

117TH CONGRESS  
1ST SESSION

# H. R. 2039

To prohibit the Securities and Exchange Commission from requiring that personally identifiable information be collected under consolidated audit trail reporting requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2021

Mr. LOUDERMILK (for himself, Mr. HUIZENGA, Mr. HILL, Mr. DAVIDSON, and Mr. BUDD) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To prohibit the Securities and Exchange Commission from requiring that personally identifiable information be collected under consolidated audit trail reporting requirements, 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. SHORT TITLE.**

4       This Act may be cited as the “Protecting Investors’  
5       Personally Identifiable Information Act”.

1 **SEC. 2. PERSONALLY IDENTIFIABLE INFORMATION EX-**  
2 **CLUDED FROM CONSOLIDATED AUDIT TRAIL**  
3 **REPORTING REQUIREMENTS.**

4 (a) IN GENERAL.—Except as provided in subsection  
5 (b), the Securities and Exchange Commission may not re-  
6 quire a national securities exchange, a national securities  
7 association, or a member of such an exchange or associa-  
8 tion to provide personally identifiable information with re-  
9 spect to a market participant to meet the requirements  
10 relating to an order or a reportable event under section  
11 242.613(c)(7) of title 17, Code of Federal Regulations (or  
12 successor regulations).

13 (b) EXCEPTION.—The Securities and Exchange Com-  
14 mission may only require a national securities exchange,  
15 a national securities association, or a member of such an  
16 exchange or association to provide personally identifiable  
17 information with respect to a market participant if the  
18 Commission makes a request for such information.

19 (c) REQUEST FOR EXTENSION.—At the request of  
20 the Securities and Exchange Commission under subsection  
21 (b), a national securities exchange, a national securities  
22 association, or a member of such an exchange or associa-  
23 tion shall provide the personally identifiable information  
24 subject to such request not later than 24 hours after re-  
25 ceiving such request, unless, at the request of such na-  
26 tional securities exchange, a national securities associa-

tion, or a member of such an exchange or association, the Securities and Exchange Commission provides a reasonable extension.

(d) DESTRUCTION OF PERSONALLY IDENTIFIABLE INFORMATION.—In the case of personally identifiable information provided to the Securities and Exchange Commission under subsection (b), the Securities and Exchange Commission shall destroy such information not later than 1 day after the investigation or other matter for which such information was required is concluded.

(e) DEFINITION OF PERSONALLY IDENTIFIABLE INFORMATION.—In this section, the term “personally identifiable information”—

(1) means information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual, including an individual’s name, address, date or year of birth, Social Security number, telephone number, and email address; and

(2) does not include a CAT-Order-ID or CAT-Reporter-ID, as such terms are defined in section 242.613(j) of title 17, Code of Federal Regulations (or successor regulations).

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