

119TH CONGRESS
1ST SESSION

S. 1512

To prohibit data brokers from selling, reselling, trading, licensing, or otherwise providing for consideration lists of military servicemembers to any covered nation or person controlled by a covered nation.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 2025

Mr. CASSIDY (for himself and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To prohibit data brokers from selling, reselling, trading, licensing, or otherwise providing for consideration lists of military servicemembers to any covered nation or person controlled by a covered nation.

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 “Protecting Military
5 Servicemembers Data from Foreign Adversaries Act of
6 2025”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) COMMISSION.—The term “Commission”
2 means the Federal Trade Commission.

3 (2) CONTROLLED BY A COVERED NATION.—The
4 term “controlled by a covered nation” means, with
5 respect to a person, that such person is—

6 (A) a foreign person that is domiciled in,
7 is headquartered in, has its principal place of
8 business in, or is organized under the laws of
9 a covered nation;

10 (B) an entity with respect to which 1 or
11 more foreign persons described in subparagraph
12 (A) directly or indirectly owns not less than a
13 20 percent stake; or

14 (C) a person subject to the direction or
15 control of (including an affiliate or subsidiary)
16 a foreign person described in subparagraph (A)
17 or an entity described in subparagraph (B).

18 (3) COVERED NATION.—The term “covered na-
19 tion” has the meaning given such term in section
20 4872(f) of title 10, United States Code.

21 (4) DATA BROKER.—The term “data broker”
22 means a person that knowingly collects and sells, re-
23 sells, licenses, trades, or otherwise provides or makes
24 available for consideration to third parties the per-

1 sonal information of an individual with whom the
2 business does not have a direct relationship.

3 (5) **MILITARY SERVICE LIST.**—The term “mili-
4 tary servicemember list” means a list that includes
5 personal information (other than public record infor-
6 mation) about 1 or more individuals or households
7 which is created for the express or implied purpose
8 of compiling information about individuals who are
9 current or former servicemembers (as that term is
10 defined in section 101 of the Servicemembers Civil
11 Relief Act (50 U.S.C. 3911).

12 **SEC. 3. PROHIBITING PROVIDING SERVICEMEMBER LISTS**
13 **TO ANY COVERED NATION OR PERSON CON-**
14 **TROLLED BY A COVERED NATION.**

15 (a) **IN GENERAL.**—It shall be unlawful for a data
16 broker to sell, resell, license, trade, or otherwise provide
17 or make available for consideration a military servicemem-
18 ber list to any covered nation or any person controlled by
19 a covered nation.

20 (b) **REQUIRED CONTRACTS.**—Any data broker sell-
21 ing, reselling, licensing, trading, or otherwise providing or
22 making available for consideration a military servicemem-
23 ber list to any other person shall require by contract that
24 such person may not sell, resell, license, trade, or other-

1 wise provide or make available such list to any covered
 2 nation or any person controlled by a covered nation.

3 (c) CONSPIRACIES AND CERTAIN TRANSACTIONS.—

4 It shall be unlawful for any person to—

5 (1) cause or conspire to cause another person
 6 to violate subsection (a) or (b); or

7 (2) engage in a transaction that has the pur-
 8 pose of evading such subsections.

9 **SEC. 4. ENFORCEMENT.**

10 (a) ENFORCEMENT BY THE COMMISSION.—

11 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
 12 TICES.—A violation of section 3 shall be treated as
 13 a violation of a rule defining an unfair or a deceptive
 14 act or practice under section 18(a)(1)(B) of the Fed-
 15 eral Trade Commission Act (15 U.S.C.
 16 57a(a)(1)(B)).

17 (2) POWERS OF THE COMMISSION.—

18 (A) IN GENERAL.—Except as provided in
 19 subparagraphs (D) and (E), the Commission
 20 shall enforce section 3 in the same manner, by
 21 the same means, and with the same jurisdic-
 22 tion, powers, and duties as though all applicable
 23 terms and provisions of the Federal Trade
 24 Commission Act (15 U.S.C. 41 et seq.) were in-
 25 corporated into and made a part of this Act.

1 (B) PRIVILEGES AND IMMUNITIES.—Any
2 person who violates section 3 shall be subject to
3 the penalties and entitled to the privileges and
4 immunities provided in the Federal Trade Com-
5 mission Act (15 U.S.C. 41 et seq.).

6 (C) AUTHORITY PRESERVED.—Nothing in
7 this Act shall be construed to limit the author-
8 ity of the Commission under any other provi-
9 sion of law.

10 (D) NONPROFIT ORGANIZATIONS.—Not-
11 withstanding section 4 of the Federal Trade
12 Commission Act (15 U.S.C. 44) or any jurisdic-
13 tional limitation of the Commission, the Com-
14 mission shall also enforce this Act, in the same
15 manner provided in subparagraphs (A) and (B),
16 with respect to organizations not organized to
17 carry on business for their own profit or that
18 of their members.

19 (E) INDEPENDENT LITIGATION AUTHOR-
20 ITY.—In any case in which the Commission has
21 reason to believe that a data broker is violating
22 or has violated section 3, the Commission may
23 bring a civil action in an appropriate district
24 court of the United States—

- 1 (i) to enjoin further violation of such
2 section by such data broker;
3 (ii) to compel compliance with such
4 section; and
5 (iii) to obtain damages, restitution, or
6 other compensation on behalf of aggrieved
7 consumers.

8 (3) RULEMAKING.—Pursuant to section 553 of
9 title 5, United States Code, the Commission shall
10 promulgate regulations to carry out the provisions of
11 this Act. The Commission shall issue a final rule by
12 not later than 1 year after the date of enactment of
13 this Act.

14 (b) ENFORCEMENT BY STATES.—

15 (1) IN GENERAL.—In any case in which the at-
16 torney general of a State has reason to believe that
17 an interest of the residents of the State has been or
18 is threatened or adversely affected by the engage-
19 ment of any data broker in a practice that violates
20 section 3, the attorney general of the State may, as
21 parens patriae, bring a civil action on behalf of the
22 residents of the State in an appropriate district
23 court of the United States to—

24 (A) enjoin further violation of such section
25 by such data broker;

1 (B) compel compliance with such section;
 2 and

3 (C) obtain damages, restitution, or other
 4 compensation on behalf of such residents.

5 (2) RIGHTS OF THE COMMISSION.—

6 (A) NOTICE TO THE COMMISSION.—

7 (i) IN GENERAL.—Except as provided
 8 in clause (iii), the attorney general of a
 9 State shall notify the Commission in writ-
 10 ing that the attorney general intends to
 11 bring a civil action under paragraph (1)
 12 not later than 10 days before initiating the
 13 civil action.

14 (ii) CONTENTS.—The notification re-
 15 quired by clause (i) with respect to a civil
 16 action shall include a copy of the complaint
 17 to be filed to initiate the civil action.

18 (iii) EXCEPTION.—If it is not feasible
 19 for the attorney general of a State to pro-
 20 vide the notification required by clause (i)
 21 before initiating a civil action under para-
 22 graph (1), the attorney general shall notify
 23 the Commission immediately upon insti-
 24 tuting the civil action.

1 (B) INTERVENTION BY THE COMMIS-
 2 SION.—The Commission may—

3 (i) intervene in any civil action
 4 brought by the attorney general of a State
 5 under paragraph (1); and

6 (ii) upon intervening—

7 (I) be heard on all matters aris-
 8 ing in the civil action; and

9 (II) file petitions for appeal of a
 10 decision in the civil action.

11 (3) INVESTIGATORY POWERS.—Nothing in this
 12 subsection may be construed to prevent the attorney
 13 general of a State from exercising the powers con-
 14 ferred on the attorney general by the laws of the
 15 State to conduct investigations, to administer oaths
 16 or affirmations, or to compel the attendance of wit-
 17 nesses or the production of documentary or other
 18 evidence.

19 (4) PREEMPTIVE ACTION BY THE COMMIS-
 20 SION.—If the Commission institutes a civil action or
 21 an administrative action with respect to a violation
 22 of section 3, the attorney general of a State may
 23 not, during the pendency of such action, bring a civil
 24 action under paragraph (1) against any defendant
 25 named in the complaint of the Commission for the

1 violation with respect to which the Commission insti-
2 tuted such action.

3 (5) VENUE; SERVICE OF PROCESS.—

4 (A) VENUE.—Any action brought under
5 paragraph (1) may be brought in—

6 (i) the district court of the United
7 States that meets applicable requirements
8 relating to venue under section 1391 of
9 title 28, United States Code; or

10 (ii) another court of competent juris-
11 diction.

12 (B) SERVICE OF PROCESS.—In an action
13 brought under paragraph (1), process may be
14 served in any district in which the defendant—

15 (i) is an inhabitant; or

16 (ii) may be found.

17 **SEC. 5. REPORT.**

18 Not later than 1 year after the date of enactment
19 of this Act, the Comptroller General of the United States
20 (referred to in this section as the “Comptroller General”)
21 shall submit to Congress a report containing—

22 (1) an analysis of—

23 (A) the enforcement of this Act;

24 (B) whether additional resources or en-
25 forcement authorities may be necessary to pro-

1 tect the national security interests of the
2 United States from threats posed by data bro-
3 kers selling the sensitive personal information
4 of people in the United States; and

5 (C) whether the national security interests
6 of the United States would be advanced by ex-
7 panding the protections of this Act to additional
8 categories of individuals or types of personal in-
9 formation; and

10 (2) recommendations for such legislation and
11 administrative action as the Comptroller General de-
12 termines appropriate.

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