

AMENDMENT TO RULES COMMITTEE PRINT

119–8

OFFERED BY MS. TENNEY OF NEW YORK

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

1 **SEC. 17____. RESTRICTION ON PROVIDING FEDERAL FUNDS**
2 **TO CERTAIN ENTITIES FOR PUBLIC WORKS**
3 **PROJECTS.**

4 (a) IN GENERAL.—Chapter 33 of title 40, United
5 States Code, is amended by adding at the end the following:
6

7 **“§ 3320. Restriction on providing Federal funds to**
8 **certain entities for public works projects.**

9 “(a) IN GENERAL.—Notwithstanding any other provision of law, Federal funds may not be provided to any
10 covered entity for any covered public works project.
11

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

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

18 “(d) DEFINITIONS.—In this section:

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

3 “(A) is headquartered in China;

4 “(B) is owned, directed, controlled, fi-
5 nanced, or influenced directly or indirectly by
6 the Government of the People’s Republic of
7 China, the Chinese Communist Party (CCP), or
8 the Chinese military, including any entity for
9 which the Government of the People’s Republic
10 of China, the CCP, or the Chinese military have
11 the ability, through ownership of a majority or
12 a dominant minority of the total outstanding
13 voting interest in an entity, board representa-
14 tion, proxy voting, a special share, contractual
15 arrangements, formal or informal arrangements
16 to act in concert, or other means, to determine,
17 direct, or decide for an entity in an important
18 manner; or

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

21 “(2) The term ‘covered public works project’
22 means any project of the construction, repair, ren-
23 ovation, or maintenance of public buildings, struc-
24 tures, sewers, water works, roads, bridges, docks,
25 underpasses and viaducts, as well as any other im-

1 provement to be constructed, repaired or renovated
2 or maintained on public property to be paid, in
3 whole or in part, with public funds or with financing
4 to be retired with public funds in the form of lease
5 payments or otherwise.”.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 33 of title 40, United States Code, is amended by add-
8 ing at the end the following:

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

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

12 **“§ 3506. Restriction on States and local governments**
13 **providing Federal funds to certain enti-**
14 **ties for public works projects.**

15 “(a) IN GENERAL.—A State or local government re-
16 ceiving Federal funds may not provide such funds to any
17 covered entity for any covered public works project.

18 “(b) REQUIREMENTS.—A State or local government
19 shall verify that any entity receiving funds for any covered
20 public works project is free from any obligations, influ-
21 ences, or connections to any covered entity.

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

24 “(d) DEFINITIONS.—In this section:

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

3 “(A) is headquartered in China;

4 “(B) is owned, directed, controlled, fi-
5 nanced, or influenced directly or indirectly by
6 the Government of the People’s Republic of
7 China, the Chinese Communist Party (CCP), or
8 the Chinese military, including any entity for
9 which the Government of the People’s Republic
10 of China, the CCP, or the Chinese military have
11 the ability, through ownership of a majority or
12 a dominant minority of the total outstanding
13 voting interest in an entity, board representa-
14 tion, proxy voting, a special share, contractual
15 arrangements, formal or informal arrangements
16 to act in concert, or other means, to determine,
17 direct, or decide for an entity in an important
18 manner; or

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

21 “(2) The term ‘covered public works project’
22 means any project of the construction, repair, ren-
23 ovation, or maintenance of public buildings, struc-
24 tures, sewers, water works, roads, bridges, docks,
25 underpasses and viaducts, as well as any other im-

1 provement to be constructed, repaired or renovated
2 or maintained on public property to be paid, in
3 whole or in part, with public funds or with financing
4 to be retired with public funds in the form of lease
5 payments or otherwise.”.

6 (d) CLERICAL AMENDMENT.—The analysis for chap-
7 ter 35 of title 40, United States Code, is amended by add-
8 ing at the end the following:

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

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

