CONSUMER PRIVACY IN COMMUNICATIONS DATA: AI, ROBOCALLS, CPNI, AND BEYOND— A REGULATOR'S PERSPECTIVE

SESSION MATERIALS

Selected Recent Developments

Federal Communications Commission

- <u>FCC fines largest wireless carriers for sharing location data (AT&T, Sprint, T-Mobile, Verizon)</u>
- FCC makes Al-generated voices in robocalls illegal and FCC confirms that TCPA applies to Al technologies that generate human voices
- FCC adopts updated data breach notification rules to protect consumers
- FCC implements Safe Connections Act of 2022
- FCC strengthens rules to protect consumers against SIM swapping
- Enforcement Bureau issues and Advisory that telecommunications carriers must protect consumers' privacy and sensitive data by taking reasonable steps to prevent SIM fraud schemes
- <u>Chairwoman Rosenworcel launches</u> the <u>Privacy and Data Protection Task Force</u>, an interagency working group to coordinate rulemaking, enforcement, and public awareness efforts in protecting consumer privacy

Federal Trade Commission

- FTC prohibits InMarket Media LLC from selling precise or sharing precise location data
- After charging Ring with improper use of customer videos and failure to implement security protections, the FTC returns over \$5.6 million to consumers
- <u>FTC prohibits data broker X-Mode and its successor Outlogic from sharing or selling any sensitive location data</u>
- FTC bans Rite Aid from using AI facial recognition technology
- FTC takes action against Global Tel*Link over security failures that led to breach of sensitive data
- FTC prohibits Avast from selling browsing data for advertising purposes
- FTC 2023 Privacy & Data Security Update
- Privacy and Security Blog Posts

Indiana

- Indiana HB Enrolled 1133, Use of Digitally Altered Media in Elections
- Indiana SB Enrolled 17, Age Verification for Material Harmful to Minors

Additional Statues & Cases

- <u>Communications Act</u>
- Section 5 of the Federal Trade Commission Act
- Indiana Code Article 15, Consumer Data Protection
- Arizona AG along with the Attorneys General of Alabama, Arkansas, California, Colorado,
 Connecticut, D.C., Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas,
 Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi,
 Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York,
 North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South
 Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and
 Wyoming brought suit against <u>Avid Telecom</u> for allegedly initiating and facilitating 7.5 billion
 illegal robocalls to millions of people on the Do Not Call Registry.
- New Hampshire Primary and AI Robocalls, Complaint
- State of Indiana v. Google, Complaint and Settlement Agreement
- IN State AG fights for patient privacy
 - o Apria Healthcare Complaint, Press Release
 - o <u>Inmediata Health Group Final Judgment and Consent Decree</u>, <u>Press Release</u>