

Vermont Attorney General's
Security Breach 14-Day Preliminary Notice Affirmation

To waive the data breach 14-day preliminary notice requirement set forth in 9 V.S.A. § 2435(b)(3)(A)(i), submit a sworn affirmation in the following form to data.security@atg.state.vt.us. Please be aware that in submitting this sworn affirmation to the Office of the Attorney General, you are averring that the following facts are true subject to penalties of perjury.

I, [NAME], am the [POSITION (*i.e.* Chief Security Officer, General Counsel, Chief Compliance Officer, Chief Executive Officer)] for [COMPANY].

Pursuant to 9 V.S.A. § 2435(b)(3)(A)(ii), I hereby affirm the following, based on my personal knowledge:

1. I have read Vermont's security breach notification statute, 9 V.S.A. §§ 2430 and 2435, or I have had it explained to me by legal counsel.
2. My company has written policies and procedures to maintain the security of personal information that my company collects.
3. My company has written policies and procedures to respond to a security breach in a manner consistent with Vermont law.
4. I have authority to ensure that my company's policies and procedures regarding the security of personal information and responses to security breaches are properly implemented.
5. I understand that, under Vermont law, my company is required to notify Vermont consumers of a security breach that includes their personally identifiable information in the most expedient time possible and without unreasonable delay, but not later than 45 days after our discovery or notification to us of the data breach.
6. I understand that, under Vermont law, my company must notify the Vermont Attorney General of the breach prior to notifying Vermont consumers, but that subject to this affirmation, the duty to supply such notice within 14 business days of our discovery of the breach is waived by the Vermont Attorney General's Office.
7. I understand that Vermont's security breach notification law is enforced under its Consumer Protection Act, 9 V.S.A. Chapter 63, which permits penalties not to exceed \$10,000

per violation, and that each consumer affected and each day of non-compliance is a separate violation.

Dated at _____, _____ (town, state) this ___ day of _____, 20__

Signed: _____

Subscribed to and sworn to before me at _____(City),

_____ (State), this ___ day of _____, 2012.

Notary Public. My commission expires:
