



**PARTICIPANT’S CONSENSUS WORKSHEET: Privacy And Cybersecurity
PRIVACY AND CYBERSECURITY CONSENSUS PROPOSITIONS FOR DISCUSSION**

These propositions are broad, overarching statements about key elements of a comprehensive policy framework, individual privacy protections, requirements for E-Commerce, and election cybersecurity.

These propositions are designed to determine what dimensions of privacy protection should be strengthened under Federal and/or state law. The current US privacy framework is an uneven mosaic of laws and regulations that makes individual consumers responsible for much of their own privacy protection and gives business sectors varied levels of responsibility and freedom in how they protect personal data. Experts have recommended adopting the options below, including how to implement them, but policymakers have not acted on their recommendations.

The following policy choices have been considered by a wide range of experts, including lawmakers, tech industry and security experts, legal and privacy experts, academics, and think tanks. These consensus propositions are framed as national policy choices which must ultimately be addressed because the internet transcends state and national policy. Important issues identified through consensus will serve as the basis of LWVOR’s state-level position, and also submitted to LWVUS national conference for consideration.

INSTRUCTIONS: After reading the Privacy and Cybersecurity study, please complete this worksheet to indicate your views. *Based on your current knowledge, use the scales below to assign ‘importance’ ratings to each lettered proposition.* Bring this completed worksheet with you to use in consensus discussions. Thanks for your valued input.

PART I: ELECTION SECURITY

Based on your current knowledge, use the scales below to assign importance ratings to each lettered proposition.

- a. Replace paperless voting machines with systems that create a voter-verified paper backup of every vote.

Importance of this element to policy:

Essential Important Low Importance No Opinion

- b. Replace outdated hardware and software that can no longer be serviced.

Importance of this element to policy:

Essential Important Low Importance No Opinion

- c. Upgrade registration databases for better security.

Importance of this element to policy:

Essential Important Low Importance No Opinion

- d. Increase cybersecurity expertise for election office staff and volunteers.

Importance of this element to policy:

Essential Important Low Importance No Opinion

- e. Develop contingency plans to mitigate potential cyber damage.

Importance of this element to policy:

Essential Important Low Importance No Opinion

f. Check and confirm electronic tallies with post-election audits comparing paper ballots and voting machine totals.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

g. Regulate election-related disinformation and misleading political ads

Importance of this element to policy:
 Essential Important Low Importance No Opinion

Comments

PART II: PRIVACY POLICY SHOULD BE UNIFORM AND CONSISTENT

Use the scales below to rate the importance of each of the lettered propositions.

1. The scope of the United States’ legal privacy framework should...

a. Define different privacy protections for specific types of data.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

b. Tailor specific privacy protections to different types of businesses (tech firms, banking, healthcare, etc.).

Importance of this element to policy:
 Essential Important Low Importance No Opinion

c. Define uniform privacy protections for all personal data.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

Comments

2. The United States’ legal privacy framework should...

a. Assure data transferred to other entities continues to have the same, enforceable privacy protections.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

b. Adopt flexible practices capable of addressing emerging concerns like big data, artificial intelligence, smart technologies and future innovations.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

c. Reconcile gaps, inconsistencies and exceptions in privacy laws and regulations across federal, state, and regulatory agencies.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

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| Comments |
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PART III: INDIVIDUAL AND PERSONAL DATA PROTECTION

Use the scales below to rate the importance of each of the lettered propositions.

- a. Define uniform privacy rights for all consumers.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- b. Apply privacy protection to all identified and identifiable (with big data analytics) persons.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- c. Focus laws and regulations on preventing known harmful uses of sensitive personal data.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- d. Redefine legal definitions of data violation ‘harms’ to include certain intangible harms and future risks such as identity theft and fraud.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- e. Provide for judicial remedy by granting consumers the right to sue companies that violate their personal information protections.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

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PART IV: E-COMMERCE DATA PROTECTIONS

Use the scales below to rate the importance of each of the propositions.

- a. Require all businesses that process or control personal data to establish effective governance and accountability programs.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- b. Require all businesses that process or control personal data to be responsible and accountable for any and all subsequent end uses of personal data, including transferred data.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- c. Make third party data processors and data holders responsible stewards of personal information, protecting individual users’ interests and accepting liability for harms to individual users.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- d. Require meaningful consent protocols that assure consumers are clearly informed with specific and unambiguous information (including specified purpose and use of data), and that consent is freely given, without coercion.

Importance of this element to policy:
 Essential Important Low Importance No Opinion

- e. Strengthen Federal Trade Commission authority to require data accountability programs and impose substantive penalties for privacy violations

Importance of this element to policy:
 Essential Important Low Importance No Opinion

Comments

PART V (Optional): EUROPEAN UNION INDIVIDUAL PRIVACY RIGHTS

Your League is not required to complete consensus on this optional section. However, completing consensus on it will provide further information for developing a final League position. The following individual privacy rights are current standards in use in the European Union. Some US companies may be required to comply with these standards.

Rate the policy importance of these individual rights that currently apply in the European Union.

- a. Right to be informed about the personal data organizations have about them

Essential Important Low Importance No Opinion

- b. Right to access personal data

Essential Important Low Importance No Opinion

- c. Right to rectification – correct errors in personal data or add to incomplete records

Essential Important Low Importance No Opinion

- d. Right to erasure* (aka, “the right to be forgotten”)

*i.e. create a process for individuals to request that Internet search engines remove certain results

Essential Important Low Importance No Opinion

- e. Right to restriction on processing of personal data

Essential Important Low Importance No Opinion

- f. Right to data portability

Essential Important Low Importance No Opinion

- g. Right to object to the processing of personal data

Essential Important Low Importance No Opinion

Comments