

109TH CONGRESS
2^D SESSION

H. R. 5467

To amend title 38, United States Code, to establish criminal penalties for the unauthorized disclosure of records containing personal information about veterans.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2006

Mrs. DRAKE introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 38, United States Code, to establish criminal penalties for the unauthorized disclosure of records containing personal information about veterans.

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 Se-
5 curity Act of 2006”.

1 **SEC. 2. CRIMINAL PENALTIES FOR UNAUTHORIZED DIS-**
2 **CLOSURE OF RECORDS ABOUT VETERANS.**

3 (a) IN GENERAL.—Chapter 57 of title 38, United
4 States Code, is amended by inserting after section 5705
5 the following new section:

6 **“§ 5706. Unauthorized disclosure of records con-**
7 **taining personal information about vet-**
8 **erans**

9 “(a) OFFENSE.—(1) Any person described in sub-
10 section (b) who other than as authorized by section 5901
11 of this title or as otherwise authorized by law knowingly
12 discloses, or causes the disclosure of, records specified in
13 subsection (c) with intent to sell, transfer, or use personal
14 information contained in the disclosed records for commer-
15 cial advantage, personal gain, or malicious harm shall be
16 fined as provided in title 18, imprisoned not more than
17 10 years, or both.

18 “(2) Any person described in subsection (b) who
19 other than as authorized by section 5901 of this title or
20 as otherwise authorized by law knowingly discloses, or
21 causes the disclosure of, records specified in subsection (c)
22 in a case not covered by paragraph (1) shall be fined as
23 provided in title 18, imprisoned not more than one year,
24 or both.

25 “(b) COVERED PERSONS.—A person described in this
26 subsection is any of the following:

1 “(1) An officer or employee of the Department.

2 “(2) A contractor or employee of a contractor
3 of the Department.

4 “(3) A volunteer of the Department.

5 “(c) SPECIFIED RECORDS.—Records specified in this
6 subsection are records of the Department that are covered
7 by section 5701(a) of this title and that contain personal
8 information about a veteran or any other person receiving
9 benefits, or applying for benefits, under laws administered
10 by the Secretary.

11 “(d) PERSONAL INFORMATION DEFINED.—In this
12 section, the term ‘personal information’ means one or
13 more of the following: name, date of birth, address, phone
14 number, Social Security number, and (if applicable) dis-
15 ability rating.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by inserting
18 after the item relating to section 5705 the following new
19 item:

“5706. Unauthorized disclosure of records containing personal information
about veterans.”.

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