

14 “(B) The date upon which the Commission
15 issues a written determination that the emer-
16 gency measures are no longer needed to address
17 the grid security threat identified under para-
18 graph (1), including by means of Commission
19 approval of a reliability standard under section
20 215 that the Commission determines adequately
21 addresses such threat.

22 “(C) The date that is 1 year after the
23 issuance of an order under paragraph (1).

24 “(6) COST RECOVERY.—If the Commission de-
25 termines that owners, operators, or users of the

1 bulk-power system or of defense critical electric in-
2 frastructure have incurred substantial costs to com-
3 ply with an order under this subsection or subsection
4 (c) and that such costs were prudently incurred and
5 cannot reasonably be recovered through regulated
6 rates or market prices for the electric energy or
7 services sold by such owners, operators, or users, the
8 Commission shall, after notice and an opportunity
9 for comment, establish a mechanism that permits
10 such owners, operators, or users to recover such
11 costs.

12 “(c) MEASURES TO ADDRESS GRID SECURITY
13 VULNERABILITIES.—

14 “(1) COMMISSION AUTHORITY.—

15 “(A) RELIABILITY STANDARDS.—If the
16 Commission, in consultation with appropriate
17 Federal agencies, identifies a grid security vul-
18 nerability that the Commission determines has
19 not adequately been addressed through a reli-
20 ability standard developed and approved under
21 section 215, the Commission shall, after notice
22 and opportunity for comment and after con-
23 sultation with the Secretary, other appropriate
24 Federal agencies, and appropriate governmental
25 authorities in Canada and Mexico, issue an

1 order directing the Electric Reliability Organi-
2 zation to submit to the Commission for ap-
3 proval under section 215, not later than 30
4 days after the issuance of such order, a reli-
5 ability standard requiring implementation, by
6 any owner, operator, or user of the bulk-power
7 system in the United States, of measures to
8 protect the bulk-power system against such vul-
9 nerability. Any such standard shall include a
10 protection plan, including automated hardware-
11 based solutions. The Commission shall approve
12 a reliability standard submitted pursuant to
13 this subparagraph, unless the Commission de-
14 termines that such reliability standard does not
15 adequately protect against such vulnerability or
16 otherwise does not satisfy the requirements of
17 section 215.

18 “(B) MEASURES TO ADDRESS GRID SECUR-
19 RITY VULNERABILITIES.—If the Commission,
20 after notice and opportunity for comment and
21 after consultation with the Secretary, other ap-
22 propriate Federal agencies, and appropriate
23 governmental authorities in Canada and Mex-
24 ico, determines that the reliability standard
25 submitted by the Electric Reliability Organiza-

1 tion to address a grid security vulnerability
2 identified under subparagraph (A) does not
3 adequately protect the bulk-power system
4 against such vulnerability, the Commission shall
5 promulgate a rule or issue an order requiring
6 implementation, by any owner, operator, or user
7 of the bulk-power system in the United States,
8 of measures to protect the bulk-power system
9 against such vulnerability. Any such rule or
10 order shall include a protection plan, including
11 automated hardware-based solutions. Before
12 promulgating a rule or issuing an order under
13 this subparagraph, the Commission shall, to the
14 extent practicable in light of the urgency of the
15 need for action to address the grid security vul-
16 nerability, request and consider recommenda-
17 tions from the Electric Reliability Organization
18 regarding such rule or order. The Commission
19 may establish an appropriate deadline for the
20 submission of such recommendations.

21 “(2) RESCISSION.—The Commission shall ap-
22 prove a reliability standard developed under section
23 215 that addresses a grid security vulnerability that
24 is the subject of a rule or order under paragraph
25 (1)(B), unless the Commission determines that such

1 reliability standard does not adequately protect
2 against such vulnerability or otherwise does not sat-
3 isfy the requirements of section 215. Upon such ap-
4 proval, the Commission shall rescind the rule pro-
5 mulgated or order issued under paragraph (1)(B)
6 addressing such vulnerability, effective upon the ef-
7 fective date of the newly approved reliability stand-
8 ard.

9 “(3) GEOMAGNETIC STORMS AND ELECTRO-
10 MAGNETIC PULSE.—Not later than 6 months after
11 the date of enactment of this section, the Commis-
12 sion shall, after notice and an opportunity for com-
13 ment and after consultation with the Secretary and
14 other appropriate Federal agencies, issue an order
15 directing the Electric Reliability Organization to
16 submit to the Commission for approval under section
17 215, not later than 6 months after the issuance of
18 such order, reliability standards adequate to protect
19 the bulk-power system from any reasonably foresee-
20 able geomagnetic storm or electromagnetic pulse
21 event. The Commission’s order shall specify the na-
22 ture and magnitude of the reasonably foreseeable
23 events against which such standards must protect.
24 Such standards shall appropriately balance the risks
25 to the bulk-power system associated with such

1 events, including any regional variation in such
2 risks, the costs of mitigating such risks, and the pri-
3 orities and timing associated with implementation. If
4 the Commission determines that the reliability
5 standards submitted by the Electric Reliability Or-
6 ganization pursuant to this paragraph are inad-
7 equate, the Commission shall promulgate a rule or
8 issue an order adequate to protect the bulk-power
9 system from geomagnetic storms or electromagnetic
10 pulse as required under paragraph (1)(B).

11 “(4) LARGE TRANSFORMER AVAILABILITY.—
12 Not later than 1 year after the date of enactment
13 of this section, the Commission shall, after notice
14 and an opportunity for comment and after consulta-
15 tion with the Secretary and other appropriate Fed-
16 eral agencies, issue an order directing the Electric
17 Reliability Organization to submit to the Commis-
18 sion for approval under section 215, not later than
19 1 year after the issuance of such order, reliability
20 standards addressing availability of large trans-
21 formers. Such standards shall require entities that
22 own or operate large transformers to ensure, individ-
23 ually or jointly, adequate availability of large trans-
24 formers to promptly restore the reliable operation of
25 the bulk-power system in the event that any such

1 transformer is destroyed or disabled as a result of
2 a geomagnetic storm event or electromagnetic pulse
3 event. The Commission’s order shall specify the na-
4 ture and magnitude of the reasonably foreseeable
5 events that shall provide the basis for such stand-
6 ards. Such standards shall—

7 “(A) provide entities subject to the stand-
8 ards with the option of meeting such standards
9 individually or jointly; and

10 “(B) appropriately balance the risks asso-
11 ciated with a reasonably foreseeable event, in-
12 cluding any regional variation in such risks, and
13 the costs of ensuring adequate availability of
14 spare transformers.

15 “(d) CRITICAL DEFENSE FACILITIES.—

16 “(1) DESIGNATION.—Not later than 180 days
17 after the date of enactment of this section, the
18 President shall designate, in a written directive or
19 determination provided to the Commission, facilities
20 located in the United States (including the terri-
21 tories) that are—

22 “(A) critical to the defense of the United
23 States; and

1 “(B) vulnerable to a disruption of the sup-
2 ply of electric energy provided to such facility
3 by an external provider.

4 The number of facilities designated by such directive
5 or determination shall not exceed 100. The Presi-
6 dent may periodically revise the list of designated fa-
7 cilities through a subsequent written directive or de-
8 termination provided to the Commission, provided
9 that the total number of designated facilities at any
10 time shall not exceed 100.

11 “(2) COMMISSION AUTHORITY.—If the Commis-
12 sion identifies a defense critical electric infrastruc-
13 ture vulnerability that the Commission, in consulta-
14 tion with owners and operators of any facility or fa-
15 cilities designated by the President pursuant to
16 paragraph (1), determines has not adequately been
17 addressed through measures undertaken by owners
18 or operators of defense critical electric infrastruc-
19 ture, the Commission shall, after notice and an op-
20 portunity for comment and after consultation with
21 the Secretary and other appropriate Federal agen-
22 cies, promulgate a rule or issue an order requiring
23 implementation, by any owner or operator of defense
24 critical electric infrastructure, of measures to protect
25 the defense critical electric infrastructure against

1 such vulnerability. The Commission shall exempt
2 from any such rule or order any specific defense
3 critical electric infrastructure that the Commission
4 determines already has been adequately protected
5 against the identified vulnerability. The Commission
6 shall make any such determination in consultation
7 with the owner or operator of the facility designated
8 by the President pursuant to paragraph (1) that re-
9 lies upon such defense critical electric infrastructure.

10 “(3) COST RECOVERY.—An owner or operator
11 of defense critical electric infrastructure shall be re-
12 quired to take measures under paragraph (2) only to
13 the extent that the owners or operators of a facility
14 or facilities designated by the President pursuant to
15 paragraph (1) that rely upon such infrastructure
16 agree to bear the full incremental costs of compli-
17 ance with a rule promulgated or order issued under
18 paragraph (2).

19 “(e) PROTECTION OF INFORMATION.—

20 “(1) PROHIBITION OF PUBLIC DISCLOSURE OF
21 PROTECTED INFORMATION.—Protected information
22 shall—

23 “(A) be exempt from disclosure under sec-
24 tion 552(b)(3) of title 5, United States Code;
25 and

1 “(B) not be made available pursuant to
2 any State, local, or tribal law requiring disclo-
3 sure of information or records.

4 “(2) INFORMATION SHARING.—

5 “(A) IN GENERAL.—Consistent with the
6 Controlled Unclassified Information framework
7 established by the President, the Commission
8 shall promulgate such regulations and issue
9 such orders as necessary to designate protected
10 information and to prohibit the unauthorized
11 disclosure of such protected information.

12 “(B) SHARING OF PROTECTED INFORMA-
13 TION.—The regulations promulgated and orders
14 issued pursuant to subparagraph (A) shall pro-
15 vide standards for and facilitate the appropriate
16 sharing of protected information with, between,
17 and by Federal, State, local, and tribal authori-
18 ties, the Electric Reliability Organization, re-
19 gional entities, and owners, operators, and
20 users of the bulk-power system in the United
21 States and of defense critical electric infrastruc-
22 ture. In promulgating such regulations and
23 issuing such orders, the Commission shall take
24 account of the role of State commissions in re-
25 viewing the prudence and cost of investments

1 within their respective jurisdictions. The Com-
2 mission shall consult with appropriate Canadian
3 and Mexican authorities to develop protocols for
4 the sharing of protected information with, be-
5 tween, and by appropriate Canadian and Mexi-
6 can authorities and owners, operators, and
7 users of the bulk-power system outside the
8 United States.

9 “(3) SUBMISSION OF INFORMATION TO CON-
10 GRESS.—Nothing in this section shall permit or au-
11 thorize the withholding of information from Con-
12 gress, any committee or subcommittee thereof, or
13 the Comptroller General.

14 “(4) DISCLOSURE OF NONPROTECTED INFOR-
15 MATION.—In implementing this section, the Com-
16 mission shall protect from disclosure only the min-
17 imum amount of information necessary to protect
18 the reliability of the bulk-power system and of de-
19 fense critical electric infrastructure. The Commission
20 shall segregate protected information within docu-
21 ments and electronic communications, wherever fea-
22 sible, to facilitate disclosure of information that is
23 not designated as protected information.

24 “(5) DURATION OF DESIGNATION.—Informa-
25 tion may not be designated as protected information

1 for longer than 5 years, unless specifically redesign-
2 nated by the Commission.

3 “(6) REMOVAL OF DESIGNATION.—The Com-
4 mission may remove the designation of protected in-
5 formation, in whole or in part, from a document or
6 electronic communication if the unauthorized disclo-
7 sure of such information could no longer be used to
8 impair the reliability of the bulk-power system or of
9 defense critical electric infrastructure.

10 “(7) JUDICIAL REVIEW OF DESIGNATIONS.—
11 Notwithstanding subsection (f) of this section or sec-
12 tion 313, a person or entity may seek judicial review
13 of a determination by the Commission concerning
14 the designation of protected information under this
15 subsection exclusively in the district court of the
16 United States in the district in which the complain-
17 ant resides, or has his principal place of business, or
18 in the District of Columbia. In such a case the court
19 shall determine the matter de novo, and may exam-
20 ine the contents of documents or electronic commu-
21 nications designated as protected information in
22 camera to determine whether such documents or any
23 part thereof were improperly designated as protected
24 information. The burden is on the Commission to
25 sustain its designation.

1 “(f) JUDICIAL REVIEW.—The Commission shall act
2 expeditiously to resolve all applications for rehearing of
3 orders issued pursuant to this section that are filed under
4 section 313(a). Any party seeking judicial review pursuant
5 to section 313 of an order issued under this section may
6 obtain such review only in the United States Court of Ap-
7 peals for the District of Columbia Circuit.

8 “(g) PROVISION OF ASSISTANCE TO INDUSTRY IN
9 MEETING GRID SECURITY PROTECTION NEEDS.—

10 “(1) EXPERTISE AND RESOURCES.—The Sec-
11 retary shall establish a program, in consultation with
12 other appropriate Federal agencies, to develop tech-
13 nical expertise in the protection of systems for the
14 generation, transmission, and distribution of electric
15 energy against geomagnetic storms or malicious acts
16 using electromagnetic pulse that would pose a sub-
17 stantial risk of disruption to the operation of those
18 electronic devices or communications networks, in-
19 cluding hardware, software, and data, that are es-
20 sential to the reliability of such systems. Such pro-
21 gram shall include the identification and develop-
22 ment of appropriate technical and electronic re-
23 sources, including hardware, software, and system
24 equipment.

1 “(2) SHARING EXPERTISE.—As appropriate,
2 the Secretary shall offer to share technical expertise
3 developed under the program under paragraph (1),
4 through consultation and assistance, with owners,
5 operators, or users of systems for the generation,
6 transmission, or distribution of electric energy lo-
7 cated in the United States and with State commis-
8 sions. In offering such support, the Secretary shall
9 assign higher priority to systems serving facilities
10 designated by the President pursuant to subsection
11 (d)(1) and other critical-infrastructure facilities,
12 which the Secretary shall identify in consultation
13 with the Commission and other appropriate Federal
14 agencies.

15 “(3) SECURITY CLEARANCES AND COMMUNICA-
16 TION.—The Secretary shall facilitate and, to the ex-
17 tent practicable, expedite the acquisition of adequate
18 security clearances by key personnel of any entity
19 subject to the requirements of this section to enable
20 optimum communication with Federal agencies re-
21 garding grid security threats, grid security
22 vulnerabilities, and defense critical electric infra-
23 structure vulnerabilities. The Secretary, the Com-
24 mission, and other appropriate Federal agencies
25 shall, to the extent practicable and consistent with

1 their obligations to protect classified and protected
2 information, share timely actionable information re-
3 garding grid security threats, grid security
4 vulnerabilities, and defense critical electric infra-
5 structure vulnerabilities with appropriate key per-
6 sonnel of owners, operators, and users of the bulk-
7 power system and of defense critical electric infra-
8 structure.”.

9 (b) CONFORMING AMENDMENTS.—

10 (1) JURISDICTION.—Section 201(b)(2) of the
11 Federal Power Act (16 U.S.C. 824(b)(2)) is amend-
12 ed by inserting “215A,” after “215,” each place it
13 appears.

14 (2) PUBLIC UTILITY.—Section 201(e) of the
15 Federal Power Act (16 U.S.C. 824(e)) is amended
16 by inserting “215A,” after “215,”.

17 **SEC. 4. BUDGETARY COMPLIANCE.**

18 The budgetary effects of this Act, for the purpose of
19 complying with the Statutory Pay-As-You-Go Act of 2010,
20 shall be determined by reference to the latest statement
21 titled “Budgetary Effects of PAYGO Legislation” for this
22 Act, submitted for printing in the Congressional Record
23 by the Chairman of the House Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.

○