



Stability
Security
Efficiency
Compliance

May 18, 2018

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Dear [REDACTED]

As a cybersecurity compliance specialist and a constituent, we urge congress not to adopt the European Union's General Data Protection Regulation (GDPR), which goes into effect on May 25, 2018. While we strongly feel that the United States needs a privacy framework implemented, the GDPR model should not be mirrored.

The GDPR imposes tougher rules for how data collectors gather and use European citizens' personal information, including addresses, credit card numbers and web search history, and lets consumers have more control over their own data. However, it is imperative that the U.S. government should not blindly copy this model, but rather partner with industry groups to craft a new data privacy framework that are tailored to America's needs.

There are a few aspects of the GDPR that Congress should pay attention to when thinking about how to protect Americans' privacy. Even though GDPR has generally good principals such as forcing companies to describe use of the private data, rules of handing and sharing, policies of the decision making, rights of customers to control their data, the current European provision has its flaws:

1. GDPR has a provision to "forget" the customer that does not explain that some data might belong to the company and might be required for company records and taxation.
2. GDPR does not consider rights of organization to retain data for archival purposes and would force companies to go through backups and archives to extract users' data when users request to delete their data. Such deletion might destroy integrity of the past transactions.
3. We feel that cyber security and data privacy law should be created based on the US standards such as NIST.

Although the GDPR outlines some interesting elements for a strong privacy bill, the United States must critically study and understand them. Copying and pasting this EU law would not be an efficient or reasonable way to protect Americans' privacy.

Digital Edge would like to meet privately or publicly with you and other lawmakers to further discuss ideas that we feel would be critical to implement in a US cyber security privacy framework.

Sincerely,

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