

113TH CONGRESS
2D SESSION

H. R. 4215

To strengthen privacy and data security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2014

Mr. CONNOLLY introduced the following bill; which was referred to the
Committee on Oversight and Government Reform

A BILL

To strengthen privacy and data security, 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 “Federal Agency Data
5 Breach Notification Act of 2014”.

6 **SEC. 2. PRIVACY BREACH REQUIREMENTS.**

7 (a) INFORMATION SECURITY.—

8 (1) AMENDMENT.—Subchapter III of chapter
9 35 of title 44, United States Code, is amended by
10 adding at the end the following:

1 **“§ 3550. Privacy breach requirements**

2 “(a) POLICIES AND PROCEDURES.—The Director of
3 the Office of Management and Budget shall establish and
4 oversee policies and procedures for agencies to follow in
5 the event of a breach of information security involving the
6 disclosure of personally identifiable information, including
7 requirements for—

8 “(1) not later than 72 hours after the agency
9 discovers such a breach, or discovers evidence that
10 reasonably indicates such a breach has occurred, no-
11 tice to the individuals whose personally identifiable
12 information could be compromised as a result of
13 such breach;

14 “(2) timely reporting to a Federal cybersecurity
15 center, as designated by the Director of the Office
16 of Management and Budget; and

17 “(3) any additional actions that the Director
18 finds necessary and appropriate, including data
19 breach analysis, fraud resolution services, identity
20 theft insurance, and credit protection or monitoring
21 services.

22 “(b) REQUIRED AGENCY ACTION.—The head of each
23 agency shall ensure that actions taken in response to a
24 breach of information security involving the disclosure of
25 personally identifiable information under the authority or
26 control of the agency comply with policies and procedures

1 established by the Director of the Office of Management
2 and Budget under subsection (a).

3 “(c) REPORT.—Not later than March 1 of each year,
4 the Director of the Office of Management and Budget
5 shall report to Congress on agency compliance with the
6 policies and procedures established under subsection (a).

7 “(d) FEDERAL CYBERSECURITY CENTER DE-
8 FINED.—The term ‘Federal cybersecurity center’ means
9 any of the following:

10 “(1) The Department of Defense Cyber Crime
11 Center.

12 “(2) The Intelligence Community Incident Re-
13 sponse Center.

14 “(3) The United States Cyber Command Joint
15 Operations Center.

16 “(4) The National Cyber Investigative Joint
17 Task Force.

18 “(5) Central Security Service Threat Oper-
19 ations Center of the National Security Agency.

20 “(6) The United States Computer Emergency
21 Readiness Team.

22 “(7) Any successor to a center, team, or task
23 force described in paragraphs (1) through (6).

24 “(8) Any center that the Director of the Office
25 of Management and Budget determines is appro-

1 appropriate to carry out the requirements of this sec-
2 tion.”.

3 (2) TECHNICAL AND CONFORMING AMEND-
4 MENT.—The table of sections for subchapter III of
5 chapter 35 of title 44, United States Code, is
6 amended by adding at the end the following:

“3550. Privacy breach requirements.”.

7 (b) AMENDMENTS TO THE E-GOVERNMENT ACT OF
8 2002.—Section 208(b)(1)(A) of the E-Government Act of
9 2002 (44 U.S.C. 3501 note; Public Law 107–347) is
10 amended—

11 (1) in clause (i), by striking “or” at the end;

12 (2) in clause (ii), by striking the period at the
13 end and inserting “; or”; and

14 (3) by adding at the end the following new
15 clause:

16 “(iii) using information in an identifi-
17 able form purchased, or subscribed to for
18 a fee, from a commercial data source.”.

19 (c) AUTHORITY OF THE DIRECTOR OF THE OFFICE
20 OF MANAGEMENT AND BUDGET WITH RESPECT TO FED-
21 ERAL INFORMATION POLICY.—Section 3504(g) of title 44,
22 United States Code, is amended—

23 (1) in paragraph (1), by striking “and” at the
24 end;

1 (2) in paragraph (2), by striking “. and” and
2 inserting “; and”; and

3 (3) by adding at the end the following new
4 paragraph:

5 “(3) designate a Federal Chief Privacy Officer
6 within the Office of Management and Budget who is
7 a noncareer appointee in a Senior Executive Service
8 position and who is a trained and experienced pri-
9 vacy professional to carry out the responsibilities of
10 the Director with regard to privacy.”.

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