

Data Care Act

S.744, 118th; S.3570, 119th

INTRODUCED

Sen. Schatz (D-HI)
Privacy & data · U.S. Senate

HOW FAR IT WAS CARRIED

INTRODUCED

COMMITTEE

FLOOR VOTE

ENACTED

BACKGROUND

Rather than enumerate prohibited practices, this bill borrows the structure of professional duty. Online providers holding personal data would owe their users duties of care, loyalty and confidentiality: an obligation to secure data, not to use it against the person it describes, and not to disclose it in ways that betray the relationship. Enforcement runs through the FTC and state attorneys general.

KEY PROVISIONS

- Imposes a duty of care to reasonably secure personal data.
- Imposes a duty of loyalty barring use of data to the user’s detriment.
- Imposes a duty of confidentiality restricting onward disclosure.
- Extends the duties to third parties receiving the data.
- Provides for enforcement by the FTC and state attorneys general.

LEGISLATIVE RECORD

Introduced in four Congresses; S.3570 pending since 18 December 2025.

OFFICES ENGAGED

Sens. Bennet, Schatz

Drafted and advised. 2 offices engaged.