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July 27, 2011

The Honorable Thomas R. Carper  
U.S. Senate  
Washington, D.C. 20510

The Honorable Roy D. Blunt  
U.S. Senate  
Washington, D.C. 20510

Dear Senators Carper and Blunt:

On behalf of the nearly 5,000 members of the Independent Community Bankers of America, I write to thank you for introducing the Data Security Act of 2011. By helping to reduce identity theft, your bill will give consumers confidence in the security of their data, facilitate consumer spending, and support the economic recovery.

ICBA is pleased that your bill recognizes the value of the rigorous data security protocols of the Gramm-Leach-Bliley Act (GLBA) that already apply to community banks and other financial institutions. Because GLBA has worked effectively in protecting consumer data at financial institutions, it is appropriate that it serve as a safe harbor from additional regulation. Redundant requirements on community banks would only increase compliance burden without increasing data security. Community banks have not been the source of consumer data breaches, and more could be accomplished by applying effective standards to other entities that pose greater risk, including retailers.

We are also pleased that your bill provides for uniform national standards to replace the current patchwork of federal and state data security standards and that the standards will be enforced by functional regulators. Any private right of action would only give rise to frivolous litigation that does nothing to enhance data security.

Thank you again for introducing the Data Security Act of 2011. ICBA will work with you to advance this important legislation.

Sincerely,

/s/

Camden R. Fine  
President and CEO

cc: The Hon. Timothy Johnson, Chairman, Senate Committee on Banking, Housing,  
and Urban Affairs  
The Hon. Richard C. Shelby, Ranking Member, Senate Committee on Banking,  
Housing, and Urban Affairs