



July 28, 2015

The Honorable John Ratcliffe
Chairman
Subcommittee on Cybersecurity, Infrastructure
Protection, and Security Technologies
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

The Honorable Cedric Richmond
Ranking Member
Subcommittee on Cybersecurity, Infrastructure
Protection, and Security Technologies
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Ratcliffe and Ranking Member Richmond:

On behalf of the American Gas Association (AGA), the Edison Electric Institute (EEI), and the National Rural Electric Cooperative Association (NRECA) we are writing in support of testimony submitted by Brian Finch on the need to clarify the SAFETY Act to ensure that significant cybersecurity incidents are clearly covered under the programs liability protections.

The electric and gas utility industries take cybersecurity threats very seriously. Any statutory clarification would be beneficial if it helps to make more explicit that cyberattacks are covered by the SAFETY Act and that legal defenses will be available to those using its certified cybersecurity products or processes in the event of a significant cyber-attack. Currently, the SAFETY Act provides that liability protections are available in the case of an “act of terrorism,” which is usually interpreted to include a significant cyber-attack. To eliminate any doubt, Congress should make clear that it intends for a significant cyber-attack to be covered. This clarification would likely result in an increase in utilization of the program and adoption of its certified cybersecurity products or processes.

We appreciate the Subcommittee’s continued focus on this important issue. The changes Mr. Finch has suggested are important and we look forward to working with you as legislation to clarify the SAFETY Act moves forward.

American Gas Association

Edison Electric Institute

National Rural Electric Cooperative Association