



**The EUROPEAN UNION – UNITED STATES
SAFE HARBOR FRAMEWORK:
BRIDGING DIFFERENCES IN APPROACHES
TO DATA PROTECTION**

***A WORKSHOP CO-SPONSORED BY
THE U.S. DEPARTMENT OF COMMERCE'S INTERNATIONAL
TRADE ADMINISTRATION
AND
THE ARTICLE 29 WORKING PARTY***

December 7, 2005

**Room 6057
United States Department of Commerce
14th & Constitution Avenues, NW
Washington, DC 20230**



8:30 – 9:00 am

Registration

9:00 – 9:30 am

Welcome/Opening Remarks

*Mr. Jamie Estrada, Acting Deputy Assistant
Secretary for Manufacturing
U.S. Department of Commerce*

and

*Mr. Peter Schaar
German Federal Data Protection Commissioner and
Chairman of Article 29 Working Party*

9:30 – 10:30 am

**Session I: Setting the Stage - The European
Union and United States Approaches to Data
Protection**

Moderator: Christine Varney, Attorney, Hogan &
Hartson LLP.

*The European Approach to Data Protection:
Mr. Georges de La Loyère, Commissioner of the
French Data Protection Authority.*

*The U.S. Approach: Ms. Lydia Parnes
Director, Bureau of Consumer Protection
U.S. Federal Trade Commission.*

10 minutes for Q & A

10:30 – 10:45 am

Break

10:45 am – 12:00 pm **Session II: Finding a Solution...The EU-U.S. Safe Harbor Framework...Requirements and Self-Certification Procedures**

Safe Harbor: Requirements and Self-Certification Procedures

*Ms. Lauren Saadat and Ms. Shannon Ballard
Office of Technology & E-Commerce
U.S. Department of Commerce*

*The Commission's Views on Safe Harbor and Other Options for International Data Transfers
Ms. Rosa Barcelo, European Commission*

10 minutes for Q & A

12:00 - 1:00 pm **Lunch: Sponsored by TRUSTe**

*Keynote by Ms. Maureen Cooney,
Acting Chief Privacy Officer
U.S. Department of Homeland Security*

1:00 – 2:00 pm **Session III: Enforcement Under the Safe Harbor – The Role of Privacy Programs, Independent Recourse Mechanisms and Other Tools for Achieving Compliance**

Moderator: Ms. Alisa Bergman, Attorney
DLA Piper Rudnick Gray Cary US

Mr. David Hoffman, TRUSTe

Mr. Gary Laden, BBBOOnline

Mr. Charles Prescott, The DMA

EU Panel: Ms. Rosa Barcelo, European Commission

2:00 – 3:15 pm

Session IV: Other Options for Meeting the Requirements of the EU Directive on Data Protection - Binding Corporate Rules, Model Contracts and Beyond...

Moderator: David Bender, Attorney, White & Case LLP U.S.

The Application of the Exceptions to Transfer Personal Data

Ms. Clarisse Girot, French Data Protection Authority.

The Use of Contracts and BCRs to Transfer Personal Data

Mr. Agustin Puente, Head of Legal Department, Spanish Data Protection Authority.

The Use of Contracts, BCRs and the Exceptions from a Data Controller Perspective

Henriette Tielemans, Covington & Burling, Brussels

3:15 – 3:30 pm

Break

3:30 – 4:30 pm

Session V: Panel Discussion - Experiences/Helpful Hints from Organizations Currently Participating in the Safe Harbor and/or Utilizing Other Approaches to Meet the Requirements of the EU Directive

Moderator: Christopher Kuner, Attorney, Hunton & Williams, Belgium

Ms. Sandy Hughes, Procter & Gamble

Mr. Jason Albert, Honeywell

Mr. Joseph Alhadef, Oracle

Ms. Joan Antokol, Novartis

4:30 – 5:00 pm

Closing Remarks

*Mr. Dan Caprio
Deputy Assistant Secretary for Technology Policy
and Chief Privacy Officer
U.S. Department of Commerce*

*Mr. Peter Schaar
German Federal Data Protection Commissioner and
Chairman of Article 29 Working Party*