

116TH CONGRESS
2D SESSION

S. 4023

To enhance maritime cybersecurity.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2020

Mr. MARKEY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To enhance maritime cybersecurity.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhancing Maritime
5 Cybersecurity Act of 2020”.

6 **SEC. 2. MARITIME CYBERSECURITY.**

7 (a) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Maritime
10 Administration.

1 (2) COMMANDANT.—The term “Commandant”
2 means the Commandant of the United States Coast
3 Guard.

4 (3) CYBER INCIDENT.—The term “cyber inci-
5 dent” has the meaning given the term “significant
6 cyber incident” in Presidential Policy Directive 41
7 (July 26, 2016, relating to United States Cyber In-
8 cident Coordination).

9 (4) DIRECTOR.—The term “Director” means
10 the Director of the Cybersecurity and Infrastructure
11 Security Agency of the Department of Homeland Se-
12 curity.

13 (5) MARITIME OPERATORS.—The term “mari-
14 time operators” means the owners or operators of
15 commercial maritime vessels, the owners or opera-
16 tors of port terminals, and port authorities.

17 (b) CYBERSECURITY RESOURCES.—

18 (1) IN GENERAL.—Not later than 2 years after
19 the date of enactment of this Act, the Director, in
20 consultation with the Administrator and the Com-
21 mandant, shall ensure the availability of a resource,
22 or a consolidated series of resources, to assist mari-
23 time operators in identifying, detecting, protecting
24 against, responding to, and recovering from cyber
25 incidents.

1 (2) DEVELOPMENT.—In developing the re-
2 source under paragraph (1), the Director and the
3 Administrator shall—

4 (A) use the cybersecurity framework estab-
5 lished by the National Institute of Standards
6 and Technology and required by Executive
7 Order 13636 of February 12, 2013 (78 Fed.
8 Reg. 11739; relating to improving critical infra-
9 structure cybersecurity);

10 (B) use the guidelines on maritime cyber
11 risk management issued by the International
12 Maritime Organization on July 5, 2017, or any
13 successor document;

14 (C) establish a structured cybersecurity as-
15 sessment and development program;

16 (D) consult with appropriate maritime op-
17 erators, agencies, industry stakeholders, and cy-
18 bersecurity experts; and

19 (E) provide for a period of public comment
20 and review on the resource.

21 (c) CYBER COORDINATOR.—Not later than 2 years
22 after the date of enactment of this Act, the Administrator
23 shall designate an office as a “cyber coordinator”, which
24 shall be responsible for the following:

1 (1) Coordinating with the Director and the
2 Commandant on cybersecurity activities for the com-
3 mercial maritime sector and cyber incidents that af-
4 fect maritime operators.

5 (2) Ensuring that maritime operators are aware
6 of available secure methods of notifying the United
7 States Government of cyber incidents.

8 (3) Notifying the Director and the Com-
9 mandant of unaddressed cyber incidents that affect
10 maritime operators.

11 (4) Ensuring that maritime operators have ac-
12 cess to educational resources, conducting outreach,
13 and ensuring awareness on fundamental principles
14 and best practices in cybersecurity for maritime sys-
15 tems, including the cyber resource developed under
16 this section.

○