

SOO LOCKS SECURITY AND ECONOMIC REPORTING ACT
OF 2023

JULY 10, 2023.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GRAVES of Missouri, from the Committee on Transportation
and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3399]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 3399) to study the security of the Soo
Locks and effects on the supply chain resulting from a malfunction
or failure of the Soo Locks, and for other purposes, having consid-
ered the same, reports favorably thereon without amendment and
recommends that the bill do pass.

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PURPOSE OF LEGISLATION

The purpose of H.R. 3399 is to report on the security of the Soo Locks in Sault Ste. Marie, Michigan, and the effects on the supply chain resulting from a malfunction or failure of the Soo Locks.

BACKGROUND AND NEED FOR LEGISLATION

The Soo Locks are an important passage for international commerce between the United States and Canada, facilitating approximately 7,000 cargo ship passages per year. Prior research conducted by the Department of Homeland Security’s Office of Cyber and Infrastructure Analysis estimated that a disruption to the Soo Locks would likely shutdown 75 percent of United States steel production, 80 percent of iron production, and 100 percent of the production of appliances, automobiles, construction equipment, farm equipment, mining equipment, and railcars in North America.¹ It further estimated that 11 million U.S. jobs would be directly impacted, and that the economy would enter a severe recession.² Recognizing the importance of the Soo Locks to the economy of the United States, the report required by H.R. 3399 will build on previous studies by reviewing the security posture at the locks to ensure their uninterrupted service and the economic impact of their malfunction.

HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 118th Congress, the following hearing was used to develop or consider H.R. 3399:

On February 1, 2023, the Committee on Transportation and Infrastructure held a hearing entitled, “*The State of Transportation Infrastructure and Supply Chain Challenges*.” The Committee received testimony from Mr. Chris Spear, President and Chief Executive Officer, American Trucking Associations; Mr. Ian Jefferies, President and Chief Executive Officer, Association of American Railroads; Mr. Jeff Firth, Vice President, Hamilton Construction, on behalf of Associated General Contractors of America; Mr. Roger Guenther, Executive Director, Port Houston; Mr. Greg Regan, President, Transportation Trades Department, AFL–CIO.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 3399, the “*Soo Locks Security and Economic Reporting Act of 2023*,” was introduced in the United States House of Representatives on May 17, 2023, by Mr. John James of Michigan and referred to the Committee on Transportation and Infrastructure. Within the Committee on Transportation and Infrastructure, H.R. 3399 was referred to the Subcommittee on Coast Guard and Maritime Transportation and the Subcommittee on Water Resources and Environment. The Subcommittee on Coast Guard and Maritime Transportation and the Subcommittee on Water Resources

¹THE PERILS OF EFFICIENCY: AN ANALYSIS OF AN UNEXPECTED CLOSURE OF THE POE LOCK AND ITS IMPACT, U.S. DEPARTMENT OF HOMELAND SECURITY, NATIONAL PROTECTION AND PROGRAMS DIRECTORATE, OFFICE OF CYBER AND INFRASTRUCTURE ANALYSIS (2015) *available at* <https://www.remi.com/wp-content/uploads/2021/08/DHS-OCIA-The-Perils-of-Efficiency-An-Analysis-of-an-Unexpected-Closure-of-the-Poe-Lock-and-Its-Impact.pdf>.

²*Id.*

and the Environment were discharged from further consideration of H.R. 3399 on May 23, 2023.

The Committee considered H.R. 3399 on May 23, 2023, and ordered the measure to be favorably reported to the House, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

No record votes were requested during consideration of H.R. 3399.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974* has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 3399 from the Director of the Congressional Budget Office:

H.R. 3399, Soo Locks Security and Economic Reporting Act of 2023			
As ordered reported by the House Committee on Transportation and Infrastructure on May 23, 2023			
By Fiscal Year, Millions of Dollars	2023	2023-2028	2023-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 3399 would require the Department of Transportation, in coordination with other agencies, to study security deficiencies and recommend security improvements to the Congress for the Soo Locks, which connect Lake Superior and Lake Huron.

Using information from the department, CBO estimates that the study and report would cost less than \$500,000; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Aaron Krupkin. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to study the security of the Soo Locks and effects on the supply chain resulting from a malfunction or failure of the Soo Locks, and for other purposes.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 3399 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act* (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the *Congressional Budget Act of 1974* requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 3399 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

The Committee finds that no advisory committees within the meaning of Section 5(b) of the appendix to title 5, United States Code, were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act* (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that this bill may be cited as the “*Soo Locks Security and Economic Reporting Act of 2023*.”

Section 2. Report on security and economic effects on supply chain of Soo Locks, Michigan

This section directs a report by the Department of Transportation, in coordination with the Commandant of the Coast Guard and the Department of Defense, to review security deficiencies with respect to the Soo Locks in Sault Ste. Marie, Michigan, highlight the economic impacts of their malfunction or failure, discuss any potential domestic or international threats, detail the current security structures in place by government agencies, and provide recommendations to improve their resiliency.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 3399 makes no changes in existing law.

