

2023

FUTURE OF PRIVACY FORUM ANNUAL REPORT



**FUTURE OF
PRIVACY
FORUM**

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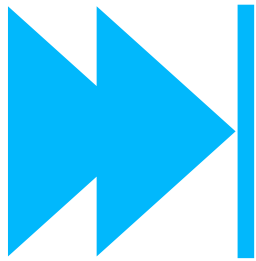
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ABOUT FUTURE OF PRIVACY FORUM

Future of Privacy Forum (FPF) and the **FPF Education and Innovation Foundation (FPFEIF)** are non-profit organizations that serve as catalysts for privacy leadership and scholarship, advancing principled data practices supporting emerging technologies.

We Believe

1

We Believe Privacy is a
Fundamental Human Right

2

We Believe Data Protection is
One Effective Means to Balance
Rights and Freedoms in Society

3

We Believe That Law, Policy, and
Technology Can Mitigate Harms
of Data Use and Misuse

4

We Believe in the Fair and
Ethical Use of Technology to
Improve People's Lives

5

We Believe in the Power of
Inclusive Collaboration

6

We Believe in Equitable
Access to the Benefits of the
Digital World

FPF'S WORKSTREAMS & REGIONS

Workstreams

- Ad Tech
- Artificial Intelligence
& Machine Learning
- Biometrics
- Global
- Health & Wellness
- Immersive Technologies
- Mobility & Location
- Open Banking
- Research & Ethics
- U.S. Federal &
State Legislation
- Youth & Education

Regions

- U.S.
- Europe
- Asia-Pacific
- Latin America
- Africa
- Israel
- India

FROM LEADERSHIP

Dear Supporters, Members, and Friends,

2023 marked the fifteenth anniversary of Future of Privacy Forum's (FPF) founding. FPF was established in 2008 with a mission to advance principled data practices worldwide, and in our fifteenth year, the founding mission has remained integral to our work. From hosting an inaugural Privacy Symposium in Japan and the seventh Brussels Privacy Symposium in Europe to re-launching the FPF training program, the FPF team was engaged around the world, connecting with stakeholders and advancing collaborative and pragmatic privacy protections.

2023 was also the year of AI. We saw AI technologies catapult into the mainstream, and companies rapidly iterated to update internal policies and navigate the implications of AI advances for their employees and their products. Building on our existing AI workstreams, FPF worked with stakeholders to publish best practices, provided in-depth training on AI-related topics, and discussed the evolving impact of this technology with many of you at roundtable discussions, on expert panels, and more.

We also brought more experts on board to analyze and track new privacy regulations and AI regulatory developments and their interoperability with existing data protection regulations across the globe. This included expanding our focus in key areas internationally, including India, adding three senior fellows with deep knowledge of the European and Australian privacy regulatory landscapes, and three senior fellows based in the U.S. with expertise in privacy engineering and leading privacy programs.

It is a great pleasure to present the Future of Privacy Forum's 2023 Annual Report, which chronicles our year of growth and commitment to deep engagement with privacy experts in industry, academia, civil society, and government and our belief that collaborating across sectors and disciplines is needed to advance practical safeguards needed for data uses that benefit society. This work would not be possible without our board of directors, advisory board, corporate members, and foundation supporters. Thank you for your continued partnership.



Jules Polonetsky
CHIEF EXECUTIVE
OFFICER



Christopher Wolf
BOARD CHAIR
2008–2024



FPF Welcomes

Alan Raul
BOARD CHAIR
APRIL 2024



NAVIGATING THE LANDSCAPE

Assessing Progress and Challenges in U.S. Privacy Legislation

Without comprehensive federal data privacy legislation, 2023 saw more U.S. states move forward with their own privacy laws. FPF actively tracked the state laws, which increased from five to twelve (or, arguably, thirteen). We also provided timely analysis of the latest developments out of Iowa, Indiana, Montana, Tennessee, Florida, Texas, Connecticut, Oregon, Utah, and Delaware — in addition to Washington and Nevada, both becoming the first to pass broad-based consumer health data privacy legislation.



FPF plays an integral role in informing and supporting our corporate stakeholders and other partners as they navigate this ever-changing state privacy landscape.”

Jules Polonetsky

Chief Executive Officer, Future of Privacy Forum

As state legislatures hurriedly worked to develop laws on privacy in various emerging technologies, such as AI, FPF experts were available to testify, provide informative analysis, submit regulatory comments, and, in some cases, assemble state working groups to inform on the latest developments in emerging technologies, such as AI.

**Need a 2023
State Privacy refresher?**

Read the FPF State Analysis and
look ahead at the state privacy
landscape in 2024 at

fpf.org/issue/us-legislation/Regulations

13th Annual Privacy Papers for Policymakers



FPF hosted its thirteenth Annual Privacy Papers for Policymakers on Capitol Hill to honor 2022’s must-read privacy scholarship. The event featured an opening keynote by Federal Trade Commission Commissioner Alvaro Bedoya as well as facilitated discussions with the winning authors: Anita Allen, Anupam Chander, Eunice Park, Pawel Popiel, Laura Schwartz-Henderson, Rebecca Kelly Slaughter, and Kate Weisburd. Experts from academia, industry, and government, including Olivier Sylvain, Neil Chilson, Amanda Newman, Gabriela Zanfir-Fortuna, Maneesha Mithal, and Chaz Arnett, moderated these policy discussions. Stephanie Wong, FPF’s Elise Berkower Fellow, provided welcome remarks and emceed the night, noting this was the first time the award ceremony has met in-person after two years of virtual events due to the pandemic.



SAFEGUARDING YOUTH

FPF Leads Youth & Education Privacy

After President Biden notably pushed for the protection of kids and young people online for a second year during the State of the Union and the public continued to advocate for more safety and privacy protections on social media, 2023 saw federal, and state policymakers react to the call. In response, FPF's Youth & Education Privacy team provided comments to the National Telecommunications and Information Administration on Kids Online Health and Safety, as well as to the Federal Trade Commission on the Application for a New Parental Consent Method.

FPF developed resources for stakeholders, such as the age assurance technologies infographic, which presents the risks and potential harms of attempting to discern someone's age online and potential mitigation tools. The Youth & Education team also released *"The State of Play: Is Verifiable Parental Consent Fit for Purpose?"* and an accompanying infographic detailing the mechanics of how VPC works, implementation challenges from both the parent and industry perspectives, and potential solutions, including alternative VPC methods and new regulatory approaches.

In partnership with LGBT Tech, FPF outlined recommendations for schools and districts to balance inclusion and student safety in technology use. The analysis builds on research, including interviews with recent high school graduates who identify as LGBTQ+, to gather firsthand accounts of how student monitoring impacted their feelings of privacy and safety at school.

Lastly, FPF continued its very successful Train-the-Trainer program, which was founded in 2020 to help school attorneys and other key stakeholders become student privacy experts who can help their clients and train their peers on this changing legal landscape.



The Bill & Melinda Gates Foundation and the Chan Zuckerberg Initiative are supporters of FPF's Youth & Education Privacy program.

GLOBAL SPOTLIGHT ON PRIVACY

Examining Regulatory and Enforcement Changes in 2023

Global data protection and privacy regulations continued to develop in 2023 at a rapid pace. Nigeria and India passed comprehensive data protection laws — with India's Digital Personal Data Protection Act (DPDPA) passage meaning 19 of the G20 countries now have a privacy regulation — and the EU passed the Digital Services Act (DSA) and reached political agreement on the Artificial Intelligence (AI) Act.

Mirroring the rapid pace of development, FPF's Global team released blogs and resources outlining the key regulatory updates for each development, including partnerships with The National Association of Software and Service Companies (nasscom) and The Dialogue to release webinars and a brief about India's DPDPA.





In addition, FPF global offices and on-the-ground experts worldwide, from Europe and the Asia-Pacific to Israel, Africa, Latin America, and India, tracked many global enforcement actions and governmental framework updates, like the Italian Garante's generative AI order in March and Singapore's "AI Verify." This year countries like Australia and Vietnam also undertook significant updates to their existing privacy laws.

The EU's GDPR celebrated its five-year anniversary in May, and FPF released [*Unlocking Data Protection By Design & By Default: Lessons from the Enforcement of Article 25 GDPR*](#), a report detailing more than 92 data protection authority (DPA) cases, court rulings, and guidelines from 16 European Economic Area (EEA) member states, the U.K., and

the European Data Protection Board, to provide an analysis of enforcement trends regarding Article 25.

This year also saw global alignment between data protection regulators, with the G7 Data Protection Authorities and Privacy Commissioners' Summit in Tokyo. This resulted in a [communiqué](#) outlining their focus on Data Free Flow with Trust (DFFT), emerging technologies, and enforcement cooperation.

FPF's Global team circled the globe, hosting and speaking at leading events this year, including the Global Privacy Assembly in Bermuda, Computers, Privacy and Data Protection (CPDP) in Belgium, Personal Data Protection Week in Singapore, Cyber Week in Israel, and FPF's inaugural Japan Privacy Symposium.

THE YEAR OF ARTIFICIAL INTELLIGENCE

2023 was a whirlwind year for AI. We witnessed significant advancements in capabilities, widespread adoption across various industries, and growing concerns surrounding ethical considerations and responsible development. Generative AI, in particular, broke through the mainstream. Large Language Models (LLMs) like OpenAI and Bard reached new heights in their ability to generate human-quality text, code, and even creative content like music and images.

With this rise, concerns about bias and discrimination in AI algorithms rose, showcasing its immense potential while highlighting the critical challenges that need to be addressed. While the privacy questions surrounding AI are significant, AI can be a powerful tool for good with proper safeguards and regulations in place.

To respond to the demand for knowledge and understanding of AI, FPF worked with stakeholders on best practices, provided in-depth training on AI-related topics, and discussed the evolving impact of this technology with many of our stakeholders at roundtable discussions, expert panels, and more.



Some of FPF's most significant AI projects, events, and moments of 2023

- Released the [Generative AI Internal Policy Checklist](#), guiding organizations using or developing new generative AI internal policies.
- Offered practical recommendations focused on responsibility and ethics influenced by leading policy frameworks in our [Best Practices for AI and Workplace Assessment Technologies](#).
- Attended the White House to attend the signing of the Biden Administration's Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence.
- Hosted our first-ever [Japan Privacy Symposium](#), where Data Protection and Privacy Commissioners of the G7 DPAs discussed their approaches to regulating AI.
- Published a step-by-step guide on [Conformity Assessments Under the proposed EU AI Act](#), along with an [accompanying infographic](#) in collaboration with OneTrust.
- Discussed alternative solutions for processing of (personal) data with Machine Learning at [CPDP Brussels](#) and generative AI systems in Asia-Pacific during [Singapore's PDP Week](#).
- Participated in a Capitol Hill briefing hosted by the Wilson Center and Seed AI in conjunction with the Congressional Artificial Intelligence Caucus "AI Primer: AI in the Workplace," highlighting FPF's [Best Practices](#).
- Provided [testimony](#) on the responsible use and adoption of AI technologies in New York City classrooms.
- Published insightful op-eds in [WIRED](#) discussing the intersection of AI and immersive technologies and [The Hill](#) on generative AI and elections.
- Tracked AI legislation, guidelines, and initiatives in the [United States](#), the [European Union](#), [Brazil](#), and [China](#) and [highlighted](#) the many DPA investigations into generative AI.
- Held stakeholder workshops on the current regulation of generative AI throughout the APAC region.
- Organized a session at the Global Privacy Assembly on the use of public information for LLM training.
- Re-launched the [FPF Training program](#), providing in-depth expert sessions on topics such as the EU AI Act, the fundamentals of AI and machine learning, and more.

FPF ANALYSES

Supporting Diverse Privacy Stakeholders in Emerging Technologies

In addition to our work in U.S. and global legislation, AI, and Youth and Education, FPF published and distributed relevant and forward-looking analyses throughout 2023 that inform and support those working in various emerging technologies with a specific focus on privacy and data protection. These timely and forward-looking resources help organizations and governments shape best practices and policies. Below is a sampling of just some of these projects from FPF experts.



Data Sharing for Research: A Compendium of Case Studies, Analysis, and Recommendations

The Data Sharing Case Compendium Project provides practical recommendations to companies and researchers who share data for research and demonstrates how data-sharing partnerships are moving from experimental business activity to expected business competency.

Immersive Tech Experts Webinar Series and Brief Webinar Series

In 2023, FPF launched its Immersive Tech Panel Series, which examines privacy risks and policy questions resulting from the intersection of immersive tech with domains such as health, advertising, vehicles, education, AI, and youth privacy. This [issue brief](#) summarizes major takeaways and remaining questions from each panel.



Risk Framework for Body-Related Data in Immersive Technologies

This framework details how organizations can develop safe and responsible immersive technologies by providing a guide on how to structure the collection, use, and onward transfer of body-related data.

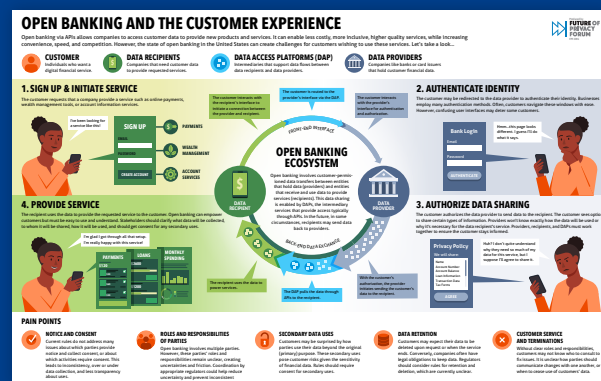


A Conversation on Privacy, Safety, and Security in Australia: Themes and Takeaways

On October 27, 2023, the FPF and UNSW Allens Hub for Technology, Law and Innovation (“Allens Hub”) held a joint event to discuss the Australian eSafety Commission’s (eSafety) new industry regulation standards for specific online content.

Open Banking and the Customer Experience Infographic

Open banking enables new products and services by sharing personal data, leading to benefits and risks. FPF’s open banking infographic helps customers visualize the U.S. open banking ecosystem by organizing it around four main steps.





MEMBERSHIP COMMUNITY & EVENTS

FPF Brings Together Senior Privacy Executives from Leading Companies and Organizations

FPF provides privacy and data protection executives across diverse industries with a platform to discuss business practices alongside other leading experts around the globe. These executives also have the opportunity to collaborate with FPF's in-house experts to advance the development of best practices in addressing complex and high-stakes data protection issues.

As legislation and regulations evolve and impact a company's operations, FPF provides detailed compliance-focused legislative tracking and analysis to enable our 221 member organizations to position themselves for future opportunities and challenges.

2023 Annual Advisory Board Meeting

Every year, FPF gathers its Advisory Board members for peer learning, networking, and sessions led by FPF experts at its Advisory Board meeting outside of Washington, D.C. At the 2022 meeting, nearly 90 members gathered to hear expert analysis and discuss topics such as State and Federal Legislative Issues, Data Protection to Data Governance, Data and the Future of Work, Immersive Tech, and the Future of Advertising.





FPF Member Meetings

In 2023, FPF provided a range of peer-to-peer meetings and calls for our senior members working on data protection compliance issues. We hosted virtual meetings on key topics of interest every other month, smaller meetings for specific sector leaders, and in-person meetings in multiple cities.

- FPF hosted 58 in-person and virtual peer-to-peer meetings across the globe for intimate discussions among privacy executives focused on their top-of-mind issues.
- The “Current State of Global Opt-Out Technology” event in March gave members insights into regulator discussions and a vendor showcase featuring solution demonstrations.
- FPF launched Privacy Metrics 2.0 to help advance industry OKRs and the underlying metrics, provide privacy executives the tools they need to have effective conversations with their boards, and provide helpful information for ESG reporting and investor communications.



FPF Announces the Launch of the Privacy Executives Network

In December, FPF announced the 2024 debut of the Privacy Executives Network (PEN). This network allows our senior privacy professionals to connect regularly through in-person and virtual meetings throughout the year. The PEN expands on our current member benefits by offering regional in-person peer-to-peer meetings, increased industry-specific calls, and the debut of a one-day Privacy Executives Summit in Berkeley, Calif.

In 2024, FPF will host regional PEN Quarterly in-person meetings in cities across the U.S. In addition to the PEN meetings, FPF will continue to host the high-value convening it has always had for its members throughout the U.S. and globally.

Along with in-person opportunities for FPF Privacy Executive Network members to gather across the U.S., we have also provided them with the opportunity to connect via virtual meetings through industry-specific groups such as:

- Auto Privacy Executives
- AI Regulation for Privacy Executives
- Banking Privacy Executives
- Clinics, Telehealth, and Pharmacies Privacy Executives
- Pharmaceutical Privacy Executives
- Retail Privacy Executives
- Travel Privacy Executives

FPF IN THE MEDIA



FPF Experts

Immersive Tech Obscures Reality. AI Will Threaten It

WIRED, September 2023

AI could supercharge augmented and virtual reality, making online manipulation and disinformation campaigns much more personal — and effective.

Op-ed by Jameson Spivack and Daniel Berrick Regulation, once a metaverse-shaped data economy comes into focus.

States are readying a flurry of privacy bills as Washington stalls

Washington Post, January 2023

“Each year we see comprehensive privacy bills run in 25 to 30 states, and ultimately, one or two of those state bills will make it over the finish line,” said Keir Lamont, senior counsel at the Future of Privacy Forum, “We could see an upswing in proposals around specific privacy concerns, specific uses of data, specific technologies that wouldn’t necessarily be considered comprehensive privacy laws, but would still have a major impact for consumer rights and the obligations for businesses,” he said.

TikTok Creators’ Financial Info, Social Security Numbers Have Been Stored In China

Forbes, May 2023

Gabriela Zanfira-Fortuna, vice president for global privacy at the Future of Privacy Forum, said ByteDance tools storing European creators’ data on servers in China could be problematic for that reason. “This is the sort of thing that would confirm there are transfers [of personal data] to China happening, so I’m sure they would be interested in knowing this,” she said of Ireland’s privacy watchdog.

Where parental snooping is becoming the law

Politico, April 2023

“In the absence of Congress being able to act and to pass a bill, states are taking it up on their own. We’re seeing a patchwork of states trying to get at this issue, but in a variety of different ways,” Bailey Sanchez, a policy counsel with the Future of Privacy Forum’s Youth & Education Privacy team, said.

2023 MEDIA STATS



286

Media Stories



xxx increase
from 2022

172



Quotes from FPF



114 quotes
in 2022

730M

impressions*



*Estimation based
on available metrics.
Impressions are
likely higher.



BOARD OF DIRECTORS & LEADERSHIP

The Future of Privacy Forum is overseen by independent boards of directors.

Christopher Wolf *Board President*
Stepping down March 2024

Alan Raul *Board President*
Beginning April 2024

Dale Skivington *Vice President*

Debra Berlyn *Secretary-Treasurer*

Agnes Bundy Scanlan *Board Member*

Anita L. Allen *Board Member*

Danielle Citron *Board Member*

David Hoffman *Board Member*

Elaine Laughlin *Board Member*

Jane Horvath *Board Member*

Mary Culnan *Board Member*

Theodore Christakis *Board Member*

Tom Moore *Board Member*

Long-Time, Dedicated Privacy Experts Awarded by FPF

FPF presented Maneesha Mithal, a leader in privacy and consumer protection at the Federal Trade Commission, the Distinguished Public Service Award, and Jane Horvath, Apple's former Chief Privacy Officer and a privacy and technology trailblazer of more than two decades, the Career Achievement Award.

The awards were presented at the FPF Advisory Board Meeting, an annual gathering of senior privacy leaders at companies, academia, civil society, and government. The Distinguished Public Service Award acknowledges an individual whose public service career efforts are notable for advancing protection as a government regulator. FPF awards the Career Achievement Award to private sector leaders who have made major contributions to advancing the values of data protection.

FPF CEO Jules Polonetsky Receives the IAPP Privacy Leadership Award

Jules Polonetsky was named the recipient of the International Association of Privacy Professionals (IAPP) 2023 Privacy Leadership Award. Polonetsky was awarded during the IAPP Global Privacy Summit 2023 in Washington, D.C. The IAPP Leadership Award is given annually to individuals who “demonstrate an ongoing commitment to furthering privacy policy, promoting recognition of privacy issues, and advancing the growth and visibility of the profession.”





FPF ADVISORY BOARD

Members of the FPF Advisory Board receive increased engagement with our network of privacy and data protection leaders in industry, academia, and civil society. Advisory Board members provide input supporting transparency, user control, and the advancement of responsible data practices. By serving as advisors, they do not necessarily endorse the positions taken by FPF but serve in a personal capacity, and their affiliation does not indicate the endorsement of their corporation or organization.

Meet the FPF Advisory Board at fpf.org/membership/advisory-board.

