

118TH CONGRESS
2D SESSION

S. 5471

To amend title 46, United States Code, to require applicants for grants that propose to use digital infrastructure or a software component to certify the applicant has an approved security plan that addresses the cybersecurity risks of such digital infrastructure or software component, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2024

Mr. CORNYN (for himself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend title 46, United States Code, to require applicants for grants that propose to use digital infrastructure or a software component to certify the applicant has an approved security plan that addresses the cybersecurity risks of such digital infrastructure or software component, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Investments
5 in Our Ports Act”.

1 **SEC. 2. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM**

2 **APPLICATION PROCESS.**

3 Section 54301(a)(5)(A) of title 46, United States
4 Code, is amended—

5 (1) by striking “To be eligible” and inserting
6 the following:

7 “(i) IN GENERAL.—To be eligible”;

8 and

9 (2) by adding at the end the following:

10 “(ii) ENSURING CYBERSECURITY.—If
11 a covered applicant for a grant under this
12 subsection is applying to use the grant to
13 acquire digital infrastructure or a software
14 component, such applicant shall—

15 “(I) certify the facility for which
16 a covered applicant is applying for a
17 grant, has an approved facility secu-
18 rity plan pursuant to section 70103(c)
19 of this title that addresses the cyber-
20 security risks of such digital infra-
21 structure or software component; or

22 “(II) if the approved facility se-
23 curity plan of a facility for which a
24 covered applicant is applying for a
25 grant does not address such cyberse-
26 curity risks, provide a brief descrip-

tion in the application of how such applicant will address the cybersecurity risks of such digital infrastructure or software component.

“(iii) UPDATE OF FACILITY SECURITY PLAN.—If the approved facility security plan required under section 70103(c) of this title of a facility for which a covered applicant is applying for a grant under this subsection does not address the cybersecurity risks of digital infrastructure or a software component to be acquired by such grant and such applicant provides a brief description to address such cybersecurity risks under clause (ii)(II), the covered applicant shall ensure that such security plan is updated to address such cybersecurity risks described in clause (ii)(II) in the next update required under paragraph (3)(G) of such section.

“(iv) COVERED APPLICANT DEFINED.—In this paragraph, the term ‘covered applicant’ means an applicant under

- 1 this subsection that is not eligible for a
- 2 grant under subsection (b).”.

○