

Robinson+Cole

Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks



CYBERSECURITY

[CFPB Stops Collecting Personal Information in Light of Cybersecurity Concerns](#)

The Consumer Financial Protection Bureau (CFPB), one of the watchdogs of the financial services industry, has announced through Acting Director Mick Mulvaney that it will no longer collect personal information of consumers due to cybersecurity concerns and in an effort to improve the CFPB's cybersecurity program.

According to Mulvaney, the inspector general's report this year about the agency's data security methods "scares me to death." Therefore, he has halted the collection of personal information of consumers until the CFPB's data security program is bolstered. He added that the agency's previous leadership was also taking the report seriously.

[Read more](#)

[Compliance With New York's Cybersecurity Regulation 23 NYCRR Part 500](#)

On March 1, 2017, New York's Cybersecurity Regulation (23 NYCRR Part 500) became effective. The regulation is the **first of its kind** in the nation and requires certain companies, including banks, insurance companies, and other financial services institutions regulated by the Department of Financial Services (Covered Entities), to have in place the following:

- a cybersecurity program designed to protect consumers' private data
- a written policy or policies approved by the board of directors or a senior officer
- a chief information security officer to help protect data and system
- controls and plans to help ensure the safety and soundness of New York's financial services industry

In addition, pursuant to the regulation, Covered Entities must report a cybersecurity event if (1) the event impacts the Covered Entity and notice of it is required to be provided to any government body self-regulatory agency or any other supervisory body; or (2) it has a

December 7, 2017

FEATURED AUTHORS:

[Kathleen E. Dion](#)
[Linn Foster Freedman](#)
[Sean C. Lawless](#)
[Kathryn M. Rattigan](#)
[Carrie C. Turner](#)

FEATURED TOPICS:

[Cybersecurity](#)
[Data Privacy](#)
[Drones](#)
[Privacy Tip](#)

VISIT + SHARE:

[Insider Blog](#)
[R+C website](#)
[Twitter](#)
[Facebook](#)
[LinkedIn](#)

reasonable likelihood of materially harming any material part of the normal operation(s) of the Covered Entity. Details regarding what makes up such an event are detailed on the New York Department of Financial Services website. [Read more](#)

DATA PRIVACY

[The Reversal of Net Neutrality on Privacy 101](#)

The Federal Communications Commission's (FCC) potential reversal of the Obama administration's net neutrality rules have been a constant headline lately. Most media coverage goes to the core principals of net neutrality, including blocking, throttling, and pay for priority of internet content; however, privacy is also a factor. [Read more](#)

[US Supreme Court Evaluates Privacy of Cell Phone Data](#)

Last Thursday, the United States Supreme Court heard argument in *Carpenter v. United States*. At issue was whether the FBI violated the Fourth Amendment when it obtained the cell phone location records of Timothy Carpenter. The FBI used these records to establish Mr. Carpenter's whereabouts during time periods in which certain armed robberies occurred. The government argued that Mr. Carpenter did not have an expectation of privacy in these records and, thus, no warrant was required. Mr. Carpenter argued that "carrying a smartphone, checking for new emails from one's boss, updating the weather forecast, and downloading directions ought not license total surveillance of a person's entire life." [Read more](#)

DRONES

[Automated External Defibrillator Drones—Saving Lives One Flight at a Time](#)

Drones have infiltrated almost all aspects of our lives. They have even infiltrated the medical world. One of the most useful ways drones have emerged in the medical world is as a vehicle for delivery of automated external defibrillators (AEDs) to bystanders who use it to save an individual who is experiencing cardiac arrest. Research by the Journal of the American Medical Association (JAMA) has shown that a drone can deliver an AED approximately 16 minutes faster than an ambulance during out-of-hospital incidents of cardiac arrest. While this research did not examine real-life circumstances, it simulated past incidences to compare speeds. [Read more](#)

PRIVACY TIP #117

[How to Check to See if Your Personal Information Is Being Sold on the Dark Web](#)

People always ask me what hackers do with our personal information, including our Social Security numbers. There are many things hackers use our information for, including filing false tax returns in our name to obtain fraudulent tax refunds, opening up new credit card accounts and other credit accounts to buy merchandise, opening new bank accounts or trying to get into our bank accounts to steal our money, using stolen credit card accounts, or using stolen passwords to get into online accounts. Or they just sell it on the dark web to others who will use it for similar fraudulent purposes.

Just because we have been the victim of a data breach doesn't mean we will become a victim, although it is prudent to protect yourself if you have received notice that your personal information has been compromised.

So how do you find out if your information is for sale on the dark web?

A security researcher from Australia named Troy Hunt has searched the dark web and other sources to assemble and develop a repository that contains the identities of billions of individuals whose personal information has been stolen and is being sold. And he lets people search his website without charge to determine whether their information is being sold on the dark web. The website is [Have I been Pwned?](#) He has collected the information of 4.8 billion people.

The term "pwned" is a gaming term that means utterly defeated, which is how we all feel after a data breach. Individuals can use his site to search whether their information has been exposed by using their email address and can also subscribe to his alerts when records do appear on the dark web.

In this day and age of massive data breaches, although many of us believe our information "is out there," this is one tool for identifying whether personal information is being sold on the dark web.

Boston | Hartford | New York | Providence | Stamford | Albany | Los Angeles | Miami | New London | [rc.com](#)

Robinson & Cole LLP



