

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 9546

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

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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

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## 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(e) 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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