AMENDMENT TO
RULES COMM. PRINT FOR H.R. 6395.
OFFERED BY MRS. WAGNER OF MISSOURI

Add at the end of subtitle A of title VIII the following:

SEC. 8. PROHIBITION ON PROCUREMENT OF CERTAIN PRODUCTS FROM A COVERED FOREIGN ENTITY, INCLUDING PRODUCTS INTENDED TO BE INCLUDED IN THE STRATEGIC NATIONAL STOCKPILE.

(a) PROHIBITION ON USE OF FEDERAL FUNDS FOR FOREIGN PROCUREMENT.—No funds authorized in this Act may be used to procure by contract, subcontract, grant, cooperative agreement, or otherwise any product sourced, manufactured, or assembled in whole or in part by a covered foreign entity that poses a supply chain risk to the national security of the United States, including products identified in the report required under subsection (b).

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congres-
sional committees a report concerning supply chain risks and vulnerabilities posed by a covered foreign entity to the national security of the United States, and methods to mitigate such risks and vulnerabilities.

(2) MATTERS INCLUDED.—The report required under paragraph (1) shall include information relating to such business sectors:

(A) Rare earth material.

(B) Cybersecurity.

(C) Information security.

(D) Defense industries.

(E) Communication technology, including fifth generation technology.

(c) WAIVER.—The President may waive the prohibitions under this section with respect to a product if the President determines and reports to the appropriate congressional committees that such waiver is in the national security interests of the United States.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMIT-TEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Com-
mittee on Homeland Security, the Committee
on Armed Services, the Committee on Veterans’
Affairs, and the Committee on Ways and Means
of the House of Representatives; and

(B) the Committee on Foreign Relations,
the Committee on Health, Education, Labor,
and Pensions, the Committee on Homeland Se-
curity and Governmental Affairs, the Com-
mittee on Armed Services, and the Committee
on Veterans’ Affairs of the Senate.

(2) COVERED FOREIGN ENTITY. — The term
“covered foreign entity” means any entity domiciled
in China or subject to influence or control by China
or the Communist Party of China, as determined by
the Secretary of State.