

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6273

To direct the Secretary of Veterans Affairs to provide for enhanced protections against identity theft related to the public filing of separation forms of members of the Armed Forces, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2006

Mr. CARDOZA introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

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## A BILL

To direct the Secretary of Veterans Affairs to provide for enhanced protections against identity theft related to the public filing of separation forms of members of the Armed Forces, 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. PROTECTION AGAINST VETERAN IDENTITY**  
4                               **THEFT RELATED TO PUBLIC FILING OF SEPA-**  
5                               **RATION FORMS.**

6       (a) **IDENTITY THEFT PROTECTION.**—Not later than  
7       180 days after the date of the enactment of this Act, the  
8       Secretary of Veterans Affairs shall prescribe regulations

1 to establish guidelines for States and local governments  
2 with respect to protecting against identity theft when pub-  
3 licly filing a DD-214.

4 (b) GUIDELINES FOR PROOF OF IDENTITY THEFT.—  
5 Not later than 180 days after the date of the enactment  
6 of this Act, the Secretary of Veterans Affairs shall pre-  
7 scribe regulations to establish guidelines for use by a vet-  
8 eran to demonstrate that the personal identification infor-  
9 mation of the veteran was misused by an unauthorized  
10 person as a direct result of the public filing of the vet-  
11 eran's DD-214.

12 (c) CREDIT MONITORING AND FRAUD REMEDI-  
13 ATION.—

14 (1) PROVISION OF SERVICES.—The Secretary of  
15 Veterans Affairs shall provide credit monitoring  
16 services and fraud remediation to an eligible veteran  
17 during the one-year period beginning on the date on  
18 which the Secretary approves the application of the  
19 veteran.

20 (2) ELIGIBILITY.—To be eligible to receive  
21 services under this subsection, a veteran shall submit  
22 to the Secretary an application demonstrating that  
23 under the guidelines established under subsection  
24 (b), the personal identification information of the  
25 veteran was misused by an unauthorized person as

1 a direct result of the public filing of the veteran's  
2 DD-214.

3 (3) CREDIT MONITORING SERVICES.—Credit  
4 monitoring services under this subsection shall in-  
5 clude each of the following:

6 (A) One copy of the credit report of the  
7 veteran every three months.

8 (B) Fraud resolution services for the vet-  
9 eran.

10 (C) Identity theft insurance in a coverage  
11 amount that does not exceed \$30,000 in aggre-  
12 gate liability for the insured.

13 (d) REPORT TO CONGRESS.—Not later than Sep-  
14 tember 30 of each year, the Secretary of Veterans Affairs  
15 shall submit to Congress a report on the number of iden-  
16 tity thefts connected to the public filing of DD-214s that  
17 occurred during the year preceding the year during which  
18 the report is submitted. The Secretary of Veterans Affairs  
19 shall seek to cooperate with States and local governments  
20 to obtain the information submitted in the report.

21 **SEC. 2. DEFINITIONS.**

22 In this Act:

23 (1) The term “DD-214” means the separation  
24 form of a member of the Armed Forces designated

1 as Department of Defense Form DD-214 (or any  
2 successor form).

3 (2) The term “veteran” has the meaning given  
4 such term under section 101(2) of title 38, United  
5 States Code.

6 (3) The term “identity theft” has the meaning  
7 given such term under section 603 of the Fair Cred-  
8 it Reporting Act (15 U.S.C. 1681a).

9 (4) The term “personal identification informa-  
10 tion”, with respect to an individual, means any in-  
11 formation about the individual maintained by an  
12 agency, including—

13 (A) education, financial transactions, med-  
14 ical history, and criminal or employment his-  
15 tory;

16 (B) information that can be used to distin-  
17 guish or trace the individual’s identity, includ-  
18 ing name, social security number, date and  
19 place of birth, mother’s maiden name, or bio-  
20 metric records; or

21 (C) any other personal information that is  
22 linked or linkable to the individual.

23 (5) The term “fraud remediation” means serv-  
24 ices to assist an individual in the process of recov-

- 1 ering and rehabilitating the credit of the individual
- 2 after the individual experiences identity theft.

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