To direct the Secretary of Energy to promulgate regulations to facilitate the timely submission of notifications regarding cybersecurity incidents and potential cybersecurity incidents with respect to critical electric infrastructure, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. introduced the following bill; which was referred to the Committee on

A BILL

To direct the Secretary of Energy to promulgate regulations to facilitate the timely submission of notifications regarding cybersecurity incidents and potential cybersecurity incidents with respect to critical electric infrastructure, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Critical Electric Infrastructure Cybersecurity Incident Reporting Act”.

January 30, 2023 (4:58 p.m.)
SEC. 2. CYBERSECURITY INCIDENT REPORTING FOR CRITICAL ELECTRIC INFRASTRUCTURE.

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

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) BULK-POWER SYSTEM; CYBERSECURITY INCIDENT; ELECTRIC RELIABILITY ORGANIZATION; REGIONAL ENTITY.—The terms ‘bulk-power system’, ‘cybersecurity incident’, ‘Electric Reliability Organization’, and ‘regional entity’ have the meanings given such terms in paragraphs (1), (8), (2), and (7) of section 215(a), respectively.”; and

(B) in paragraph (7)(A)(i), by inserting “, including a cybersecurity incident,” after “a malicious act”;

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (d) the following:

“(e) CYBERSECURITY INCIDENT REPORTING.—

“(1) DESIGNATION.—The Department of Energy shall be a designated agency within the Federal Government to receive notifications regarding cybersecurity incidents and potential cybersecurity inci-
dents with respect to critical electric infrastructure
from other Federal agencies and owners, operators,
and users of critical electric infrastructure.

“(2) Regulations.—

“(A) IN GENERAL.—Not later than 240
days after the date of enactment of the Critical
Electric Infrastructure Cybersecurity Incident
Reporting Act, the Secretary shall promulgate
regulations to facilitate the submission of time-
ly, secure, and confidential notifications regard-
ing cybersecurity incidents and potential cyber-
security incidents with respect to critical elec-
tric infrastructure from Federal agencies and
owners, operators, and users of critical electric
infrastructure.

“(B) INCLUSIONS.—The regulations pro-
mulgated under subparagraph (A) shall—

“(i) detail what constitutes a potential
cybersecurity incident for purposes of this
subsection; and

“(ii) require a Federal agency or an
owner, operator, or user of critical electric
infrastructure that discovers a cybersecurity
incident or a potential cybersecurity
incident with respect to critical electric in-
frasstructure to submit to the Secretary, not later than 24 hours after discovery of such cybersecurity incident or potential cybersecurity incident, notification regarding such cybersecurity incident or potential cybersecurity incident.

“(3) ANNUAL REPORTS.—Not later than one year after the date of enactment of the Critical Electric Infrastructure Cybersecurity Incident Reporting Act, and annually thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report, in classified form if necessary, on the number of notifications received pursuant to this subsection, and a description of the actions taken by the Department of Energy regarding such notifications, during the 1-year period preceding the report.”.