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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

# H. R.

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To amend title 18, United States Code, to ensure requests for data on individuals do not pertain to reproductive services.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. LIEU introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# A BILL

To amend title 18, United States Code, to ensure requests for data on individuals do not pertain to reproductive services.

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 “Reproductive Data Pri-  
5 vacy and Protection Act”.

1 **SEC. 2. PROCEDURE FOR INTERCEPTION OF WIRE, ORAL,**  
2 **OR ELECTRONIC COMMUNICATIONS.**

3 (a) APPLICATION.—Section 2518(1) of title 18,  
4 United States Code, is amended—

5 (1) in paragraph (e), by striking “and” at the  
6 end;

7 (2) in paragraph (f), by striking the period and  
8 inserting “; and”; and

9 (3) by inserting after paragraph (f) the fol-  
10 lowing:

11 “(g) a statement affirming that the applicant will not  
12 use the contents of any wire, oral, or electronic commu-  
13 nication, including any communication with respect to re-  
14 productive or sexual health information, to initiate or con-  
15 duct an investigation into or proceeding against any per-  
16 son inquiring about, seeking, obtaining, providing, or fa-  
17 cilitating reproductive or sexual health treatment or  
18 care.”.

19 (b) ORDER.—Section 2518(4) of title 18, United  
20 States Code, is amended—

21 (1) in paragraph (d), by striking “and” at the  
22 end;

23 (2) in paragraph (e), by striking the period and  
24 inserting “; and”; and

25 (3) by inserting after paragraph (e) the fol-  
26 lowing:

1           “(f) that the applicant will not use the contents  
2 of any wire, oral, or electronic communication, in-  
3 cluding any communication with respect to reproduc-  
4 tive or sexual health information, to initiate or con-  
5 duct an investigation into or proceeding against any  
6 person inquiring about, seeking, obtaining, pro-  
7 viding, or facilitating reproductive or sexual health  
8 treatment or care.”.

9           (c) DEFINITION.—Section 2518 of title 18, United  
10 States Code, is amended by adding at the end the fol-  
11 lowing:

12           “(13) In this section, the term ‘reproductive or sexual  
13 health information’ means information relating to—

14           “(A) reproductive-related surgeries or proce-  
15 dures, including abortion and in vitro fertilization;

16           “(B) the use or purchase of contraceptives,  
17 medication abortion, or any other drug, device, or  
18 materials related to reproductive health;

19           “(C) the prescription, recommendation, or dis-  
20 tribution of contraceptives, medication abortion, in  
21 vitro fertilization, or any other drug, device, or ma-  
22 terials related to reproductive health;

23           “(D) reproductive or sexual health conditions,  
24 status, diseases, or diagnoses, including pregnancy  
25 and pregnancy-related conditions, menstruation, ovu-

1 lation, ability to conceive a pregnancy (including  
2 through in vitro fertilization), whether such indi-  
3 vidual is sexually active, and whether such individual  
4 is engaging in unprotected sex; and

5 “(E) any other medical or non-medical service  
6 or care provided in conjunction with information de-  
7 scribed in subparagraphs (A) through (D).”.

8 (d) REQUIRED DISCLOSURE OF CUSTOMER COMMU-  
9 NICATIONS OR RECORDS.—Section 2703 of title 18,  
10 United States Code, is amended by adding at the end the  
11 following:

12 “(i) DISCLOSURE OF CUSTOMER COMMUNICATIONS  
13 OR RECORDS.—A government entity seeking to compel  
14 disclosure pursuant to a subpoena, court order, or warrant  
15 shall provide a statement under oath that it shall not use  
16 the contents of any wire, oral, or electronic communica-  
17 tion, including reproductive or sexual health information,  
18 for the purpose of conducting an investigation into or pro-  
19 ceeding against any person in connection with inquiring  
20 about, seeking, obtaining, providing, or facilitating repro-  
21 ductive or sexual health treatment or care.”.