

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

This is the second in a series of public workshops on the development of the Privacy Framework: An Enterprise Risk Management Tool. This workshop provides an opportunity for attendees to actively engage in facilitated discussions to advance the development of the framework. Prior to this workshop, NIST released a [discussion draft](#). NIST will use the working sessions at this workshop as input to validate or adjust the discussion draft to support the next stage of the process: releasing a preliminary draft framework.

NIST thanks Professors Annie Antón and Peter Swire, and the Georgia Tech Scheller College of Business, in Atlanta, Georgia, for hosting this event.

## Agenda: Day 1 (May 13)

Time	Topic
7:30 AM	<b>Registration Opens</b> The Biltmore   817 West Peachtree Street NW, Atlanta, GA 30308   Georgian Ballroom <i>Breakfast will be provided.</i>
8:30 AM	<b>Plenary Opening Remarks</b> The Biltmore   Georgian Ballroom <ul style="list-style-type: none"><li>Annie Antón, Professor (and former Chair), School of Interactive Computing, Georgia Institute of Technology</li><li>Donna Dodson, Chief Cybersecurity Advisor, NIST</li></ul>
8:45 AM	<b>Panel Discussion #1: Discussion Draft of the Framework with NIST</b> This panel will introduce the discussion draft of the NIST Privacy Framework. Engage with NIST leadership to learn more about the NIST Privacy Framework process and the approach taken in the discussion draft. Panelists: <ul style="list-style-type: none"><li>Donna Dodson, Chief Cybersecurity Advisor, NIST</li><li>Naomi Lefkovitz, Senior Privacy Policy Advisor, NIST</li><li>Adam Sedgewick, Senior IT Policy Advisor, NIST</li><li>Kevin Stine, Chief of the Applied Cybersecurity Division, NIST</li></ul>
9:45 AM	<b>Break</b> <i>Coffee will be provided.</i>
9:55 AM	<b>Presentation: Expanding the OSI Stack to Describe Categories of Privacy Tasks</b>

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

	Peter Swire, Elizabeth and Tommy Holder Chair and Professor of Law and Ethics, Georgia Institute of Technology; Senior Counsel, Alston & Bird LLP
10:15 AM	<b>Panel Discussion #2: Voices from the Field</b> Hear from expert practitioners from various sectors about their initial views on the NIST Privacy Framework discussion draft. Panelists will discuss whether the draft can further communication about privacy risks, the scalability of the framework, and how it could work in conjunction with existing organizational risk management practices to strengthen privacy programs, among other topics to stimulate discussion for the workshop breakout sessions. Moderator: Jamie Danker, Director of Privacy, Easy Dynamics Corp. Panelists: <ul style="list-style-type: none"><li>• Annie Antón, Professor (and former Chair), School of Interactive Computing, Georgia Institute of Technology</li><li>• Ken Durbin, Senior Strategist, Symantec</li><li>• Venky Iyer, Chief Strategy Officer, Intent.ai</li><li>• Nick Oldham, CPO and Data Governance Officer, Equifax</li><li>• Amie Stepanovich, U.S. Policy Manager, Access Now</li></ul>
11:15 AM	<b>Panel Discussion #3: Global Privacy Landscape</b> Learn how the voluntary NIST Privacy Framework could fit into the global landscape. Panelists will discuss a range of topics to improve interoperability, including global standards, international data transfer regimes such as the APEC Cross-border Privacy Rules and Privacy Shield, the role of conformity assessments, and managing the patchwork of laws in the U.S. and beyond. Moderator: Lisa Carnahan, Computer Scientist, NIST Panelists: <ul style="list-style-type: none"><li>• Anick Fortin-Cousens, Chief Privacy Officer, IBM Canada</li><li>• Jeewon Kim Serrato, US Head of Data Protection, Privacy and Cybersecurity, Norton Rose Fulbright</li><li>• Laura Lindsay, US National Standards Officer, Microsoft</li><li>• Andrew Steele, International Trade Specialist, International Trade Administration</li></ul>
12:15 PM	<b>Rules of Engagement</b> Ellen Nadeau, Deputy Manager, Privacy Framework, NIST
12:30 PM – 1:45 PM	<b>Lunch</b> On your own   <i>Dining options available in the workshop vicinity.</i>

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

1:45 PM - 3:00 PM	<p><b>Working Session #1</b></p> <p>Working sessions 1, 2, and 3 will focus on an in-depth discussion of organizational privacy risk management needs and whether the discussion draft as structured - the Core functions, categories, and subcategories; Profiles; and Implementation Tiers - supports these needs.</p> <p>See badge for assigned group number (1-6). A room location guide is also available on the <a href="#">event page</a>.</p>				
<b>Rooms by Group # on Badge:</b>					
#1: The Biltmore - Georgian Ballroom	#2: Scheller Room 100	#3: Scheller Room 200	#4: Scheller Room 102	#5: Scheller Room 300	#6: Technology Square Research Building (TSRB) GVU Café
3:00 PM	<b>Break</b>				
3:15 PM - 4:30 PM	<p><b>Working Session #2</b></p> <p>Continue discussions from working session #1. <i>Return to same room as session #1.</i></p>				
<b>Rooms by Group # on Badge:</b>					
#1: The Biltmore - Georgian Ballroom	#2: Scheller Room 100	#3: Scheller Room 200	#4: Scheller Room 102	#5: Scheller Room 300	#6: Technology Square Research Building (TSRB) GVU Café
4:35 PM	<p><b>Recap of the Day</b></p> <p>The Biltmore   Georgian Ballroom</p> <ul style="list-style-type: none"> <li>Kevin Stine, Chief of the Applied Cybersecurity Division, NIST</li> <li>Naomi Lefkovitz, Senior Privacy Policy Advisor, NIST</li> </ul>				
4:45 PM	<b>Adjourn</b>				

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

## Agenda: Day 2 (May 14)

Time	Topic					
8:30 AM	<b>Working Session #3</b>					
	Continue discussions from working session #2. <i>See badge for assigned group number (1-6).</i>					
<b>Rooms by Group # on Badge:</b>						
	<b>#1:</b> The Biltmore - Georgian Ballroom	<b>#2:</b> Scheller Room 100	<b>#3:</b> Scheller Room 101	<b>#4:</b> Scheller Room 102	<b>#5:</b> Scheller Room 103	<b>#6:</b> Technology Square Research Building (TSRB) GVVU Cafe
10:30 AM	<b>Break</b>					
10:45 AM -12:15 PM	<b>Working Session #4 (concurrent sessions)</b>					
	Choose one of the following six topics. <i>Note: All topics will repeat in session #5.</i>					
	<p><b>Privacy risk management</b></p> <p>Discuss organizations' privacy risk management considerations and practices and whether NIST has appropriately addressed these in the discussion draft.</p>	<p><b>Informative references and roadmap</b></p> <p>Discuss NIST's proposed approach to informative references and discuss areas for a roadmap.</p>	<p><b>Workforce</b></p> <p>Discuss organizations' workforce needs and how the Privacy Framework might support these needs.</p>	<p><b>Communications</b></p> <p>Discuss organizations' communication needs and whether the discussion draft provides a common language accessible for a broad audience.</p>	<p><b>Small- and medium-sized businesses</b></p> <p>Discuss the needs of small- and medium-sized businesses and whether the discussion draft is scalable for a variety of organizations.</p>	<p><b>Using the framework</b></p> <p><i>Engage in a hypothetical use case exercise to stress test the NIST Privacy Framework.</i></p>
<b>Location:</b> Biltmore - Georgian Ballroom	<b>Location:</b> Scheller Room 100	<b>Location:</b> Technology Square Research Building - GVVU Café	<b>Location:</b> Scheller Room 102	<b>Location:</b> Scheller Room 103	<b>Location:</b> Scheller Room 101	

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

12:15 PM - 1:30 PM	<b>Lunch</b> On your own   <i>Dining options available in the workshop vicinity.</i>					
1:30 PM - 3:30 PM	<b>Working Session #5 (concurrent sessions)</b> Choose one of the following six topics. A mapping between topic and room number/location is available on the <a href="#">event page</a> . Note: These are repeated from session #4.					
	<b>Privacy risk management</b>	<b>Informative references and roadmap</b>	<b>Workforce</b>	<b>Communications</b>	<b>Small- and medium-sized businesses</b>	<b>Using the framework</b>
	<b>Location:</b> Biltmore - Georgian Ballroom	<b>Location:</b> Scheller Room 100	<b>Location:</b> Technology Square Research Building - GVU Café	<b>Location:</b> Scheller Room 102	<b>Location:</b> Scheller Room 103	<b>Location:</b> Scheller Room 101
3:30 PM	<b>Break</b>					
3:45 PM	<b>Recap and Next Steps</b> The Biltmore   Georgian Ballroom <ul style="list-style-type: none"> <li>• Naomi Lefkowitz, Senior Privacy Policy Advisor, NIST</li> <li>• Ellen Nadeau, Deputy Manager, Privacy Framework, NIST</li> </ul>					
4:10 PM	<b>Closing Remarks</b> Peter Swire, Elizabeth and Tommy Holder Chair and Professor of Law and Ethics, Georgia Institute of Technology; Senior Counsel, Alston & Bird LLP					
4:15 PM	<b>Adjourn</b>					

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GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

## Speaker Bios



the federal government.

**Lisa Carnahan** Lisa Carnahan, a computer scientist at the National Institute of Standards and Technology, is responsible for helping to develop standards and conformity assessment programs in the public and private sectors to meet key national needs. Lisa's focus areas include health information technology, cyber security and personal protective technologies. She currently serves as the NIST lead on conformity assessment aspects of the NIST Cybersecurity Framework and Privacy Framework efforts. She consults to the Directors of the US HHS Health Information Technology Certification Program and the US HHS National Personal Protective Technology Laboratory. She is the Convener of the US Interagency International Cybersecurity Standardization Working Group. She recently co-authored NIST's key documents for understanding and applying conformity assessment concepts in



**Jamie Danker** Jamie Danker leads the Privacy Practice at Easy Dynamics Corp where she is responsible delivering Privacy Risk Management, Privacy Engineering, and Privacy Program Management services all aimed at helping clients build more trustworthy systems that protect individuals from harm related to the collection, storage, and use of personally identifiable information. Prior to joining EDC, she spent 10 years at the Department of Homeland Security (DHS) in various roles in the DHS privacy enterprise advocating for building privacy into the earliest stages of system and program development including as Director, Senior Privacy Officer at the National Protection and Programs Directorate. She co-authored privacy requirements and considerations in the National Institute of Standards and Technology (NIST) Special Publication 800-63-3, Digital Identity Guidelines. Prior to joining DHS, Ms. Danker led and contributed to several audits concerning government-wide and agency-specific privacy issues at the US Government Accountability Office.



**Donna Dodson** Donna Dodson is a pioneer and recognized leader in the U.S. Government's efforts to address cybersecurity challenges. As NIST's Chief Cybersecurity Advisor, Donna provides leadership and vision for all cybersecurity research programs at NIST. She is the primary technical expert and management advisor for cybersecurity for NIST and the Department of Commerce and is a key cybersecurity leader for the Administration and the Nation. Since joining NIST in 1987, Donna has

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

been selected as a Fed 100 winner for innovations in cybersecurity, as one of the top 10 influential people in government IT in 2011, and as one of Fed Scoop's Top 50 D.C. Women in Tech.



**Ken Durbin** Ken Durbin, CISSP is a Senior Strategist for Symantec Global Government Affairs. He has been providing Solutions to the Public Sector for over 25 years. His focus on Compliance and Risk Management (CRM) and the Critical Infrastructure Sector has allowed him to gain insights into the challenge of balancing Compliance (security and privacy) and the implementation of Cybersecurity Solutions. His focus also includes the Standards, Mandates and Best Practices from NIST, OMB, DHS, SANS, etc. and their application to CRM. Mr. Durbin spends a significant amount of his time on the NIST Cybersecurity Framework (CSF) and the EU Global Data Protection Regulation (GDPR.) Mr. Durbin is a frequent speaker/panelist and has authored and contributed to multiple articles on CRM issues.



**Venky Iyer** Venky Iyer is Chief Strategy Officer of Intent.ai, a startup applying AI+ML to help businesses verify online user identity and intent in real time. Venky has 20 years of experience in leading digital transformation and digital innovation in global enterprises. Prior to Intent.ai, Venky was Global Vice President, Digital Innovation at Diageo - the world's leading premium drinks business. His remit included digital marketing, e-commerce and running Diageo Tech Ventures - Diageo's vehicle for strategic partnerships, investments and new ventures in emerging tech.



**Anick Fortin-Cousens** Anick Fortin-Cousens currently serves as Chief Privacy Officer for IBM in Canada, where she leads the company's accountability program, allowing the organization to meet privacy expectations and manage data risks. She also is directly responsible for external engagement on privacy and data responsibility matters with policy-makers, regulators and other external stakeholders. Prior to this role, Anick led IBM Corporation's Privacy Office, where she managed a team responsible for the company's global privacy policies and programs, and advised the business on a broad range of initiatives and products. During her tenure, she also held privacy leadership responsibilities for Asia Pacific, Latin America, and Middle East & Africa. For 19 years, Anick has worked with a variety of stakeholders across the globe to achieve privacy frameworks that are contemporary, practical and support trusted information flows. She represents IBM in various fora,

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019

including APEC, and speaks regularly at various international and regional events. She holds law degrees in civil and common law (J.D., LL.L.) from the University of Ottawa (Canada) and an undergraduate degree in journalism. She currently serves on the International Association of Privacy Professionals' Canadian Advisory Board.



**Jeewon Kim Serrato** Jeewon Kim Serrato is Norton Rose Fulbright's US Head of Data Protection, Privacy and Cybersecurity. She advises global companies, financial services institutions and public entities on cutting edge issues at the intersection of technology and law, including GDPR and CCPA compliance. Before joining the private sector, Jeewon served as Chief Privacy Officer of Fannie Mae, where she led, implemented and tested the organization's privacy program and data protection strategy. Jeewon began her career working on issues relating to counterterrorism, the use of data by law enforcement and intelligence agencies and the balance between privacy and security. Upon graduation from law school, she served for two years as legislative counsel to members of the U.S. House of Representatives, during which she managed a portfolio including the reauthorization of the PATRIOT Act, the use of the National Security Letters and wireless surveillance, and other homeland security-related bills, and crisis management issues, including pandemic flu preparedness. Jeewon continued to work on technology projects that have an impact on data and consumer privacy by serving as the top-level executive in charge of privacy at RELX Group and LexisNexis (formerly Reed Elsevier) where she oversaw product design and data use policies for over 500 e-commerce platforms and mobile products. Her practice focuses on helping companies navigate complex regulatory frameworks, as well as data ownership and onward transfer of data issues. Jeewon has experience designing enterprise-wide policies and programs in 60 countries and is a thought leader and frequent speaker at industry conferences, including IAPP, RSA, ACC and MCCA. Jeewon currently serves on the US Department of Homeland Security Data Privacy and Integrity Advisory Committee and on the California Lawyers Association's Antitrust, UCL & Privacy Section Executive Committee. Jeewon is a Certified Information Privacy Professional and holds a US Secret Clearance. Jeewon was named a 2017 Cybersecurity Trailblazer by the National Law Journal and recognized in Cybersecurity Docket's "Incident Response 30", a list of the 30 best and brightest data breach response lawyers. Jeewon received her BA and JD from University of California at Berkeley and a certificate from the International Program of Political Science and Social Sciences at Institut D'Etudes Politiques de Paris.



# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019



**Naomi Lefkowitz** Naomi Lefkowitz is the Senior Privacy Policy Advisor in the Information Technology Lab at the National Institute of Standards and Technology, U.S. Department of Commerce. She leads the privacy engineering program, which focuses on developing privacy risk management processes and integrating solutions for protecting individuals' privacy into information technologies, including digital identity services, IoT, smart cities, big data, mobile, and artificial intelligence. She also leads the development team for the NIST Privacy Framework. FierceGovernmentIT named Ms. Lefkowitz on their 2013 "Fierce15" list of the most forward-thinking people working within government information technology, and she is a 2014 and 2018 Federal 100 Awards winner. Before joining NIST, she was the Director for Privacy and Civil Liberties in the Cybersecurity Directorate of the National Security Council in the Executive Office of the President. Her portfolio included the National Strategy for Trusted Identities in Cyberspace as well as addressing the privacy and civil liberties impact of the Obama Administration's cybersecurity initiatives and programs. Prior to her tenure in the Obama Administration, Ms. Lefkowitz was a senior attorney with the Division of Privacy and Identity Protection at the Federal Trade Commission. Her responsibilities focused primarily on policy matters, including legislation, rulemakings, and business and consumer education in the areas of identity theft, data security and privacy. At the outset of her career, she was Assistant General Counsel at CDnow, Inc., an early online music retailer. Ms. Lefkowitz holds a B.A. with honors in French Literature from Bryn Mawr College and a J.D. with honors from Temple University School of Law.



**Laura Lindsay** Laura has been working in the industry on Cybersecurity, cloud computing, Information security, International standards, network operations, and architecture for over 20 years. She has spent the last 15 years working on standards and is the editor of several standards including ISO/IEC TR 27103 Cybersecurity and ISO and IEC standards. Ms. Lindsay currently works within the Corporate Standards team, working on standards in the area of Cybersecurity, Privacy, Cloud Computing, Information Security and Internet of Things. Ms. Lindsay works in the ISO/IEC committees on Cybersecurity and Privacy protection and has recently been elected as the ISO/IEC JTC 1/SC 27 Vice-Chair. Her background in delivering security solutions for customers and the industry as a whole has helped to bring a implementer view to International Standards.

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019



**Ellen Nadeau** Ellen Nadeau is part of the Privacy Engineering Program at NIST, where she works to develop and pilot privacy risk management guidance and tools for organizations across sectors. She specializes in privacy-enhancing identity management solutions. Ellen received her Master's of Public Administration from New York University, where she was a Scholar for Service at the NYU Center for Interdisciplinary Studies in Security and Privacy. Previously, Ellen worked at a digital rights nonprofit (Derechos Digitales) in Santiago, Chile, as a Google Policy Fellow, and with the National Center for Missing & Exploited Children in the Netsmartz Workshop.



Nick helped clients build and improve their controls around cybersecurity, privacy, and data use.

**Nick Oldham** Nick Oldham is Equifax's Global Chief Privacy and Data Governance Officer, leading a privacy and data governance organization that functions at the intersection of privacy and security with enterprise-wide responsibility for strategy, policy, and operations. He is responsible for privacy controls holistically. In addition to traditional privacy controls, he is also responsible for data controls like DLP, data discovery, records retention, and acceptable data use. Nick is a lawyer by training and spent several years in both the government and private practice. A former federal criminal prosecutor, Nick spent more than seven years with the U.S. Department of Justice, where he handled high-profile cyber investigations and prosecutions, and served as the first Counsel for Cyber Investigations for the DOJ's National Security Division. While at King & Spalding in Washington, D.C.,



**Adam Sedgewick** Adam Sedgewick serves as Senior IT Policy Advisor at the NIST. In this role, he advises NIST and Department of Commerce leadership on cybersecurity and technology policy issues. In 2017, he served as Technology Policy Advisor in the Commerce Department's Office of Policy and Strategic Planning. Previously, he was Senior Advisor to the Federal CIO Council. Sedgewick served as Professional Staff Member for the Senate Committee on Homeland Security and Governmental Affairs for nine years, handling cybersecurity and federal IT policy. He has twice received the Fed 100 award for his contributions to the Federal IT community and both BankInfoSecurity and GovInfoSecurity named him a "Top Ten Influencer." In 2014 he was named one of Security Magazine's Most Influential People in Security for 2014.

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019



**Andrew Steele** Andrew joined the Office of Digital Services Industries at the U.S. Department of Commerce to promote public policy that facilitates international trade supported by the free flow of data across borders. He administers the EU-U.S. and Swiss-U.S. Privacy Shield programs. In parallel with Privacy Shield, Andrew covers EU implementation of the General Data Protection Regulation (GDPR) and the Digital Single Market strategy. In 2018 and 2019, he was temporarily posted to the U.S. Mission to the European Union to assist on digital policy. Andrew has a Master of Science in Foreign Service from Georgetown University.



**Amie Stepanovich** Amie Stepanovich is U.S. Policy Manager and Global Policy Counsel at Access Now, where she works to protect human rights in laws and policies involving technologies and their use. Amie manages and develops the organization's U.S. policy and leads global projects at the intersection of human rights and government surveillance. Previously, Amie was the Director of the Domestic Surveillance Project at the Electronic Privacy Information Center, where she testified in hearings in both the Senate and the House of Representatives, as well as in front of the German and Australian Parliaments. Amie is a board member of the Internet Education Foundation and an advisory board member for the Future of Privacy Forum. From 2014-2015, she was a liaison to the American Bar Association's Cybersecurity Task Force and she co-chaired the 2014 Computers, Freedom, and Privacy Conference. In 2015 Amie was an American delegate to the American Swiss Foundation's Young Leaders Conference and a member of the Australian-American Leadership Dialogue's Young Leaders Dialogue (YLD) from 2017-2018. Amie was named an American Program Manager for the YLD for the 2019-2020 class. In addition, Amie was named as a Privacy Ambassador by the Information and Privacy Commissioner of Ontario, Canada and was recognized in 2014 as one of Forbes magazine's 30 under 30 leaders in Law and Policy. She has a J.D. from New York Law School, and a B.S. from the Florida State University.

# Agenda for Drafting the NIST Privacy Framework: Workshop #2

GEORGIA INSTITUTE OF TECHNOLOGY | MAY 13-14, 2019



**Kevin Stine** Mr. Kevin Stine is the Chief of the Applied Cybersecurity Division in the National Institute of Standards and Technology's Information Technology Laboratory. In this capacity, he leads NIST collaborations with industry, academia, and government to improve cybersecurity and privacy risk management through the effective application of standards, best practices, and technologies. The Applied Cybersecurity Division develops cybersecurity and privacy guidelines, tools, and reference architectures in diverse areas such as public safety communications; health information technology; smart grid, cyber physical, and industrial control systems; and programs focused on outreach to small businesses and federal agencies. The Division is home to several priority programs including the Cybersecurity Framework, Cybersecurity for IoT, the National Cybersecurity Center of Excellence, Identity and Access Management, Privacy Engineering and the National Initiative for Cybersecurity Education.



**Peter Swire** Peter Swire is the Elizabeth and Tommy Holder Chair and Professor of Law and Ethics, at the Georgia Institute of Technology. He has appointments by courtesy with the College of Computing and School of Public Policy. He is senior counsel with the law firm of Alston & Bird LLP. In 2018, Swire was named an Andrew Carnegie Fellow for his project on cross-border data flows. In 2015 the International Association of Privacy Professionals, among its over 40,000 members, awarded him its Privacy Leadership Award. In 2013, he served as one of five members of President Obama's Review Group on Intelligence and Communications Technology. Prior to that, he was co-chair of the global Do Not Track process for the World Wide Web Consortium. He is a Senior Fellow with the Future of Privacy Forum, a Member with the National Academy of Sciences & Engineering Forum on Cyber Resilience, and Research Director for the Cross-Border Data Forum. Under President Clinton, Swire was the Chief Counselor for Privacy, in the U.S. Office of Management and Budget. He is the first person to have had U.S. government-wide responsibility for privacy policy. In that role, his activities included being White House coordinator for the HIPAA medical privacy rule and Gramm-Leach-Bliley financial privacy rule, and helping negotiate the U.S.-E.U. Safe Harbor agreement for trans-border data flows. Under President Obama, he served as Special Assistant to the President for Economic Policy. Swire is author of six books and numerous scholarly papers. He has testified often before the Congress, and been quoted regularly in the press. Swire graduated from Princeton University, summa cum laude, and the Yale Law School, where he was an editor of the Yale Law Journal.