

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7625
OFFERED BY MR. MCDOWELL OF NORTH
CAROLINA

Strike all after the enacting clause and insert the following:

1 SEC. 1. SHORT TITLE.

2 This Act may be cited as the “Marine Transportation
3 System Cybersecurity Budget and Evaluation Report Act
4 of 2026” or the “MTS CYBER Act of 2026”.

5 SEC. 2. FINDINGS.

6 Congress finds the following:

7 (1) Maritime trade is essential to America’s
8 economic stability, supporting \$2,100,000,000,000
9 in economic activity, or 41.5 percent of the global
10 trade value of the United States.

11 (2) The increasing frequency and severity of
12 cyber threats to the marine transportation system
13 (hereinafter referred to as “MTS”) presents eco-
14 nomic and national security risks.

15 (3) The Department of Homeland Security and
16 the Department of Transportation are designated as
17 co-Sector Risk Management Agencies (hereinafter

1 referred to as “SRMAs”) for the MTS under Presi-
2 dential Policy Directive 21, with further delegation
3 of responsibilities to agencies such as the Coast
4 Guard and the Transportation Security Administra-
5 tion as outlined in implementing documents.

6 (4) Executive Order 14116, issued by President
7 Biden in February 2024, expands the United States
8 Coast Guard’s regulatory authorities to strengthen
9 MTS cybersecurity.

10 (5) The Coast Guard issued a final cybersecu-
11 rity rule, “Cybersecurity in the Marine Transpor-
12 tation System”, establishing mandatory incident re-
13 porting for regulated entities, significantly expand-
14 ing the Coast Guard’s cybersecurity oversight re-
15 sponsibilities.

16 (6) Through the Investing in America Agenda,
17 the Biden administration dedicated \$20,000,000,000
18 for United States port infrastructure, but it fails to
19 specify cybersecurity-specific spending allocations to
20 provide the Coast Guard with adequate resources
21 and funding.

22 (7) The Coast Guard remains underfunded and
23 understaffed for the purpose of sector risk manage-
24 ment.

1 (8) The ability of the Coast Guard to fulfill
2 SRMA duties is contingent upon adequate budgetary
3 resources and a healthy workforce.

4 (9) A Government Accountability Office audit is
5 necessary to assess the budget and capabilities of
6 the Coast Guard as an SRMA to ensure it can fulfill
7 responsibilities for protecting the MTS against cyber
8 threats.

9 **SEC. 3. COAST GUARD SECTOR RISK MANAGEMENT AGEN-**
10 **CY BUDGET AND CAPABILITIES REVIEW.**

11 (a) GAO REVIEW.—Not later than 270 days after the
12 date of enactment of this Act, the Comptroller General
13 of the United States shall conduct a review to assess the
14 funding and resource needs of the Coast Guard to fulfill
15 the SRMA responsibilities of the Coast Guard, including—

16 (1) an evaluation of the sufficiency of Coast
17 Guard funding for the sector risk management re-
18 sponsibilities, including funding for cybersecurity
19 personnel, training, and enforcement, in light of
20 statutory requirements under section 9002 of the
21 National Defense Authorization Act for Fiscal Year
22 2021 and additional requirements in Presidential
23 Policy Directive 21;

1 (2) the ability of Coast Guard personnel to
2 evaluate compliance with cybersecurity requirements
3 for regulated entities; and

4 (3) the sufficiency of guidance provided to in-
5 dustry stakeholders on implementing and complying
6 with cyber regulations, assessed against applicable
7 statutory requirements, Federal regulatory bench-
8 marks, and widely recognized industry best practices
9 for maritime cybersecurity.

10 (b) REPORT.—The Comptroller General shall submit
11 the findings and recommendations from the review re-
12 quired under subsection (a) to—

13 (1) the Committee on Commerce, Science, and
14 Transportation, the Committee on Appropriations,
15 and the Committee on Homeland Security and Gov-
16 ernmental Affairs of the Senate; and

17 (2) the Committee on Transportation and In-
18 frastructure, the Committee on Appropriations, and
19 the Committee on Homeland Security of the House
20 of Representatives.

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

23 (1) MARINE TRANSPORTATION SYSTEM.—The
24 term “marine transportation system” means the
25 navigable water transportation system of the

1 United States, including the vessels, ports (and
2 intermodal connections thereto), and shipyards and
3 other vessel repair facilities that are compo-
4 nents of that system.

5 (2) SECTOR RISK MANAGEMENT AGENCY;
6 SRMA.—The term “Sector Risk Management Agen-
7 cy” or “SRMA” has the meaning given the term
8 “Sector Risk Management Agency” in section 2200
9 of the Homeland Security Act of 2002 (6 U.S.C.
10 650).

