

**AMENDMENT TO RULES COMM. PRINT 119–33**  
**OFFERED BY MS. SCHAKOWSKY OF ILLINOIS**

At the end of subtitle A of title XVII, insert the following new section:

1 **SEC. 17\_\_ . PROTECTING COVERED INFORMATION OF**  
2 **MEMBERS OF THE ARMED FORCES, VET-**  
3 **ERANS, AND IMMEDIATE FAMILY MEMBERS.**

4 (a) DEFINITIONS.—In this section:

5 (1) The term “covered defense individual”  
6 means—

7 (A) a current member of the Armed  
8 Forces;

9 (B) a member of a reserve component of  
10 the Armed Forces, including the National  
11 Guard;

12 (C) a former member of the Armed Forces  
13 or veteran;

14 (D) any individual who is the spouse, par-  
15 ent, sibling, or child of an individual described  
16 in subparagraph (A), (B), or (C);

17 (E) any individual to whom an individual  
18 described in subparagraph (A), (B), or (C)  
19 stands in loco parentis; or

1 (F) any other individual living in the  
2 household of an individual described in subpara-  
3 graph (A), (B), or (C).

4 (2) The term “covered defense information list”  
5 means a list, dataset, segment, profile, inference, or  
6 other compilation that includes personal information,  
7 other than public record information, about one or  
8 more individuals or households which is created for  
9 the express or implied purpose of compiling informa-  
10 tion about individuals who are covered defense indi-  
11 viduals or immediate family members.

12 (3) The term “covered information”—

13 (A) means—

14 (i) a home address, including primary  
15 residence or secondary residences;

16 (ii) a home or personal mobile tele-  
17 phone number;

18 (iii) a personal email address;

19 (iv) a social security number or driv-  
20 er’s license number;

21 (v) a bank account or credit or debit  
22 card information;

23 (vi) a license plate number or other  
24 unique identifiers of a vehicle owned,

1 leased, or regularly used by a covered de-  
2 fense individual;

3 (vii) the identification of children of a  
4 covered defense individual under the age of  
5 18;

6 (viii) the full date of birth;

7 (ix) information regarding current or  
8 future school or day care attendance, in-  
9 cluding the name or address of the school  
10 or day care, schedules of attendance, or  
11 routes taken to or from the school or day  
12 care by a covered defense individual;

13 (x) information regarding the employ-  
14 ment location of a covered defense indi-  
15 vidual, including the name or address of  
16 the employer, employment schedules, or  
17 routes taken to or from the employer by a  
18 covered defense individual;

19 (xi) information revealing current or  
20 former military service, veteran status,  
21 branch, rank, unit, duty station, deploy-  
22 ment status, base access, military housing,  
23 benefits or health care furnished by the  
24 Department of Veterans Affairs, disability

1 status, or other service-connected informa-  
2 tion;

3 (xii) precise geolocation information,  
4 location history, routes, schedules, regu-  
5 larly visited locations, location inferences,  
6 or pattern-of-life information;

7 (xiii) biometric information, including  
8 facial-recognition data, voiceprints, finger-  
9 prints, iris or retina scans, gait, biometric  
10 templates, biometric embeddings, or other  
11 physiological or behavioral identifiers; and

12 (xiv) wearable, ambient, sensor-de-  
13 rived, visual, audio, device, vehicle, health,  
14 fitness, or AI-inferred data, if linked or  
15 reasonably linkable to a covered defense in-  
16 dividual and if such data could reveal iden-  
17 tity, location, movement, military service,  
18 veteran status, deployment status, facility  
19 access, routine, or pattern of life; and

20 (B) does not include information regarding  
21 employment with a Government agency, except  
22 to the extent such information reveals current  
23 or former military service, duty station, deploy-  
24 ment status, base access, military housing, or

1 other service-connected information described in  
2 subparagraph (A)(xi).

3 (4) The term “covered nation” has the meaning  
4 given that term in section 4872(d)(2) of title 10,  
5 United States Code.

6 (5) The term “data broker” means an entity  
7 that collects and sells or licenses to third parties the  
8 personal information of an individual with whom the  
9 entity does not have a direct relationship.

10 (6) The term “immediate family member”  
11 means any—

12 (A) individual who is the spouse, parent,  
13 sibling, or child of a covered defense individual;

14 (B) individual to whom a covered defense  
15 individual stands in loco parentis; or

16 (C) other individual living in the household  
17 of a covered defense individual.

18 (7) The term “personal information” means in-  
19 formation that is linked or reasonably linkable to  
20 any identified or identifiable person or device.

21 (8) The term “public record information”  
22 means information that is lawfully made available  
23 from Federal, State, or local government records  
24 provided that the data broker processes and trans-  
25 fers such information in accordance with any restric-

1        tions or terms of use placed on the information by  
2        the relevant government entity.

3        (b) DATA BROKERS.—It shall be unlawful for a data  
4 broker to knowingly sell, license, trade for consideration,  
5 transfer, or purchase covered information of a covered de-  
6 fense individual or immediate family member.

7        (c) COVERED NATIONS.—It shall be unlawful for a  
8 data broker to sell, resell, license, trade, or otherwise pro-  
9 vide or make available for consideration a covered defense  
10 information list to—

11            (1) any covered nation; or

12            (2) any entity owned by, controlled by, or sub-  
13 ject to the jurisdiction or direction of a covered na-  
14 tion.

15        (d) OTHER PERSONS AND BUSINESSES.—

16            (1) IN GENERAL.—Except as provided in para-  
17 graph (2), no person, business, or association shall  
18 publicly post or publicly display on the internet cov-  
19 ered information of a covered defense individual or  
20 immediate family member if the covered defense in-  
21 dividual has made a written request to that person,  
22 business, or association not to disclose or acquire the  
23 covered information of the covered defense individual  
24 or immediate family member.

1           (2) EXCEPTIONS.—Paragraph (1) shall not  
2       apply to—

3           (A) the display on the internet of the cov-  
4       ered information of a covered defense individual  
5       or immediate family member if the information  
6       is relevant to and displayed as part of a news  
7       story, commentary, editorial, or other speech on  
8       a matter of public concern;

9           (B) covered information that the covered  
10      defense individual voluntarily publishes on the  
11      internet after the date of the enactment of this  
12      Act; or

13          (C) covered information lawfully received  
14      from a Federal Government source, or from an  
15      employee or agent of the Federal Government.

16      (e) REQUIRED CONDUCT AFTER WRITTEN RE-  
17      QUEST.—

18          (1) IN GENERAL.—After receiving a written re-  
19      quest under subsection (d)(1), the person, business,  
20      or association shall—

21          (A) remove within 72 hours the covered in-  
22      formation identified in the written request from  
23      the internet and ensure that the information is  
24      not made available on any website or subsidiary  
25      website controlled by that person, business, or

1 association and identify any other instances of  
2 the identified information that should also be  
3 removed; and

4 (B) assist the sender to locate the covered  
5 information of the covered defense individual or  
6 immediate family member posted on any  
7 website or subsidiary website controlled by that  
8 person, business, or association.

9 (2) TRANSFER.—

10 (A) IN GENERAL.—Except as provided in  
11 subparagraph (B), after receiving a written re-  
12 quest under subsection (d)(1), the person, busi-  
13 ness, or association shall not transfer the cov-  
14 ered information of the covered defense indi-  
15 vidual or immediate family member to any  
16 other person, business, or association through  
17 any medium.

18 (B) EXCEPTIONS.—Subparagraph (A)  
19 shall not apply to—

20 (i) the transfer of the covered infor-  
21 mation of the covered defense individual or  
22 immediate family member if the informa-  
23 tion is relevant to and displayed as part of  
24 a news story, commentary, editorial, or  
25 other speech on a matter of public concern;

1 (ii) covered information that the cov-  
2 ered defense individual or immediate fam-  
3 ily member voluntarily publishes on the  
4 internet after the date of enactment of this  
5 section; or

6 (iii) a transfer made at the request of  
7 the covered defense individual or imme-  
8 diate family member or that is necessary  
9 to effectuate a request to the person, busi-  
10 ness, or association from the covered de-  
11 fense individual or immediate family mem-  
12 ber.

13 (f) DELEGATION OF AUTHORITY.—

14 (1) IN GENERAL.—A covered defense individual  
15 may directly, or through an agent designated by the  
16 covered defense individual, make any notice or re-  
17 quest required or authorized by this section on be-  
18 half of the covered defense individual or an imme-  
19 diate family member. The notice or request shall be  
20 in writing and contain information necessary to en-  
21 sure compliance with this section, including informa-  
22 tion expressly referencing the prohibition on the  
23 posting or transfer of covered information, informa-  
24 tion regarding redress and penalties for violations  
25 provided in subsection (g), and contact information

1 to allow the recipient to verify the accuracy of any  
2 notice or request and answer questions by the recipi-  
3 ent of the notice or request.

4 (2) AUTHORIZATION OF GOVERNMENT AGEN-  
5 CIES TO MAKE REQUESTS.—Upon written request of  
6 a covered defense individual, the Secretary of De-  
7 fense, the Secretary of Veterans Affairs, or the des-  
8 ignee of either Secretary, is authorized to make any  
9 notice or request required or authorized by this sec-  
10 tion on behalf of the covered defense individual or an  
11 immediate family member. The notice or request  
12 shall include information necessary to ensure compli-  
13 ance with this section. Any notice or request made  
14 under this subsection shall be deemed to have been  
15 made by the covered defense individual and comply  
16 with the notice and request requirements of this sec-  
17 tion.

18 (g) REDRESS AND PENALTIES.—

19 (1) IN GENERAL.—If the covered information of  
20 a covered defense individual or immediate family  
21 member is made public as a result of a violation of  
22 this section, the Secretary of Defense, the Secretary  
23 of Veterans Affairs, or the designee of either Sec-  
24 retary may file an action seeking injunctive or de-

1 claratory relief in any court of competent jurisdic-  
2 tion, through the Department of Justice.

3 (2) PENALTIES AND DAMAGES.—If a person,  
4 business, or association knowingly violates an order  
5 granting injunctive or declaratory relief under para-  
6 graph (1), the court issuing such order may—

7 (A) if the person, business, or association  
8 is a Government agency—

9 (i) impose a fine not greater than  
10 \$4,000; and

11 (ii) award to the covered defense indi-  
12 vidual or immediate family member, as ap-  
13 plicable, court costs and reasonable attor-  
14 ney's fees; and

15 (B) if the person, business, or association  
16 is not a Government agency, award to the cov-  
17 ered defense individual or immediate family  
18 member, as applicable—

19 (i) an amount equal to the actual  
20 damages sustained by the covered defense  
21 individual or immediate family member;  
22 and

23 (ii) court costs and reasonable attor-  
24 ney's fees.

1 (h) DATA SECURITY.—Any person, business, associa-  
2 tion, or government custodian that collects or receives in-  
3 formation to comply with the requirements of this section  
4 shall implement and maintain reasonable security proce-  
5 dures and practices to protect such information from un-  
6 authorized use, disclosure, access, destruction, or modi-  
7 fication.

8 (i) RULES OF CONSTRUCTION.—

9 (1) IN GENERAL.—Nothing in this section shall  
10 be construed—

11 (A) to prohibit, restrain, or limit—

12 (i) the lawful investigation or report-  
13 ing by the press of any unlawful activity or  
14 misconduct alleged to have been committed  
15 by a covered defense individual or imme-  
16 diate family member; or

17 (ii) the reporting on a covered defense  
18 individual or immediate family member re-  
19 garding matters of public concern; or

20 (B) to limit the publication or transfer of  
21 covered information with the written consent of  
22 the covered defense individual or immediate  
23 family member.

24 (2) PROTECTION OF COVERED INFORMATION.—

25 This section shall be broadly construed to favor the

1 protection of the covered information of covered de-  
2 fense individuals and their immediate family mem-  
3 bers.

4 (j) EFFECTIVE DATE.—Subsections (b), (c), (d), and  
5 (e) shall take effect on the date that is 120 days after  
6 the date of the enactment of this Act.

