

# Hearings on Competition and Consumer Protection in the 21st Century

An FTC Event | Constitution Center | December 11-12, 2018



## SPEAKER BIOS

Tuesday, December 11, 2018

### Opening Remarks

**Andrew Smith** is Director of the FTC's Bureau of Consumer Protection. He came to the FTC from the law firm of Covington & Burling, where he co-chaired the financial services practice group. Earlier in his career, Mr. Smith was a staff attorney at the FTC, where he led the agency's efforts to make several rules under the Fair Credit Reporting Act. Mr. Smith has written extensively on consumer protection and financial services issues, served as the Chair of the American Bar Association's Consumer Financial Services Committee, and is a Fellow of the American College of Consumer Financial Services Lawyers and the American Bar Foundation.

### Presentations on Data Breaches

**Sebastien Gay** teaches in the Department of Economics at Georgetown University. He specializes in financial, privacy, and real estate economics research. He was also a George Mason University School of Law, Law & Economics Center Privacy Fellow. He is the Assistant Director for Financial Analysis for the Congressional Budget Office.

**Jared Ho** is an attorney in the FTC's Division of Privacy and Identity Protection. He has also served as a Senior Policy Advisor in the Enforcement Bureau of the Federal Communications Commission and as a Deputy Attorney General for the State of New Jersey.

**Marc Luppino** is an economist with the FTC's Bureau of Economics.

**Al Pascual** is the Senior Vice President for Research and Head of Fraud & Security at Javelin Strategy & Research. He previously served in roles related to financial transaction security at HSBC, Goldman Sachs, and FIS. His thoughts on fraud and security issues have been reported by media outlets such as Fox News, Reuters, *The New York Times*, *The Wall Street Journal*, *The Washington Post*, and *Wired*. He would like to acknowledge the support of Intersections Inc. with respect to the report he will present.

**Marc Spittler** leads the Verizon Security Research team in its mission to collect, analyze, and distribute data to measure and manage information risk. He is a lead author of the Verizon Data Breach Investigations Report series and is involved in the development of the Vocabulary for Event Recording and Incident Sharing (VERIS) framework, which aims to better define security incidents.

## Panel 1: Incentives to Invest in Data Security

**Lawrence A. Gordon** is the EY Alumni Professor of Managerial Accounting and Information Assurance at the Robert H. Smith School of Business, University of Maryland, College Park. He is the author or coauthor of more than 100 articles, several books, and the Gordon-Loeb Model, which provides an economic framework for deriving an organization's level of cybersecurity investment.

**Elisa Jillson** is an attorney in the FTC's Division of Privacy and Identity Protection. Previously, she was an attorney in the FTC's Division of Enforcement. Before joining the FTC, she was an associate at Sidley Austin LLP.

**Mike LeGower** is an economist with the FTC's Bureau of Economics. He is also an adjunct professor at the Johns Hopkins University, where he teaches a masters level course on Cost-Benefit Analysis.

**Matthew P. McCabe** is the Senior Vice President and Assistant General Counsel on Cyber Policy for Marsh, where he advises clients on emerging cyber security trends and ways to address their unique data and privacy needs. He previously served as senior counsel to the U.S. House of Representatives Committee on Homeland Security and as a policy director on the Homeland Security Council.

**Tyler Moore** is an Associate Professor of Computer Science at the University of Tulsa, where he holds the Tandy Chair of Cyber Security and Information Assurance and researches security economics, cybercrime measurement, and cybersecurity policy. Dr. Moore serves as Director of StopBadware, a non-profit anti-malware organization, and is a founding Editor-in-Chief of the Journal of Cybersecurity. He would like to acknowledge the support of IBM, the Department of Homeland Security, and the National Science Foundation for research projects related to topics he will discuss during the hearing.

**Sasha Romanosky** is a Policy Researcher for RAND Corporation, where he researches topics on the economics of security and privacy. A security professional for more than 10 years, he was one of the original authors of the Common Vulnerability Scoring System (CVSS). He is a former Cyber Policy Advisor in the Office of the Secretary of Defense for Policy (OSDP) at the Pentagon.

**Matthew Sharp** is the Chief Information Security Officer at Logicworks. Previously, he built the cyber security program for a publicly-traded global product manufacturer and served as a strategic advisor to CISOs of Fortune 500 companies. He holds an MBA, and specializes in cloud security, with AWS Certified Solutions Architect – Associate, and Certified Cloud Security Professional (CCSP) credentials.

## Panel 2: Consumer Demand for Data Security

**Justin Brookman** is the Director, Consumer Privacy and Technology Policy, for Consumer Reports Advocacy. Previously, he was Policy Director of the FTC's Office of Technology Research and Investigation, the Director of Consumer Privacy at the Center for Democracy & Technology, and Chief of the Internet Bureau of the New York Attorney General's Office. He would like to acknowledge support from the Ford Foundation, the William and Flora Hewlett Foundation, Craig Newmark Philanthropies, and the Alfred P. Sloan Foundation for Consumer Union's work on privacy and security issues.

**Michael Higgins** is a 30-year veteran of the information security industry. He stood up the first computer emergency response team in the Department of Defense and was an executive consultant to global companies including Citigroup, JPMorgan Chase, Sun Microsystems, and Merrill Lynch. He previously served as CISO for NBCUniversal, NYTimes, and LexisNexis.

**Jared Ho** is an attorney in the FTC's Division of Privacy and Identity Protection. He has also served as a Senior Policy Advisor in the Enforcement Bureau of the Federal Communications Commission and as a Deputy Attorney General for the State of New Jersey.

**Wiley Hodges** is a Director in Product Marketing at Apple. He leads the team that sets product marketing and product management direction for a number of core Apple technologies, including privacy and security.

**Marc Luppino** is an economist with the FTC's Bureau of Economics.

**Kirsten Martin** is an Associate Professor of Strategic Management and Public Policy at George Washington University's School of Business. Her research on privacy, technology, and ethics has been funded by the National Science Foundation, and is regularly featured in leading academic journals across disciplines as well as in practitioner publications.

**Rick Wash** is an Associate Professor at Michigan State University in the Department of Media and Information, where he co-directs the Behavior, Information, and Technology lab (BITLab). His work involves understanding how people think about their interactions with computers, and their interactions with other people through computers, with a particular focus on cybersecurity.

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## SPEAKER BIOS

Wednesday, December 12, 2018

### Panel 1: Data Security Assessments

**Malcolm Harkins** is the Chief Security and Trust Officer at Cylance Inc., where he is responsible for enabling business growth through trusted infrastructure, systems, and business processes. Previously, he was Vice President and Chief Security and Privacy Officer (CSPO) at Intel.

**Carolyn Holcomb** is a Partner at PwC, specializing in cybersecurity, privacy, IT, and business process. She often serves as the independent assessor retained following consent decrees from regulators such as the FTC and HHS Office for Civil Rights (OCR). She is a Certified Public Accountant (CPA) as well as a Certified Information Privacy Professional (CIPP) and Certified Information Systems Auditor (CISA).

**Elisa Jillson** is an attorney in the FTC's Division of Privacy and Identity Protection. Previously, she was an attorney in the FTC's Division of Enforcement. Before joining the FTC, she was an associate at Sidley Austin LLP.

**Troy Leach** is the CTO for the PCI Security Standards Council. In that role, he collaborates with hundreds of organizations to develop standards and strategies to secure payment card data and the supporting infrastructure. He has held various technology roles for merchants and acquirers, including working with merchants after a data compromise and proactively developing incident response plans.

**Tom McAndrew** is the Chief Executive Officer of IT security and auditing consulting firm Coalfire. His areas of expertise include cybersecurity, compliance, audit, cloud computing, and cyber warfare. He has served on boards of organizations that support cybersecurity training, cybersecurity innovation, and cybersecurity workforce development.

**Wendy Nather** is head of the Advisory CISO team at Duo Security (now Cisco). She previously held key information security positions at the Retail Intelligence Sharing and Analysis Center, 451 Research, Swiss Bank Corporation (now UBS), and the Texas Education Agency. She is co-author of *The Cloud Security Rules*, and is on the board of directors for Securing Change, a security nonprofit.

**Garin Pace** is a Cyber Product Leader at American Insurance Group (AIG), responsible for cyber exposure in the Financial Lines and Property products globally. In this role, he is responsible for shaping the underwriting strategy for all cyber perils, and ensuring all cyber underwriting tools and processes are consistently leveraged across the portfolio.

**Jim Trilling** is an attorney in the FTC's Division of Privacy and Identity Protection. At the FTC, he has led policy initiatives, investigations, and litigation involving a variety of consumer protection issues. He also

served a two-year detail as counsel to the U.S. Senate Commerce Committee. Before joining the FTC, he litigated a variety of cases in private practice and clerked for Judge David F. Hamilton.

## Fireside Chat: Emerging Threats

**Joshua Corman**, the Chief Security Officer at PTC, co-founded @IamTheCavalry and @RuggedSoftware to encourage new security approaches. He has also served as the Director of the Cyber Statecraft Initiative for the Atlantic Council, CTO for Sonatype, Director of Security Intelligence for Akamai, and in senior roles for The 451 Group and IBM Internet Security Systems.

**Rebecca Kelly Slaughter** was sworn in as a Federal Trade Commissioner on May 2, 2018. Prior to joining the Commission, she served as Chief Counsel to Senator Charles Schumer of New York, the Democratic Leader. A native New Yorker, she advised Leader Schumer on legal, competition, telecom, privacy, consumer protection, and intellectual property matters, among other issues. Prior to joining Senator Schumer's office, Ms. Slaughter was an associate in the D.C. office of Sidley Austin LLP.

## Panel 2: The U.S. Approach to Consumer Data Security

**Chris Calabrese** is the Vice President for Policy at the Center for Democracy & Technology (CDT), where he oversees CDT's policy portfolio. He has testified before Congress and appeared in many media outlets, including CBS Evening News, Fox News, *The New York Times*, and Associated Press. He previously served as legislative counsel at the American Civil Liberties Union.

**James Cooper** is the Deputy Director for Economic Analysis in the Bureau of Consumer Protection at the FTC and an Associate Professor of Law (on leave) at George Mason University Antonin Scalia Law School. He has previously served as Deputy and Acting Director of the Office of Policy Planning and as an Advisor to Federal Trade Commissioner William Kovacic.

**Janis Kestenbaum** is a partner in the Privacy & Security practice at Perkins Coie LLP, where she has represented clients in privacy and data security investigations of the FTC, State Attorneys General, and data protection authorities globally. She previously served as a senior legal advisor to former FTC Chair Edith Ramirez and as an attorney in the FTC's Division of Marketing Practices.

**Daniel J. Solove** is the John Marshall Harlan Research Professor of Law at the George Washington University Law School. He is also the founder of TeachPrivacy, a company that provides computer-based privacy and data security training. He is the author of more than 10 books and 50 articles, including a forthcoming book about data security law.

**Lisa J. Sotto** chairs Hunton Andrews Kurth's Global Privacy and Cybersecurity practice, is the managing partner of the firm's New York office, and serves on the firm's Executive Committee. She also serves as the Chairperson of the Department of Homeland Security's Data Privacy and Integrity Advisory Committee. She has been named among *The National Law Journal's* "100 Most Influential Lawyers."

**David Thaw** is a professor at the University of Pittsburgh and the author of numerous articles on law and technology. He has advised U.S. and allied governments on cybersecurity issues, sits on the advisory boards of several multi-national organizations, and is the founding faculty director of the CyREN laboratory. He holds a Ph.D. in information science and a law degree from U.C. Berkeley.

## Panel 3: FTC Data Security Enforcement

**Woodrow Hartzog** is a Professor of Law and Computer Science at Northeastern University, an Affiliate Scholar at the Center for Internet and Society at Stanford, and a Faculty Associate at the Berkman Klein Center for Internet & Society at Harvard. He has authored numerous articles. His book, *Privacy's Blueprint: The Battle to Control the Design of New Technologies*, was published earlier this year.

**Geoffrey Manne** is the president and founder of the International Center for Law and Economics, a nonprofit, nonpartisan research center. He is also a distinguished fellow at Northwestern Law School's Searle Center on Law, Regulation, and Economic Growth and a member of the FCC's Broadband Deployment Advisory Committee. He previously was a professor at Lewis & Clark Law School.

**William McGeeveran** is a Professor, Associate Dean for Academic Affairs, and Solly Robins Distinguished Research Fellow at the University of Minnesota Law School, where he specializes in information law. He is the author of numerous articles and a widely-used casebook on privacy and data protection and is an affiliated professor at the University of Minnesota School of Journalism and Mass Communication.

**Lydia Parnes** is a partner at Wilson Sonsini Goodrich & Rosati, where she is co-chair of the firm's privacy and cybersecurity practice. She represents companies in complex regulatory investigations and provides advice on complying with federal, state, and global privacy and data protection laws. Previously, she served as the Director of the Bureau of Consumer Protection at the FTC.

**Michelle Richardson** is the Director of the Center for Democracy and Technology (CDT)'s Privacy and Data Project, where her team advocates for policies and technical solutions that protect individual privacy, empower users, and advance social justice. She also serves as a Senior Fellow at George Washington University's Center for Cyber and Homeland Security.

**Jim Trilling** is an attorney in the FTC's Division of Privacy and Identity Protection. At the FTC, he has led policy initiatives, investigations, and litigation involving a variety of consumer protection issues. He also served a two-year detail as counsel to the U.S. Senate Commerce Committee. Before joining the FTC, he litigated a variety of cases in private practice and clerked for Judge David F. Hamilton.

**Laura Riposo VanDruff** is an Assistant Director of the FTC's Division of Privacy and Identity Protection. In that role, she supervises investigations and litigation and manages privacy and security initiatives such as the Commission's Start with Security series. She previously was a litigation associate at Arnold & Porter LLP and served on the staff of the New York State Legislature.

## Closing Remarks

**Maneesha Mithal** is the Associate Director of the FTC's Division of Privacy and Identity Protection. In this capacity, she has managed significant initiatives related to data security, including reports on mobile security updates and the Internet of Things. She has testified before Congress on data security issues and supervised numerous Commission investigations that resulted in consent orders, such as Twitter and LifeLock.