Department of Justice
Data Security Program Services
Compliance Assessments, Audits, Data Governance & Privacy

The U.S. Department of Justice's (DOJ) "Data Security Program" (DSP) is a new framework that effectively establishes export controls on data transfers, aimed at safeguarding sensitive U.S. personal and government-related data. To conduct certain "restricted" transactions under the rule, U.S. entities need to have an independent auditor review their data compliance programs and certify compliance with security requirements. FTI Consulting helps organizations determine if DSP is applicable to their business and if so, achieve compliance with the DSP, thereby mitigating national security data risks.

How We Can Help

Central to the program is a mandate for companies to "know their data." Companies need to have a firm understanding of not just what they collect and from whom, but how it flows through their organization and into external relationships. FTI Consulting provides clients with a broad range of data governance, cybersecurity, and privacy services that include identifying, mapping, and securing applicable data. Our multi-disciplinary team of experts are uniquely positioned to provide organizations with holistic solutions that will facilitate an understanding of their data ecosystem, including what data is present, where it flows, who can access it, and which third parties, including subsidiaries, platforms, contractors, or vendors might introduce risk.

FTI Consulting helps organizations not only understand their data ecosystem, but also execute assessment, remediation, and optimization programs for data privacy and cybersecurity compliance, contract analysis and management, and digital marketing risk management.

Sensitive Data Categories

— Human-omic data
— Biometric Identifiers
— Precise Geolocation Data
— Personal Health Data
— Personal Financial Data
— Covered Personal Identifiers

Types of Agreements

— Vendor Agreements
— Employment Agreements
— Commercial Transactions
— Investment Agreements

"Omic" data refers to comprehensive biological information that captures all molecular components of an organism — including genomic (DNA), transcriptomic (RNA), proteomic (proteins), and metabolomic (metabolites) data.

Whether you need support in one specific area or a complete solution across all three domains, FTI Consulting tailors its services to your specific requirements.

| Data Discovery Mapping, Inventory & Flow | Gap Assessment & Audit | Remediation & Optimization |

FTI CONSULTING™

Data Discovery, Mapping, Inventory & Flow

FTI Consulting helps organizations identify, classify, and map the data they collect and understand how it flows throughout the organization and to external parties to facilitate a strong compliance program aligned to the DSP. We team with clients to bring organization and clarity to the process through data discovery and data classification, ensuring companies arrive at a fulsome map of the data that needs to be securely managed to comply with the DSP.

We perform targeted evaluations of systems at issue based on risk profile and ensure clients appropriately handle identity access management to prevent unauthorized access to sensitive data covered by the bulk data rule.

Data Remediation

Organizations that identify prohibited or restricted personal data transfers may need to implement alternative business processes or substitute third-party relationships to maintain business operations.

With extensive experience across a variety of platforms, as well as expertise handling data in adherence to global data privacy laws, our data remediation services include:

— Migration protocols, including for personal and sensitive data, which maintain data integrity

— Creation of defensible statistical sampling protocols to move through large amounts of media

— Indexing and machine analysis of backup media to pinpoint data subject to transfer restrictions or prohibitions

— Reviews of corporate Configuration Management Databases (CMDB) that may have information about the locations of technology, and the detailed characteristics of what is onboard that technology.

Data Compliance Program Assessment

We collaborate with your organization to assess the technical, administrative, and governance structures surrounding data identified as "covered data," determining potential policy, program, data and cybersecurity gaps that need to be addressed. We can leverage already-available information from previous audits or assessments conducted at the organization against standards such as NIST, ISO, PCI-DSS or CFIUS, which make for an efficient and streamlined review process.

Independent Audit

The DSP requires companies engaging in restricted transactions to undergo annual audits with a qualified, independent party. Auditors must assess the overall data compliance program implemented and verify that the correct security controls are in place for restricted

transactions. FTI Consulting has a wealth of cybersecurity and data privacy experience, and our experts are well qualified to serve as an independent auditor, assessing your data security program and certifying compliance with these security measures and recordkeeping requirements.

Build Secure

Our experts act as security architects, designing, prioritizing and executing tailored solutions to remediate non-compliant systems. We create and enhance technology-driven solutions to flag potential issues for company review to ensure compliance. Our holistic risk-based approach of policies, controls, and systems determines whether existing processes meet the rule's requirements or need enhancement and/or augmentation. Our solutions are focused on efficiency and automation, minimizing additional investments by leveraging existing infrastructure, data mapping, tools and processes, while ensuring alignment with risk profiles and operational needs.

Complementary Services

FTI Comply

Given the challenge of overseeing third parties in the face of additional regulatory scrutiny, FTI Consulting offers web-based proprietary tools for third party management that can be leveraged to validate vendor status as potential covered persons. Informed by our extensive experience in global investigations and due diligence matters on third parties, FTI Consulting's solution is built on an interactive and customizable platform that enables companies to organize, track and centrally manage third-party relationships. The solution incorporates automatic monitoring, workflow management and risk profiling in a secure web-based platform, enabling personnel across jurisdictions to collaborate effectively.

Threat Intelligence

FTI Consulting utilizes threat intelligence from diverse sources and conducts a holistic assessment of your organization's data to identify attack vectors threatening protected data. This approach includes leveraging sophisticated tools for dark web and deep web monitoring, credential intelligence and attack surface management, alongside publicly available data. By doing so, we help ensure your organization stays ahead of the ever-evolving threat landscape.

Contract Solutions

Our experts deliver actionable, structured data from contracts enabling clients to answer questions quickly and make informed business decisions. This can include identifying information in contracts to help identify counterparties and indirect ownership interests that may be subject to the Data Security Program, as well as existing data protection and security provisions. Leveraging a blend of proven workflows, leading technology, and subject matter experts, FTI is uniquely positioned to support our clients' challenges across industries, contract types, and use cases.

AdTech & Digital Marketing Risk Management

Our privacy compliance experts reduce risk for clients and provide expert guidance related to the use of ad tracking technologies which often share data such as personal identifiers with third parties, and which may be subject to DSP transfer restrictions. Our experts employ technology and workflows to perform forensically sound assessments, data collection, source code review, and remediation as well as ongoing monitoring, and technology advisory and implementation services.

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