

106TH CONGRESS  
2D SESSION

# S. 2857

To amend title 11, United States Code, to exclude personally identifiable information from the assets of a debtor in bankruptcy.

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## IN THE SENATE OF THE UNITED STATES

JULY 12, 2000

Mr. LEAHY (for himself, Mr. TORRICELLI, and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 11, United States Code, to exclude personally identifiable information from the assets of a debtor in bankruptcy.

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 “Privacy Policy En-  
5 forcement in Bankruptcy Act of 2000”.

6 **SEC. 2. CERTAIN PERSONALLY IDENTIFIABLE INFORMA-**  
7 **TION NOT AN ASSET IN BANKRUPTCY.**

8 Section 541(b) of title 11, United States Code, is  
9 amended—

1           (1) in paragraph (4)(B)(ii), by striking “or” at  
2 the end;

3           (2) in paragraph (5), by striking the period at  
4 the end and inserting “; or ”; and

5           (3) adding at the end the following:

6           “(6) if the sale or disclosure of personally iden-  
7 tifiable information violates a privacy policy of the  
8 debtor in effect at the time at which such informa-  
9 tion was collected, such personally identifiable infor-  
10 mation (including any compilation or record in elec-  
11 tronic or any other form of such information),  
12 including—

13                 “(A) a first and last name, whether given  
14 at birth or adoption, assumed, or legally  
15 changed;

16                 “(B) a home or other physical address, in-  
17 cluding street name and name of city or town;

18                 “(C) an e-mail address;

19                 “(D) a telephone number;

20                 “(E) a Social Security account number;

21                 “(F) a credit card number;

22                 “(G) a birth date, birth certificate number,  
23 or place of birth; or

1                   “(H) any other identifier that permits the  
2                   physical or electronic contacting of a specific in-  
3                   dividual.”.

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