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
2D 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.

Be it enacted by the Senate and House of Representa-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

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Be it enacted by the Senate and House of Representa-

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SECTION 1. SHORT TITLE.

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

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SEC. 2. RESTRICTIONS ON CONSULAR AND DIPLOMATIC
POSTS BUILT OR OWNED BY CERTAIN ENTITIES.

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

(1) acquiring or leasing a covered building—

(A) with respect to which a covered entity
performed covered construction on or after January 1, 1949; or

(B) in which a covered entity has an ownership interest; or

(2) entering into or renewing a contract or other agreement with a covered entity to perform covered construction with respect to a covered building.

(b) NOTIFICATION OF INCONSISTENT ACTION.—

(1) IN GENERAL.—The Secretary shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate—

(A) not later than 7 days before entering into an acquisition, lease, or agreement after the date of enactment of this Act that the Secretary is aware is inconsistent with the restriction under subsection (a); and
(B) not later than 7 days after becoming aware of an acquisition, lease, or agreement occurring after the date of enactment of this Act that is inconsistent with the restriction under subsection (a).

(2) Determination of national security interest.—The notification required under paragraph (1) shall also include, to the extent applicable—

(A) a determination of whether the inconsistent acquisition, lease, or agreement is in the national security interest of the United States;

(B) an identification of the interest advanced by such inconsistent action;

(C) a detailed explanation for such determination; and

(D) any action the Secretary has taken or intends to take to mitigate national security vulnerabilities that may be posed by such inconsistent action.

(c) Definitions.—In this section:

(1) Covered building.—The term “covered building” means a building that is used or intended to be used by personnel, or for a function, of a con-
sular or diplomatic post located outside of the United States.

(2) COVERED CONSTRUCTION.—The term “covered construction”—

(A) means any construction, development, conversion, extension, alteration, repair, or maintenance performed with respect to a building; and

(B) includes the installation or maintenance of electrical, plumbing, heating, ventilation, air conditioning, communication, fire protection, and energy management systems with respect to such building.

(3) COVERED ENTITY.—The term “covered entity” means an entity with respect to which the Government of the People’s Republic of China, or an agent or instrumentality of the Government of the People’s Republic of China, directly or indirectly, including through any contract, arrangement, understanding, or relationship—

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

(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.”.”