

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.

○