

In the Senate of the United States,

February 9, 2016.

Resolved, That the bill from the House of Representatives (H.R. 1428) entitled “An Act to extend Privacy Act remedies to citizens of certified states, and for other purposes.”, do pass with the following

AMENDMENT:

On page 3, strike line 6 and all that follows through page 4 line 21, and insert:

1 *(d) DESIGNATION OF COVERED COUNTRY.—*

2 *(1) IN GENERAL.—The Attorney General may,*
3 *with the concurrence of the Secretary of State, the*
4 *Secretary of the Treasury, and the Secretary of*
5 *Homeland Security, designate a foreign country or*
6 *regional economic integration organization, or mem-*
7 *ber country of such organization, as a “covered coun-*
8 *try” for purposes of this section if—*

9 *(A)(i) the country or regional economic in-*
10 *tegration organization, or member country of*

1 *such organization, has entered into an agreement*
2 *with the United States that provides for appro-*
3 *priate privacy protections for information*
4 *shared for the purpose of preventing, inves-*
5 *tigating, detecting, or prosecuting criminal of-*
6 *fenses; or*

7 *(ii) the Attorney General has determined*
8 *that the country or regional economic integra-*
9 *tion organization, or member country of such or-*
10 *ganization, has effectively shared information*
11 *with the United States for the purpose of pre-*
12 *venting, investigating, detecting, or prosecuting*
13 *criminal offenses and has appropriate privacy*
14 *protections for such shared information;*

15 *(B) the country or regional economic inte-*
16 *gration organization, or member country of such*
17 *organization, permits the transfer of personal*
18 *data for commercial purposes between the terri-*
19 *tory of that country or regional economic organi-*
20 *zation and the territory of the United States,*
21 *through an agreement with the United States or*
22 *otherwise; and*

23 *(C) the Attorney General has certified that*
24 *the policies regarding the transfer of personal*
25 *data for commercial purposes and related actions*

1 *of the country or regional economic integration*
2 *organization, or member country of such organi-*
3 *zation, do not materially impede the national se-*
4 *curity interests of the United States.*

5 (2) *REMOVAL OF DESIGNATION.*—*The Attorney*
6 *General may, with the concurrence of the Secretary of*
7 *State, the Secretary of the Treasury, and the Sec-*
8 *retary of Homeland Security, revoke the designation*
9 *of a foreign country or regional economic integration*
10 *organization, or member country of such organiza-*
11 *tion, as a “covered country” if the Attorney General*
12 *determines that such designated “covered country”—*

13 *(A) is not complying with the agreement de-*
14 *scribed under paragraph (1)(A)(i);*

15 *(B) no longer meets the requirements for*
16 *designation under paragraph (1)(A)(ii);*

17 *(C) fails to meet the requirements under*
18 *paragraph (1)(B);*

19 *(D) no longer meets the requirements for*
20 *certification under paragraph (1)(C); or*

21 *(E) impedes the transfer of information (for*
22 *purposes of reporting or preventing unlawful ac-*

1 *tivity) to the United States by a private entity*
2 *or person.*

Attest:

Secretary.

114TH CONGRESS
2^D SESSION

H.R. 1428

AMENDMENT