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:

SEC. 20303. LIMITATION ON CERTAIN WIND ENERGY PROCUREMENT; CYBERSECURITY CERTIFICATION FOR OPERATION AND OWNERSHIP OF WIND ENERGY PROJECTS AND OPERATIONS.

(a) LIMITATION ON CERTAIN WIND ENERGY PROCUREMENT.—No Federal funds may be—

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

2 used to procure a component of a large wind energy system that is manufactured by a covered entity.

(b) CERTIFICATION FOR WIND ENERGY.—Before receiving Federal funds for a specific fiscal year, the recipient of such funds that is an operator or owner of a large wind energy system in the United States shall certify in that fiscal year that the recipient will not award any con-
tract or subcontract to a covered entity for the procure-
ment of any wind energy components for use in a large
wind energy system.

(c) Cybersecurity Certification for Wind Energy Projects and Operations.—

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

(2) Compliance.—For the process required under paragraph (1), a recipient of Federal funds shall—

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

(B) identify hardware and software that the recipient determines should undergo third-party testing and analysis to mitigate cybersecurity risks, such as hardware or software for large wind energy systems under proposed procurements; and
(C) use the approach described in any voluntary standards and best practices for wind energy production systems developed under the authority of the Secretary of Homeland Security, as applicable.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to interfere with the authority of the Secretary of Homeland Security, the Secretary of Energy, or the Secretary of Defense to publish or ensure compliance with requirements or standards concerning cybersecurity for large wind energy systems.

(e) DEFINITION.—In this section:

(1) COVERED ENTITY.—The term “covered entity” means an entity owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based—

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

(B) a country that—

(i) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))), as of the date of enactment of this Act;

(ii) was identified by the United States Trade Representative in the most
recent report required by section 182 of
the Trade Act of 1974 (19 U.S.C. 2242)
as a foreign country included on the pri-
ority watch list defined in subsection (g)(3)
of that section; and

(iii) is subject to monitoring by the
Trade Representative under section 306 of

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

(3) LARGE WIND ENERGY SYSTEM.—The term
“large wind energy system” has the meaning given
that term in section 3 of the Wind Energy Systems