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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To direct the Comptroller General of the United States to conduct a review of the budget, resources, and capabilities of the Coast Guard as the co-Sector Risk Management Agency for the marine transportation system.

IN THE HOUSE OF REPRESENTATIVES

Mr. MCDOWELL introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Comptroller General of the United States to conduct a review of the budget, resources, and capabilities of the Coast Guard as the co-Sector Risk Management Agency for the marine transportation system.

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 “Marine Transportation
5 System Cybersecurity Budget and Evaluation Report Act
6 of 2026” or the “MTS CYBER Act of 2026”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Maritime trade is essential to America's
4 economic stability, supporting \$2,100,000,000,000
5 in economic activity, or 41.5 percent of the global
6 trade value of the United States.

7 (2) The increasing frequency and severity of
8 cyber threats to the marine transportation system
9 (hereinafter referred to as "MTS") presents eco-
10 nomic and national security risks.

11 (3) The Department of Homeland Security and
12 the Department of Transportation are designated as
13 co-Sector Risk Management Agencies (hereinafter
14 referred to as "SRMAs") for the MTS under Presi-
15 dential Policy Directive 21, with further delegation
16 of responsibilities to agencies such as the Coast
17 Guard and the Transportation Security Administra-
18 tion as outlined in implementing documents.

19 (4) Executive Order 14116, issued by President
20 Biden in February 2024, expands the United States
21 Coast Guard's regulatory authorities to strengthen
22 MTS cybersecurity.

23 (5) The Coast Guard issued a final cybersecu-
24 rity rule, "Cybersecurity in the Marine Transpor-
25 tation System", establishing mandatory incident re-
26 porting for regulated entities, significantly expand-

1 ing the Coast Guard’s cybersecurity oversight re-
2 sponsibilities.

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

9 (7) The Coast Guard remains underfunded and
10 understaffed for the purpose of sector risk manage-
11 ment.

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

15 (9) A Government Accountability Office audit is
16 necessary to assess the budget and capabilities of
17 the Coast Guard as an SRMA to ensure it can fulfill
18 responsibilities for protecting the MTS against cyber
19 threats.

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

22 (a) GAO REVIEW.—Not later than 270 days after the
23 date of enactment of this Act, the Comptroller General
24 of the United States shall conduct a review to assess the

1 funding and resource needs of the Coast Guard to fulfill
2 the SRMA responsibilities of the Coast Guard, including—

3 (1) an evaluation of the sufficiency of Coast
4 Guard funding for the sector risk management re-
5 sponsibilities, including funding for cybersecurity
6 personnel, training, and enforcement, in light of
7 statutory requirements under section 9002 of the
8 National Defense Authorization Act for Fiscal Year
9 2021 and additional requirements in Presidential
10 Policy Directive 21;

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

14 (3) the sufficiency of guidance provided to in-
15 dustry stakeholders on implementing and complying
16 with cyber regulations, assessed against applicable
17 statutory requirements, Federal regulatory bench-
18 marks, and widely recognized industry best practices
19 for maritime cybersecurity.

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

23 (1) the Committee on Commerce, Science, and
24 Transportation, the Committee on Appropriations,

1 and the Committee on Homeland Security and Gov-
2 ernmental Affairs of the Senate; and

3 (2) the Committee on Transportation and In-
4 frastructure, the Committee on Appropriations, and
5 the Committee on Homeland Security of the House
6 of Representatives.

7 **SEC. 4. DEFINITIONS.**

8 In this Act:

9 (1) MARINE TRANSPORTATION SYSTEM.—The
10 term “marine transportation system” means navi-
11 gable waterways, ports, terminals, intermodal con-
12 nections, vessels, and related infrastructure that fa-
13 cilitate the movement of goods and people by water.

14 (2) SECTOR RISK MANAGEMENT AGENCY;
15 SRMA.—The term “Sector Risk Management Agen-
16 cy” or “SRMA” has the meaning given the term
17 “Sector Risk Management Agency” in section 2200
18 of the Homeland Security Act of 2002 (6 U.S.C.
19 650).