

119TH CONGRESS
2D SESSION

H. R. 9546

To provide for exceptions for notifications to the United States Government relating to specified foreign entities.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2026

Mr. GOTTHEIMER (for himself and Mr. MOOLENAAR) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for exceptions for notifications to the United States Government relating to specified foreign entities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cloud Security Act”.

5 **SEC. 2. EXCEPTIONS FOR NOTIFICATIONS TO THE UNITED**

6 **STATES GOVERNMENT RELATING TO SPECI-**

7 **FIED FOREIGN ENTITIES.**

8 (a) COMMUNICATIONS.—Section 2702(b) of title 18,

9 United States Code, is amended—

1 (1) in paragraph (8), by striking “; or” and in-
2 serting a semicolon;

3 (2) in paragraph (9), by striking the period at
4 the end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(10) to the Secretary of Commerce, or an offi-
7 cer, employee, or agent of the United States Govern-
8 ment designated by the Secretary of Commerce, if—

9 “(A) the disclosure is made for the purpose
10 of providing a verification, notification, referral,
11 report, or other information required to comply
12 with regulations issued pursuant to the Export
13 Control Reform Act of 2018 (50 U.S.C. 4801
14 et seq.);

15 “(B) the provider, in good faith, believes
16 that the communication relates to use of a cov-
17 ered cloud product by a specified foreign entity,
18 or by an entity acting on behalf of, at the direc-
19 tion of, or for the benefit of a specified foreign
20 entity; and

21 “(C) the disclosure is limited to the con-
22 tents reasonably necessary to make or substan-
23 tiate the verification, notification, referral, re-
24 port, or other information described in subpara-
25 graph (A).”.

1 (b) CUSTOMER RECORDS.—Section 2702(c) of title
2 18, United States Code, is amended—

3 (1) in paragraph (6), by striking “; or” and in-
4 serting a semicolon;

5 (2) in paragraph (7), by striking the period at
6 the end and inserting “; or”; and

7 (3) by adding at the end the following:

8 “(8) to the Secretary of Commerce, or an offi-
9 cer, employee, or agent of the United States Govern-
10 ment designated by the Secretary of Commerce, if—

11 “(A) the disclosure is made for the purpose
12 of providing a verification, notification, referral,
13 report, or other information required or author-
14 ized under the Act that enacted this paragraph,
15 or to comply with regulations issued pursuant
16 to the Export Control Reform Act of 2018 (50
17 U.S.C. 4801 et seq.);

18 “(B) the provider, in good faith, believes
19 that the record or other information relates to
20 use of a covered cloud product by a specified
21 foreign entity, or by an entity acting on behalf
22 of, at the direction of, or for the benefit of a
23 specified foreign entity; and

24 “(C) the disclosure is limited to the record
25 or other information reasonably necessary to

1 make or substantiate the verification, notifica-
2 tion, referral, report, or other information de-
3 scribed in subparagraph (A).”.

4 (c) DEFINITIONS.—Section 2711 of title 18, United
5 States Code, is amended—

6 (1) in paragraph (3)(C), by striking “and” at
7 the end;

8 (2) in paragraph (4), by striking the period at
9 the end and inserting “; and”; and

10 (3) by adding at the end the following:

11 “(5) the term ‘AI model’ means an artificial in-
12 telligence model that is trained on broad data, gen-
13 erally uses self-supervision, contains at least
14 1,000,000,000 parameters, and is applicable across
15 a wide range of contexts;

16 “(6) the term ‘covered cloud product’ means—

17 “(A) an infrastructure as a service product
18 used to develop or deploy an advanced AI model
19 using a covered integrated circuit; or

20 “(B) a platform as a service or software as
21 a service product that provides a customer with
22 computational resources, access, or functionality
23 substantially equivalent to those available
24 through an infrastructure as a service product
25 described in subparagraph (A), regardless of

1 how the product is marketed, packaged, or
2 characterized;

3 “(7) the term ‘covered integrated circuit’—

4 “(A) means, subject subparagraph (B)—

5 “(i) an integrated circuit, computer,
6 or other product—

7 “(I) classified under Export Con-
8 trol Classification Number 3A090 or
9 4A090 or related Export Control
10 Classification Numbers; or

11 “(II) that is functionally equiva-
12 lent or substantially similar to a cir-
13 cuit, computer, or product described
14 in subclause (I), including certain
15 similar products listed under Export
16 Control Classification Number
17 5A002.z; or

18 “(ii) an integrated circuit that has 1
19 or more digital processing units with—

20 “(I) a total processing perform-
21 ance of 4,800 or more;

22 “(II) a total processing perform-
23 ance of 2,400 or more and a perform-
24 ance density of 1.6 or more;

1 “(III) a total processing perform-
2 ance of 1,600 or more and a perform-
3 ance density of 3.2 or more; or

4 “(IV) a total DRAM bandwidth
5 of 1,400 gigabytes per second or
6 more, interconnect bandwidth of
7 1,100 gigabytes per second or more,
8 or a sum of DRAM bandwidth and
9 interconnect bandwidth of 1,700
10 gigabytes per second or more;

11 “(B) has the meaning given such term in
12 subparagraph (A), as modified by the Secretary
13 of Commerce beginning 24 months after the
14 date of enactment of this paragraph;

15 “(C) includes a product containing such a
16 covered integrated circuit;

17 “(D) does not include a covered integrated
18 circuit or a product containing such a covered
19 integrated circuit that is not designed or mar-
20 keted for use in data centers; and

21 “(8) the term ‘specified foreign entity’ has the
22 meaning given that term in section 7701(a)(51)(B)
23 of the Internal Revenue Code of 1986.”.

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