

AMENDMENT TO RULES COMM. PRINT 118–36
OFFERED BY MS. TENNEY OF NEW YORK

At the end of subtitle B of title XIII, add the following:

1 **SEC. ____ . 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) COVERED ENTITY.—The term ‘covered en-
2 tity’ means any entity 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 CCP, or the Chinese military, in-
8 cluding any entity for which the Government of
9 the People’s Republic of China, the CCP, or the
10 Chinese military have the ability, through own-
11 ership of a majority or a dominant minority of
12 the total outstanding voting interest in an enti-
13 ty, board representation, proxy voting, a special
14 share, contractual arrangements, formal or in-
15 formal arrangements to act in concert, or other
16 means, to determine, direct, or decide for an
17 entity in an important manner; or

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

20 “(2) COVERED PUBLIC WORKS PROJECT.—The
21 term ‘covered public works project’ means any
22 project of the construction, repair, renovation, or
23 maintenance of public buildings, structures, sewers,
24 water works, roads, bridges, docks, underpasses and
25 viaducts, as well as any other improvement to be

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

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) COVERED ENTITY.—The term ‘covered en-
2 tity’ means any entity 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 CCP, or the Chinese military, in-
8 cluding any entity for which the Government of
9 the People’s Republic of China, the CCP, or the
10 Chinese military have the ability, through own-
11 ership of a majority or a dominant minority of
12 the total outstanding voting interest in an enti-
13 ty, board representation, proxy voting, a special
14 share, contractual arrangements, formal or in-
15 formal arrangements to act in concert, or other
16 means, to determine, direct, or decide for an
17 entity in an important manner; or

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

20 “(2) COVERED PUBLIC WORKS PROJECT.—The
21 term ‘covered public works project’ means any
22 project of the construction, repair, renovation, or
23 maintenance of public buildings, structures, sewers,
24 water works, roads, bridges, docks, underpasses and
25 viaducts, as well as any other improvement to be

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

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.

