

AMENDMENT TO RULES
COMMITTEE PRINT 117-8
OFFERED BY MR. CLEAVER OF MISSOURI

Page 1510, after line 5, insert the following:

1 **DIVISION H—PIPELINE**
2 **SECURITY**

3 **SEC. 11101. SHORT TITLE.**

4 This division may be cited as the “Pipeline Security
5 Act”.

6 **SEC. 11102. PIPELINE SECURITY RESPONSIBILITIES.**

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

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

11 (2) by redesignating paragraph (16) as para-
12 graph (17); and

13 (3) by inserting after paragraph (15) the fol-
14 lowing new paragraph:

15 “(16) maintain responsibility, in coordination
16 with the Director of the Cybersecurity and Infra-
17 structure Security Agency, as appropriate, relating
18 to securing pipeline transportation and pipeline fa-
19 cilities (as such terms are defined in section 60101

1 of this title) against cybersecurity threats (as such
2 term is defined in section 102 of the Cybersecurity
3 Information Sharing Act of 2015 (Public Law 114–
4 113; 6 U.S.C. 1501)), an act of terrorism (as such
5 term is defined in section 3077 of title 18), and
6 other nefarious acts that jeopardize the physical se-
7 curity or cybersecurity of such transportation or fa-
8 cilities; and”.

9 **SEC. 11103. PIPELINE SECURITY DIVISION.**

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

13 **“Subtitle D—Pipeline Security**

14 **“SEC. 1631. PIPELINE SECURITY DIVISION.**

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

19 “(b) MISSION.—The mission of the division referred
20 to in subsection (a) is to oversee, in coordination with the
21 Cybersecurity and Infrastructure Security Agency of the
22 Department, the security of pipeline transportation and
23 pipeline facilities (as such terms are defined in section
24 60101 of title 49, United States Code) against cybersecu-
25 rity threats (as such term is defined in section 102 of the

1 Cybersecurity Information Sharing Act of 2015 (Public
2 Law 114–113; 6 U.S.C. 1501)), an act of terrorism (as
3 such term is defined in section 3077 of title 18, United
4 States Code), and other nefarious acts that jeopardize the
5 physical security or cybersecurity of such transportation
6 or facilities.

7 “(c) LEADERSHIP; STAFFING.—The Administrator
8 shall appoint as the head of the division an individual in
9 the executive service of the Administration with knowledge
10 of the pipeline industry and security best practices, as de-
11 termined appropriate by the Administrator. The division
12 shall be staffed by a workforce that includes personnel
13 with cybersecurity expertise.

14 “(d) RESPONSIBILITIES.—The division shall be re-
15 sponsible for carrying out the duties of the division as di-
16 rected by the Administrator, acting through the head ap-
17 pointed pursuant to subsection (c). Such duties shall in-
18 clude the following:

19 “(1) Developing, in consultation with relevant
20 Federal, State, local, Tribal, and territorial entities
21 and public and private sector stakeholders, guide-
22 lines for improving the security of pipeline transpor-
23 tation and pipeline facilities against cybersecurity
24 threats, an act of terrorism, and other nefarious acts
25 that jeopardize the physical security or cybersecurity

1 of such transportation or facilities, consistent with
2 the National Institute of Standards and Technology
3 Framework for Improvement of Critical Infrastruc-
4 ture Cybersecurity and any update to such guide-
5 lines pursuant to section 2(e)(15) of the National
6 Institute for Standards and Technology Act (15
7 U.S.C. 272(e)(15)).

8 “(2) Updating such guidelines as necessary
9 based on intelligence and risk assessments, but not
10 less frequently than every three years, unless such
11 guidelines are superseded by directives or regula-
12 tions.

13 “(3) Sharing of such guidelines and, as appro-
14 priate, intelligence and information regarding such
15 security threats to pipeline transportation and pipe-
16 line facilities, as appropriate, with relevant Federal,
17 State, local, Tribal, and territorial entities and pub-
18 lic and private sector stakeholders.

19 “(4) Conducting voluntary security assessments
20 based on such guidelines, or mandatory security as-
21 sessments if required by superseding directives or
22 regulations, to provide recommendations or require-
23 ments for the improvement of the security of pipe-
24 line transportation and pipeline facilities against cy-
25 bersecurity threats, an act of terrorism, and other

1 nefarious acts that jeopardize the physical security
2 or cybersecurity of such transportation or facilities,
3 including the security policies, plans, practices, and
4 training programs maintained by owners and opera-
5 tors of pipeline facilities.

6 “(5) Carrying out a program through which the
7 Administrator identifies and ranks the relative risk
8 of pipelines and inspects pipeline facilities des-
9 ignated by owners and operators of such facilities as
10 critical based on such guidelines or superseding di-
11 rectives or regulations.

12 “(6) Supporting the development and imple-
13 mentation of a security directive or regulation when
14 the Administrator issues such a directive or regula-
15 tion.

16 “(e) DETAILS.—In furtherance of the division’s mis-
17 sion, as set forth in subsection (b), the Administrator and
18 the Director of the Cybersecurity and Infrastructure Secu-
19 rity Agency may detail personnel between their compo-
20 nents to leverage expertise. Personnel detailed from the
21 Cybersecurity and Infrastructure Security Agency may be
22 considered as fulfilling the cybersecurity expertise require-
23 ments in referred to in subsection (c).”.

24 (b) UPDATED GUIDELINES.—Not later than one year
25 after the date of the enactment of this Act, the pipeline

1 security division of the Transportation Security Adminis-
2 tration established pursuant to section 1631 of the Home-
3 land Security Act of 2002, as added by subsection (a),
4 shall publish updated guidelines described in subsection
5 (d) of such section, except to the extent such guidelines
6 have been superseded by directives or regulations.

7 (c) CLERICAL AMENDMENTS.—The table of contents
8 in section 1(b) of the Homeland Security Act of 2002 is
9 amended by—

10 (1) striking the item relating to section 1617
11 and inserting the following new item:

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

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

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

14 (3) inserting after the item relating to section
15 1621 the following:

“Subtitle D—Pipeline Security

“Sec. 1631. pipeline security division.”.

16 **SEC. 11104. PERSONNEL STRATEGY.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Administrator of
19 the Transportation Security Administration, in coordina-
20 tion with the Director of the Cybersecurity and Infrastruc-
21 ture Security Agency of the Department of Homeland Se-
22 curity, shall develop a personnel strategy for enhancing

1 operations within the pipeline security division of the
2 Transportation Security Administration established pur-
3 suant to section 1631 of the Homeland Security Act of
4 2002, as added by section 11103.

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

8 (1) The Transportation Security Administration
9 National Strategy for Transportation Security.

10 (2) The Department of Homeland Security Cy-
11 bersecurity Strategy.

12 (3) The Transportation Security Administration
13 Cybersecurity Roadmap.

14 (4) The Department of Homeland Security Bal-
15 anced Workforce Strategy.

16 (5) The Department of Homeland Security
17 Quadrennial Homeland Security Review.

18 (c) CYBERSECURITY EXPERTISE.—The strategy shall
19 include an assessment of the cybersecurity expertise deter-
20 mined necessary by the Administrator of the Transpor-
21 tation Security Administration and a plan for developing
22 such expertise within the Administration.

23 (d) RESOURCES.—The strategy shall include an as-
24 sessment of resources determined necessary by the Admin-

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

3 (e) 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. 11105. 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 division of
16 the Administration established pursuant to section 1631
17 of the Homeland Security Act of 2002, as added by section
18 11103, including information with respect to guidelines,
19 directives, regulations, security assessments, and inspec-
20 tions under such section. Each such report shall include
21 a determination by the Administrator regarding whether
22 there is a need for new regulations or non-regulatory ini-
23 tiatives and the basis for such 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. 11106. 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).

