

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MR. ROY OF TEXAS

At the end of subtitle A of title XVII, insert the following:

1 **SEC. 17__.** **PROHIBITION ON HOSTILE FOREIGN PUR-**
2 **CHASE OF AMERICAN REAL PROPERTY.**

3 (a) **BANS ON PURCHASES.**—Beginning on the date
4 of enactment of this Act, no covered person may purchase
5 sensitive area real property in the United States.

6 (b) **ENFORCEMENT.**—Notwithstanding any other
7 provision of law, the Secretary of Defense shall prescribe
8 rules and regulations to prohibit the purchase of sensitive
9 area real property located in the United States by a cov-
10 ered person.

11 (c) **DEFINITIONS.**—For the purposes of this section:

12 (1) The term “covered person” means—

13 (A) an individual who is a citizen of a for-
14 eign country of concern and who is not also a
15 citizen of the United States;

16 (B) a corporation with a majority owner-
17 ship stake by such an individual;

1 (C) a government or unit of local govern-
2 ment of a foreign country of concern;

3 (D) a nongovernmental organization, enti-
4 ty, or corporation organized and existing under
5 the laws of a foreign country of concern;

6 (E) a foreign entity of concern, including
7 a corporation with any ownership stake by a
8 foreign entity of concern; and

9 (F) a foreign adversary, a state sponsor of
10 terrorism, any agent or instrumentality of a
11 foreign adversary or a state sponsor of ter-
12 rorism, or any person owned or controlled by,
13 or affiliated with, a foreign adversary or a state
14 sponsor of terrorism.

15 (2) The term “foreign adversary” means any
16 foreign government or foreign nongovernment person
17 engaged in a long-term pattern or serious instances
18 of conduct significantly adverse to the national secu-
19 rity of the United States or security and safety of
20 United States persons.

21 (3) The term “Foreign Country of Concern”
22 has the meaning given to it in section 10612(a)(1)
23 of the CHIPS and Science Act (42 U.S.C. 19221).

1 (4) The term “Foreign Entity of Concern” has
2 the meaning given to it in section 10612(a)(2) of the
3 CHIPS and Science Act (42 U.S.C. 19221).

4 (5) The term “sensitive area real property” —
5 (A) means any real property located in the
6 United States that is—

7 (i) located within 100 miles of a
8 United States military installation (as such
9 term is defined in section 2801(c)(4) of
10 title 10, United States Code); or

11 (ii) located within 100 miles of a facil-
12 ity or location designated by the Secretary
13 of Defense to be—

14 (I) essential to the defense indus-
15 trial base or national defense;

16 (II) essential to critical mineral
17 extraction or processing used in na-
18 tional defense;

19 (III) essential to national defense
20 manufacturing capabilities or techno-
21 logical development; or

22 (IV) critical defense transpor-
23 tation infrastructure; and

24 (B) does not include any real property if
25 the Secretary of Defense specifically identifies

1 such real property in writing as being exempt
2 from this section.

3 (6) The term “state sponsor of terrorism”
4 means a country the government of which the Sec-
5 retary of State determines has repeatedly provided
6 support for international terrorism pursuant to—

7 (A) section 1754(c)(1)(A) of the Export
8 Control Reform Act of 2018 (50 U.S.C.
9 4318(c)(1)(A));

10 (B) section 620A of the Foreign Assistance
11 Act of 1961 (22 U.S.C. 2371);

12 (C) section 40 of the Arms Export Control
13 Act (22 U.S.C. 2780); or

14 (D) any other provision of law.

15 (7) The term “real property” has the meaning
16 given to real property pursuant to 26 CFR 1.856-
17 10 as in effect on the date of the enactment of this
18 Act.

19 (8) The term “United States” means the sev-
20 eral States, the District of Columbia, the Common-
21 wealth of Puerto Rico, the Commonwealth of the
22 Northern Mariana Islands, American Samoa, Guam,
23 the United States Virgin Islands, and any other ter-
24 ritory or possession of the United States.

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