

## HR 5026

GRID Act

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Energy

**Introduced:** Apr 14, 2010

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 617.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 617. (Sep 27, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/5026>

### Sponsor

**Name:** Rep. Markey, Edward J. [D-MA-7]

**Party:** Democratic • **State:** MA • **Chamber:** Senate

### Cosponsors (1 total)

| Cosponsor                 | Party / State | Role | Date Joined  |
|---------------------------|---------------|------|--------------|
| Rep. Upton, Fred [R-MI-6] | R · MI        |      | Apr 14, 2010 |

### Committee Activity

| Committee                              | Chamber | Activity                   | Date         |
|--|---------|----------------------------|--------------|
| Energy and Commerce Committee          | House   | Hearings By (subcommittee) | Oct 27, 2009 |
| Energy and Natural Resources Committee | Senate  | Reported By                | Sep 27, 2010 |

### Subjects & Policy Tags

#### Policy Area:

Energy

### Related Bills

No related bills are listed.

Amends the Federal Power Act to direct the Federal Energy Regulatory Commission (FERC) to issue rules or orders to protect critical electric infrastructure from cyber security vulnerabilities.

Authorizes FERC to issue such rules or orders without prior notice or hearing if it determines that a rule or order must be issued immediately to protect critical electric infrastructure from a cyber security vulnerability.

Directs FERC, before issuing a rule or order, to consult with specified entities and federal agencies regarding implementation of actions that will effectively address the identified cyber security vulnerabilities.

Requires the rule or order issued to address a cyber security vulnerability to expire on the effective date of a certain standard developed to address the cyber security vulnerability.

Empowers the Secretary of Energy to require, by order, with or without notice, persons subject to FERC jurisdiction to take such actions as the Secretary determines will best avert or mitigate an immediate cyber security threat.

Encourages the Secretary to consult and coordinate with officials in Canada and Mexico responsible for the protection of cyber security of the interconnected North American electricity grid.

Directs FERC to establish a mechanism that permits public utilities to recover prudently incurred costs required to implement immediate actions ordered by the Secretary under this Act.

States that any such expedited or emergency rules or orders issued without prior notice or hearing shall remain effective for not more than 90 days unless, during such 90-day period, FERC: (1) gives interested persons an opportunity to submit written data, views, or arguments (with or without opportunity for oral presentation); and (2) affirms, amends, or repeals the rule or order.

Applies this Act to any entity that owns, controls, or operates critical electric infrastructure. Excludes Alaska and Hawaii from the scope of this Act.

Directs the Secretary of Defense to prepare a comprehensive plan that identifies the emergency measures or actions to be taken to protect the reliability of the electric power supply of national defense facilities located in Alaska, Hawaii, and the Territory of Guam in the event of an imminent cybersecurity threat.

Directs the Secretary and FERC to: (1) prescribe regulations prohibiting disclosure of information obtained or developed in ensuring cyber security if such disclosure would be detrimental to the security of critical electric infrastructure; and (2) establish procedures governing the release of critical infrastructure information to enable to entities subject to this Act to implement rules or orders of FERC or the Secretary.

## Actions Timeline

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- **Sep 27, 2010:** Committee on Energy and Natural Resources. Reported by Senator Bingaman with an amendment in the nature of a substitute. With written report No. 111-331.
- **Sep 27, 2010:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 617.
- **Aug 5, 2010:** Committee on Energy and Natural Resources. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 10, 2010:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Jun 9, 2010:** Mr. Markey (MA) moved to suspend the rules and pass the bill, as amended.
- **Jun 9, 2010:** Considered under suspension of the rules. (consideration: CR H4256-4262)
- **Jun 9, 2010:** DEBATE - The House proceeded with forty minutes of debate on H.R. 5026.
- **Jun 9, 2010:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H4256-4258)
- **Jun 9, 2010:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H4256-4258)
- **Jun 9, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 9, 2010:** The title of the measure was amended. Agreed to without objection.
- **May 25, 2010:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 111-493.
- **May 25, 2010:** Placed on the Union Calendar, Calendar No. 281.
- **Apr 15, 2010:** Committee Consideration and Mark-up Session Held.
- **Apr 15, 2010:** Ordered to be Reported (Amended) by the Yeas and Nays: 47 - 0.
- **Apr 14, 2010:** Introduced in House
- **Apr 14, 2010:** Referred to the House Committee on Energy and Commerce.
- **Oct 27, 2009:** Hearings Held by the Subcommittee on Commerce, Trade and Consumer Protection Prior to Introduction.