

Feds Shouldn't Be In Charge of Private Sector Data Security When They Can't Even Manage Their Own

June 8, 2018 - The number of instances in which the federal government has been responsible for data breaches are too numerous to list. Some of those breaches have been massive, such as with the VA a few years ago. Others have been of a sensitive nature, such as the breach at the Office of Personnel Management that released information on federal employees and contractors which included biometric data and their security clearance level. And today, the Washington Post is reporting that a contractor for the US Navy was hacked by the Chinese, and that 614 gigabytes of data - some of it classified - was downloaded on Navy undersea warfare programs. The data was stored on the contractor's unsecured data network.

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Federal agencies have proven time and again that they are completely incompetent in the area of data security. This is one of the primary reasons that ACCESS has been totally opposed any federal legislation that would usurp state laws on data breach notification. This is something that some members of congress have been pushing for years. Fortunately, there haven't been enough votes for any of these proposals to pass, but it is almost guaranteed that the push will be renewed after the mid-term elections in November. Every single one of the proposals that we've reviewed over the past ten years would actually weaken data breach laws for a majority of Americans.

This latest breach has national security implications€ not that it's the only such breach that the government has had. It raises serious questions about the Pentagon's ability to manage its outside contractors. The very idea that any information related to military planning should be stored on an unsecure network is beyond comprehension. The fact that the Pentagon was aware of this but apparently didn't have any issue with it is a display of almost unimaginable hubris.

What happened in this case really wasn't a matter of data security or the lack thereof. For that matter, the same can be said with many past government or government-supervised data breaches. Instead, the issue has been that of judgment, or the lack thereof. And fixing bad judgment is a much bigger issue than that updating data security protocols. As comedian Ron White so famously stated, "You can't fix stupid!"

Until the federal government gets its data-security house in order, it has absolutely no business telling the states or American citizens what constitutes a data breach that should be reported.

by Jim Malmberg

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