



## COMMITTEE ON HOMELAND SECURITY

### *H.R. 3243, the “Pipeline Security Act”*

#### *As Introduced by Representative Emanuel Cleaver (D-MO)*

*Original Cosponsors in the 117th Congress: Rep. Bennie G. Thompson (D-MS), Rep. John Katko (R-NY), Rep. Bonnie Watson Coleman (D-NJ), Rep. Yvette D. Clarke (D-NY), Rep. Sheila Jackson Lee (D-TX), Rep. James Langevin (D-RI), Rep. Lou Correa (D-CA), Rep. Al Green (D-TX), Rep. Eric Swalwell (D-CA), Rep. Dina Titus (D-NV), Rep. Nanette D. Barragán (D-CA), Rep. Elaine Luria (D-VA), Rep. Ritchie Torres (D-NY), and Rep. Carlos Gimenez (R-FL)*

In May 2021, the Colonial Pipeline – which supplies approximately 45% of the refined oil used on the East Coast – was shut down for multiple days after suffering a ransomware attack. Directly as a result of this cybersecurity incident, gas stations and airports along the East Coast experienced fuel shortages, highlighting the importance and vulnerability of our nation’s critical pipeline infrastructure.

Since its inception in the aftermath of the September 11<sup>th</sup> attacks, the Transportation Security Administration (TSA) has been the primary federal entity responsible for protecting against cyberattacks, terrorist attacks, and other malign efforts to disrupt the more than 2.7 million miles of pipelines that distribute hazardous liquids across the country. These pipelines not only transport the oil that powers our vehicles, but also the gas that heats our homes and generates electricity. Although TSA’s efforts have succeeded in preventing prior major disruptions, in 2019, the Government Accountability Office noted that TSA had yet to sufficiently update its pipeline security plans to account for emerging threats, such as cyberattacks. In the aftermath of the Colonial Pipeline hack, it is imperative that we redouble our support for TSA’s pipeline security mission and increase TSA’s engagement with relevant public and private stakeholders. The Pipeline Security Act does this by:

- **Codifying the Pipeline Security Section at TSA and Clarifying Its Statutory Responsibilities.** Although TSA has led the federal government’s pipeline security efforts for nearly 20 years, the division that carries out these critical functions has yet to be

codified into law. This legislation provides permanence to the Pipeline Security Section, thereby fully recognizing the importance of its mission. This legislation also explicitly articulates TSA's pipeline security responsibilities, ensuring TSA, in coordination with the Cybersecurity and Infrastructure Security Agency (CISA), is fully empowered to secure pipelines and pipeline facilities from cyberattacks, terrorist attacks, and other nefarious efforts to target pipeline infrastructure.

- **Directing TSA to Update Security Guidance, Conduct Risk Assessments, and Inspect Pipelines.** Under this legislation, the Pipeline Security Section will be required to update TSA's pipeline security guidance within one year of enactment. The bill also ensures the Pipeline Security Section is responsible for:
  - Developing and maintaining security guidance to help guard pipelines against cyberattacks, terrorist attacks, and other threats, in coordination with federal, state, local, private sector, and other stakeholders;
  - Conducting security assessments of specific pipelines, and issuing recommendations to pipeline operators regarding their security plans, policies, and practices; and
  - Ranking the relative security risk of pipelines and inspecting the most critical facilities.

In carrying out these tasks, the Pipeline Security Division will be staffed by leadership with knowledge of the pipeline industry and personnel with appropriate cybersecurity expertise.

- **Requiring TSA to Create a Pipeline Security Personnel Strategy.** In 2019, the section at TSA responsible for pipeline security had only six full-time employees fully dedicated to pipeline security and, like much of the federal government, was lacking in cybersecurity expertise. Today, the section has 34 full-time employees and is bolstering its cybersecurity capabilities. This legislation will help TSA build on these efforts by requiring the agency, in coordination with CISA, to develop a personnel strategy for its pipeline security operations.
- **Enhancing Pipeline Security Oversight and Stakeholder Engagement.** This legislation will require TSA to report annually to Congress regarding the activities of the newly codified Pipeline Security Section. This will include updates regarding the security guidelines, assessments, and inspections required under the bill. Within one year of enactment, TSA will also be required to consult with pipeline stakeholders to discuss security matters. Within two years of enactment, the Government Accountability Office will conduct a review of the legislation's implementation.