Data Intrusions: The Need for Federal Legislation

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Data Intrusions: The Need for Federal Legislation

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By Jeffrey Barlow <barlowj@pacificu.edu>

When we think back to our use of the WWW and the Internet in the 1990’s, it comes to seem the golden age of the web: almost no spam, a minimum of concerns for privacy, theft of any sort was rare. All in all, our main problems seemed to be somehow acquiring the adequate bandwidth, storage, and memory with which to properly exploit the growing richness of the WWW. But recent back-to-back editorials on credit card theft [1], and a marked and continuing increase nationwide in related identity-theft crime have made me very aware of a host of new problems.

Fraud on the Internet has become so widespread that Howard Beales, Director of the Federal Trade Commission’s Board of Consumer Protection, recently discussed “Fighting Internet Fraud” live and online at the Washington Post. [2]

Mr. Beales began by discussing “phishing”, a criminal practice much in the news recently as a 17-year old California boy succeeded in luring AOL subscribers to a phony web site where many of them turned over personal data to the boy. Readers of a book we reviewed last issue, (Mitnick, Kevin D, and William L. Simon, The Art of Deception, Controlling the Human Element of Security, Indianapolis, Indiana: Wiley Publishing, 2002.) will recognize that phishing is not in fact a new crime at all, but is discussed in Mitnick’s work. [3] In brief, it consists of luring consumers, usually by a notice seemingly from a firm with which they already have relations, such as their Internet Services Provider, that alleges problems with their account. The victim is then directed to a web page with a similar URL to the firm’s real one, where is mounted a page that graphically seems genuine. The victim is then asked to enter, (within a secure environment of course), personal data. This data is then used to construct false ID, credit cards, bank accounts, or any number of tools for further victimization.

In addition to discussing phishing, Mr. Beales gave a good summary of the current state of cybercrimes as they affect consumers. The primary source of complaints, according to Mr.
Beales, is on-line auction house scams. As E-Bay is far and away the most successful online business, these sorts of scams are more than mere nuisances—they threaten a very vital element of e-commerce.

But the largest category of crime is ID theft—which, broadly defined, includes my own experience of having a credit card number stolen. Last year 161,000 victims reported similar crimes to the FTC.

The rapid increase in such crimes has spawned its opposite if you will, anti-ID theft businesses. One such firm, whose advertisements are cleverly placed at the bottom of the Washington Post’s very useful pages on cybercrime [4], is www.equifax.com. Equifax offers two different levels of insurance for low monthly charges, intended to help you monitor your financial activities for suspicious signs, to insure you against loss, and apparently, assist you in contesting spurious charges.

Although Mr. Beales is obviously concerned about these crimes, and in his talk lists a number of sites where concerned consumers can take positive action, he shies away from suggesting a need for new legislation, but in general seems to emphasize the difficulty of legislative approaches, telling us that “cooperation is hard to mandate.” Others are more sanguine as to legislative approaches. California, for example, just enacted a law requiring a business

... that owns or licenses computerized data that includes personal information... to disclose in specified ways, any breach of the security of the data... to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. [5]

Senator Dianne Feinstein (D-Cal) then put into the federal legislative process a bill requiring similar legislation at the national level. [6] This then kicked off a flurry of lobbying activity in which e-transactions firms voiced some of the same arguments I had heard in attempting to run down the nature of my own credit card theft: that no one agency is really responsible, nor has full knowledge of a particular event, etc., etc.

From this discussion over the Feinstein bill I realized that I had been very lucky. My friendly local credit agency had no obligation under Oregon law (nor, apparently that of any other state save California) even to inform me that my credit card had been compromised. The need for something like the Feinstein bill seems to me to be obvious.

Until we get federal legislation protecting us against a variety of electronically distributed crimes we cannot have real confidence in the Internet. And by refusing to permit states or localities to tax electronic transactions the federal level has in effect claimed jurisdiction over the Internet. [7] An obvious place to begin is a law requiring that we be notified when databases containing our personal data are violated, and it is only sensible that the institution at which the violation
occurred make this notification. In that manner, the consumer has a variety of recourses, if only to refuse to again do business with the firm whose security has failed.

Jeffrey Barlow
Editor, Interface

Footnotes:


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25 THOUGHTS ON “DATA INTRUSIONS: THE NEED FOR FEDERAL LEGISLATION”

headlines
on January 30, 2014 at 1:56 PM said:

Great blog correct here! Additionally your website loads up very fast! What host are you the usage of? Can I get your associate link on your host? I wish my internet site loaded up as easily as yours lol
Joanne Humpal  
on January 30, 2014 at 5:18 PM said:

wonderful submit, very informative. I’m wondering why the other specialists of this sector don’t realize this. You should continue your writing. I am confident, you’ve a great readers’ base already!

best charcoal grill  
on January 31, 2014 at 9:25 PM said:

Whats up this is kinda of off topic but I was wanting to know if blogs use WYSIWYG editors or if you have to manually code with HTML.
I’m starting a blog soon but have no coding know-how so I wanted to get advice from someone with experience. Any help would be enormously appreciated!

plotka  
on February 1, 2014 at 1:49 AM said:

Great post! I’m going to acquire to check these all out! I have observed bits with the 1 Scorcese film over a Stones.

social network  
on February 3, 2014 at 1:35 AM said:

Hello, you used to write good articles, but the last many articles have been kinda boring… I miss your great articles. Past several content are just a modest out of track!
clothes steamer reviews
on February 3, 2014 at 7:19 PM said:

Hi there, all is going perfectly here and of course every one is sharing data, that’s in fact fine, keep up writing.

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best vacuum for hardwood floors
on February 3, 2014 at 7:24 PM said:

A fascinating discussion is worth comment. I do believe that you should write more on this topic, it may not be a taboo matter but generally folks don’t discuss such issues. To the next!
Best wishes!!

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best scroll saw
on February 3, 2014 at 9:17 PM said:

Hi there, I read your blog occasionally and I own a similar one and I was just wondering if you get a lot of spam responses? If so how do you protect against it, any plugin or anything you can advise?
I get so much lately it’s driving me crazy so any support is very much appreciated.

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best folding bike
on February 3, 2014 at 9:49 PM said:

Wonderful beat ! I would like to apprentice while you amend your site, how can I subscribe for a blog website?

The account aided me a acceptable deal. I had been tiny bit acquainted of this your broadcast provided bright clear idea
**rifle scope reviews**  
on **February 4, 2014 at 12:10 AM** said:

I was more than happy to discover this web site. I wanted to thank you for your time for this fantastic read!!

I definitely liked every bit of it and I have you saved to fav to see new stuff in your web site.

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**vacuum sealer reviews**  
on **February 4, 2014 at 12:26 AM** said:

If you want to improve your knowledge only keep visiting this site and be updated with the most recent information posted here.

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**garbage disposal reviews**  
on **February 4, 2014 at 12:46 AM** said:

I like the valuable info you provide to your articles.  
I will bookmark your weblog and take a look at again here frequently.  
I am rather sure I’ll be told a lot of new stuff right here!  
Best of luck for the following!

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**band saw reviews**  
on **February 4, 2014 at 3:17 AM** said:

Incredible! This blog looks exactly like my old one! It’s on a completely different subject but it has pretty much the same page layout and design. Excellent choice of colors!
best humidifier
on February 4, 2014 at 3:34 AM said:

I enjoy what you guys tend to be up too. This sort of clever work and reporting! Keep up the terrific works guys I’ve included you guys to my personal blogroll.

pressure washer reviews
on February 4, 2014 at 5:15 AM said:

Great site you have got here.. It’s hard to find good quality writing like yours these days.

I honestly appreciate people like you! Take care!!

best home gym
on February 4, 2014 at 5:22 AM said:

I have been exploring for a little for any high-quality articles or blog posts in this sort of house. Exploring in Yahoo I ultimately stumbled upon this website. Studying this info So i’m satisfied to show that I’ve an incredibly excellent uncanny feeling I found out just what I needed. I so much certainly will make certain to don?t fail to remember this website and provides it a glance on a constant basis.

community
on February 4, 2014 at 10:17 AM said:

I also, want a followup to this repair. It really is fasinating. I when had a repair produced over a cast iron exhaust manifold for just a 1932 Packard.
nigeria entertainment news
on February 4, 2014 at 10:29 AM said:

it is often excellent to see these details in your post, i was searching precisely the exact same but clearly there was hardly any correct resource, thanx now i've the connection that we wanted my research.

nigeria entertainment news
on February 4, 2014 at 10:38 AM said:

I do enjoy visiting your blog, you always make me suprise with exellent articles.

best electric kettle
on February 4, 2014 at 6:11 PM said:

Thanks very interesting blog!

robotic pool cleaner reviews
on February 4, 2014 at 9:00 PM said:

I really like your blog.. very nice colors & theme.
Did you design this website yourself or did you hire someone to do it for you? Plz respond as I'm looking to construct my own blog and would like to know where u got this from.
thanks

best induction cooktop
on February 4, 2014 at 11:44 PM said:

Pretty! This was an incredibly wonderful post. Thanks for providing this info.
nigeria dating
on February 5, 2014 at 12:17 AM said:

Wow, someone was thinking. A very good system you put in place. I’m sure it is going to consume a lot of the stress away!

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best table saw
on February 5, 2014 at 12:19 AM said:

I get pleasure from, cause I found just what I used to be taking a look for. You have ended my 4 day long hunt! God Bless you man. Have a great day.
Bye

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best espresso machine
on February 5, 2014 at 12:54 AM said:

Wonderful article! That is the type of information that should be shared across the net.

Shame on Google for no longer positioning this submit higher!
Come on over and discuss with my site. Thank you =)