

Amendment to the Stauber ANS to H.R. 4090
Offered by Rep. Leger Fernández

Page 4, line 1, after “(B)”, insert “subject to paragraph (3),”.

Page 4, after line 4, insert:

(3) Foreign entities of concern.—Subparagraph (B) of paragraph (2) shall not apply to a mining project for which the applicant, claimant, or operator is, or is owned or operated by—

(A) a foreign entity of concern, or

(B) a subsidiary of a foreign entity of concern.

Page 4, after line 19, insert:

(c) Definition.—In this section, the term “foreign entity of concern” has the meaning given in section 40207(a)(5) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)(5)). In this section, a foreign entity of concern is “subject to the jurisdiction or direction of a government of a foreign country that is a covered nation” within the meaning of section 40207(a)(5)(C) of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741(a)(5)(C)) if such entity is more than 10 percent owned, directed, controlled, or financed, directly or indirectly, individually or in aggregate, by any individual that is the citizen, national, or permanent resident or is an entity subject to the jurisdiction of the government of a covered nation.