DIVISION M—OTHER MATTERS

SEC. 120001. PROHIBITION ON CONTRACTING WITH CHINA-BASED COMPANIES.

(a) Prohibition.—The head of a covered entity may not award a contract to an entity that is a China-based company using any funds authorized by this Act.

(b) Waiver.—The head of a covered entity may waive the restriction under subsection (a) on a case by case basis if, not later than seven days after such head issues the waiver, such head submits to Congress a written certification that such waiver is in the national security interests of the United States.

(c) Definitions.—In this section:

(1) China-based company.—The term “China-based company” means—

(A) an entity—

(i) organized under the laws of the People’s Republic of China; and
(ii) for which the headquarters and principal place of business are located in the People’s Republic of China;

(B) an entity that is under the control of an entity described in subparagraph (A);

(C) an entity that is owned or controlled by the Government of the People’s Republic of China; or

(D) an entity owned or controlled by one or more officials of the Chinese Communist Party.

(2) COVERED ENTITY.—The term “covered entity” means any Federal department or agency to which funds are authorized to be appropriated under this Act.

(3) PEOPLE’S REPUBLIC OF CHINA.—The term “People’s Republic of China” does not include Hong Kong or the Republic of China (Taiwan).