

ALERT

House Passes CFIUS Reform Bill

June 27, 2018

The U.S. House of Representatives yesterday passed by an overwhelming margin of 400-2 its version of the Foreign Investment Risk Review Modernization Act (FIRRMA). The landmark bipartisan legislation would significantly expand the jurisdiction and operational mandate of the Committee on Foreign Investment in the United States (CFIUS) and reform the CFIUS review process in a number of important respects. Our summary of the legislation as originally introduced is available [here](#).

Notably, the current bills in both the House and the Senate omit the language in the original bill that would have authorized CFIUS to review certain outbound technology transfers (including of IP) through joint ventures and other similar arrangements. The current Senate draft, which differs from the House version in certain respects, has since been incorporated into the National Defense Authorization Act (NDAA) for Fiscal Year 2019, whereas the House version passed as a standalone bill. Conferees will be chosen in the coming weeks to reconcile the Senate and House versions. With the NDAA generally considered must-pass legislation, however, it appears highly likely that FIRRMA will soon become law in one form or another.

Authors

Nova J. Daly
Senior Public Policy Advisor
202.719.3282
ndaly@wiley.law

Daniel P. Brooks
Partner
202.719.4183
dbrooks@wiley.law

Practice Areas

International Trade
National Security
Trade Policy and Trade Negotiations