117TH CONGRESS
2D SESSION

H. R. ______

To require online dating service providers to provide safety awareness and fraud ban notifications to online dating service members and to verify the identity of online dating service members, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Valadao introduced the following bill; which was referred to the Committee on ________________________

A BILL

To require online dating service providers to provide safety awareness and fraud ban notifications to online dating service members and to verify the identity of online dating service members, 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 “Online Dating Safety
5 Act of 2022”.

6 SEC. 2. ONLINE DATING SAFETY.

7 (a) Safety Awareness Notification.—
(1) IN GENERAL.—An online dating service provider shall provide to members of the online dating service a safety awareness notification that includes a list of safety measures reasonably designed to increase awareness of safer online dating practices and clear guidelines and resources for reporting crimes committed by members of the online dating service.

(2) REQUIREMENTS.—The notification required by paragraph (1) shall meet the following requirements:

(A) The notification shall have a heading substantially similar to the following: “Online Dating Safety Awareness”.

(B) The notification shall include the following information (which may be revised or updated to reflect changing information and best safety practices):

(i) An advisory that getting to know an individual through an online dating service may be risky and a member should follow safety precautions when sharing information or meeting in person.

(ii) An advisory that a member should avoid sharing, in the dating profile or initial email messages or other communic-
tions of the member, the last name, email
address, home address, phone number,
place of work, Social Security number, de-
tails of the daily routine, or other identi-
fying information of the member.

(iii) An advisory that a member
should stop communicating with an indi-
vidual who pressures the member for per-
sonal or financial information or attempts
to trick the member into revealing personal
or financial information.

(iv) An advisory that a member
should not send money to an individual the
member meets on an online dating service,
especially by wire transfer, even if the indi-
vidual claims to be experiencing an emer-
gency.

(v) An advisory that an individual
may provide false information in a dating
profile.

(vi) An advisory that a member
should block and report to the online dat-
ing service provider a member whose be-
behavior is suspicious, offensive, harassing,
threatening, fraudulent, or involves a re-
quest for money or an attempt to sell a product or service.

(vii) A request that, if a member is the victim or survivor of a crime, including sexual or intimate partner violence or a financial crime, committed by someone the member met on the online dating service, the member report the incident to the online dating service provider and to law enforcement.

(viii) A advisory that, if a member is the victim or survivor of a crime, including sexual or intimate partner violence or a financial crime, committed by someone the member met on the online dating service, the member is not to blame and may seek support through national or local hotlines and other services.

(3) METHOD FOR REPORTING CRIMINAL ACTIVITY.—

(A) IN GENERAL.—An online dating service provider shall provide a clear and conspicuous method for a member of the online dating service to contact the online dating service provider to report a member of the online
dating service who engages in criminal activity, including an act of sexual or intimate partner violence or a financial crime.

(B) INCLUSION IN NOTIFICATION.—An online dating service provider shall include information relating to the contact method required by subparagraph (A) in the notification required by paragraph (1).

(4) TIMING AND MANNER.—An online dating service provider shall clearly and conspicuously provide the notification required by paragraph (1)—

(A) to each member of the online dating service at the time when the member registers with the online dating service provider; and

(B) through a link that may be accessed by members of the online dating service at any time on—

(i) the main website of the online dating service; and

(ii) the mobile application of the online dating service.

(b) FRAUD BAN NOTIFICATION.—

(1) IN GENERAL.—An online dating service provider shall provide to a member of the online dating service a fraud ban notification if the member has
received and responded to a message through the online dating service from a banned member of the online dating service.

(2) REQUIRED CONTENTS.—A fraud ban notification under paragraph (1) shall include the following:

(A) The username, identification number, or other profile identifier of the banned member, as well as the most recent time when the member to whom the notification is being provided sent or received a message through the online dating service to or from the banned member.

(B) A statement that the banned member may have been using a false identity or attempting to defraud members.

(C) A statement that a member should not send money or personal financial information to another member.

(D) An online link to information regarding ways to avoid online fraud or being defrauded by a member of an online dating service.

(3) MANNER AND TIMING.—
(A) MANNER.—A fraud ban notification under paragraph (1) shall be—

(i) clear and conspicuous; and

(ii) provided by email, text message, or other appropriate means of communication consented to by the member.

(B) TIMING.—

(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), an online dating service provider shall provide a fraud ban notification under paragraph (1) not later than 24 hours after the fraud ban is initiated against the banned member.

(ii) DELAY BASED ON JUDGMENT OF PROVIDER.—If, in the judgment of the online dating service provider, the circumstances require a fraud ban notification under paragraph (1) to be provided after the 24-hour period described in clause (i), the online dating service provider shall, except as provided in clause (iii), provide the notification not later than 3 days after the day on which the fraud ban is initiated against the banned member.
(iii) Delay upon request of law enforcement official.—If, due to an ongoing investigation, a law enforcement official requests an online dating service provider to delay providing a fraud ban notification under paragraph (1) beyond the time when the notification is required to be provided under clause (i) or (ii), the online dating service provider—

(I) may not provide the notification before the end of the period of delay (including any extension of such period) requested by the law enforcement official; and

(II) shall provide the notification not later than 3 days after the last day of the period of delay (including any extension of such period) requested by the law enforcement official.

(4) Limitation of liability.—An online dating service provider is not liable to a person in a civil action based on any of the following:
(A) The means of communication used to provide a fraud ban notification to a member under paragraph (1).

(B) The timing of a fraud ban notification provided to a member under paragraph (1).

(C) The disclosure of information in a fraud ban notification provided under paragraph (1), including the following:

(i) Information that a member is a banned member or the subject of a fraud ban.

(ii) The username, identification number, or other profile identifier of the banned member.

(iii) The reason that the online dating service provider initiated the fraud ban of the banned member.

(5) NO PRIVATE RIGHT OF ACTION; PRESERVATION OF CERTAIN IMMUNITY.—This subsection does not create a private right of action or diminish or adversely affect protections for an online dating service provider under section 230 of the Communications Act of 1934 (47 U.S.C. 230).

(c) IDENTITY VERIFICATION.—
(1) IN GENERAL.—An online dating service provider shall, before allowing an individual to register with the online dating service provider, verify the identity provided by the individual to the online dating service provider.

(2) FORM OF IDENTIFICATION.—An online dating service provider shall—

(A) require an individual seeking to register with the online dating service provider to submit to the provider an acceptable (as determined by the provider) government-issued identity document (or a copy of such a document) that includes the date of birth of the individual; and

(B) use the document (or copy) submitted under subparagraph (A) to verify the identity of the individual as required by paragraph (1).

(3) LIMITATION ON RETENTION OF INFORMATION.—An online dating service provider may only retain an identity document (or copy of such a document) provided by an individual under paragraph (2), and any other information relating to the verification of the identity of the individual under paragraph (1) (other than whether the identity of
the individual is or is not verified), until the earlier of—

(A) the date on which the provider verifies the identity of the individual; or

(B) the date that is 90 days after the individual provides the identity document (or copy) under paragraph (2).

(d) Enforcement by Federal Trade Commission.—

(1) Unfair or Deceptive Acts or Practices.—A violation of this section shall be treated as a violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(2) Powers of Commission.—Except as provided in paragraphs (3) and (4), the Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section, and any person who violates this section shall be subject to the penalties and en-
titled to the privileges and immunities provided in

(3) CIVIL PENALTY AMOUNT.—The amount of a
civil penalty under section 5(m) of the Federal
Trade Commission Act (15 U.S.C. 45(m)) for a vio-
lation of this section shall be not more than $1,000
for each violation.

(4) ADDITIONAL LIMITATION.—The Commis-
sion may not bring a civil action under section 19
57b) with respect to a violation of this section.

(e) DEFINITIONS.—In this section:

(1) BANNED MEMBER.—The term “banned
member” means a member of an online dating serv-
ise whose account or profile on the online dating
service is the subject of a fraud ban.

(2) COMMISSION.—The term “Commission”
means the Federal Trade Commission.

(3) FRAUD BAN.—The term “fraud ban” means
the termination or suspension of the account or pro-
file of a member of an online dating service because,
in the judgment of the online dating service pro-
vider, there is a significant risk the member will at-
temt to obtain money from another member
through fraudulent means.
(4) MEMBER.—The term “member” means an individual who—

(A) submits to an online dating service provider the information required by the provider to establish an account or profile on the online dating service; and

(B) is allowed by the provider to establish such an account or profile.

(5) ONLINE DATING SERVICE.—The term “online dating service” means a service that—

(A) is provided through a website or a mobile application; and

(B) offers members access to dating or romantic relationships with other members by arranging or facilitating the social introduction of members.

(6) ONLINE DATING SERVICE PROVIDER.—The term “online dating service provider” means a person engaged in the business of offering an online dating service.

(f) EFFECTIVE DATE.—This section shall take effect on the date that is 1 year after the date of the enactment of this Act.