

(4) expand the use, audience, and audience engagement of mobile news and multimedia platforms by RFE/RL, Incorporated, and the Voice of America, including through Internet-based social networking platforms; and

(5) partner with private sector broadcasters and affiliates to seek and start co-production for new, original content, when possible, to increase distribution.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for fiscal year 2014, in addition to funds otherwise made available for such purposes, up to \$10,000,000 to carry out programming in the Ukrainian, Balkan, Russian, and Tatar language services of RFE/RL, Incorporated, and the Voice of America, for the purpose of bolstering existing United States programming to the people of Ukraine and neighboring regions, and increasing programming capacity and jamming circumvention technology to overcome any disruptions to service.

(e) **REPORT.**—Not later than 15 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the Committees on Foreign Affairs and Appropriations of the House of Representatives and the Committees on Foreign Relations and Appropriations of the Senate a detailed report on plans to increase broadcasts pursuant to subsections (a) and (b).

MILITARY AND VETERANS CAREGIVER MONTH

Mr. KING. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 395.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 395) designating the month of April 2014 as “Military and Veterans Caregiver Month.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. KING. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 395) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Tuesday, March 25, 2014, under “Submitted Resolutions.”)

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, upon the recommendation of the Republican leader, pursuant to Public Law 105-292, as amended by Public Law 106-55, Public Law 107-228, and Public Law 112-75, appoints the following individuals to the United States Commission on International Religious Freedom: Mary Ann Glendon of Massachusetts, and M. Zuhdi Jasser of Arizona.

ORDERS FOR MONDAY, MARCH 31, 2014

Mr. KING. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 2 p.m., Monday, March 31, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to the consideration of H.R. 4302 under the previous order; that at 5 p.m. the Senate proceed to executive session to consider the Owens nomination, with the time until 5:30 p.m. equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. KING. Mr. President, there will be at least two rollcall votes on Monday at 5:30 p.m.

ORDER FOR ADJOURNMENT

Mr. KING. Mr. President, if there is no business to come before the Senate, I ask unanimous consent that it adjourn following the remarks of the Senator from Alaska, Ms. MURKOWSKI.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

GRID SECURITY

Ms. MURKOWSKI. Mr. President, first, I thank my friend from Maine and appreciate the conversations we have had in this past week. He has taken a journey to the north that most of us only dream about. He is engaged in issues I care deeply about as it relates to the Arctic. Although I know that was not the discussion my colleague was speaking to earlier, I just wanted to note while my friend from Maine was still on the floor that I look forward to working on these issues of great importance not only to my State but truly to our entire Nation and Arctic Nation.

I come to the floor this evening to speak very briefly about the physical security of our Nation's power grid, which is a very important subject. Recently, there were stories in the Wall Street Journal about an attack on the California Metcalf substation that happened last April and has drawn considerable attention. While those stories about that attack highlighted potential vulnerabilities, my principal focus will be to highlight not only the safeguards that are already in place to protect the Nation's bulk power system but also to announce a step that I believe is now necessary to prevent the undue release of sensitive nonpublic information.

First and foremost—and I think this is important for people to recognize—it is important to remember that during the Metcalf incident, the PG&E system did not lose power. In fact, it was an

incident that many didn't know had taken place until months after because there was no loss of power. I think this fact emphasizes the grid's resiliency and the importance of building redundancy into the bulk power system.

As usual, the electric industry has learned from and responded to—appropriately responded—the California incident. At the end of last year the Departments of Energy and Homeland Security—along with the North American Electric Reliability Corporation, or NERC, along with the Federal Regulatory Commission, or FERC, and the FBI began a cross-country tour of 10 cities in order to brief utility operators and local law enforcement on the lessons that were learned from Metcalf. Government officials discussed mitigation strategies and meeting participants were able to develop some pretty important relationships between first responders and the industry.

In fact, as a result of the mandatory requirements of the 2005 Energy Policy Act, the electric industry has invested significant resources to address both physical and cyber security threats and vulnerabilities. Through partnerships with various Federal agencies, the industry is keenly focused on preparation, prevention, response, and recovery.

For example, NERC holds yearly security conferences and a grid exercise which tests and prepares industry on physical and cyber security events. Yet former FERC Chairman Jon Wellinghoff was quoted in the Wall Street Journal calling the Metcalf incident “the most significant incident of domestic terrorism involving the grid that has ever occurred.”

In my view, comments such as these are certainly sensational. Depending on the factual context, they can actually be reckless.

Although the topic of physical security warrants discussion—absolutely warrants discussion and debate—we have to be prudent about information for the public sphere. Many government leaders are privy to confidential and sensitive information that if not treated carefully could provide a roadmap to terrorists or other bad actors about our vulnerabilities. At a minimum, government officials have a duty to safeguard sensitive information that they learn in their official capacity.

A story that appeared in the Wall Street Journal on March 13 was, I believe, shocking because it included sensitive information about the Nation's energy infrastructure that the newspaper said came from documents that were created at FERC. Although the Wall Street Journal did not name specific facilities at risk, it did detail the geographic regions and the number of facilities that if simultaneously disabled could cause serious harm. The March 13 article claimed the potential for a national blackout.

I want to commend FERC Chair Cheryl LaFleur for her statement regarding the publication of this information. I thank Commissioner Tony Clark as well for his statement about the matter.

I think it is fortunate our current FERC Commissioners are an independent lot. I understand that the Commission is looking into this matter, including the question of how sensitive internal FERC documents made their way into a very high-profile news article. I urge FERC to be very diligent in this matter and truly leave no stone unturned.

I have grave questions about the irresponsible release of nonpublic information that unduly pinpoints potential vulnerabilities of our Nation's grid. If this conduct is not already illegal, I have suggested it should be. The source of the leaked information appears to be someone with access to highly sensitive, narrowly distributed FERC documents. Releasing this sensitive information for publication has put the Nation potentially at greater risk and potentially endangered lives, including those of the many good people who are faithfully working every day to maintain and to protect the grid.

In order to learn what has happened and to determine how better to safeguard critical information as steps are being taken to make the grid less vulnerable, my colleague, the chairman of the energy committee, Senator LANDRIEU, and I have written to the inspector general of the Department of Energy whose oversight includes FERC.

It is our understanding that the IG has already begun an inquiry into this matter. We have asked him to conclude his inquiry as soon as possible. We have also asked for his immediate assurance that if the inquiry must ripen into an investigation, that he will—as we have every confidence he would—follow the information he learns wherever it leads.

We are eager to receive recommendations to improve the safeguard of keeping sensitive information from disclosure. We have also asked the IG to look into the obligations of current and former FERC Commissioners and employees with respect to nonpublic information. I would certainly hope the inspector general's inquiry leads to the identification of the person or persons who provided this sensitive, nonpublic information to the media, but even if it does not, even if we learn the leak of this information could have been accomplished without the violation of any disclosure restrictions, we will consider introducing legislation to make sure that in the future the disclosure of nonpublic information about our energy infrastructure that puts our Nation at risk is a violation of Federal law. We must remember that the possibility of a physical attack that disables key parts of the grid has always been a risk. Again, in this instance, though, with the Metcalf instance, our system worked and no power was lost. There-

fore, I urge a measured approach when evaluating our next steps in response to Metcalf. Erecting barriers at every transmission substation and surveillance of every inch of transmission is not feasible. I am concerned these types of measures will potentially cost billions of dollars with little impact. There must also be a balance between the measures related to physical security and the costs that would likely be passed through to consumers.

On March 7, the FERC used the grid reliability framework that Congress established in the 2005 Energy Policy Act by directing NERC to establish standards addressing physical vulnerabilities to better protect our Nation's power grid. NERC has 90 days to develop its proposed standards through a collaborative process. The proposed standard will then be reviewed independently before it is submitted to the FERC.

Our Energy Policy Act standards are foundational. Constant information sharing between government and industry, coupled with alerts for rapid response, are also key tools for dealing with the changing state of security.

As policymakers we must include physical security as a key issue in our decisions. We must also take measured steps to protect the grid, but we shouldn't sensationalize the threat. I commend NERC and FERC for starting the standard-setting process, and I urge all of the participants to strike this balance between measures related to physical security and costs and benefits for electric customers and the broader public as a whole.

Again, I thank the chairman of the energy committee for her willingness to join me on this letter which again I feel is very important as we begin this review through the inspector general. I know the Presiding Officer, as a valued member of the energy committee, is very keenly aware of these issues when we talk about our grid reliability threats to not only the physical security of our infrastructure but most certainly the cyber security threats we face as well.

I appreciate the indulgence of the Chair this evening.

I ask unanimous consent that the letter I referenced in my remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE, COMMITTEE ON ENERGY
AND NATURAL RESOURCES,
Washington, DC, March 27, 2014.

Hon. GREGORY FRIEDMAN,
Inspector General, Department of Energy,
Washington, DC.

DEAR INSPECTOR GENERAL FRIEDMAN: The Committee on Energy and Natural Resources is responsible for oversight of the Federal Energy Regulatory Commission (the Commission, FERC) and has jurisdiction over the laws the Commission administers, including the Federal Power Act (FPA). In the Energy Policy Act of 2005, Congress amended the FPA, adding section 215, to establish the framework for ensuring that the nation's bulk power system (BPS or electric grid) is reliable.

Recent reports in The Wall Street Journal (WSJ) about grid security (see attached) were shocking in their detail and appear to have been based upon highly sensitive, narrowly distributed FERC documents that may have pinpointed vulnerabilities of the BPS. In the wrong hands, such documents potentially could provide a roadmap for those who would seek to harm the nation by intentionally causing one or more power black-outs.

We are writing to respectfully request that the Department of Energy Office of Inspector General (OIG) conduct a full and thorough inquiry regarding the apparent leak to the WSJ of sensitive information regarding physical threats to the electric grid. As part of this effort we ask not only that the OIG review the past, but also provide recommendations regarding how to avoid a repeat of this very unfortunate incident in the future.

We understand that your office has initiated a preliminary review of this matter on its own initiative and we commend you for doing so. We are also aware that the Federal Energy Regulatory Commission (FERC) is conducting its own investigation. We commend the FERC for this action, as well. However, we note that it can be difficult for agencies to effectively investigate their own actions which is why we are making this request to the OIG.

The internal FERC documents regarding grid security that appear to have been disclosed to the WSJ, are sufficiently sensitive and potentially harmful to grid security that we believe it would not be prudent to highlight specifically the issues they raise at this time as part of this letter. For the same reason, many of the questions that we request that OIG answer also should not be made public. Consequently, we will provide to OIG on a non-public basis associated questions.

We do not know if the FERC documents that apparently form the basis of the news reports are credible, but in any case, disclosing and sensationalizing them, as it appears was the work of the person who gave them to the newspaper, is highly irresponsible or worse.

Even if your inquiry does not lead to the identification of the person who provided this sensitive non-public information to the media (and we hope it will), if you conclude that the unauthorized disclosure of this information could have been accomplished without the violation of any disclosure restrictions, legislation could well be necessary. In that event, we will consider introducing legislation to make sure that the unauthorized disclosure of non-public information about energy infrastructure that puts our nation at risk is a violation of federal law.

We ask you to conclude your inquiry as soon as possible. We have every confidence that you will follow the information you uncover wherever it leads. Nevertheless, we seek your immediate assurance that if the results of your initial inquiry indicate that applicable Federal law and regulations may have been violated by any current or former Federal employee or official that you would then initiate a formal investigation using all the powers of your office.

We are eager to receive recommendations concerning the preparation, handling and proper treatment of the sensitive information that forms the basis of the news reports and any related information. We also ask you to examine the legal or regulatory obligations of current and former FERC commissioners and employees with respect to non-public information, especially of the type covered by this letter and the associated non-public attachment.

Thank you for your consideration. We intend to be fully supportive of your inquiry.

March 27, 2014

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Again, we look forward to having the benefit of your findings as soon as possible.

Sincerely,

MARY LANDRIEU,
Chairwoman.
LISA MURKOWSKI,
Ranking Member.

I yield the floor.

ADJOURNMENT UNTIL MONDAY,
MARCH 31, 2014

The PRESIDING OFFICER. Under the previous order, the Senate now stands in adjournment until Monday, March 31, 2014, at 2 p.m.

Thereupon, the Senate, at 6:19 p.m., adjourned until Monday, March 31, 2014, at 2 p.m.

DISCHARGED NOMINATION

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

KATHRYN B. THOMSON, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 27, 2014:

SMALL BUSINESS ADMINISTRATION

MARIA CONTRERAS-SWEET, OF CALIFORNIA, TO BE ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

DEPARTMENT OF STATE

MATTHEW H. TUELLER, OF UTAH, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF YEMEN.

DEPARTMENT OF TRANSPORTATION

KATHRYN B. THOMSON, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION.