

118TH CONGRESS
1ST SESSION

S. 1136

To direct the President to take such actions as may be necessary to prohibit the purchase of public or private real estate located in the United States by citizens and entities of the People’s Republic of China, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Mr. COTTON (for himself and Mrs. BRITT) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To direct the President to take such actions as may be necessary to prohibit the purchase of public or private real estate located in the United States by citizens and entities of 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. SHORT TITLE.**

4 This Act may be cited as the “Not One More Inch
5 or Acre Act”.

1 **SEC. 2. PROHIBITION ON PURCHASE OF PUBLIC OR PRI-**
2 **VATE REAL ESTATE LOCATED IN THE UNITED**
3 **STATES BY CITIZENS AND ENTITIES OF THE**
4 **PEOPLE'S REPUBLIC OF CHINA.**

5 (a) IN GENERAL.—Notwithstanding any other provi-
6 sion of law, the President shall take such actions as may
7 be necessary—

8 (1) to prohibit the purchase, on or after the
9 date of the enactment of this Act, of public or pri-
10 vate real estate located in the United States by—

11 (A) any citizen of the People's Republic of
12 China;

13 (B) any covered foreign entity; or

14 (C) any foreign person acting for or on be-
15 half of the Chinese Communist Party, a covered
16 foreign entity, or a citizen of the People's Re-
17 public of China; and

18 (2) if the President determines that the owner-
19 ship, as of such date of enactment, by a person de-
20 scribed in subparagraph (A), (B), or (C) of para-
21 graph (1) of real estate located in the United States
22 poses a national security risk to the United States,
23 to require the sale of such real estate by not later
24 than the date that is one year after such date of en-
25 actment.

26 (b) EXCEPTIONS.—

1 (1) EXCEPTION FOR REFUGEES.—Subsection
2 (a) does not apply with respect to a citizen of the
3 People’s Republic of China who—

4 (A) entered the United States as a refugee
5 (as defined in section 101(a)(42) of the Immi-
6 gration and Nationality Act (8 U.S.C.
7 1101(a)(42))); or

8 (B) was granted asylum or withholding of
9 removal under section 208 or 241(b)(3) that
10 Act (8 U.S.C. 1158 and 1231(b)(3)).

11 (2) EXCEPTION FOR PROPERTY OF UNITED
12 STATES NATIONALS.—Subsection (a)(2) does not
13 apply with respect to the sale of real estate owned
14 or otherwise held for personal use by a United
15 States citizen or an alien lawfully admitted for per-
16 manent residence to the United States.

17 (c) DEFINITIONS.—In this section:

18 (1) COVERED FOREIGN ENTITY.—The term
19 “covered foreign entity” means an entity—

20 (A) acting on behalf of or otherwise di-
21 rected by the Government of the People’s Re-
22 public of China or the Chinese Communist
23 Party;

24 (B) that—

1 (i) is organized under the laws of the
2 People’s Republic of China;

3 (ii) has a principal place of business
4 in the People’s Republic of China; or

5 (iii) is owned or controlled by, or oth-
6 erwise subject to the jurisdiction of, the
7 Government of the People’s Republic of
8 China or the Chinese Communist Party; or

9 (C) that is a subsidiary of an entity de-
10 scribed in subparagraph (B).

11 (2) FOREIGN PERSON.—The term “foreign per-
12 son” means an individual or entity that is not a
13 United States person.

14 (3) UNITED STATES.—The term “United
15 States” means the several States, the District of Co-
16 lumbia, the Commonwealth of Puerto Rico, the Com-
17 monwealth of the Northern Mariana Islands, Amer-
18 ican Samoa, Guam, the United States Virgin Is-
19 lands, and any other territory or possession of the
20 United States.

21 (4) UNITED STATES PERSON.—The term
22 “United States person” means—

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

1 (B) an entity organized under the laws of
2 the United States or any jurisdiction within the
3 United States, including a foreign branch of
4 such an entity.

5 **SEC. 3. PENALTY AMOUNT UNDER AGRICULTURAL FOR-**
6 **EIGN INVESTMENT DISCLOSURE ACT OF 1978.**

7 Section 3(b) of the Agricultural Foreign Investment
8 Disclosure Act of 1978 (7 U.S.C. 3502(b)) is amended
9 by striking “exceed 25 percent of” and inserting “be less
10 than 10 percent, or exceed 25 percent, of”.

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