

## 116TH CONGRESS 2D SESSION

## H. R. 6706

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

## IN THE HOUSE OF REPRESENTATIVES

May 5, 2020

Mr. Banks introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

## 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	lie 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.

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