

HR 4516

Data Broker Accountability and Transparency Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Feb 10, 2016

Current Status: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Latest Action: Referred to the Subcommittee on Commerce, Manufacturing, and Trade. (Feb 12, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/4516>

Sponsor

Name: Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]

Party: Democratic • **State:** GA • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cicilline, David N. [D-RI-1]	D · RI		Feb 10, 2016
Rep. Cohen, Steve [D-TN-9]	D · TN		Feb 10, 2016
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Feb 10, 2016

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Feb 12, 2016

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
114 S 668	Related bill	Mar 4, 2015: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Data Broker Accountability and Transparency Act of 2016

This bill prohibits data brokers from obtaining or causing to be disclosed personal information or any other information relating to any person by making a false, fictitious, or fraudulent statement or representation, including by providing any document that the broker knows or should know to: (1) be forged, counterfeit, lost, stolen, or fraudulently obtained; or (2) contain a false, fictitious, or fraudulent statement or representation.

"Data broker" is defined as a commercial entity that collects, assembles, or maintains personal information concerning an individual who is not a customer or an employee of that entity in order to sell or provide third party access to the information. The Federal Trade Commission (FTC) may exempt certain data brokers from this Act.

Data brokers must establish procedures to ensure the accuracy of: (1) the personal information they collect, assemble, or maintain; and (2) any other information that specifically identifies an individual, unless the information only identifies an individual's name or address.

Data brokers must also provide individuals a cost-free means to review their personal or identifying information.

Individuals may dispute the accuracy of their personal information with a written request that the data broker make a correction.

With regard to disputed public record information that is available for public inspection from federal, state, or local governments, a data broker must: (1) inform the individual of the source of the information and, if reasonably available, where to direct the individual's request for correction; or (2) correct the inaccuracy in the broker's records if the individual provides proof that the public record has been corrected or that the broker was reporting the information incorrectly.

With regard to disputed non-public information of a private nature, a data broker must: (1) note the information that is disputed, (2) independently verify the information, and (3) correct the inaccuracy if the broker was reporting the information incorrectly.

Data brokers must provide individuals with a reasonable means of expressing a preference to exclude their information from being used, shared, or sold for marketing purposes.

The bill sets forth authority for the FTC and states to enforce this Act.

Actions Timeline

- **Feb 12, 2016:** Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
- **Feb 10, 2016:** Introduced in House
- **Feb 10, 2016:** Referred to the House Committee on Energy and Commerce.