

From: [Hans Holmer](#)
To: [privacyrfc2018](#)
Subject: Comments on future privacy regulations
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Ladies/Gentlemen,

Future privacy regulations should be "outcome focused" rather than "process focused" like food regulation is. Food regulation specifies temperatures for storing food, conditions for raising animals and many other "how to" rules. This works well in a stable environment but will fail rapidly in a rapidly changing environment such as the cyber domain. Additionally, they should meet the following criteria:

- About outcomes rather than implementation
- Simple
- Consider the individual described in the PII as the owner of the PII regardless how it is created.
- Have sufficient impact to change corporate behavior
- Adaptable to new technologies
- Applicable in multiple domains
- Viable in the long term
- Promote Enlightenment values

I would propose something like this:

Any breach of Confidentiality, Integrity or Availability of Personally Identifiable Information shall incur a payment to that individual of \$1 per day from the beginning of the breach until it has been stopped and the individual notified. The value of the payment is indexed to inflation and is tax free for the individual.

While \$1 per day is not much money, the Equifax breach affected 145 million people for about 100 days including the length of the breach and delay in notifying the victims. The above policy encourages companies to take the data of others seriously as a threat to their business because it makes the data valuable to the owner of the PII.

Best,
-Hans

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