

AMENDMENT TO RULES COMMITTEE PRINT 119-

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OFFERED BY MR. NUNN OF IOWA

Add at the end of subtitle F of title XXVIII, the following new section:

1 **SEC. 28__ . PLAN ON REMEDIATION OF CERTAIN EQUIP-**
2 **MENT AND COMPUTATIONAL FACILITIES**
3 **OWNED OR CONTROLLED BY A FOREIGN AD-**
4 **VERSARY.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of De-
7 fense, in coordination with the Commander of the United
8 States Northern Command and each Secretary of a mili-
9 tary department, and in consultation with the Secretary
10 of Energy, shall submit to the congressional defense com-
11 mittees a plan to identify, prioritize, and remediate the
12 presence of covered equipment and covered computational
13 facilities owned or controlled by a foreign adversary in the
14 electric grid of the United States.

15 (b) ELEMENTS.—The plan required under subsection
16 (a) shall include—

17 (1) an assessment of the risks to the national
18 defense and security of the United States posed by

1 covered equipment owned or controlled by a foreign
2 adversary and covered computational facilities owned
3 or controlled by a foreign adversary, including risks
4 to—

5 (A) military installations and defense crit-
6 ical electric infrastructure (as defined in section
7 215A of the Federal Power Act (16 U.S.C.
8 824o-1));

9 (B) continuity of operations for critical
10 missions of the Department of Defense; and

11 (C) the reliability and resilience of the
12 bulk-power system;

13 (2) criteria for prioritizing remediation actions
14 based on risk to military operations, including prox-
15 imity to covered military installations and entities of
16 the defense industrial base, and the criticality of af-
17 fected infrastructure;

18 (3) a remediation strategy, coordinated with
19 relevant State governments—

20 (A) to remove, replace, or otherwise miti-
21 gate, in accordance with the requirements of
22 sections 2815 and 2920 of title 10, United
23 States Code, covered equipment and computa-
24 tional facilities owned or controlled by a foreign
25 adversary;

1 (B) to incorporate secure and trusted al-
2 ternatives to such covered equipment and com-
3 putational facilities, including weapons protec-
4 tion, standard manufactured components, and
5 software; and

6 (C) to minimize disruption to grid oper-
7 ations; and

8 (4) such other information and plans as the
9 Secretary determines relevant.

10 (c) FORM.—The plan required under subsection (a)
11 shall be submitted in unclassified form, but may include
12 a classified annex.

13 (d) ANNUAL FUNDING, EQUIPMENT, AND PER-
14 SONNEL REQUIREMENTS.—Beginning in fiscal year 2028,
15 and annually thereafter, the Commander of the United
16 States Northern Command shall submit to the Secretary
17 and the congressional defense committees, along with the
18 defense budget materials for such fiscal year, an annual
19 budget including an estimate of the funding required to
20 execute the plan submitted under subsection (a).

21 (e) DEFINITIONS.—In this section:

22 (1) The term “control” has the meaning given
23 that term in section 800.208 of title 31, Code of
24 Federal Regulations, or any successor regulation.

1 (2)(A) Subject to subparagraph (B), the term
2 “covered computational facility” means a facility
3 used to operate computing equipment in support of
4 continuous, automated computational operations.

5 (B)(i) Not later than 90 days after the date of
6 the enactment of this Act, the Secretary, in con-
7 sultation with the Commander of the United States
8 Northern Command, shall issue guidance to define
9 the term “covered computational facility” for pur-
10 poses of this section.

11 (ii) Not less frequently than annually, the Sec-
12 retary, in consultation with the Commander of the
13 United States Northern Command, shall, as appro-
14 priate, update guidance under clause (i) in response
15 to technical developments, legal, regulatory, and in-
16 stitutional barriers, and newly identified threats and
17 risks.

18 (3) The term “covered equipment”—

19 (A) means any equipment that—

20 (i) is capable of connecting to the
21 internet, a local area network, a wide area
22 network, or any other communications net-
23 work, whether through wired or wireless
24 means, regardless of ownership or oper-

1 ational control by the Government or a pri-
2 vate entity;

3 (ii) contains software, firmware, or
4 hardware that is remotely updatable or re-
5 motely accessible;

6 (iii) is otherwise susceptible to unau-
7 thorized access, exploitation, or manipula-
8 tion through a network-connected vector,
9 including through embedded components,
10 supply chain vulnerabilities, or third-party
11 software dependencies; and

12 (iv) is directly connected to the grid,
13 connected to the electric distribution sys-
14 tem of a military installation or entity of
15 the defense industrial base, or connected to
16 the grid through a transformer, and can be
17 accessed or communicated with via power
18 line or other communication, or that can
19 be physically accessed; and

20 (B) includes components, systems, and
21 technologies related to such equipment.

22 (4) The term “foreign adversary” has the
23 meaning given the term “covered nation” in section
24 4872(f) of title 10, United States Code.

