# DATA PRIVACY: FEDERAL REGULATION OR A STATE-BY-STATE MAZE OF RULES?

Alison Pepper EVP, Government Relations, 4A's May 12, 2021

#### Federal Privacy Legislation – What's the Hold-Up?

**Private Right Of Action** 



**Federal Preemption** 



## New Federal Privacy Legislation Continues To Be Introduced

Data Privacy – 2

**Data Security & Breach Notification – 1** 

Financial Privacy – 1

**Health Privacy – 2** 

**Location Privacy – 1** 

Section 230 Reform – 6

Congress Is Very Focused On Section 230 Reform And Social Networks & Platforms In General.



## It's Easy To See The Focus On 230 And Social Networks And Platforms

TikTok hit with biometric data privacy suit under GDPR

Google is facing a lawsuit after a privacy flaw in its contact tracing tech exposed Android users' data to third-party apps

Apr 26, 2021 | Chris Burt

CATEGORIES Biometrics News | Commercial Applications | Facial Recognition



AT SOCIAL MEDIA HEARING, LAWMAKERS CIRCLE ALGORITHM-FOCUSED SECTION 230 REFORM – TECHCRUNCH

Senate panel mulls revoking immunity, citing COVID scams online

All The Ways Facebook Tracks
You And How To Stop It

Kate O'Flaherty Senior Contributor O
Cybersecurity
I am a cubersecurity iournalist.

Privacy: Apple users say 'no thanks, Facebook'

Turns out almost nobody wants to be tracked online.

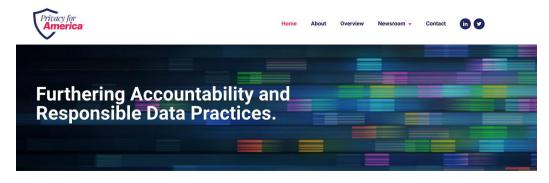
By David Braue on May 10 2021 07:58 PM

Section 230 Reform: Left and Right Want It, for Very Different Reasons





#### Privacy For America Relaunch



Privacy for America will support enactment of federal legislation that would clearly define prohibited data practices that make personal data vulnerable to breach or misuse, while preserving the benefits that come from responsible use of data.





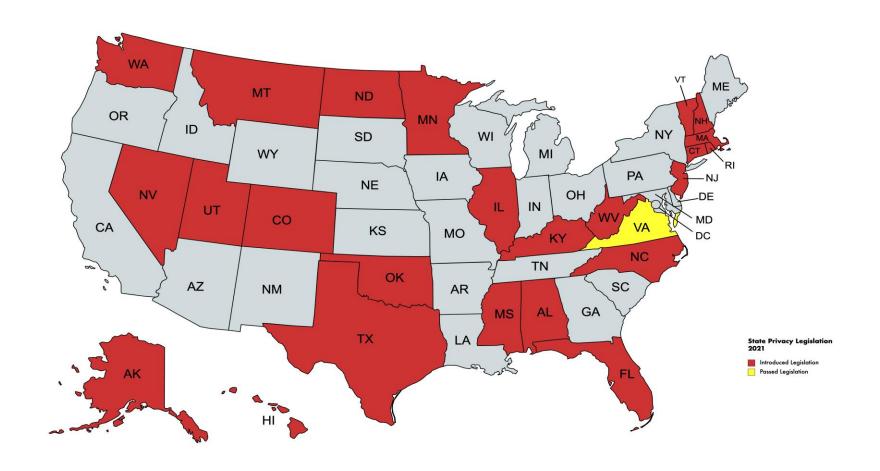




After A Hiatus Year Due To COVID-19, Privacy For America Is Relaunching With Hill Day Outreach In Spring Of 2021.



### States Continue To Move Privacy Legislation





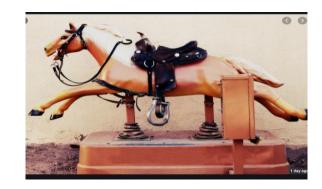
### Why Did Florida Fail At The 11<sup>th</sup> Hour?

#### **Private Right Of Action**



• Governor DeSantis Wanted Social Media De-Platforming And Transgender Sports Legislation.

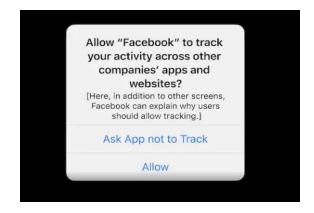
#### **Horse Trading**





### Google And Apple Roll-Out Privacy Changes

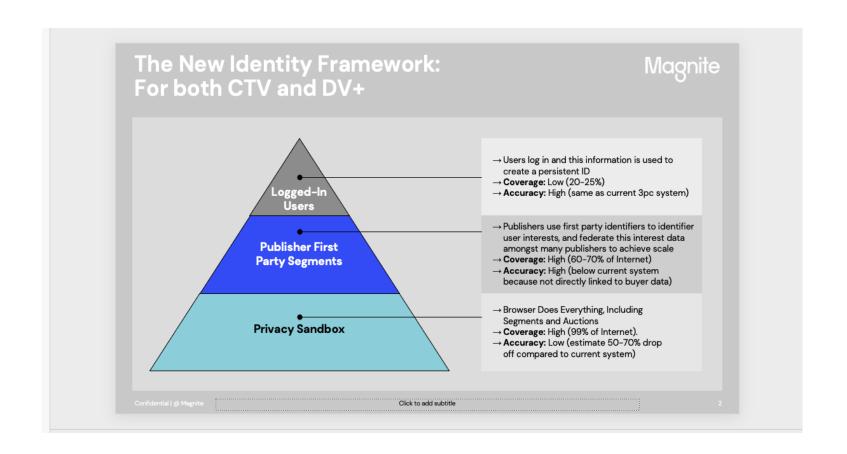
Apple iOS 14.5.1 With ATT



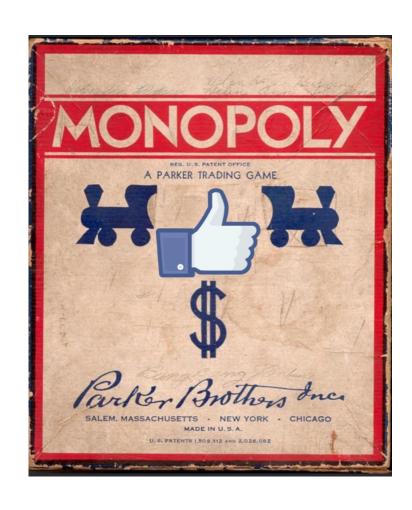
**Google FLoC** 



### What Is The Future Of Personalized Advertising?



#### The Wild Card Of Antitrust



- FTC, DOJ, And State AG's All Pursuing Claims Against Google And Facebook.
- EU Pursuing Claims Against Apple.
- Private Litigation (Epic v. Apple).
- New Legislation Being Proposed.
- New FTC And White House Appointments.