

Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks

CYBERSECURITY

[Coveware 2021 Q4 Ransomware Report Issued](#)

Coveware [issued](#) its 2021 Q4 Ransomware Report on February 1, 2022. The report stated that although average and median ransom payments increased “dramatically” in Q4, “we believe this change was driven by a subtle tactical shift by Ransomware-as-a-Service (RaaS) operations that reflected the increasing costs and risks” of executing an attack. [Read more](#)

ENFORCEMENT + LITIGATION

[Litigation Over Massachusetts’ “Right to Repair” Law Continues](#)

As we [previously wrote](#), in November 2021, Ballot Question 1 in Massachusetts was passed, which requires car manufacturers that sell cars equipped with telematics systems (i.e., a method of monitoring a vehicle by combining a GPS system with on-board diagnostics to record – and map – exactly where a car is and how fast it’s traveling, etc.) to install a standardized, open-data platform beginning with model year 2022. Such a system would allow the cars’ owners to access their telematics system data through a mobile app and to give their consent for independent repair facilities to access those data and send commands to the system for repair, maintenance, and diagnostic testing. However, automakers sued the state to block this “Right to Repair” law. See more [here](#) and [here](#). [Read more](#)

[Proposed EARN IT Act Sparks Controversy](#)

Senators Richard Blumenthal (D-CT) and Lindsay Graham (R-SC) have reintroduced the EARN IT Act for congressional consideration. The proposed bill, titled in full the “Eliminating Abusive and Rampant Neglect of Interactive Technologies Act of 2022,” seeks to crack down on the proliferation of child sexual abuse material online. The Act would establish a bipartisan National Commission on Online Child Sexual Exploitation Prevention consisting of law enforcement, prosecutors, civil rights and privacy professionals, cybersecurity professionals, tech industry representatives, and child sexual abuse survivors. It would be tasked with developing best practices for combatting child sexual abuse online. The Act also would update language across the United States Code from “child pornography” to the more sensitive and descriptive term “child sexual abuse material.” Finally, the proposed Act would open interactive online content platforms to civil and criminal liability for hosting child sexual abuse material if they decline to adopt the Commission’s best practices. [Read more](#)

February 10, 2022

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HIPAA

[Reporting of Breaches Under 500 Due by March 1](#)

HIPAA requires covered entities and business associates to report to the Office for Civil Rights (OCR) all breaches of unsecured protected health information when the incident involves fewer than 500 individuals no later than 60 days following the calendar year in which the breach occurred. [Read more](#)

DATA PRIVACY

[Data Minimization: What Is It and Why Practice It?](#)

The European Union's General Data Protection Regulation (GDPR) first launched the concept of data minimization, which states that a data controller should limit the collection of personal information to what is directly relevant and necessary to accomplish a specified purpose. This seems like a simple concept: an entity should only collect personal information that is relevant and necessary to the objective for which the entity is collecting the information. Yet, how many times do we hear of data breaches in which a company had vast amounts of highly personal information dating back years which it no longer uses or needs, but that was part of a data breach? All that highly personal information is now out there on the dark web. This is one major reason why data minimization should be the new mantra for IT professionals and anyone else managing a company's data. [Read more](#)

NEW + NOW

[Don't Wait for the Perfect Time for a Tabletop Exercise](#)

Threat actors don't wait for a convenient time to attack your company. They attack when it suits them, and when they can find any small opening. Being prepared for different types of attacks helps companies prepare for their response before the attack happens. [Read more](#)

DRONES

[FAA Issues Millionth Airspace Authorization under LAANC](#)

Last week, the Federal Aviation Administration (FAA) issued its millionth airspace authorization for drone pilots under its Low Altitude Authorization and Notification Capability (LAANC) program. In order to operate in controlled airspace, drone operators must obtain approval from the FAA under Part 107 of the Federal Aviation Regulations. Prior to the introduction of LAANC, these authorizations had to be completed manually, resulting in long waiting periods for approval. [Read more](#)

PRIVACY TIP #318

[IRS Abandons Use of Facial Recognition for New Accounts](#)

The Internal Revenue Service announced in November 2021 that it would use facial recognition technology offered by ID.me to authenticate

taxpayers before using any online services the IRS provides, including viewing accounts, making online payments, or updating personal information. This week's Privacy Tip discusses the concept and the recent outcome. [Read more](#)

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