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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To place temporary restrictions on acquisitions by the People's Republic of China, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BANKS introduced the following bill; which was referred to the Committee on _____

A BILL

To place temporary restrictions on acquisitions by the People's Republic of China, 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. RESTRICTION ON ACQUISITIONS BY THE PEO-**
4 **PLE'S REPUBLIC OF CHINA.**

5 (a) IN GENERAL.—The Committee on Foreign In-
6 vestment in the United States shall review, and the Presi-
7 dent shall deny, any purchase of a controlling interest in
8 a covered company by a covered foreign interest, except
9 as provided by subsection (b).

1 (b) WAIVER.—The President may approve the pur-
2 chase of a controlling interest in a covered company by
3 a covered foreign interest if the President, acting through
4 the Committee on Foreign Investment in the United
5 States, determines—

6 (1) that it is not in the interest of the United
7 States to take further action under section 721 of
8 the Defense Production Act of 1950 (50 U.S.C.
9 4565) with respect to such purchase;

10 (2) that the purchase price was not significantly
11 affected by the COVID–19 pandemic; and

12 (3) that sale of the covered company to a cov-
13 ered foreign interest will not permit the covered for-
14 eign interest additional access to distribute propa-
15 ganda or otherwise alter U.S. news and media con-
16 sumption.

17 (c) SUNSET.—This section shall cease to have any
18 force or effect on and after the date on which the Presi-
19 dent—

20 (1) determines that the United States has sub-
21 stantially recovered from the economic impacts of
22 COVID–19; and

23 (2) notifies the Committee on Foreign Invest-
24 ment in the United States, the Congress, and the
25 public of such determination.

1 (d) DEFINITIONS.—In this section:

2 (1) COVERED COMPANY.—The term “covered
3 company” means any company registered and doing
4 business in the United States that is—

5 (A) critical infrastructure, as described
6 section 721(a)(4)(D)(ii)(II) of the Defense Pro-
7 duction Act of 1950 (50 U.S.C.
8 4565(a)(4)(D)(iii)(II));

9 (B) engaged in the production and dis-
10 semination of news media; or

11 (C) otherwise determined to be critical to
12 national security, critical infrastructure, or cul-
13 turally significant by the President.

14 (2) COVERED FOREIGN INTEREST.—The term
15 “covered foreign interest” shall mean—

16 (A) the government of the People’s Repub-
17 lic of China;

18 (B) any entity partially or wholly owned or
19 controlled by the government of the People’s
20 Republic of China, and any subsidiaries of such
21 an entity;

22 (C) any other entity registered in the Peo-
23 ple’s Republic of China with substantial ties to
24 the government of the People’s Republic of
25 China; and

1 (D) any other entity that the President de-
2 termines to be subject to the control (as defined
3 under section 721(a)(3) of the Defense Produc-
4 tion Act of 1950 (50 U.S.C. 4565(a)(3))),
5 whether direct or indirect, of the government of
6 the People's Republic of China.