

Cyber trust and data breach



CS 181

Computing Ethics and the news: Gentrification

- <http://money.cnn.com/2016/06/29/technology/san-francisco-homeless-project/index.html>
- The San Francisco Chronicle has several articles dealing with this issue, titled “Beyond Homelessness”, available from: <http://projects.sfchronicle.com/sf-homeless/>
 - Poor people in San Francisco are being forced out of their homes as the rents go up, due to the influx of technology workers at all of the tech companies

Why Tech Support Is (Purposely) Unbearable

- <http://www.nytimes.com/2016/07/04/technology/why-tech-support-is-purposely-unbearable.html>
 - Looks at companies intentionally making users frustrated when they call for technical support
 - “Getting caught in a tech support loop”
 - “Tech support rage”
 - Situation is getting worse as more customers are becoming technologically aware, so that the problems they run into are harder to correct

Privacy

- <http://www.nytimes.com/2016/07/09/technology/keep-it-secret-on-facebook-messenger.html>
- <http://www.bbc.com/news/technology-36744470>
- Facebook is introducing “secret conversations”
 - Allows for communication with end-to-end encryption
 - Concerns for the authorities, where a warrant to get data from Facebook becomes less useful
 - This technology exists now, but most users are either unaware, or not sufficiently technologically savvy to be able to use it.

Facebook Live

- <http://www.nytimes.com/2016/07/09/technology/facebook-dallas-live-video-breaking-news.html>
- “The two real-time videos catapulted Facebook, in the span of 48 hours, into a spot as the prime forum for live events and breaking news. It is a position that the company has long jockeyed to be in as it seeks to keep its 1.65 billion members ever more engaged.
- Yet the brutal nature of the events that appeared on Facebook Live also put the company in a tricky situation.”

Privacy in Europe

- Privacy Shield data pact gets European approval
 - <http://www.bbc.com/news/technology-36744928>
 - Response to the failure of the “Safe Harbor” law
 - “The Privacy Shield pact states that data stored in the US about EU citizens must be given "equivalent" protection by law to what it would receive if stored in the EU.”

Trust

- What is trust?

Cyber trust

- The NSF Cyber Trust (CT) program promotes a vision of a society where trust enables technologies to support individual and societal needs without violating confidences and exacerbating public risks. It is a vision of cyber space that is supportive of our basic principles of fairness and safe information access.

What is a data breach?

- Is there an ethical purpose to be discussing the goodness/badness of data breaches
- Why are we covering this specific topic?

Privacy

- What is privacy?
- How does data breach erode privacy?

Federal protections of privacy/ security

- 1966 Freedom of Information Act
- 1974 Privacy Act
- 1974 Federal Educational Rights and Privacy Act
- 1996 Health Insurance Portability and Accountability Act
- 1998 Identity Theft and Assumption Deterrence Act
- 2001 USA PATRIOT Act
- 2003 CAN-SPAM Act

State data breach disclosure laws

- California was the first state to enact, in 2002
 - http://info.sen.ca.gov/pub/01-02/bill/sen/sb_1351-1400/sb_1386_bill_20020926_chaptered.html
- 45 states have laws

State law features

- Personal information
- Notification requirements
- Notification procedures

Policy analysis – Information regulation

- Informing individuals of potential risk exposure
 - Transparency
- Changing behavior of those companies creating the risk

Policy analysis – alternate configurations

- Two possibilities:
 - 1) variations of existing laws using incremental approaches to “fine-tune” laws
 - 2) introduce new laws, including comprehensive and preemptive federal legislation that is regulatory in nature and/or the application of tort liability

Policy analysis - levels

- Operational
- Collective-choice
- Constitutional
- Metaconstitutional

Policy analysis – collective choice (1)

- Focus is on the use of market forces to limit data breach
- Is information regulation the right approach?
 - Will individuals punish companies that allow their data to be breached, or will individuals view these companies as victims?

Policy analysis – collective choice (2)

- Are the assumptions about information regulation reasonable?
 - Examples
 - 1M stolen passwords from Sony
 - K-12 school breaches
 - University breaches
 - Do customers value data security over convenience?

Summary

- Dark doesn't make recommendations (except for the obvious need to address data breach at the national rather than at the state level)
- However, her analysis of the existing situation, and limitations of possible solution directions is quite strong