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AMENDMENT NO. _____ Calendar No. _____

Purpose: To require a review of port and port-related infrastructure purchases and investments critical to the interests and national security of the United States made by the Government of the People's Republic of China and entities directed or backed by the Government of the People's Republic of China.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

H. R. 4350

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GPO: 2018 33-682 (mac)

AMENDMENT intended to be proposed by Mr. BENNET to the amendment (No. 3867) proposed by Mr. REED

Viz:

- 1 At the end of subtitle E of title XII, add the fol-
- 2 lowing:

1 **SEC. 1253. REVIEW OF PORT AND PORT-RELATED INFRA-**
2 **STRUCTURE PURCHASES AND INVESTMENTS**
3 **MADE BY THE GOVERNMENT OF THE PEO-**
4 **PLE'S REPUBLIC OF CHINA AND ENTITIES DI-**
5 **RECTED OR BACKED BY THE GOVERNMENT**
6 **OF THE PEOPLE'S REPUBLIC OF CHINA.**

7 (a) IN GENERAL.—The Secretary of State, in coordi-
8 nation with the Director of National Intelligence, the Sec-
9 retary of Defense, and the head of any other agency the
10 Secretary of State considers necessary, shall conduct a re-
11 view of port and port-related infrastructure purchases and
12 investments critical to the interests and national security
13 of the United States made by—

14 (1) the Government of the People's Republic of
15 China;

16 (2) entities directed or backed by the Govern-
17 ment of the People's Republic of China; and

18 (3) entities with beneficial owners that include
19 the Government of the People's Republic of China or
20 a private company controlled by the Government of
21 the People's Republic of China.

22 (b) ELEMENTS.—The review required by subsection
23 (a) shall include the following:

24 (1) A list of port and port-related infrastructure
25 purchases and investments described in that sub-
26 section, prioritized in order of the purchases or in-

1 vestments that pose the greatest threat to United
2 States economic, defense, and foreign policy inter-
3 ests.

4 (2) An analysis of the effects the consolidation
5 of such investments, or the assertion of control by
6 the Government of the People's Republic of China
7 over entities described in paragraph (2) or (3) of
8 that subsection, would have on Department of State,
9 Office of the Director of National Intelligence, and
10 Department of Defense contingency plans.

11 (3) A description of past and planned efforts by
12 the Secretary of State, the Director of National In-
13 telligence, and the Secretary of Defense to address
14 such purchases, investments, and consolidation of in-
15 vestments or assertion of control.

16 (c) COORDINATION WITH OTHER FEDERAL AGEN-
17 CIES.—In conducting the review required by subsection
18 (a), the Secretary of State may coordinate with the head
19 of any other Federal agency, as the Secretary of State
20 considers appropriate.

21 (d) REPORT.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, the Sec-
24 retary of State shall submit to the appropriate com-

1 mittees of Congress a report on the results of the re-
2 view under subsection (a).

3 (2) FORM.—The report required by paragraph
4 (1) shall be submitted in unclassified form, but may
5 contain a classified annex.

6 (e) DEFINITIONS.—In this section:

7 (1) APPROPRIATE COMMITTEES OF CON-
8 GRESS.—The term “appropriate committees of Con-
9 gress” means—

10 (A) the Committee on Armed Services, the
11 Committee on Foreign Relations, and the Select
12 Committee on Intelligence of the Senate; and

13 (B) the Committee on Armed Services, the
14 Committee on Foreign Affairs, and the Perma-
15 nent Select Committee on Intelligence of the
16 House of Representatives.

17 (2) PORT.—The term “port” means—

18 (A) any port—

19 (i) on the navigable waters of the
20 United States; or

21 (ii) that is considered by the Secretary
22 of State to be critical to United States in-
23 terests; and

24 (B) any harbor, marine terminal, or other
25 shoreside facility used principally for the move-

1 ment of goods on inland waters that the Sec-
2 retary of State considers critical to United
3 States interests.

4 (3) PORT-RELATED INFRASTRUCTURE.—The
5 term “port-related infrastructure” includes—

6 (A) crane equipment;

7 (B) logistics, information, and communica-
8 tions systems; and

9 (C) any other infrastructure the Secretary
10 of State considers appropriate.