

AMENDMENT TO RULES COMMITTEE PRINT

119–33

OFFERED BY MR. ARRINGTON OF TEXAS

At the end of subtitle C of title XXVIII, add the following new section:

1 **SEC. 28___ . REPORT ON COUNTERINTELLIGENCE RISKS**
2 **ASSOCIATED WITH REAL PROPERTY TRANS-**
3 **ACTIONS NEAR MILITARY INSTALLATIONS.**

4 (a) **REPORT REQUIRED.**—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to the Committees on Armed Serv-
7 ices of the House of Representatives and the Senate a re-
8 port on efforts of the Department of Defense to identify,
9 assess, and mitigate counterintelligence, force protection,
10 operational security, and military readiness risks arising
11 from real property transactions located in proximity to
12 military installations and other defense-sensitive sites
13 within the United States.

14 (b) **REPORT ELEMENTS.**—The report required under
15 subsection (a) shall include—

16 (1) a description of the policies, procedures, au-
17 thorities, and resources used by the Department of
18 Defense to identify, assess, and mitigate national se-

1 security risks associated with real property acquisi-
2 tions, leases, concessions, development projects, and
3 other transactions located in proximity to military
4 installations and other defense-sensitive sites;

5 (2) an assessment of counterintelligence, force
6 protection, operational security, and military readi-
7 ness risks associated with foreign ownership, control,
8 influence, or investment involving property located in
9 the United States and within—

10 (A) 100 miles of a military installation, as
11 defined in section 2801(c)(4) of title 10, United
12 States Code; or

13 (B) 50 miles of—

14 (i) a military training route, as de-
15 fined in section 183a(h) of title 10, United
16 States Code;

17 (ii) airspace designated as special use
18 airspace under part 73 of title 14, Code of
19 Federal Regulations, and managed by the
20 Department of Defense;

21 (iii) a controlled firing area, as de-
22 fined in section 1.1 of title 14, Code of
23 Federal Regulations, used by the Depart-
24 ment of Defense; or

1 (iv) a military operations area, as de-
2 fined in section 1.1 of title 14, Code of
3 Federal Regulations;

4 (3) a specific assessment of risks associated
5 with transactions involving a foreign person owned
6 or controlled by, acting on behalf of, or subject to
7 the direction of—

8 (A) the Government of the People’s Repub-
9 lic of China;

10 (B) the Government of the Russian Fed-
11 eration;

12 (C) the Government of the Islamic Repub-
13 lic of Iran;

14 (D) the Government of the Democratic
15 People’s Republic of Korea; or

16 (E) a foreign terrorist organization des-
17 igned pursuant to section 219 of the Immi-
18 gration and Nationality Act (8 U.S.C. 1189);

19 (4) a description of the processes used by the
20 Department to coordinate with the Committee on
21 Foreign Investment in the United States and other
22 Federal departments and agencies regarding trans-
23 actions that may present national security concerns;

24 (5) a description of transactions identified by
25 the Department during the preceding three years as

1 presenting potential counterintelligence, force protec-
2 tion, operational security, military readiness, or
3 other national security concerns, including—

4 (A) the number and general nature of such
5 transactions;

6 (B) the basis for the Department's con-
7 cern, as appropriate;

8 (C) actions taken by the Department to as-
9 sess, mitigate, or otherwise address such con-
10 cerns; and

11 (D) coordination undertaken with the
12 Committee on Foreign Investment in the
13 United States or other Federal departments
14 and agencies in connection with such trans-
15 actions; and

16 (6) an assessment of any gaps in authorities,
17 resources, personnel, intelligence collection, or infor-
18 mation sharing capabilities that limit the ability of
19 the Department to identify, assess, or mitigate such
20 risks, together with recommendations for legislative
21 action.

22 (c) FORM.—The report required by subsection shall
23 be submitted in unclassified form but may include a classi-
24 fied annex.

1 (d) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Department of Defense should strengthen
3 and maintain counterintelligence activities, threat aware-
4 ness, and interagency coordination relating to real prop-
5 erty transactions and development activities that may fa-
6 cilitate foreign intelligence collection or otherwise threaten
7 the security of military installations and defense-sensitive
8 sites within the United States, or otherwise present coun-
9 terintelligence, intelligence collection, surveillance, oper-
10 ational security, force protection, or military readiness
11 risks.

