

AMENDMENT TO
RULES COMMITTEE PRINT 118-10
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the end of title XVIII, 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, par-
15 ticularly scenarios involving a covered nation;

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

18 (C) defense and mitigation measures of the
19 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—

16 (1) the Administrators shall submit to the ap-
17 propriate congressional committees a report summa-
18 rizing the results of the assessments carried out
19 under this section and the overall state of the cyber-
20 security of covered air carriers; and

21 (2) the Secretary of Defense shall submit to the
22 appropriate congressional committees a report de-
23 scribing the risks to military readiness of the United
24 States deriving from the risk of cyber attacks on
25 covered air carriers.

1 (e) DEFINITIONS.—In this section:

2 (1) ADMINISTRATORS.—The term “Administra-
3 tors” means the Administrator of the Transpor-
4 tation Security Administration and the Adminis-
5 trator of the Federal Aviation Administration.

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

10 (3) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES.—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Armed Services, the
14 Committee on Homeland Security and Govern-
15 ment Affairs, and the Committee on Commerce,
16 Science, and Transportation of the Senate; and

17 (B) the Committee on Armed Services, the
18 Committee on Oversight and Reform, and the
19 Committee on Transportation and Infrastruc-
20 ture of the House of Representatives.

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

1 (5) COVERED NATION.—The term “covered na-
2 tion” has the meaning given such term in section
3 4872(d) of title 10, United States Code.

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

7 (A) avionics, communications, and flight
8 control systems;

9 (B) information and management systems;

10 (C) passenger information and entertain-
11 ment systems; and

12 (D) any other connected software system
13 on board an aircraft.

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

