

117TH CONGRESS
2D SESSION

H. R. 7578

To require the Secretary of Commerce to submit a report to Congress on data servicing operations owned by Chinese entities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2022

Mr. GOODEN of Texas introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of Commerce to submit a report to Congress on data servicing operations owned by Chinese entities, and for other purposes.

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 “Countering Limitless
5 Overtaking of User Data Act” or the “CLOUD Act”.

1 **SEC. 2. DATA SERVICING OPERATIONS OWNED BY CHINESE**
2 **ENTITIES REPORT.**

3 (a) REPORT REQUIRED.—Not later than 180 days
4 after the date of the enactment of this Act, the Secretary
5 of Commerce, in coordination with the Director of Na-
6 tional Intelligence, the Federal Trade Commission, and
7 the Federal Communications Commission, shall submit to
8 the appropriate committees of Congress a report on the
9 following:

10 (1) Whether any data servicing operation or
11 service owned by a Chinese entity is operating in the
12 United States, the laws and regulations that might
13 apply to such operation or service, and any data
14 servicing operation that are offered or provided to
15 United States persons by the entity.

16 (2) Whether any Chinese entity that provides
17 products or services for a data servicing operation is
18 engaged in a joint venture or servicing arrangement
19 with a United States entity and the nature of such
20 operations.

21 (3) Whether consumers of data servicing oper-
22 ations have access to prominently identified informa-
23 tion regarding the ownership of such operations.

24 (4) Whether United States entities can operate
25 freely in the People's Republic of China and what,

1 if any, restrictions apply to the services and oper-
2 ations of such entities.

3 (5) Each country in which a Chinese entity pro-
4 vides equipment or services for the provision of data
5 servicing operations in a third-country market and
6 whether the market share of Chinese entities in
7 those markets may limit, in any way, the ability of
8 United States entities to operate independently of
9 such operations or without the use of such services.

10 (6) Any support the Government of the People's
11 Republic of China provides to Chinese entities that
12 provide equipment or services for the provision of
13 data servicing operations that may act as a subsidy
14 for such operations or services.

15 (b) DEFINITIONS.—In this section:

16 (1) APPROPRIATE COMMITTEES OF CON-
17 GRESS.—The term “appropriate committees of Con-
18 gress” means—

19 (A) the Financial Services Committee, the
20 Foreign Affairs Committee, and the Permanent
21 Select Committee on Intelligence, and the En-
22 ergy and Commerce Committee of the House of
23 Representatives; and

24 (B) the Finance Committee, Foreign Rela-
25 tions Committee, the Select Committee on In-

1 intelligence, and the Committee on Commerce,
2 Science, and Transportation of the Senate.

3 (2) CHINESE ENTITY.—The term “Chinese en-
4 tity” means an entity organized under the laws of
5 China or any jurisdiction within China, including a
6 foreign branch of such entity.

7 (3) DATA SERVICING OPERATION.—The term
8 “data servicing operation” means the management,
9 storage, processing, and aggregation of data.

10 (4) UNITED STATES ENTITY.—The term
11 “United States entity” means an entity organized
12 under the laws of the United States or any jurisdic-
13 tion within the United States, including a foreign
14 branch of such entity.

15 (5) UNITED STATES PERSON.—The term
16 “United States person” means—

17 (A) a citizen of the United States or an
18 alien lawfully admitted for permanent residence
19 to the United States; or

20 (B) an entity organized under the laws of
21 the United States or any jurisdiction within the
22 United States, including a foreign branch of
23 such entity.

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