

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

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April 14, 2015

TO THE MEMBERS OF THE UNITED STATES SENATE:

As the Senate prepares to consider S. 754, the “Cybersecurity Information Sharing Act of 2015,” the U.S. Chamber of Commerce, the world’s largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America’s free enterprise system, writes to express our strong opposition to the adoption of amendments that would weaken or overly complicate this important bipartisan bill, including issues related to data security, breach notification, or commercial privacy, which are best addressed in other contexts.

The Chamber believes that all provisions of S. 754 must support the important goal of protecting critical infrastructure. Unrelated issues, such as data security, breach notification, and commercial privacy legislation, have not yet received any consideration in the committees of jurisdiction and are not ready for consideration by the full Senate. These sensitive topics should proceed through the legislative process following regular order to ensure complete and deliberate consideration separate from the pending floor debate on cybersecurity information sharing legislation.

Cybersecurity information sharing legislation meets a dire national security need, and though the Chamber would like to see meaningful data security, breach notification, and commercial privacy legislation become law, for the benefit of businesses and consumers alike, we are equally steadfast in our belief that cybersecurity information sharing legislation is important for national security and should be Congress’s immediate priority.

There are 47 separate state laws which deal directly with data security and breach notification. The business community has been working with members of Congress in both chambers and on both sides of the aisle to find the right path toward passage of a national data security and breach notification law. However, much work remains to be done, as disagreement continues regarding certain provisions which would be contained in federal legislation. This disagreement is evident in virtually every one of the significantly different data security bills which have been introduced in the Senate during the last several Congresses.

The Chamber has appreciated the opportunity to comment on and offer edits to the various bills and looks forward to working with their authors and cosponsors as legislation works its way through the committee process. However, data security legislation deserves its own due consideration and deliberate debate, separate from the complicated and pressing national security

issue of cybersecurity information sharing. For example, the House Energy and Commerce committee has held multiple hearings on proposed legislation in addition to a subcommittee markup and planned mark up at the full committee level. Though there are issues which need to be resolved in that legislation, the Chamber appreciates the process and consideration given and that the bill has worked its way through the proper channels.

Given the work that still needs to be done on data security proposals, the Chamber urges you to keep them separate and apart from cybersecurity information sharing legislation and not rush to make changes to the current landscape of state data security, data breach, and commercial privacy laws. Doing so would have a fundamentally negative impact on a broad segment of the American business community.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being the most prominent parts.

R. Bruce Josten