

114TH CONGRESS
1ST SESSION

H. R. 3878

IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2015

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening Cyber-
3 security Information Sharing and Coordination in Our
4 Ports Act of 2015”.

5 **SEC. 2. IMPROVING CYBERSECURITY RISK ASSESSMENTS,**
6 **INFORMATION SHARING, AND COORDINA-**
7 **TION.**

8 The Secretary of Homeland Security shall—

9 (1) develop and implement a maritime cyberse-
10 curity risk assessment model within 120 days after
11 the date of the enactment of this Act, consistent
12 with the National Institute of Standards and Tech-
13 nology Framework for Improving Critical Infrastruc-
14 ture Cybersecurity and any update to that document
15 pursuant to Public Law 113–274, to evaluate cur-
16 rent and future cybersecurity risks (as that term is
17 defined in the second section 226 of the Homeland
18 Security Act of 2002 (6 U.S.C. 148));

19 (2) evaluate, on a periodic basis but not less
20 than once every two years, the effectiveness of the
21 cybersecurity risk assessment model established
22 under paragraph (1);

23 (3) seek to ensure participation of at least one
24 information sharing and analysis organization (as
25 that term is defined in section 212 of the Homeland
26 Security Act of 2002 (6 U.S.C. 131)) representing

1 the maritime community in the National Cybersecu-
2 rity and Communications Integration Center, pursu-
3 ant to subsection (d)(1)(B) of the second section
4 226 of the Homeland Security Act of 2002 (6
5 U.S.C. 148);

6 (4) establish guidelines for voluntary reporting
7 of maritime-related cybersecurity risks and incidents
8 (as such terms are defined in the second section 226
9 of the Homeland Security Act of 2002 (6 U.S.C.
10 148)) to the Center (as that term is defined sub-
11 section (b) of the second section 226 of the Home-
12 land Security Act of 2002 (6 U.S.C. 148)), and
13 other appropriate Federal agencies; and

14 (5) request the National Maritime Security Ad-
15 visory Committee established under section 70112 of
16 title 46, United States Code, to report and make
17 recommendations to the Secretary on enhancing the
18 sharing of information related to cybersecurity risks
19 and incidents between relevant Federal agencies and
20 State, local, and tribal governments and consistent
21 with the responsibilities of the Center (as that term
22 is defined subsection (b) of the second section 226
23 of the Homeland Security Act of 2002 (6 U.S.C.
24 148)); relevant public safety and emergency response
25 agencies; relevant law enforcement and security or-

1 organizations; maritime industry; port owners and op-
2 erators; and terminal owners and operators.

3 **SEC. 3. CYBERSECURITY ENHANCEMENTS TO MARITIME**
4 **SECURITY ACTIVITIES.**

5 The Secretary of Homeland Security, acting through
6 the Commandant of the Coast Guard, shall direct—

7 (1) each Area Maritime Security Advisory Com-
8 mittee established under section 70112 of title 46,
9 United States Code, to facilitate the sharing of cy-
10 bersecurity risks and incidents to address port-spe-
11 cific cybersecurity risks, which may include the es-
12 tablishment of a working group of members of Area
13 Maritime Security Advisory Committees to address
14 port-specific cybersecurity vulnerabilities; and

15 (2) that any area maritime security plan and
16 facility security plan required under section 70103
17 of title 46, United States Code approved after the
18 development of the cybersecurity risk assessment
19 model required by paragraph (1) of section 2 include
20 a mitigation plan to prevent, manage, and respond
21 to cybersecurity risks.

22 **SEC. 4. VULNERABILITY ASSESSMENTS AND SECURITY**
23 **PLANS.**

24 Title 46, United States Code, is amended—

1 (1) in section 70102(b)(1)(C), by inserting “cy-
2 bersecurity,” after “physical security,”; and

3 (2) in section 70103(c)(3)(C), by striking
4 “and” after the semicolon at the end of clause (iv),
5 by redesignating clause (v) as clause (vi), and by in-
6 serting after clause (iv) the following:

7 “(v) prevention, management, and re-
8 sponse to cybersecurity risks; and”.

Passed the House of Representatives December 16,
2015.

Attest:

KAREN L. HAAS,

Clerk.