



March 5, 2024

TO: Members of the Energy and Commerce Committee  
FROM: Bipartisan Committee Staff  
RE: Full Committee Markup

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## I. INTRODUCTION

On Thursday, March 7, 2024, at 2:00 p.m. (ET) or 30 minutes following the conclusion of the full Committee hearing, the Committee on Energy and Commerce will meet in open markup session in 2123 Rayburn House Office Building to consider the following legislation:

- **H.R. 7521, Prohibition of Foreign Adversary Controlled Applications Act (Gallagher/Krishnamoorthi)**
- **H.R. 7520, Protecting Americans' Data from Foreign Adversaries Act of 2024 (Pallone/McMorris Rodgers)**

In keeping with Chair Rodgers' announced policy, Members must submit any amendments they may have two hours before they are offered during this markup. Members may submit amendments by email to [EandCdocs@mail.house.gov](mailto:EandCdocs@mail.house.gov). **Any information with respect to an amendment's parliamentary standing (e.g., its germaneness) should be submitted at this time.**

## II. EXPLANATION OF LEGISLATION

### **H.R. 7521, Protecting Americans from of Foreign Adversary Controlled Applications Act**

- H.R. 7521, is led by Representative Mike Gallagher (R-WI) and Representative Raja Krishnamoorthi (D-IL). This bipartisan bill addresses the immediate national security risks posed by TikTok and establishes a framework for the Executive Branch to protect Americans from future foreign adversary controlled applications. If an application is determined to be operated by a company controlled by a foreign adversary – like ByteDance, Ltd., which is controlled by the People's Republic of China – the application must be divested from foreign adversary control within 180 days. If the application is not divested, entities in the United States would be prohibited from distributing the application through an application marketplace or store and providing web hosting services.

### **H.R. 7520, Protecting Americans' Data from Foreign Adversaries Act of 2024**

- H.R. 7520, is led by Representative Frank Pallone, Jr. (D-NJ) and Representative Cathy McMorris Rodgers (R-WA). This bipartisan bill protects American sensitive personal data, including military service member data, by prohibiting data brokers from selling, transferring, or giving access to such data to certain foreign adversaries or entities controlled by those foreign adversaries. It gives authority to the Federal Trade Commission to enforce against potential violations.

### **III. STAFF CONTACTS**

If you have questions regarding the legislation, please contact Kate O'Connor, Giulia Leganski, or Slate Herman with the Committee Staff regarding H.R. 7521, or Tim Kurth, Brannon Rains, or Michael Cameron regarding H.R. 7520, at (202) 225-3641.