

MOTION TO RECOMMIT FOR H.R. 4447

Mr. Lucas of Oklahoma moves to recommit the bill H.R. 4447 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill, insert the following:

1 **Subtitle G—Prohibition on the**
2 **Transfer of Intellectual Property**

3 **SEC. 12701. STATE-OWNED ENTERPRISES PROHIBITION.**

4 (a) INNOVATE IN AMERICA.—None of the funds au-
5 thorized or made available by this Act, or the amendments
6 made by this Act, may be used in awarding a grant, loan,
7 or demonstration project to an entity that fails to certify
8 that resulting intellectual property, technologies, and data,
9 for the purpose authorized, will not be transferred to any
10 other entity that—

11 (1) is determined to be of risk by the Secretary
12 of Energy in consultation with the Under Secretary
13 for Science; the Under Secretary of Energy; the
14 Under Secretary for Nuclear Security; and the De-
15 partment of Energy’s Office of Intelligence and
16 Counterintelligence;

1 (2) is identified as a nonmarket economy coun-
2 try (in accordance with section 771(18) of the Tariff
3 Act of 1930 (19 U.S.C. 1677(18))) as of the date
4 of enactment of this Act; or

5 (3) was identified by the United States Trade
6 Representative in the most recent report submitted
7 under section 182 of the Trade Act of 1974 (19
8 U.S.C. 2242) as a priority foreign country under
9 subsection (a)(2) of such section.

10 (b) INTERNATIONAL AGREEMENTS.—This section
11 shall be applied in a manner consistent with the obliga-
12 tions of the United States under international agreements.

Page 9, in the table of contents, after the matter re-
lating to section 12606, insert the following:

Subtitle G—Prohibition on the Transfer of Intellectual Property

Sec. 12701. State-owned enterprises prohibition.

