

AMENDMENT TO RULES COMM. PRINT 119–33

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of subtitle B of title XIV, add the following new section:

SEC. __. PROHIBITION ON FEDERAL CONTRACTS AND AGREEMENTS WITH HONG KONG ECONOMIC AND TRADE OFFICES.

(a) PROHIBITION.—On and after the date of the enactment of this Act, no Federal agency may enter into, renew, extend, or otherwise carry out any covered contract or agreement with—

- (1) the Hong Kong Economic and Trade Offices; or
- (2) any entity acting on behalf of, at the direction of, or for the benefit of the Hong Kong Economic and Trade Offices.

(b) PROHIBITION ON USE OF FUNDS.—No funds authorized to be appropriated by this Act or otherwise made available for any Federal agency may be obligated or expended to enter into, renew, extend, administer, perform, or otherwise carry out any covered contract or agreement prohibited by subsection (a).

(c) TERMINATION OF EXISTING CONTRACTS AND AGREEMENTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the head of each Federal agency shall terminate any covered contract or agreement entered into before such date of enactment with an entity described in subsection (a).

(2) WIND-DOWN.—The head of a Federal agency may obligate or expend funds during the period described in paragraph (1) only to the extent necessary to terminate or wind down a covered contract or agreement required to be terminated under such paragraph.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit communications, law enforcement activities, intelligence activities, counterintelligence activities, sanctions enforcement, export-control enforcement, visa or consular functions, or other official governmental activities that do not

involve entering into, renewing, extending, or otherwise carrying out a covered contract or agreement prohibited by subsection (a).

(e) DEFINITIONS.—In this section:

(1) COVERED CONTRACT OR AGREEMENT.—The term “covered contract or agreement” means any contract, grant, cooperative agreement, memorandum of understanding, partnership, sponsorship, cost-sharing arrangement, event agreement, exchange agreement, or other agreement or arrangement, whether formal or informal and whether or not legally binding, including any such contract or agreement to promote tourism, culture, trade, investment, business, or other matters relating to Hong Kong.

(2) FEDERAL AGENCY.—The term “Federal agency” means any executive agency, as such term is defined in section 133 of title 41, United States Code.

(3) HONG KONG ECONOMIC AND TRADE OFFICES.—The term “Hong Kong Economic and Trade Offices” has the meaning given such term in section 1(c) of the Act entitled “An Act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices”, approved June 27, 1997 (22 U.S.C. 288k).