



**Part 2:** At some point in the process in both cases, there is a data leak. As in many instances, it cannot be precisely determined when and where the data was lost. To what extent does the level of sensitivity of the leaked data have an impact? Which laws apply, and which country/ies can pursue an investigation? How can authorities collaborate?

MARTIN ABRAMS, Executive Director, Centre for Information Policy Leadership  
at Hunton & Williams LLP

JOSEPH H. ALHADEFF, Vice President for Global Public Policy and Chief Privacy Officer,  
Oracle Corporation

BOJANA BELLAMY, Director of Data Privacy, Accenture, London

RAFAEL GARCIA GOZALO, Coordinator of International Affairs, Data Protection Agency of Spain

**Moderator:** HUGH STEVENSON, Deputy Director for International Consumer Protection,  
Office of International Affairs, FTC

**10:30-10:45** Break

**10:45-12:15** **Session 2: Data Security and the Law**

The legal approach to data security has been influenced by the 1980 OECD Privacy Guidelines, which call for “reasonable security safeguards.” The APEC Privacy Framework contains a similar provision, and articulates several factors to be considered determining what measures are appropriate. But there are other international instruments to consider, some binding, and a panoply of data security legal regimes across the globe. Discussion will cover the rulemaking processes, implementation, enforcement, and how/when/if laws and rules are revised. The panelists should review the areas of similarity and common ground, and also brainstorm ways to draft rules that are both technology neutral but concrete enough to be meaningful.

YORAM HACHOEN, Head, Israeli Law Information and Technology Authority

YUKIKO KO, Director, Solutions Development, International Fraud and ID Management,  
Transunion

JEFFREY M. KOPCHIK, Senior Policy Analyst, FDIC’s Technology Supervision Branch,  
Division of Supervision and Consumer Protection

CHRISTOPHER KUNER, Chairman, International Chamber of Commerce (ICC) Task Force on  
Privacy and Data Protection

PETER MCLAUGHLIN, Senior Counsel, Foley & Lardner LLP

SOPHIE NERBONNE, Manager of Economic Affaires, Commission nationale de l’informatique et  
des libertés (CNIL), France

**Moderator:** YAEL WEINMAN, Counsel for International Consumer Protection,  
Office of International Affairs, FTC

**12:15-1:30** Lunch

**1:30-3:00** **Session 3: Data Security Practices in Industry**

While the law sets a bar for security, industry must implement it in a practical way. In the U.S., for example, the FTC requires a “reasonable” level of security through the FTC Act and the Safeguards Rule, and what is reasonable depends on the type of information held, the size of the business, and other factors. Other countries take different approaches. What is state of the art within industry? How do developers of data security tools stay current? And what can the regulators learn from industry?

MAUREEN COONEY, Chief Privacy Officer and Vice President for Public Policy, TRUSTe

DAVID HOFFMAN, Group Counsel for Global E-Business and Privacy, Intel Corporation

STEPHEN SCHARF, Senior Vice President and Global Chief Information Security Officer, Experian Inc.

LEIGH WILLIAMS, President, BITS, a division of The Financial Services Roundtable

**Moderator:** MOLLY CRAWFORD, Division of Privacy and Identity Protection, FTC

**3:00-3:15** Break

**3:15-5:00** **Session 4: Data Breach and Response Best Practices**

How do organizations respond to data breaches? And how should they? A number of countries are considering adopting data breach notification legislation, following the lead of the most of the US states. Has notification been good for consumers, and has it raised the priority for data security within companies?

KIRSTEN BOCK, International Coordinator and Head of European privacy certification – EuroPriSe, Independent Centre for Privacy Protection (ULD), Kiel, Germany

STAN CROSLEY, Chief Privacy Officer, Eli Lilly and Company

ACHIM KLABUNDE, eTen Project Officer, DG Information Society and Media, European Commission

DAVID MEDINE, Partner, WilmerHale

RUSSELL SCHRADER, Associate General Counsel-Global Enterprise Risk and Chief Privacy Officer, Visa Inc

**Moderator:** KATRINA BLODGETT, Division of Privacy and Identity Protection, FTC

## DAY 2 — MARCH 17, 2009

**8:45-9:00**     **Keynote:**     Commissioner PAMELA JONES HARBOUR, FTC

**9:15-10:30**     **Session 5: Data Flows and Cross-Border Conflicts**

Organizations moving data across borders often face difficult, sometimes inconsistent compliance obligations. Many organizations are seeking a solution to the problem, working to create systems that allow data transfer internationally under a single standard that protects consumers without unduly hindering the global information economy. There are clear challenges to finding consensus approaches in this area, but data security does appear to be one of the core elements around which common approaches can be more easily developed. What are the most promising approaches to addressing cross-border conflicts? What roles are foreseen for the various international organizations in addressing the challenges?

RICHARD BOURASSA, Chair, ECSG, APEC and Director, International Policy, Industry Canada

BILLY HAWKES, Data Protection Commissioner, Ireland

JANE HORVATH, Senior Privacy Counsel, Google

KRISTIN LOVEJOY, Director, IBM Governance & Risk Management strategy

MARC ROTENBERG, Executive Director, Electronic Privacy Information Center (EPIC)

HENRIETTS "JETTY" TIELEMANS, Partner, Covington and Burling LLP

**Moderator:** MICHAEL DONOHUE, Administrator, Privacy and Information Security, OECD

**10:30-10:45**     Break

**10:45-12:00**     **Session 6: What Have We Accomplished and What's Next?**

A wrap-up panel summarizing what we have learned in the previous sessions, identifying topics for future discussion, and discussing how to develop solutions that may have been proposed.

NUALA O'CONNOR KELLY, Senior Counsel, Information Governance & Privacy, General Electric

HANA PECHÁČKOVÁ, Directorate General Justice Liberty Security (JLS), European Commission

JULES POLONETSKY, Co-chairman & Director, Future of Privacy Forum

DAVID SOHN, Senior Policy Counsel and Director of CDT's Project on Intellectual Property and Technology, Center for Democracy and Technology

**Moderator:** JESSICA RICH, Assistant Director, Division of Privacy and Identity Protection, FTC

**12:00-12:15**     **Final Remarks:**     HUGH STEVENSON, Deputy Director for International Consumer Protection, Office of International Affairs, FTC