

Union Calendar No. 67

117TH CONGRESS
1ST SESSION

H. R. 2931

[Report No. 117-93]

To provide for certain programs and developments in the Department of Energy concerning the cybersecurity and vulnerabilities of, and physical threats to, the electric grid, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2021

Mr. MCNERNEY (for himself and Mr. LATTA) introduced the following bill;
which was referred to the Committee on Energy and Commerce

JULY 19, 2021

Additional sponsors: Mr. BUCSHON, Mrs. LESKO, Mr. KELLER, Mr. MCKINLEY, Mr. BURGESS, Ms. KUSTER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. SOTO, Ms. SPANBERGER, Mr. DAVIDSON, and Mr. TAYLOR

JULY 19, 2021

Reported from the Committee on Energy and Commerce; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To provide for certain programs and developments in the Department of Energy concerning the cybersecurity and vulnerabilities of, and physical threats to, the electric grid, 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 “Enhancing Grid Secu-
5 rity through Public-Private Partnerships Act”.

6 **SEC. 2. PROGRAM TO PROMOTE AND ADVANCE PHYSICAL**
7 **SECURITY AND CYBERSECURITY OF ELEC-**
8 **TRIC UTILITIES.**

9 (a) ESTABLISHMENT.—The Secretary of Energy, in
10 coordination with relevant Federal agencies and in con-
11 sultation with State regulatory authorities, industry stake-
12 holders, and the Electric Reliability Organization, as the
13 Secretary determines appropriate, shall carry out a pro-
14 gram to—

15 (1) develop, and provide for voluntary imple-
16 mentation of, maturity models, self-assessments, and
17 auditing methods for assessing the physical security
18 and cybersecurity of electric utilities;

19 (2) provide training to electric utilities to ad-
20 dress and mitigate cybersecurity supply chain man-
21 agement risks;

22 (3) increase opportunities for sharing best prac-
23 tices and data collection within the electric sector;

24 (4) assist with cybersecurity training for electric
25 utilities;

1 (5) advance the cybersecurity of third-party
2 vendors that work in partnerships with electric utili-
3 ties; and

4 (6) provide technical assistance for electric utili-
5 ties subject to the program.

6 (b) SCOPE.—In carrying out the program under sub-
7 section (a), the Secretary of Energy shall—

8 (1) take into consideration different sizes of
9 electric utilities and the regions that such electric
10 utilities serve;

11 (2) prioritize electric utilities with fewer avail-
12 able resources due to size or region; and

13 (3) to the extent practicable, utilize and lever-
14 age existing Department of Energy programs.

15 (c) PROTECTION OF INFORMATION.—Information
16 provided to, or collected by, the Federal Government pur-
17 suant to this section—

18 (1) shall be exempt from disclosure under sec-
19 tion 552(b)(3) of title 5, United States Code; and

20 (2) shall not be made available by any Federal,
21 State, political subdivision or tribal authority pursu-
22 ant to any Federal, State, political subdivision, or
23 tribal law requiring public disclosure of information
24 or records.

1 **SEC. 3. REPORT ON CYBERSECURITY AND DISTRIBUTION**
2 **SYSTEMS.**

3 (a) IN GENERAL.—The Secretary of Energy, in co-
4 ordination with relevant Federal agencies and in consulta-
5 tion with State regulatory authorities, industry stake-
6 holders, and the Electric Reliability Organization, as the
7 Secretary determines appropriate, shall submit to Con-
8 gress a report that assesses—

9 (1) priorities, policies, procedures, and actions
10 for enhancing the physical security and cybersecurity
11 of electricity distribution systems to address threats
12 to, and vulnerabilities of, such electricity distribution
13 systems; and

14 (2) implementation of such priorities, policies,
15 procedures, and actions, including an estimate of po-
16 tential costs and benefits of such implementation, in-
17 cluding any public-private cost-sharing opportunities.

18 (b) PROTECTION OF INFORMATION.—Information
19 provided to, or collected by, the Federal Government pur-
20 suant to this section—

21 (1) shall be exempt from disclosure under sec-
22 tion 552(b)(3) of title 5, United States Code; and

23 (2) shall not be made available by any Federal,
24 State, political subdivision or tribal authority pursu-
25 ant to any Federal, State, political subdivision, or

1 tribal law requiring public disclosure of information
2 or records.

3 **SEC. 4. ELECTRICITY INTERRUPTION INFORMATION.**

4 (a) **INTERRUPTION COST ESTIMATE CALCULATOR.**—
5 The Secretary of Energy, in coordination with relevant
6 Federal agencies and in consultation with State regulatory
7 authorities, industry stakeholders, and the Electric Reli-
8 ability Organization, as the Secretary determines appro-
9 priate, shall update the Interruption Cost Estimate Calcu-
10 lator, as often as appropriate and feasible, but not less
11 than once every 2 years.

12 (b) **INDICES.**—The Secretary of Energy, in coordina-
13 tion with relevant Federal agencies and in consultation
14 with State regulatory authorities, industry stakeholders,
15 and the Electric Reliability Organization, as the Secretary
16 determines appropriate, shall, as often as appropriate and
17 feasible, update the following:

18 (1) The System Average Interruption Duration
19 Index.

20 (2) The System Average Interruption Fre-
21 quency Index.

22 (3) The Customer Average Interruption Dura-
23 tion Index.

24 (c) **SURVEY.**—The Administrator of the Energy In-
25 formation Administration shall collect information on elec-

1 tricity interruption costs, if available, from a representa-
2 tive sample of owners of electric grid assets through a bi-
3 ennial survey.

4 **SEC. 5. DEFINITIONS.**

5 In the Act, the following definitions apply:

6 (1) **ELECTRIC RELIABILITY ORGANIZATION.**—

7 The term “Electric Reliability Organization” has the
8 meaning given such term in section 215(a)(2) of the
9 Federal Power Act (16 U.S.C. 824o(a)(2)).

10 (2) **ELECTRIC UTILITY.**—The term “electric

11 utility” has the meaning given such term in section
12 3 of the Federal Power Act (16 U.S.C. 796).

13 (3) **STATE REGULATORY AUTHORITY.**—The

14 term “State regulatory authority” has the meaning
15 given such term in section 3 of the Federal Power
16 Act (16 U.S.C. 796).

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A BILL

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