



# The Year Is 2030: What Did We Get Horribly Wrong About Privacy?

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## Speakers



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## Agenda

# We Misread the Next Generation's Privacy Expectations



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## Resources



Next Gen Privacy Expectations:

### Academic & Research

danah boyd – Youth & Privacy in Networked Publics  
Foundational research on how teens navigate privacy and publicness online.  
<https://www.danah.org/papers/>

Calculating Connection vs. Risk: Understanding How Youth Negotiate Digital Privacy and Security with Peers Online (2025)  
Analyzes how youth balance privacy with social goals.  
<https://arxiv.org/abs/2503.22993>

Parenting for a Digital Future Project – LSE  
Research on age-appropriate regulation and participation.  
<https://blogs.lse.ac.uk/parenting4digitalfuture/>

### Legal & Regulatory

California Age-Appropriate Design Code Act (AADC) – Appeals Court Block  
Details on the legal challenges and implications of the AADC.  
<https://www.theverge.com/2024/8/16/24221907/california-age-appropriate-design-code-appeals-court-preliminary-injunction-netchoice>

FTC Finalizes Changes to Children's Privacy Rule Limiting Companies' Ability to Monetize Kids' Data (2025)  
Information on proposed changes to strengthen children's online privacy.  
<https://www.ftc.gov/news-events/news/press-releases/2025/01/ftc-finalizes-changes-childrens-privacy-rule-limiting-companies-ability-monetize-kids-data>

US State Privacy Legislation Tracker – IAPP  
Overview of child-specific restrictions across various U.S. states.  
<https://iapp.org/resources/article/us-state-privacy-legislation-tracker/>

UK Children's Code (Age-Appropriate Design Code)  
A regulatory framework by the UK ICO focused on digital services accessed by children.  
<https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/introduction-to-the-childrens-code/>

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# Resources



Next Gen Privacy Expectations:

Policy & Advocacy  
 5Rights Foundation – Digital Childhood Report (2023)  
 Organizes childhood into digital stages and proposes design principles.  
<https://5rightsfoundation.com/wp-content/uploads/2024/08/Digital-Childhood-Report-2023.pdf>

UNICEF – Policy Guidance on AI and Children  
 Focuses on ethical data use and children's rights in AI-driven environments.  
<https://www.unicef.org/innocenti/media/1341/file/UNICEF-Global-Insight-policy-guidance-AI-children-2.0-2021.pdf>

Child Rights by Design – 5Rights Foundation & Digital Futures Commission  
 Framework for integrating UNCRC principles into technology development and governance.  
<https://childrightsbydesign.5rightsfoundation.com/>

Center for Democracy & Technology – The Kids Are Online  
 Practical proposals for policy, education, and design approaches that support youth privacy.  
<https://cdt.org/insights/the-kids-are-online-research-driven-insights-on-child-safety-policy/>

Industry Practice & Design  
 UNICEF Voices of Youth – Youth Participation Model  
 A platform promoting youth engagement and perspectives in digital spaces.  
<https://www.voicesofyouth.org/tools-resources>

Age Assurance Regulations Push Sites to Weigh Risks and Explore Options for Compliance  
 Discussion on the implications of biometric age verification and associated legal challenges.  
<https://www.biometricupdate.com/202504/age-assurance-regulations-push-sites-to-weigh-risks-and-explore-options-for-compliance>

Toolkits & Frameworks  
 OECD – Empowering Young Children in the Digital Age  
 Cross-national guidance on digital literacy, civic skills, and child safety.  
[https://www.oecd.org/en/publications/empowering-young-children-in-the-digital-age\\_50967622-en.html](https://www.oecd.org/en/publications/empowering-young-children-in-the-digital-age_50967622-en.html)

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## We Underestimated the Risks of Worker Surveillance





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Workers + Surveillance:

Government Resources:

- U.S. Government Accountability Office: Digital Surveillance of Workers: Tools, Use, and Stakeholder Perspectives (August 28, 2024): <https://www.gao.gov/assets/gao-24-107639.pdf>
- FTC 2022 ANPR Commercial Surveillance: <https://www.ftc.gov/legal-library/browse/federal-register-notices/commercial-surveillance-data-security-rulemaking>
- EU Platform Work Directive: <https://data.consilium.europa.eu/doc/document/PE-89-2024-INIT/en/pdf>
- Article 29 Working Party Opinion 2/2017 on data processing at work [https://ec.europa.eu/newsroom/document.cfm?doc\\_id=45631](https://ec.europa.eu/newsroom/document.cfm?doc_id=45631)
- UK Information Commissioner’s Office: Employment Practices and Data Protection: monitoring workers: <https://ico.org.uk/about-the-ico/media-centre/news-and-blogs/2023/10/ico-publishes-guidance-to-ensure-lawful-monitoring-in-the-workplace/>
- UK Dept. of Science and Innovation: Responsible AI in Recruitment: <https://www.gov.uk/government/publications/responsible-ai-in-recruitment-guide/responsible-ai-in-recruitment>

Books + Articles

- The Quantified Worker: Law and Technology in the Modern Workplace by Ifeoma Ajunwa
- The Long Shadow of Workplace Surveillance: [https://ssir.org/articles/entry/the\\_long\\_shadow\\_of\\_workplace\\_surveillance](https://ssir.org/articles/entry/the_long_shadow_of_workplace_surveillance)
- Little Tech is Coming for Workers: <https://home.coworker.org/wp-content/uploads/2021/11/Little-Tech-Is-Coming-for-Workers.pdf>

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# We Chased Perfect Federal Privacy Law and Got Stuck




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# Resources



Federal Privacy Law:

Federal Legislation:

- S. 1350 (108<sup>th</sup> Cong.), Notification of Risk to Personal Data Act (2003)
- S. 139, Data Breach Notification Act, 111th Congress (2009-2010)
- H.R. 1704 (114<sup>th</sup> Cong.), Personal Data Notification and Protection Act of 2015
- H.R. 8152 (117<sup>th</sup> Cong.), The American Data Privacy & Protection Act (2022)
- H.R.8818 (118<sup>th</sup> Cong), The American Privacy Rights Act of 2024 (2023-2024)

Books + Articles

- Proposed Personal Data Notification & Protection Act, <https://iapp.org/resources/proposed-personal-data-notification-and-protection-act/>, IAPP
- Examining the President's Proposed National Data Breach Notification Standard Against Existing Legislation, <https://iapp.org/news/a/examining-the-presidents-proposed-national-data-breach-notification-standard-against-existing-legislation/>, IAPP (Feb. 27, 2015)
- Bradford, *The Brussels Effect: How the European Union Rules the World*, Columbia University (2020)

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## AI - The Defensive Mindset




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Overcoming the Defensive Mindset:

Government Resources:

- NIST Offers Draft Guidance on Evaluating a Privacy Protection Technique for the AI Era  
<https://www.nist.gov/news-events/news/2023/12/nist-offers-draft-guidance-evaluating-privacy-protection-technique-ai-era>
- NSF launches new investment to accelerate the transition of privacy-enhancing technologies to practice  
<https://www.nsf.gov/news/nsf-launches-new-investment-accelerate-transition>
- Keeping Your Privacy Enhancing Technology (PET) Promises  
<https://www.ftc.gov/policy/advocacy-research/tech-at-ftc/2024/02/keeping-your-privacy-enhancing-technology-pet-promises>

Articles

- Leveraging AI and Emerging Technology to Enhance Data Privacy and Security  
<https://www.rstreet.org/research/leveraging-ai-and-emerging-technology-to-enhance-data-privacy-and-security/>
- The FPF Center for Artificial Intelligence: Navigating AI Policy, Regulation, and Governance  
<https://fpf.org/issue/ai-ml/>
- Privacy-Enhancing and Privacy-Preserving Technologies in AI: Enabling Data Use and Operationalizing Privacy by Design and Default  
[https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl\\_pets\\_and\\_ppts\\_in\\_ai\\_mar25.pdf](https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_pets_and_ppts_in_ai_mar25.pdf)

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We Let Supply Chain and Procurement Become Privacy Blind Spots




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Supply Chain Risks:

Government Resources:

- NIST SP800-1961r1-upd1 – Cybersecurity Supply Chain Risk Management Practices for Systems and Organizations: <https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-161r1-upd1.pdf>
- NIST AI100-2 E2025 Adversarial Machine Learning: A Taxonomy and Terminology of Attacks and Mitigations: <https://csrc.nist.gov/pubs/ai/100/2/e2025/final>
- NIST 2020 Case Studies in Cyber Supply Chain Risk Management: <https://nvlpubs.nist.gov/nistpubs/CSWP/NIST.CSWP.02042020-1.pdf>
- Office of the Director of National Intelligence: National Counterintelligence and Security Center: Protection Critical Supply Chains: A Guide to Security Your Supply Chain Ecosystem: [https://www.dni.gov/files/NCSC/documents/supplychain/20240926\\_Securing-Your-Supply-Chain-Ecosystem.pdf](https://www.dni.gov/files/NCSC/documents/supplychain/20240926_Securing-Your-Supply-Chain-Ecosystem.pdf)
- European Data Protection Board Opinion 22/2024 on certain obligations following from the reliance on processors and subprocessors (2024) - [https://www.edpb.europa.eu/our-work-tools/our-documents/opinion-board-art-64/opinion-222024-certain-obligations-following\\_en](https://www.edpb.europa.eu/our-work-tools/our-documents/opinion-board-art-64/opinion-222024-certain-obligations-following_en)

Articles:

- World Economic Forum Global Cybersecurity Outlook 2025: <https://www.weforum.org/stories/2025/01/5-risk-factors-supply-chain-interdependencies-cybersecurity/>

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We Assumed Localized Rules Would Enhance Protection




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Localized Rules:

Articles

- The "Real Life Harms" of Data Localization Policies [https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl-tls\\_discussion\\_paper\\_paper\\_i\\_-\\_the\\_real\\_life\\_harms\\_of\\_data\\_localization\\_policies.pdf](https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl-tls_discussion_paper_paper_i_-_the_real_life_harms_of_data_localization_policies.pdf)
- How Barriers to Cross-Border Data Flows Are Spreading Globally, What They Cost, and How to Address Them <https://itif.org/publications/2021/07/19/how-barriers-cross-border-data-flows-are-spreading-globally-what-they-cost/>
- The Downside to State and Local Privacy Regulations <https://www.govtech.com/policy/the-downside-to-state-and-local-privacy-regulations>

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## We Treated AI Governance as a Separate Discipline



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## Resources



### AI As A Separate Discipline:

#### Academic & Research

Global AI Governance: An Interdisciplinary Approach – arXiv (2024)  
<https://arxiv.org/abs/2503.04766>

Responsible AI Systems: A Roadmap to Trust – arXiv (2024)  
<https://arxiv.org/abs/2503.04739>

The Global Governance of AI: Research Directions – arXiv (2023)  
<https://arxiv.org/abs/2305.11528>

#### Policy & Governance Frameworks

OECD Principles on Artificial Intelligence – OECD  
<https://www.oecd.org/going-digital/ai/principles/>

Artificial Intelligence Act – European Union (via Wikipedia)  
[https://en.wikipedia.org/wiki/Artificial\\_Intelligence\\_Act](https://en.wikipedia.org/wiki/Artificial_Intelligence_Act)

AI Risk Management Framework – NIST (National Institute of Standards and Technology)  
<https://www.nist.gov/itl/ai-risk-management-framework>

### Integration & Best Practices

Blending AI Governance with Existing GRC Programs – OCEG  
<https://www.oceg.org/blending-ai-governance-with-existing-grc-programs/>

Implementing AI Governance: From Framework to Practice – European AI Alliance  
<https://futurium.ec.europa.eu/en/european-ai-alliance/best-practices/implementing-ai-governance-framework-practice>

### AI Governance Overview – Informatica

<https://www.informatica.com/resources/articles/ai-governance-explained.html>

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## Resources



### AI As A Separate Discipline:

#### Global & Multilateral Perspectives

High-Level Advisory Body on AI – United Nations  
<https://www.un.org/digital-emerging-technologies/ai-advisory-body>

White Paper on AI Governance – Asia-Europe Foundation (ASEF)  
[https://asef.org/wp-content/uploads/2025/02/250219\\_White-Paper-AI-Governance\\_FINAL.pdf](https://asef.org/wp-content/uploads/2025/02/250219_White-Paper-AI-Governance_FINAL.pdf)

Strategic Actions Toward AI Governance – Inter-Parliamentary Union (IPU)  
<https://www.ipu.org/ai-guidelines/strategic-actions-towards-ai-governance-policy-and-structure>

#### Industry & Applied Perspectives

What Is AI Governance? – IBM  
<https://www.ibm.com/think/topics/ai-governance>

AI Governance Overview – Palo Alto Networks  
<https://www.paloaltonetworks.com/cyberpedia/ai-governance>

AI Governance, Public Policy, and Safety – Mila (Quebec AI Institute)  
<https://mila.quebec/en/ai4humanity/ai-governance-public-policy-and-safety>

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## We Ignored the Similarities Across Cyber, AI, and Privacy Harms



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# The Fundamentals



Some people try to find things in this game that don't exist but football is only two things - blocking and tackling.

- Vince Lombardi

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## Resources



### AI As A Separate Discipline:

#### Statutory and Caselaw:

- 8 Del. C. § 141
- *Edgar v. MITE Corp.*, 457 U.S. 624, 645 (1982) (citing Restatement (Second) of Conflict of Laws § 302 cmt. b. (1971))
- *In re Caremark Int'l Inc. Derivative Litig.*, 698 A.2d959 (Del.Ch.1996)

#### Articles

- Hadley, Navigating the Intersection of Privacy, Cybersecurity, and AI: Current Issues for Businesses, <https://www.linkedin.com/pulse/navigating-intersection-privacy-cybersecurity-ai-current-roy-hadley-41d7f/>, LinkedIn (June 13, 2024).
- Landrenau, Navigating the Intersection of AI and Data Privacy, [https://www.linkedin.com/pulse/bridging-silos-records-privacy-security-compliance-data-joseph-pearce-4jxle/?trackingId=4hNe5CEYQGK2jL32aYHDg%3D%3D](https://tealium.com/blog/data-governance-privacy/navigating-the-intersection-of-ai-and-data-privacy/#:~:text=Another%20way%20in%20which%20AI,is%20not%20diverse%20or%20representative,Tealium Blog (January 24, 2023)</a></li>
<li>• Pearce, <i>Bridging the Silos: Records, Privacy, Security, and Compliance in Enterprise Data Governance</i>, <a href=) LinkedIn (April 8, 2025)

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THANKS FOR JOINING US!

## The Year Is 2030: What Did We Get Horribly Wrong About Privacy?

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