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Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce Markup of Data Accountability and Trust Act, Informed P2P User Act, and Mercury Pollution Reduction Act September 30, 2009

Today the Committee is meeting to consider two bills:

- H.R. 2221, the Data Accountability and Trust Act; and
- H.R. 1319, the Informed P2P User Act.

A third bill that was initially on the agenda, H.R. 2190, the Mercury Pollution Reduction Act, will not be considered today. It was taken off the agenda so that members could have additional time to discuss issues related to the bill before marking it up.

The first bill we will be considering today is H.R. 2221, the Data Accountability and Trust Act. Despite increased attention to data security and identity theft over the past several years, data breaches continue to occur at an alarming, and unacceptable, rate. To help stem the tide of security breaches and help American consumers detect and prevent identity theft, H.R. 2221 requires companies to implement reasonable and appropriate safeguards to secure personal information and to provide notice to individuals when such information is compromised.

This bipartisan bill originally was introduced in the 109th Congress by Rep. Stearns, who was then Chairman of the Subcommittee on Commerce, Trade, and Consumer Protection. It was introduced in this Congress by subcommittee Chairman Rush.

I will be introducing a bipartisan manager's amendment in the nature of a substitute that makes a number of substantive changes to H.R. 2221, which I will explain in more detail upon introduction.

The second bill we will be considering today is H.R. 1319, the Informed P2P User Act. This also is a bipartisan bill.

We are all too familiar with the danger of inadvertent sharing of sensitive information through the use, or misuse, of certain file sharing programs. Tax returns, medical files, and even classified government documents have been found on these networks. The purpose of H.R. 1319 is to reduce inadvertent disclosures of sensitive information by making the users of this software more aware of the risks involved. This important bill was introduced by Representative Bono Mack, along with Ranking Member Barton and Representative Barrow.

As with the previous bill, I will be introducing a bipartisan manager's amendment in the nature of a substitute.

I urge my colleagues to support these bills and I look forward to further discussion of them in the markup.