

## Union Calendar No.

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3050

[Report No. 115-]

To amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2017

Mr. UPTON (for himself and Mr. RUSH) introduced the following bill; which was referred to the Committee on Energy and Commerce

JULY --, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on June 23, 2017]

# **A BILL**

To amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise 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 “Enhancing State Energy*  
5 *Security Planning and Emergency Preparedness Act of*  
6 *2017”.*

7 **SEC. 2. STATE ENERGY SECURITY PLANS.**

8        *(a) IN GENERAL.—Part D of title III of the Energy*  
9 *Policy and Conservation Act (42 U.S.C. 6321 et seq.) is*  
10 *amended by adding at the end the following:*

11 **“SEC. 367. STATE ENERGY SECURITY PLANS.**

12        *“(a) IN GENERAL.—Federal financial assistance made*  
13 *available to a State under this part may be used for the*  
14 *implementation, review, and revision of a State energy se-*  
15 *curity plan that assesses the State’s existing circumstances*  
16 *and proposes methods to strengthen the ability of the State,*  
17 *in consultation with owners and operators of energy infra-*  
18 *structure in such State, to—*

19            *“(1) secure the energy infrastructure of the State*  
20 *against all physical and cybersecurity threats;*

21            *“(2) mitigate the risk of energy supply interrup-*  
22 *tions to the State and enhance the response to, and*  
23 *recovery from, energy disruptions; and*

24            *“(3) ensure the State has a reliable, secure, and*  
25 *resilient energy infrastructure.*

1           “(b) *CONTENTS OF PLAN.*—A State energy security  
2 *plan described in subsection (a) shall—*

3           “(1) *address all fuels, including petroleum prod-*  
4 *ucts, other liquid fuels, coal, electricity, and natural*  
5 *gas, as well as regulated and unregulated energy pro-*  
6 *viders;*

7           “(2) *provide a State energy profile, including an*  
8 *assessment of energy production, distribution, and*  
9 *end-use;*

10           “(3) *address potential hazards to each energy*  
11 *sector or system, including physical threats and cy-*  
12 *bersecurity threats and vulnerabilities;*

13           “(4) *provide a risk assessment of energy infra-*  
14 *structure and cross-sector interdependencies;*

15           “(5) *provide a risk mitigation approach to en-*  
16 *hance reliability and end-use resilience; and*

17           “(6) *address multi-State, Indian Tribe, and re-*  
18 *gional coordination planning and response, and to*  
19 *the extent practicable, encourage mutual assistance in*  
20 *cyber and physical response plans.*

21           “(c) *COORDINATION.*—*In developing a State energy se-*  
22 *curity plan under this section, the energy office of the State*  
23 *shall, to the extent practicable, coordinate with—*

24           “(1) *the public utility or service commission of*  
25 *the State;*

1           “(2) *energy providers from the private sector;*  
2           *and*

3           “(3) *other entities responsible for maintaining*  
4           *fuel or electric reliability.*

5           “(d) *FINANCIAL ASSISTANCE.—A State is not eligible*  
6           *to receive Federal financial assistance under this part, for*  
7           *any purpose, for a fiscal year unless the Governor of such*  
8           *State submits to the Secretary, with respect to such fiscal*  
9           *year—*

10           “(1) *a State energy security plan described in*  
11           *subsection (a) that meets the requirements of sub-*  
12           *section (b); or*

13           “(2) *after an annual review of the State energy*  
14           *security plan by the Governor—*

15           “(A) *any necessary revisions to such plan;*  
16           *or*

17           “(B) *a certification that no revisions to*  
18           *such plan are necessary.*

19           “(e) *TECHNICAL ASSISTANCE.—Upon request of the*  
20           *Governor of a State, the Secretary may provide information*  
21           *and technical assistance, and other assistance, in the devel-*  
22           *opment, implementation, or revision of a State energy secu-*  
23           *rity plan.*

24           “(f) *SUNSET.—This section shall expire on October 31,*  
25           *2022.”.*

1       (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section  
2 365(f) of the Energy Policy and Conservation Act (42  
3 U.S.C. 6325(f)) is amended—

4           (1) by striking “\$125,000,000” and inserting  
5 “\$90,000,000”; and

6           (2) by striking “2007 through 2012” and insert-  
7 ing “2018 through 2022”.

8       (c) *TECHNICAL AND CONFORMING AMENDMENTS.*—

9           (1) *CONFORMING AMENDMENTS.*—Section 363 of  
10 the Energy Policy and Conservation Act (42 U.S.C.  
11 6323) is amended—

12           (A) by redesignating subsection (f) as sub-  
13 section (e); and

14           (B) by striking subsection (e).

15           (2)       *TECHNICAL AMENDMENT.*—Section  
16 366(3)(B)(i) of the Energy Policy and Conservation  
17 Act (42 U.S.C. 6326(3)(B)(i)) is amended by striking  
18 “approved under section 367”.

19           (3) *REFERENCE.*—The item relating to “Depart-  
20 ment of Energy—Energy Conservation” in title II of  
21 the Department of the Interior and Related Agencies  
22 Appropriations Act, 1985 (42 U.S.C. 6323a) is  
23 amended by striking “sections 361 through 366” and  
24 inserting “sections 361 through 367”.

1                   (4) *TABLE OF SECTIONS.*—*The table of sections*  
2                   *for part D of title III of the Energy Policy and Con-*  
3                   *servations Act is amended by adding at the end the*  
4                   *following:*

“Sec. 367. *State energy security plans.*”.