

119TH CONGRESS
2D SESSION

S. _____

To amend the Energy Policy and Conservation Act to require States to include supporting the physical security, cybersecurity, and resilience of local distribution systems in State energy security plans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Energy Policy and Conservation Act to require States to include supporting the physical security, cybersecurity, and resilience of local distribution systems in State energy security plans, 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 “Securing Community
5 Upgrades for a Resilient Grid Act” or the “SECURE Grid
6 Act”.

1 **SEC. 2. CONSIDERATION OF THE SECURITY OF LOCAL DIS-**
2 **TRIBUTION SYSTEMS IN STATE ENERGY SE-**
3 **CURITY PLANS.**

4 Section 366 of the Energy Policy and Conservation
5 Act (42 U.S.C. 6326) is amended—

6 (1) in subsection (a)—

7 (A) by redesignating paragraph (2) as
8 paragraph (3); and

9 (B) by inserting after paragraph (1) the
10 following:

11 “(2) LOCAL DISTRIBUTION SYSTEM.—The term
12 ‘local distribution system’ means any energy infra-
13 structure owned and operated by an electric utility
14 at a voltage of 100 kilovolts or less.”;

15 (2) in subsection (b)(2), in the matter pre-
16 ceding subparagraph (A), by inserting “, and sup-
17 pliers of equipment for the generation, transmission,
18 and distribution of electricity to,” after “owners and
19 operators of”;

20 (3) in subsection (c)—

21 (A) by striking paragraph (3) and insert-
22 ing the following:

23 “(3) address potential hazards to each energy
24 sector or system, including—

25 “(A) physical threats and vulnerabilities,
26 including—

1 “(i) weather-related threats and
2 vulnerabilities;

3 “(ii) physical attacks on local distribu-
4 tion systems and the bulk-power system;
5 and

6 “(iii) supply chain risks for equipment
7 for the generation, transmission, and dis-
8 tribution of electricity; and

9 “(B) cybersecurity threats and
10 vulnerabilities, including threats to, and
11 vulnerabilities of, local distribution systems that
12 may impact the bulk-power system;”; and

13 (B) by striking paragraph (5) and insert-
14 ing the following:

15 “(5) provide a risk mitigation approach to en-
16 hance reliability and end-use resilience, including
17 methods of responding to, mitigating, and recovering
18 from potential hazards described in paragraph (3);
19 and”;

20 (4) in subsection (d)(3)—

21 (A) in subparagraph (A), by striking
22 “and” at the end;

23 (B) by redesignating subparagraph (B) as
24 subparagraph (C); and

1 (C) by inserting after subparagraph (A)
2 the following:

3 “(B) supplying equipment for the genera-
4 tion, transmission, and distribution of elec-
5 tricity; and”;

6 (5) in subsection (e)—

7 (A) in paragraph (2), by redesignating
8 subparagraphs (A) and (B) as clauses (i) and
9 (ii), respectively, and indenting appropriately;

10 (B) by redesignating paragraphs (1) and
11 (2) as subparagraphs (A) and (B), respectively,
12 and indenting appropriately;

13 (C) in the matter preceding subparagraph
14 (A) (as so designated), by striking “A State is
15 not eligible” and inserting the following:

16 “(1) SUBMISSION REQUIRED.—A State is not
17 eligible”; and

18 (D) by adding at the end the following:

19 “(2) STATE DETERMINATION.—A submission
20 under paragraph (1) is not required to be approved
21 by the Secretary.”;

22 (6) in subsection (f), by striking “may” and in-
23 serting “shall”;

1 (7) in subsection (h), in the matter preceding
2 paragraph (1), by inserting “, local distribution sys-
3 tem,” after “electric utility”; and

4 (8) by striking subsection (i) and inserting the
5 following:

6 “(i) SUNSET.—This section shall expire on Sep-
7 tember 30, 2031.”.

8 **SEC. 3. GAO REPORT.**

9 (a) DEFINITION OF STATE ENERGY SECURITY
10 PLAN.—In this section, the term “State energy security
11 plan” has the meaning given the term in section 366(a)
12 of the Energy Policy and Conservation Act (42 U.S.C.
13 6326(a)).

14 (b) REPORT.—Not later than September 30, 2030,
15 the Comptroller General of the United States shall submit
16 to the Committee on Energy and Commerce of the House
17 of Representatives and the Committee on Energy and
18 Natural Resources of the Senate a report on the efficacy
19 of State energy security plans that includes—

20 (1) an evaluation of whether and how State en-
21 ergy security plans have improved the ability of
22 States—

23 (A) to identify, assess, and mitigate risks
24 to energy infrastructure and supply chains; and

1 (B) to plan for, respond to, and recover
2 from events that disrupt energy supply;

3 (2) recommendations for—

4 (A) improving the ability of States de-
5 scribed in paragraph (1); and

6 (B) actions the Secretary of Energy may
7 take to improve coordination with States with
8 respect to identifying, assessing, and mitigating
9 risks to energy infrastructure and supply chains
10 and planning for, responding to, and recovering
11 from events that disrupt energy supply;

12 (3) information on Federal financial assistance
13 made available to States under part D of title III of
14 the Energy Policy and Conservation Act (42 U.S.C.
15 6321 et seq.) that was used to implement State en-
16 ergy security plans;

17 (4) information on activities carried out by
18 States using that financial assistance;

19 (5) an analysis of the efficacy of the implemen-
20 tation of section 366 of the Energy Policy and Con-
21 servation Act (42 U.S.C. 6326) (as amended by this
22 Act); and

23 (6) information on State use of assistance pro-
24 vided under section 366(f) of the Energy Policy and
25 Conservation Act (42 U.S.C. 6326(f)) (as amended

1 by this Act), including any revisions of State energy
2 security plans made by States resulting from assist-
3 ance provided under that section.

4 (c) PROTECTED INFORMATION.—The report required
5 under subsection (b) shall be submitted in a form that
6 may be made available to the public, except that any infor-
7 mation protected from disclosure under section 366(h) of
8 the Energy Policy and Conservation Act (42 U.S.C.
9 6326(h)) shall be included in the report in an annex that
10 shall not be publicly disclosed, consistent with that section.