

Panel Summary: The Future of Privacy Online

Moderator: Carl Szabo, NetChoice

Panelists: Dona Fraser, Entertainment Software Rating Board; Ghita Harris-Newton, Yahoo!; Courtney Manzel, Sprint; Kobie Pruitt, Future of Privacy Forum; Ben Wittes, Brookings Institute

Overview: A look at the future of online privacy – examining the changes over the last 12 months, and looking ahead to the future.

In leading this discussion, Carl Szabo opened by noting the vastness of the topic of privacy. He said that 87% of people are concerned about their privacy online, but the definition of which varies greatly, and that figuring out what that definition is often the biggest issue.

Ben Wittes brought the academic side to the discussion and set the stage by explaining the privacy paradox, exemplifying the complexities of the issue. He said the paradox is the idea that the technology that makes us fear for our privacy also have privacy benefits. However, when it comes to measuring the level of privacy we have, we don't have the proper tools or metrics to accurately tell. When there are privacy gains and losses, we often complain about the losses and accept the gains and define them as other things, thus making the privacy equation very complicated.

Ghita Harris-Newton and Courtney Manzel represented the industry side and what they are doing to promote privacy on their platforms. Harris-Newton spoke of Yahoo's focus on privacy by design and their goal to promote transparency, trust, and control. She said that Yahoo! strives to think about privacy concerns ahead of time and give users the tools to control their experiences. Manzel discussed Sprint's unique position in the space as an ISP. She said that Sprint is similar to Yahoo! in that they strive for transparency and choice. They are sure to give ample notice, choices, and controls for to their users about privacy issues as well as performing quarterly privacy check-ins, maintaining specific privacy representatives, and offering an opt-in program for interest-based advertising.

Dona Fraser brought the regulatory perspective from ESRB to the table. She pointed out that the ESRB is more than just a system of ratings, but also has a robust privacy certification program that helps companies provide appropriate privacy measures and mitigate risks without losing users by keeping them well informed. She also gave an update on COPPA and how it has expanded the definition of personal identifiable data and how that has presented challenges for developers to comply with new laws.

Kobie Pruitt spoke of student data privacy and emerging technology tools in the classroom. He discussed the recent flight from student data and the large amounts of legislation that is currently in play. He said that student data can actually be very valuable and moving away from it is a mistake. He said that there have been some cases of schools taking away all data-collecting technology, which may end up doing harm and instead encourages companies to sign Student Privacy Pledges which affirms them to abide by FERPA.

Harris-Newton, Manzel, and Fraser also offered what privacy tools their organizations have available for parents today. Harris-Newton said that Yahoo's safety center, safety.yahoo.com, takes a layered approach to explain different aspects of privacy and gives links to different tools. She also said something that everyone can do is get educated about what companies are doing in the privacy space. Manzel spoke of global device settings with industry compliance and Sprint's tools for parents for monitoring use. She said that parents should be aware of apps that may use information that you wouldn't think of and to be familiar with mobile controls. Fraser urged parents to be aware of disclosures and not to assume that devices are properly set up for optimal privacy right out of the box.

To conclude the discussion, panelists gave their predictions about privacy going forward. Szabo predicted that definitions around privacy are destined to change. Fraser said that the conversation about regulation will no longer be about the US versus the EU and that it will become more global. With that though, she said, the US will have to step up. Wittes said that things are changing fast and it may be hard to catch up with things culturally. Harris-Newton recognized that with advancing technology and IoT, more and more data will be collected and said that privacy issues will make their way to the forefront. Manzel expects more privacy standardization in the tech industry. And Pruitt said that privacy is picking up steam; forty-six states have proposed bills on student data privacy. He called it "zombie legislation" that will not die.