

109TH CONGRESS
2^D SESSION

H. R. 5464

To improve information security for veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2006

Mrs. BLACKBURN (for herself, Mr. SIMMONS, Mrs. MILLER of Michigan, Mr. McCOTTER, Mr. PICKERING, Mr. CARTER, Mr. BISHOP of Georgia, Mr. BOUSTANY, Mr. SOUDER, Mr. FOLEY, Mr. MACK, Mr. HENSARLING, Mr. WILSON of South Carolina, Mr. CHOCOLA, Mr. ROGERS of Alabama, Ms. HARRIS, Mrs. BONO, Mrs. MUSGRAVE, Mr. WAMP, Mr. GINGREY, Mr. DOOLITTLE, Mr. GOODE, Mr. PRICE of Georgia, Mr. SHAYS, Mr. JONES of North Carolina, Mr. POE, and Mr. ISSA) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To improve information security for veterans, 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 “Veterans Identity Pro-
5 tection Act”.

1 **SEC. 2. REQUIRED AVAILABILITY OF FREE CREDIT RE-**
2 **PORTS AND CREDIT MONITORING TO VET-**
3 **ERANS.**

4 (a) **REQUIRED NOTIFICATION.**—Not later than 60
5 days after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs shall provide to each veteran
7 described in subsection (b) a notice in writing. The notice
8 shall—

9 (1) inform the veteran that information about
10 the veteran was included in the data of the Depart-
11 ment of Veterans Affairs that was stolen from the
12 home of a Department of Veterans Affairs employee
13 around May 22, 2006;

14 (2) inform the veteran of the nature of the
15 breach of confidentiality of personal records that are
16 held by the Department of Veterans Affairs, as re-
17 quired by section 5901 of title 38, United States
18 Code; and

19 (3) inform the veteran that the veteran (using
20 the form provided pursuant to subsection (c)) may
21 request a free credit report once every three months
22 for the next year and free monitoring of the vet-
23 eran's credit report for the next year.

24 (b) **COVERED VETERANS.**—Veterans described in this
25 subsection are the veterans whose names or other personal
26 identifying information were part in the data of the De-

1 partment of Veterans Affairs that was stolen from the
2 home of a Department of Veterans Affairs employee
3 around May 22, 2006.

4 (c) ELECTION FORM FOR FREE CREDIT REPORTS
5 AND CREDIT MONITORING.—The Secretary shall include
6 with each notification under subsection (a) a form (with
7 a postage-paid return envelope) by which the veteran re-
8 ceiving the notification may request a free credit report
9 once every three months for the next year and free moni-
10 toring of the veteran’s credit report for the next year.

11 (d) AGREEMENTS WITH CREDIT REPORTING AGEN-
12 CIES.—The Secretary of Veterans Affairs shall enter into
13 discussions with the three principal credit reporting agen-
14 cies and conclude such agreements as necessary in order
15 to implement elections made by veterans pursuant to sub-
16 section (c). Any such agreement may include provisions
17 for the Secretary to pay the expenses of such a credit re-
18 porting agency for compliance with such elections.

19 **SEC. 3. IMPLEMENTATION OF INFORMATION SECURITY IM-**
20 **PROVEMENT RECOMMENDATIONS.**

21 (a) REQUIREMENT.—The Secretary of Veterans Af-
22 fairs shall, as rapidly as feasible, fully implement each of
23 the 16 Information Security improvements recommended
24 to the Secretary by the Inspector General of the Depart-
25 ment of Veterans Affairs in the Inspector General’s report

1 on the March 2005 audit of the Department of Veterans
2 Affairs Information Security Program.

3 (b) PENALTY FOR FAILURE TO IMPLEMENT.—

4 (1) FISCAL YEAR 2007.—If as of January 1,
5 2007, each of the Information Security improve-
6 ments referred to in subsection (a) is not fully im-
7 plemented, then effective as of that date, the amount
8 of funds that may be obligated during fiscal year
9 2007 for activities of the Office of the Secretary,
10 within funds available for that fiscal year for Gen-
11 eral Operating Expenses for the Department of Vet-
12 erans Affairs, may not exceed 90 percent of the
13 amount otherwise specified as available for such ac-
14 tivities.

15 (2) SUBSEQUENT FISCAL YEARS.—In any fiscal
16 year after fiscal year 2007 for which, as of January
17 1 of that fiscal year, each of the Information Secu-
18 rity improvements referred to in subsection (a) is
19 not fully implemented, then effective as of that date,
20 the amount of funds that may be obligated during
21 that fiscal year for activities of the Office of the Sec-
22 retary, within funds available for that fiscal year for
23 General Operating Expenses for the Department of
24 Veterans Affairs, may not exceed the percentage of
25 the amount otherwise specified as available for such

1 activities that is the percentage applicable under this
2 subsection for the preceding fiscal year reduced by
3 10 percentage points.

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