

119TH CONGRESS
2D SESSION

S. _____

To amend the Consolidated Appropriations Act, 2017 to extend the availability of identity protection coverage to individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. WARNER (for himself, Mr. KAINE, Mr. VAN HOLLEN, and Ms. ALSOBROOKS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Consolidated Appropriations Act, 2017 to extend the availability of identity protection coverage to individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies, 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. SHORT TITLE.**

4 This Act may be cited as the “Reducing the Effects
5 of the Cyberattack on OPM Victims Enduring Response
6 and Protecting Identifiable Information Act” or the “RE-
7 COVER PII Act”.

1 **SEC. 2. IDENTITY PROTECTION COVERAGE FOR INDIVID-**
2 **UALS AFFECTED BY FEDERAL AGENCY DATA**
3 **BREACHES.**

4 Section 633 of title VI of division E of the Consoli-
5 dated Appropriations Act, 2017 (Public Law 115–31) is
6 amended—

7 (1) in subsection (a)—

8 (A) in the matter preceding paragraph (1),
9 by striking “For fiscal years 2016 through
10 2026,” and inserting “For fiscal year 2016 and
11 each fiscal year thereafter,”;

12 (B) in paragraph (1), by striking “and” at
13 the end; and

14 (C) by striking paragraph (2) and insert-
15 ing the following:

16 “(2) is effective for the remainder of the life of
17 the affected individual; and

18 “(3) includes not less than \$5,000,000 in iden-
19 tity theft insurance.”; and

20 (2) in subsection (b), by striking “DEFINI-
21 TION.—”.

22 **SEC. 3. REIMBURSEMENTS RELATING TO PRIVACY-EN-**
23 **HANCING SERVICES.**

24 (a) DEFINITIONS.—In this section:

1 (1) AGENCY.—The term “agency” means each
2 authority of the executive, legislative, or judicial
3 branch of the Government of the United States.

4 (2) PRIVACY-ENHANCING SERVICE.—The term
5 “privacy-enhancing service” means any software or
6 hardware solution, technical process, technique, or
7 other technological means that mitigates privacy
8 risks arising from data processing, including by
9 eliminating, reducing, or suppressing personal infor-
10 mation, including restricted personal information, as
11 defined in section 119(b) of title 18, United States
12 Code.

13 (b) REIMBURSEMENTS.—Notwithstanding any other
14 provision of law, amounts appropriated by any Act for fis-
15 cal year 2026, or any fiscal year thereafter, for salaries
16 and expenses of an agency may be used by that agency
17 to reimburse an employee employed by that agency (or to
18 make a payment to a contractor of the agency to reim-
19 burse an employee of the contractor who provides support
20 to that agency) for not more than 100 percent of the costs
21 incurred by the applicable individual for privacy-enhancing
22 services.

23 (c) DOCUMENTATION.—Any reimbursement or pay-
24 ment that is authorized under subsection (b) shall be con-
25 tingent upon the submission by the employee or con-

1 tractor, as applicable, of such information or documenta-
2 tion as the applicable agency may reasonably require.