

AMENDMENT TO RULES COMMITTEE PRINT

117-31

OFFERED BY MR. GIMENEZ OF FLORIDA

At the end of division F, add the following:

1 **SEC. 50105. PORT CRANE SECURITY AND INSPECTION.**

2 (a) FOREIGN CRANE INSPECTION TRANSPORTATION
3 AND PORT SECURITY AND MARITIME SECURITY EN-
4 HANCEMENT.—

5 (1) IN GENERAL.—With respect to newly con-
6 structed foreign cranes procured for use at a United
7 States port determined by the Secretary to be of
8 high risk to port security or maritime transportation
9 security and that connect to the cybersecurity net-
10 work of such port, the Secretary of Homeland Secu-
11 rity shall, acting through the Cybersecurity and In-
12 frastructure Security Agency, before such crane is
13 placed into service at such port, inspect such crane
14 for potential security vulnerabilities.

15 (2) SECURITY VULNERABILITY ASSESS-
16 MENTS.—Not later than 180 days after the date of
17 enactment of this Act, the Secretary shall assess the
18 threat posed by security vulnerabilities of any exist-
19 ing or newly constructed foreign cranes.

1 (3) REPORT TO CONGRESS.—Not later than 1
2 year after the date of enactment of this Act, the
3 Secretary shall brief the Committee on Homeland
4 Security of the House of Representatives and the
5 Committee on Homeland Security and Governmental
6 Affairs of the Senate regarding critical and high-risk
7 foreign crane security vulnerabilities posed by exist-
8 ing or newly constructed foreign cranes within
9 United States ports.

10 (b) FOREIGN CRANE PROHIBITION.—

11 (1) IN GENERAL.—Notwithstanding any other
12 provision of law, a foreign crane—

13 (A) for which a contract was entered into
14 on or after the date of enactment of this Act
15 may not be operated at a port located in the
16 United States; and

17 (B) operated at a port located in the
18 United States may not operate foreign software
19 on any date after the date which is 5 years
20 after the date of enactment of this Act.

21 (c) DEFINITIONS.—In this section:

22 (1) COVERED FOREIGN COUNTRY.—The term
23 “covered foreign country” means a country that—

1 (A) the intelligence community has identi-
2 fied as a foreign adversary in its most recent
3 Annual Threat Assessment; or

4 (B) the Secretary of Homeland Security,
5 in coordination with the Director of National
6 Intelligence, has identified as a foreign adver-
7 sary that is not included in such Annual Threat
8 Assessment.

9 (2) FOREIGN CRANE.—The term “foreign
10 crane” means a crane for which any software or
11 other technology in such crane that is connected into
12 cyber infrastructure at a port located in the United
13 States was, in whole or in part, manufactured by an
14 entity that is owned or controlled by, is a subsidiary
15 of, or is otherwise related legally or financially to a
16 corporation based in a covered foreign country.

17 (3) FOREIGN SOFTWARE.—The term “foreign
18 software” means software or other technology in a
19 foreign crane that is connected into cyber infrastruc-
20 ture at a port located in the United States was, in
21 whole or in part, manufactured by a company wholly
22 owned by a covered foreign country.

