

119TH CONGRESS
1ST SESSION

H. R. 1101

To prohibit unlawful access to the payment system of the Bureau of the Fiscal Service within the Department of the Treasury, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2025

Ms. STEVENS (for herself, Mr. CASTEN, Mr. WHITESIDES, Ms. VELÁZQUEZ, Ms. SHERRILL, Mr. MOULTON, Ms. JACOBS, Ms. SÁNCHEZ, Ms. ADAMS, Mr. PALLONE, Mr. FROST, Ms. DEAN of Pennsylvania, Ms. NORTON, Mr. LARSON of Connecticut, Mr. SUBRAMANYAM, Ms. BARRAGÁN, Mr. AUCHINCLOSS, Ms. TITUS, Mr. MEEKS, Mr. GARCIA of California, Ms. MCCOLLUM, Mr. AMO, Ms. WASSERMAN SCHULTZ, Ms. JAYAPAL, Mr. BISHOP, Mr. TURNER of Texas, Mr. COURTNEY, Ms. KELLY of Illinois, Mr. CLEAVER, Mr. LANDSMAN, Mr. DELUZIO, Mr. THOMPSON of Mississippi, Mr. MOSKOWITZ, Mr. SOTO, Mr. CONNOLLY, Mr. HUFFMAN, Mr. DAVIS of Illinois, Ms. MCCLELLAN, Ms. SCHAKOWSKY, Ms. CASTOR of Florida, Ms. SCANLON, Mr. PANETTA, Mr. THANEDAR, Mr. PETERS, Mr. LIEU, Mrs. MCCLAIN DELANEY, Mr. KRISHNAMOORTHY, Mr. NORCROSS, Mr. KEATING, Mrs. CHERFILUS-McCORMICK, Mr. JEFFRIES, Mr. KHANNA, Mr. LATIMER, Mrs. TRAHAN, Ms. BUDZINSKI, Ms. TLAIB, Ms. WILLIAMS of Georgia, Mr. SORENSEN, Mr. CARSON, Mr. STANTON, Mr. VARGAS, Mr. GRIJALVA, Mr. MANNION, Mr. TAKANO, Ms. CRAIG, Ms. MATSUI, Mr. COHEN, Mr. DESAULNIER, Mr. SWALWELL, Ms. PRESSLEY, Mr. CASAR, Ms. ANSARI, Mr. MULLIN, Mr. EVANS of Pennsylvania, Mr. MCGARVEY, Mr. TONKO, Ms. ROSS, Mr. FOSTER, Mrs. FOUSHEE, Ms. PELOSI, Mr. MRVAN, Ms. BROWN, Mr. HORSFORD, Ms. OMAR, Mr. POCAN, Mrs. BEATTY, Ms. PINGREE, Mrs. MCBATH, Ms. BALINT, Mr. CROW, Mr. IVEY, Ms. CHU, Mrs. SYKES, Mr. SCHNEIDER, Ms. DELBENE, Ms. ELFRETH, Ms. KAPTUR, Mr. GOMEZ, Mrs. DINGELL, Mr. SHERMAN, Mr. MCGOVERN, Mr. LEVIN, Mr. THOMPSON of California, Ms. POU, Mrs. FLETCHER, Mr. RASKIN, Ms. DELAURO, Mr. FIGURES, Mr. SCOTT of Virginia, Ms. ESCOBAR, Ms. CROCKETT, Mr. MAGAZINER, Mr. KENNEDY of New York, Mr. VEASEY, Mr. HIMES, Ms. McDONALD RIVET, Mr. MORELLE, Mr. LICCARDO, Mr. LARSEN of Washington, Mr. TRAN, Ms. FRIEDMAN, Mrs. MCIVER, Ms. BROWNLEY, Mr. VINDMAN, Ms. SALINAS, Ms. LEGER FERNANDEZ, Mrs. TORRES of California, Mr. CLYBURN, Ms. STRICKLAND, Mr. MENENDEZ, Ms. LOIS FRANKEL of Florida, Mr. CARBAJAL, Ms. RANDALL, Mrs. HAYES, Mr. CISNEROS, Ms. RIVAS, Mr. AGUILAR, Mr. GARCÍA of Illinois, Ms. MORRISON, Ms. CLARK

of Massachusetts, Mr. MIN, and Mr. CASTRO of Texas) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit unlawful access to the payment system of the Bureau of the Fiscal Service within the Department of the Treasury, 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 “Taxpayer Data Protec-

5 tion Act”.

6 **SEC. 2. LIMITATION ON ACCESS TO PAYMENT SYSTEM OF**
 7 **BUREAU OF THE FISCAL SERVICE.**

8 Section 321 of title 31, United States Code, is

9 amended by adding at the end the following:

10 “(e)(1) The Secretary may not allow any individual

11 to use, exercise administrative control over, or otherwise

12 access any Department of the Treasury public money re-

13 ceipt or payment system (including any payment system

14 of the Bureau of the Fiscal Service (or any successor

15 thereof)), or any data from any such system, unless—

1 “(A) such individual is an officer, employee, or
2 contractor of the Department of the Treasury—

3 “(i) who is otherwise eligible to access such
4 system or data;

5 “(ii) whose most recent performance rating
6 was at the fully successful level or higher (or
7 the equivalent thereof); and

8 “(iii) who, as of the date of such access,
9 with respect to such an officer or employee has
10 occupied a position in the civil service (as that
11 term is defined in section 2101 of title 5), or
12 with respect to such a contractor has been per-
13 forming under a contract with the Department,
14 for a period of at least one year; or

15 “(B) in the case of an individual not described
16 in subparagraph (A)—

17 “(i) such individual holds a security clear-
18 ance at the appropriate level with respect to
19 such system or data and such clearance was
20 granted pursuant to the procedures established
21 under section 801 of the National Security Act
22 of 1947 (50 U.S.C. 3161));

23 “(ii) such individual’s access to such sys-
24 tem or data, or use thereof, does not constitute

1 a violation of section 208 of title 18 (deter-
2 mined after the application of paragraph (2));

3 “(iii) such individual is not a special Gov-
4 ernment employee (as defined in section 202 of
5 title 18);

6 “(iv) such individual’s current continuous
7 service in the civil service (as that term is de-
8 fined in section 2101 of title 5) as of the date
9 of such access is for a period of at least 1 year;

10 “(v) such individual has completed any re-
11 quired training or compliance procedures with
12 respect to privacy laws and cybersecurity and
13 national security regulations and best practices;
14 and

15 “(vi) has signed a written ethics agreement
16 with either the Department of the Treasury or
17 the Office of Government Ethics.

18 “(2)(A) Any individual who accesses any system
19 or data described in paragraph (1) who is not other-
20 wise an officer or employee of the executive branch
21 of the United States Government shall be treated as
22 an employee of the executive branch of the United
23 States Government for purposes of section 208 of
24 title 18.

1 “(B) For purposes of such section 208, exercise
2 of administrative control or stopping, canceling, ad-
3 justing, holding, rejecting, changing, or otherwise
4 impacting any payment or data in any Department
5 of the Treasury public money receipt or payment
6 system (including any payment system of the Bu-
7 reau of the Fiscal Service (or any successor there-
8 of)), shall be considered personal and substantial
9 participation as a Government officer or employee in
10 a particular matter.

11 “(3) The Inspector General of the Department
12 of the Treasury shall investigate, and submit a re-
13 port to Congress on such investigation, each in-
14 stance of unauthorized use or other access of any
15 payment system described in paragraph (1). Any
16 such report shall be submitted not later than 30
17 days after any such instance and shall include—

18 “(A) a detailed description of the unau-
19 thorized use or access, including any actions the
20 individual carried out;

21 “(B) a risk assessment of any threat to
22 privacy, national security, cybersecurity, or the
23 integrity of the applicable system as a result of
24 such unauthorized use or access; and

1 “(C) a detailed description of any stopped
2 payments during the unauthorized use or ac-
3 cess.”.

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