AMENDMENT TO RULES COMMITTEE PRINT 117–31

OFFERED BY MR. WALTZ OF FLORIDA

At the end of division E, add the following new section:

SEC. 40103. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE 2022 WINTER OLYMPICS IN BEIJING, CHINA.

(a) EXECUTIVE AGENCY CONTRACTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the head of an executive agency may not enter into a contract (or subcontract at any tier) for the procurement of goods or services with any person that has business operations with the Beijing Organising Committee for the 2022 Olympic and Paralympic Winter Games or the International Olympic Committee.

(2) EXCEPTION.—Notwithstanding paragraph (1), the requirement does not apply to a contract (or subcontract at any tier) that the President of the United States determines is vital to the national security interests of the United States.
(3) **NOTIFICATION.**—The President of the United States shall notify Congress of any contract (or subcontract at any tier) entered into on the basis of an exception provided for under paragraph (1).

(b) **APPLICABILITY.**—

(1) **CONTRACTS.**—This section shall apply with respect to any contract entered into on or after the date of the enactment of this section.

(2) **TERMINATION OF BUSINESS OPERATIONS.**—

This section shall not apply with respect to a person that terminated business operations with the Beijing Organising Committee for the 2022 Olympic and Paralympic Winter Games or the International Olympic Committee before February 4, 2022.

(c) **SALES PROHIBITION.**—

(1) **IN GENERAL.**—Effective 60 days after the date of the enactment of this Act and except as provided in paragraph (2), a facility of the Federal Government may not sell any product made by any person that has business operations with the Beijing Organising Committee for the 2022 Olympic and Paralympic Winter Games or the International Olympic Committee.
(2) EXCEPTION FOR ALTERNATIVE SOURCES.—

The prohibition in paragraph (1) shall not apply with respect to such a product if—

(A) a comparable product is not available from an another source that is authorized to sell such comparable product at such facility of the Federal Government; or

(B) each comparable product that is available from such source would increase the cost to the consumer by 10 percent or more.

(d) DEFINITIONS.—In this section:

(1) BUSINESS OPERATIONS.—The term “business operations” means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(2) EXECUTIVE AGENCY.—The term “executive agency” has the meaning given that term in section 133 of title 41, United States Code.

(3) PERSON.—The term “person” means—

(A) a natural person, corporation, company, business association, partnership, society,
trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))); and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

(e) TERMINATION.—This section and the requirements of this section shall terminate on September 30, 2025.