



FINRA/SIFMA Cybersecurity Conference

New York, NY February 4, 2015

Session 6: Regulatory Perspectives on Cybersecurity **Wednesday, February 4** **4:10 – 5:00 p.m.**

Speakers:

Melissa MacGregor (*moderator*)
Managing Director, Associate General Counsel
SIFMA

Vincente Martinez
Chief of Office of Market Intelligence
American Portfolios Financial Services

Brian Peretti
Director for the Office of Critical Infrastructure Protection and Compliance Policy
U.S. Department of the Treasury

Daniel Sibears
Executive Vice President, Member Regulation
FINRA

Biographies:

Melissa MacGregor is a Managing Director and Associate General Counsel at SIFMA in Washington, D.C. Her responsibilities at SIFMA include advising the SIFMA General Counsels Committee, the Technology and Regulation Committee and the Short Sale Disclosure Committee, along with several ad hoc working groups. Most recently, Ms. MacGregor has dealt with issues relating to social media, market data, cybersecurity, outsourcing, electronic recordkeeping, privacy, securities fraud and intellectual property. Prior to joining SIFMA in 2005, Ms. MacGregor was an associate in the securities regulation practice groups at Crowell & Moring LLP and Clifford Chance LLP. She holds a law degree from American University Washington College of Law and a bachelor's degree from St. Lawrence University.

Vincente Martinez was appointed in January 2013 as the Chief of the Office of Market Intelligence (OMI) in the SEC's Division of Enforcement. OMI's mission is to collect, evaluate and disseminate tips, complaints and referrals submitted to the SEC by the public, other government agencies and self-regulatory organizations. Mr. Martinez was one of the first assistant directors appointed to OMI after it was created in 2010 as part of the restructuring of the Division of Enforcement, where he had previously served for seven years. Prior to returning to the SEC, Mr. Martinez served as the first Director of the CFTC's Whistleblower Office, where he established the CFTC's whistleblower program, which was created by the Dodd-Frank Act to provide monetary awards and anti-retaliation protections for persons bringing information concerning violations of the Commodity Exchange Act. In that role, Mr. Martinez interacted with whistleblowers and their representatives, developed the CFTC's policies and procedures for handling whistleblower matters, and worked to raise awareness of the program among industry and market participants, fellow law enforcement and regulatory agencies, and members of the private bar. Prior to joining the SEC, Mr. Martinez spent several years in private practice as a litigator and a

corporate transactional attorney in Washington, D.C. and New York. Mr. Martinez is a graduate of Georgetown University and the University of California, Berkeley School of Law.

Brian Peretti is the Director for the Office of Critical Infrastructure Protection and Compliance Policy at the United States Department of the Treasury located in Washington, D.C. At the Department of the Treasury, Mr. Peretti supervises the planning, evaluating and implementation of information security, information assurance, and risk management policies related to critical infrastructure protection, cyber security and homeland security. He leads the efforts of the Financial and Banking Information Infrastructure Committee (FBIIIC), an interagency organization chartered under the President's Working Group for Financial Markets composed of 18 federal and state financial regulatory agencies. He is the relationship manager to the Departments of Homeland Security, Energy, Transportation, Justice, Defense and the Intelligence Community Homeland Security issues. He represents the Treasury on various interagency groups, including Cyber Interagency Planning Committee (Cyber-IPC), the National Cyber Response Coordination Group, and the National CIP R & D draft group. He is the emergency coordinator for the Treasury's Domestic Finance area, where he leads efforts in the areas of business continuity and disaster recovery. He directs the Treasury's effort to implement a Research and Development agenda, created in coordination with the financial services sector, to address technology issues. He has lectured extensively and has authored six books on topics related to financial institutions, including, most recently, co-authoring with Barkley Clark and Mark Hargrave *Compliance Guide to Payment Systems: Law and Regulations*. Prior to joining the Treasury Department, Mr. Peretti was an associate in Shook, Hardy & Bacon's Corporate Banking and Finance Section in Washington, D.C. Prior to that position, Mr. Peretti was General Counsel for the Wright Patman Congressional Federal Credit Union, which serves the U.S. House of Representatives and associated groups. Mr. Peretti received his bachelor's degree from Rider University (cum laude) in 1989 and his law degree from American University, Washington College of Law (cum laude) in 1992.

Daniel Sibears is Executive Vice President and counsel at FINRA, where he is responsible for the Regulatory Operations/Shared Services Department. His legal and management experience includes private practice, the Michigan Court of Appeals, the U.S. Securities and Exchange Commission, NASD and FINRA. Mr. Sibears is a frequent speaker at national financial services conferences and serves as a point person for FINRA with the securities industry, FINRA committees, and domestic and foreign regulators. Upon joining NASD (nka FINRA), he created and led the national enforcement program and the market surveillance legal function; presiding over investigations and litigation focused on penny stock fraud, market manipulation, excessive pricing, and other abusive business and market conduct practices. He then developed and led a Regulatory Policy team at FINRA. With the founding of NASD Regulation, Mr. Sibears led the development of another new group known as the District Oversight Department, which focused on uniformity, consistency and quality assurance for the regulatory programs administered by NASD's network of district offices. During this time, Mr. Sibears also revamped the membership application process. Next, he was named the first Deputy responsible for Member Regulation—NASD's largest examination function. In this role, he was responsible for the operations of Member Regulation. With the integration of NASD and NYSE Regulation, Mr. Sibears formed, and has led for several years, the Shared Services Department within Regulatory Operations. The units within Shared Services include Non-Disciplinary Litigation, Regulatory Programs, the Risk Office, Fixed Income Regulation, Sales Practice Policy, Oversight Liaison and Counsel, Regulatory Training, Business Solutions, and International. In his Shared Services role, Mr. Sibears partnered with FINRA's Office of General Counsel on the rule book integration initiative that combined the NASD and NYSE Regulation rules, interpretations and guidance. Mr. Sibears was a leader in the creation of the securities industry continuing education program, as well as the FINRA Institute at Wharton. He holds a Certified Regulatory Compliance Professional™ credential from Wharton and serves as an instructor for the FINRA Institute at Wharton. He is the former Chairman of the Board of Trustees for the National Endowment for Financial Education.