

# U.S. Sen. Baldwin: Supports introduction of legislation to protect women's privacy and reproductive health data

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WASHINGTON, D.C. – With the right-wing majority on the Supreme Court poised to overturn *Roe v. Wade*, U.S. Senator Tammy Baldwin supports the introduction of the *My Body, My Data Act*, legislation to protect personal reproductive health data by minimizing the information collected and retained, and preventing that information from being disclosed or misused. The legislation would create a new national standard, enforced by the Federal Trade Commission (FTC), to protect reproductive health data from sources like fertility tracking apps.

“Women in Wisconsin need to have their personal and private reproductive or sexual health information protected, and this legislation takes steps to do that,” **said Senator Baldwin**. “With the constitutional rights of women threatened, I will do everything I can to safeguard their privacy and protect their most sensitive reproductive health data so it isn’t collected and used against them by those who want interfere with their freedoms.”

In light of the leaked draft decision of the Supreme Court’s plans to overturn *Roe v. Wade*, advocates and scholars have raised serious concerns about data collected by apps and websites being used to target or arrest people if abortion is criminalized. This includes location data, search histories, and reproductive health data collected by menstruation, ovulation, and pregnancy tracking apps each month. With at least 26 states likely or certain to ban abortions if *Roe* is overturned, this legislation is necessary to help protect individuals from being prosecuted for seeking or helping

others seek abortion care.

Currently, few protections exist to prevent personal reproductive health data, or information about people seeking reproductive health services, from being collected, retained, or disclosed to third parties. *The My Body, My Data Act* would address this problem by:

- Limiting the personal reproductive and sexual health data that can be collected, retained, used, or disclosed to only what is needed to deliver a product or service;
- Protecting personal data collected by entities not currently covered under HIPAA, including data collected by apps, cell phones, and search engines;
- Requiring regulated entities to develop and share a privacy policy outlining how they collect, retain, use, and disclose personal reproductive health information;
- Creating a private right of action to allow individuals to hold regulated entities accountable for violations;
- Providing additional consumer protections, including the right to access or delete personal data;
- Including a non-preemption clause that allows states to provide further protection for reproductive and sexual health privacy.

The legislation is led by Senators Mazie Hirono (D-HI) and Ron Wyden (D-OR), and supported by Senators Kirsten Gillibrand (D-NY), Tina Smith (D-MN), Sheldon Whitehouse (D-RI), Richard Blumenthal (D-CT), Sherron Brown (D-OH), Tammy Duckworth (D-IL), Cory Booker (D-NJ), Amy Klobuchar (D-MN), and Maria Cantwell (D-WA).

The *My Body, My Data Act* has been endorsed by Planned Parenthood Federation of America (PPFA), NARAL Pro-Choice America, Electronic Frontier Foundation (EFF), National Partnership for Women & Families, the National Abortion Federation (NAF), Unite for Reproductive & Gender Equity (URGE), and Feminist Majority.

Full text of the legislation can be found [here](#).