

116TH CONGRESS
1ST SESSION

H. R. 2114

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 10, 2019

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Enhancing State En-
3 ergy Security Planning and Emergency Preparedness Act
4 of 2019”.

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

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

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

10 “(a) IN GENERAL.—Federal financial assistance
11 made available to a State under this part may be used
12 for the implementation, review, and revision of a State en-
13 ergy security plan that assesses the State’s existing cir-
14 cumstances and proposes methods to strengthen the abil-
15 ity of the State, in consultation with owners and operators
16 of energy infrastructure in such State, to—

17 “(1) secure the energy infrastructure of the
18 State against all physical and cybersecurity threats;

19 “(2) mitigate the risk of energy supply disrup-
20 tions to the State and enhance the response to, and
21 recovery from, energy disruptions; and

22 “(3) ensure the State has a reliable, secure, and
23 resilient energy infrastructure.

24 “(b) CONTENTS OF PLAN.—A State energy security
25 plan described in subsection (a) shall—

1 “(1) address all fuels, including petroleum
2 products, other liquid fuels, coal, electricity, and nat-
3 ural gas, as well as regulated and unregulated en-
4 ergy providers;

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

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

11 “(4) provide a risk assessment of energy infra-
12 structure and cross-sector interdependencies;

13 “(5) provide a risk mitigation approach to en-
14 hance reliability and end-use resilience; and

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

19 “(c) COORDINATION.—In developing a State energy
20 security plan under this section, the energy office of the
21 State shall, to the extent practicable, coordinate with—

22 “(1) the public utility or service commission of
23 the State;

24 “(2) energy providers from the private sector;
25 and

1 “(3) other entities responsible for maintaining
2 fuel or electric reliability.

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

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

11 “(2) after an annual review of the State energy
12 security plan by the Governor—

13 “(A) any necessary revisions to such plan;

14 or

15 “(B) a certification that no revisions to
16 such plan are necessary.

17 “(e) TECHNICAL ASSISTANCE.—Upon request of the
18 Governor of a State, the Secretary may provide informa-
19 tion and technical assistance, and other assistance, in the
20 development, implementation, or revision of a State energy
21 security plan.

22 “(f) SUNSET.—This section shall expire on October
23 31, 2024.”.

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 in-
7 serting “2021 through 2025”.

8 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) CONFORMING AMENDMENTS.—Section 363
10 of the Energy Policy and Conservation Act (42
11 U.S.C. 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 strik-
18 ing “approved under section 367”.

19 (3) REFERENCE.—The item relating to “De-
20 partment of Energy—Energy Conservation” in title
21 II of the Department of the Interior and Related
22 Agencies Appropriations Act, 1985 (42 U.S.C.
23 6323a) is amended by striking “sections 361
24 through 366” and inserting “sections 361 through
25 367”.

