

## GDPR in the United States: Key Points

*This document is a very brief summary of the white paper available at [amydaultrey.com/resources](https://amydaultrey.com/resources).*

### The trend is towards more data privacy, not less

Legislation with elements similar to the European Union General Data Protection Regulation (GDPR) 2018 is likely to happen in the US in the coming years. Draft legislation is active in multiple states and at federal level and growing in number. Momentum for self-adjustment to better data privacy practices is being led by Big Tech with several developments in the past year. While we cannot say right now when and how potential legislation will apply to nonprofits it would be prudent to assume that they will be affected and steps should be taken to prepare.

### Prepare before you are required to

There is everything to gain in advance preparation. If you wait until regulations are forced upon your organization you may experience a steeper curve in response: your day to day operations will be strained as you divert resources to meet the new rules. Under pressure, the risk is high for making the wrong decisions about compliance. Start now and incrementally to mitigate the impact on your operations.

Do not assume that authorities will provide sector-specific guidance when legislation arrives. Do your homework now to envisage what form the legislation might take and how it will affect your operations. Learn from healthcare foundations and state funded universities who already have to operate under HIPAA and FERPA. Look out for ways to help colleagues at very small charities who will be lost in the mix.

### Why bother

Making data protection part of your day to day not only prepares your organization for future regulation but also improves the quality of your data, reduces volume and helps lessen the likelihood of a security breach. With the hefty fines and reputational consequences of the latter in particular, there is everything to be gained from dedicating resources to data protection.

### What you can do right now

- Make data minimization part of your everyday operations.
- Audit the way you are currently gathering consent and donor preferences. Figure out how best you can do this in your data systems—including email marketing, payment platforms and event software. Make sure you have documented processes that your team should follow to respond to donor requests.
- Connect with other organizations who are already looking at where the future of data privacy and protection is going.
- Start educating your team, your organization and your board. Share knowledge and look for ways you can seize this as an opportunity.