

114TH CONGRESS
1ST SESSION

H. R. 3360

To provide for identity protection coverage and other services for individuals exposed to the OPM security breaches, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mr. KILMER (for himself and Mr. RIGELL) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To provide for identity protection coverage and other services for individuals exposed to the OPM security breaches, 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 “Defense Against Dig-
5 ital Theft Act”.

6 **SEC. 2. IDENTITY PROTECTION COVERAGE FOR INDIVID-**
7 **UALS EXPOSED TO OPM SECURITY**
8 **BREACHES.**

9 (a) IDENTITY PROTECTION COVERAGE.—The Direc-
10 tor of the Office of Personnel Management shall provide

1 to each affected individual complimentary identity protec-
2 tion coverage that—

3 (1) is not less comprehensive than the com-
4 plimentary identify protection coverage that the Di-
5 rector provided to affected individuals before the
6 date of enactment of this Act;

7 (2) is effective for a period of not less than 10
8 years; and

9 (3) includes not less than \$5,000,000 in iden-
10 tity theft insurance.

11 (b) LIMITATION ON USE OF CREDIT SCORE.—The
12 Director shall issue such regulations as are necessary to
13 provide that no affected individual whose credit score was
14 negatively impacted as a result of a data breach described
15 under paragraph (1) or (2) of subsection (d) may be dis-
16 qualified from eligibility for access to classified informa-
17 tion pursuant to Executive Order 12968 (50 U.S.C. 3161
18 note), or any other similar authority, solely on the basis
19 of a credit score of such individual.

20 (c) TASK FORCE.—

21 (1) ESTABLISHMENT.—Not later than 180 days
22 after the date of enactment of this Act, the Director
23 shall establish a task force to develop specific rec-
24 ommendations on how to mitigate any adverse con-
25 sequences relating to the OPM data breaches de-

1 scribed under paragraphs (1) and (2) of subsection
2 (d) to affected individuals and the employing enti-
3 ties, or former employing entities, of such individ-
4 uals.

5 (2) MEMBERSHIP.—The members of the task
6 force established under paragraph (1) shall in-
7 clude—

8 (A) the head of any agency that employs
9 an affected individual;

10 (B) information technology security ex-
11 perts; and

12 (C) representatives of organizations rep-
13 resenting—

14 (i) collective bargaining organizations;

15 (ii) veteran service organizations;

16 (iii) Federal employees;

17 (iv) former Federal employees; and

18 (v) military associations.

19 (d) DEFINITION.—In this section, the term “affected
20 individual” means any individual whose personally identi-
21 fiable information was compromised during—

22 (1) the data breach of personnel records of cur-
23 rent and former Federal employees, at a network
24 maintained by the Department of the Interior, that

1 was announced by the Office of Personnel Manage-
2 ment on June 4, 2015; or

3 (2) the data breach of systems of the Office of
4 Personnel Management containing information re-
5 lated to the background investigations of current,
6 former, and prospective Federal employees, and of
7 other individuals.

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