HENRY A. WAXMAN, CALIFORNIA,
CHAIRMAN

TOM LANTOS, CALIFORNIA
EDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
CAROLYN B. MALONEY, NEW YORK
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
DANNY K. DAVIS, ILLINOIS
JOHN F. TIERNEY, MASSACHUSETTS
WM. LACY CLAY, MISSOURI
DIANE E. WATSON, CALIFORNIA
STEPHEN F. LYNCH, MASSACHUSETTS
BRIAN HIGGINS, NEW YORK
JOHN A. YARMUTH, KENTUCKY
BRUCE L. BRALEY, IOWA
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA
BETTY McCOLLUM, MINNESOTA
JIM COOPER, TENNESSEE
CHRIS VAN HOLLEN, MARYLAND
PAUL W. HODES, NEW HAMPSHIRE
CHRISTOPHER S. MURPHY, CONNECTICUT
JOHN P. SARBANES, MARYLAND
PETER WELCH, VERMONT

ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6143

MAJORITY (202) 225–5051
FACSIMILE (202) 225–4784
MINORITY (202) 225–5074

www.oversight.house.gov

TOM DAVIS, VIRGINIA,
RANKING MINORITY MEMBER

DAN BURTON, INDIANA
CHRISTOPHER SHAYS, CONNECTICUT
JOHN M. McHUGH, NEW YORK
JOHN L. MICA, FLORIDA
MARK E. SOUDER, INDIANA
TODD RUSSELL PLATTS, PENNSYLVANIA
CHRIS CANNON, UTAH
JOHN J. DUNCAN, JR., TENNESSEE
MICHAEL R. TURNER, OHIO
DARRELL E. ISSA, CALIFORNIA
KENNY MARCHANT, TEXAS
LYNN A. WESTMORELAND, GEORGIA
PATRICK T. McHENRY, NORTH CAROLINA
VIRGINIA FOXX, NORTH CAROLINA
BRIAN P. BILBRAY, CALIFORNIA
BILL SALI, IDAHO
JIM JORDAN, OHIO

July 27, 2007

The Honorable Henry A. Waxman
Chairman
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington D.C., 20515

According to a new Government Accountability Office investigation, the Department of Veterans Affairs has lost 53 computers from around the country – computers that could include veterans' sensitive personal information. As you know, I have focused on government-wide information management and security for a long time, and this latest incident simply confirms the need for quick action on proactive security breach notification requirements for Federal agencies.

Unfortunately, this is just the latest case of personal information placed at risk by Federal agencies. Within a little more than a year, a Department of Veterans Affairs employee reported the theft of a laptop that holds more than 26 million records containing personal information; the Census Bureau could not account for more than 1,000 laptops issued to employees and containing sensitive information, and the Department of Agriculture left sensitive data on a Website, putting the personal information of 150,000 individuals as risk.

As you recall, last year we sent a joint request to all cabinet agencies seeking information about data breaches involving the loss of sensitive personal information. The responses listed a wide range of incidents involving data loss or theft, privacy breaches and security incidents. In almost all these cases, Congress and the public would not have learned of each event had you and I had not requested the information. Following the theft of a laptop last year, for example, VA leadership delayed acting for almost two weeks while millions of people were at risk of identity theft. But despite the volume of sensitive information held by agencies, currently no requirement exists that they notify citizens whose personal information may have been compromised.

My bill (H.R. 2124) requires timely notice to individuals whose sensitive personal information could be compromised by a breach of data security at a Federal agency. Under my legislation, the executive branch must establish practices, procedures and standards for agencies to follow if sensitive personal information is lost or stolen and there is a reasonable risk of harm to an individual. The bill provides a clear definition of the type of sensitive information we're trying to protect. It gives agency chief information officers the authority, when appropriate and authorized, to ensure agency personnel comply with information security laws already on the books. Finally, it will ensure costly equipment containing potentially sensitive information is accounted for and secure.

The language in my bill is identical to H.R. 6163, which I sponsored last Congress. Last year, I incorporated identical language into the Veterans Identity and Credit Security Act (H.R. 5835), which you cosponsored and which passed the House last September. That bill, including my language, had strong bipartisan support, with 67 cosponsors from both sides of the aisle.

The Federal government holds sensitive personal information on every citizen, including tax returns, military records, and health records. We need to ensure the public knows when its sensitive personal information has been lost or compromised. I am sure you agree, public confidence in government in this area is essential.

This bill is a critical first step toward limiting the loss of our sensitive personal information. I respectfully request that you join me in moving this important legislation to the full House without delay.

Sincerely,

Tom Davis
Ranking Member