

HR 2577

SAFE Data Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Jul 18, 2011

Current Status: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Latest Action: Referred to the Subcommittee on Commerce, Manufacturing, and Trade. (Jul 29, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/2577>

Sponsor

Name: Rep. Bono Mack, Mary [R-CA-45]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jul 29, 2011

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
112 S 1207	Related bill	Jun 15, 2011: Read twice and referred to the Committee on Commerce, Science, and Transportation.
112 HR 1841	Related bill	May 13, 2011: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
112 HR 1707	Related bill	May 6, 2011: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.

Secure and Fortify Electronic Data Act or the SAFE Data Act - Requires the Federal Trade Commission (FTC) to promulgate regulations requiring any person engaged in interstate commerce that owns or possesses data containing personal information to establish and implement reasonable security policies and procedures to treat and protect such information.

Requires such regulations to include specified policies and procedures, including: (1) a process for identifying and assessing vulnerabilities in the system, and (2) a process for taking preventive and corrective action to mitigate such vulnerabilities.

Requires a person covered by this Act to establish a plan and procedures for minimizing the amount of personal information maintained.

Exempts services providers from such requirements for any electronic communication by a third party that is transmitted, routed, or stored in intermediate or transient storage by the provider.

Establishes notification procedures in the event of a breach of security of any system that contains personal information. Allows an exemption from notification requirements if a person subject to this Act determines that there is no reasonable risk of identity theft, fraud, or other unlawful conduct. Creates a presumption that no reasonable risk of such conduct exists following a breach of security if the data containing personal information is unusable, unreadable, or indecipherable to an unauthorized person by encryption or other security technology that is generally accepted by experts in the information security field.

Directs a person subject to this Act to provide a credit report and credit monitoring if certain identifying information is breached.

Sets forth provisions regarding enforcement of this Act by the FTC and by state attorneys general. Establishes civil penalties for violations.

Exempts from the requirements of this Act any person subject to the information security requirements of the Health Insurance Portability and Accountability Act (HIPAA) or the Gramm-Leach Bliley Act.

Actions Timeline

- **Jul 29, 2011:** Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
- **Jul 18, 2011:** Introduced in House
- **Jul 18, 2011:** Referred to the House Committee on Energy and Commerce.