

Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks

CYBERSECURITY

[NSA Issues New Warning About Four Critical Patches to Microsoft Exchange Servers](#)

The National Security Agency (NSA) recently issued a warning to private industry about four zero-day vulnerabilities in Microsoft Exchange Server versions 2013, 2016, and 2019 used on-premises. The NSA recommends immediate patching of the vulnerabilities before they are exploited by threat actors. [Read more](#)

[Houston Rockets Hit with Ransomware Attack](#)

The Houston Rockets NBA basketball franchise recently announced that it is investigating a ransomware attack that was partially prevented by internal security tools. According to the team, “unknown actors attempted to install ransomware on certain internal systems at the Rockets. However, our internal security tools prevented ransomware from being installed except for a few systems that have not impacted our operations.” [Read more](#)

ENFORCEMENT + LITIGATION

[NYDFS Settles with National Securities Corp. for \\$3M for Violations of DFS Cybersecurity Regulations](#)

The New York Department of Financial Services (NYDFS) has settled alleged violations of the Department’s strict cybersecurity regulations with National Securities Corp. (NSC) for \$3 million, regarding four separate cybersecurity events suffered by it and its affiliate National Asset Management, Inc. (NAM) between April 3, 2018 and April 30, 2020. [Read more](#)

[Supreme Court’s Decision in Facebook Litigation Narrows the Scope of the TCPA](#)

At the beginning of April 2021, the U.S. Supreme Court unanimously ruled in favor of Facebook in *Facebook, Inc. v. Duguid*, reversing the decision of the Ninth Circuit Court of Appeals, holding: “To qualify as an ‘automatic telephone dialing system’ under the Telephone Consumer Protection Act (TCPA), a device must have the capacity either to store a telephone number using a random or sequential number generator, or to

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produce a telephone number using a random or sequential number generator.” This is big news. This precedent will likely be relied on by other defendants in TCPA class action litigation to argue that the technology used to send text messages does not constitute an autodialer and, therefore, that the TCPA does not apply. [Read more](#)

DATA PRIVACY

[Virginia Law Bans Local Police Use of Facial Recognition Technology](#)

The state of Virginia recently enacted a [law](#) banning local law enforcement and campus police departments from using facial recognition technology. Facial recognition technology is defined as an “electronic system for enrolling, capturing, extracting, comparing, and matching an individual’s geometric facial data to identify individuals in photos, videos, or real time.” The law states that no local law enforcement agency shall purchase or deploy facial recognition technology unless such purchase or deployment of such technology is expressly authorized by statute. The law further states that such statute shall require that any facial recognition technology purchased or deployed by the local law-enforcement agency be maintained under the exclusive control of such local law-enforcement agency and that any data contained by such facial recognition technology be kept confidential, not be disseminated or resold, and be accessible only by a search warrant. [Read more](#)

NEW + NOW

[School Nutrition Vendor Sued for Compromise of 867,209 K-12 Student Records](#)

PCS Revenue Control Systems, Inc. (PCS) was hit with a proposed class action lawsuit last week alleging that it discovered a data breach from a hacking attack in December 2019 but failed to notify the affected students until March of 2021. [Read more](#)

DRONES

[Remote ID for Drones: Effective Now](#)

The Federal Aviation Administration’s (FAA) Remote ID rule for drones (Part 89) became effective on April 21, 2021. Part 89 will likely increase commercial drone operations while promoting safety and security. With the drone industry predicted to grow to \$63.6 billion by 2025 (particularly in agriculture, construction and mining, insurance, telecommunications, and law enforcement), new regulations such as Part 89 are vital to maintaining that momentum. [Read more](#)

PRIVACY TIP #281

[Preparing for Cyber Warfare: A Survival List](#)

The United States government, states, municipalities, and private companies all have been trying to defend themselves against cyber warfare from foreign adversarial governments, including Russia, China,

and North Korea, for years—actually, for decades. This week's privacy tip discusses recent news and events in this arena. [Read more](#)

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