

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5841
OFFERED BY MR. SHERMAN OF CALIFORNIA**

Page 30, after line 8, insert the following:

1 (2) in paragraph (3), by striking the comma at
2 the end and inserting the following: “, including the
3 availability of human resources, products, tech-
4 nology, materials, and other supplies and services;”;

Page 30, line 16, strike “and” at the end.

Page 32, line 6, strike the period at the end and in-
sert “; and”.

Page 32, after line 6, insert the following:

5 (8) by adding at the end the following flush-left
6 text: “For purposes of this subsection, the phrase
7 ‘the availability of human resources’ shall be con-
8 strued to consider potential losses of such avail-
9 ability resulting from reductions in the employment
10 of United States persons whose knowledge or skills
11 are critical to national security, including the contin-
12 ued production in the United States of items that
13 are likely to be acquired by the Department of De-

1 fense or other Federal departments or agencies for
2 the advancement of the national security of the
3 United States.”.

Page 41, after line 9, insert the following:

4 **SEC. 311. ADDITIONAL REGULATIONS.**

5 Section 721(h)(3) of the Defense Production Act of
6 1950 (50 U.S.C. 4565(h)(3)) is amended—

7 (1) in subparagraph (B)(ii), by striking “and”
8 at the end;

9 (2) in subparagraph (C), by striking the period
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(D) provide that in connection with any
13 national security review or investigation of a
14 covered transaction conducted by the Com-
15 mittee, the Committee should—

16 “(i) consider the factors described in
17 paragraphs (2) and (3) of subsection (f);
18 and

19 “(ii) as appropriate, require parties to
20 provide the information necessary to con-
21 sider such factors.”.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5841
OFFERED BY MR. SHERMAN OF CALIFORNIA**

Page 14, strike lines 1 and 2 and insert the following: “ness by—

- 1 “(A) a foreign government;
- 2 “(B) a person controlled by or acting on
- 3 behalf of a foreign government; or
- 4 “(C) a foreign company or entity of a
- 5 country of special concern (as defined under
- 6 paragraph (3)(C)(i)(III)) domiciled or having
- 7 its principal place of business in a county of
- 8 special concern that is a non-market economy,
- 9 except to the extent the Committee promulgates
- 10 regulations exempting any such company, enti-
- 11 ty, or country from this presumption.”.

