

118TH CONGRESS
2D SESSION

S. _____

To require a report on the threats posed by control of strategic ports by the People's Republic of China.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO (for himself, Mr. KELLY, and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require a report on the threats posed by control of strategic ports by the People's Republic of China.

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”.

6 **SEC. 2. REPORT ON THREATS POSED BY CONTROL OF**
7 **STRATEGIC PORTS BY THE PEOPLE’S REPUB-**
8 **LIC OF CHINA.**

9 (a) STUDY REQUIRED.—The Secretary of Defense
10 shall conduct 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 People's Republic of China to expand its con-
6 trol over strategic ports outside the People's Repub-
7 lic of China;

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

14 (5) the activities and plans of the Government
15 of the People's Republic of China to expand its con-
16 trol over maritime logistics by promoting products,
17 such as LOGINK, and setting industry standards
18 outside the People's Republic of China;

19 (6) how the control by the Government of the
20 People's Republic of China over strategic ports out-
21 side the People's Republic of China could harm the
22 national security or economic interests of the United
23 States and allies and partners of the United States;
24 and

1 (7) measures the United States Government
2 could take to ensure open access and security for
3 strategic ports.

4 (b) CONDUCT OF STUDY.—The Secretary of Defense
5 may enter into an arrangement with a federally funded
6 research and development center under which the center
7 shall conduct the study described in subsection (a).

8 (c) REPORT REQUIRED.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act, the Sec-
11 retary of Defense shall submit to the appropriate
12 congressional committees a report on the findings of
13 the study conducted under subsection (a).

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

16 (A) a detailed list of all known strategic
17 ports operated, controlled, or owned, directly or
18 indirectly, by the People’s Republic of China
19 and an assessment of the national security and
20 economic interests relevant to each 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 and an assess-
24 ment of the national security and economic in-
25 terests relevant to each such port;

- 1 (C) an assessment of vulnerabilities of—
- 2 (i) ports operated, controlled, or
- 3 owned, directly or indirectly, by the United
- 4 States; and
- 5 (ii) strategic ports;
- 6 (D) an analysis of the activities and ac-
- 7 tions of the Government of the People’s Repub-
- 8 lic of China to gain control or ownership over
- 9 strategic ports, including promoting products,
- 10 such as LOGINK, and setting industry stand-
- 11 ards;
- 12 (E) an assessment of how the Government
- 13 of the People’s Republic of China plans to ex-
- 14 pand its control over strategic ports outside of
- 15 the People’s Republic of China;
- 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, to protect such ports and infra-
- 22 structure from the control of the Government of
- 23 the People’s Republic of China, and to ensure
- 24 open access and security for such ports, that in-
- 25 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 People's Repub-
8 lic of China or an entity affiliated with
9 such government that are used in connec-
10 tion with strategic ports or maritime infra-
11 structure;

12 (iv) an assessment of costs to secure
13 trusted investment and ownership of stra-
14 tegic ports and replace products owned by
15 the Government of the People's Republic of
16 China or an entity affiliated with such gov-
17 ernment that are used in connection with
18 such ports; and

19 (v) a list of funding sources to secure
20 trusted investment and ownership of stra-
21 tegic ports, which shall include—

22 (I) an identification of private
23 funding sources; and

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

4 (G) a suggested strategy for Federal agen-
5 cies to maintain an up-to-date list of strategic
6 ports.

7 (3) FORM.—The report required by paragraph
8 (1) shall be submitted in unclassified form, but may
9 include a classified annex if necessary.

10 (d) DEFINITIONS.—In this section:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Commerce, Science,
15 and Transportation, the Committee on Armed
16 Services, and the Select Committee on Intel-
17 ligence of the Senate; and

18 (B) the Committee on Transportation and
19 Infrastructure, the Committee on Energy and
20 Commerce, the Committee on Armed Services,
21 and the Permanent Select Committee on Intel-
22 ligence of the House of Representatives.

23 (2) RELEVANT UNITED STATES GOVERNMENT
24 OFFICES.—The term “relevant United States Gov-
25 ernment offices” means—

- 1 (A) the Unified Combatant Commands;
2 (B) the Office of the Secretary of Defense;
3 (C) the United States International Devel-
4 opment Finance Corporation;
5 (D) the Export-Import Bank of the United
6 States;
7 (E) the Office of the Director of National
8 Intelligence; and
9 (F) the Maritime Administration of the
10 Department of Transportation.
- 11 (3) STRATEGIC PORT.—The term “strategic
12 port” means an international port or waterway that
13 the heads of the relevant United States Government
14 offices determine is critical to the national security
15 or economic prosperity of the United States.