

WEATHERIZING INFRASTRUCTURE IN THE NORTH AND  
TERRORISM EMERGENCY READINESS ACT OF 2019

NOVEMBER 22, 2019.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland  
Security, submitted the following

R E P O R T

[To accompany H.R. 3669]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 3669) to require the Secretary of Homeland Security to conduct a collective response to a terrorism exercise that includes the management of cascading effects on critical infrastructure during times of extreme cold weather, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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## PURPOSE AND SUMMARY

H.R. 3669, the “Weatherizing Infrastructure in the North and Terrorism Emergency Readiness Act of 2019,” or WINTER Act, would direct the Department of Homeland Security to develop and conduct a terrorism training exercise that addresses the effects of a successful terrorist attack on critical infrastructure during an extreme cold weather event. The exercise will involve a terrorist attack, an extreme cold weather event, the effects on critical infrastructure, and how the effects of a successful attack against critical infrastructure could be mitigated by emergency managers, state officials, and community stakeholders. The Department is then required to submit a report to the appropriate Congressional committees on the findings of such exercise, lessons learned, and any proposed legislative changes that may be needed.

## BACKGROUND AND NEED FOR LEGISLATION

In recent years, the U.S. has faced an increase in severe winter weather.<sup>1</sup> As climate change continues to change weather patterns, extreme winter storms will become more common.<sup>2</sup> Climate change’s effects to warm the planet also produces more snowfall during winter storms—a warmer planet evaporates more water into the atmosphere, and that moisture means heavier snowfall.<sup>3</sup> Although average temperatures continue to increase across the globe,<sup>4</sup> scientists are beginning to study how a warmer Arctic may contribute to colder winters in the eastern United States.<sup>5</sup> Some studies have found that abnormally warm Arctic temperatures make severe winters in the Northeast two to four times more likely.<sup>6</sup>

Winter storms and blizzards can bring extreme cold, freezing rain, snow, ice, and high winds.<sup>7</sup> Access to heated areas are crucial for the health and safety of individuals in extreme cold events. In February 2019, 21 people died in weather-related incidents caused by a polar vortex in the Midwest.<sup>8</sup> Across the U.S., 6,660 people died from hypothermia or exposure to cold between 2006 and 2010, equating to 1,320 deaths a year.<sup>9</sup>

<sup>1</sup>Milman, Olivia. “Extreme winter weather becoming more common as Arctic warms, study finds.” *The Guardian*. March 13, 2018. Accessed August 16, 2019. <https://www.theguardian.com/environment/2018/mar/13/extreme-winter-weather-becoming-more-common-as-arctic-warms-study-finds>.

<sup>2</sup>Siegel, Ethan. “This is why global warming is responsible for freezing temperatures across the U.S.” *Forbes*. January 30, 2019. Accessed August 16, 2019. <https://www.forbes.com/sites/startswithabang/2019/01/30/this-is-why-global-warming-is-responsible-for-freezing-temperatures-across-the-usa/#bafc273d8cf8>.

<sup>3</sup>“4 reasons climate change is here, even though it’s cold.” Environmental Defense Fund. Accessed August 16, 2019. <https://www.edf.org/card/4-reasons-climate-change-still-happening-despite-cold-weather>.

<sup>4</sup>*Ibid.*

<sup>5</sup>*Ibid.*

<sup>6</sup>Gibbens, Sarah. “Why a warming Arctic may be causing colder U.S. winters.” *National Geographic*. March 13, 2018. Accessed August 16, 2019. <https://www.nationalgeographic.com/news/2017/07/global-warming-arctic-colder-winters-climate-change-spd/>.

<sup>7</sup>Department of Homeland Security. *Snowstorms & Extreme Cold*. Accessed August 16, 2019. <https://www.ready.gov/winter-weather>.

<sup>8</sup>Gajanan, Mahita. “21 people died in weather-related incidents during the polar vortex.” *Time*. February 1, 2019. Accessed August 16, 2019. <https://time.com/5518469/21-people-died-cold-polar-vortex/>.

<sup>9</sup>Berko et al. “Deaths Attributed to Heat, Cold, and Other Weather Events in the United States, 2006–2010.” *National Health Statistics Reports*. July 30, 2014. Accessed August 16, 2019. <http://www.cdc.gov/nchs/data/nhsr/nhsr076.pdf>.

On January 29, 2019 in Michigan, a fire at an energy supply facility during extreme winter weather had the potential for catastrophe.<sup>10</sup> The fire reduced the capacity for the facility, threatening resident's ability to heat their homes.<sup>11</sup> In that instance, the state government sent out a notice through the Integrated Public Alert Warning System (IPAWS) to residents telling them to turn down their thermostats to 65 degrees and use less energy to heat their homes, ensuring there was never a shortage.<sup>12</sup> However, in the event of a terrorist attack, such communication may be lost in the chaos, or still not enough to stop some customers from losing the ability to heat their homes. A terrorist attack disrupting critical infrastructure during a winter storm could endanger lives, and first responders and others must be prepared to mitigate the effects of a loss of power to reduce the threat of loss of life.

#### HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress, the following hearing was used to develop H.R. 3669:

- On April 9, 2019, the Committee held a hearing entitled, "Assessing the Homeland Security Impacts of a Changing Climate." The Committee received testimony from Astrid Caldas, Ph.D., Senior Climate Change Scientist, Union of Concerned Scientists; Timothy Manning, Senior Advisor to the Pacific Disaster Center and the President and CEO of Berglind-Manning Inc.; Kristie Trousdale, MPH, Deputy Director, Children's Environmental Health Network; and Dan Eggleston, EFO, CEO, CMO, President and Chairman of the Board, International Association of Fire Chiefs.

#### COMMITTEE CONSIDERATION

The Committee met on July 17, 2019, with a quorum being present, to consider H.R. 3669 and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by unanimous consent.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 3669.

#### COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

<sup>10</sup> Wisely, John and Christina Hall. "How fire and ice almost took down Michigan's Energy Supply." Detroit Free Press. February 1, 2019. Accessed August 16, 2019. <https://www.freep.com/story/news/local/michigan/2019/02/01/michigan-consumers-energy/2734657002/>.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

CONGRESSIONAL BUDGET OFFICE ESTIMATE NEW BUDGET AUTHORITY,  
ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the estimate of the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, August 1, 2019.*

Hon. BENNIE G. THOMPSON,  
*Chairman, Committee on Homeland Security,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3669, the Weatherizing Infrastructure in the North and Terrorism Emergency Readiness Act of 2019.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Aldo Prospero.

Sincerely,

PHILLIP L. SWAGEL,  
*Director.*

Enclosure.

<b>H.R. 3669, Weatherizing Infrastructure in the North and Terrorism Emergency Readiness Act of 2019</b>			
As ordered reported by the House Committee on Homeland Security on July 17, 2019			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	1	1
Statutory pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 3669 would require the Department of Homeland Security (DHS) to conduct an exercise to test whether DHS and local officials are prepared to respond to the effects of a terrorist attack that occurs during a winter storm. The bill also would require DHS to submit a report to the Congress on the results of the exercise.

To perform the exercise required by H.R. 3669, DHS would use computer simulation models and facilitate the remote participation

of homeland security personnel and local officials. The exercise would simulate the cascading consequences of disruptions to critical infrastructure such as power generation and transmission facilities. Using information about the costs of similar exercises, CBO estimates that implementing H.R. 3669 would cost \$1 million over the 2019–2024 period; such spending would be subject to availability of appropriated funds.

The CBO staff contact for this estimate is Aldo Proserpi. The estimate was reviewed by Leo Lex, Deputy Assistant Director for Budget Analysis.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

#### DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 3669 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

#### PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the objective of H.R. 3669 is to require the Department of Homeland Security to conduct a training exercise that addresses the effects of a successful terrorist attack on critical infrastructure during an extreme cold weather event and how to mitigate the consequences.

#### ADVISORY ON EARMARKS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of the rule XXI.

#### SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

##### *Section 1. Short title*

This section provides that this bill may be cited as the “Weatherizing Infrastructure in the North and Terrorism Emergency Readiness Act of 2019.”

##### *Sec 2. Exercise on terrorist attack during extreme cold*

This section directs the Department of Homeland Security (DHS) to develop and conduct a terrorism training exercise that addresses the effects of a successful terrorist attack on critical infrastructure during an extreme cold weather event. The exercise will involve a terrorist attack, an extreme cold weather event, the effects on critical infrastructure, and how the effects of a successful attack against critical infrastructure could be mitigated by emergency managers, state officials, and community stakeholders. DHS is then required to submit a report to the appropriate Congressional

committees on the findings of such exercise, lessons learned, and any proposed legislative changes that may be needed.

