

119TH CONGRESS
1ST SESSION

S. _____

To require the Secretary of Defense and the Secretary of State to monitor efforts by the People’s Republic of China to build or buy strategic foreign ports, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BUDD (for himself and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Defense and the Secretary of State to monitor efforts by the People’s Republic of China to build or buy strategic foreign ports, 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 “Strategic Ports Re-
5 porting Act”.

1 **SEC. 2. MAPPING AND STRATEGY REQUIRED.**

2 (a) MAPPING OF GLOBAL PORTS.—The Secretary of
3 State, in coordination with the Secretary of Defense,
4 shall—

5 (1) develop an updated, global mapping of for-
6 eign and domestic ports identified to be of impor-
7 tance to the United States, because of a capability
8 to provide military, diplomatic, economic, or resource
9 exploration superiority; and

10 (2) identify any efforts by the Government of
11 the People’s Republic of China (in this Act referred
12 to as the “PRC”) or other PRC entities to build,
13 buy, or otherwise control, directly or indirectly, such
14 ports.

15 (b) SUBMISSION OF MAP.—The Secretary of State,
16 in coordination with the Secretary of Defense, shall submit
17 the mapping developed pursuant to subsection (a) to the
18 appropriate congressional committees. Such submission
19 shall be in unclassified form, but may include a classified
20 annex.

21 **SEC. 3. DEPARTMENT OF STATE AND DEPARTMENT OF DE-**
22 **FENSE STUDY AND REPORT ON STRATEGIC**
23 **PORTS.**

24 (a) STUDY REQUIRED.—The Secretary of State, in
25 coordination with the Secretary of Defense, shall conduct
26 a study of—

1 (1) strategic ports;

2 (2) the reasons such ports are of interest to the
3 United States;

4 (3) the activities and plans of the Government
5 of the PRC to expand its control over strategic ports
6 outside of the PRC;

7 (4) the public and private actors, such as China
8 Ocean Shipping Company, that are executing and
9 supporting the activities and plans of the Govern-
10 ment of the PRC to expand its control over strategic
11 ports outside of the PRC;

12 (5) the activities and plans of the Government
13 of the PRC to expand its control over maritime lo-
14 gistics by promoting products, such as LOGINK,
15 and setting industry standards outside the PRC;

16 (6) how the control by the Government of the
17 PRC over strategic ports outside of the PRC could
18 harm the national security or economic interests of
19 the United States and allies and partners of the
20 United States; and

21 (7) measures the United States Government
22 could take to ensure open access and security for
23 strategic ports and offer alternatives to PRC invest-
24 ments or stakes in strategic ports.

1 (b) CONDUCT OF STUDY.—The Secretary of State
2 and the Secretary of Defense may enter into an arrange-
3 ment with a federally funded research and development
4 center under which the center shall conduct the study re-
5 quired under subsection (a).

6 (c) REPORT.—

7 (1) IN GENERAL.—Not later than one year
8 after the date of the enactment of this Act, the Sec-
9 retary of State, in coordination with the Secretary of
10 Defense, shall submit to the appropriate congress-
11 sional committees a report on the findings of the
12 study conducted under subsection (a).

13 (2) ELEMENTS.—The report required by para-
14 graph (1) shall include—

15 (A) a detailed list of all known strategic
16 ports operated, controlled, or owned, directly or
17 indirectly, by the PRC or by a foreign person
18 of the PRC, and an assessment of the national
19 security and economic interests relevant to each
20 such port;

21 (B) a detailed list of all known strategic
22 ports operated, controlled, or owned, directly or
23 indirectly, by the United States or United
24 States persons and an assessment of the na-

1 tional security and economic interests relevant
2 to each such port;

3 (C) an assessment of vulnerabilities of—

4 (i) ports operated, controlled, or
5 owned, directly or indirectly, by the United
6 States; and

7 (ii) strategic ports;

8 (D) an analysis of the activities and ac-
9 tions of the Government of the PRC to gain
10 control or ownership over strategic ports, in-
11 cluding promoting products, such as LOGINK,
12 and setting industry standards;

13 (E) an assessment of how the Government
14 of the PRC plans to expand its control over
15 strategic ports outside of the PRC;

16 (F) a suggested strategy, developed in con-
17 sultation with the heads of the relevant United
18 States Government offices, that suggests
19 courses of action to secure trusted investment
20 and ownership of strategic ports and maritime
21 infrastructure, protect such ports and infra-
22 structure from PRC control, and ensure open
23 access and security for such ports, that in-
24 cludes—

- 1 (i) a list of relevant existing authori-
2 ties that can be used to carry out the
3 strategy;
- 4 (ii) a list of any additional authorities
5 necessary to carry out the strategy;
- 6 (iii) an assessment of products owned
7 by the Government of the PRC or by an
8 entity headquartered in the PRC that are
9 used in connection with strategic ports or
10 maritime infrastructure;
- 11 (iv) an assessment of the costs to—
- 12 (I) secure such trusted invest-
13 ment and ownership;
- 14 (II) replace products owned by
15 the Government of the PRC or an en-
16 tity headquartered in the PRC that
17 are used in connection with such
18 ports; and
- 19 (III) enhance transparency
20 around the negative impacts of PRC
21 control over strategic ports; and
- 22 (v) a list of funding sources to secure
23 trusted investment and ownership of stra-
24 tegic ports, which shall include—

1 (I) an identification of private
2 funding sources; and

3 (II) an identification of public
4 funding sources, including loans, loan
5 guarantees, and tax incentives;

6 (G) a suggested strategy for Federal agen-
7 cies to maintain an up-to-date list of strategic
8 ports; and

9 (H) an assessment of any national security
10 threat posed by such investments or activities to
11 United States diplomatic and defense personnel
12 and facilities in the vicinity of such ports, in-
13 cluding through cyber threats, electronically en-
14 abled espionage, or other means.

15 (3) FORM OF REPORT.—The report required by
16 paragraph (1) shall be submitted in unclassified
17 form, but may include a classified annex.

18 **SEC. 4. DEFINITIONS.**

19 In this Act:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Transportation and
24 Infrastructure, the Committee on Energy and
25 Commerce, the Committee on Armed Services,

1 the Committee on Foreign Affairs, and the Per-
2 manent Select Committee on Intelligence of the
3 House of Representatives; and

4 (B) the Committee on Commerce, Science,
5 and Transportation, the Committee on Armed
6 Services, the Committee on Foreign Relations,
7 and the Select Committee on Intelligence of the
8 Senate.

9 (2) RELEVANT UNITED STATES GOVERNMENT
10 OFFICES.—The term “relevant United States Gov-
11 ernment offices” means—

- 12 (A) the Unified Combatant Commands;
13 (B) the Office of the Secretary of Defense;
14 (C) the Office of the Secretary of State;
15 (D) the United States International Devel-
16 opment Finance Corporation;
17 (E) the Office of the Director of National
18 Intelligence; and
19 (F) the Maritime Administration of the
20 Department of Transportation.

21 (3) STRATEGIC PORT.—The term “strategic
22 port” means an international port or waterway that
23 the heads of the relevant United States Government
24 offices determine is critical to the national security
25 or economic prosperity of the United States.