

**AMENDMENT TO H.R. 1401, AS REPORTED
OFFERED BY MR. DELAY OF TEXAS**

Strike section 1203 (page 310, line 22 through page 314, line 7) and insert the following:

1 **SEC. 1203. LIMITATION ON MILITARY-TO-MILITARY EX-**
2 **CHANGES WITH CHINA'S PEOPLE'S LIBERA-**
3 **TION ARMY.**

4 (a) **LIMITATION.**—The Secretary of Defense may not
5 authorize any military-to-military exchange or contact de-
6 scribed in subsection (b) to be conducted by the Armed
7 Forces with representatives of the People's Liberation
8 Army of the People's Republic of China.

9 (b) **COVERED EXCHANGES AND CONTACTS.**—Sub-
10 section (a) applies to any military-to-military exchange or
11 contact that includes any of the following:

12 (1) Force projection operations.

13 (2) Nuclear operations.

14 (3) Field operations.

15 (4) Logistics.

16 (5) Chemical and biological defense and other
17 capabilities related to weapons of mass destruction.

18 (6) Intelligence, surveillance, and reconnais-
19 sance operations.

1 (7) Joint warfighting experiments and other ac-
2 tivities related to warfare.

3 (8) Military space operations.

4 (9) Other warfighting capabilities of the Armed
5 Forces.

6 (10) Arms sales or military-related technology
7 transfers.

8 (11) Release of classified or restricted informa-
9 tion.

10 (12) Access to a Department of Defense labora-
11 tory.

12 (c) EXCEPTIONS.—Subsection (a) does not apply to
13 any search and rescue exercise or any humanitarian exer-
14 cise.

15 (d) CERTIFICATION BY SECRETARY.—The Secretary
16 of Defense shall submit to the Committee on Armed Serv-
17 ices of the Senate and the Committee on Armed Service
18 of the House of Representatives, not later than December
19 31 of each year, a certification in writing as to whether
20 or not any military-to-military exchange or contact during
21 that calendar year was conducted in violation of sub-
22 section (a).

23 (e) ANNUAL REPORT.—Not later than June 1 each
24 year, the Secretary of Defense shall submit to the Com-
25 mittee on Armed Services of the Senate and the Commit-

1 tee on Armed Service of the House of Representatives a
2 report providing the Secretary's assessment of the current
3 state of military-to-military contacts with the People's
4 Liberation Army. The report shall include the following:

5 (1) A summary of all such military-to-military
6 contacts during the period since the last such report,
7 including a summary of topics discussed and ques-
8 tions asked by the Chinese participants in those con-
9 tacts.

10 (2) A description of the military-to-military con-
11 tacts scheduled for the next 12-month period and a
12 five-year plan for those contacts.

13 (3) The Secretary's assessment of the benefits
14 the Chinese expect to gain from those military-to-
15 military contacts.

16 (4) The Secretary's assessment of the benefits
17 the Department of Defense expects to gain from
18 those military-to-military contacts.

19 (5) The Secretary's assessment of how military-
20 to-military contacts with the People's Liberation
21 Army fit into the larger security relationship be-
22 tween United States and the People's Republic of
23 China.