Congress is considering a new bill that aims to ensure the security of global cloud services for U.S. citizens. The bill that is proposed, the General Data Protection Regulation (GDPR), is modeled after an existing EU Data Protection Directive which seeks to “prevent unauthorized access to and, by extension, use of data.” Article 30 of the GDPR requires that those responsible for data processing “take appropriate technical and organizational measures to ensure a level of security appropriate to the risks represented by the processing and the nature of the personal data to be protected.” It also requires those responsible for data to “protect personal data against accidental or unlawful destruction or accidental loss and to prevent any unlawful forms of processing, in particular any unauthorized disclosure, dissemination or access, or alteration of personal data.” The bill also provides a legal mechanism whereby the government will be able to access cloud data. Providers of cloud services believe that the GDPR is impractical and is not likely to improve the security of cloud services or enable the protection of personal data. In addition, cloud providers want to maintain the flexibility to use different data management techniques without the restrictions that bill would impose.

Pro Group: You are a member of the staff of Senator Jacobson, a primary author of the GDPR Bill.

Con Group: You are the CEO of Gazillion, a multi-national, multi-billion dollar cloud service and data storage business.

Jury Group: You are a member of the House of Representatives, preparing to vote on the bill and will suggest amendments to the bill if necessary.