

AMENDMENT
OFFERED BY MR. SEAN PATRICK MALONEY OF
NEW YORK

In section 1101 of division B of the bill (relating to authorization of appropriations), add at the end the following:

1 (d) LIMITATION ON FINANCIAL ASSISTANCE FOR
2 STATE-OWNED ENTERPRISES.—

3 (1) IN GENERAL.—Funds provided under this
4 section may not be used in awarding a contract, sub-
5 contract, grant, or loan to an entity that is owned
6 or controlled by, is a subsidiary of, or is otherwise
7 related legally or financially to a corporation based
8 in a country that—

9 (A) is identified as a nonmarket economy
10 country (as defined in section 771(18) of the
11 Tariff Act of 1930 (19 U.S.C. 1677(18))) as of
12 the date of enactment of this Act;

13 (B) was identified by the United States
14 Trade Representative in the most recent report
15 required by section 182 of the Trade Act of
16 1974 (19 U.S.C. 2242) as a priority foreign

1 country under subsection (a)(2) of that section;
2 and

3 (C) is subject to monitoring by the Trade
4 Representative under section 306 of the Trade
5 Act of 1974 (19 U.S.C. 2416).

6 (2) EXCEPTION.—For purposes of subpara-
7 graph (A), the term “otherwise related legally or fi-
8 nancially” does not include a minority relationship
9 or investment.

10 (3) INTERNATIONAL AGREEMENTS.—This para-
11 graph shall be applied in a manner consistent with
12 the obligations of the United States under inter-
13 national agreements.

In section 2101 of division B of the bill (relating to authorizations), in the matter proposing to amend section 5338 of title 49, United States Code, add at the end the following:

14 “(g) LIMITATION ON FINANCIAL ASSISTANCE FOR
15 STATE-OWNED ENTERPRISES.—

16 “(1) IN GENERAL.—Funds provided under this
17 section may not be used in awarding a contract, sub-
18 contract, grant, or loan to an entity that is owned
19 or controlled by, is a subsidiary of, or is otherwise
20 related legally or financially to a corporation based
21 in a country that—

1 “(A) is identified as a nonmarket economy
2 country (as defined in section 771(18) of the
3 Tariff Act of 1930 (19 U.S.C. 1677(18))) as of
4 the date of enactment of this Act;

5 “(B) was identified by the United States
6 Trade Representative in the most recent report
7 required by section 182 of the Trade Act of
8 1974 (19 U.S.C. 2242) as a priority foreign
9 country under subsection (a)(2) of that section;
10 and

11 “(C) is subject to monitoring by the Trade
12 Representative under section 306 of the Trade
13 Act of 1974 (19 U.S.C. 2416).

14 “(2) EXCEPTION.—For purposes of subpara-
15 graph (A), the term ‘otherwise related legally or fi-
16 nancially’ does not include a minority relationship or
17 investment.

18 “(3) INTERNATIONAL AGREEMENTS.—This
19 paragraph shall be applied in a manner consistent
20 with the obligations of the United States under
21 international agreements.”.

In section 9101 of division D of the bill (relating to
authorization of appropriations), add at the end the fol-
lowing:

1 (o) LIMITATION ON FINANCIAL ASSISTANCE FOR
2 STATE-OWNED ENTERPRISES.—

3 (1) IN GENERAL.—Funds provided under this
4 section and the amendments made by this section
5 may not be used in awarding a contract, sub-
6 contract, grant, or loan to an entity that is owned
7 or controlled by, is a subsidiary of, or is otherwise
8 related legally or financially to a corporation based
9 in a country that—

10 (A) is identified as a nonmarket economy
11 country (as defined in section 771(18) of the
12 Tariff Act of 1930 (19 U.S.C. 1677(18))) as of
13 the date of enactment of this Act;

14 (B) was identified by the United States
15 Trade Representative in the most recent report
16 required by section 182 of the Trade Act of
17 1974 (19 U.S.C. 2242) as a priority foreign
18 country under subsection (a)(2) of that section;
19 and

20 (C) is subject to monitoring by the Trade
21 Representative under section 306 of the Trade
22 Act of 1974 (19 U.S.C. 2416).

23 (2) EXCEPTION.—For purposes of subpara-
24 graph (A), the term “otherwise related legally or fi-

1 nancially’’ does not include a minority relationship
2 or investment.

3 (3) INTERNATIONAL AGREEMENTS.—This para-
4 graph shall be applied in a manner consistent with
5 the obligations of the United States under inter-
6 national agreements.

