119TH CONGRESS
1ST SESSION

H. R. 6043

To prohibit covered entities from preventing the use of certain data by individuals, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2025

Mrs. TRAHAN introduced the following bill; which was referred to the Committee on Energy and Commerce

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A BILL

To prohibit covered entities from preventing the use of certain data by individuals, 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 "Manage Your Data

5 and Allow Only Trusted Access Act of 2025" or the "MY

6 DATA Act of 2025".

7 **SEC. 2. PROHIBITION ON COVERED ENTITY ACTION**

8   **AGAINST CONSUMER PRIVACY.**

9   (a) PROHIBITION.—

1   (1) IN GENERAL.—A covered entity may not

2 prevent an individual from using de-identified data

3 or cloaked data.

4   (2) EXCEPTION.—The prohibition described in

5 paragraph (1) does not apply to a covered entity to

6 the extent that the covered entity acts as a service

7 provider.

8   (b) ENFORCEMENT BY FEDERAL TRADE COMMIS-

9 SION.—

10   (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-

11 TICES.—A violation of subsection (a)(1) shall be

12 treated as a violation of a regulation under section

13 18(a)(1)(B) of the Federal Trade Commission Act

14 (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-

15 tive acts or practices.

16   (2) POWERS OF THE COMMISSION.—The Fed-

17 eral Trade Commission shall enforce subsection

18 (a)(1) in the same manner, by the same means, and

19 with the same jurisdiction, powers, and duties as

20 though all applicable terms and provisions of the

21 Federal Trade Commission Act (15 U.S.C. 41 et

22 seq.) were incorporated into and made a part of this

23 section, and any person who violates subsection

24 (a)(1) shall be subject to the penalties and entitled

1   to the privileges and immunities provided in the

2   Federal Trade Commission Act.

3   (c) DEFINITIONS.—In this section:

4   (1) CLOAKED DATA.—The term "cloaked data"

5   means unique persistent identifiers that serve to

6   adequately replace and conceal the covered data and

7   identity of an individual while enabling communica-

8   tion between a covered entity and the individual.

9   (2) COVERED DATA.—The term "covered data"

10   means information that identifies or is linked or rea-

11   sonably linkable (alone or in combination with other

12   information) to an individual (or a device that iden-

13   tifies or is linked or reasonably linkable to an indi-

14   vidual).

15   (3) COVERED ENTITY.—

16   (A) IN GENERAL.—The term "covered en-

17   tity" means any person (other than an indi-

18   vidual acting in a non-commercial context) who

19   (alone or jointly with others) collects, processes,

20   or transfers covered data.

21   (B) EXCLUSIONS.—The term "covered en-

22   tity" does not include any of the following:

23   (i) A Federal, State, or local govern-

24   ment entity, such as a body, authority,

25   board, bureau, commission, district, agen-

1 cy, or political subdivision of the Federal

2 Government or a State or local govern-

3 ment.

4 (ii) An entity that serves as a congres-

5 sionally designated nonprofit, national re-

6 source center, and clearinghouse to provide

7 assistance to victims, families, child-serving

8 professionals, and the general public on

9 issues relating to missing and exploited

10 children.

11 (4) DE-IDENTIFIED DATA.—The term "de-iden-

12 tified data" means information that does not iden-

13 tify and is not linked or reasonably linkable to an in-

14 dividual (or a device that identifies or is linked or

15 reasonably linkable to an individual), regardless of

16 whether such information is aggregated.

17 (5) UNIQUE PERSISTENT IDENTIFIER.—The

18 term "unique persistent identifier" means an identi-

19 fier—

20 (A) to the extent that such identifier is

21 linked or reasonably linkable to an individual

22 (or a device that identifies or is linked or rea-

23 sonably linkable to an individual); and

1   (B) that is created uniquely for commu-
2   nication between such individual and a covered
3   entity.

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