

and compromise the privacy of millions of consumers. At the same time, the amount of information we share with corporations who are the target of these breaches is growing. Corporations collect and store our social security numbers, our bank account information, and our email addresses. They collect information about our private health and medical conditions. They know what routes we take to work and where we drop our kids off at school. They can replicate our fingerprints or even faceprints. We trust them with private photographs that we store in the cloud. This information is increasingly targeted by both criminal hackers and nation-states, including hostile foreign powers.

The Consumer Privacy Protection Act I am introducing today is based on legislation I first introduced in 2015, and builds and expands on data security legislation that I have introduced in Congress since 2005. It seeks to protect the vast amount of information that we now share with corporations each and every day. Americans want to know that the corporations who are profiting from their information are actually doing something to prevent the next data breach. Americans want to know when someone has had unauthorized access to their bank accounts and to their private family photographs, but they do not just want to be notified of yet another data breach. Consumers should not have to settle for mere notice of data breaches. American consumers deserve protection. This legislation would accomplish that.

The Consumer Privacy Protection Act requires that corporations meet certain baseline privacy and data security standards to keep information they store about their customers safe, and requires that corporations provide notice and protection to consumers in the event of a breach. This legislation protects broad categories of data, including, (1) social security numbers and other government-issued identification numbers; (2) financial account information, including credit card numbers and bank accounts; (3) online usernames and passwords, including email names and passwords; (4) unique biometric data, including fingerprints; (5) information about a person's physical and mental health; (6) information about geolocation; and (7) access to private digital photographs and videos.

It is true that not every breach can be prevented. Cyber criminals and nation-state actors are determined and constantly looking for new ways to pierce the most sophisticated security systems. But just as we expect a bank to put a lock on the front door and an alarm on the vault to protect its customers' money, we expect corporations to take reasonable measures to protect the personal information they collect from us. Unfortunately, many of the corporations that profit from the very information that we entrust them to protect, have woefully inadequate measures to secure this information.

For others, security is simply not a priority. American consumers deserve better and our national security demands it.

This legislation creates civil penalties for corporations that fail to meet the required privacy and data security standards established in the bill or fail to provide notice and protection to consumers when a breach occurs. The Department of Justice, the Federal Trade Commission, and State attorneys general each have a role in enforcement. This legislation also requires corporations to inform Federal law enforcement of all large data breaches, as well as breaches that could impact the federal government. Such notification is necessary to help law enforcement bring these cyber criminals to justice and identify patterns that help protect against future attacks.

Many Americans understandably assume Federal law already protects this sensitive information—common sense tells us that it should. Unfortunately, the reality is that it does not. States provide a patchwork of protection, and while some laws are strong, others are not. For example, my home state of Vermont has a strong data breach notification law that has been in effect since 2007. But there are many other States that have not passed data security laws designed to prevent data breaches.

This legislation sets a floor: a baseline standard that that protects Americans across the country, while also freeing individual States to provide even stronger protections to their residents. In crafting Federal law, we must be careful not to override strong State laws, but we also need to ensure that all Americans, regardless of where they live, have their privacy protected. To this end, the Consumer Privacy Protection Act preempts State law relating to data security and data breach notification only to the extent that the protections under those laws are weaker than those provided for in this bill. We must ensure that consumers do not lose privacy protections they currently enjoy. Since this bill is modeled after those States with the strongest consumer protections, I believe it will improve protections for consumers in nearly every State.

I am joined today by Senators MARKEY, BLUMENTHAL, WYDEN, FRANKEN, and BALDWIN in introducing this legislation. These Senators have long shared my commitment to protecting consumer privacy. This legislation also has the support of leading consumer privacy advocates, including: the Center for Democracy and Technology, the Consumer Federation of America, New America's Open Technology Institute, and Public Knowledge.

Millions of Americans who have had their personal information compromised or stolen as a result of a data breach consider this issue to be of critical importance and a priority for the Senate. Protecting privacy rights

should be important to all of us, regardless of party or ideology. I hope all Senators will support this common-sense measure to better protect Americans' privacy.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 331—EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. WICKER, Ms. COLLINS, Mr. ENZI, Mrs. CAPITO, Mr. RUBIO, Mr. MORAN, Mr. RISCH, Mr. GRASSLEY, Mr. ROBERTS, Mr. CASSIDY, Mr. DAINES, Mr. GRAHAM, Mrs. ERNST, Mr. BARRASSO, Mr. MCCAIN, Mr. COCHRAN, Mr. LANKFORD, Mr. SCOTT, Mr. PORTMAN, Mr. INHOFE, Mr. PETERS, Mr. MARKEY, Mr. BENNET, Mr. CASEY, Ms. HASSAN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. BOOKER, and Mr. ROUNDS) submitted the following resolution; which was considered and agreed to:

#### S. RES. 331

Whereas there are millions of unparented children in the world, including 427,910 children in the foster care system in the United States, approximately 111,820 of whom are waiting for families to adopt them;

Whereas 62 percent of the children in foster care in the United States are age 10 or younger;

Whereas the average length of time a child spends in foster care is approximately 2 years;

Whereas, for many foster children, the wait for a loving family in which the children are nurtured, comforted, and protected seems endless;

Whereas, in 2015, over 20,000 youth "aged out" of foster care by reaching adulthood without being placed in a permanent home;

Whereas, every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas, while nearly a quarter of individuals in the United States have considered adoption, a majority of individuals in the United States have misperceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 50 percent of individuals in the United States believe that children enter the foster care system because of juvenile delinquency, when in reality the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 39 percent of individuals in the United States believe that foster care adoption is expensive, when in reality there is no substantial cost for adopting from foster care and financial support is available to

adoptive parents after an adoption is finalized;

Whereas family reunification, kinship care, and domestic and intercountry adoption promote permanency and stability to a far greater degree than long-term institutionalization or long-term, often disrupted, foster care;

Whereas November is National Adoption Month, and National Adoption Day occurs in November;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas, since the first National Adoption Day in 2000, more than 60,000 children have joined permanent families on National Adoption Day; and

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month, and National Adoption Day is on November 18, 2017: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and throughout the year.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1584. Mr. MCCONNELL (for Mrs. FEINSTEIN (for herself, Mr. THUNE, Mr. NELSON, Ms. COLLINS, Mr. DONNELLY, Mr. YOUNG, Mr. DURBIN, and Ms. WARREN)) proposed an amendment to the bill S. 534, to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

SA 1585. Mr. MCCONNELL (for Mr. WYDEN) proposed an amendment to the resolution S. Res. 318, honoring the Portland Thorns FC as the champion of the National Women's Soccer League in 2017.

## TEXT OF AMENDMENTS

**SA 1584.** Mr. MCCONNELL (for Mrs. FEINSTEIN (for herself, Mr. THUNE, Mr. NELSON, Ms. COLLINS, Mr. DONNELLY, Mr. YOUNG, Mr. DURBIN, and Ms. WARREN)) proposed an amendment to the bill S. 534, to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—PROTECTING YOUNG VICTIMS FROM SEXUAL ABUSE

Sec. 101. Required reporting of child and sexual abuse.

Sec. 102. Civil remedy for personal injuries.

#### TITLE II—UNITED STATES CENTER FOR SAFE SPORT AUTHORIZATION

Sec. 201. Expansion of the purposes of the corporation.

Sec. 202. Designation of the United States Center for Safe Sport.

Sec. 203. Additional requirements for granting sanctions for amateur athletic competitions.

Sec. 204. General requirements for youth-serving amateur sports organizations.

## TITLE I—PROTECTING YOUNG VICTIMS FROM SEXUAL ABUSE

### SEC. 101. REQUIRED REPORTING OF CHILD AND SEXUAL ABUSE.

(a) **REPORTING REQUIREMENT.**—Section 226 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20341) is amended—

(1) in subsection (a)—

(A) by striking “A person who” and inserting the following:

“(1) **COVERED PROFESSIONALS.**—A person who”; and

(B) by adding at the end the following:

“(2) **COVERED INDIVIDUALS.**—A covered individual who learns of facts that give reason to suspect that a child has suffered an incident of child abuse, including sexual abuse, shall as soon as possible make a report of the suspected abuse to the agency designated by the Attorney General under subsection (d).”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “subsection (a)” and inserting “subsection (a)(1)”;

(3) in subsection (c)—

(A) in paragraph (7), by striking “and” at the end;

(B) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(9) the term ‘covered individual’ means an adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international amateur athletic competition, to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body, a member of a national governing body, or such an amateur sports organization;

“(10) the term ‘event’ includes travel, lodging, practice, competition, and health or medical treatment;

“(11) the terms ‘amateur athlete’, ‘amateur athletic competition’, ‘amateur sports organization’, ‘international amateur athletic competition’, and ‘national governing body’ have the meanings given the terms in section 220501(b) of title 36, United States Code; and

“(12) the term ‘as soon as possible’ means within a 24-hour period.”;

(4) in subsection (d), in the first sentence, by inserting “and for all covered individuals” after “reside”;

(5) in subsection (f), in the first sentence—

(A) by striking “and on all” and inserting “on all”; and

(B) by inserting “and for all covered individuals,” after “lands.”;

(6) in subsection (h), by inserting “and all covered individuals,” after “facilities.”; and

(7) by adding at the end the following:

“(1) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to require a victim of child abuse to self-report the abuse.”.

(b) **PENALTY FOR FAILURE TO REPORT.**—Section 2258 of title 18, United States Code, is amended by inserting “or a covered individual as described in subsection (a)(2) of such section 226 who,” after “facility.”.

### SEC. 102. CIVIL REMEDY FOR PERSONAL INJURIES.

Section 2255 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue in any appropriate United States District Court and shall recover the actual damages such person sustains or liquidated damages in the amount of \$150,000, and the cost of the action, including reasonable attorney’s fees and other litigation costs reasonably incurred. The court may also award punitive damages and such other preliminary and equitable relief as the court determines to be appropriate.”;

(2) in subsection (b), by striking “filed within” and all that follows through the end and inserting the following: “filed—

“(1) not later than 10 years after the date on which the plaintiff reasonably discovers the later of—

“(A) the violation that forms the basis for the claim; or

“(B) the injury that forms the basis for the claim; or

“(2) not later than 10 years after the date on which the victim reaches 18 years of age.”; and

(3) by adding at the end the following:

“(c) **VENUE; SERVICE OF PROCESS.**—

“(1) **VENUE.**—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28.

“(2) **SERVICE OF PROCESS.**—In an action brought under subsection (a), process may be served in any district in which the defendant—

“(A) is an inhabitant; or

“(B) may be found.”.

## TITLE II—UNITED STATES CENTER FOR SAFE SPORT AUTHORIZATION

### SEC. 201. EXPANSION OF THE PURPOSES OF THE CORPORATION.

Section 220503 of title 36, United States Code, is amended—

(1) in paragraph (13), by striking “; and” and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(15) to promote a safe environment in sports that is free from abuse, including emotional, physical, and sexual abuse, of any amateur athlete.”.

### SEC. 202. DESIGNATION OF THE UNITED STATES CENTER FOR SAFE SPORT.

(a) **IN GENERAL.**—Chapter 2205 of title 36, United States Code, is amended by adding at the end the following:

#### “Subchapter III—United States Center for Safe Sport

#### “§ 220541. Designation of United States Center for Safe Sport

“(a) **IN GENERAL.**—The United States Center for Safe Sport shall—

“(1) serve as the independent national safe sport organization and be recognized worldwide as the independent national safe sport organization for the United States;

“(2) exercise jurisdiction over the corporation, each national governing body, and each paralympic sports organization with regard to safeguarding amateur athletes against abuse, including emotional, physical, and sexual abuse, in sports;

“(3) maintain an office for education and outreach that shall develop training, oversight practices, policies, and procedures to prevent the abuse, including emotional, physical, and sexual abuse, of amateur athletes participating in amateur athletic activities through national governing bodies and paralympic sports organizations;