

Health and Location Data Protection Act

Senator Elizabeth Warren

Data brokers are collecting and selling untold amounts of data from millions of Americans. Largely unregulated by federal law, data brokers gather [intensely personal data](#) such as location data from seemingly innocuous sources including weather apps and prayer apps—oftentimes without the consumer’s consent or knowledge. Then, brokers turn around and [sell the data](#) in bulk to virtually any willing buyer, reaping massive profits.

The unsavory business practices of data brokers pose real dangers to Americans everywhere. Data gathered by brokers have been used to [circumvent the Fourth Amendment](#), [out LGBTQ+ Americans](#), and [stalk and harass individuals](#). Some brokers have even been caught selling the cellphone-based location data of [people visiting abortion clinics](#), risking the safety and security of women seeking basic health care.

The *Health and Location Data Protection Act* would ban data brokers from selling some of the most sensitive data available about everyday Americans: their health data and location data. These basic rules of the road for the [\\$200 billion data-broker industry](#) are long overdue. Specifically, the bill would:

- **Ban data brokers from selling or transferring location data and health data.** The bill forbids data brokers from selling or transferring location data and health data and requires the Federal Trade Commission to promulgate rules to implement the law within 180 days, while making exceptions for HIPAA-compliant activities, protected First Amendment speech, and validly authorized disclosures.
- **Ensure robust enforcement of the bill’s protections.** The bill empowers the Federal Trade Commission, state attorneys general, and injured persons to sue to enforce the provisions of the law, allowing for remedies such as damages and injunctions to stop any illegal practices.
- **Provide funding to the Federal Trade Commission to act.** The bill provides \$1 billion to the Federal Trade Commission over the next decade to carry out its work, including the enforcement of this law.