

Writing Assignment

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CYBER LAW CYSE 406

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MEMORANDUM

DATE: February 14, 2024

TO: Governor Karras

FROM: Jalen Edmonds

SUBJECT: Data Protection and Privacy Legislation in the State of Mongo

Data protection and privacy concerns center around safeguarding individuals' personal information from unauthorized access, use, and exploitation. These issues are vital as they relate directly to individual autonomy, security, and trust in the digital world. Constituents should care because their personal data can be misused for identity theft, fraud, or invasive marketing practices. Additionally, data breaches can lead to significant financial and emotional harm for individuals. Therefore, it is crucial to establish laws and measures to protect personal data and privacy within the State of Mongo.

I can also define and give examples of some of the terms used by constituents that were foreign to you like biometric data, PII, the GDPR and other significant privacy and data protection terms. Biometric data refers to unique biological or behavioral characteristics used for authentication or identification, such as fingerprints, facial recognition, or iris scans. PII stands for Personally Identifiable Information, encompassing details like names, addresses, social security numbers, and more. The GDPR (General Data Protection Regulation) is an European Union law focused on data protection and privacy for individuals within the European Union and the European Economic Area. It aims to provide control to individuals over their personal data and simplify the regulatory environment for international business by unifying the regulation within the European Union.

The State of Mongo legislature might consider enacting laws that protect sensitive personal information such as genetic information, biometric data, precise geolocation data, and online identifiers (like IP addresses). They could also broaden the protection of PII, including information related to an individual's mental and physical health, racial or ethnic origin, and political opinions. In my informed opinion, implementing laws similar to the GDPR in the State of Mongo is feasible. Some advantages include providing clear guidelines for organizations, enhancing individual's control over their data, and fostering trust between individuals and businesses. However, one potential con is the administrative burden on smaller businesses to comply with the regulations. Properly tailored GDPR-like legislation can strike a balance between protecting individuals' privacy and supporting innovation and economic growth. Based on my review of course material and additional research, the State of Mongo legislature should consider enacting laws that extend protection to specific types of personal data beyond what is already safeguarded by federal laws. In particular, the information obtained from relevant federal laws like HIPAA and the Fair Credit Reporting Act in the U.S. Code highlights the importance of safeguarding medical and healthcare-related data. Therefore, the State of Mongo could consider enacting legislation that addresses the protection of medical information, including provisions for consent and limited disclosure, mirroring certain aspects of the Fair Credit Reporting Act and the HIPAA. The information learned in the textbook also sheds light on federal statutes aimed at protecting specific groups, such as children and students. The Children's Online Privacy Protection Act (COPPA) and the Family Educational Rights and Privacy Act (FERPA) demonstrate a tailored approach to privacy regulation. COPPA imposes significant requirements for websites advertising to children under 13, serving as a legal framework

influencing platforms like Facebook and Instagram. Meanwhile, FERPA addresses information privacy in educational institutions by safeguarding student privacy and establishing guidelines for accessing and disclosing education records. By integrating these insights into proposed privacy legislation for the State of Mongo, it will be possible to ensure that the rights and privacy of specific groups, such as children and students, are effectively safeguarded. Moreover, this approach will help in tailoring privacy regulations to address the specific contexts and requirements of different groups, ensuring that the legislative framework is flexible and adaptable while providing the necessary protections for various categories of personal data.

With this expanded insight and a more comprehensive understanding of the intricate and tailored nature of privacy legislation within different contexts, and can help inform potential legislative initiatives within the State of Mongo.