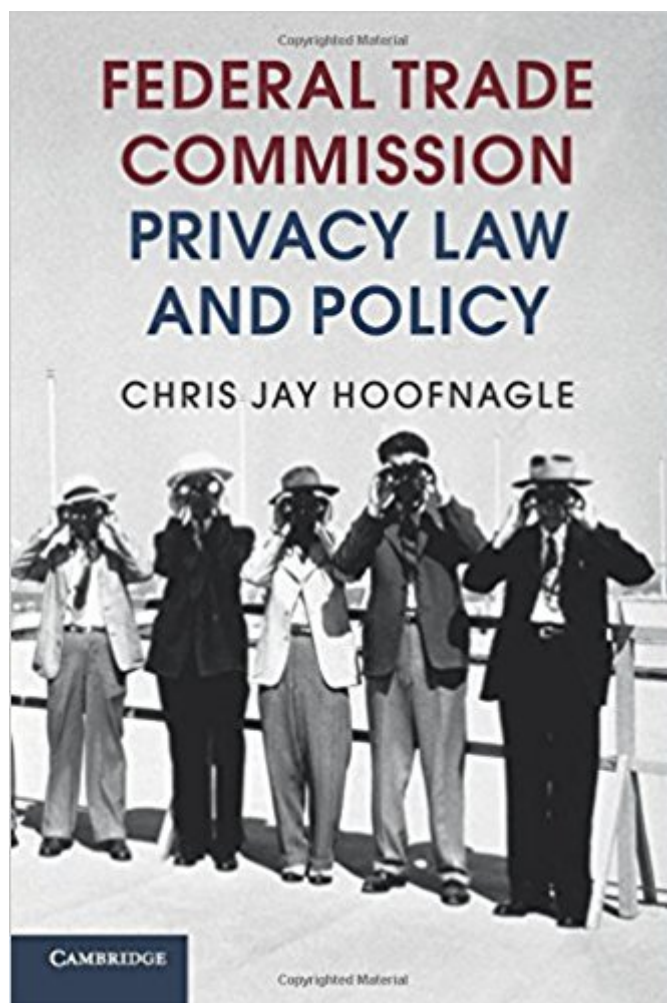


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Federal Trade Commission Privacy Law And Policy



Synopsis

The Federal Trade Commission, a US agency created in 1914 to police the problem of 'bigness', has evolved into the most important regulator of information privacy - and thus innovation policy - in the world. Its policies profoundly affect business practices and serve to regulate most of the consumer economy. In short, it now regulates our technological future. Despite its stature, however, the agency is often poorly understood by observers and even those who practice before it. This volume by Chris Jay Hoofnagle - an internationally recognized scholar with more than fifteen years of experience interacting with the FTC - is designed to redress this confusion by explaining how the FTC arrived at its current position of power. It will be essential reading for lawyers, legal academics, political scientists, historians and anyone else interested in understanding the FTC's privacy activities and how they fit in the context of the agency's broader consumer protection mission.

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"This is a detailed, clearly written guide to the FTC, with specific attention to its privacy practices but including an extensive discussion of its overall history and jurisdiction, at least on the consumer protection side; the antitrust side receives much less attention, which is not a complaint (at least not from me!). I learned a lot, and I'm going to recount some of the highlights..." Professor Rebecca Tushnet, Georgetown University Law Center "Chris Hoofnagle...has written an excellent book about the FTC and its approach to privacy. In part, it is an institutional history, using the FTC Act's passage and the advertising cases of the 1960s and 1970s to understand how and why the FTC is approaching privacy concerns today. [...] This is definitely worth a read, and I'm

happy that it's available in paperback at an affordable price. I think the book also would make a great foundational text in a seminar on consumer law."Professor Katherine Porter, UC Irvine School of Law"Chris offers tremendous insight into the problems and the solutions. He considers the Commission and its parts (with the Bureau of Economics identified as a significant but little known impediment), its critics, privacy advocates, Congress, and others. He is an equal opportunity critic."--Robert Gellman, Privacy and Information Policy Consultant"Professor Hoofnagle's excellent book provides deep insights into the history of the FTC's development, and how it became the important regulatory agency it is today. The book is highly recommended reading for attorneys, legal academics, privacy and data security professionals, and anyone seeking to understand the FTC's history, and its current positions and goals related to technology, consumer privacy and data security."--John Kincaide, Intel...Through his analysis of the role played by the courts, Congress, and the Commission itself, he illustrates the doctrines and dynamics that have contributed to shaping this agency. This makes the book a valuable tool for European privacy experts who wish to better understand the US regulatory approach to privacy protection and understand how political and social forces have affected the powers given to the Commission...--Alessandro Mantelero, Professor of Private Law and of Innovation & International Transactions Law at the Polytechnic University of Turin...Chris J. Hoofnagle takes over fifteen years of experience in American consumer protection, information, and privacy law and converts them into an absorbing, in-depth institutional analysis of the agency. --Bilyana Petkova, Max Weber Fellow, European University Institute"Chris Hoofnagle has put together an impressive, authoritative and useful treatise on the law of consumer privacy in the U.S. and the role of the Federal Trade Commission. This book is an excellent read for all those interested in consumer privacy, and should prove to be a valuable resource for years to come. Part I is a detailed description of the history, structure, political context and legal authority of the FTC...This part could be a worthwhile stand-alone reference work in itself..."--Professor Dee Pridgen"A welcome perspective on challenges facing a great agency designed to "rein in" the American market." Norman I. Silber, Hofstra University, New York"A landmark work for anyone interested in privacy or consumer protection law." Paul M. Schwartz, Jefferson E. Peyser Professor of Law, Berkeley Law School"Chris Hoofnagle has written the definitive book about the FTC's involvement in privacy and security. This is a deep, thorough, erudite, clear, and insightful work - one of the very best books on privacy and security." Daniel J. Solove, John Marshall Harlan Research Professor of Law, George Washington University, Washington DC"A timely and insightful analysis of the FTC as a key actor in protecting information privacy. The historical context provides a solid basis for Hoofnagle's

well-supported policy recommendations." Priscilla M. Regan, George Mason University, Virginia "This book offers a fascinating, informed exploration into the dangers of the Internet and the problems and potentials of the FTC in effectively dealing with them. It is well worth our attention." William L. Wilkie, Aloysius and Eleanor Nathe Professor of Marketing Strategy, University of Notre Dame, Indiana "Today it is common to hear intellectuals and activists make bold pronouncements about the importance of online privacy and the need for strong consumer protections. Few, however, possess a deep understanding of the specific government agencies in which their principles must be put into practice, let alone the broader political environment in which those entities operate. Chris Hoofnagle has done an enormous public service by writing a comprehensive and critical guide to the Federal Trade Commission's consumer protection efforts, which started over a century ago in reaction to a changing economy and industrialization. Invasive new technologies and influential internet platforms make the agency more relevant than ever, but it remains a mystery to most citizens and is often maligned by business interests. Those of us who care about privacy and fairness in the digital age must pay attention to the FTC's crucial role in information policy, and we could not ask for a better primer than this incisive and informative book." Astra Taylor, author of *The People's Platform* "Hoofnagle makes sense of the recent challenges to the FTC's data security authority and suggests a long-term, structural strategy for addressing information-age security risks." Bruce Schneier, author of *Data and Goliath: The Hidden Battles to Collect your Data and Control your World*'... this is an important book that can serve several purposes in a legal collection. Not only is it an important addition to the consideration of online and information privacy protections, but the book is also an excellent example of a historical overview of an important federal agency.' Casey D. Duncan, *Law Library Journal*

The US Federal Trade Commission is now the most important regulator of information privacy in the world, but it is often poorly understood. This volume addresses this confusion by explaining the FTC's privacy activities and how these activities fit in the context of the agency's consumer protection mission.

This is the book to read if you want to understand the FTC's privacy and security initiatives. Hoofnagle offers excellent discussions both, and his grounding those discussions in a history of the FTC is quite illuminating. It is engagingly written and a pleasure to read.

The most comprehensive book written to date on the FTC.

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