Critical infrastructure at risk: What should we do to regulate security?

What kind of regulations do we need to encourage good security practices?

Comprehensive security regulation remains elusive. Like privacy law, security remains an uncoordinated sectoral patchwork. Security investment requires flexibility; imposing direct cost without immediate profitability. The benefits are limited to uncertain avoidance of unquantifiable future loss. The private sector owns, operates or maintains 85% of critical infrastructures. Cyber-infrastructure risks particular vulnerability as the communications backbone that enables eCommerce, payment and control systems, and national defense.

This talk analyzes the incentives for security investment; illustrates how fragmented security law fails to adequately incentivize security; and proposes comprehensive regulation deploying known, reliable tools: disclosure, due diligence duties, professionalism, contingency planning, standards and audit.

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