

AMENDMENT TO DISCUSSION DRAFT
OFFERED BY MRS. DINGELL OF MICHIGAN

Page 41, after line 16, insert the following:

1 (52) CONTROLLED BY A FOREIGN ADVER-
2 SARY.—The term “controlled by a foreign adver-
3 sary” has the meaning given such term in section
4 2(c) of the Protecting Americans’ Data from For-
5 eign Adversaries Act of 2024 (division I of Public
6 Law 118–50).

Page 42, line 18, strike the period and insert the following: “and may not transfer sensitive covered data to a third party that is controlled by a foreign adversary.”.

Page 49, after line 10, insert the following:

7 (g) ENTITIES CONTROLLED BY A FOREIGN ADVER-
8 SARY.—A covered entity may not collect, process, retain,
9 or transfer covered data of an individual or direct a service
10 provider to collect, process, retain, or transfer covered
11 data of an individual without the affirmative express con-
12 sent of the individual to whom the data pertains if the
13 covered data would be collected, processed, retained,

- 1 transferred, or otherwise accessible to an entity controlled
- 2 by a foreign adversary.

