

118TH CONGRESS
1ST SESSION

H. R. 3395

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

To direct the Chairman of the Federal Maritime Commission
to seek to enter into an agreement with a federally
funded research and development center to evaluate for-
eign ownership of marine terminals at the 15 largest
United States container 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 “U.S. Supply Chain
5 Security Review Act of 2023”.

6 **SEC. 2. STUDY ON FOREIGN PORTS.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of enactment of this Act, the Chairman of the Fed-
9 eral Maritime Commission shall seek to enter into an
10 agreement with a federally funded research and develop-
11 ment center to evaluate how foreign ownership of marine
12 terminals at the 15 largest United States container ports
13 affects or could affect United States economic security.

14 (b) CONTENTS.—In carrying out the study under
15 subsection (a), the center selected under such subsection
16 shall—

17 (1) consider—

18 (A) changes in ownership of the 15 largest
19 United States container ports over the past 10
20 years as well as announced ownership changes
21 from 2023 and 2024;

22 (B) instances of ownership in individual
23 marine terminals and cumulative ownership by
24 Chinese or Russian entities or nationals;

1 (C) instances of ownership in individual
2 marine terminals and cumulative ownership by
3 any foreign entity;

4 (D) the amount of—

5 (i) Port Infrastructure Development
6 Grant funds since fiscal year 2018 that
7 have gone to ports and marine terminals
8 that are owned wholly or partially foreign
9 owned; and

10 (ii) Port Security Grant funds since
11 fiscal year 2003 that have gone to ports
12 and marine terminals that are owned whol-
13 ly or partially foreign owned; and

14 (E) where ownership exists, a detailed de-
15 scription of foreign operational control includ-
16 ing both affirmative and negative control; and
17 (2) offer recommendations on—

18 (A) policies by ports and marine terminal
19 operators to prevent excessive foreign ownership
20 that could threaten United States economic se-
21 curity;

22 (B) whether ownership affords the foreign
23 owner access to operational technology and in-
24 formation unique to the United States and oth-
25 erwise unavailable; and

1 (C) whether foreign ownership has or could
2 affect the supply chain and policies related to
3 the prioritization of certain cargoes.

4 (c) REPORT.—Not later than 1 year after the initi-
5 ation of the evaluation under subsection (a), the Chairman
6 of the Federal Maritime Commission shall submit to the
7 Committee on Commerce, Science, and Transportation of
8 the Senate and the Committee on Transportation and In-
9 frastructure of the House of Representatives the results
10 of such evaluation.

Passed the House of Representatives July 26, 2023.

Attest: KEVIN F. MCCUMBER,
Clerk.