

109TH CONGRESS  
1ST SESSION

# H. R. 551

To amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. HONDA introduced the following bill; which was referred to the Committee on Education and the Workforce

---

## A BILL

To amend the Elementary and Secondary Education Act of 1965 to direct local educational agencies to release secondary school student information to military recruiters if the student's parent provides written consent for the release, 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 “Student Privacy Pro-  
5       tection Act of 2005”.

1 **SEC. 2. ACCESS BY MILITARY RECRUITERS TO SECONDARY**  
2 **SCHOOL STUDENT INFORMATION.**

3 (a) AMENDMENTS.—Section 9528 of the Elementary  
4 and Secondary Education Act of 1965 (20 U.S.C. 7908)  
5 is amended—

6 (1) by redesignating subsections (a) through (d)  
7 as subsections (b) through (e), respectively;

8 (2) by inserting before subsection (b) (as so re-  
9 designated) the following:

10 “(a) MILITARY RECRUITERS.—

11 “(1) ACCESS TO STUDENT RECRUITING INFOR-  
12 MATION.—Notwithstanding section 503(c) of title  
13 10, United States Code, each local educational agen-  
14 cy receiving assistance under this Act shall provide,  
15 on a request made by military recruiters, access to  
16 the name, address, and telephone listing of each sec-  
17 ondary student served by the agency if the parent of  
18 the student involved has provided written consent to  
19 the agency for the release of such information to  
20 military recruiters.

21 “(2) NOTICE; OPPORTUNITY TO CONSENT.—A  
22 local educational agency receiving assistance under  
23 this Act shall—

24 “(A) notify the parent of each secondary  
25 school student served by the agency of the op-  
26 tion to consent to the release of the student’s

1 name, address, and telephone listing to military  
2 recruiters; and

3 “(B) give the parent an opportunity to  
4 provide such consent in writing.”;

5 (3) in subsection (b) (as so redesignated)—

6 (A) by striking “POLICY.—” and inserting  
7 “INSTITUTIONS OF HIGHER EDUCATION.—”;  
8 and

9 (B) in paragraph (1), by striking “military  
10 recruiters or”; and

11 (4) by transferring paragraph (3) of subsection  
12 (b) (as so redesignated) from the end of such sub-  
13 section to the end of subsection (a) (as added by  
14 paragraph (2)).

15 (b) APPLICATION.—The amendments made by this  
16 Act apply only with respect to school years beginning after  
17 the date of the enactment of this Act.

○