

# The Privacy Symposium 2008

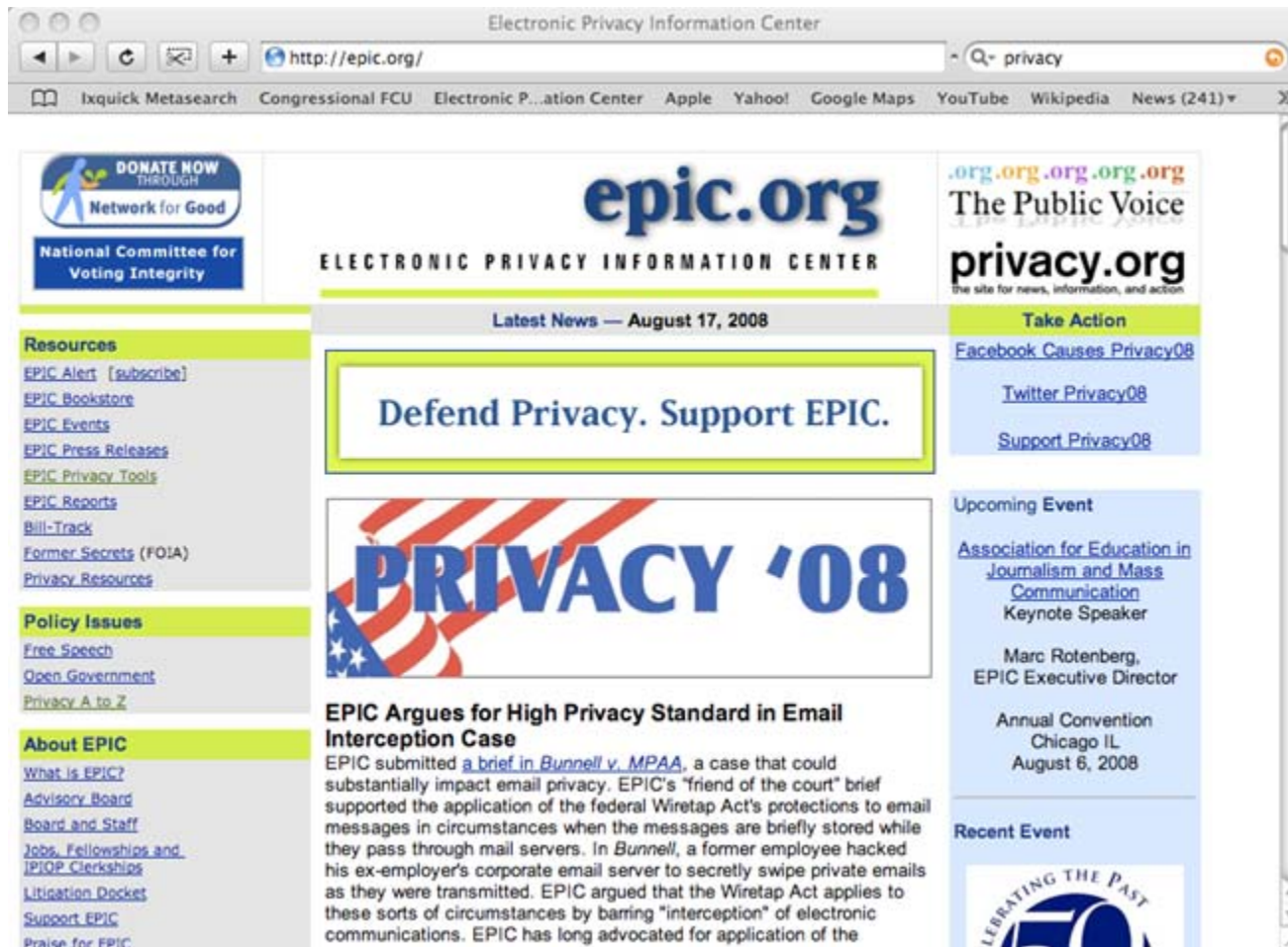
Lillie Coney

Roundtable on the Evolving Role of Privacy Advocacy

Harvard University

August 20, 2008

# Introduction



Electronic Privacy Information Center

http://epic.org/ - Q- privacy

ixquick Metasearch Congressional FCU Electronic P...ation Center Apple Yahoo! Google Maps YouTube Wikipedia News (241) >>

**DONATE NOW**  
Through  
Network for Good  
National Committee for Voting Integrity

**epic.org**  
ELECTRONIC PRIVACY INFORMATION CENTER

.org.org.org.org.org  
The Public Voice  
privacy.org  
the site for news, information, and action

Latest News — August 17, 2008

**Defend Privacy. Support EPIC.**

**PRIVACY '08**

**EPIC Argues for High Privacy Standard in Email Interception Case**  
EPIC submitted a [brief in \*Bunnell v. MPAA\*](#), a case that could substantially impact email privacy. EPIC's "friend of the court" brief supported the application of the federal Wiretap Act's protections to email messages in circumstances when the messages are briefly stored while they pass through mail servers. In *Bunnell*, a former employee hacked his ex-employer's corporate email server to secretly swipe private emails as they were transmitted. EPIC argued that the Wiretap Act applies to these sorts of circumstances by barring "interception" of electronic communications. EPIC has long advocated for application of the

**Take Action**  
[Facebook Causes Privacy08](#)  
[Twitter Privacy08](#)  
[Support Privacy08](#)

**Upcoming Event**  
[Association for Education in Journalism and Mass Communication](#)  
Keynote Speaker  
Marc Rotenberg,  
EPIC Executive Director  
Annual Convention  
Chicago IL  
August 6, 2008

**Recent Event**  
LIBERATING THE PAST

**Resources**  
[EPIC Alert](#) [subscribe]  
[EPIC Bookstore](#)  
[EPIC Events](#)  
[EPIC Press Releases](#)  
[EPIC Privacy Tools](#)  
[EPIC Reports](#)  
[Bill-Track](#)  
[Former Secrets \(FOIA\)](#)  
[Privacy Resources](#)

**Policy Issues**  
[Free Speech](#)  
[Open Government](#)  
[Privacy A to Z](#)

**About EPIC**  
[What is EPIC?](#)  
[Advisory Board](#)  
[Board and Staff](#)  
[Jobs, Fellowships and IPIQP Clerkships](#)  
[Litigation Docket](#)  
[Support EPIC](#)  
[Praise for EPIC](#)

# The Internet's Impact on Advocacy

- Geography Neutral
- Minimal Participation Requirements
- Short Time Horizons
- Collaboration
- Coordination

# Networking Networks

- Participation<sup>2</sup>
- Communication Strategies
- Sustaining Coalitions
- Monitoring the Environment
- Recognizing an Opportunity

# Formula for Success

- Leading with Issues not Ideology
  - Finding mutual interest among competing policy organizations
  - Identifying an opportunity
  - Translating the opportunity into action
  - Keeping the policy message in the natural issue space for participants

# Examples

- End the DOD Database (see: <http://epic.org/privacy/student/doddatabase.html>)
- Stop the REAL ID (see: <http://privacycoalition.org/stoprealid/>)

# Campaign to End the DOD Database



# Coalition Building 101

- The Issue: Department of Defense Violation of Privacy Act Public Notice Requirement
  - Creation of a database of all 16-25 year olds
  - No federal register notice prior to creating the database
  - Sources for some of the information in the database used deceptive practices
  - No opt-in
  - Opt-out resulted in inclusion in another DOD database



# Mutual Interest

- Privacy Organizations
- Peace Groups
- Youth Organizations
- Government Accountability Groups
- Civil Liberties Organizations
- Civil Rights Organizations

# Identifying an Opportunity

- DOD Published a Federal Register Notice on its plans to allow a contractor to provide services based on information in the database
- EPIC reported that the database violated Federal Privacy Act requirements
- A news article in the Washington Post

# Translating an Opportunity into Action

- EPIC and Over 120 Groups sent a letter to Secretary of Defense Donald Rumsfeld urging that he end the "Joint Advertising and Market Research Studies" Recruiting Database. (October 2005)

<http://privacycoalition.org/nododdatabase/letter.html>

# Broad Coalition

Alliance for Democracy (Seacoast, NH)  
American Civil Liberties Union  
American Friends Service Committee  
American Policy Center  
American-Arab Anti-Discrimination  
Committee  
Bill of Rights Defense Committee  
Carolina Peace Resource Center  
Catholic Peace Fellowship (NJ)  
Center on Conscience & War  
Center for Democracy & Technology  
Center for Digital Democracy  
Citizens for an Informed Community  
(Bridgewater, MA)  
City of New Haven Peace Commission  
Common Cause ☐Commonweal Institute  
☐Community Alliance of Lane County  
(OR)  
☐

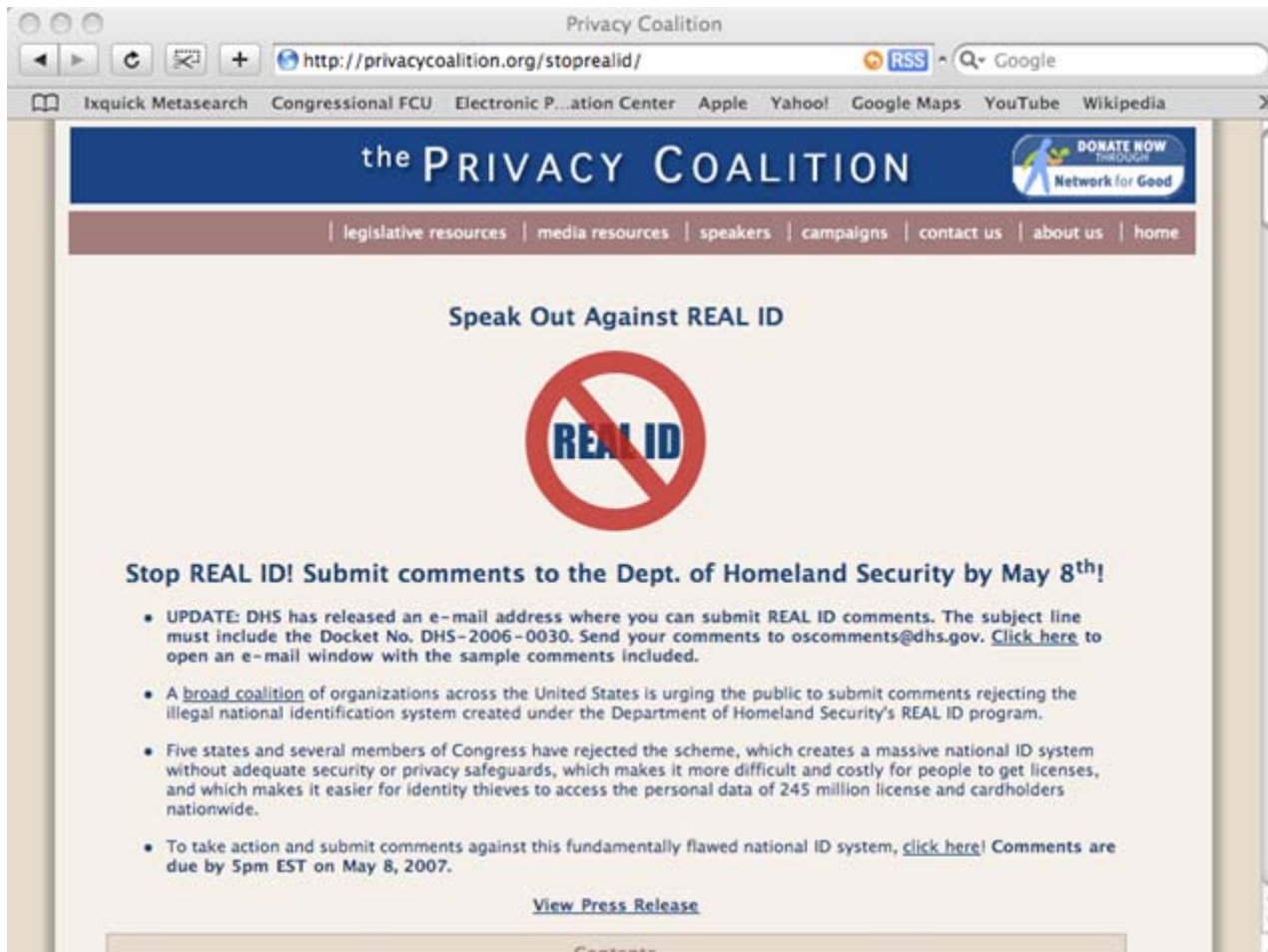
Consumer Action  
Electronic Frontier Foundation  
Electronic Privacy Information Center  
Fairfax County Privacy Council  
First Amendment Foundation  
First Universalist Church of Essex Social  
Friends Committee on National  
Legislation (Quaker)  
Government Accountability Project  
Gray Panthers of Long Beach (CA)  
Greater New Haven Peace Council (CT)  
Iowa Peace Task Force  
Just Peace Committee  
Liberty Coalition  
Maui Community College Peace Club (HI)  
Maui Peace Action (HI)  
Michigan Peaceworks  
National Center for Transgender  
Equality☐

# Broad Coalition

National Youth and Student  
PeaceCoalition  
Pax Christi Long Island  
Peace Action  
Peterborough Unitarian Universalist  
Social Justice Committee  
Pittsburgh Bill of Rights Defense  
Campaign  
Port Townsend Peace Movement  
Privacy Activism  
Privacy Journal  
Privacy Rights Clearinghouse  
Privacy Times  
Progressive Student Alliance of the  
College of New Jersey  
Republican Liberty Caucus  
Rock the Vote  
Seacoast Peace Response


Student Peace Action Network  
Student/Farmworker Alliance  
The Multiracial Activist  
The Organizing Collective  
The Rutherford Institute  
Title of Liberty Foundation  
Unitarian Universalist Social  
Responsibility Department (NH)US  
Bill of Rights Foundation  
US Peace Council  
Vancouver for Peace (WA)  
Veterans for Common Sense  
Veterans For Peace chapter 099  
(Asheville, NC)  
Washington Truth in Recruiting (WA)  
West Virginia Patriots for Peace  
Women Against War  
Women For: Orange County (CA)  
World Privacy Forum

# Campaign to Stop the REAL ID



The screenshot shows a web browser window with the URL <http://privacycoalition.org/stoprealid/>. The page header features the logo for "the PRIVACY COALITION" and a "DONATE NOW THROUGH Network for Good" button. A navigation bar includes links for "legislative resources", "media resources", "speakers", "campaigns", "contact us", "about us", and "home".

## Speak Out Against REAL ID



**Stop REAL ID! Submit comments to the Dept. of Homeland Security by May 8<sup>th</sup>!**

- **UPDATE:** DHS has released an e-mail address where you can submit REAL ID comments. The subject line must include the Docket No. DHS-2006-0030. Send your comments to [oscomments@dhs.gov](mailto:oscomments@dhs.gov). [Click here](#) to open an e-mail window with the sample comments included.
- A [broad coalition](#) of organizations across the United States is urging the public to submit comments rejecting the illegal national identification system created under the Department of Homeland Security's REAL ID program.
- Five states and several members of Congress have rejected the scheme, which creates a massive national ID system without adequate security or privacy safeguards, which makes it more difficult and costly for people to get licenses, and which makes it easier for identity thieves to access the personal data of 245 million license and cardholders nationwide.
- To take action and submit comments against this fundamentally flawed national ID system, [click here!](#) Comments are due by 5pm EST on May 8, 2007.

[View Press Release](#)

# Taking Action

Privacy Coalition

http://privacycoalition.org/stoprealid/

RSS Google

Ixquick Metasearch Congressional FCU Electronic P...ation Center Apple Yahoo! Google Maps YouTube Wikipedia

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## Take Action!

To take action and make your voice heard, submit comments against the fundamentally flawed national identification scheme. The draft regulations to implement the REAL ID Act are open for comment until 5:00 PM EST on May 8, 2007. The comments can be submitted in one of three ways:

1. **E-mail:** Send to [oscomments@dhs.gov](mailto:oscomments@dhs.gov). Include DHS-2006-0030 in the subject line.
2. **Online** through the Federal Rulemaking Portal: <http://www.regulations.gov> (search for "DHS-2006-0030-0001" and follow the instructions for submitting comments);
3. **Fax** to 1-866-466-5370. Your fax must state that you are submitting comments in response to Notice of Proposed Rulemaking DHS-2006-0030.
4. **Postal Mail** sent to Department of Homeland Security; Attn: NAC 1-12037; Washington, D.C. 20538. Your letter must state that you are submitting comments in response to Notice of Proposed Rulemaking DHS-2006-0030.

[Click here](#) for sample comments you can print, sign and send in.

**Portals for submitting comments:**

- [American Civil Liberties Union](#)
- [Electronic Frontier Foundation](#)
- [Privacy Activism](#)

## Background

Organizations have launched a nationwide campaign to engage the public in the debate over what would be the first national identification document. These transpartisan, nonpartisan, privacy, consumer, civil liberty, civil rights, and immigrant organizations have joined in this unique public education project because the REAL ID proposal put forth by the Department of Homeland Security (DHS) would harm our lives in a multitude of ways every day. The proposed regulations set requirements that states must follow to have their state issued identification documents accepted for federal purposes, like getting on an airplane or entering a government building, including courthouses.

The power of the Department of Homeland Security, along with other federal government agencies, to reach into the everyday lives of people living in this country will be unprecedented.

This is the same federal agency that had responsibility for helping people following Hurricane Katrina, and proved itself not to

# Broad Coalition

American Federation of Labor-Congress  
of Industrial Organizations  
American Library Association American  
Policy  
American-Arab Anti-Discrimination  
Committee  
Asian American Legal Defense and  
Education Fund  
Association of American Physicians &  
Surgeons  
Bill of Rights Defense Committee  
Center for Digital Democracy  
Center for Financial Privacy and Human  
Rights  
Citizen Outreach Project  
Citizens Against Government Waste  
Coalition Against Prosecutorial Abuse

Common Cause  
Computing Professionals for Social  
Responsibility  
Consumer Action  
DownsizeDC.org  
Electronic Frontier Foundation  
Electronic Privacy Information Center  
Fairfax County Privacy Council  
Give Me Back My Rights Coalition  
Government Accountability Project  
Gun Owners of America  
Immigrant Workers Union  
Leadership Conference on Civil Rights  
Liberty Coalition  
National Center for Transgender Equality  
National Council of Jewish Women  
National Council of La Raza



# Broad Coalition

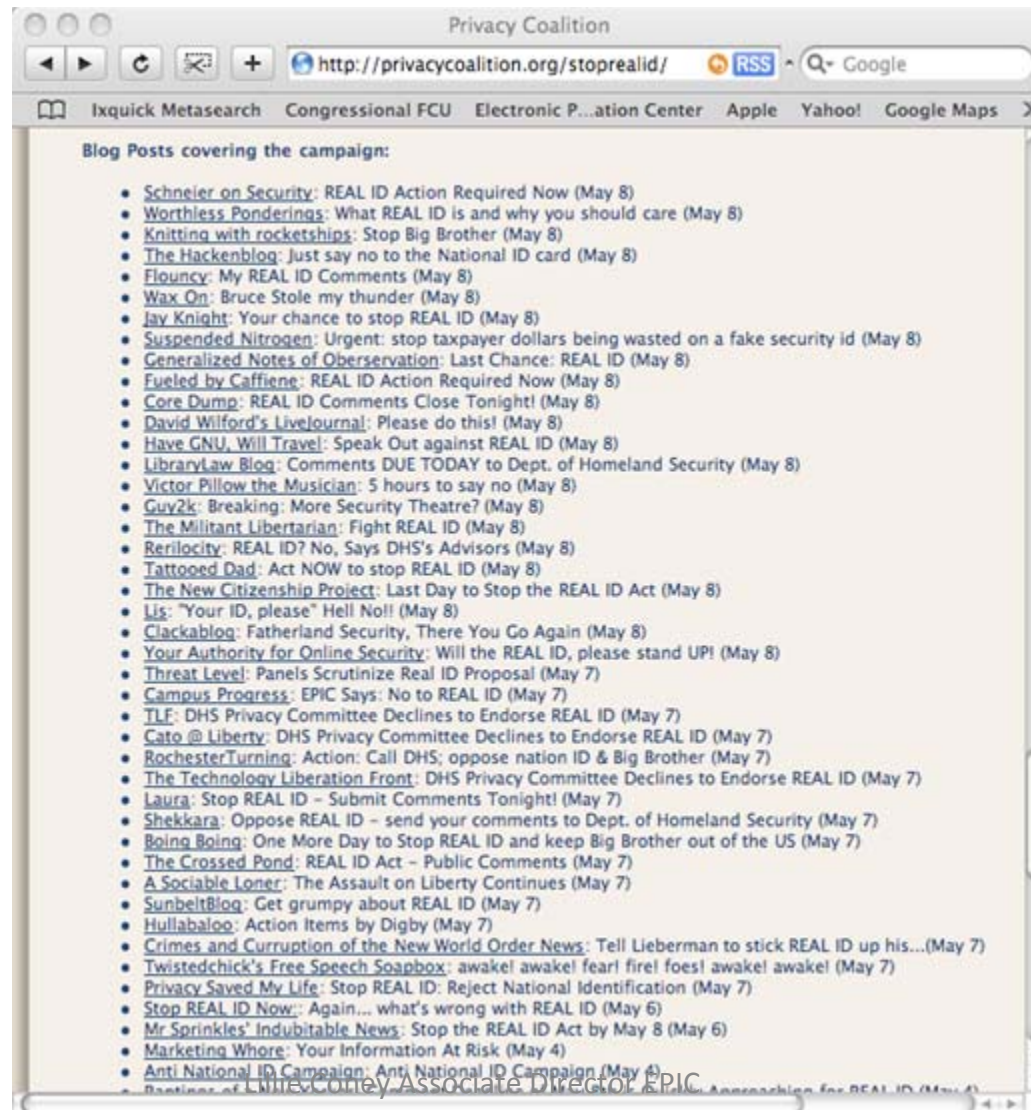
National Gay and Lesbian Task Force  
National Immigration Law Center  
OpenCarry.org  
Parents, Families and Friends of Lesbians  
and Gays  
Patient Privacy Rights Foundation  
People for the American Way  
Privacy Activism  
Privacy Rights Clearinghouse  
Privacy Times  
Republican Liberty Caucus  
Rutherford Institute, The  
The Arc of the United States United  
Cerebral Palsy  
The Multiracial Activist  
US Bill of Rights Foundation  
Virginia Citizens Defense League

Virginia Gun Owners Coalition  
World Privacy Forum

# Making Room for Late Arrivals

**America's Right to Privacy**  
**Arizona Citizens Defense League**  
**Asian American Justice Center**  
**Artist Activism Network**  
**Constitution Party of North Carolina**  
**Consumers Against Supermarket Privacy Invasion and Numbering (CASPIAN)**  
**Consumer Federation of California**  
**Center for Democracy & Technology**  
**Labornet**  
**LaborTech**  
**The Loyal Nine**  
**Oklahoma Defense of Freedom Project**  
**PogoWasRight.org**  
**PrivacyRightsNow.com**  
**South Asian American Leaders of Tomorrow**  
**Young Democrats of America**

# Spreading the Word Online



# Spreading the Word Online



# The Future of Organizing is the Internet

- Rapid Response Issue Teams
  - Creating Links among groups that monitor specific policy spaces
  - Planning action oriented campaigns
  - Recruiting campaign participants
  - Maximizing the democratic experience: freedom of speech, freedom of association, freedom of the press, freedom of expression, the right to know what government is doing in our name

# Lessons Learned

- Campaigns Should be Short
- Focus on a Simple Action Item
  - Send a letter, Submit comments, etc
- Engage the Largest and most diverse Pool of Participants as Possible
- 501(c)3 v. 501(c)4

# EPIC Online

The screenshot shows the EPIC.org website with the following elements:

- Header:** "Electronic Privacy Information Center" and "epic.org ELECTRONIC PRIVACY INFORMATION CENTER".
- Navigation:** "DONATE NOW Network for Good" and "National Committee for Voting Integrity".
- Main Content:** A large banner that reads "Defend Privacy. Support EPIC." with a "PRIVACY '08" graphic.
- Left Sidebar:**
  - Resources:** EPIC Alert (subscribe!), EPIC Bookstore, EPIC Events, EPIC Press Releases, EPIC Privacy Tools, EPIC Reports, Bill Tracer, Former Secrets (FOIA), Privacy Resources.
  - Policy Issues:** Free Speech, Open Government, Privacy & 9/11.
  - About EPIC:** What is EPIC?, Advisory Board, Board and Staff, Job Opportunities and EPIC Services, Litigation Process, Support EPIC, Privacy for EPIC.
- Right Sidebar:**
  - Take Action:** Facebook Causes Privacy08, Twitter Privacy08, Support Privacy08.
  - Upcoming Event:** Association for Education in Journalism and Mass Communication, Keynote Speaker Marc Rotenberg, EPIC Executive Director, Annual Convention Chicago IL August 6, 2008.
  - Recent Event:** EARNESTING THE PAST.

The screenshot shows the privacy.org website with the following elements:

- Header:** "Privacy.org - The Source for News, Information, and Action" and "privacy.org the site for news, information, and action".
- Navigation:** "No E-Commerce without E-Privacy" and a search bar.
- Main Content:** A headline "DOJ Announces Plan to Weaken Privacy Rule on Databases" with a sub-headline "The Department of Justice (DOJ) announced a plan to weaken the 28 Code of Federal Regulation (CFR) Part 23 that governs federal law enforcement access to the criminal databases operated by state and local governments." The text continues: "The 28 CFR Part 23 is cited in the National Criminal Intelligence Sharing Plan as the rule that allegedly provide 'privacy protection for data subjects. The regulation addresses the management of inter-, and multi jurisdictional criminal intelligence sharing systems operated by local and state law enforcement or on their behalf. The Federal Privacy Act, which requires data accuracy, provides much better protection for how personal information stored in databases should be managed. In 2003, the DOJ opted to not require that the FBI comply with accuracy requirements for information held by the National Crime Information Center database. The DOJ and Department of Homeland Security fund a number of local and state law enforcement domestic surveillance programs." Below the article is a "U.S. May Ease Police Spy Rules, Washington Post, August 16, 2008" link.
- Left Sidebar:**
  - Main Menu:** Home, News Resources, Action Archive, Suggest News, Syndicate this site (RSS), About Us, Privacy Policy.
  - Donate Now:** Network for Good.
  - EPIC Bookstore:** THE COMMISSION.
- Right Sidebar:**
  - Take Action:** A graphic with "PRIVACY '08" and an American flag.
  - Recent Stories:**
    - August 16, 2008: DOJ Announces Plan to Weaken Privacy Rule on Databases
    - August 15, 2008: TSA Announces Secret Database on Air Travelers
    - August 6, 2008: Credit Card Theives

# EPIC Online

the **PRIVACY COALITION**

legislative resources | media resources | speakers | campaigns | contact us | about us | home

SEARCH

**PRIVACY '08 ACENDA**

**PRIVACY HEARINGS**

Congressional Hearing on Employment Verification  
The House Ways and Means Committee held a hearing on employment verification. Several hearings have been held by the committee on the proposal to create a mandatory national government employment eligibility system. The current private sector system is voluntary. [View more hearings...](#)

The Privacy Coalition is a nonpartisan coalition of consumer, civil liberties, educational, family, library, labor, and technology organizations that have agreed to the [Privacy Pledge](#). Members of the coalition have been meeting since 1995, but formalized the organization in February 2007. View a list of [member organizations](#).

**Latest Posts**

**FTC Chair Speaks with Privacy Coalition at June Meeting**  
July 15, 2008  
William Kovacic, Chair of the [Federal Trade Commission](#), participated in the Privacy Coalition's June 2008 meeting. Emily Andrew, Chief Privacy Officer with the [US Postal Service](#), also met with the coalition at the same meeting.  
Posted by EPIC on [July 15, 2008](#) | [Trackback\(0\)](#)

**Guest Speaker Chair of the Election Assistance Commission**  
July 2, 2008  
Rosemary Rodriguez, the Chair of the [Election Assistance Commission \(EAC\)](#) met with the Privacy Coalition to talk about transparency and privacy in public elections. The chair of the EAC spoke at the April meeting of the Privacy Coalition.  
Posted by EPIC on [July 2, 2008](#) | [Trackback\(0\)](#)

**Medical ID Theft Threatens Finances and Lives**  
June 5, 2008  
Medical identity theft adds a new twist to identity theft by potentially creating not only financial problems, but health risks. The theft of health insurance coverage to obtain health care can add erroneous information to the health records of victims. These changes to health records may go unnoticed, if ever detected, for years before they are caught. Medical treatment might also be negatively impacted by the theft of medical insurance by medical identity thieves. Proposals to create e-transfers of medical records may also add problems for securing the information from unauthorized use.

The National Committee for Voting Integrity (NCVI)

Media | Members | News | Archive | Issues | Research

**Our Mission**  
The National Committee for Voting Integrity (NCVI) is an [EPIC](#) project that brings together experts on voting issues from across the country to promote constructive dialogue among computer scientists, elections administrators, voting rights advocates, policymakers, the media and the public on the best methods for achieving in practice: fair, reliable, secure, accessible, transparent, accurate, accountable, and auditable public elections. In keeping with the goal of public election administration we are working to ensure that election systems preserve the secret ballot, accuracy, privacy, integrity, and the proper tabulation of the voter's intent regardless of his or her physical condition, language of origin, or literacy ability.

**NCVI Voting Technology Research Tool**  
Comprehensive research tool for voting technology researchers, activists, journalists and other parties interested in developing their understanding of contemporary voting technology issues.

<a href="#">Ballot</a>	<a href="#">Disenfranchisement</a>	<a href="#">Laws</a>
<a href="#">Standards</a>	<a href="#">Voter's Vote</a>	<a href="#">Pollbooks</a>
<a href="#">Technology</a>	<a href="#">Access</a>	<a href="#">By State</a>

[NCVI Recommendations for the Use of E-voting Technology](#)

**Program Areas**

Voting Rights  
[Accessibility](#)  
[Centralized Voter Registration Database](#)  
[Disenfranchisement](#)  
[Voter Privacy](#)

Securing Voting Technology  
[Voting Technology Standards](#)  
[National Institute of Standards \(NIST\)](#)  
[Uniformity in Election Administration](#)

[Laws and Transparency](#)

**Activities & News**

NCVI coordinated a discussion on [e-Deceptive Campaign Practices](#) at the 18th Annual Computer Freedom and Privacy meeting held in New Haven Connecticut, May 20-24, 2008. The panel looked at the incidents of voter suppression that are collectively known as deceptive campaign practices and evidence that the Internet is present new ground for these tactics to go online. (May 20, 2008)

The Government Accounting Office released its report titled [Results of GAO's Testing of Voting Systems Used in Santa Rosa County in Florida's 13th Congressional District](#). The report prepares in the review also spoke with (EISA), state and local elections officials, and the contestants. (February 8, 2008)