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ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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March 4, 2015

Mr. Woodrow Hartzog
Cumberland School of Law
Samford University
800 Lakeshore Drive
Birmingham, AL 35229

Dear Mr. Hartzog,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Tuesday, January 27, 2015 to testify at the hearing entitled "What are the Elements of Sound Data Breach Legislation?"

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Wednesday, March 18, 2015. Your responses should be e-mailed to the Legislative Clerk in Word format at Kirby.Howard@mail.house.gov and mailed to Kirby Howard, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Michael C. Burgess
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment

Additional Questions for the Record

The Honorable Michael C. Burgess

1. The President recently called for a single, national standard for breach notification legislation. Do you have a response to the language he proposed? Please discuss.
2. In many cases, a breach in data security is the result of criminal hacking. Do you support private causes of action for data breaches against the companies that were victims of a breach? Please explain your position on private causes of action taking into consideration the fact that private causes of action expose a company to liability when the real culprit is the intruder/criminal that hacked the company's system.

The Honorable Tony Cárdenas

1. Recently, I had an amendment included in the National Defense Authorization Act (NDAA) to help smaller defense subcontractors who may not have information technology departments prepare themselves for cyber-attacks. What aspects of data breach legislation take into account the differences between big and small businesses?
2. As the recent data breach attacks on Sony show, cybersecurity issues can quickly lead to the release of private and intimate information of many Americans and drastically harm a company's financial well-being. With even the largest of American companies at risk, what financial risks do we continue to run by not putting together a bipartisan solution that can be signed by the President?
3. Have consumers, whose buying habits, identities, and financial information are at risk, been notified of how much of their information is currently at risk?