

Suspend the Rules And Pass the Bill, H.R. 6306, With Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

118TH CONGRESS
2^D SESSION

H. R. 6306

To amend the State Department Basic Authorities Act of 1956 to prohibit the acquisition or lease of a consular or diplomatic post built or owned by an entity beneficially owned by the People’s Republic of China, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2023

Mr. MILLS introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the State Department Basic Authorities Act of 1956 to prohibit the acquisition or lease of a consular or diplomatic post built or owned by an entity beneficially owned by the People’s Republic of China, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Embassy Construction
5 Integrity Act of 2023”.

1 **SEC. 2. RESTRICTIONS ON CONSULAR AND DIPLOMATIC**
2 **POSTS BUILT OR OWNED BY CERTAIN ENTI-**
3 **TIES.**

4 (a) IN GENERAL.—The Secretary of State (in this
5 section referred to as the “Secretary”) shall take such
6 steps as may be necessary to avoid or minimize—

7 (1) acquiring or leasing a covered building—

8 (A) with respect to which a covered entity
9 performed covered construction on or after Jan-
10 uary 1, 1949; or

11 (B) in which a covered entity has an own-
12 ership interest; or

13 (2) entering into or renewing a contract or
14 other agreement with a covered entity to perform
15 covered construction with respect to a covered build-
16 ing.

17 (b) NOTIFICATION OF INCONSISTENT ACTION.—

18 (1) IN GENERAL.—The Secretary shall notify
19 the Committee on Foreign Affairs of the House of
20 Representatives and the Committee on Foreign Re-
21 lations of the Senate—

22 (A) not later than 7 days before entering
23 into an acquisition, lease, or agreement after
24 the date of enactment of this Act that the Sec-
25 retary is aware is inconsistent with the restric-
26 tion under subsection (a); and

1 (B) not later than 7 days after becoming
2 aware of an acquisition, lease, or agreement oc-
3 ccurring after the date of enactment of this Act
4 that is inconsistent with the restriction under
5 subsection (a).

6 (2) DETERMINATION OF NATIONAL SECURITY
7 INTEREST.—The notification required under para-
8 graph (1) shall also include, to the extent applica-
9 ble—

10 (A) a determination of whether the incon-
11 sistent acquisition, lease, or agreement is in the
12 national security interest of the United States;

13 (B) an identification of the interest ad-
14 vanced by such inconsistent action;

15 (C) a detailed explanation for such deter-
16 mination; and

17 (D) any action the Secretary has taken or
18 intends to take to mitigate national security
19 vulnerabilities that may be posed by such incon-
20 sistent action.

21 (c) DEFINITIONS.—In this section:

22 (1) COVERED BUILDING.—The term “covered
23 building” means a building that is used or intended
24 to be used by personnel, or for a function, of a con-

1 sular or diplomatic post located outside of the
2 United States.

3 (2) COVERED CONSTRUCTION.—The term “cov-
4 ered construction”—

5 (A) means any construction, development,
6 conversion, extension, alteration, repair, or
7 maintenance performed with respect to a build-
8 ing; and

9 (B) includes the installation or mainte-
10 nance of electrical, plumbing, heating, ventila-
11 tion, air conditioning, communication, fire pro-
12 tection, and energy management systems with
13 respect to such building.

14 (3) COVERED ENTITY.—The term “covered en-
15 tity” means an entity with respect to which the Gov-
16 ernment of the People’s Republic of China, or an
17 agent or instrumentality of the Government of the
18 People’s Republic of China, directly or indirectly, in-
19 cluding through any contract, arrangement, under-
20 standing, or relationship—

21 (A) owns or controls a significant percent
22 of the ownership interest; or

23 (B) otherwise exercises substantial control.

Amend the title so as to read: “A bill to direct the
Secretary of State to avoid or minimize the acquisition or
lease of a consular or diplomatic post built or owned by

an entity owned or controlled by the Government of the People's Republic of China, and for other purposes.”.