

AMENDMENT TO
RULES COMMITTEE PRINT 119-3
OFFERED BY MR. BEYER OF VIRGINIA

Page 921, lines 20 and 21, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 921, lines 24 and 25, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 922, line 6, strike “(B)”.

Page 922, strike lines 7 through 14.

Page 922, strike lines 15 through 17 and insert the following:

1 (2) EFFECTIVE DATE.—The amendment made
2 by this subsection shall apply to taxable years begin-
3 ning after the date that is 180 days after the date
4 on which the Secretary of the Treasury (or the Sec-
5 retary’s delegate) publishes final regulations in the
6 Federal Register to implement this subsection.

Page 930, lines 9 and 10, strike “placed in service” and insert “the construction of which began”.

Page 931, line 8, strike “placed in service” and insert “the construction of which begins”.

Page 931, line 20, strike “placed in service” and insert “the construction of which begins”.

Page 932, line 7, strike “placed in service” and insert “the construction of which begins”.

Page 932, line 14, strike “placed in service” and insert “the construction of which begins”.

Page 932, line 20, strike “which is placed in service” and insert “the construction of which begins”.

Page 933, line 4, strike “placed in service” and insert “the construction of which begins”.

Page 933, line 20, strike “placed in service” and insert “the construction of which begins”.

Page 934, lines 15 and 16, strike “which is placed in service” and insert “the construction of which begins”.

Page 934, line 21, strike “placed in service” and insert “the construction of which begins”.

Page 934, line 23, strike “placed in service” and insert “the construction of which begins”.

Page 935, line 1, strike “placed in service” and insert “the construction of which begins”.

Page 935, line 3, strike “placed in service” and insert “the construction of which begins”.

Page 935, lines 5 and 6, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 935, strike lines 7 through 17.

Page 935, lines 20 and 21, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 936, line 2, strike “(B)”.

Page 936, strike line 3 and all that follows through page 937, line 9.

Page 937, strike lines 10 through 15.

Page 937, strike line 16 and all that follows through page 944, line 25, and insert the following:

1 (d) DEFINITIONS RELATING TO SPECIFIED FOREIGN
2 ENTITIES.—Section 7701(a) is amended by adding at the
3 end the following new paragraph:

4 “(51) SPECIFIED FOREIGN ENTITY.—

5 “(A) IN GENERAL.—The term ‘specified
6 foreign entity’ means any entity which is, at the
7 close of the taxable year—

1 “(i) the government of a covered na-
2 tion (as defined in section 4872(f)(2) of
3 title 10, United States Code),

4 “(ii) incorporated or organized under
5 the laws of, or has its principal place of
6 business in, a covered nation, or

7 “(iii) an entity (including subsidiary
8 entities) controlled (as determined under
9 subparagraph (B)) by an entity described
10 in clause (i) or (ii).

11 “(B) CONTROL.—

12 “(i) IN GENERAL.—For purposes of
13 subparagraph (A), the term ‘control’
14 means—

15 “(I) in the case of a corporation,
16 ownership (by vote or value) of more
17 than 50 percent of the stock in such
18 corporation,

19 “(II) in the case of a partner-
20 ship, ownership of more than 50 per-
21 cent of the profits interests or capital
22 interests in such partnership, or

23 “(III) in any other case, owner-
24 ship of more than 50 percent of the
25 beneficial interests in the entity.

1 “(ii) DETERMINATION OF OWNER-
2 SHIP.—For purposes of this subparagraph,
3 section 318(a)(2) shall apply for purposes
4 of determining ownership of stock or inter-
5 ests, except that subparagraphs (A) and
6 (B) thereof shall be applied only if 50 per-
7 cent or more of the stock or interests are
8 owned, directly or indirectly, by or for any
9 person in a manner similar to the rule de-
10 scribed in subparagraph (C) thereof. Sec-
11 tion 318(a)(5)(A) shall apply to the appli-
12 cation of section 318(a)(2) under this
13 clause.

14 “(C) GOVERNMENT.—For purposes of sub-
15 paragraph (A), the term ‘government’ means,
16 with respect to a covered nation—

17 “(i) the national government of such
18 nation,

19 “(ii) an agency or government instru-
20 mentality of the national government of
21 such nation,

22 “(iii) a dominant or ruling political
23 party of such nation, or

24 “(iv) any individual currently in a
25 senior role for the national government, or

1 a dominant or ruling political party, of
2 such nation and with substantial authority
3 over policy, operations, or the use of gov-
4 ernment-owned resources of such nation.”.

Page 945, strike lines 6 through 9 and insert the following:

5 (2) SPECIFIED FOREIGN ENTITY.—The amend-
6 ments made by subsections (b) and (d) shall apply
7 to facilities the construction of which begins after
8 the date that is 180 days after the date on which
9 the Secretary of the Treasury (or the Secretary’s
10 delegate) publishes final regulations in the Federal
11 Register to implement such subsections.

Page 945, line 24, strike “placed in service” and insert “the construction of which begins”.

Page 946, line 3, strike “placed in service” and insert “the construction of which begins”.

Page 946, line 7, strike “placed in service” and insert “the construction of which begins”.

Page 946, line 11, strike “placed in service” and insert “the construction of which begins”.

Page 946, lines 13 and 14, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 946, strike line 15 and all that follows through page 947, line 12.

Page 947, lines 13 and 14, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 947, lines 16 and 17, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 947, line 23, strike “(B)”.

Page 947, strike line 24 and all that follows through page 951, line 3.

Page 949, line 19, strike “placed in service” and insert “the construction of which begins”.

Page 951, strike lines 4 through 10.

Page 952, strike lines 9 through 13 and insert the following:

- 1 (2) SPECIFIED FOREIGN ENTITY.—The amend-
- 2 ments made by subsection (b) shall apply to facilities
- 3 and energy storage technology the construction of

1 which begins after the date that is 180 days after
2 the date on which the Secretary of the Treasury (or
3 the Secretary's delegate) publishes final regulations
4 in the Federal Register to implement such sub-
5 section.

Page 952, strike lines 14 through 21.

Page 953, lines 3 and 4, strike "PROHIBITED FOREIGN ENTITIES" and insert "SPECIFIED FOREIGN ENTITIES".

Page 953, lines 6 and 7, strike "PROHIBITED FOREIGN ENTITIES" and insert "SPECIFIED FOREIGN ENTITIES".

Page 953, line 13, strike "(B)".

Page 953, strike lines 14 through 21.

Page 953, strike line 22 and all that follows through page 954, line 7.

Page 954, strike lines 8 through 17 and insert the following:

6 (b) EFFECTIVE DATE.—The amendment made by
7 this section shall apply to carbon capture equipment the
8 construction of which begins after the date that is 180
9 days after the date on which the Secretary of the Treasury

1 (or the Secretary’s delegate) publishes final regulations in
2 the Federal Register to implement this section.

Page 955, lines 19 and 20, strike “PROHIBITED
FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN
ENTITIES”.

Page 955, lines 22 and 23, strike “PROHIBITED
FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN EN-
TITIES”.

Page 956, line 4, strike “(B)”.

Page 956, strike lines 5 through 15.

Page 956, strike lines 21 through 24 and insert the
following:

3 (2) SPECIFIED FOREIGN ENTITY.—The amend-
4 ment made by subsection (b) shall apply to taxable
5 years beginning after the date that is 180 days after
6 the date on which the Secretary of the Treasury (or
7 the Secretary’s delegate) publishes final regulations
8 in the Federal Register to implement such sub-
9 section.

Page 958, lines 1 and 2, strike “PROHIBITED FOR-
EIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTI-
TIES”.

Page 958, strike lines 3 through 18.

Page 958, lines 21 and 22, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 959, line 3, strike “(B)”.

Page 959, strike line 4 and all that follows through page 961, line 22.

Page 962, strike lines 3 through 5 and insert the following:

1 (2) SPECIFIED FOREIGN ENTITY.—The amend-
2 ment made by subsection (b) shall apply to facilities
3 the construction of which begins after the date that
4 is 180 days after the date on which the Secretary of
5 the Treasury (or the Secretary’s delegate) publishes
6 final regulations in the Federal Register to imple-
7 ment such subsection.

Page 962, line 22, strike “placed in service” and insert “the construction of which begins”.

Page 963, lines 7 and 8, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 963, lines 11 and 12, strike “PROHIBITED FOREIGN ENTITIES” and insert “SPECIFIED FOREIGN ENTITIES”.

Page 963, line 19, strike “(B)”.

Page 963, strike line 20 and all that follows through page 964, line 8.

Page 964, strike lines 14 through 18 and insert the following:

1 (2) SPECIFIED FOREIGN ENTITY.—The amend-
2 ments made by subsection (b) shall apply to prop-
3 erty the construction of which begins after the date
4 that is 180 days after the date on which the Sec-
5 retary of the Treasury (or the Secretary’s delegate)
6 publishes final regulations in the Federal Register to
7 implement such subsection.

