DOJ records documenting the activities of the Committee on Foreign Assets in the United States (CFIUS).

***See attached***
Request for Records Disposition Authority
DOJ CFIUS Records

DOJ Records relating to the Committee on Foreign Investment in the United States (CFIUS): Records compiled from multiple sources by the National Security Division (NSD) in its role as the Attorney General’s staff representative to the Committee on Foreign Investment in the United States.

Description: The Committee on Foreign Investment in the United States (CFIUS) is an interagency committee that serves the President in overseeing the national security implications of foreign investment in the economy. Companies voluntarily apply to the CFIUS for review of a proposed transaction or CFIUS member agencies may request a review of a transaction. Companies also may provide materials and information to CFIUS in advance of a formal filing and after a matter has been withdrawn but before it is resubmitted. CFIUS either, 1) clears the transaction based solely on the material filed, as supplemented by any additional material or information requested from the parties by CFIUS member agencies or developed by the agencies during their initial 30-day review; 2) requests that an ‘investigation’ be undertaken to determine the suitability of the transaction; or 3) recommends to the President that the transaction be blocked. CFIUS can also recommend that the transaction be cleared but with certain conditions in place that would have to be met, such as an ongoing oversight role by some agency or agencies of the U.S. Government. Such conditions may be documented in a variety of “mitigation” agreements. The Secretary of Treasury is the Chair of CFIUS.

These records are arranged by the CFIUS case file number. Classification: up to TS/SCI.

1. NSD CFIUS FILES

A. Case files that are cleared within the thirty day period:

Disposition: TEMPORARY: Records of investment transactions subject to review by CFIUS. Records include financial and legal documentation and correspondence relating to mergers, acquisitions and takeovers by or with foreign persons.

Separate closed files annually and retire to records center storage. Destroy/delete when 10 years old.
B. Case files that require further review (investigation), where there is a mitigation agreement that involves ongoing monitoring by the U.S. government, or where the CFIUS recommends that the transaction be blocked:

Disposition: PERMANENT: Records of investment transactions subject to review by CFIUS. Records include financial and legal documentation and correspondence relating to mergers, acquisitions and takeovers by or with foreign persons.

Separate closed files annually and retire to records center storage. Transfer to National Archives and records administration when 30 years old.