

118TH CONGRESS  
2D SESSION

# S. 5064

To amend title 46, United States Code, to require applicants for grants that propose to use digital infrastructure or a software component to certify the applicant has an approved security plan that addresses the cybersecurity risks of such digital infrastructure or software, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2024

Mr. CORNYN (for himself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

## A BILL

To amend title 46, United States Code, to require applicants for grants that propose to use digital infrastructure or a software component to certify the applicant has an approved security plan that addresses the cybersecurity risks of such digital infrastructure or software, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Investments  
5 in Our Ports Act”.

1 **SEC. 2. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM**  
2 **APPLICATION PROCESS.**

3 Section 54301(a)(5)(A) of title 46, United States  
4 Code, is amended—

5 (1) by striking “To be eligible” and inserting  
6 the following:

7 “(i) IN GENERAL.—To be eligible”;

8 and

9 (2) by adding at the end the following:

10 “(ii) ENSURING CYBERSECURITY.—If  
11 an applicant for a grant under this sub-  
12 section is applying to use the grant to ac-  
13 quire digital infrastructure or a software  
14 component, such applicant shall—

15 “(I) certify the applicant has an  
16 approved security plan pursuant to  
17 section 70103(c) that addresses the  
18 cybersecurity risks of such digital in-  
19 frastructure or software; or

20 “(II) provide a brief description  
21 in the application of how the applicant  
22 will address the cybersecurity risks of  
23 such digital infrastructure or software  
24 if the applicant does not have such  
25 approved security plan.

1                   “(iii) UPDATE OF FACILITY SECURITY  
2                   PLAN.—An applicant for a grant under  
3                   this subsection applying to use such grant  
4                   to acquire digital infrastructure or a soft-  
5                   ware component that does not have an ap-  
6                   proved security plan pursuant to section  
7                   70103(c) that addresses the cybersecurity  
8                   risks of such digital infrastructure or soft-  
9                   ware shall ensure that the security plan  
10                  under section 70103(c) of such applicant is  
11                  updated to address the cybersecurity risks  
12                  described in clause (ii)(II) in the next up-  
13                  date required under paragraph (3)(G) of  
14                  such section.”.

○