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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Commodity Exchange Act of 1936 for the protection of
proprietary information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Commodity Exchange Act of 1936 for the
protection of proprietary information, 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 “CFTC Proprietary In-
5 formation Act of 2026”.

6 **SEC. 2. PROPRIETARY INFORMATION.**

7 Section 8 of the Commodity Exchange Act (7 U.S.C.
8 12) is amended by adding at the end the following:

9 “(j) PROPRIETARY INFORMATION.—

1 “(1) IN GENERAL.—For any proprietary infor-
2 mation provided to the Commission, the Commission
3 shall, after notice and comment, adopt rules and
4 regulations to apply the provisions of this section to
5 the proprietary information the Commission obtains
6 or receives, to the extent such information is not al-
7 ready covered by the provisions of this section.

8 “(2) POLICIES.—With regard to proprietary in-
9 formation the Commission obtains or receives, the
10 Commission shall adopt rules and regulations, to—

11 “(A) address circumstances when the Com-
12 mission requests proprietary information;

13 “(B) safeguard the information, taking
14 into consideration the level of sensitivity of the
15 information;

16 “(C) limit access to the information to ap-
17 propriate staff, as determined by the Commis-
18 sion; and

19 “(D) protect the information from unlaw-
20 ful use or disclosure.

21 “(3) SHARING.—The Commission shall adopt
22 rules and regulations, pursuant to paragraph (1), re-
23 garding the sharing of such proprietary information
24 with other governmental entities. The rules shall re-
25 quire the Commission to receive assurances that

1 such other governmental entity shall maintain suffi-
2 cient safeguards consistent with—

3 “(A) policies that achieve the objectives of
4 subparagraphs (B), (C), and (D) of paragraph
5 (2) of this subsection; and

6 “(B) the limitations set forth in para-
7 graphs (2), (3), and (4) of subsection (e) con-
8 cerning the confidentiality of any such informa-
9 tion received.”.