

117TH CONGRESS  
2D SESSION

# H. R. 6487

To require the inspection of certain foreign cranes before use at a United States port, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2022

Mr. GIMENEZ introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To require the inspection of certain foreign cranes before use at a United States port, 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 “Port Crane Security  
5 and Inspection Act of 2022”.

6 **SEC. 2. FOREIGN CRANE INSPECTION TRANSPORTATION**  
7 **AND PORT SECURITY AND MARITIME SECU-**  
8 **RITY ENHANCEMENT.**

9 (a) IN GENERAL.—With respect to newly constructed  
10 foreign cranes procured for use at a United States port

1 determined by the Secretary to be of high risk to port se-  
2 curity or maritime transportation security and that con-  
3 nect to the cybersecurity network of such port, the Sec-  
4 retary of Homeland Security shall, acting through the Cy-  
5 bersecurity and Infrastructure Security Agency, before  
6 such crane is placed into service at such port, inspect such  
7 crane for potential security vulnerabilities.

8 (b) SECURITY VULNERABILITY ASSESSMENTS.—Not  
9 later than 180 days after the date of enactment of this  
10 Act, the Secretary shall assess the threat posed by security  
11 vulnerabilities of any existing or newly constructed foreign  
12 cranes.

13 (c) REPORT TO CONGRESS.—Not later than 1 year  
14 after the date of enactment of this Act, the Secretary shall  
15 brief the Committee on Homeland Security of the House  
16 of Representatives and the Committee on Homeland Secu-  
17 rity and Governmental Affairs of the Senate regarding  
18 critical and high-risk foreign crane security vulnerabilities  
19 posed by existing or newly constructed foreign cranes  
20 within United States ports.

21 (d) DEFINITIONS.—In this section:

22 (1) COVERED FOREIGN COUNTRY.—The term  
23 “covered foreign country” means a country that—

1 (A) the intelligence community has identi-  
2 fied as a foreign adversary in its most recent  
3 Annual Threat Assessment; or

4 (B) the Secretary of Homeland Security,  
5 in coordination with the Director of National  
6 Intelligence, has identified as a foreign adver-  
7 sary that is not included in such Annual Threat  
8 Assessment.

9 (2) FOREIGN CRANE.—The term “foreign  
10 crane” means a crane for which any software or  
11 other technology in such crane that is connected into  
12 cyber infrastructure at a port located in the United  
13 States was, in whole or in part, manufactured by an  
14 entity that is owned or controlled by, is a subsidiary  
15 of, or is otherwise related legally or financially to a  
16 corporation based in a covered foreign country.

17 **SEC. 3. FOREIGN CRANE PROHIBITION.**

18 (a) IN GENERAL.—Notwithstanding any other provi-  
19 sion of law, a foreign crane—

20 (1) for which a contract was entered into on or  
21 after the date of enactment of this Act may not be  
22 operated at a port located in the United States; and

23 (2) operated at a port located in the United  
24 States may not operate foreign software on any date

1 after the date which is 5 years after the date of en-  
2 actment of this Act.

3 (b) DEFINITIONS.—In this section:

4 (1) COVERED FOREIGN COUNTRY.—The term  
5 “covered foreign country” means a country that—

6 (A) the intelligence community has identi-  
7 fied as a foreign adversary in its most recent  
8 Annual Threat Assessment; or

9 (B) the Secretary of Homeland Security,  
10 in coordination with the Director of National  
11 Intelligence, has identified as a foreign adver-  
12 sary that is not included in such Annual Threat  
13 Assessment.

14 (2) FOREIGN CRANE.—The term “foreign  
15 crane” means a crane for which any software or  
16 other technology in such crane that is connected into  
17 cyber infrastructure at a port located in the United  
18 States was, in whole or in part, manufactured by an  
19 entity that is owned or controlled by, is a subsidiary  
20 of, or is otherwise related legally or financially to a  
21 corporation based in a covered foreign country.

22 (3) FOREIGN SOFTWARE.—The term “foreign  
23 software” means software or other technology in a  
24 foreign crane that is connected into cyber infrastruc-  
25 ture at a port located in the United States was, in

- 1 whole or in part, manufactured by a company wholly
- 2 owned by a covered foreign country.

