

Centre for Information Policy Leadership (CIPL) Virtual Roundtable on:

How Will COVID-19 Change the US Federal Privacy Debate?

June 9, 2020 | 11:00 AM – 1:00 PM EDT

AGENDA

Privacy regulators, law and policy makers, privacy officers, academics and other senior privacy and data protection experts and stakeholders will engage in moderated discussion on how the COVID-19 pandemic has impacted progress towards a U.S. federal privacy law.

11:00 AM **Opening Remarks**

- ❖ Bojana Bellamy, President, CIPL
- ❖ Terry McAuliffe, Former Governor of Virginia and CIPL Global Strategy Advisor
- ❖ Lisa Sotto, Partner and Chair of the Global Privacy and Cybersecurity Practice, Hunton Andrews Kurth

11:20 AM **Discussion Topic: What's Next for Privacy Law in the US and What Have We Learned from the COVID-19 Crisis?**

Roundtable participants will discuss recent developments in the use and sharing of data to combat the spread of COVID-19, the potential privacy impacts of those data uses, and how these developments could impact the passage and content of a comprehensive US privacy law. Participants will also discuss whether and how data usage in the fight against COVID-19 can serve as a case study for how organizational accountability can enable the dual goals of innovative data use and privacy, and whether the various legislative proposals at the federal and state levels are suited to the types of important data uses highlighted by the current crisis.

- ❖ Moderator: Fred Cate, Senior Policy Advisor, CIPL; Professor, Indiana University

Discussion Leads:

- ❖ Christine Wilson, Commissioner, Federal Trade Commission
- ❖ Chapin Gregor, Deputy Policy Director, Senate Commerce Committee
- ❖ Sasha Bernhard, Senior Policy Analyst, Rep. Suzan DelBene
- ❖ Christina Montgomery, Vice President & Chief Privacy Officer, IBM
- ❖ Keith Enright, Chief Privacy Officer, Google
- ❖ Kim Gray, Chief Privacy Officer, IQVIA
- ❖ Jennifer Handa, Associate General Counsel – Global Ethics and Compliance, Accenture
- ❖ Laura Gardner, Director of Global Privacy Policy, Microsoft

Specific questions for discussion will include:

How the COVID-19 pandemic experience can inform a federal privacy law

- Will the COVID-19 experience lead to broader acceptance of data use for social good in “normal” times?
- What has the COVID-19 crisis illustrated about the state of privacy law in the US? Has it demonstrated any obvious gaps in the law that have proven problematic for data usage and/or individual privacy?
- Are the COVID-19 data sharing and use issues novel and unique, or do they merely bring into sharper focus data practices that we need to enable during “normal” times and in the long run?
- When is requiring consent appropriate/inappropriate in crisis situations? Should contact tracing apps be voluntary? If so, should they be opt-in or opt-out?
- What exceptions to consent are necessary to enable effective, beneficial and responsible data use in contexts where consent would be inappropriate or impracticable?
- What are effective accountability measures that could be included in a federal privacy law that would address the types of data use and privacy issues highlighted by COVID-19?

The role of data privacy regulators

- What measures are the FTC and other regulators taking to support organizations as they grapple with novel information sharing demands?
- How will the COVID-19 crisis impact the practices of the FTC and other regulators as well as their perspectives on a federal privacy law?
- What areas or issues do regulators want to learn more about from industry as it relates to data use and sharing practices brought into focus by COVID-19?
- Is there a role for regulatory sandboxes in the U.S. on these types of data use and sharing practices?

How are companies responding to COVID-19?

- How are companies changing their data usage and sharing practices as a result of COVID-19? And how are they changing their privacy and accountability practices as a result?
- Are companies relying on privacy by design in the current environment? And how are they using it?

12:40 PM **Audience Q&A**

1:00 PM **End**