



**ARMA: Honoring the Past,  
Embracing the Present,  
Shaping the Future**

ARMA Houston Chapter 2018 -2019

# Trends in Information Governance 2018-2019

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# Who am I?

- Lawyer
- Schlumberger, Amoco, and BP
- Private practice – Compliance and Information
- 20+ years in Knowledge Management, Records Management, Ediscovery, Compliance, Crisis Management
- Formerly Programme Director for BP's Global Information and Records
- Write a chapter *Corporate Legal Compliance Handbook* about the nature and duty of compliance, with law and with company policies and procedures
- Huge interest in Compliance and Governance

# Intro to Blog

- Started August 2013
- *The Wall Street Journal* (paywall)
- Archive
- Subscribe



## Standards

by [christianliipfert](#)

Once you decide to remove someone, who do you decide to remove and why? Are there any other factors that control your decision?

["Facebook Removes Accounts Linked to Duterte's Former Social-Media Manager," \*The Wall Street Journal\*, March 30, 2018.](#) Accounts removed for "coordinated inauthentic behavior."

As the platform owner, you can either open your site to all comers, or establish objective standards to limit who may and may not use your platform. Are there risks if your standards aren't sufficiently objective, and a tinge of subjectivity creeps in?

Governance (to the extent you establish objective standards, and decide who you let "in"), and Information, and Compliance (to the extent you kick people off). But are there

# How do I sort?

- Information
  - What is it?
  - Who owns it?
  - What's it worth?
  - Why do we have it?
- Governance
  - Who is in charge?
  - Who makes the rules?
  - What policies do you have?
  - Who controls access?
- Compliance
  - Compliance with law
  - Privacy
  - Protection/Cybersecurity
  - Investigations
  - Compliance with policy/procedure
  - Freedom of speech/Press
  - Compliance with duty
- Use/non-use

# Major themes

- Compliance
  - Bad actors (cheaters, liars, thieves, leakers, fakers, fraudsters, hackers)
  - Breaches
  - Privacy
  - Employees
- Use/Failure to use
  - History
  - Technology
- Governance
  - Governments and private companies filtering and regulating

# Headlines

April 25, 2018 – March 31, 2019

~ 100 Headlines from *The Wall Street Journal*

## **CFPB Considers Ending Public Access to Complaints About Banks**

Leader of Consumer Financial Protection Bureau says he doesn't have to 'run a Yelp for financial services'

## **EU Presses Tech Firms on Search Results, Fake News**

Europe proposes legislation requiring platforms to be more transparent with search results; threatens new rules on 'fake news'

## **Use of Genealogy Data to Track Golden State Killer Raises Privacy Questions**

Posting genetic data on genealogy websites also reveals genetic information about relatives, who may not have given their consent

## **Malaysia Wields Law Against 'Fake News' for First Time**

Foreign visitor sentenced to jail after criticizing the police response to the slaying of a Palestinian engineer in Kuala Lumpur



## **U.S. Jury Convicts Former Autonomy CFO of Fraud in H-P Deal**

Sushovan Hussain is found guilty of falsifying financial statements ahead of Hewlett-Packard's \$11 billion acquisition

## **Facebook Fires Employee Who Bragged on Tinder About His Access to User Data**

Alleged remarks highlight the potential for certain Facebook employees to abuse their access to the private information of the social network's users

## **Volkswagen Ex-CEO Martin Winterkorn Indicted in Emissions Probe**

He is highest-ranking VW official charged in the emissions-cheating scandal

## **Texas Church Shooter Was Ticking Time Bomb**

Military records show Devin Patrick Kelley's abuse of family members was known to the Air Force

## **Judge Rules Trump May Not Block Critics on Twitter**

President's social-media feed, which he often uses to address a variety of issues, is found to be a 'designated public forum'

## **Hawaii Homes in Lava's Path Were Built Decades Ago Despite Geologic Threat**

Lower Puna is one of the most affordable places to live in the Aloha State, but its subdivisions were built on an area known to be a hazard zone

## **One of the World's Safest Places for Banking Is Rocked by Scandals**

Australia's financial intelligence agency levels \$530 million fine against Commonwealth Bank

## **Facebook Gave Some Companies Special Access to Additional Data About Users' Friends**

Small number of companies had deals that gave them access to data after others were cut off

## **Vietnam Tightens Grip on Internet With Data-Storage Law**

New cybersecurity law requires internet companies to store Vietnam-based users' data on servers in the country

## **Volkswagen Fined \$1.17 Billion in Germany in Emissions-Cheating Scandal**

The auto maker said it wouldn't appeal the penalty

## **DOJ Clinton Report Blasts Comey, Agents, but Finds No Bias in Conclusion**

Then-director deviated from policies and separate texts cast cloud over entire FBI investigations

## **McKinsey Investments Weren't Disclosed in Bankruptcy Cases**

Retirement fund invested in hedge funds with financial interests in six bankrupt companies the consulting firm was advising

## **Keg Trackers Keep Your Ale From Going AWOL**

Breweries lose as many as 10% of their steel kegs a year; new startups are hoping to stop that

## **Facebook's Latest Problem: It Can't Track Where Much of the Data Went**

Company's internal probe finds that some developers who scooped up data are now out of business, and others won't cooperate

## **California Passes Sweeping Data-Privacy Bill**

By passing bill, legislature headed off a more restrictive ballot initiative that recently qualified to appear before voters in November

## **Capital Gazette Shooting Puts Spotlight on Facial-Recognition Technology**

Maryland's database of mug shots and driver's license photos revealed suspect's identity

## **Tech's 'Dirty Secret': The App Developers Sifting Through Your Gmail**

Software developers scan hundreds of millions of emails of users who sign up for email-based services

## **Barnes & Noble Fires CEO Without Severance Over Policy Violations**

Bookseller didn't elaborate on Demos Parneros's termination other than to say it wasn't tied to any disagreement over financial reporting or fraud

## **Lawmakers Press Alphabet and Apple on Smartphone Users' Privacy**

Letters seek more information on how smartphones collect user location and other data

## **Michael Cohen Taped Conversation With Trump About Buying Rights to Playmate's Story**

Conversation occurred in September 2016, after American Media Inc. had purchased Karen McDougal's story that she had affair with Trump

## **Russian Hackers Reach U.S. Utility Control Rooms, Homeland Security Officials Say**

Blackouts could have been caused after the networks of trusted vendors were easily penetrated

## **Facebook's Next Privacy Challenge: Less Data to Target Ads**

Advertisers warn of impact from closure of Facebook ad tool that integrates personal data from outside brokers

## **Past Social-Media Posts Upend Hiring**

Employers grapple with screening job applicants' online personas, including years-old tweets

## **Facebook to Banks: Give Us Your Data, We'll Give You Our Users**

Facebook has asked large U.S. banks to share detailed financial information about customers as it seeks to boost user engagement

## **SEC Probes Tesla CEO Musk's Tweets**

The regulator is examining whether Musk's statement was truthful and why the disclosure was made on Twitter

## **Ex-NSA Contractor Reality Winner Sentenced to 63 Months for Leak**

Sentence is longest ever for a leak of defense information to the media, Justice Department says

# **How a Banker's Message to a Client Spelled Trouble for UBS**

Breach of client confidentiality in Hong Kong sparked internal probe and a senior employee's suspension

# **Naomi Osaka Gets the Last Word**

A controversial penalty for Serena Williams grabs the conversation—but the new U.S. Open champion is the story

# **States Loom as a Regulatory Threat to Tech Giants**

Attorneys general weigh confronting internet companies over antitrust, privacy issues

# **Ohio State Football Probe Didn't Attempt to Recover Deleted Texts**

Law firm investigators did not use forensic analysis of coach Urban Meyer's phone; AD Gene Smith told investigators he routinely deleted texts



## **Facebook Fined Over Cambridge Analytica Case, but U.K. Wishes for Bigger Penalty**

Fine was the maximum allowed under the old U.K. privacy law, but it could have reached \$1.6 billion under GDPR

## **Tesla Faces Deepening Criminal Probe Over Whether It Misstated Production Figures**

FBI investigation follows company's settlement of separate civil charges with SEC

## **Finra Arbitrators Let Thousands of Brokers Purge Infraction Records**

Brokers with scrubbed records are more likely to generate complaints, two academics found

## **Fake Signals and Illegal Flags: How North Korea Uses Clandestine Shipping to Fund Regime**

Freighters loaded with coal and oil use an array of tactics to keep trade flowing and dodge U.S. pressure

## **New Parents Complain Amazon Baby-Registry Ads Are Deceptive**

Unwanted gifts arrive after friends click on promotions tucked into wish lists

## **Marriott Says Starwood Data Breach Affects Up to 500 Million People**

Hacked information includes passport numbers, payment-card numbers in addition to addresses, travel details

# **U.S. Prosecutors Charge Four People in Panama Papers Probe**

Unsealed indictment includes charges of wire and tax fraud and money laundering

## **China Maneuvers to Snag Top-Secret Boeing Satellite Technology**

The founders of a small Los Angeles firm, which ordered a satellite from Boeing, say it was financed and is now controlled by Beijing

## **U.S. Alleges Huawei CFO Hid Ties to Telecom With Iran Business**

As a result, banks cleared transactions that risked violating international sanctions, prosecutor says

## **Amazon, Amid Crackdown on Seller Scams, Fires Employees Over Data Leak**

Merchants find new ways to sabotage rivals during the all-important holiday shopping season

## **U.S. Investigating Fake Comments on ‘Net Neutrality’**

Criminal probe looks at comments posted to FCC from people who say their names were used without permission

## **New Report Shows Olympics Executives Concealed Knowledge of Nassar Allegations**

Scathing report places particular blame on Scott Blackmun, former chief executive of U.S. Olympic Committee, and on culture at USA Gymnastics

## **Facebook Bug Potentially Exposed Unshared Photos of Up 6.8 Million Users**

The social-network company says apps may have had improper access to photos

## **PG&E Falsified Gas Safety Records, California Claims**

State's largest utility, dealing with fallout from wildfires, accused of submitting fake records between 2012 and 2017

## **Chinese Hackers Breach U.S. Navy Contractors**

Review of cyber vulnerability is ordered after intruders gain access to information about military technology

## **The 'Fortnite' Dance Move That Spawned a Lawsuit**

The blockbuster videogame sells popular dance moves that add to its appeal. Should their originators get a cut?



## **Illinois Dioceses Withheld Names of Accused Priests, Report Says**

Catholic church received abuse allegations against 690 priests but publicly identified 185, report finds

## **Is It Really Five Stars? How to Spot Fake Amazon Reviews**

It's on us to understand how Amazon reviews really work before we buy, and it's on Amazon to start rethinking the star system entirely

## **Acting Attorney General Matthew Whitaker Incorrectly Claims Academic All-American Honors**

Claim from Whitaker's University of Iowa football days listed on résumé and government documents



## **Elon Musk Says Pedophile Accusation Against British Man Was Protected Speech**

Tesla CEO files motion to dismiss defamation lawsuit, arguing his insults on Twitter couldn't be interpreted as facts

## **Popular Weather App Collects Too Much User Data, Security Experts Say**

China-based app asked for more data than the usual location request, including email addresses

## **Blood Pressure, Baby's Pulse, Sperm Potency: Home Health Devices Are Tracking More Than Ever**

Wearables and other inexpensive products and services can now extract detailed information about our bodies—so how will their makers handle all that data?

## **Facebook, Twitter Turn to Right-Leaning Groups to Help Referee Political Speech**

Advisers on touchy issues include Tony Perkins' Family Research Council, Grover Norquist's Americans for Tax Reform and, on the left, the Southern Poverty Law Center



## **American Express Suspends a Director in Foreign-Exchange Pricing Probe**

Employees were informed that Taylor Simonin was suspended last month

## **Temple University Settles Suit Over Fudged Data on M.B.A. Ranking**

University agrees to pay nearly \$5.5 million to current and former business-school students

## **Google Nears Win in Europe Over ‘Right to Be Forgotten’**

Recommendation largely backs Google, which appealed a French order to apply the EU right to searches globally

## **How to Make Money Trading: Hack Into SEC, Peek at 157 Secret Earnings Reports**

According to a government complaint filed Tuesday, a hacker and his associates spent six months rooting around the SEC’s corporate-filing system

## **India Wants Access to Encrypted WhatsApp Messages**

Country makes a new attempt to constrain global tech giants

## **PPG Says U.S. Attorney’s Office Investigating Paint Giant’s Accounting Practices**

SEC opened a probe in connection to the same irregularities last year

## **Cohen Hired IT Firm to Rig Early CNBC, Drudge Polls to Favor Trump**

Behind the scenes, Michael Cohen hired RedFinch Solutions, then allegedly stiffed it—and his boss

## **Special Counsel Disputes BuzzFeed Report That Alleged Trump Directed Cohen to Lie to Congress**

House Democrats said earlier they would probe the allegations in the report

## **Google Fined \$57 Million in Biggest Penalty Yet Under New European Law**

The fine is one of the highest profile regulatory actions stemming from the European Union's new GDPR rules

## **Colleges Mine Data on Their Applicants**

To determine 'demonstrated interest,' some schools are tracking how quickly prospective students open email and whether they click links

## **HIV Status of More Than 14,000 People Leaked in Singapore Data Breach**

Health ministry says American who previously worked in Singapore leaked the records

## **‘I Was Young’ Isn’t an Excuse: Business Leaders Need to Revisit Yearbooks**

High-profile executives and business owners should conduct ‘opposition analysis’ on themselves to see if damaging pre-digital images could come to light

## **Caught on Tape: Herbalife Executive Told Colleague to Ignore Expense Limits**

Richard Goudis’s comments, made a decade ago, were recorded and recently reached U.S. officials investigating the nutritional supplement seller

## **Your Company Wants to Know if You've Lost Weight**

As more employers launch high-tech wellness programs that keep tabs on workers' exercise, sleep and nutrition, employees worry about privacy and the consequences of opting out

## **Shooter at Illinois Factory Lied on Application for Gun Owner Card**

Background check failed to find old felony conviction until a later application for concealed carry permit

## **Pinterest Blocks Vaccination Searches in Move to Control the Conversation**

Social-media company stops showing results on the topic as it looks to censor unsubstantiated health claims

## **IRS Analyst Charged With Illegally Leaking Michael Cohen's Bank Records**

Former Trump lawyer's records showed financial transactions that were flagged as suspicious

## **Federal Prosecutors Broke the Law in Jeffrey Epstein Case, Judge Rules**

Justice Department violated 2004 law by making a plea deal with Florida financier and not conferring with alleged victims

# **You Give Apps Sensitive Personal Information. Then They Tell Facebook.**

Wall Street Journal testing reveals how the social-media giant collects a wide range of private data from developers; 'This is a big mess'

## **New York Requests Documents from Facebook, Apps on Data Sharing**

Apps shared an array of the user's personal, medical information

## **Vatican to Open Archives on World War II Pope Pius XII**

Critics including Jewish groups have said Pope Pius XII didn't do enough to oppose the Holocaust

## **Chinese Hackers Target Universities in Pursuit of Maritime Military Secrets**

University of Hawaii, University of Washington and MIT are among schools hit by cyberattacks

## **Trump Administration Weighs Publicizing Secret Rates Hospitals and Doctors Negotiate With Insurers**

Requirement to release secret prices of health care would put more decision-making power in hands of patients, possibly lowering copays or deductibles.

## **Hackers Breach College-Applicant Databases, Seek Ransom**

Emails offer prospective students at Oberlin, Grinnell and Hamilton the chance to buy data in their files

## **Jussie Smollett Indicted by Grand Jury on 16 Counts for Filing False Report**

'Empire' actor told police he was a victim of a racist, antigay attack

## **KPMG Ex-Partner Convicted In 'Steal the Exam' Scandal**

Ex-employee of Public Company Accounting Oversight Board also convicted

## **Federal Prosecutors Charge Dozens in College Admissions Cheating Scheme**

Charges involve cheating on college entrance exams, efforts to bribe coaches; actresses Felicity Huffman, Lori Loughlin among those indicted

## **Facebook, YouTube, Twitter Scramble to Remove Video of New Zealand Mosque Shooting**

Social-media companies have struggled to block violent content despite public outcry and political pressure

## **How the National Enquirer Got Bezos' Texts: It Paid \$200,000 to His Lover's Brother**

Michael Sanchez sold the billionaire's secrets to American Media, the Enquirer's publisher, said people familiar with the matter

## **Publishers Sue Peloton for Use of Songs From Drake, Lady Gaga**

Downtown Music, Pulse Music, Ole and others say the company has failed to license with them for use of their songwriters' compositions, resulting in lost income



## **Google Fined \$1.7 Billion in EU for Restricting Rivals' Ads**

Decision is last among three sets of formal charges that European Commission has so far filed against the tech giant

## **Hundreds of Millions of User Passwords Exposed to Facebook Employees**

Security lapse the latest privacy issue for the social-media giant

## **FEMA Officials Accidentally Released Private Data From 2.3 Million Disaster Victims**

Agency says it gave too much personal information to a contractor, says the incident wasn't a data breach

## **Key Takeaways From Attorney General's Summary of Mueller Report**

No proof of campaign conspiracy, clear case of Russian interference—and continued secrecy shrouding full investigation

## **Duke University Agrees to Pay \$112.5 Million in Whistleblower Suit Over Grants**

School said it uncovered falsified data after internal review that began in 2013

## **Journalists Face Prison Over Reporting George Pell Sex-Abuse Conviction**

Dozens of Australian reporters and media organizations are accused of breaching a judge's order to suppress coverage of the Cardinal's case

## **Workers Push Back as Companies Gather Fingerprints and Retina Scans**

Lawsuits challenge firms over how biometric data gets collected and stored

## **HUD Action Against Facebook Signals Trouble for Other Platforms**

Department accuses social-media firm of fostering discrimination in advertising based on race, national origin, religion and more

## **Facebook Removes Accounts Linked to Duterte's Former Social-Media Manager**

Takedown includes 175 Facebook accounts, groups and pages, as well as 25 Instagram accounts

# Deep cleansing breath

# Trends

# Trends

- Technology
- Information
- Governance
- Compliance

# Technology

- More apps
- Move to Cloud, Office365
- ECM consolidation continues
- Quest for Autoclassification
- Tweets

# Information

- Less and less paper
- More types, storage, and locations
- More fakes
- More non-use
- Return of the Living Dead
- Managing organization in the Cloud

# Governance

- No C-suite owner
- Disconnected policies
- More government regulation
- Less security, more breaches
- Little *Infonomics* influence
- RM takes a lower profile
- ARMA merges with Information Coalition
- IG merges with RM, eDiscovery, IT, Security, HR, Finance, Privacy, ...



# Compliance

- More records cases
- Fewer eDiscovery cases
- Privacy
- Expense reports
- Use/non-use
- Employees breach policies
- Tweets

# Questions?



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