

HR 3997

Financial Data Protection Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Finance and Financial Sector

Introduced: Oct 6, 2005

Current Status: Placed on the Union Calendar, Calendar No. 269.

Latest Action: Placed on the Union Calendar, Calendar No. 269. (Jun 2, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/3997>

Sponsor

Name: Rep. LaTourette, Steven C. [R-OH-14]

Party: Republican • **State:** OH • **Chamber:** House

Cosponsors (24 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Oct 6, 2005
Rep. Hooley, Darlene [D-OR-5]	D · OR		Oct 6, 2005
Rep. Moore, Dennis [D-KS-3]	D · KS		Oct 6, 2005
Rep. Pryce, Deborah [R-OH-15]	R · OH		Oct 6, 2005
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		Oct 26, 2005
Rep. Harris, Katherine [R-FL-13]	R · FL		Oct 26, 2005
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Oct 26, 2005
Rep. Kennedy, Mark R. [R-MN-6]	R · MN		Oct 26, 2005
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Oct 26, 2005
Rep. Renzi, Rick [R-AZ-1]	R · AZ		Nov 3, 2005
Rep. Biggert, Judy [R-IL-13]	R · IL		Nov 17, 2005
Rep. Pearce, Stevan [R-NM-2]	R · NM		Nov 17, 2005
Rep. Ney, Robert W. [R-OH-18]	R · OH		Feb 15, 2006
Rep. Shays, Christopher [R-CT-4]	R · CT		Mar 2, 2006
Rep. Bean, Melissa L. [D-IL-8]	D · IL		Mar 29, 2006
Rep. Cleaver, Emanuel [D-MO-5]	D · MO		Mar 29, 2006
Rep. McHugh, John M. [R-NY-23]	R · NY		Mar 29, 2006
Rep. Price, Tom [R-GA-6]	R · GA		Mar 29, 2006
Rep. Scott, David [D-GA-13]	D · GA		Mar 29, 2006
Rep. Foley, Mark [R-FL-16]	R · FL		Apr 4, 2006
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Apr 4, 2006
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Apr 4, 2006
Rep. Hinojosa, Ruben [D-TX-15]	D · TX		May 25, 2006
Rep. Holden, Tim [D-PA-17]	D · PA		May 25, 2006

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Reported By	Jun 2, 2006
Financial Services Committee	House	Reported By	May 4, 2006

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
109 HR 4127	Related bill	Jun 8, 2006: Sponsor introductory remarks on measure. (CR H3502)
109 S 2169	Identical bill	Dec 21, 2005: Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Data Accountability and Trust Act (DATA) - (Sec. 2) Requires the Federal Trade Commission (FTC) to promulgate regulations that require each person engaged in interstate commerce that owns or possesses data in electronic form containing personal information to establish policies and procedures regarding security practices for the treatment and protection of such information.

Directs the FTC to study the practicality of requiring a standard method or methods for destroying obsolete paper documents and other nonelectronic data containing personal information. Authorizes the FTC to require such a standard method or methods if the study makes certain findings.

Requires information brokers to submit their security policies to the FTC in conjunction with a notification of a breach of security or upon FTC request. Requires the FTC to conduct or require an audit of security practices when information brokers are required to provide notification of such a breach. Authorizes additional audits for five years following such breach.

Requires each information broker to: (1) establish procedures to verify the accuracy of the certain information it collects or maintains that identifies individuals, other than merely by name or address; (2) provide to individuals whose personal information it maintains a means to review it; (3) place notice on the Internet instructing individuals how to request access to such information; and (4) correct inaccurate information.

Directs the FTC to require information brokers to establish measures which facilitate the auditing or retracing of access to, or transmissions of, electronic data containing personal information.

Prohibits information brokers from obtaining or disclosing personal information by false pretenses (pretexting).

(Sec. 3) Prescribes procedures for notification to the FTC and affected individuals of breaches of information security. Sets forth special notification requirements for breaches: (1) by third party entities that have been contracted to maintain or process data in electronic form containing personal information; (2) by telecommunications carriers, cable operators, information services, and interactive computer services; and (3) of health information.

Directs the FTC to: (1) establish criteria for determining circumstances under which substitute notification may be provided; and (2) study the practicality and cost-effectiveness of requiring notification in a language in addition to English for those who speak only such other language.

(Sec. 4) Grants the FTC enforcement powers equivalent to those it exercises with respect to unfair and deceptive acts or practices. Authorizes enforcement by a state attorney general if there is reason to believe that interests of the state's residents have been or are threatened or adversely affected by violators of this Act. Sets forth civil penalties.

(Sec. 6) Preempts state information security laws.

(Sec. 7) Authorizes appropriations for FY2006-FY2011.

Actions Timeline

- **Jun 2, 2006:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-454, Part II.
- **Jun 2, 2006:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-454, Part II.
- **Jun 2, 2006:** Placed on the Union Calendar, Calendar No. 269.
- **May 24, 2006:** Committee Consideration and Mark-up Session Held.
- **May 24, 2006:** Ordered to be Reported (Amended) by the Yeas and Nays: 42 - 0.
- **May 4, 2006:** Reported (Amended) by the Committee on 109-454, Part I.
- **May 4, 2006:** Reported (Amended) by the Committee on 109-454, Part I.
- **May 4, 2006:** Referred sequentially to the House Committee on Energy and Commerce for a period ending not later than June 2, 2006 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that Committee pursuant to clause 1(f), rule X.
- **Mar 16, 2006:** Committee Consideration and Mark-up Session Held.
- **Mar 16, 2006:** Ordered to be Reported (Amended) by the Yeas and Nays: 48 - 17.
- **Nov 9, 2005:** Committee Hearings Held.
- **Oct 6, 2005:** Introduced in House
- **Oct 6, 2005:** Introduced in House
- **Oct 6, 2005:** Referred to the House Committee on Financial Services.