

115TH CONGRESS
2D SESSION

S. 3786

To require the Secretary of Defense to conduct a study on cyberexploitation of members of the Armed Forces and their families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2018

Mr. SASSE (for himself and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To require the Secretary of Defense to conduct a study on cyberexploitation of members of the Armed Forces and their families, 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. STUDY ON CYBEREXPLOITATION OF MEMBERS**
4 **OF THE ARMED FORCES AND THEIR FAMI-**
5 **LIES.**

6 (a) STUDY REQUIRED.—Not later than 150 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall complete a study on the cyberexploitation
9 of the personal information and accounts of members of
10 the Armed Forces and their families.

1 (b) ELEMENTS.—The study required by subsection
2 (a) shall include the following:

3 (1) An assessment of the vulnerability of mem-
4 bers of the Armed Forces and their families to inap-
5 propriate access to their personal information and
6 accounts of such members and their families, includ-
7 ing identification of particularly vulnerable sub-
8 populations.

9 (2) Creation of a catalogue of past and current
10 efforts by foreign governments and non-state actors
11 at the cyberexploitation of the personal information
12 and accounts of members of the Armed Forces and
13 their families, including an assessment of the pur-
14 poses of such efforts and their degrees of success.

15 (3) An assessment of the actions taken by the
16 Department of Defense to educate members of the
17 Armed Forces and their families, including particu-
18 larly vulnerable subpopulations, about and actions
19 that can be taken to otherwise reduce these threats.

20 (4) Assessment of the potential for the cyberex-
21 ploitation of misappropriated images and videos as
22 well as deep fakes.

23 (5) Development of recommendations for policy
24 changes to reduce the vulnerability of members of
25 the Armed Forces and their families to cyberexploit-

1 tation, including recommendations for legislative or
2 administrative action.

3 (c) REPORT.—

4 (1) IN GENERAL.—The Secretary shall submit
5 to the congressional defense committees a report on
6 the findings of the Secretary with respect to the
7 study required by subsection (a).

8 (2) FORM.—The report required by paragraph
9 (1) shall be submitted in unclassified form, but may
10 include a classified annex.

11 (d) DEFINITIONS.—In this section:

12 (1) The term “congressional defense commit-
13 tees” has the meaning given such term in section
14 101 of title 10, United States Code.

15 (2) The term “cyberexploitation” means the use
16 of digital means to knowingly access, or conspire to
17 access, without authorization, an individual’s per-
18 sonal information to be employed (or to be used for)
19 with malicious intent.

20 (3) The term “deep fake” means the digital in-
21 sertion of a person’s likeness into or digital alter-
22 ation of a person’s likeness in visual media, such as
23 photographs and videos, without the person’s per-
24 mission and with malicious intent.

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