Pennsylvania (Mr. MEEHAN) that the House suspend the rules and pass the bill, H.R. 3410, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MEEHAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 2 of rule XX, further proceedings on this motion will be postponed.

CRITICAL INFRASTRUCTURE PROTECTION ACT

Mr. MEEHAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3410) to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic pulses, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3410

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 Infrastructure Protection Act” or “CIPA”.

SEC. 2. EMP PLANNING, RESEARCH AND DEVELOPMENT, AND PROTECTION AND PREPAREDNESS.

(a) In General.—The Homeland Security Act of 2002 (6 U.S.C. 121) is amended—
(1) in section 2 (6 U.S.C. 101), by inserting after paragraph (6) the following:
“(6a) EMP.—The term ‘EMP’ means—
“(A) an electromagnetic pulse caused by intentional means, including acts of terrorism; and
“(B) a geomagnetic disturbance caused by solar storms or other naturally occurring phenomena.”;

(2) in section V (6 U.S.C. 311 et seq.), by adding at the end the following:
“SEC. 526. NATIONAL PLANNING SCENARIOS AND EDUCATION.
“The Secretary shall, to the extent practicable—
“(1) include in national planning scenarios the threat of EMP events; and
“(2) conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency responders at all levels of government of the threat of EMP events.”;

(3) in title III (6 U.S.C. 181 et seq.), by adding at the end the following:
“SEC. 318. EMP RESEARCH AND DEVELOPMENT.
“(a) In General.—In furtherance of domestic preparedness, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant agencies and departments of the Federal Government and relevant owners and operators of critical infrastructure, shall, to the extent practicable, conduct research and development to mitigate the consequences of EMP events.
“(b) Scope.—The scope of the research and development under subsection (a) shall include the following:
“(1) An objective scientific analysis of the risks to critical infrastructures from a range of EMP events.
“(2) Determination of the critical national security assets and critical civic utilities and infrastructures that are at risk from EMP events.
“(3) An evaluation of emergency planning and response technologies that would address the findings and recommendations of experts, including those of the Commission on Assessment of the Threat to the United States from Electromagnetic Pulse Attack.
“(4) An analysis of technology options that are available to improve the resiliency of critical infrastructure to EMP events.
“(5) The restoration and recovery capabilities of critical infrastructure under differing levels of damage and disruption from various EMP events.
“(6) In section 201(d) (6 U.S.C. 121(d)), by adding at the end the following:
“(26)(A) Prepare and submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate—
“(1) a recommended strategy to protect and prepare the critical infrastructure of the American homeland against EMP events, including from acts of terrorism; and
“(2) biennial updates on the status of the recommended strategy.
“(B) The recommended strategy shall—
“(i) be based on findings of the research and development conducted under section 318;
“(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under the Homeland Security Presidential Directive–7) for critical infrastructures;
“(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructures; and
“(iv) include a classified annex as needed.
“(C) The Secretary may, if appropriate, incorporate the recommendations of an interagency strategy into a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism and other threats if, in the opinion of the Secretary, such strategy complies with subparagraph (B).

(b) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of such Act is amended—
“(1) by adding at the end of the items relating to title V the following:
“Sec. 526. National planning scenarios and education.”;
and
“(2) by adding at the end of the items relating to title III the following:
“Sec. 318. EMP research and development.”.

(c) DEADLINE FOR RECOMMENDED STRATEGY.—The Secretary shall submit the recommended strategy required under the amendment made by subsection (a)(4) by not later than one year after the date of the enactment of this Act.

(d) REPORT.—The Secretary shall submit a report to Congress by not later than 90 days after the date of the enactment of this Act describing the progress made in, and an estimated date by which the Department of Homeland Security will have completed—
(1) including EMP (as defined in the amendment made by subsection (a)(1)) threats in national planning scenarios;
(2) research and development described in the amendment made by subsection (a)(3); and
(3) development of a comprehensive plan required under the amendment made by subsection (a)(4); and
(4) outreach to educate owners and operators of critical infrastructure, emergency planners and emergency responders at all levels of government regarding the threat of EMP events.

SEC. 3. NO REGULATORY AUTHORITY.

Nothing in this Act, including the amendments made by this Act, shall be construed to grant any regulatory authority.

SEC. 4. NO NEW AUTHORIZATION OF APPROPRIATIONS.

This Act, including the amendments made by this Act, may be carried out only using funds appropriated under other laws.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MEEHAN) yields to the gentleman from New York (Ms. CLARKE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MEEHAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the board for further consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MEEHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3410, the Critical Infrastructure Protection Act, or CIPA.

In 1962, the United States conducted a test named Starfish Prime, where the military detonated a 1.4-megaton thermonuclear bomb about 25 miles above Johnston Atoll in the Pacific. In space, six American, British, and Soviet satellites suffered damage, and 800 miles away in Hawaii, burglar alarms sounded, streetlights blinked out, and phones, radios, and televisions went dead. While only 1 percent of the existing streetlights were affected, it became clear that electromagnetic pulse, or EMP, could cause significant damage.

EMP is simply a burst of electromagnetic radiation that results from certain types of high-energy explosions or from a suddenly fluctuating magnetic field. An EMP can be generated by nuclear weapons from naturally occurring sources such as solar storms or specialized nonnuclear EMP weapons. A successful large-scale EMP event could damage electrical power systems, telecommunications, and information systems, and these effects could cascade into other interdependent infrastructures, such as telecommunications, gas, and water.

Repeated studies, including by the Congressional EMP Commission and Lloyd’s of London, have warned that the U.S. electric grid is vulnerable to damage from EMP events, that there is a significant risk, and that we need to be better prepared. H.R. 3410 takes commonsense steps to address the EMP threat. Specifically, this legislation compels the Department of Homeland Security to include EMP events in their national planning scenarios, conduct research to mitigate the consequences of an EMP event, develop a recommended strategy to protect critical infrastructure, and perform outreach to raise awareness of the threat.
I urge my colleagues to support H.R. 3410, and I reserve the balance of my time.

Ms. CLARKE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3410, the Critical Infrastructure Protection Act, of which I am a cosponsor.

Mr. Speaker, recently, there has been increased interest in bolstering the resilience of our Nation’s electrical power distribution and delivery system. In particular, there is growing interest in looking at the damage that could naturally occur to that system through powerful weather storms and geomagnetic disturbances, as well as through intentional and malicious physical and cyber attacks.

Earlier this Congress, the House approved legislation authored by my committee colleague and neighbor, Mr. PAYNE, to broadly research the threats to our electric grid. Today, we have an opportunity to foster progress on low-probability but high-consequence threats to the grid: electromagnetic pulse, or EMP, and geomagnetic disturbances, or GMD.

Today, our Nation’s power system operates at such a high level of reliability that any major outage, either caused by heavy weather storms, operational errors, or sabotage, makes headlines. Our transmission system is the most complex and extensive of any system on the globe, consisting mainly of transformers, switches, transmission towers and lines, control centers, and computer controls.

The main risk for weather-related damage or a terrorist attack is a wide-spread power outage that lasts for an extended period of time. The damage that such an outage could have to the welfare of our citizens and economy is hard to measure, but it would certainly be very significant.

With that in mind, H.R. 3410 seeks to gain ground against this homeland security challenge. It does so by directing the Department of Homeland Security to include EMP and GMD in national planning scenarios; conduct outreach to critical infrastructure owners and operators, emergency planners, and emergency responders on the threats posed; conduct targeted research and develop a strategy for addressing the threats.

I am disappointed that the bill provides no new resources to the Department to carry out these activities, but I am appreciative of the majority’s willingness to work with me to redefine the language to provide needed flexibility to the Department in how it carries out these activities.

That said, since H.R. 3410 had to bypass regular order to be considered here today, we did not have the time to include some key amendments. Specifically, the definitions in this bill for electromagnetic pulse, or EMP, and geomagnetic, or GMD, would benefit from further fine-tuning down the line so risk of these two distinct events being conflated is avoided.

An EMP is an electromagnetic pulse caused by intentional means, such as an act of war or terrorism. A GMD is a go-downs or other naturally occurring phenomena. While some have gotten in the habit of calling them both EMPs, they are not the same, thus requiring differing mitigation and resiliency responses.

Like many colleagues, Mr. MEEHAN and Mr. FRANKS, I am very concerned about the potential impact and the types of threats posed by EMPs and GMDs. However, I think we should take care to make clear the distinct differences between the two.

We also know that public-private partnerships are essential to addressing the challenge of fully understanding the threats caused by EMPs and GMDs, especially because the over-the-counter efforts of the electric grid are privately held by large investor-owned utilities, or is part of the rural electric cooperatives systems or members of the American Public Power network that represents not-for-profit, community-owned electric utilities, or is part of the rural electric cooperatives systems or members of the American Public Power network that represents not-for-profit, community-owned electric utilities.

I urge my colleagues to support H.R. 3410, the Critical Infrastructure Protection Act, of which I am a cosponsor. With that, Mr. Speaker, I reserve the balance of my time.

Mr. MEEHAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Arizona (Mr. FRANKS), the sponsor of this legislation.

Mr. FRANKS of Arizona. Mr. Speaker, I want to thank Chairman MIKE JOHNSON of the Subcommittee on National Security, Chair PAT MEEHAN, and, of course, Ranking Member YVETTE CLARKE for their principled and unwavering leadership in bringing this legislation to the floor. I was touched by the gentlelady’s words as well. I would also especially like to personally thank my friend Mr. PETE SESSIONS, the sole original cosponsor of this bill, for being a tireless champion of protecting our Nation’s critical infrastructure against EMP.

Mr. Speaker, back in August of 2003, a large section of our electric grid was knocked out across the Eastern United States. Fifty million people were affected after 21 power plants shut down in just 3 minutes. Office workers streamed into parking lots, and many hospitals and nursing homes shut their doors. Life systems changed only a day in New York, Mr. Speaker, as well as in Cleveland, Detroit, and all the way into Canada. In New York City alone, this short blackout was estimated to cost more than a half-billion dollars.

In a worst-case natural or manmade electromagnetic pulse—EMP—event represents a dangerous threat that could have a prolonged catastrophic impact on our electric grid—our most critical and our most interdependent infrastructure.

There are at least 11 major government reports and studies describing our vulnerabilities to electromagnetic pulses. Our Defense Department has wisely hardened many of our most critical assets and our strategic nuclear triad and our missile defense systems. However, our civilian grid remains fundamentally unprotected against severe EMP.

Whether catalyzed by non-nuclear intentional electromagnetic interference, a major solar storm, or a high-altitude nuclear blast, EMP is an invisible force of ionized particles with the potential to overwhelm and destroy our present electrical power grids, which would profoundly impact our civilization.

The National Intelligence University of the United States recently translated an Iranian military doctrine called “Passive Defense” which referenced the use of nuclear EMP as a weapon more than 20 times. This doctrine stresses that electrical grids are vital to national existence. It includes a formula for calculating the value of electric power plants and for prioritizing the targeting of electric grid components and other infrastructure.

Mr. Speaker, we know all too well the Obama administration has just extended talks with the world’s leading...
state sponsor of terrorism, allowing them even more time in their inexorable march toward a nuclear weapons capability.

After the terrorist attacks on 9/11, the Department of Homeland Security was created and a predominantly-appointed position for an Assistant Secretary for Infrastructure Protection. Among the Assistant Secretary’s main duties is the responsibility to “develop a comprehensive national strategy for securing the key resources and critical infrastructure of the United States, including power production, generation, and distribution systems.”

Yet 12 years later, Mr. Speaker, no such plan is in place, and our Nation’s critical infrastructure, including those key resources like power production, generation, and distribution systems, are still vulnerable to large-scale blackouts from severe electromagnetic pulse and geomagnetic disturbances.

For all of these reasons, Mr. Speaker, we are here this night to pass the Critical Infrastructure Protection Act, which, if signed into law, will represent the first time that a national strategy that has been specifically addressing this dangerous threat of electromagnetic pulse. This legislation will enhance the DHS threat assessments for EMP through research and reporting requirements. It will also help the United States prevent and prepare for such an event by including large-scale blackouts into existing national planning scenarios, including educational awareness for the first responders, all to protect the critical infrastructure. Most importantly, Mr. Speaker, it will require specific plans for protecting and recovering the electric grid and other critical infrastructure from a dangerous electromagnetic pulse.

Mr. Speaker, there is a moment in the life of nearly every problem when it is big enough to be seen by reasonable people and still small enough to be addressed. Those of us in this Chamber, and all Americans, live in a time where there still may be opportunity for the free world to address and mitigate the vulnerability that naturally occurring or weaponized EMP represents to the mechanisms of our civilization. This is our moment.

Ms. CLARKE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, while the threat of an EMP GMD event is real, I believe we need to use fully informed risk-based, scientific, and, frankly, commonsense plans and exercises to give us a clearer picture of how to prevent and respond in the event of an EMP or GMD incident.

This bill will give Congress a more complete understanding of preparedness, response, and recovery activities related to any type of EMP or geomagnetic disturbance incident, and could provide a thoughtful background that can assist the Nation’s response and resiliency if high-impact, grid-related events do occur.

With that, I urge Members to support H.R. 3410, the Critical Infrastructure Protection Act, and I yield back the balance of my time.

Mr. MEEHAN. Mr. Speaker, I will include in the RECORD a letter exchange between the Committee on Homeland Security and the Committee on Science, Space, and Technology.

Mr. Speaker, I want to conclude my remarks by once again thanking the gentlewoman from New York for all of her bipartisan work on the important matter of critical infrastructure, and I urge all Members to join me in supporting this bipartisan bill.

I yield back the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.

Washington, DC, December 1, 2014.

Hon. MICHAEL McCaul,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN McCaul: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 3410— the Critical Infrastructure Protection Act’. The bill contains provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive further consideration of this bill in Committee, notwithstanding any provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology.

This waiver, of course, is conditional on our mutual understanding that agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

This waiver is also given with the understanding that the Committee on Science, Space, and Technology expressly reserves its authority to seek conferences on any provision within its jurisdiction with any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee on Science, Space, and Technology for any House-Senate conference that may be convened on this, or any similar legislation. I ask that a copy of this letter and your response be placed in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOMELAND SECURITY, Washington, DC, December 1, 2014.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 3410, the “Critical Infrastructure Protection Act.” I acknowledge that by forgiving a sequential referral on this legislation, the Committee on Science, Space, and Technology is not diminishing or altering its jurisdiction.

I also concur with you that forgiving action on this bill does not in any way prejudice the Committee’s consideration of this bill, and that the Committee on Science, Space, and Technology with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek conferences on this subject matter of conferences to any House-Senate conference involving this legislation.

Finally, I will include your letter and this response in the Congressional Record during consideration of this bill on the House floor. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Science, Space, and Technology and the bill moves through the legislative process.

Sincerely,

MICHAEL T. McCaul,
Chairman.

Mr. SESSIONS. Mr. Speaker, I rise today in support of the Critical Infrastructure Protection Act. This legislation directs the Department of Homeland Security to enhance our nation’s threat assessments of EMPs and to plan how to best protect and recover after an EMP occurs. The Critical Infrastructure Protection Act is the first step towards getting the U.S. closer to protecting ourselves from a potentially catastrophic nationwide blackout. It is my hope that this legislation will promote a national dialogue about the threat of EMPs and ensure that we are adequately prepared to protect our nation’s critical infrastructure.

I want to thank Chairman McCaul for his important work on this legislation, as well as my dear friend, Congressman TRENT FRANKS for his leadership. Additionally, I want to thank Frank Gaffney, the Founder and President of the Center for Security Policy, for his policy expertise and much needed efforts to educate and spread awareness regarding the potential threats posed by an Electromagnetic Pulse. I strongly support the passage of this important legislation.

Mr. SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MEEHAN) that the House suspend the rules and pass the bill, H.R. 3410, as amended.

The question was taken; and (two-thirds being in the affirmative) the motion to suspend the rules and pass the bill (H.R. 3410) was adopted.

The House then passed H.R. 3438—the Critical Infrastructure Protection Act to amend the Homeland Security Grant Program to include in the RECORD a letter exchange between the Committee on Science, Space, and Technology expressly reserves its jurisdiction of the Committee on Science, Space, and Technology. This waiver, of course, is conditional on our mutual understanding that agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

This waiver is also given with the understanding that the Committee on Science, Space, and Technology expressly reserves its authority to seek conferences on any provision within its jurisdiction with any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee on Science, Space, and Technology for any House-Senate conference that may be convened on this, or any similar or related legislation.

I ask that a copy of this letter and your response be placed in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. Speaker, I want to conclude my remarks by once again thanking the gentlewoman from Pennsylvania (Mr. MEEHAN) that the House suspend the rules and pass the bill, H.R. 3410, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL LABORATORIES MEAN NATIONAL SECURITY ACT

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3438) to amend the Homeland Security Act of 2002 to authorize use of grants under the Urban Area Security Initiative and the State Homeland Security Grant Program to work in conjunction with a Department of Energy national laboratory.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 3438

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