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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 324 Session of  
2007

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INTRODUCED BY PYLE, BAKER, BELFANTI, BOYD, BROOKS, CALTAGIRONE,  
CAPPELLI, COHEN, CREIGHTON, CUTLER, FLECK, GEIST, HARPER,  
HENNESSEY, HORNAMAN, JAMES, KAUFFMAN, M. KELLER, KIRKLAND,  
KORTZ, R. MILLER, MYERS, PICKETT, QUINN, REED, REICHLEY,  
SAYLOR, SCAVELLO, K. SMITH, SOLOBAY, SONNEY, R. STEVENSON,  
THOMAS, VEREB AND VULAKOVICH, JUNE 13, 2007

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REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,  
JUNE 13, 2007

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## A RESOLUTION

1 Memorializing the Congress of the United States to take  
2 appropriate action to establish a national baseline standard  
3 for the disclosure of security breaches.

4 WHEREAS, Americans place great value on the right to privacy;  
5 and

6 WHEREAS, Support for privacy and confidentiality protections  
7 has increased as each individual's ability to protect and secure  
8 one's personal information from the sight, presence and  
9 intrusion of others has diminished; and

10 WHEREAS, In the Information Age vast quantities of  
11 information drive economic activity in which familiar and  
12 unfamiliar entities continuously gather, solicit, manage and  
13 share personally identifiable information which includes  
14 financial records, medical histories and information on routine  
15 consumer transactions; and

16 WHEREAS, Much of this information has been available for a

1 long time in pieces, but its conversion to electronic form and  
2 concentration into massive, centralized information systems has  
3 significantly eroded our ability to safeguard our personal  
4 information; and

5 WHEREAS, Centralized information systems also threaten the  
6 confidentiality of information by heightening the likelihood  
7 that data, even one's identity, will be improperly disclosed,  
8 stolen or misused with potentially significant economic harm to  
9 the individual; and

10 WHEREAS, Protecting privacy has taken on a new urgency with  
11 rapid improvements in memory and capacity that allow huge data  
12 sets to be stored on laptop computers, Blackberries and similar  
13 devices often taken by thieves; and

14 WHEREAS, Security breach is the unauthorized acquisition of  
15 computerized data that compromises the security, confidentiality  
16 or integrity of unencrypted personal information; and

17 WHEREAS, Millions of Americans have been exposed to  
18 information fraud from major data breaches since 2004, and  
19 identity theft costs businesses, governments and consumers in  
20 excess of \$50 billion a year; and

21 WHEREAS, Data thefts continue to put growing pressure on  
22 Federal, state and local governments, universities and corporate  
23 America to protect customer data; and

24 WHEREAS, More than 35 states, including Pennsylvania, have  
25 passed laws requiring that companies inform individuals if they  
26 lose control of data; and

27 WHEREAS, State legislatures recognize that financial  
28 information security is an area of overlapping Federal and state  
29 jurisdiction; and

30 WHEREAS, A nationwide law to standardize security breach

1 disclosure requirements is necessary to serve as a baseline  
2 standard that would allow the states to establish the ceiling  
3 for security breach disclosure; and

4 WHEREAS, Congress must preserve state authority to exceed the  
5 Federal baseline standards for issues associated with security  
6 breaches and identity theft, such as formal disposal of personal  
7 information that is no longer needed, state and local police  
8 jurisdictional issues, data freeze laws and other areas that do  
9 not require a national standard; therefore be it

10 RESOLVED, That the House of Representatives of the  
11 Commonwealth of Pennsylvania urge the Congress to take  
12 appropriate action to establish a national baseline standard for  
13 disclosure of security breaches; and be it further

14 RESOLVED, That copies of this resolution be transmitted to  
15 the presiding officers of each house of Congress and to each  
16 member of Congress from Pennsylvania.