

October 22, 2015

The Honorable Mitch McConnell
Majority Leader, U.S. Senate
U.S. Capitol
Washington, D.C. 20510

The Honorable Harry Reid
Minority Leader, U.S. Senate
U.S. Capitol
Washington, D.C. 20510

The Honorable Richard Burr
Member of the U.S. Senate
Washington, D.C. 20510

The Honorable Dianne Feinstein
Member of the U.S. Senate
Washington, D.C. 20510

Dear Senators:

The undersigned associations, which strongly support the Cybersecurity Information Sharing Act (CISA), write to urge you to *oppose the Paul Amendment # 2564*. Protecting consumers' sensitive data and ensuring their privacy is of paramount importance to our member firms, and is also an underlying goal of CISA. To achieve that goal, and to help defend against those that seek to harm Americans and commit cyber attacks against our critical infrastructure, the legislation provides legal liability protections for companies of all sizes and across all sectors that voluntarily engage in the cyber threat sharing process.

However, this amendment would undermine these goals by jeopardizing a firm's liability protections for even an inadvertent violation of a terms of service or privacy agreement. Moreover, if a company does not anticipate in its terms of service or privacy agreements any circumstance or eventuality in which it may -- now or in the future -- engage in the sharing or monitoring of cyber threats, it risks losing liability protections and being subject to litigation.

This is counter to the goal of CISA and will only discourage firms from participating in the voluntary sharing process, weakening our collective ability to defend against cyber attacks. As such, we encourage you to oppose this amendment.

Sincerely,

American Bankers Association
American Cable Association
American Coatings Association
American Gas Association
America's Health Insurance Plans
American Insurance Association
American Petroleum Institute
American Water Works Association
CompTIA
Consumer Bankers Association
Consumer Data Industry Association
Credit Union National Association
CTIA – The Wireless Association
Electronic Transactions Association
Federation of American Hospitals
Financial Services Roundtable

The GridWise Alliance
HITRUST – Health Information Trust Alliance
Independent Community Bankers of America
NACHA – The Electronic Payments Association
National Association of Federal Credit Union
National Association of Manufacturers
National Association of Mutual Insurance Companies
National Business Coalition on E-Commerce & Privacy
National Cable & Telecommunications Association
NTCA – The Rural Broadband Association
Property Casualty Insurers Association of America
The Real Estate Roundtable
Securities Industry and Financial Markets Association
The Clearing House
USTelecom Association
U.S. Chamber of Commerce
Utilities Telecom Council

CC: Members of the U.S. Senate