

GDPR and your open source communities

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Questions that get answered:

- How do I spell GDPR?
- What does my community need to do to comply?
- Are there good policies that I should look to as a model?
- What's happened in the last year?
- What else is coming?
- What do we do now?

How do I spell GDPR?

Questions that get answered:

General Data Protection Regulation

- Implementation date: 25 May 2018
- Date made: 14 April 2016
- All EU citizens, not just location based
- Right of Access
- Right of Erasure
- Data breaches

Impact

4%

Of global operating revenue

Actual penalties

Warning

Fine of €10 million or 2%
of global revenue

Fine of €20 million or 4%
of global revenue

What does my community need to do to comply?

What does my community need to do to comply?

- Discovery:
 - What are you tracking and why?
 - Are there other tools that you're using?
 - What did you forget about?
- Ways to be able to take requests
 - Previously outlined responses
- Will you comply with requests?
 - When would you comply?
 - When not?
 - Responses for this

Key differences for open source projects

Source Control:

- Not always Git!
 - Email addresses included in the commit hash
 - Remove?
 - Obscure?

Mailing Lists:

- Form of project record
- Governance recording:
 - Who had permissions?
 - At what time?

Are there good policies that I should look to as a model?

Legal:PrivacyPolicy

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Privacy Statement for the Fedora Project

Fedora of This Notice

This Privacy Statement is intended to describe the Fedora Project's privacy practices and provide information about the choices you have regarding the ways in which information collected by the Fedora Project is used and disclosed. For convenience, the Fedora Project is referred to in this document as "Fedora".

<https://fedoraproject.org/wiki/Legal:PrivacyPolicy>



Your Rights and Choices in the EEA

Where the EU General Data Protection Regulation 2016/679 (“GDPR”) applies to the processing of your personal data, especially when you access the website from a country in the European Economic Area (“EEA”), you have the following rights, subject to some limitations, against Fedora:

- The right to access your personal data;
- The right to rectify the personal data we hold about you;
- The right to erase your personal data;
- The right to restrict our use of your personal data;
- The right to object to our use of your personal data;
- The right to receive your personal data in a usable electronic format and transmit it to a third party (also known as the right of data portability); and
- The right to lodge a complaint with your local data protection authority.

If you would like to exercise any of these rights, you may do so via our [Personal Data Request Form](#). Please understand, however, the rights enumerated above are not absolute in all cases.

Where the GDPR applies, you also have the right to withdraw any consent you have given to uses of your personal data. If you wish to withdraw consent that you have previously provided to Fedora, you may do so via our [Personal Data Request Form](#). However, the withdrawal of consent will not affect the lawfulness of processing based on consent before its withdrawal.



How to Access, Modify or Update Your Information

Fedora gives you the ability to access, modify or update your personal data at any time. You may [log in](#) and make changes to your login information (change your password), your contact information, your general preferences and your personalization settings. If necessary, you may also contact us and describe the changes you want made to the personal data you have previously provided using the [Personal Data Request Form](#).

If you wish to remove your personal data from Fedora, you may contact us using the Personal Data Requests Form and request that we remove this information from the Fedora Account System. Other locations where you may have used your personal data as an identifier (e.g. Bugzilla comments, list postings in the archives, wiki change history, and spec changelogs) will not be altered.



Choices we made:

What's happened in the last year?

Assembly Bill No. 375

CHAPTER 55

An act to add Title 1.81.5 (commencing with Section 1798.100) to Part 4 of Division 3 of the Civil Code, relating to privacy.

[Approved by Governor June 28, 2018. Filed with Secretary of State June 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 375, Chau. Privacy: personal information: businesses.

The California Constitution grants a right of privacy. Existing law provides for the confidentiality of personal information in various contexts and requires a business or person that suffers a breach of a computerized data that includes personal information, as defined, to disclose that breach, as specified.

This bill would enact the California Consumer Privacy Act of 2018. Beginning January 1, 2020, the bill would grant a consumer a right to request a business to disclose the categories and specific pieces of personal information that it collects about the consumer, the categories of sources from which that information is collected, the business purposes for collecting or selling the information, and the categories of third parties to which the information is shared. The bill would require a business to make disclosures about the information and the purposes for which it is used. The bill would grant a consumer the right to request a business to delete personal information and would require the business to delete upon receipt of a verified request, as specified. The bill would grant a consumer a right to request that a business that sells the consumer's personal information, or discloses it for a business purpose, disclose the categories of information that it collects and categories of information and the identity of 3rd parties to which the information was sold or disclosed. The bill would require a business to provide this information in response to a verifiable consumer request. The bill would authorize a consumer to opt out of the sale of personal information by a business. The bill would prohibit the business from discriminating against the consumer for exercising this right, including by charging the consumer who opts out a different price or providing the consumer a different quality of goods or services, except if the difference is reasonably related to value provided by the consumer's data. The bill would authorize businesses to offer financial incentives for collection of personal information. The bill would prohibit a business from selling the personal information of a consumer under 16 years of age, unless affirmatively authorized, as specified, to be referred to as the right to opt in. The bill would prescribe the manner for receiving, processing, and satisfying these requests from consumers. The bill would prescribe various definitions for its purposes and would define "personal information" with reference to a broad range of information, including but not limited to commercial, as well as inferences drawn from this information. The bill would prohibit the provisions described above from restricting the ability of the business to comply with federal, state, or local laws, among other things.

The bill would provide for its enforcement by the Attorney General, as specified, and would provide a private right of action in connection with certain unauthorized access and exfiltration, the disclosure of, or the acquisition of, ~~the consumer's nonencrypted or nonredacted personal information, as defined. The bill would prescribe a method for distribution of proceeds of Attorney General actions. The bill would create the C~~

THE PERSONAL DATA PROTECTION BILL, 2018

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Everyone has the
right to respect for
his private and family
life, his home and his
correspondence.

What does it all mean?

What are we collecting and why?

Are we really using
these things to make
our projects better?

U.S. export rules [\[edit\]](#)

U.S. non-military exports are controlled by [Export Administration Regulations](#) (EAR), a short name for the U.S. [Code of Federal Regulations](#) (CFR) Title 15 chapter VII, subchapter C.

Next steps:

Audit your own projects for data collection:

What's critical for you and your mission?

Are you missing data that you'd like?



Balance