

117TH CONGRESS  
2D SESSION

# H. R. 8595

To amend title 49, United States Code, to require the disclosure of a relationship with a foreign principal by any person who is required to submit an application for an energy project to the Secretary of Transportation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2022

Mr. CLOUD (for himself, Mrs. FLORES, Mrs. MILLER of Illinois, and Mr. ROSENDALE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, 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

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## A BILL

To amend title 49, United States Code, to require the disclosure of a relationship with a foreign principal by any person who is required to submit an application for an energy project to the Secretary of Transportation, 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 “Airspace Clearinghouse  
5 Enhancement Act” or the “ACE Act”.

1 **SEC. 2. STRUCTURES INTERFERING WITH AIR COMMERCE**  
2 **OR NATIONAL SECURITY.**

3 Section 44718 of title 49, United States Code, is  
4 amended—

5 (1) in subsection (f)—

6 (A) by striking “As part of an aeronautical  
7 study” and inserting the following:

8 “(1) IN GENERAL.—As part of an aeronautical  
9 study”;

10 (B) by redesignating paragraphs (1) and  
11 (2) as subparagraphs (A) and (B), respectively;  
12 and

13 (C) by adding at the end the following:

14 “(2) WRITTEN TESTIMONY REQUIRED.—

15 “(A) IN GENERAL.—In making the finding  
16 required under paragraph (1)(A), the Secretary  
17 of Defense shall—

18 “(i) elicit written testimony from the  
19 base commander of each military installa-  
20 tion—

21 “(I) located within a 25-mile ra-  
22 dius of the structure or sanitary land-  
23 fill described in such paragraph; and

24 “(II) that has a flight route with-  
25 in a 10-mile radius of such structure  
26 or sanitary landfill; and

1 “(ii) consider such written testimony  
2 in making such finding.

3 “(B) CONTENTS.—Each base commander  
4 of a military installation who submits written  
5 testimony under subparagraph (A) shall de-  
6 scribe the extent to which the proposed con-  
7 struction, alteration, establishment, or expan-  
8 sion of a structure or sanitary landfill would  
9 impact the operations, military readiness, and  
10 military training routes of such military instal-  
11 lation.”;

12 (2) in subsection (h) by adding at the end the  
13 following:

14 “(3) ENERGY PROJECT.—The term ‘energy  
15 project’ has the meaning given such term in section  
16 183a(h) of title 10.

17 “(4) FOREIGN PRINCIPAL; AGENT OF A FOR-  
18 EIGN PRINCIPAL.—The terms ‘foreign principal’ and  
19 ‘agent of a foreign principal’ have the meaning given  
20 such terms in section 1 of the Foreign Agents Reg-  
21 istration Act of 1938 (22 U.S.C. 611).”; and

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

23 “(i) SPECIAL RULE FOR ENERGY PROJECTS.—

24 “(1) IN GENERAL.—Any person who is required  
25 to submit an application for an energy project under

1 this section shall include in such application a disclo-  
2 sure of any relationship such person has with a for-  
3 eign principal or with an agent of a foreign prin-  
4 cipal.

5 “(2) INACCURATE DISCLOSURE OF RELATION-  
6 SHIP WITH FOREIGN PRINCIPAL.—

7 “(A) IN GENERAL.—The Secretary of  
8 Transportation, in consultation with the Attor-  
9 ney General of the United States, shall estab-  
10 lish a process to evaluate the accuracy of a dis-  
11 closure made under paragraph (1) and deter-  
12 mine whether a person has violated such para-  
13 graph.

14 “(B) INITIAL PENALTY FOR INACCURATE  
15 DISCLOSURE.—If the Secretary determines that  
16 a person has violated paragraph (1), such per-  
17 son shall be prohibited from submitting an ap-  
18 plication for an energy project under this sec-  
19 tion during the period beginning on the date on  
20 which the Secretary made the determination  
21 under subparagraph (A) and ending on the date  
22 that is 2 years after such determination.

23 “(C) PENALTIES FOR SUBSEQUENT INAC-  
24 CURATE DISCLOSURES.—If the Secretary deter-  
25 mines that a person violates paragraph (1)

1           after an initial violation under subparagraph  
2           (B), such person shall be permanently prohib-  
3           ited from submitting an application for an en-  
4           ergy project under this section.”.

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