

117TH CONGRESS
1ST SESSION

H. R. 3243

To codify the Transportation Security Administration’s responsibility relating to securing pipelines against cybersecurity threats, acts of terrorism, and other nefarious acts that jeopardize the physical security or cybersecurity of pipelines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2021

Mr. CLEAVER (for himself, Mr. THOMPSON of Mississippi, Mr. KATKO, Mrs. WATSON COLEMAN, Ms. CLARKE of New York, Ms. JACKSON LEE, Mr. LANGEVIN, Mr. CORREA, Mr. GREEN of Texas, Mr. SWALWELL, Ms. TITUS, Ms. BARRAGÁN, Mrs. LURIA, Mr. TORRES of New York, and Mr. GIMENEZ) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To codify the Transportation Security Administration’s responsibility relating to securing pipelines against cybersecurity threats, acts of terrorism, and other nefarious acts that jeopardize the physical security or cybersecurity of pipelines, 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 “Pipeline Security Act”.

1 **SEC. 2. PIPELINE SECURITY RESPONSIBILITIES.**

2 Subsection (f) of section 114 of title 49, United
3 States Code, is amended—

4 (1) in paragraph (15), by striking “and” after
5 the semicolon at the end;

6 (2) by redesignating paragraph (16) as para-
7 graph (17); and

8 (3) by inserting after paragraph (15) the fol-
9 lowing new paragraph:

10 “(16) maintain responsibility, in coordination
11 with the Director of the Cybersecurity and Infra-
12 structure Security Agency, as appropriate, relating
13 to securing pipeline transportation and pipeline fa-
14 cilities (as such terms are defined in section 60101
15 of this title) against cybersecurity threats (as such
16 term is defined in section 102 of the Cybersecurity
17 Information Sharing Act of 2015 (Public Law 114–
18 113; 6 U.S.C. 1501)), an act of terrorism (as such
19 term is defined in section 3077 of title 18), and
20 other nefarious acts that jeopardize the physical se-
21 curity or cybersecurity of such transportation or fa-
22 cilities; and”.

23 **SEC. 3. PIPELINE SECURITY SECTION.**

24 (a) IN GENERAL.—Title XVI of the Homeland Secu-
25 rity Act of 2002 (6 U.S.C. 561 et seq.) is amended by
26 adding at the end the following:

1 **“Subtitle D—Pipeline Security**

2 **“SEC. 1631. PIPELINE SECURITY SECTION.**

3 “(a) ESTABLISHMENT.—There is within the Admin-
4 istration a pipeline security section to carry out pipeline
5 security programs in furtherance of section 114(f)(16) of
6 title 49, United States Code.

7 “(b) MISSION.—The mission of the section referred
8 to in subsection (a) is to oversee, in coordination with the
9 Cybersecurity and Infrastructure Security Agency of the
10 Department, the security of pipeline transportation and
11 pipeline facilities (as such terms are defined in section
12 60101 of title 49, United States Code) against cybersecu-
13 rity threats (as such term is defined in section 102 of the
14 Cybersecurity Information Sharing Act of 2015 (Public
15 Law 114–113; 6 U.S.C. 1501)), an act of terrorism (as
16 such term is defined in section 3077 of title 18, United
17 States Code), and other nefarious acts that jeopardize the
18 physical security or cybersecurity of such transportation
19 or facilities.

20 “(c) LEADERSHIP; STAFFING.—The Administrator
21 shall appoint as the head of the section an individual with
22 knowledge of the pipeline industry and security best prac-
23 tices, as determined appropriate by the Administrator.
24 The section shall be staffed by a workforce that includes
25 personnel with cybersecurity expertise.

1 “(d) RESPONSIBILITIES.—The section shall be re-
2 sponsible for carrying out the duties of the section as di-
3 rected by the Administrator, acting through the head ap-
4 pointed pursuant to subsection (c). Such duties shall in-
5 clude the following:

6 “(1) Developing, in consultation with relevant
7 Federal, State, local, Tribal, and territorial entities
8 and public and private sector stakeholders, guide-
9 lines for improving the security of pipeline transpor-
10 tation and pipeline facilities against cybersecurity
11 threats, an act of terrorism, and other nefarious acts
12 that jeopardize the physical security or cybersecurity
13 of such transportation or facilities, consistent with
14 the National Institute of Standards and Technology
15 Framework for Improvement of Critical Infrastruc-
16 ture Cybersecurity and any update to such guide-
17 lines pursuant to section 2(c)(15) of the National
18 Institute for Standards and Technology Act (15
19 U.S.C. 272(c)(15)).

20 “(2) Updating such guidelines as necessary
21 based on intelligence and risk assessments, but not
22 less frequently than every three years.

23 “(3) Sharing of such guidelines and, as appro-
24 priate, intelligence and information regarding such
25 security threats to pipeline transportation and pipe-

1 line facilities, as appropriate, with relevant Federal,
2 State, local, Tribal, and territorial entities and pub-
3 lic and private sector stakeholders.

4 “(4) Conducting voluntary security assessments
5 based on such guidelines to provide recommenda-
6 tions for the improvement of the security of pipeline
7 transportation and pipeline facilities against cyberse-
8 curity threats, an act of terrorism, and other nefar-
9 ious acts that jeopardize the physical security or cy-
10 bersecurity of such transportation or facilities, in-
11 cluding the security policies, plans, practices, and
12 training programs maintained by owners and opera-
13 tors of pipeline facilities.

14 “(5) Carrying out a program through which the
15 Administrator identifies and ranks the relative risk
16 of pipelines and inspects pipeline facilities des-
17 ignated by owners and operators of such facilities as
18 critical based on such guidelines.

19 “(6) Preparing notice and comment regulations
20 for publication, if determined necessary by the Ad-
21 ministrator.

22 “(e) DETAILS.—In furtherance of the section’s mis-
23 sion, as set forth in subsection (b), the Administrator and
24 the Director of the Cybersecurity and Infrastructure Secu-
25 rity Agency may detail personnel between their compo-

1 nents to leverage expertise. Personnel detailed from the
2 Cybersecurity and Infrastructure Security Agency may be
3 considered as fulfilling the cybersecurity expertise require-
4 ments in referred to in subsection (c).”.

5 (b) UPDATED GUIDELINES.—Not later than one year
6 after the date of the enactment of this Act, the pipeline
7 security section of the Transportation Security Adminis-
8 tration established pursuant to section 1631 of the Home-
9 land Security Act of 2002, as added by subsection (a),
10 shall publish updated guidelines described in subsection
11 (d) of such section.

12 (c) CLERICAL AMENDMENTS.—The table of contents
13 in section 1(b) of the Homeland Security Act of 2002 is
14 amended by—

15 (1) striking the item relating to section 1617
16 and inserting the following new item:

“Sec. 1617. Diversified security technology industry marketplace.”;

17 (2) by striking the item relating to section 1621
18 and inserting the following new item:

“Sec. 1621. Maintenance validation and oversight.”;

19 (3) inserting after the item relating to section
20 1621 the following:

“Subtitle D—Pipeline Security

“Sec. 1631. Pipeline security section.”.

1 **SEC. 4. PERSONNEL STRATEGY.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, the Administrator of
4 the Transportation Security Administration, in coordina-
5 tion with the Director of the Cybersecurity and Infrastruc-
6 ture Security Agency of the Department of Homeland Se-
7 curity, shall develop a personnel strategy for enhancing
8 operations within the pipeline security section of the
9 Transportation Security Administration established pur-
10 suant to section 1631 of the Homeland Security Act of
11 2002, as added by section 3.

12 (b) CONTENTS.—The strategy required under sub-
13 section (a) shall take into consideration the most recently
14 published versions of each of the following documents:

15 (1) The Transportation Security Administration
16 National Strategy for Transportation Security.

17 (2) The Department of Homeland Security Cy-
18 bersecurity Strategy.

19 (3) The Transportation Security Administration
20 Cybersecurity Roadmap.

21 (4) The Department of Homeland Security Bal-
22 anced Workforce Strategy.

23 (5) The Department of Homeland Security
24 Quadrennial Homeland Security Review.

25 (c) RESOURCES.—The strategy shall include an as-
26 sessment of resources determined necessary by the Admin-

1 istrator of the Transportation Security Administration to
2 carry out such strategy.

3 (d) SUBMISSION TO CONGRESS.—Upon development
4 of the strategy, the Administrator of the Transportation
5 Security Administration shall provide to the Committee on
6 Homeland Security of the House of Representatives and
7 the Committee on Commerce, Science, and Transportation
8 of the Senate a copy of such strategy.

9 **SEC. 5. OVERSIGHT.**

10 (a) REPORT TO CONGRESS.—The Administrator of
11 the Transportation Security Administration shall report to
12 the Committee on Homeland Security of the House of
13 Representatives and the Committee on Commerce,
14 Science, and Transportation of the Senate not less than
15 annually on activities of the pipeline security section of
16 the Administration established pursuant to section 1631
17 of the Homeland Security Act of 2002, as added by section
18 3, including information with respect to guidelines, secu-
19 rity assessments, and inspections under such section. Each
20 such report shall include a determination by the Adminis-
21 trator regarding whether there is a need for new regula-
22 tions or non-regulatory initiatives and the basis for such
23 determination.

24 (b) GAO REVIEW.—Not later than two years after
25 the date of the enactment of this Act, the Comptroller

1 General of the United States shall conduct a review of the
2 implementation of this Act and the amendments made by
3 this Act.

4 **SEC. 6. STAKEHOLDER ENGAGEMENT.**

5 Not later than one year after the date of the enact-
6 ment of this Act, the Administrator of the Transportation
7 Security Administration shall convene not less than two
8 industry days to engage with relevant pipeline transpor-
9 tation and pipeline facilities stakeholders on matters re-
10 lated to the security of pipeline transportation and pipeline
11 facilities (as such terms are defined in section 60101 of
12 title 49, United States Code).

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