

118TH CONGRESS  
1ST SESSION

# S. 3077

To require the Committee on Foreign Investment in the United States to annually review and update the facilities and property of the United States Government determined to be national security sensitive for purposes of review of real estate transactions under section 721 of the Defense Production Act of 1950, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 18, 2023

Mr. SCOTT of South Carolina (for himself, Mr. ROUNDS, Mrs. BRITT, Mr. HAGERTY, Mr. DAINES, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To require the Committee on Foreign Investment in the United States to annually review and update the facilities and property of the United States Government determined to be national security sensitive for purposes of review of real estate transactions under section 721 of the Defense Production Act of 1950, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protect Our Bases Act  
3 of 2023”.

4 **SEC. 2. REVIEW OF AND ADDITIONS TO NATIONAL SECU-**  
5 **RITY SENSITIVE SITES FOR PURPOSES OF RE-**  
6 **VIEWS OF REAL ESTATE TRANSACTIONS BY**  
7 **THE COMMITTEE ON FOREIGN INVESTMENT**  
8 **IN THE UNITED STATES.**

9 Section 721(a)(4)(C) of the Defense Production Act  
10 of 1950 (50 U.S.C. 4565(a)(4)(C)) is amended by adding  
11 at the end the following:

12 “(iii) INCLUSION OF INTELLIGENCE  
13 COMMUNITY SITES AND NATIONAL LAB-  
14 ORATORIES.—The Committee may pre-  
15 scribe regulations for treating facilities and  
16 property of the intelligence community and  
17 National Laboratories (as defined in sec-  
18 tion 2 of the Energy Policy Act of 2005  
19 (42 U.S.C. 15801)) as facilities and prop-  
20 erty of the United States Government that  
21 are sensitive for reasons relating to na-  
22 tional security for purposes of subpara-  
23 graph (B)(ii).

24 “(iv) ANNUAL REPORT ON ACTIVI-  
25 TIES.—Not later than one year after the  
26 date of the enactment of the Protect Our

1 Bases Act of 2023, and annually there-  
2 after, the chairperson shall submit to the  
3 Committee on Banking, Housing, and  
4 Urban Affairs of the Senate and the Com-  
5 mittee on Financial Services of the House  
6 of Representatives a classified report on  
7 the activities of the Committee relating to  
8 facilities and property of the United States  
9 Government determined to be sensitive for  
10 reasons relating to national security for  
11 purposes of subparagraph (B)(ii).

12 “(v) ANNUAL REVIEW OF LIST OF FA-  
13 CILITIES AND PROPERTY.—Not later than  
14 one year after the date of the enactment of  
15 the Protect Our Bases Act of 2023, and  
16 annually thereafter—

17 “(I) each member of the Com-  
18 mittee shall—

19 “(aa) review the military in-  
20 stallations and other facilities  
21 and property of the United  
22 States Government that are sen-  
23 sitive for reasons relating to na-  
24 tional security on the list set  
25 forth in Appendix A to part 802

1 of title 31, Code of Federal Reg-  
2 ulations; and

3 “(bb) submit to the chair-  
4 person a report on that review;  
5 and

6 “(II) after reviewing the reports  
7 submitted under subclause (I), the  
8 chairperson shall submit to the Com-  
9 mittee on Banking, Housing, and  
10 Urban Affairs of the Senate and the  
11 Committee on Financial Services of  
12 the House of Representatives a certifi-  
13 cation with respect to whether or not  
14 the list described in subclause (I)(aa)  
15 is up to date and, if not, an expla-  
16 nation of why not.”.

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