

TOBY MILGROM LEVIN

U.S. DEPARTMENT OF HOMELAND SECURITY (DHS) PRIVACY OFFICE

Senior Advisor and Director of Privacy Policy, April 2005 – April 2010

Supervisor: Mary Ellen Callahan, Chief Privacy Officer, (703) 235-0780

Served as Senior Advisor to the Chief Privacy Officer and provide leadership on privacy and information security policy for DHS. Represented DHS and the Privacy Office at interagency meetings, as well as at national seminars and symposia. Drafted and reviewed Privacy Office reports to Congress and the public. Chaired the Best Practices Subcommittee of the Federal Interagency Privacy Committee of the OMB CIO Council, which drafted recommended privacy controls for Federal Agencies. Coordinated with the DHS Chief Information Officer and the Chief Information Security Officer to develop and implement information security policy and practices at the Department. Managed Privacy Office inquiries into allegations regarding possible privacy violations associated with DHS activities. Worked with other Federal Agencies to develop interagency privacy guidance for the Information Sharing Environment and State and Local Fusion Center initiatives. Coordinated with the DHS Chief Officer for Civil Rights and Civil Liberties and the Office of the Inspector General as mandated by the Homeland Security Act. Conducted outreach to privacy advocacy, academia, and private sector communities to ensure effective communication of Privacy Office activities and to obtain their viewpoints on DHS programs and policy matters. Developed and facilitated public workshops to inform the Department and the public on such topics as government use of commercial data, transparency of information practices, developing privacy best practices for government use of CCTV and data mining, and operationalizing privacy at DHS.

FEDERAL TRADE COMMISSION (FTC)

Bureau of Consumer Protection, Division of Financial Practices

Senior Attorney, Oct. 2002 – March 2005

Supervisor: Joel Winston, Associate Director

Participated in strategic and operational planning regarding information privacy and security matters. Provided guidance on privacy implications of new technologies including data mining, biometrics, RFID, and wireless communication. Advised agency on privacy and security safeguards and on private sector initiatives. Responsible for coordinating an interagency project with 7 Federal banking agencies to improve quality of Gramm-Leach-Bliley Act (GLBA) privacy notices. Represented the FTC at interagency meetings and national conferences on privacy matters. Responsible for various rulemakings and legal and policy memoranda regarding privacy. Also wrote materials to educate consumers and businesses about consumer protection, including guides to GLBA compliance, online safety, and e-commerce issues. Served as Team Leader responsible for launching the GLBA Safeguards Rule compliance program. Supervised initial investigations and enforcement actions. Organized sweeps of covered industries to identify appropriate enforcement targets. Provided guidance regarding law enforcement actions to enforce the FTC Act, GLBA, and the Fair Credit Reporting Act.

Bureau of Consumer Protection, Division of Advertising Practices
Senior Attorney, Sept. 1984 - Dec. 2001
Supervisor: Joel Winston, former Assistant Director

Public Policy

Advised the agency on newly emerging privacy concerns raised by e-commerce, including information collection from children and online profiling. Co-authored FTC staff reports: *Privacy Online: A Report to Congress*, June 1998 and *Public Workshop on Consumer Privacy on the Global Information Infrastructure*, Dec. 1996. Supervised several survey projects to assess privacy practices of online businesses. Helped organize the first FTC public workshops to address privacy issues, which later served as a model in addressing other challenging public policy issues facing the agency. Conducted outreach industry, consumer, and privacy organizations to inform them about the agency's privacy agenda and to obtain their views on emerging privacy and security issues.

Regulatory

Served as Team Leader for the COPPA Rulemaking and subsequent COPPA Compliance Program (1998-2000), including conducting numerous investigations and law enforcement actions. Coordinated development of agency guidance to the Department of Health and Human Services regarding the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Law Enforcement

Served as Lead attorney on FTC's first online privacy cases: *FTC v. GeoCities* and *FTC v. Liberty Financial Companies, Inc.* Lead attorney in numerous investigations into possible privacy violations under the FTC Act and helped develop agency criteria for enforcement actions. Served as Team Leader of the Internet Advertising Program (2000), a pilot program to apply traditional advertising law principles to the Internet. Supervised nine attorneys on cutting-edge investigations involving Internet advertising practices. Served as Coordinator of the Division's Children's Advertising Program (1995-1999). Responsible for monitoring children's advertising and bringing law enforcement actions against deceptive advertisers.

PRIVACY COUNCIL, INC.

Vice President and Chief Privacy Officer, Jan. 2002 – Sept. 2002

Supervisor: Larry Ponemon, former CEO of the Privacy Council, Inc.

(larry@ponemon.org)

Responsible for developing and managing Privacy Council's internal privacy policy practices. Supervised research and drafting of privacy training materials designed for small and medium companies. Participated in private sector initiatives to address privacy issues, such as better notices, authentication standards, and implementation models.

NATIONAL COMMISSION ON CONFIDENTIALITY OF HEALTH RECORDS
Assistant Executive Director, June 1977 - Sept. 1979

Advised the Executive Director on development of privacy policy to protect health record information. Monitored and commented on Federal and State legislation and regulation. Coordinated Ford Foundation legal research project analyzing State and Federal health confidentiality laws. Represented the organization at conferences and on panels.

DHS AWARDS

2008 Team Award for REAL ID Rulemaking
2007 Secretary's Silver Medal in recognition of privacy leadership

FTC AWARDS

2004 Team Award for Fair and Accurate Credit Transactions Rulemaking
1998 Team Award for contribution to FTC's privacy agenda
1997 Team Award for contribution to FTC's privacy agenda

EDUCATION

GEORGE WASHINGTON UNIVERSITY, Washington, DC, B.A. 1969
Political Science

TRINITY COLLEGE, Washington, DC, M.A.T. 1970
Master of Arts in Teaching, emphasis in American Studies

CATHOLIC UNIVERSITY, COLUMBUS SCHOOL OF LAW, Washington, DC, J.D. 1984
Emphasis on administrative Law
Food and Drug Law Institute Research Scholar 1983-1984

MEMBERSHIPS

Maryland State Bar Association
International Association of Privacy Professionals, CIPP and CIPP/G certification