

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 9469
OFFERED BY MR. ROBERT GARCIA OF
CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Pipeline Security Act”.

**3 SEC. 2. PIPELINE TRANSPORTATION AND PIPELINE FACILI-
4 TIES SECURITY RESPONSIBILITIES.**

5 (a) IN GENERAL.—Subtitle D of title XV of the Im-
6 plementing Recommendations of the 9/11 Commission Act
7 of 2007 (6 U.S.C. 1201 et seq.) is amended by adding
8 at the end the following new section:

9 “SEC. 1559. PIPELINE SECURITY.

10 “(a) IN GENERAL.—The Administrator of the Trans-
11 portation Security Administration shall maintain responsi-
12 bility, in consultation with the Director of the Cybersecu-
13 rity and Infrastructure Security Agency of the Depart-
14 ment of Homeland Security, as appropriate, for securing
15 pipeline transportation and pipeline facilities (as such
16 terms are defined in section 60101 of title 49, United
17 States Code) against cybersecurity threats (as such term

1 is defined in section 2200 of the Homeland Security Act
2 of 2002 (6 U.S.C. 650)), acts of terrorism (as such term
3 is defined in section 3077 of title 18), and other security
4 threats.

5 “(b) GUIDELINES, DIRECTIVES, AND REGULA-
6 TIONS.—In carrying out subsection (a), the Administrator
7 of the Transportation Security Administration shall carry
8 out the following:

9 “(1) Ensure the development and updating, in
10 consultation with relevant Federal, State, local,
11 Tribal, and territorial entities and public and private
12 sector stakeholders, as applicable, of guidelines, con-
13 sistent with the National Institute of Standards and
14 Technology Framework for Improvement of Critical
15 Infrastructure Cybersecurity and any update to such
16 guidelines pursuant to section 2(c)(15) of the Na-
17 tional Institute for Standards and Technology Act
18 (15 U.S.C. 272(c)(15)), to improve the security of
19 pipeline transportation and pipeline facilities against
20 cybersecurity threats, acts of terrorism, and other
21 security threats.

22 “(2) Promulgate any additional security direc-
23 tives or regulations as the Administrator determines
24 necessary to secure pipeline transportation or pipe-
25 line facilities.

1 “(3) Share, as appropriate, with relevant Fed-
2 eral, State, local, Tribal, and territorial entities and
3 public and private sector stakeholders, as applicable,
4 the guidelines described in paragraph (1), security
5 directives, and regulations and, as appropriate, intel-
6 ligence and information regarding such security
7 threats to pipeline transportation and pipeline facili-
8 ties.

9 “(4) Ensure the carrying out of security assess-
10 ments and inspections, as appropriate, on the imple-
11 mentation of such guidelines, security directives, and
12 regulations to provide recommendations or require-
13 ments for the improvement of the security of pipe-
14 line transportation and pipeline facilities against cy-
15 bersecurity threats, acts of terrorism, and other se-
16 curity threats, including the security policies, plans,
17 practices, and training programs maintained by own-
18 ers and operators of pipeline transportation and
19 pipeline facilities.

20 “(5) Carry out a program through which the
21 Administrator identifies and ranks the relative secu-
22 rity risks to certain pipeline transportation and pipe-
23 line facilities, and inspects pipeline transportation
24 and pipeline facilities based in part on the designa-
25 tion by owners and operators of such facilities as

1 critical based on such guidelines, security directives,
2 or regulations.

3 “(c) DETAILS.—The Administrator of the Transpor-
4 tation Security Administration and the Director of the Cy-
5 bersecurity and Infrastructure Security Agency may detail
6 personnel between their components to leverage expertise.

7 “(d) STAKEHOLDER ENGAGEMENT.—Not later than
8 one year after the date of the enactment of this subsection,
9 the Administrator of the Transportation Security Admin-
10 istration shall convene at least one industry day to engage
11 with relevant pipeline transportation and pipeline facilities
12 stakeholders on matters related to the security of pipeline
13 transportation and pipeline facilities.”.

14 (b) OVERSIGHT.—The Administrator of the Trans-
15 portation Security Administration shall report to the Com-
16 mittee on Homeland Security of the House of Representa-
17 tives and the Committee on Commerce, Science, and
18 Transportation and the Committee on Homeland Security
19 and Governmental Affairs of the Senate not less fre-
20 quently than biennially on activities of the Administration
21 to carry out responsibilities to secure pipeline transpor-
22 tation and pipeline facilities (as such terms are defined
23 in section 60101 of title 49, United States Code.

24 (c) PERSONNEL STRATEGY.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the Ad-
3 ministrator of the Transportation Security Adminis-
4 tration, in consultation with the Director of the Cy-
5 bersecurity and Infrastructure Security Agency of
6 the Department of Homeland Security, as appro-
7 priate, shall develop a personnel strategy (in this
8 subsection referred to as the “strategy”) for car-
9 rying out the Administrator’s responsibilities to se-
10 cure pipeline transportation and pipeline facilities,
11 pursuant to section 1209 of the Implementing Rec-
12 ommendations of the 9/11 Commission Act of 2007,
13 as added by subsection (a).

14 (2) CONTENTS.—The strategy may take into
15 consideration the most recently published versions of
16 each of the following documents:

17 (A) The Transportation Security Adminis-
18 tration National Strategy for Transportation
19 Security.

20 (B) The Department of Homeland Security
21 Cybersecurity Strategy.

22 (C) The Transportation Security Adminis-
23 tration Cybersecurity Roadmap.

24 (D) The Department of Homeland Secu-
25 rity Balanced Workforce Strategy.

1 (E) The Department of Homeland Security
2 Quadrennial Homeland Security Review.

3 (F) Other relevant strategies or plans, as
4 appropriate.

5 (3) CYBERSECURITY EXPERTISE.—The strategy
6 shall include an assessment of the cybersecurity ex-
7 pertise determined necessary by the Administrator of
8 the Transportation Security Administration and a
9 plan for expanding such expertise within the Trans-
10 portation Security Administration.

11 (4) RESOURCES.—The strategy shall include an
12 assessment of resources determined necessary by the
13 Administrator of the Transportation Security Ad-
14 ministration to carry out such strategy.

15 (5) SUBMISSION TO CONGRESS.—Upon develop-
16 ment of the strategy, the Administrator of the
17 Transportation Security Administration shall provide
18 to the Committee on Homeland Security of the
19 House of Representatives and the Committee on
20 Commerce, Science, and Transportation and the
21 Committee on Homeland Security and Governmental
22 Affairs of the Senate a copy of such strategy.

23 (d) GAO REVIEW.—Not later than two years after
24 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.

3 (e) CLERICAL AMENDMENT.—The table of contents
4 in section 1(b) of the Implementing Recommendations of
5 the 9/11 Commission Act of 2007 is amended by inserting
6 after the item relating to section 1558 the following new
7 item:

“Sec. 1559. Pipeline security.”.

Amend the title so as to read: “A bill To amend the
Implementing Recommendations of the 9/11 Commission
Act of 2007 to codify the Transportation Security Ad-
ministration’s responsibility relating to securing pipeline
transportation and pipeline facilities against cybersecurity
threats, acts of terrorism, and other nefarious acts that
jeopardize the physical security or cybersecurity of pipe-
lines, and for other purposes.”.

