

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3935
OFFERED BY MR. PERRY OF PENNSYLVANIA**

At the end of title VIII, add the following:

1 **SEC. ____ . AIRSPACE CLEARINGHOUSE ENHANCEMENT.**

2 (a) STRUCTURES INTERFERING WITH AIR COM-
3 MERCE OR NATIONAL SECURITY.—Section 44718 of title
4 49, United States Code, is further amended—

5 (1) in subsection (a), by inserting “on a pub-
6 licly available website” after “public notice”;

7 (2) by redesignating subsection (h) as sub-
8 section (i); and

9 (3) by inserting after subsection (g) the fol-
10 lowing:

11 “(h) SPECIAL RULE FOR ENERGY PROJECTS.—

12 “(1) IN GENERAL.—Any person who is required
13 to submit an application for an energy project under
14 this section shall include in such application a disclo-
15 sure of any relationship such person has with a for-
16 eign principal or with an agent of a foreign prin-
17 cipal.

18 “(2) INACCURATE DISCLOSURE OF RELATION-
19 SHIP WITH FOREIGN PRINCIPAL.—

1 “(A) IN GENERAL.—The Secretary of
2 Transportation, in consultation with the Attor-
3 ney General of the United States, shall estab-
4 lish a process to evaluate the accuracy of a dis-
5 closure made under paragraph (1) and deter-
6 mine whether a person has knowingly violated
7 such paragraph.

8 “(B) INITIAL PENALTY FOR INACCURATE
9 DISCLOSURE.—If the Secretary determines that
10 a person has knowingly violated paragraph (1),
11 such person shall be prohibited from submitting
12 an application for an energy project under this
13 section during the period beginning on the date
14 on which the Secretary made the determination
15 under subparagraph (A) and ending on the date
16 that is 2 years after such determination.

17 “(C) PENALTIES FOR SUBSEQUENT INAC-
18 CULATE DISCLOSURES.—If the Secretary deter-
19 mines that a person knowingly violates para-
20 graph (1) after an initial violation under sub-
21 paragraph (B), such person shall be perma-
22 nently prohibited from submitting an applica-
23 tion for an energy project under this section.

24 “(3) DEFINITIONS.—In this subsection:

1 “(A) ENERGY PROJECT.—The term ‘en-
2 ergy project’ has the meaning given such term
3 in section 183a(h) of title 10.

4 “(B) FOREIGN PRINCIPAL; AGENT OF A
5 FOREIGN PRINCIPAL.—The terms ‘foreign prin-
6 cipal’ and ‘agent of a foreign principal’ have the
7 meaning given such terms in section 1 of the
8 Foreign Agents Registration Act of 1938 (22
9 U.S.C. 611).”.

10 (b) REVIEW OF PROPOSED ACTIONS.—Section
11 183a(c)(3) of title 10, United States Code, is amended by
12 inserting “The Clearinghouse shall ensure that a governor
13 has at least 120 days after the date on which the governor
14 receives the notice of presumed risk to provide any such
15 comments and shall provide detailed information and
16 other information necessary to ensure that the governor
17 can fully understand the nature of the presumed risk.”
18 after the first sentence.

