

109TH CONGRESS
1ST SESSION

H. R. 2695

To amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Ms. MOORE of Wisconsin (for herself and Ms. HARRIS) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking.

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 “Safe Housing Identity
5 Exception for the Lives of Domestic Violence Victims Act”
6 or the “SHIELD Act”.

1 **SEC. 2. AMENDMENT TO THE MCKINNEY-VENTO HOMELESS**
2 **ASSISTANCE ACT.**

3 Section 423(a) of the McKinney-Vento Homeless As-
4 sistance Act (42 U.S.C. 11383(a)) is amended by adding
5 at the end the following:

6 “(8) CONFIDENTIALITY.—

7 “(A) HOUSING ASSISTANCE GRANTS AND
8 PROGRAMS.—In the course of awarding grants
9 or implementing programs under this sub-
10 section, the Secretary shall instruct any recipi-
11 ent or subgrantee not to disclose to any person,
12 agency, or entity any personally identifying in-
13 formation about any client if the Secretary, re-
14 cipient, or subgrantee believes, based upon rea-
15 sonable evidence, that the client is—

16 “(i) a victim of domestic violence, dat-
17 ing violence, sexual assault, or stalking;

18 “(ii) the parent or guardian of a
19 minor victim of domestic violence, dating
20 violence, sexual assault, or stalking; or

21 “(iii) the dependent or minor child of
22 a victim of domestic violence, dating vio-
23 lence, sexual assault, or stalking.

24 “(B) OTHER FEDERAL AND STATE PRO-
25 GRAMS.—The Secretary shall not require or ask
26 a recipient or subgrantee of any other Federal

1 or State program to disclose personally identi-
2 fying information about any clients if the per-
3 sons, agencies, or entities implementing those
4 programs believe, based upon reasonable evi-
5 dence, that those clients are—

6 “(i) victims of domestic violence, dat-
7 ing violence, sexual assault, or stalking;

8 “(ii) the parents or guardians of
9 minor victims of domestic violence, dating
10 violence, sexual assault, or stalking; or

11 “(iii) the dependents or minor chil-
12 dren of victims of domestic violence, dating
13 violence, sexual assault, or stalking.

14 “(C) HOMELESS MANAGEMENT INFORMA-
15 TION SYSTEMS.—The Secretary shall instruct
16 any recipient or subgrantee under this sub-
17 section or any recipient or subgrantee of any
18 other Federal or State program participating in
19 any homeless management information system
20 funded in whole or in part under this subsection
21 that personally identifying information about
22 any client may only be submitted to a homeless
23 management information system if the program
24 seeking to disclose such information has ob-
25 tained informed, reasonably time-limited, writ-

1 ten consent from the client to whom the infor-
2 mation relates. The Secretary may require or
3 ask any recipient or subgrantee to share non-
4 personally identifying data in the aggregate re-
5 garding services to clients and nonpersonally
6 identifying demographic information in order to
7 comply with the data collection requirements of
8 homeless management information systems.

9 “(D) DEFINITION.—As used in this para-
10 graph, the term personally identifying informa-
11 tion means information from or about an indi-
12 vidual that could be used to identify such indi-
13 vidual, including—

14 “(i) first and last name;

15 “(ii) a home or other physical address,
16 including street name, name of city or
17 town, and ZIP code;

18 “(iii) an email address or other online
19 contact information, such as an instant
20 messaging user identifier or a screen name
21 that reveals an individual’s email address;

22 “(iv) a telephone number;

23 “(v) a social security number;

24 “(vi) an Internet Protocol address or
25 host name that identifies an individual;

1 “(vii) a persistent identifier, such as a
2 customer number held in a ‘cookie’ or
3 processor serial number, that is combined
4 with other available data that identifies an
5 individual; and

6 “(viii) any other information, includ-
7 ing grade point average, date of birth, aca-
8 demic or occupational interests, athletic or
9 extracurricular interests, racial or ethnic
10 background, or religious affiliation, that, in
11 combination with any of the above, would
12 serve to identify any individual.”.

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