



When Data Universes Collide: U.S. and China's Rival Approaches to Data-linked Decoupling

Wednesday, March 2, 2022

9:30am - 10:50am EDT

Virtual (Zoom)

Data is the lifeblood of the digital economy. It is also an arena of fierce maneuvering as China and the United States seek to gain a leg-up in key industries that will define the Fourth Industrial Revolution. President Xi Jinping has emphasized the need to deepen the integration of Internet, big data and artificial intelligence with the real economy, and in just the past few months a number of important regulations have been issued. These include: (a) a revised cybersecurity regulation for network platform operators (stemming from the Didi Chuxing IPO debacle), (b) proposed security assessment rules for cross-border data export, and (c) proposed unified network data security regulations to implement China's Data Security Law (DSL), Personal Information Protection Law (PIPL) and Cybersecurity Law. For his part, President Biden issued an executive order in June 2021 on protecting Americans' sensitive data from foreign adversaries, and the Commerce Department followed up in November 2021 with a proposed rule that could well lead to platforms like TikTok being subjected to third-party auditing and monitoring of user data logs. Earlier, the Trump administration's Treasury Department had enumerated ten categories of sensitive personal data to be placed beyond the reach of foreign adversaries.

What are the drivers behind the U.S. and China's divergent approaches on data sovereignty? What are the key takeaways from these rules and regulations? Who are the key players involved? What are the investment implications for entrepreneurs and investors on both sides? And as the two sides seek to influence the Indo-Pacific's cross-border data flow rules and standards, what are the implications of their increasingly mutually decoupled data universes for regional partners as well as for realizing a region-wide digital trade agreement?

Panelists

Paul TRIOLO

Senior Vice President for China & Technology Policy Lead
Denton Global Advisors-Albright Stonebridge Group

Denis SIMON

Professor of China Business and Technology & Senior Advisor to the President for China Affairs
Duke University

Kendra SCHAEFER

Partner & Head of Tech Policy Research
Trivium China

Sourabh GUPTA

Senior Fellow & Head of Trade 'n Technology Program
Institute for China-America Studies

Moderator

Yawei LIU

Senior Advisor on China
The Carter Center

Welcoming Remarks

Nong HONG

Executive Director, Institute for
China-America Studies

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Paul TRIOLO is Senior Vice President for China and Technology Policy Lead at Denton Global Advisors-Albright Stonebridge Group. Prior to joining ASG, he led Eurasia Group's Geo-Technology group, focusing on global technology policy issues, cybersecurity, internet governance, ICT regulatory issues, and emerging areas such as automation, AI/Big Data, ambient intelligence, and fintech/blockchain. Prior to Eurasia Group, Paul served in senior positions within the US government for more than 25 years, focusing primarily on China's rise as a science and technology and cyber power. He provided analytic support to the president and senior policymakers and was the lead drafter for a number of widely acclaimed national estimates on China S&T innovation and industrial policies, as well as cyberspace issues. Paul's technical background, including a bachelor's degree in electrical engineering from Penn State University and work experience in Silicon Valley, along with his extensive work on internet governance and policy issues in government, have prepared him to tackle the substantial challenges companies will face in cyberspace. Paul is a China Digital Economy Fellow (non-resident) at New America.



Denis SIMON is Senior Adviser to the President for China Affairs at Duke and Professor of China Business and Technology at Duke's Fuqua School of Business. He is also a Senior Advisor to the Institute for China-America Studies Trade 'n Technology Program. Fluent in Mandarin Chinese, Simon has more than four decades of experience studying business, competition, innovation and technology strategy in China. He was awarded the China National Friendship Award by Premier Wen Jiabao. Prior to returning to Duke, Dr. Simon served as Executive Vice Chancellor at Duke Kunshan University in China (2015-2020). Simon has served as senior adviser on China and global affairs in the Office of the President at Arizona State University; vice-provost for international affairs at the University of Oregon; and professor of international affairs at Penn State University's School of International Affairs.



Kendra SCAEFER is the head of tech policy research at Trivium China and a non-resident fellow at the National Bureau of Asian Research. Her research focuses on China's data economy, data policy, algorithm and AI regulation, and the technical underpinnings of the social credit system. Her research team produces Trivium's Tech Daily, a premium subscription service for investors, governments, and companies covering micro-movements in China's tech policy space. Kendra has been in Beijing since 2002, and began her career as a web developer and UX researcher in the early days of China's internet boom.

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Sourabh GUPTA is a senior Asia-Pacific international relations policy specialist with two decades of Washington, D.C.-based experience in a think tank and political risk research and advisory capacity. His key area of expertise pertains to the intersection of international law, both international maritime law (Law of the Sea) and international trade and investment law, with the international relations of the Asia-Pacific region. His areas of specialization include: analysis of major power relationships (China-U.S., China-Japan, China-India, U.S.-Japan, U.S.-India, Japan-India; Russia-Japan relations) and key flashpoint issues in the Asia-Pacific region; analysis of outstanding territorial disputes and maritime law-related developments in Asia; and analysis of developments in World Trade Organization and Asia-Pacific investment, trade and economic regionalism-related policy and politics.

He is a member of the United States Council for Security Cooperation in the Asia-Pacific (USCSCAP) and was a 2012 East Asia Forum Distinguished Fellow.



Nong HONG holds a PhD of interdisciplinary study of international law and international relations from the University of Alberta, Canada and held a Postdoctoral Fellowship in the University's China Institute. She was ITLOS-Nippon Fellow for International Dispute Settlement (2008-2009) and Visiting Fellow at Australian National Centre for Ocean Resources and Security (2019), the Center of Oceans Law and Policy, University of Virginia (2009) and at the Max Planck Institute for Comparative Public Law and International Law (2007). She is concurrently a research fellow with China Institute, University of Alberta, Canada, and the National Institute for South China Sea Studies, China. Her research takes an interdisciplinary approach to examining international relations and international law, with focus on International Relations and Comparative Politics in general; ocean governance in East Asia and the Arctic; law of the sea;



international security, particularly non-traditional security; and international dispute settlement and conflict resolution. Her selected publications include *China's Role in the Arctic: Observing and Being Observed* (London and New York: Routledge, 2020), *UNCLOS and Ocean Dispute Settlement: Law and Politics in the South China Sea* (Routledge, 2012).

Yawei LIU manages the China Focus at the Carter Center and has been a member of numerous Carter Center missions to monitor Chinese village, township, and county people's congress deputy elections since 1997. Dr. Liu has written extensively on China's political developments and grassroots democracy, including three edited book series: "Rural Election and Governance in Contemporary China" (Northwestern University Press, Xi'an, 2002 and 2004), "The Political Readers" (China Central Translation Bureau Press, Beijing, 2006), and "Elections & Governance" (Northwestern University Press, Xian, 2009). He is the founder and editor of the China elections and governance website www.chinaelections.org. Dr. Liu is also co-author of the popular Chinese book "Obama: The Man Who Will Change America" (October 2008).

