

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 5841  
OFFERED BY MR. AL GREEN OF TEXAS**

Page 9, after line 13, insert the following:

1                   “(iv) Any foreign investment in any  
2                   United States business that would materi-  
3                   ally benefit, directly or indirectly, the  
4                   President, the Vice President, or any high-  
5                   level official of the United States.”.

Page 13, after line 20, insert the following:

6                   “(E) HIGH-LEVEL OFFICIAL DEFINED.—  
7                   For purposes of subparagraph (B)(iv), the term  
8                   ‘high-level official’—  
9                   “(i) means—  
10                   “(I) any officer occupying a posi-  
11                   tion listed in section 5312 or section  
12                   5313 of title 5, United States Code,  
13                   having been nominated by the Presi-  
14                   dent and confirmed by the Senate to  
15                   that position; and  
16                   “(II) any individual appointed by  
17                   the President or Vice President to a

1 full-time non-career position in the  
2 Executive Office of the President; and  
3 “(ii) does not include any individual  
4 appointed as a member of the Senior For-  
5 eign Service or solely as a uniformed serv-  
6 ice commissioned officer.”.

Page 29, strike lines 13 through 24 and insert the following:

7 (a) IN GENERAL.—Section 721(d)(2) of the Defense  
8 Production Act of 1950 (50 U.S.C. 4565(d)(2)) is amend-  
9 ed by striking “paragraph (1) not later than 15 days” and  
10 all that follows and inserting the following: “paragraph  
11 (1)—

12 “(A) with respect to a covered transaction  
13 for which the Committee has recommended that  
14 the President suspend or prohibit the covered  
15 transaction because such transaction threatens  
16 to impair the national security of the United  
17 States, not earlier than 15 days after the date  
18 on which the Committee issued the report to  
19 Members of Congress described under para-  
20 graph (6)(A); or

21 “(B) with respect to any other covered  
22 transaction, not later than 15 days after the  
23 earlier of—

1                   “(i) the date on which the investiga-  
2                   tion of the transaction under subsection  
3                   (b) is completed; or

4                   “(ii) the date on which the Committee  
5                   otherwise refers the transaction to the  
6                   President under subsection (l)(4).”.

Page 30, after line 5, insert the following:

7           (c) NOTICE TO CONGRESS.—Section 721(d) of the  
8 Defense Production Act of 1950 (50 U.S.C. 4565(d)) is  
9 amended by adding at the end the following:

10           “(6) NOTICE TO CONGRESS.—

11                   “(A) NOTICE BY THE COMMITTEE.—If the  
12                   Committee recommends that the President sus-  
13                   pend or prohibit a covered transaction because  
14                   such transaction threatens to impair the na-  
15                   tional security of the United States, the Com-  
16                   mittee shall also issue a report on such rec-  
17                   ommendation to the Members of Congress de-  
18                   scribed under subsection (b)(3)(C)(iii).

19                   “(B) DECISIONS NOT BASED ON COM-  
20                   MITTEE RECOMMENDATIONS.—If the Presi-  
21                   dent’s decision with respect to suspending or  
22                   prohibiting a covered transaction is based on  
23                   any grounds other than the recommendation of  
24                   the Committee, the President shall issue a re-

1 port to the Members of Congress described  
2 under subsection (b)(3)(C)(iii) explaining the  
3 reasoning for the President's decision.”.

Page 43, after line 18, insert the following:

4 “(D) A list of all covered transactions de-  
5 scribed under subsection (a)(3)(B)(iv) that have  
6 been reviewed by the Committee.”.

