



HOUSE COMMITTEE ON
OVERSIGHT AND REFORM
CHAIRWOMAN **CAROLYN B. MALONEY**

Professional Images Protection Act
Chairwoman Carolyn B. Maloney

In August 2020, public reports revealed that Washington Commanders executives directed team employees to surreptitiously record naked body parts of cheerleaders during routine calendar photo shoots, for the team owner's private consumption. Like many employees across the country, the cheerleaders had signed agreements with the Commanders that authorized the team to use their images for any purpose at any time—even after the separation of their employment. The cheerleaders were unaware of their employer's use of their images for improper purposes.

Although some states have laws that restrict how employers may use employees' images and require consent before the images are used for commercial purposes, there is no federal standard to ensure all employees receive the same protections.

The Professional Images Protection Act would:

- Require employers to provide written notice to employees prior to taking, collecting, disseminating, or using their professional images, and obtain their consent prior to using or disseminating the professional images for any purpose;
- Specifically require disclosure of who would have access to the professional images, including third parties, and how and when the professional images would be used;
- Allow image collection, dissemination or use only after receiving consent from the affected employees;
- Prohibit the collection, dissemination, or use of videos, photographs, or audio recordings (collectively, professional images) of employees for illegitimate purposes; and
- Establish fines for employers who violate the notice and consent requirement under the Act.

These privacy protections would guard against employer abuse of employee images, and ensure that employees have a say in how and when their images are used for business purposes.