



# Data Privacy and the Next Generation of Regulation

What is Coming Next Post-Cambridge Analytica and GDPR

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# Our Panel

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- Eric Krich, Integrate.com
- Sarah Ortolf, Grant Thornton
- Heather Buchta, Quarles & Brady

# What is our current environment?

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## Facebook/Cambridge Analytica

- 2014 – researchers asked 270K Facebook users to take a personality survey and download an app, which scraped information from profiles for "academic use"
- App provided over 87 million raw profiles
- Used to develop personality profiles used by Cambridge Analytica for purposes other than academic use
- Led to Congressional hearings

# What is our current environment?

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## General Data Protection Regulation (GDPR)

- Not Sector Specific
- Arises from the European Stance on Data
- Human Right
- Stiff Penalties
- Extraordinarily Onerous

# What does GDPR look like?

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Lawful basis for processing

Additional rights

- Right to be forgotten
- Right to portability
- Right to be informed
- Right of access
- Right to object

Accountability – DPOs, PIAs, Privacy/Security by Design

# Is GDPR coming to the United States?

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What would that likely look like?

- Consents?
- Disclosures?
- Additional Rights?

Is that feasible to come to the U.S.?

- CONSENT Act
- SMPPCR Act
- California Consumer Privacy Act of 2018

# What else is on the horizon?

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## Federal

- Marketing
- Security

## State

- Individual Rights
- Security

## Europe

- ePrivacy Regulation

# Questions?

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# THANK YOU

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