

# GOVERNMENT RELATIONS UPDATE

S. PIERRE PARET  
CHAIR, LEGISLATIVE COMMITTEE

## *Federal Identity Theft Legislation Pending*

With several potentially harmful bills pending on Capitol Hill, the National Council of Investigation and Security Services (NCISS) and other industry representatives have continued efforts to combat or modify provisions that would have a significant negative impact on our industry.

On November 3, 2005, the House Subcommittee on Commerce Trade and Consumer Protection held a mark-up and considered H.R. 4127, the "Data Accountability and Trust Act." Although the bill considered by the Subcommittee would not limit the sale of personal identifier information, it is widely expected that such an amendment will be offered when the bill is considered by the full Energy and Commerce Committee. Rep. Ed Markey (D-MA) offered an amendment limiting the sale of Social Security numbers during the Subcommittee markup, but withdrew his amendment to offer it before the full Committee. This amendment would have a serious detrimental impact on the private investigation and security industry. NCISS has urged industry members to contact members of the Committee to voice opposition to the expected amendment. The only member of the full Committee from Virginia is Rep. Rick Boucher.

Another bill that may move forward is S. 1408, the "Identity Theft Protection Act." This bill was considered by the Senate Commerce, Science and Transportation Committee before the August congressional recess. Efforts to implement some changes to provisions that limit the sale of personal identifier data that would greatly reduce the negative impact of this bill have been ongoing, and there is some hope that this legislation may ultimately not harm our industry while implementing some significant changes to help fight identity theft.

Increased advocacy by industry and other groups has enhanced understanding in Congress of the possible negative impacts of identity theft legislation. As an example, the International Association of Security and Investigative Regulators (IASIR), currently headed by Leon Baker, Jr. of DCJS, recently issued a letter supportive of industry efforts to retain legal access to personal identifier information.

Though Congress must deal with a number of important legislative priorities, such as the Supreme Court nomination, there is a good chance that some form of identity theft legislation will move forward. NCISS, PISA, and other organizations will continue efforts to minimize the potential negative impact on our industry. Individuals and firms in the security and investigative industry should also contact their lawmakers on this important issue.

FEDERAL LEGISLATION STATUS			
BILL NUMBER	TITLE	SPONSOR	STATUS
S. 29	Social Security Number Misuse Prevention Act	Sen. Feinstein (D-CA)	Pending in Judiciary Committee.
S. 115	Notification of Risk to Personal Data Act	Sen. Feinstein (D-CA)	Pending in Judiciary Committee.
S. 116	Privacy Act of 2005	Sen. Feinstein (D-CA)	Pending in Judiciary Committee.
H.R. 220	Identity Theft Prevention Act of 2005	Rep. Paul (R-TX)	Pending in Government Reform and Ways and Means Committees.

S. 500	Information Protection and Security Act	Sen. Nelson (D-FL)	Pending in Commerce, Science & Transportation Committee.
S. 751	Notification of Risk to Personal Data Act	Sen. Feinstein (D-CA)	Pending in Judiciary Committee.
S. 768	Comprehensive Identity Theft Prevention Act	Sen. Schumer (D-NY)	Pending in Commerce, Science & Transportation Committee.
H.R. 1080	Information Protection and Security Act	Rep. Markey (D-MA)	Pending in Energy & Commerce Committee.
H.R. 1078	Social Security Number Protection Act of 2005	Rep. Markey (D-MA)	Pending in Energy & Commerce and Ways and Means Committees.
H.R. 1263	Consumer Privacy Protection Act of 2005	Rep. Stearns (R-FL)	Pending in International Relations and Energy & Commerce Committees
S. 1326	Notification of Risk to Personal Data Act	Sen. Sessions (R-AL)	Pending in Judiciary Committee.
<b>S. 1332</b>	<b>Personal Data Privacy and Security Act of 2005</b>	<b>Sen. Specter (R-PA)</b>	<b>Placed on Senate Calendar.</b>
<b>S. 1408</b>	<b>Identity Theft Protection Act of 2005</b>	<b>Sen. Smith (R-OR)</b>	<b>Ordered reported by the Committee on Commerce, Science &amp; Transportation.</b>
H.R. 1745	Social Security Number Privacy and Identity Theft Prevention Act of 2005	Rep. Shaw (R-FL)	Pending in Energy & Commerce, Financial Services, and Ways and Means Committees.
H.R. 3140	Consumer Data Security and Notification Act	Rep. Bean (D-IL)	Pending in Financial Services Committee.
H.R. 3374	Consumer Notification and Financial Data Protection Act of 2005	Rep. LaTourette (R-OH)	Pending in Financial Services Committee.
H.R. 3375	Financial Data Security Act	Rep. Pryce (R-OH)	Pending in Financial Services Committee.
H.R. 3501	Consumer Access Rights Defense Act (CARD) of 2005	Rep. Carson (D-IN)	Pending in three committees.
<b>H.R. 4127</b>	<b>Data Accountability and Trust Act</b>	<b>Rep. Stearns (R-FL)</b>	<b>Subcommittee hearing held 11/3/05; bill forwarded to full Energy &amp; Commerce Cmte.</b>

*If you have any questions regarding any of these issues, please contact S. Pierre Paret of the Acme Detective Agency and Chair of the PISA Legislative Committee, at 703-836-0333.*