

117TH CONGRESS
2D SESSION

S. _____

To regulate the posting of personal information of government officials on the internet, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To regulate the posting of personal information of government officials on the internet, and for other purposes.

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 “Public Servant Protec-
5 tion Act of 2022”.

6 **SEC. 2. PRIVACY OF PERSONAL INFORMATION OF GOVERN-**
7 **MENT OFFICIALS.**

8 (a) DEFINITIONS.—In this section:

9 (1) GOVERNMENT OFFICIAL.—The term “gov-
10 ernment official” means—

1 (A) any officer or employee described in
2 section 1114 of title 18 United States Code;
3 and

4 (B) any officer or employee of a State, a
5 political subdivision of a State, or a Tribal gov-
6 ernment.

7 (2) IMMEDIATE FAMILY MEMBER.—The term
8 “immediate family member” has the meaning given
9 the term in section 115 of title 18, United States
10 Code.

11 (3) INTERACTIVE COMPUTER SERVICE.—The
12 term “interactive computer service” has the meaning
13 given the term in section 230 of the Communica-
14 tions Act of 1934 (47 U.S.C. 230).

15 (4) PERSONAL INFORMATION.—The term “per-
16 sonal information” means—

17 (A) a home address; or

18 (B) a home phone number.

19 (5) STATE.—The term “State” means any
20 State of the United States, the District of Columbia,
21 the Commonwealth of Puerto Rico, the Virgin Is-
22 lands, Guam, American Samoa, the Commonwealth
23 of the Northern Mariana Islands, and any possession
24 of the United States.

1 (6) TRIBAL GOVERNMENT.—The term “Tribal
2 government” has the meaning given the term “In-
3 dian tribal government” in section 102 of the Robert
4 T. Stafford Disaster Relief and Emergency Assist-
5 ance Act (42 U.S.C. 5122).

6 (b) WRITTEN DEMAND TO PERSONS.—

7 (1) IN GENERAL.—A government official may
8 directly, or through an agent designated by the gov-
9 ernment official, make a written demand to a person
10 to refrain from publicly displaying on the internet
11 the personal information of the government official
12 or an immediate family member of the government
13 official.

14 (2) EFFECT OF WRITTEN DEMAND.—If a gov-
15 ernment official makes a written demand to a person
16 under paragraph (1), the person—

17 (A) shall, not later than 48 hours after the
18 receipt of the written demand, remove any per-
19 sonal information of the government official or
20 an immediate family member of the government
21 official displayed on the internet by the person;
22 and

23 (B) during the 4-year period following the
24 date of the receipt of the written demand, may
25 not publicly display on the internet the personal

1 information of the government official or an im-
2 mediate family member of the government offi-
3 cial.

4 (c) WRITTEN DEMAND TO INTERACTIVE COMPUTER
5 SERVICE PROVIDERS.—

6 (1) IN GENERAL.—A government official may
7 directly, or through an agent designated by the gov-
8 ernment official, make a written demand to the pro-
9 vider of an interactive computer service to remove
10 the personal information of the government official
11 or an immediate family member of the government
12 official that is publicly displayed on the interactive
13 computer service.

14 (2) EFFECT OF WRITTEN DEMAND.—If a gov-
15 ernment official makes a written demand to the pro-
16 vider of an interactive computer service under para-
17 graph (1), the provider shall, not later than 48
18 hours after the receipt of the written demand, re-
19 move from the interactive computer service any per-
20 sonal information of the government official or an
21 immediate family member of the government official
22 that is publicly displayed on the interactive computer
23 service.

24 (d) CAUSE OF ACTION.—

1 (1) IN GENERAL.—A government official who is
2 aggrieved by a violation of subsection (b)(2) or
3 (c)(2) may bring a civil action against the person or
4 the provider of an interactive computer service, re-
5 spectively, that violated that subsection in an appro-
6 priate district court of the United States.

7 (2) RELIEF.—In an action under paragraph
8 (1), the court may award—

9 (A) injunctive relief;

10 (B) if injury or damage results from the
11 violation of paragraph subsection (b)(2) or
12 (c)(2), the greater of—

13 (i) actual damages; or

14 (ii) \$1,000; and

15 (C) reasonable costs and attorney's fees.