

H.R. 5835 provides safeguards to: Amend FISMA (Federal Information Security Management Act) to authorize the Director of OMB to establish data breach policies for agencies to follow in the event of a breach of data security involving the disclosure of sensitive personal information and which harm to an individual could reasonably be expected to result; Amend FISMA to clarify authority of Chief Information Officer to enforce data breach policies and develop and maintain IT inventories; Amend FISMA to define sensitive personal information as "any information about an individual maintained by an agency, including: education, financial transactions, medical history, criminal or employment history; information that can be used to distinguish or trace the individual's identity, including name, Social Security number, date and place of birth, mother's maiden name, or biometric records; or any other personal information that is linked or linkable to the individual;

Create the position of Under Secretary for Information Services in the VA and mandates that this individual serve as the VA's CIO;

Mandate that the office of the Under Secretary for Information Services shall consist of the three Deputy Under Secretaries (at least one of whom is to be a career employee);

Call for the VA to ensure that the VA has the authority and control necessary to execute responsibilities under FISMA and requires an annual FISMA compliance report to be submitted to the Committees on Veterans' Affairs of the House and Senate, the House Government Reform Committee, and the Senate Homeland Security and Governmental Affairs Committee; it also requires a monthly report from the VA CIO to the VA Secretary regarding compliance deficiencies; and to require immediate notification by the CIO to the VA Secretary of any data breach, and notice by the VA to the Director of OMB, VA IG, and if appropriate, to the FTC and Secret Service;

Require quarterly reports from the VA to the Committees on Veterans' Affairs of the House and Senate on any data breach that occurred in the previous quarter and to also require prompt notice in the event of a significant data breach;

Require the VA to undertake, as soon as possible after a data breach, an independent risk analysis (conducted by a non-VA entity). The Secretary shall then make a determination, based upon this analysis, if there exists a reasonable risk for potential misuse of the compromised data. If the Secretary does determine that this potential exists, then the VA is required to provide credit protection services. In the event of any data breach, the VA shall notify all affected individuals of the breach and inform them that they may request, at no charge, a fraud alert and a credit security freeze for a period of one year. The notification is to clearly spell out the advantages and disadvantages to requesting these actions;

Require the VA to provide credit protection services, including data breach analysis, credit monitoring services and identity theft insurance, to covered individuals (defined as individuals whose sensitive personal information is involved in a data breach, on or after August 1, 2005 for which the Secretary determines a reasonable risk exists for the potential misuse of the sensitive personal information). Authorizes the VA to contract with other government agencies and credit reporting agencies to provide these services;

Require that when the VA enters into a contract that the contractor shall not compromise any sensitive personal information. In the event of a breach, the contractor shall pay liquidated damages (which will then be used by the VA to provide credit protection services);

Require the VA to submit a report not later than 180 days after enactment concerning the feasibility of using Personal Identification Numbers for identification purposes in lieu of Social Security numbers;

Require the President to nominate the Under Secretary for Information Services and the VA to appoint the Deputy Under Secretaries within 180 days of enactment. Requires a report on the progress of the nomination and appointments every 30 days.

All of these measures are essential pieces to ensuring that the privacy of personal sensitive data of all of our citizens is not compromised. We are far behind in taking action to ensure that integrity of information in this nation. This bill is an important first step.

I urge my colleagues to support this resolution.

Mr. WAXMAN. Mr. Speaker, I support the goal of H.R. 5835 to strengthen security of personal data held by the Government, but believe that more should be done. For the Department of Veterans Affairs, this bill provides more training for employees on privacy issues, independent risk analysis of data breaches, credit freezes for persons whose data has been compromised, and more. This is an important step in light of recent data losses at the VA.

But the detailed requirements in this bill only apply to the Department of Veterans Affairs. For the rest of the Government, none of this is required, even though our committee's inquiries have uncovered serious breaches in other Federal agencies. For example, the Department of Commerce recently reported the loss of more than 1,000 laptop computers, some containing census information. To protect the privacy of personal information, we should require increased training, accountability, and reporting in all Federal agencies, not just the VA.

I am also concerned about the procedures under which this bill has come to the floor. Although primarily a VA bill, this bill also includes amendments to the Federal Information Security Management Act, FISMA, a government-wide law, in the jurisdiction of the Committee on Government Reform. Some of these provisions were in the reported version of this bill, and some were just added by amendment today from a bill introduced yesterday. None of these government-wide provisions were considered in the Committee of Government Reform.

H.R. 5835 now includes 2 different definitions of "sensitive personal information"—one applying to the entire government under FISMA, and another applying to the Department of Veterans Affairs. Had this bill proceeded through the regular committee process, inconsistencies like this could have been resolved and a clearer, more comprehensive bill reported to the floor. I hope that Congress will consider additional legislation to clarify the patchwork of laws and regulations currently in place and extend stronger data security requirements to the entire Federal Government.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, although the Rules of the House of Representatives do not allow me to co-sponsor

H.R. 5835, the Veterans Identity and Security Act of 2006, I wish to express my full support for this bill. My district is home to tens of thousands of veterans from every branch of the military, and this legislation will be extremely helpful to my constituents. The recent loss of data affecting over 26.5 million current and former service members was extremely unfortunate, and it became clear that the Department's data security and notification practices needed an overhaul. I believe this legislation will enable the Department of Veterans Affairs to better protect the personal identification data of those who have served and are serving our country, and I am pleased that we are taking steps to prevent these incidents in the future.

As our country increasingly relies on electronic information storage and communication, it is imperative that our Government amend our information security laws accordingly. This legislation will help in this effort, and I am wholeheartedly supportive.

Mr. BUYER. Mr. Speaker, I yield back the balance of my time and urge all Members to support this legislation.

The SPEAKER pro tempore (Mr. BISHOP of Utah). The question is on the motion offered by the gentleman from Indiana (Mr. BUYER) that the House suspend the rules and pass the bill, H.R. 5835, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BUYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 5835.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ENCOURAGING ALL OFFICES OF THE HOUSE OF REPRESENTATIVES TO HIRE DISABLED VETERANS

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1016) encouraging all offices of the House of Representatives to hire disabled veterans.

The Clerk read as follows:

H. RES. 1016

Whereas the men and women of our armed forces play a central role in preserving our Nation's freedom;

Whereas disabled veterans have sacrificed greatly for their country;

Whereas one way for our Nation to repay its debt to those disabled veterans is to help disabled veterans return to their previous lifestyle;

Whereas Congress relies on knowledgeable staff to help formulate policy;

Whereas disabled veterans provide unique perspectives on a range of issues, especially regarding national security;

Whereas Members who are veterans or reservists have played a leading role throughout the history of Congress; and

Whereas Congress wishes to give disabled veterans the opportunity to work in their government as a benefit to those disabled veterans as well the members of Congress on whose staffs they will serve: Now, therefore, be it

Resolved, That the House of Representatives encourages the Members, committees, and all other offices of the House to hire disabled veterans, and to use the resources that the Committee on House Administration will direct the Chief Administrative Officer to provide to find qualified disabled veterans to fill positions in these offices.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also thank the gentleman from California (Mr. ROHRABACHER) for introducing this fine resolution.

I rise in support of H. Res. 1016, which encourages all offices of the House of Representatives to hire disabled veterans, and I ask all my colleagues to support this important bill.

Throughout history, our Nation has depended on the brave men and women of the military to secure our freedom, frequently at their own peril. Millions of those who fight valiantly for our country will return with injuries that threatened their livelihood and that of their families.

After completing their service to our country, our Nation's disabled veterans often return to face another challenge: diminished prospects for employment due to the injuries they suffered in battle.

By recruiting these exceptional individuals for employment in the House, we are both rewarding these heroes for their sacrifices they have made for their country and securing experienced, dedicated employees to work in House offices. By providing a congressional career path to disabled veterans, we are offering these courageous individuals an opportunity to serve the public in a new capacity.

I ask the Members to honor our Nation's veterans both by supporting this important resolution and by hiring disabled veterans.

Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join the chairman in support of this resolution introduced this week by the gentleman from California (Mr. ROHRABACHER), encouraging all Members, committees, and offices of the House to hire disabled veterans. This Congress absolutely should give preference to disabled veterans as long as there are disabled veterans.

First, this resolution reminds all Members and other House employees that this Congress has a moral and eth-

ical obligation to support American disabled veterans. Unfortunately, we know too well that the ranks of America's disabled veterans are growing every day. One way for the House to fulfill its obligation is to help disabled veterans return to their pre-war lifestyles. Their former jobs may be gone or their disabilities may preclude them from performing that function again.

I am sure there are many disabled veterans whose knowledge, skills, and abilities could help Members better serve their constituencies. This would allow disabled veterans to continue their service to their country as civilians, while providing for themselves and their families. This could take place anywhere in the country since a large percentage of congressional staff positions are located in districts throughout America. There are also opportunities here on Capitol Hill as well.

Second, the resolution states that the Committee on House Administration will facilitate employment opportunities for disabled veterans by directing the House Chief Administration Officer to provide resources to guide qualified disabled veterans to potential positions. A suitable Web site, for example, could enable disabled veterans to employment opportunities in the House.

Whatever the committee may decide, I am pleased that this resolution apprises all Members of the need of our disabled veterans and the rest of the community to take action. Mr. Speaker, I urge all Members to support this resolution. The ranks of American disabled veterans are growing every day, and the end of the current conflict is not in sight. The House should do everything possible to help our disabled veterans to rebuild their lives.

If qualified disabled veterans are interested in working here, we should encourage Members, our committees, and our support offices to embrace these brave men and women who have served in Iraq and elsewhere around the world and who have sacrificed their futures for our country. I urge an "aye" vote.

Mr. Speaker, I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, it is with great pleasure that I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER), who is in every way a true patriot and also the author of this wonderful resolution.

Mr. ROHRABACHER. Mr. Speaker, I rise in support of my resolution, H. Res. 1016. I would like to thank Mr. EHLERS for his help in support of this bill, as well as Mr. BRADY and Members on both sides of the aisle. It has taken considerable time and effort to get this bill to the floor, and I appreciate their help in bringing this matter tonight and making sure we get this done before the end of the session.

Mr. Speaker, the war in Iraq and Afghanistan is being fought by American military personnel; and, as we know, many of them have been killed or wounded. In fact, there have been 21,263

wounded American military personnel during this conflict in Afghanistan and Iraq. That includes 468 amputees.

To better illustrate that point, imagine every Member of this House plus 33 others have been wounded in Iraq or Afghanistan and that the wounds were serious enough to require amputation, and sometimes that meant amputating more than one limb. It is hard to comprehend the level of sacrifice and the recovery from such a loss.

These brave warriors and their families must learn an entirely new way of life. Sometimes readjusting, finding one's place is as traumatic and as hurtful as the wound itself. Many of them worry about how they will work and what kind of life they can provide for themselves and for their families.

My resolution, H. Res. 1016, will enable us, Members of the United States Congress, to help disabled veterans directly. We should serve as an example to other government agencies and to private-sector employers. We need to send an unmistakable message that every disabled veteran should have the opportunity to work at a decent-paying job and that they can this way adjust and bring themselves back into this community as they heal and come home.

This resolution coordinates the House Administration Committee and the CAO to find qualified disabled veterans to fill open positions in our House offices.

Congress has two important obligations when sending America's defenders into harm's way.

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The first is to ensure that those soldiers have the necessary training, equipment and resources to get the job done and come home safely.

The second is to ensure that when these heroes come home, especially if they have been severely wounded, that their wounds are cared for and once they are healed, there are adequate avenues available to ensure them a decent life, especially the personal and professional satisfaction of a real job.

I would challenge my colleagues to achieve the following goal: by the end of the next year, every congressional office should employ at least one disabled veteran. Not only would these veterans benefit from these jobs, but we would benefit greatly from the unique perspective that these heroes would bring to our offices.

Mr. Speaker, I want to thank Mr. Clifford Heinz for bringing to my attention disturbing news stories regarding returning veterans. I also thank the majority whip, Mr. BLUNT, for his hard work in helping to move this resolution to the floor for the vote.

We must ensure that the returning veterans from this war are treated with the dignity and honor, that it is the dignity and honor that they have earned and deserve. This resolution is an important first step in what I know will be a continued effort by this Congress to say thank you to the disabled

veterans who have paid a price beyond the call of duty and never fully repaid.

Mr. Speaker, I ask my colleagues to support this resolution and to take seriously the challenge of personally hiring a disabled veteran for their office. I ask them to support H. Res. 1016.

Mr. BRADY of Pennsylvania. Mr. Speaker, it is my pleasure to yield to Mr. FATTAH from the great State of Pennsylvania for such time as he may consume.

Mr. FATTAH. Mr. Speaker, I thank the gentleman from Pennsylvania, and also the chairman of my former committee, the House Administration Committee, for their fine work in bringing this resolution to the floor.

On Sunday I spoke at the VFW post in my district, the Charles Young Post, as they celebrated 76 years of providing a service to veterans, returning veterans from a host of wars and conflicts, in Philadelphia.

I have been over to Walter Reed visiting with soldiers who have been wounded in the Iraqi war, and it is true that they are receiving great medical care, but they do need employment. And I thank the gentleman who is the prime sponsor of this who I have also served with for many years, for fighting for this to come to the floor because it is something that is tangible that we can do.

I just wanted to rise in support of it. House Administration is a committee where these issues are dealt with, and I think the committee should be commended for bringing this to the floor. And I hope all Members heed what I think is a reasonable challenge, that each of us should reach out to returning veterans.

Many have disabilities that are visible, and others have other challenges. We do know, as has been stated by a former President, Ronald Reagan, that one of the best things that could ever happen in terms of addressing some of the social challenges that people face is a good job. So providing a good job for veterans who return, many of whom are disabled, I think is a rightful thing for this House to consider, in all of its various offices both here on the Hill and at home in our district offices.

I thank the gentleman for yielding me this time, and I thank the chairman for the great guidance he has given to my former committee.

Mr. EHLERS. Mr. Speaker, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I thank Mr. ROHRBACHER for the resolution and the chairman of our committee. It is a pleasure working with you.

Mr. Speaker, I yield back the balance of my time.

Mr. EHLERS. Mr. Speaker, I yield myself such time as I may consume.

I once again reiterate the requests that various individuals have made here, that every Member of this Congress take this resolution seriously, that they vote for it; and, furthermore, that they act on it and hire a disabled veteran to work in their offices.

I thank the gentleman from California for bringing this to our attention. I urge support by every Member of the House for this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H. Res. 1016 to encourage all offices of the House of Representatives to hire disabled veterans.

The men and women of our Armed Forces play a central role in preserving our Nation's freedom. In this role, these men and women gain very valuable skills, and knowledge which is crucial to the successful operations and functions of our military. The vast array of valuable skills that disabled veterans possess include those in intelligence, medicine, law and beyond. Such knowledge is not to be undervalued.

There are over 3 million living disabled veterans in this country, a number which unfortunately continues to rise as we remain engaged in the Iraq and Afghanistan conflicts. Let us respect and honor the invaluable service of all past and future disabled veterans by ensuring that they may continue to use their unique talents, knowledge and skills.

Congress relies on knowledgeable staff to help formulate policy. Disabled veterans provide unique perspectives on a range of issues, especially regarding national security.

Disabled veterans have sacrificed greatly for this country. It is indeed no sacrifice at all for us to take advantage of the unique education and experience that our veterans will bring as administrative, legislative and support staff to the House offices.

This Nation can repay its debt to those disabled veterans by helping disabled veterans continue to support the many important functions of our government, as well as continue to serve their country. Such a partnership is a win-win situation, and yet I am inclined to think that it is we who will benefit most from the contributions.

Mr. Speaker, we must ensure that when our veterans become disabled as a result of their military service, their service and skills do not dry up like a raisin in the sun but continue to bear fruit that can serve this great Nation well. By employing disabled veterans, we show that we have confidence in and value their skills.

We all know that it is exceedingly difficult to gain employment as a disabled individual, let alone as a veteran adjusting to civilian life. This is simply one step we can make as a legislative body to ease the transition and assist a population in need.

I am virtually certain that we all value the time and service of all of our veterans who have faithfully served to protect the interests of this great Nation and its citizens. We certainly would like to express that sentiment here today by passage of H.R. 1016 to encourage all offices of the House of Representatives to hire disabled veterans.

I urge my colleagues to support this resolution.

Mr. EHLERS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the resolution, H. Res. 1016.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT OF 2005

Mr. EHLERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1215) to provide for the implementation of a Green Chemistry Research and Development Program, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Green Chemistry Research and Development Act of 2005".

SEC. 2. DEFINITIONS.

In this Act—

(1) the term "green chemistry" means chemistry and chemical engineering to design chemical products and processes that reduce or eliminate the use or generation of hazardous substances while producing high quality products through safe and efficient manufacturing processes;

(2) the term "Interagency Working Group" means the interagency working group established under section 3(c); and

(3) the term "Program" means the Green Chemistry Research and Development Program described in section 3.

SEC. 3. GREEN CHEMISTRY RESEARCH AND DEVELOPMENT PROGRAM.

(a) *IN GENERAL.*—The President shall establish a Green Chemistry Research and Development Program to promote and coordinate Federal green chemistry research, development, demonstration, education, and technology transfer activities.

(b) *PROGRAM ACTIVITIES.*—The activities of the Program shall be designed to—

(1) provide sustained support for green chemistry research, development, demonstration, education, and technology transfer through—

(A) merit-reviewed competitive grants to individual investigators and teams of investigators, including, to the extent practicable, young investigators, for research and development;

(B) grants to fund collaborative research and development partnerships among universities, industry, and nonprofit organizations;

(C) green chemistry research, development, demonstration, and technology transfer conducted at Federal laboratories; and

(D) to the extent practicable, encouragement of consideration of green chemistry in—

(i) the conduct of Federal chemical science and engineering research and development; and

(ii) the solicitation and evaluation of all proposals for chemical science and engineering research and development;

(2) examine methods by which the Federal Government can create incentives for consideration and use of green chemistry processes and products;

(3) facilitate the adoption of green chemistry innovations;