AMENDMENT TO RULES COMMITTEE PRINT 116–57

OFFERED BY MR. CROW OF COLORADO

At the end of subtitle B of title III, insert the following:

SEC. 3. PILOT PROGRAM ON IMPLEMENTATION OF MITIGATING ACTIONS TO ADDRESS VULNERABILITIES TO DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.

(a) In general.—The Secretary of Energy, in coordination with the Secretary of Defense and the Secretaries of each of the military departments, shall carry out a two-year pilot program to assist with implementing mitigating actions to address vulnerabilities assessed under section 215A of the Federal Power Act (16 U.S.C. 824o-1) at critical defense facilities and their associated defense critical electric infrastructure, after consultation with, and with the consent of, the owners of such infrastructure.

(b) Selection of installations.—The Secretary shall select at least three military installations at which to carry out the pilot program under this section. In selecting such installations, the Secretary shall—
(1) ensure that at least one of the military installations selected is an installation of each of the Armed Forces;

(2) select installations that represent different challenges or severities with respect to electric infrastructure vulnerability;

(3) select at least one critical defense facility within the service territory of a Power Marketing Administration; and

(4) provide particular consideration for critical defense facilities and the associated defense critical electric infrastructure that use rural cooperatives or municipal entities for their electricity needs.

(c) COMPTROLLER GENERAL REVIEW.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall—

(A) conduct a review of the pilot program under this section; and

(B) submit to the appropriate congressional committees a report on the results of the review.

(2) CONTENTS.—The review required under this subsection shall include an assessment of the effectiveness of the mitigating actions taken under the
pilot program and the feasibility of expanding the implementation of such mitigating actions at other installations identified under section 215A(a)(4) of the Federal Power Act (16 U.S.C. 824o-1(a)(4)).

(d) DEFINITIONS.—In this Act:

(1) The term “appropriate congressional committees” means—

(A) the Committees on Armed Services and Energy and Commerce of the House of Representatives; and

(B) the Committees on Armed Services and Energy and Natural Resources of the Senate.

(2) The term “defense critical electric infrastructure” has the meaning given such term under section 215A(a)(4) of the Federal Power Act (16 U.S.C. 824o-1(a)(4)).

(3) The term “mitigating action” means any energy resiliency solution applied that is consistent with an assessed strategy to reduce defense critical electric infrastructure vulnerabilities.

(4) The term “critical defense facility” means a facility designated as a critical defense facility under section 215A(c) of the Federal Power Act (16 U.S.C. 824o-1(c)).
SEC. 3. EXTENSION OF CRITICAL DEFENSE FACILITIES
AND DEFENSE CRITICAL ELECTRIC INFRA-
STRUCTURE TO INCLUDE HAWAII, ALASKA,
AND THE TERRITORIES AND ADDITION OF
MITIGATION AUTHORITY.

(a) IN GENERAL.—Section 215A of the Federal
Power Act (16 U.S.C. 824o-1) is amended—

(1) in subsection (a)(4), by striking “of the 48
contiguous States or the District of Columbia” and
inserting in its place “State”;

(2) in subsection (c)—

(A) by striking “identify and designate”
and inserting “identify, designate, and mitigate
vulnerabilities at”; and

(B) by striking “the 48 contiguous States
and the District of Columbia” and inserting in
its place “any State”.

(b) RULE OF CONSTRUCTION.—Nothing in this sec-
tion, or in the amendments made by this section, shall be
construed to provide the Department of Energy any addi-
tional authority to regulate defense critical electric infra-
structure.