

AMENDMENT TO
RULES COMMITTEE PRINT 118-11
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of title VIII, add the following:

1 **SEC. ____ . AIR CARRIER CYBERSECURITY.**

2 (a) **RISK ASSESSMENTS FOR AIR CARRIERS.—**

3 (1) **IN GENERAL.—**All covered air carriers shall,
4 not later than September 30, 2024, and annually
5 thereafter, conduct a self-assessment and third-party
6 assessment of the risk of such air carrier to a major
7 cyber attacks on the onboard networked systems of
8 an aircraft operated by the air carrier that could sig-
9 nificantly disrupt the flight operations of such car-
10 rier for more than 48 hours.

11 (2) **CONTENTS.—**The assessments described in
12 paragraph (1) shall include an identification and
13 analysis of—

14 (A) potential cyber attack scenarios;

15 (B) single points of failure for the covered
16 air carriers;

17 (C) defense and mitigation measures of the
18 air carrier in the case of a cyber attack; and

1 (D) the risks to and from critical vendors
2 and service providers.

3 (3) PROVISION OF ASSESSMENT.—Each air car-
4 rier conducting an assessment required under para-
5 graph (1) shall provide such assessment to the Ad-
6 ministrators, who shall provide such assessment to
7 the Secretary of Transportation, the Secretary of
8 Defense, and the Secretary of Homeland Security.

9 (b) RESILIENCE PLAN.—All covered air carriers
10 shall, not later than December 31, 2024, and annually
11 thereafter, submit a cyber resilience plan to the Adminis-
12 trators. Such resilience plan shall include—

13 (1) plans for operations continuity in the event
14 of a cyber attack on the air carrier; and

15 (2) plans for the recovery and restoration of
16 flight operations in stages following a major stop-
17 page caused by a cyber attack on the air carrier or
18 the critical vendors and suppliers of such air carrier.

19 (c) REGULATIONS.—Not later than 120 days after
20 the date of enactment of this Act, the Administrators, act-
21 ing in coordination, shall issue regulations implementing
22 this section. Such regulations shall—

23 (1) provide further detail regarding—

1 (A) what information shall be included in
2 the assessments and resilience plans described
3 in this section; and

4 (B) the format such information shall be
5 provided in; and

6 (2) provide a mechanism for the assessments
7 and resilience plans to be submitted in a manner to
8 protect trade secrets, business confidentiality, and
9 proprietary information and

10 (3) ensure that such regulations do not conflict
11 with existing regulations promulgated by the Trans-
12 portation Security Administration and Federal Avia-
13 tion Administration.

14 (d) REPORTING.—After September 30, 2024, but be-
15 fore September 30, 2025, and annually thereafter, the Ad-
16 ministrators shall submit to the appropriate congressional
17 committees a report summarizing the results of the assess-
18 ments carried out under this section and the overall state
19 of the cybersecurity of covered air carriers.

20 (e) DEFINITIONS.—In this section:

21 (1) ADMINISTRATORS.—The term “Administra-
22 tors” means the Administrator of the Transpor-
23 tation Security Administration and the Adminis-
24 trator of the Federal Aviation Administration.

1 (2) AIR CARRIER; AIRCRAFT.—The terms “air
2 carrier” and “aircraft” have the meanings given
3 such terms in section 40102(a) of title 49, United
4 States Code.

5 (3) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Homeland Security
9 and Government Affairs and the Committee on
10 Commerce, Science, and Transportation of the
11 Senate; and

12 (B) the Committee on Oversight and Re-
13 form and the Committee on Transportation and
14 Infrastructure of the House of Representatives.

15 (4) COVERED AIR CARRIERS.—The term “cov-
16 ered air carrier” means any air carrier that owns at
17 least 700 commercial aircraft.

18 (5) ONBOARD NETWORKED SYSTEMS.—The
19 term “onboard networked systems” means, with re-
20 spect to an aircraft—

21 (A) avionics, communications, and flight
22 control systems;

23 (B) information and management systems;

24 (C) passenger information and entertain-
25 ment systems; and

1 (D) any other connected software system
2 on board an aircraft.

3 (6) **THIRD-PARTY ASSESSMENT.**—The term
4 “third-party assessment” means an assessment of
5 the risks posed by vendors, suppliers, and service
6 providers for air carriers and other third-party rela-
7 tionships across an air carrier’s supply chain.

