

**New York University School of Law
Information Law Institute**

presents

A Workshop on Federal Privacy Legislation

October 2, 2009

8:00 – 5:30pm

Lester Pollack Colloquium Room

Furman Hall

245 Sullivan Street

New York University School of Law

Chair: Ira Rubinstein, School of Law, NYU

Co-Chairs: Helen Nissenbaum, Media, Culture & Communication, NYU; Katherine Strandburg, School of Law, NYU

Join us for this workshop where experts from academia, industry, government, and public interest advocacy organizations will examine comprehensive federal privacy legislation under consideration by Congress. Panelists will begin the day by reviewing prior and any current bills and offering an informed analysis and debate concerning the more controversial issues such as preemption, remedies, access and choice, and safe harbors. The morning will continue with a discussion of whether Fair Information Practices (FIPs) should remain the foundation of privacy legislation or need to be modified or abandoned. The afternoon panels will examine emerging issues such as social networking, collective privacy and behavioral advertising and assess how well any proposed bills might address these new concerns. There will also be keynote speeches by top FTC officials and participation in panels by key Congressional staffers. Our aim is to achieve meaningful progress toward a well-rounded understanding of potential privacy legislation and perhaps even to resolve some outstanding issues. The panelists represent diverse viewpoints and we anticipate and welcome a robust debate.

Program

8:00 – 8:30 Breakfast

8:30 – 8:45 Introduction and Welcome

Dean Ricky Revesz, NYU School of Law

Ira Rubinstein, NYU School of Law

8:45 – 11:45 Panel One: Disputed Issues in Federal Privacy Legislation

Joel Reidenberg, Fordham School of Law (moderator)

8:45 – 10:15

Access and Choice: Mike Hintze, Microsoft; Lillie Coney, EPIC; Amy Levine, Subcommittee Counsel to the Committee on Energy and Commerce

Safe Harbors: Ira Rubinstein, NYU School of Law; Pam Dixon, World Privacy Forum

Break: 10:15 – 10:35 (20 minutes)

10:35 – 11:45

Preemption: Paul Schwartz, UC Berkeley School of Law; Robert Long, Covington & Burling
Remedies: Chris Hoofnagle, UC Berkeley School of Law; Stu Ingis, Venable

11:45 – 12:30 Panel Two: Potential Shortcomings in Baseline Privacy Legislation and Possible Solutions (Beyond FIPS?)

Anita Allen, University of Pennsylvania Law School (moderator)

Deirdre Mulligan, UC Berkeley Information School

Daniel Weitzner, Associate Administrator for the Office of Policy Analysis & Development, NTIA

12:30 – 2:00

Lunch and Keynote Speaker

David Vladeck, FTC, Director, Bureau of Consumer Protection

2:00 – 3:15 Panel Three: Emerging Issues - Social Networking and Collective Privacy

Katherine Strandburg, NYU School of Law (moderator)

Danielle Citron, University of Maryland School of Law

James Grimmelman, New York Law School

Tim Sparapani, Facebook

Lior Strahilevitz, University of Chicago Law School

Break: 3:15 – 3:45

3:45 – 5:30 Panel Four: Emerging Issues - Behavioral targeting

Katherine Strandburg, NYU School of Law (moderator)

Ari Schwartz, Center for Democracy and Technology

Charles Curran, Network Advertising Initiative

Jane Horvath, Google

Helen Nissenbaum, NYU

Marc Groman, Counsel (FTC Detail) at House Energy and Commerce Committee

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