

AMENDMENT TO RULES COMMITTEE PRINT

119–33

OFFERED BY MS. TENNEY OF NEW YORK

At the end of subtitle A of title XVII, add the following:

SEC. 17__. RESTRICTION ON PROVIDING FEDERAL FUNDS TO CERTAIN ENTITIES FOR PUBLIC WORKS PROJECTS.

(a) IN GENERAL.—Chapter 33 of title 40, United States Code, is amended by adding at the end the following:

“§ 3320. Restriction on providing Federal funds to certain entities for public works projects.

“(a) IN GENERAL.—Notwithstanding any other provision of law, Federal funds may not be provided to any covered entity for any covered public works project.

“(b) REQUIREMENTS.—Any entity receiving funds for any covered public works project shall be free from any obligations, influences, or connections to any covered entity.

“(c) EXCEPTION.—This section shall only apply to projects that are located in the United States.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘covered entity’ means any entity that—

“(A) is headquartered in China;

“(B) is owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People’s Republic of China, the Chinese Communist Party (CCP), or the Chinese military, including any entity for which the Government of the People’s Republic of China, the CCP, or the Chinese military have the ability, through

ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide for an entity in an important manner; or

“(C) is a parent, subsidiary, or affiliate of any entity described in subparagraph (B).

“(2) The term ‘covered public works project’ means any project of the construction, repair, renovation, or maintenance of public buildings, structures, sewers, water works, roads, bridges, docks, underpasses and viaducts, as well as any other improvement to be constructed, repaired or renovated or maintained on public property to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 33 of title 40, United States Code, is amended by adding at the end the following:

“3320. Restriction on providing Federal funds to certain entities for public works projects.”.

(c) NON-FEDERAL PUBLIC WORKS.—Chapter 35 of title 40, United States Code, is amended by adding at the end the following:

“§ 3506. Restriction on States and local governments providing Federal funds to certain entities for public works projects.

“(a) IN GENERAL.—A State or local government receiving Federal funds may not provide such funds to any covered entity for any covered public works project.

“(b) REQUIREMENTS.—A State or local government shall verify that any entity receiving funds for any covered public works project is free from any obligations, influences, or connections to any covered entity.

“(c) EXCEPTION.—This section shall only apply to projects that are located in a State.

“(d) DEFINITIONS.—In this section:

“(1) The term ‘covered entity’ means any entity that—

“(A) is headquartered in China;

“(B) is owned, directed, controlled, financed, or influenced directly or indirectly by the Government of the People’s Republic of China, the Chinese Communist Party (CCP), or the Chinese military, including any entity for which the Government of the People’s Republic of China, the CCP, or the Chinese military have the ability, through ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide for an entity in an important manner; or

“(C) is a parent, subsidiary, or affiliate of any entity described in subparagraph (B).

“(2) The term ‘covered public works project’ means any project of the construction, repair, renovation, or maintenance of public buildings, structures, sewers, water works, roads, bridges, docks, underpasses and viaducts, as well as any other improvement to be constructed, repaired or renovated or maintained on public property to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise.”.

(d) CLERICAL AMENDMENT.—The analysis for chapter 35 of title 40, United States Code, is amended by adding at the end the following:

“3506. Restriction on States and local governments providing Federal funds to certain entities for public works projects.”.

(e) RULE OF APPLICABILITY.—The amendments made by this section shall take effect and shall apply to projects beginning on or after 180 days after the date of enactment of this Act.