

INSIGHTS

## Prepping for CFIUS: Understanding and Managing Foreign Investments in the U.S.

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In late September 2012, the Obama Administration blocked plans by a Chinese company to build wind projects in Oregon, citing national security considerations due to the close proximity of a U.S. Navy site near the proposed site. This recent order to cease activity related to the wind projects was the result of a review process by the Committee on Foreign Investment in the United States (CFIUS). CFIUS is a federal inter-agency committee that is charged with reviewing the national security implications of foreign investments in U.S. companies or operations. With the cross-border nature of many investments in the worldwide energy industry, questions relating to the national security implications of investments in the United States inevitably arise. In the video below, [Josh Zive](#), senior counsel in the [Policy Resolution Group](#) at Bracewell & Giuliani, recently sat down with my colleague, PRG partner [Paul Nathanson](#), to provide a concise overview of CFIUS, including explanations of:

- how the CFIUS review process works,
- why companies undertake the time and expense of going through the voluntary filing process,
- why CFIUS disapproves transactions, and
- what foreign investors and U.S. companies should be looking out for in the near future.