

*Responsibilities and Liabilities Created By Internet Security Surveillance Laws*  
Washington, D.C. USA

**Thursday, 7 February 2002**

**8:00 – 9:00 Registration - Continental Breakfast**

**9:00 – 9:30 Opening**

Welcome and Introductions – Andreas Goeckel, Deutsche Telekom & Andrew Konstantaras, ILPF

Purposes and Goals of Workshop: Moderator - Andrew Konstantaras

- Obtain a global perspective on the existing and pending laws and regulations aimed at promoting security.
- Compare and contrast different legal structures addressing security.
- Understand practical issues surrounding compliance with different laws and potential liability that may arise.
- Identify current gaps and contradictions internally and internationally and explore potential future issues.

**Overview – Andrew Konstantaras**

**9:30 – 11:00 Panel 1 - International Legal and Regulatory Regimes (Enacted and Proposed)**

**Panel Presentation**

Panel Co-Chairs: Jim Halpert, Piper Marbury Rudnick & Wolfe  
Denis Henry, Bell Canada

Panelists

- Chris Painter, US Department of Justice
- Matthew King, European Commission Delegation in D.C.
- Peter Ferguson, Industry Canada

**Discussion**

Topics:

- How have the terrorism investigations changed in response to September 11<sup>th</sup>?
- Are companies adequately protected from liability for complying with surveillance requests?
- What rules apply to trans-national surveillance efforts?
- Under what circumstances may a service provider authorize government surveillance on its system/voluntarily divulge the identity of a user who may be violating the law?

**11:00 – 11:30 Break**

**11:30 – 12:45 Panel 2 – Conducting Business and Complying, Practical Considerations and Guidelines**

**Panel Discussion**

Panel Co-Chairs: Stewart Baker, Steptoe & Johnson  
Joseph Alhadeff, Oracle

Panelists:

- Elizabeth Banker, Yahoo!
- John LoGalbo, CCIPS, US Dept. of Justice
- Toru Maruhashi, Fujitsu
- Craig Silliman, WorldCom

**Discussion**

Topics:

- How has September 11 affected the volume and nature of law enforcement requests?
- What practices are common in the industry for reimbursements for compliance with law enforcement requests?
- What is the likely impact of the Council of Europe Convention on international law enforcement?
- What are the practical implications of U.S. v. Bach? Must the law enforcement official be in the building, at the keyboard, on the network or somewhere else?
- What are the current data retention practices and how do Internet businesses comply with different requirements?
- What are the requirements and practicalities of compliance with law enforcement requests for multinational companies?

**13:00 – 14:00 Lunch**

**14:00 – 15:30 Panel 3 – Future Issues in Security and Surveillance**

**Panel Discussion**

**[45 minutes]**

Panel Co-Chairs: Al Gidari, Perkins Coie  
Peter Harter, Securify

Panelists:

- Chris Bubb, AOL Time Warner
- Michael Sussmann, CCIPS, US Dept. of Justice
- Tomohiko Yamakawa, NTT DATA Corp.

**Discussion**

**[45 minutes]**

Topics:

- Where are the current security and surveillance trends taking us?
- How will private-sector government cooperation unfold in the next few years?
- What new liabilities/responsibilities can network providers and online service providers expect?
- What new technological developments can we expect in this area?
- How will these new technologies affect security, policy and liability?
- How will global terrorism affect doing business on the Internet in the long run?

**15:30 – 16:00 Summary Discussion – Andrew Konstantara**