

DUNCAN HUNTER, CALIFORNIA, CHAIRMAN
 CURT WELDON, PENNSYLVANIA
 JOEL HEFLEY, COLORADO
 JIM SAXTON, NEW JERSEY
 JOHN M. McHUGH, NEW YORK
 TERRY EVERETT, ALABAMA
 ROSCOE G. BARTLETT, MARYLAND
 HOWARD P. "BUCK" McKEON, CALIFORNIA
 MAC THORNBERRY, TEXAS
 JOHN N. HOSTETTLER, INDIANA
 WALTER B. JONES, NORTH CAROLINA
 JIM RYUN, KANSAS
 JIM GIBBONS, NEVADA
 ROBIN HAYES, NORTH CAROLINA
 KEN CALVERT, CALIFORNIA
 ROB SIMMONS, CONNECTICUT
 JO ANN DAVIS, VIRGINIA
 W. TODD AKIN, MISSOURI
 J. RANDY FORBES, VIRGINIA
 JEFF MILLER, FLORIDA
 JOE WILSON, SOUTH CAROLINA
 FRANK A. LOBIONDO, NEW JERSEY
 JEB BRADLEY, NEW HAMPSHIRE
 MICHAEL TURNER, OHIO
 JOHN KLINE, MINNESOTA
 CANDICE S. MILLER, MICHIGAN
 MIKE ROGERS, ALABAMA
 TRENT FRANKS, ARIZONA
 BILL SHUSTER, PENNSYLVANIA
 THELMA DRAKE, VIRGINIA
 JOE SCHWARZ, MICHIGAN
 CATHY McMORRIS, WASHINGTON
 K. MICHAEL CONAWAY, TEXAS
 GEOFF DAVIS, KENTUCKY

COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED NINTH CONGRESS

March 6, 2006

IKE SKELTON, MISSOURI
 JOHN SPRATT, SOUTH CAROLINA
 SOLOMON P. ORTIZ, TEXAS
 LANE EVANS, ILLINOIS
 GENE TAYLOR, MISSISSIPPI
 NEIL ABERCROMBIE, HAWAII
 MARTY MEEHAN, MASSACHUSETTS
 SILVESTRE REYES, TEXAS
 VIC SNYDER, ARKANSAS
 ADAM SMITH, WASHINGTON
 LORETTA SANCHEZ, CALIFORNIA
 MIKE MCINTYRE, NORTH CAROLINA
 ELLEN O. TAUSCHER, CALIFORNIA
 ROBERT A. BRADY, PENNSYLVANIA
 ROBERT ANDREWS, NEW JERSEY
 SUSAN A. DAVIS, CALIFORNIA
 JAMES R. LANGEVIN, RHODE ISLAND
 STEVE ISRAEL, NEW YORK
 RICK LARSEN, WASHINGTON
 JIM COOPER, TENNESSEE
 JIM MARSHALL, GEORGIA
 KENDRICK B. MEEK, FLORIDA
 MADELEINE Z. BORDALLO, GUAM
 TIM RYAN, OHIO
 MARK E. UDALL, COLORADO
 G.K. BUTTERFIELD, NORTH CAROLINA
 CYNTHIA MCKINNEY, GEORGIA
 DAN BOREN, OKLAHOMA

ROBERT L. SIMMONS, STAFF DIRECTOR

JOIN CHAIRMAN HUNTER AND REP. SAXTON IN BECOMING AN ORIGINAL COSPONSOR OF THE NATIONAL DEFENSE CRITICAL INFRASTRUCTURE PROTECTION ACT OF 2006

Dear HASC Colleague:

Tomorrow, we will introduce legislation that will enhance our national security by protecting the key components of national defense critical infrastructure. It is clear to us that the current interagency Committee on Foreign Investment in the United States (CFIUS) review process does not adequately provide the necessary security safeguards and that economic or commercial implications apparently supersede national security considerations. Our national security must always be our number one priority.

Therefore, the legislation that we will introduce includes the following provisions:

- 1) Require any corporation that owns, manages, or operates national defense critical infrastructure to be majority-owned by American citizens;
- 2) Require that the Secretary of Defense, in consultation with the Secretary of Homeland Security, prepare and maintain a national defense critical infrastructure list;
- 3) Define "critical infrastructure" as any system or asset -- physical or virtual -- that is so vital to the United States that the incapacity or destruction of such system or asset would have a debilitating effect on national security, economic security, or public health and safety;
- 4) Require the mandatory inspection of all cargo coming into the United States by an appropriate officer or employee of the Directorate of Border and Transportation Security or other appropriate entity;
- 5) Halt the takeover bid by Dubai Ports World to manage U.S. ports;
- 6) Reform the CFIUS process by clearly mandating a 45 day investigation ("Byrd Amendment") into transactions that may have national security implications;

7) Add several factors – such as the impact on domestic production needed for homeland security – to be considered during the CFIUS process; and finally,

8) Require the President to provide for regulations that mandate written notification to the Administration of mergers, acquisitions, or takeovers that may be subject to CFIUS review or investigation and for such notifications to appear in the Federal Register.

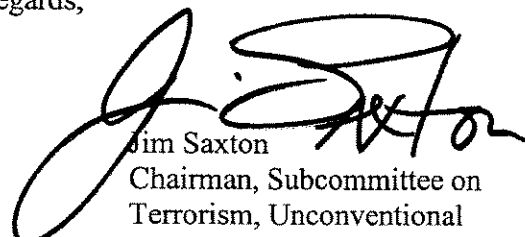
We believe that this legislation will close the gaps in the current process and ensure that the management of key critical infrastructure will remain under United States control.

We hope you will join us in co-sponsoring this legislation. Please contact Roger Zakheim (x64444) or Stephanie Sanok of the HASC staff (x68971) or Vicki Middleton with Representative Hunter (55672) by noon Tuesday, March 7, 2006 to let us know of your interest in being an original co-sponsor of the measure.

With personal regards,



Duncan Hunter
Chairman



Jim Saxton
Chairman, Subcommittee on
Terrorism, Unconventional
Threats and Capabilities