

AMENDMENT TO RULES COMMITTEE PRINT

117-31

OFFERED BY MR. JACKSON OF TEXAS

At the end of title III of division C, add the following:

1 **SEC. 20303. LIMITATION ON CERTAIN WIND ENERGY PRO-**
2 **CUREMENT; CYBERSECURITY CERTIFI-**
3 **CATION FOR OPERATION AND OWNERSHIP**
4 **OF WIND ENERGY PROJECTS AND OPER-**
5 **ATIONS.**

6 (a) **LIMITATION ON CERTAIN WIND ENERGY PRO-**
7 **CUREMENT.**—No Federal funds may be—

8 (1) provided to a covered entity on or after the
9 date of enactment of this subsection for a large wind
10 energy system, or for a component thereof; or

11 (2) used to procure a component of a large
12 wind energy system that is manufactured by a cov-
13 ered entity.

14 (b) **CERTIFICATION FOR WIND ENERGY.**—Before re-
15 ceiving Federal funds for a specific fiscal year, the recipi-
16 ent of such funds that is an operator or owner of a large
17 wind energy system in the United States shall certify in
18 that fiscal year that the recipient will not award any con-

1 tract or subcontract to a covered entity for the procure-
2 ment of any wind energy components for use in a large
3 wind energy system.

4 (c) CYBERSECURITY CERTIFICATION FOR WIND EN-
5 ERGY PROJECTS AND OPERATIONS.—

6 (1) CERTIFICATION.—A recipient of Federal
7 funds that operates a large wind energy system shall
8 certify that the recipient has established a process to
9 develop, maintain, and execute a written plan for
10 identifying and reducing cybersecurity risks.

11 (2) COMPLIANCE.—For the process required
12 under paragraph (1), a recipient of Federal funds
13 shall—

14 (A) use the approach described by the vol-
15 untary standards and best practices developed
16 under section 2(c)(15) of the National Institute
17 of Standards and Technology Act (15 U.S.C.
18 272(c)(15)), as applicable;

19 (B) identify hardware and software that
20 the recipient determines should undergo third-
21 party testing and analysis to mitigate cyberse-
22 curity risks, such as hardware or software for
23 large wind energy systems under proposed pro-
24 curements; and

1 (C) use the approach described in any vol-
2 untary standards and best practices for wind
3 energy production systems developed under the
4 authority of the Secretary of Homeland Secu-
5 rity, as applicable.

6 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion shall be construed to interfere with the authority of
8 the Secretary of Homeland Security, the Secretary of En-
9 ergy, or the Secretary of Defense to publish or ensure
10 compliance with requirements or standards concerning cy-
11 bersecurity for large wind energy systems.

12 (e) DEFINITION.—In this section:

13 (1) COVERED ENTITY.—The term “covered en-
14 tity” means an entity owned or controlled by, is a
15 subsidiary of, or is otherwise related legally or finan-
16 cially to a corporation based—

17 (A) in the People’s Republic of China; or

18 (B) a country that—

19 (i) is identified as a nonmarket econ-
20 omy country (as defined in section 771(18)
21 of the Tariff Act of 1930 (19 U.S.C.
22 1677(18))), as of the date of enactment of
23 this Act;

24 (ii) was identified by the United
25 States Trade Representative in the most

1 recent report required by section 182 of
2 the Trade Act of 1974 (19 U.S.C. 2242)
3 as a foreign country included on the pri-
4 ority watch list defined in subsection (g)(3)
5 of that section; and

6 (iii) is subject to monitoring by the
7 Trade Representative under section 306 of
8 the Trade Act of 1974 (19 U.S.C. 2416).

9 (2) FEDERAL FUNDS.—The term “Federal
10 funds” means funds made available, or authorized to
11 be made available, by Federal law.

12 (3) LARGE WIND ENERGY SYSTEM.—The term
13 “large wind energy system” has the meaning given
14 that term in section 3 of the Wind Energy Systems
15 Act of 1980 (42 U.S.C. 9202).

