

## Briefly...

### ■ SSA Spring Convention & Trade Show Discounts

Register now to take advantage of the early bird discounts for the 2010 SSA Spring Convention & Trade Show to be held at the fantastic Broadmoor Resort in Colorado Springs. Also, note that the first 100 registrants will receive a free pass to the Self Storage Economic Summit to be held on Sunday, April 18 — a \$195 value! See page 46.

### ■ 2010 Legislation

SSA Board members and staff, together with representatives of affiliated state associations, met in Dallas in January to consider legislative plans for 2010. Several states will likely face sales tax battles, while others will pursue improvements to existing laws that regulate the self storage industry. The SSA works with its members and members of state associations to pursue common goals.

### ■ Scholarships

The Self Storage Association Foundation (SSAF) of the Self Storage Association would like to remind industry professionals that applications for the Self Storage Association Foundation Scholarship Program are available for qualified individuals who will be attending postsecondary school in the 2010–2011 academic year. Visit the SSA website for more information.

# Federal Consumer Privacy Bill Could Regulate Your Business

By Tim Dietz – SSA VP, Communications & Government Relations

In December, the U.S. House of Representatives passed the Data Accountability and Trust Act (HR2221), which would regulate the handling of personal information and data for businesses nationwide. The U.S. Senate is considering two companion bills also. None of the three bills represents a terrible threat to the self storage industry, but any business that collects personal and financial information, including self storage businesses, would face new federal regulations.

The compliance and IT security communities would be thrilled with a federal law. They currently must contend with a plethora of state laws passed in recent years to guard consumer privacy, plus dozens of industry standards set by regulatory agencies; a uniform federal standard would pre-empt all of these things, in theory, streamlining compliance efforts.

“A federal law requiring breach notification would be a relief to companies that currently need to comply with 48 breach notification laws in various U.S. jurisdictions,” according to Lisa Sotto, a partner in the law firm of Hunton & Williams.

Many previous efforts to pass a federal breach notification law have failed, and some critics are concerned that a federal law could weaken stronger consumer protections that some state laws might provide. But without question momentum has been building for passing federal regulations, motivated by an identity theft epidemic and financial fraud trends in the electronic era.

In addition to the House bill that already passed, in November the Senate Judiciary Committee passed two bills: S. 139, the Data Breach Notification Act, sponsored by Sen. Dianne Feinstein; and S. 1490, the Personal Data Privacy and Security Act, sponsored by Sen. Patrick Leahy. Feinstein’s bill would require breach notification and empower the U.S. Department of Justice to bring a civil action against businesses that violate the law. That could create headaches for companies seeking to do the right thing and comply with a complex regulation. It would also toughen penalties for identity theft, as well as other privacy violations. Businesses that conduct interstate commerce would be required to implement a data privacy and security program to prevent breaches.

There are other burdens on businesses that could come from such a new law. The House legislation, for example, would require companies to provide free credit monitoring and free credit reports for a specified period for customers affected by a breach. Many companies already do that, attorney and compliance analyst Gabriel Helmer says. But “it hasn’t been a statutory requirement, and that can be expensive if there’s a large breach.”

Both the Feinstein and Leahy bills await votes by the full Senate. Should that happen, lawmakers from both sides of Congress would have to come to a consensus about a couple of other matters as well, including agreeing on a common definition of the term “personal information.” For example, the House bill’s definition of personal information is in step with that adopted by most states, but the Senate bills define personal information more broadly, according to analysts.

*See Privacy Bill, page 28*

# PacEase

**... The Easiest Way to Improve Your Profits!**

**Our Retail Products Sell Themselves**



**Encourage Referral Business with Our Private Label Program**



**Quality Locks at Affordable Prices**



- Self Storage Supplies
- Moving Equipment
- Nationwide Distribution
- One Stop Shopping

by  
**CD'S MOVING EQUIPMENT**

**Five Locations to Serve You**

So. California	San Francisco	
800-225-3659	800-323-6559	
Sacramento	Las Vegas	Chicago
800-439-3934	888-323-6559	888-795-0199

**Privacy Bill, from page 4**

Another possible conflict is a disagreement over exactly when a notification would be necessary. Under the House bill, for example, companies would not need to notify customers or the FTC of a breach if there is no reasonable risk of harm from the breach. That is a lower threshold than the law in numerous states, which require reporting regardless of risk. Because this House version sets a lower threshold than many current state regulations, analysts predict the ultimate law would look more like the Senate bills which explicitly delineate timing of customer notifications.

Helmer says regardless of congressional action, companies should adopt information security protocols, whether or not a federal mandate passes this year. "They not only face threats to customer information, they also face threats to their own information and systems," he says. "The threats have never been greater." ❖

*Portions of this article reprinted by permission from Compliance Week.*



## TARGET direct mail.

- Custom 4-color postcard mailings
- You pick the area, define the mailing list
- Typically \$0.24 - \$0.36 each, turnkey including mailing list, printing and postage
- Proofs provided

*Build and retain occupancy.*



**Don Boldea**  
donb@postalpresort.com  
800-235-3033 ext 108  
316-262-3333 ext 108

**POSTAL PRESORT, INC.**

Visit us at: [www.postalpresort.com](http://www.postalpresort.com)