

Case Study: Electronic Privacy Information Center (EPIC)

Organizational identity

The Electronic Privacy Information Center (EPIC) is a public interest advocacy group based in Washington, D.C. It was established in 1994 to focus public attention on emerging civil liberties issues and to protect privacy, freedom of expression and constitutional values. EPIC pursues a wide range of activities, including policy research, public education, conferences, litigation, publications, and advocacy. It also practices litigation with significant expertise in FOIA requests, court challenges in defense of privacy and free speech civil liberties, and filings in agency proceedings. These actions cover issues such as anonymity and privacy in consumer, travel, geographic location, financial, internet, and telecommunications matters.

While the activities the organization pursues are diverse, founder and director Marc Rotenberg generally characterizes EPIC as a traditional human rights non-governmental organization. Its main role is to make documents available to the public regarding issues and rights, and then to provide regular evaluation or metrics as to whether or not those rights are being upheld.¹ An example of this is the annual report, *Privacy & Human Rights 2004*,² jointly produced by EPIC and Privacy International on the state of privacy laws around the world; others include the *Privacy Law Sourcebook* and the *Consumer Law Sourcebook*.

In this way, EPIC has successfully leveraged major international concerns like human rights and consumer protection to address more arcane technical computing and communications policy issues, such as encryption standards and data collection practices. This type of issue-linkage is typical among transnational advocacy organizations.³ By describing its organizational purpose and advocacy role in familiar terms, EPIC gains broader understanding of the issues and wider support among policymakers and users. The approach is especially useful when it can help to span major conceptual and relational gaps in advocacy networks.

An example of this is the varying positions among developed and developing country human rights and social justice organizations. For instance, there are different perceptions between Western and African NGOs about the concept of privacy and the roles and appropriate interaction between civil society, the private sector and government in ICT policy formation.⁴ The difference in conceptualization is not limited to a north-

¹ Personal Interview with Marc Rotenberg, December 6 2004.

² Since 1997, the report has catalogued existing and emergent threats to privacy and evaluated legal frameworks in over sixty countries.

³ See Margaret E. Keck and Kathryn Sikkink, "Transnational Advocacy Networks in International and Regional Politics," *International Social Science Journal* 51, no. 1 (1999).

⁴ At a recent forum put on by EPIC in Cape Town, South Africa and attended by Western human rights and social justice groups (e.g., Association for Progressive Communications) and many African-based organizations (e.g., APC-Africa), a UK-based advocate impassionedly expressed the "importance of the

south dichotomy, however. Within the realm of consumer protection advocacy, positions vary dramatically on privacy matters related to health information protection and encryption which enables ecommerce. EPIC plays an important role by bridging varying conceptions of privacy and leveraging different arguments to develop cohesive policy positions and facilitate a transnational advocacy network.

While EPIC plays an important role organizationally, it is largely successful because of its individual leadership. Rotenberg, a Washington, DC insider, has been referred to as the “net’s Ralph Nader”.⁵ Skilled at the craft of politics, he has developed a self-acknowledged extensive network of contacts within domestic and international governments, and is sensitive to the importance of it in his work. His elite network extends well beyond the halls of government, however, by virtue of his relationships with technical experts in the private and non-profit sectors. This includes EPIC Board members, such as crypto luminaries Whitfield Diffie and James Bidzos, and ongoing relations with epistemic communities (e.g., the Internet Society) and ties to important internet infrastructure providers, like Public Interest Registry.

Despite Rotenberg’s participation in an elite network, the organization maintains legitimacy within civil society at large. It has done so by remaining connected to grassroots activists through joint and independent efforts. Together with Privacy International, another well-known privacy advocacy organization, EPIC has shared research and publicity responsibilities in publishing authoritative, global guides on privacy issues and regulation used by practitioners and policymakers alike.⁶ EPIC also maintains a presence in well-known privacy related events, participating in conferences (e.g., Computers, Freedom & Privacy) which draw hundreds of academics, professionals, and activists together each year to survey and debate the current state of technology and society. Independently, EPIC has run The Public Voice project, which supports local NGO activity by providing forums for interpersonal networking and expertise sharing. In addition, they have played an important role in supporting civil society activity within policy-making institutions, for example providing ICANN’s Noncommercial Users Constituency with interns. With this commitment to movement-building, EPIC stands apart from other, well-known Washington D.C. based CIP advocacy organizations like the Center for Democracy & Technology (CDT) and Public Knowledge, which tend to focus solely on policy formation or litigation rather than on public interest advocacy-building efforts.

battle against multinationals [i.e., big media and communications companies].” This stood in stark contrast to positions expressed in interviews by APC-Africa and other African based advocates, insisting that the emergence of ICTs in Africa would only come about by working together with government and the private sector. While many Western advocates argue privacy as a fundamental human right, African advocates seem more cautious in balancing privacy issues with development goals.

⁵ See Marcia Stepanek, *The E.Biz 25: Marc Rotenberg* (BusinessWeek Online, 2000 [cited February 13 2005]); available from http://www.businessweek.com/2000/00_20/b3681063.htm.

⁶ Rotenberg praised their long-standing relationship as mutually productive with differing, specialized roles for each organization, claiming that EPIC provides the “footnotes,” and Privacy International “the headlines.” Personal Interview with Marc Rotenberg. December 6, 2004.

Historical background

EPIC's formation was driven by the convergence of (1) a long-term legal movement to recognize privacy as a fundamental human right and, (2) the rapid emergence and ubiquity of computing and communications and their impact on users' privacy. While this convergence was apparent to advocates prior to EPIC's existence, it was mostly focused around concerns over data collection and dissemination. However, it rose to a new level of prevalence and urgency in the 1990s with the debate over the Clinton administration's key escrow proposal, the commercialization of the Internet and the rise of e-commerce.

Early Transnational Privacy Advocacy

As detailed by Bennett (1992), common concerns about computerized data collection emerged in a handful of countries (Sweden, the United States, and West Germany) in the 1960s and 1970s.⁷ Influenced by an elite, largely Western-educated policy community, national policies emerged in a remarkably similar fashion.⁸ A handful of legal experts, with extensive backgrounds in human rights issues utilized institutional forums like the OECD, the UN and the Council of Europe to cultivate relationships, frame and exchange ideas and develop policy positions. From these meetings, a common set of fair information practices emerged and were subsequently disseminated to many countries with vastly different legal, cultural and social systems.⁹

EPIC Emerges

While transnational privacy advocacy had its roots in Europe, it took some time before it appeared in the United States. In 1983, Rotenberg founded and became executive director of the Public Interest Computing Association (PICA) in Washington D.C. PICA was not transnational in focus, but sought to understand the ramifications of digitization and computerization of communications and information and promote "the appropriate utilization of microcomputer technology by nonprofit organizations."¹⁰ Eventually, Rotenberg recognized a growing need to institutionalize public interest representation in computer privacy debates and promote informed public-interest participation.¹¹

⁷ See Colin Bennett, *Regulating Privacy: Data Protection and Public Policy in Europe and the United States* (Ithaca, New York: Cornell University Press, 1992).

⁸ *Ibid.* (146)

⁹ *Ibid.* (150-152)

¹⁰ See "Public Interest Computer Association," in *Encyclopedia of Associations: National Organizations of the United States*, ed. D. S. Akey, et al. (Detroit: Gale Research Company, 1985). The diversity of interests held by the participating organizations was broad, including environmental, human rights and peace organizations. PICA's membership mix of public interest groups, a growing number of individual on-line users, and representatives from the on-line industry was perhaps indicative of an emerging communications and information policy social movement, one that transcended traditional communications policy issues (e.g., broadcasting) and audiences.

¹¹ See an agenda of a typical PICA conference concerning participation in the FCC rule-making process at <http://cgi.gjhost.com/~cgi/mt/netweaverarchive/000114.html>

Three years later, in 1986, Computer Professionals for Social Responsibility (CPSR), a public interest advocacy organization consisting of computer scientists and professionals with roots in the anti-nuclear movement of the 1970s, began The Privacy and Civil Liberties Project. The project began in response to continuing requests for research assistance from Washington-based organizations that lacked computing expertise.¹² CPSR's successful completion of a small contract and the continued demand for its services led to additional grants and contracts that made it possible for CPSR to open a Washington-based privacy office in 1988. Around the same time, Rotenberg graduated from Stanford Law School and became counsel to Senator Patrick J. Leahy on the Senate Judiciary Committee and eventually staff counsel to the Senate Subcommittee on Law and Technology, where he helped direct many legislative efforts involving computing technology. Already a board member of CPSR, Rotenberg joined their staff in 1988 as National Program Director for the newly renamed CPSR Computing and Civil Liberties Project. The organizational name change, although subtle, would be emblematic of the growing convergence between the legal and technical worlds of privacy advocacy.

In his new role, Rotenberg headed up the CPSR office in Washington D.C. and directed the organization's work on civil liberties, privacy, access to information, and computerized voting along with other issues. At the time, the CPSR office in the capitol provided the only active, significant representative of computer professionals in Washington D.C. Building on the importance of institutional presence, Rotenberg testified before Congress numerous times over a wide range of communication and information issues ranging from military and civilian control of computer security to freedom of information, electronic identifiers and personal privacy, electronic surveillance, and consumer protection.¹³ The rapid growth in demand for the specific talents of the CPSR office, fueled by the convergence of formerly distinct issue areas concerning technological changes, was partially responsible for the office eventually being reorganized as an independent entity.

At an April 29, 1994 press conference, Rotenberg and former presidential candidate John Anderson (a current EPIC Board Member), along with CPSR and the Fund for Constitutional Government (FCG), announced the creation of EPIC.¹⁴ The new organization sought to promote "oversight, accountability and public debate around the issues of government secrecy and civil liberties" in relation to the widely touted and fast emerging information "superhighway". Perhaps more important was that the announcement came a week before Congressional hearings concerning the adoption of

¹² See *History* (Computer Professionals for Social Responsibility, 2004 [cited November 29 2004]); available from http://www.cpsr.org/about/history/index_html/.

¹³ Congressional hearings for which Rotenberg provided testimony included the Computer Security (1987), Computer Virus Eradication (1989) and Computer Protection (1989) Acts, the dissemination of government information in electronic formats proposed in the Government Printing Office Improvement Act (1990), the Data Protection Act (1990) which considered the privacy implications of the development of computer databases containing personal information about individuals for marketing and other purposes, the use of social security numbers as national identifiers, electronic monitoring in the workplace, telemarketing, electronic fraud, and amendments to the Fair Credit Reporting Act (1990).

¹⁴ See "EPIC against Clipper," *Intelligence Newsletter*, April 5 1994.

the Clipper Chip, a surveillance technology being proposed by the White House and backed by the National Security Agency, and which according to a survey at the time, 80 percent of Americans opposed.¹⁵ This was a clear indication that privacy related issues had become a mainstream social concern.

The newly formed organization leveraged CPSR's financial support and computing expertise, and Rotenberg's knowledge of the impact of technological change. The Fund for Constitutional Government brought another complementary skill. The FCG had been established two decades earlier, in 1974, "to expose and correct corruption in the federal government and other major national institutions through research and public education."¹⁶ The impetus for the organization came from public grievances against Nixon-era government secrecy and the subsequent passing of the Government in the Sunshine Act in the mid seventies. The FCG maintained individual and funding connections to the Stuart R. Mott Charitable Trust, one of the numerous philanthropic organizations established by heirs to the General Motors fortune. It funded several projects that utilized FOIA requests to gain access to critical documents.¹⁷ As often witnessed in social movements, this carefully honed skill became part of EPIC's repertoire of action.¹⁸ Additionally, like other CIP advocacy organizations in the United States during the 1990s, the FCG was in the process of reinventing itself, helping to start and operate EPIC until the project was eventually spun off entirely in November 2000.¹⁹

Transnational advocacy

A feature which distinguishes EPIC from many other U.S. based public interest advocacy organizations in CIP has been its consistent support of transnational advocacy efforts.²⁰ EPIC has actively sought to replicate at the global level its domestic success in

¹⁵ Ibid.

¹⁶ See <http://www.epic.org/fcg/>

¹⁷ For example, the FCG Board of Directors and staff included Conrad Martin, who had been a Program Officer at the Stuart R. Mott Charitable Trust since 1985. Projects included The Government Accountability Project, The Project on Government Oversight, and The Investigative Journalism Project.

¹⁸ See Elisabeth S. Clemens, "Organizational Repertoires and Institutional Change: Women's Groups and the Transformation of U.S. Politics, 1890-1920," *American Journal of Sociology* 98, no. 4 (1993). EPIC would eventually publish a definitive guide to making FOIA requests, *FOIA 2002: Litigation Under the Federal Open Government Laws*.

¹⁹ See Milton Mueller, Christiane Pagé, and Brenden Kuerbis, "Civil Society and the Shaping of Communication-Information Policy: Four Decades of Advocacy," *The Information Society* 20, no. 3 (2004). See *History*. Computer Professionals for Social Responsibility, 2004 [cited November 29 2004]. Available from http://www.cpsr.org/about/history/index_html/.

²⁰ It is important to note, however, that EPIC was not the only U.S. based public interest organization active early in transnational advocacy. Another attempt was undertaken by The Center for Democracy & Technology, which was similarly founded in 1994. In 1996, The Soros Foundation awarded a planning grant for the CDT's World Internet Freedom Project (WIF), "to establish awareness of the need for basic free expression and privacy rights for Internet users around the world." The WIF sought to "identify partners around the world who are committed to advancing democratic values on the Internet [by bringing together] key parties... [and establishing] an international advisory committee of activists and other leaders." Its ambitious goals included creating "a liaison between international governments and non-governmental organizations [... and to] serve as a presence in international bodies, and engage in public education efforts aimed at the international press." See *First Annual Report and 1996 Work in Progress*

influencing privacy, free expression, consumer protection and pursue newly emerging issues like internet governance. Over the years, it participated in or initiated several international projects and coalitions: the Global Internet Liberty Campaign, the Internet Democracy Project, The Public Voice project, its participation in the Noncommercial Users Constituency of ICANN and the human rights and Internet governance caucuses of the Civil Society division of the World Summit on the Information Society.²¹ Recently EPIC has developed relationships with important policy actors and institutionalized itself within policy forums.

Global Internet Liberty Campaign (GILC)

One of the earlier efforts at transnational advocacy surrounding internet policy began in 1996. At the time, EPIC, the Center for Democracy & Technology (CDT) (another newly formed CIP advocacy organization), and the venerable ACLU approached the Open Society Institute-Internet Program (OSI-IP) with an initiative to create a vehicle to inform the general public about internet policy issues. While the CDT eventually pulled back from the early effort, EPIC and the ACLU went ahead and unveiled the GILC at the 1996 annual meeting of the Internet Society (ISOC) held in Montreal.²²

The campaign brought together a diverse blend of advocates, including newly formed organizations like The Association des Utilisateurs d'Internet, CypherNet, Fronteras Electrónicas España, and NetAction and more established traditional civil liberties and human rights organizations such as the American Civil Liberties Union, Human Rights Watch, and Amnesty International.²³ In this sense, it continued the long-standing relationship between privacy advocates and human-rights groups, however, as Simon Davies, Director General of Privacy International noted, it introduced a new technological and libertarian element. This was most obvious in the development of a Statement of Principles, where the campaign voiced its critical opposition to any restriction on encryption, an assertion which went beyond usually espoused arguments against censorship and for communication as a human right.²⁴

Despite the limited success of the GILC's publicizing of privacy advocacy activities, the OSI-IP agreed to fund a cooperative initiative between the three organizations. However, this funding stipulated a different direction in GILC's activities. In 1998, OSI-IP awarded a \$250,000 grant to expand the GILC's geographic reach to the

(Center for Democracy & Technology, 1996 [cited February 9 2005]); available from <http://www.cdt.org/mission/activities1996.html#WIF>.

²¹ Others not covered here include: the Trans Atlantic Consumer Dialogue, the Internet Free Expression Alliance, and Privacy International.

²² See *Global Internet Liberty Campaign* (Open Society Institute - Internet Program, [cited February 4 2005]); available from http://www2.soros.org/internet/policy/global_internet_liberty.html. CDT eventually got funding for another project, the Global Internet Policy Initiative (GIPI), which undertook some of the regional policy making activity that OSI seems to have wanted.

²³ See Simon Davies, "Spanners in the Works: How the Privacy Movement Is Adapting to the Challenge of Big Brother," in *Visions of Privacy: Policy Choices for the Digital Age*, ed. Colin J. Bennett and Rebecca Grant (Toronto: University of Toronto Press, 1999).

²⁴ Ibid.

newly independent states in eastern Europe (CIS) and to generally enhance their “abilities to serve as a resource center for NGOs involved with internet policy issues.”²⁵ Among other things, activities included: the sponsoring of related events and subsidization of advocate participation, the submission of comments to government institutions regarding privacy related matters, and the regular publication of pertinent internet and privacy policy news in the GILC Alert mailing list. At its peak, the GILC included over 60 participating organizations from five continents.

While GILC provided an early nexus for internet advocacy activity in the mid 90s, it proved to be unsustainable. In part, this was because it had no clear institutional focus for its efforts, addressing virtually any and every national and international activity affecting the Internet. Additionally, the lack of a central point of organizational or individual leadership made it impossible to claim credit for the campaign’s successes, and gain follow-on funding, as each participating organization was more concerned with its own budget and activities than that of GILC. Arguably, the GILC was hampered as well by principal agent problems. Envisioned by its creators as a *global* campaign, its chief funder (OSI-IP) saw it as an opportunity to develop specific regional capacity. After a promising start, the GILC’s activities slowed considerably in 1999, and the GILC Alert ceased publication in the early part of 2004.²⁶

Internet Democracy Project (IDP)

EPIC launched the IDP in conjunction with the American Civil Liberties Union (ACLU) and Computer Professionals for Social Responsibility (CPSR) in July of 2000, seeking to increase “participation by non-governmental organizations in Internet governance and to promote the principles of a civil society.”²⁷ In particular, the IDP sought to draw attention to ICANN and its processes, especially its unprecedented global election of five “At Large” Board members. The IDP called for transparency and equitable representation in ICANN, and highlighted the need for a balanced approach to intellectual property regarding domain names. It also provided an informational clearinghouse for internet governance related issues, and a place for the public to learn about and debate the upcoming At Large elections.

The IDP was funded by three foundations, including the Open Society Institute’s Internet Program (OSI-IP), and the Kellogg and Markle Foundations.²⁸ While Markle’s contribution is unknown, OSI-IP awarded \$150,000 to the ACLU and Kellogg provided \$25,000 to the ACLU to “enhance the participation of Internet users worldwide in non-governmental bodies that are setting Internet policy and advocate adherence to

²⁵ See page 192, The Open Society Institute, *IRS Form 990-PF* (Guidestar, 2000 [cited February 8 2005]); available from <http://www.guidestar.org/Documents/2000/137/029/2000-137029285-1-F.pdf>.

²⁶ See *Huridocs-Tech List Archive* (hrea.org, 2004 [cited February 8 2005]); available from <http://www.hrea.org/lists/huridocs-tech/markup/maillist.php?file=author2.html>.

²⁷ See *Warning of Thorny Online Issues Ahead, Cyber-Rights Groups Form Internet Democracy Project* (July 6) (American Civil Liberties Union, 2000 [cited February 4 2005]); available from <http://www.aclu.org/Privacy/Privacy.cfm?ID=8012&c=39>.

²⁸ See *Internet Democracy & Governance Project* (Open Society Institute, [cited February 5 2005]); available from <http://www2.soros.org/internet/policy/governance.html>.

internationally recognized principles of human rights.”²⁹ Portions of these funds were distributed to academics and advocates to undertake the project’s activities, including regular publication of the *Cyber-Federalist*, which provided analyses and commentary on Internet governance and ICANN elections, and maintenance of the project website.³⁰

Rotenberg, while in agreement that ICANN was a critical venue for debating policy, interestingly stated in the project’s press announcement that it was hardly “the only group that will affect the future of the internet,” continuing that, “our work will be broader and we will encourage the participation of the Public Voice [capitals in the original] at every opportunity.”³¹ While obviously supportive of any effort to increase public participation in policy making institutions in general, his statement was also ironically telling of the incipient turf battles in CIP advocacy in the late 1990s and early 2000s. A new battleground, ICANN, was being formed and a network of advocates was seeking influence, but Rotenberg and EPIC sought to be the primary organizational actor overall.³² At that point, however, no single organization had emerged as the dominant advocacy vehicle for transnational CIP advocacy.

Like its predecessor the GILC, the IDP suffered from its status as a partnership of three distinct organizations, each with its own sustainability issues. Each organization had an incentive to maximize the funding it would get from addressing a hot issue (the ICANN elections) but no clear strategy regarding which organization would take on the serious organizational burdens of delivering the goods. Like GILC, IDP after two years was little more than a website and an email newsletter. By 2003 ICANN has decided to abolish its elections. By early 2004, the project website was no longer being updated.

The Public Voice

According to Rotenberg, activities of The Public Voice project are traced to September 25, 1996.³³ In response to the success enjoyed by domestic privacy advocates with regard to the battles over the legal framework of encryption standards, EPIC

²⁹ See page 192, The Open Society Institute, *IRS Form 990-PF* ([cited]). Also see *Grant Detail* (W.K. Kellogg Foundation, [cited February 4 2005]); available from <http://www.wkkf.org/Knowledgebase/Grants/GrantDetail.aspx?ID=P0084430>.

³⁰ For example, \$28,433 was awarded to Professor Hans Klein at Georgia Tech, the primary author of the *Cyber-Federalist*. See *Annual Report: Research Grants and Contracts* (Georgia Tech School of Public Policy, 2001 [cited February 8 2005]); available from http://www.spp.gatech.edu/research/report01_faculty.html. Additionally, Chris Chiu of the ACLU maintained the project’s website.

³¹ American Civil Liberties Union, *Warning of Thorny Online Issues Ahead, Cyber-Rights Groups Form Internet Democracy Project* (July 6) (American Civil Liberties Union, 2000 [cited February 4 2005]); available from <http://www.aclu.org/Privacy/Privacy.cfm?ID=8012&c=39>.

³² Perhaps more importantly, Rotenberg spends a significant amount of his time engaged in activities to maintain his organization (i.e., fundraising) and could have viewed a coalition effort as diluting the perceived value (held by funders) of his own organization. According to Klein, EPIC and ACLU did everything they could to keep him out of the loop as far as funders were concerned, although most of the visible work (*Cyber-federalist*, website) was performed by CPSR. ACLU was not visibly active in ICANN meetings at that time, only Chris Chiu was sent.

³³ Personal Interview with Marc Rotenberg. December 6, 2004.

correctly believed the United States government would seek other venues in which to bolster its arguments of continued restrictions on types and exportation of encryption technology.³⁴ To counter this influence, EPIC successfully lobbied the Organization for Economic Cooperation and Development (OECD) to place several well-known cryptology experts and privacy advocates on panels debating the proposed cryptology guidelines.³⁵ Their purpose was to brief the OECD experts' group about the human rights, technical and legal implications of the technology, expanding the debate scope beyond national security concerns voiced by the U.S. and other governments. The inclusion of the experts was viewed as coup for privacy advocates.

Since its auspicious beginning, The Public Voice emerged as a vehicle advocating the participation of civil society in other global CIP policy arenas. While initial events were focused in the Western Europe and North America, since 2001 events have been held in the Middle East, Latin America, Eastern Europe, and Africa. Symposia topics ranged from consumer protection and e-commerce to personal privacy, data protection, online speech and internet governance. Typically, the events are held in conjunction with events put on by international or hybrid institutions, like UNESCO and ICANN, or gatherings of epistemic communities, like ISOC annual meetings or the International Conference on Data Protection and Privacy Commissioners.

Rotenberg sees Public Voice Project events as networking opportunities rather than an attempt to coordinate NGO activity from a central point, which in his view, cannot work at the transnational level.³⁶ The events, "serve the purpose of supporting the local role of NGOs and providing an opportunity to build personal connections for future campaigns."³⁷ In addition to organizing these events, the project provides financial support for advocates to attend related events, including meetings held by ICANN, the OECD, UNESCO and other UN agency sponsored events such as the WSIS and ICT Task Force, the World Social Forum, the International Conference on Privacy and Personal Data Protection, the World Congress on Computer Law, and annual Computers, Freedom and Privacy conferences. In 2003 alone, The Public Voice project contributed over \$40,000 to facilitate events and participation by individuals and organizations.³⁸

Noncommercial Users Constituency (NCUC)

Since late in 2001, EPIC participated in the NCUC of ICANN. Within NCUC, EPIC has monitored and participated in the ICANN policy making processes, focusing mainly on Whois-related Task Forces. Over the past four years, representatives to the organization included Dory Kornfeld, Ruchika Agrawal, Stephanie Perrin, and Frannie Wellings, who currently serves on its Executive Committee. In addition to active

³⁴ See "The World-Wide Encryption Battle," *Intelligence Newsletter*, October 3 1996.

³⁵ Ibid. The cryptology experts "who, between them, added up to a singular nightmare for western intelligence agencies" included Whitfield Diffie, Matt Blaze, Phil Zimmerman, and Ross Anderson.

³⁶ This assertion about advocate networks is logical and consistent with the literature in sociology and political science [citations].

³⁷ Personal Interview with Marc Rotenberg. December 6, 2004.

³⁸ See The Electronic Privacy Information Center, *IRS Form 990* (Guidestar, 2003 [cited January 8 2005]); available from <http://www.guidestar.org/Documents/2003/522/225/2003-522225921-1-9.pdf>.

participation, EPIC's Public Voice Project contributed financially allowing NCUC advocates to attend ICANN meetings in 2003.³⁹

More interesting than EPIC's participation, however, has been its leveraging of institutional change to increase public interest advocacy. Starting in 1999, ICANN and the U.S. Department of Commerce began renegotiating its registry agreement with Verisign. A deal was made in which Verisign would be given perpetual control of .com, but as a quid pro quo would divest itself of.org and eventually .net, and separate its registry and registrar functions into distinct companies. The agreement to divest .org contained a clause stipulating the creation of a \$5M endowment by Verisign upon termination of its contract. The endowment would be turned over to any new, non-profit organization who assumed the registry function. While the idea of requiring Verisign not only to divest the .org registry but also to support its successor may seem odd, as one NCUC member recalled, certain members of the ICANN management and Board had it out for Verisign, feeling that the company was greedy and incompetent in its registry role during the internet boom of the late 1990s.⁴⁰ Another plausible explanation was that the ICANN Board was already planning to give .org to ISOC, and since the ICANN Board, staff and the Supporting Organizations had deep connections to ISOC, they sought to help ensure its viability.

What was important about this episode was the opportunity for economic rents it presented for the Internet Society, NCUC and public interest advocates. The Internet Society saw the .org registry as a solution to its long-term financial problems caused by supporting its secretariat and the Internet Engineering Task Force (IETF). The NCUC also recognized that a new .org registry could become a source of financial support for the participation of noncommercial interests in ICANN. Similarly, Rotenberg realized that the change in ownership presented opportunities for advocacy funding. The NCUC sought to influence the criteria for selecting a new .org registry. As the representatives of the domain name user community contained within .org, they succeeded in taking the lead role in setting policy for divestiture of .org. NCUC Council member Milton Mueller chaired the DNSO task force that proposed the .org reassignment policy.⁴¹ The policy, passed by the DNSO and accepted by the Board, required applicants to demonstrate a commitment to support noncommercial activity within ICANN. At the same time, Rotenberg began to tap his ties to ISOC, which had applied for the registry agreement.

At the end of 2002, ISOC's non-profit applicant, Public Interest Registry, was awarded management of the .org tld. As expected, ISOC setup a \$5.0M endowment to

³⁹ EPIC provided \$4000 to Syracuse University's Convergence Center (who acts as the NCUC's secretariat) to fund NCUC participation on a data collection panel (regarding Whois implementation) in Carthage, Tunisia. See *EPIC Grant to NCUC* (September 22) (Archives of NCUC-DISCUSS@LISTSERV.SYR.EDU, 2003 [cited February 8 2005]); available from <http://listserv.syr.edu/scripts/wa.exe?A2=ind0309&L=ncuc-discuss&P=R3014&I=-3>.

⁴⁰ Personal Interview with Milton Mueller, February 11 2005.

⁴¹ See for example "Evaluation Report of the ICANN/DNSO Non Commercial Constituency," (Noncommercial Domain Name Holders Constituency, 2002).

fund the operating costs of PIR.⁴² Rotenberg was put on the Board of PIR, and was later nominated and became Chair of the Board in 2003, to serve a three year term.⁴³ In this leadership position he ensured that ISOC/PIR met its funding commitment to the NCUC.⁴⁴ He continued to secure funding for other public interest advocacy activities, including garnering PIR support for EPIC's Public Voice project symposia.⁴⁵

While Rotenberg's position on the PIR Board certainly benefited privacy advocacy activities related to internet governance, the evolving relationship grew tenuous. It became apparent that the chief financial benefactor of the new registry agreement was ISOC. By the end of 2003, ISOC had received \$1.85M in grants and other payments from PIR.⁴⁶ In November 2004, the ISOC Board of Trustees created an Ad-Hoc PIR Committee to facilitate a better understanding of the internal workings of PIR.⁴⁷ Seemingly, ISOC was reigning in PIR operations, and by January 2005, Rotenberg had resigned.

World Summit on the Information Society

Through The Public Voice project and the individual participation of staff members in caucus discussions, EPIC first became involved with the World Summit on the Information Society (WSIS) in November 2002. However, EPIC was not an official registered organization in the first phase of the WSIS process, despite the presence of other U.S.-based multinational public interest advocacy organizations (e.g., Consumers International, CPSR). In fact, there were only a handful of U.S. based public interest advocacy organizations (e.g., CPTech, Deep Dish Television, Free Software Foundation) officially participating during that stage. However, following their own desire to "enable more organizations in the US...to learn about the WSIS...and participate in this discussion," EPIC became a registered organization for the Geneva Summit held in

⁴² See *Statement of Financial Position* (The Internet Society, 2003 [cited February 8 2005]); available from http://www.isoc.org/isoc/fin/FinancialInfo_web.pdf. This amount stated is approximately \$4.2M, or the original \$5.0M endowment minus the first year allocation to PIR of \$833,333.

⁴³ See Scott Bradner, *Special Meeting of the Board of Trustees of the Internet Society* (October 10) (Internet Society, 2003 [cited January 28 2005]); available from <http://www.isoc.org/isoc/general/trustees/mtg35.shtml>.

⁴⁴ See a proposed NCUC request for funding to the PIR Advisory Council at *Re: PIR and Constituency Finances* (March 17) (Non-Commercial User Constituency Listserv Archive, 2004 [cited February 5 2005]); available from <http://listserv.syr.edu/scripts/wa.exe?A2=ind0403&L=ncuc-discuss&P=R3432&I=3>.

⁴⁵ See for example, <http://www.thepublicvoice.org/events/capetown04/>

⁴⁶ See Public Interest Registry, "IRS Form 990," (Internal Revenue Service, 2003). Secured via a FOIA request to the IRS, the document details the extent of the ISOC/PIR relationship. While \$1.1M was granted to support advocacy-related, ISOC program services for "expanding the ability of noncommercial, NGO and nonprofit organizations located in the technologically deprived areas of the world," it is unclear for what purposes the remaining \$750K distribution from net assets was earmarked.

⁴⁷ See minutes of meeting proposing its formation and purpose at *Special Meeting of the Board of Trustees of the Internet Society* (November 23) (Internet Society, 2004 [cited June 13 2005]); available from <http://www.isoc.org/isoc/general/trustees/mtg42.shtml>.

2003.⁴⁸ Since that point it has participated in two thematic areas of the WSIS Civil Society caucuses, human rights and internet governance.

Consistent with its preference to support civil society actors urging the UN to maintain its commitment to fundamental human rights, EPIC participates formally as a member of the Human Rights in the Information Society (HRIS) Caucus of the WSIS. Cedric Laurant, EPIC's Policy Counsel for international privacy issues and coordinator of their actions within the now defunct GILC and the TACD, leads in this role.⁴⁹ In addition to contributing to the HRIS Caucus position in drafts of the WSIS Declaration and Plan of Action documents, EPIC has used the Human Rights Caucus mailing list to generate support from as many groups and organizations as possible for its policy positions, for instance regarding ICANN and Whois privacy issues. In doing so, it often receives endorsements and builds unity between other like-minded advocacy organizations based in the United States and abroad, such as the Association for Progressive Communications (APC), ACLU, CPSR, Article19, and CPTech.⁵⁰

EPIC's other area of activity during the WSIS is within the Internet Governance caucus. This is a natural extension of their previous internet governance activities within the Noncommercial Users Constituency (NCUC) of ICANN. EPIC staff member Frannie Wellings played a major role in bringing North American public interest groups into the WSIS process. In part it was accomplished by holding monthly Public Voice teleconferences to discuss WSIS issues and bring together mainstream WSIS advocates with Internet Governance caucus personalities and groups.⁵¹

Over time EPIC increased its level of involvement in the WSIS, although at arms length. They positioned themselves within the WSIS as a facilitator without committing themselves to any particular objective or caucus. Such a strategy is consistent with Rotenberg's assertion that transnational advocacy activity cannot be directed centrally. In doing so, they can point to their active involvement without becoming bogged down in the often futile effort of developing policy at the global level. Ironically, EPIC is borrowing a practice from trade and professional associations long active in domestic CIP. By being malleable in their issue definition, these organizations remained more

⁴⁸ See The Public Voice, *The Public Voice WSIS Sourcebook: Perspectives on the World Summit on the Information Society* (The Electronic Privacy Information Center, 2004). EPIC Senior Fellow, Stephanie Perrin, was the only attendee from the organization at the summit.

⁴⁹ For instance, he provided substantive contributions to the Input Document developed for the intersessional meeting held July 15-18, 2003, in Paris, France.

⁵⁰ See various replies to Cedric Laurant, *EPIC Action: Worldwide Coalition Signon - Letter to ICANN on Whois Privacy* (October 24) (HR-WSIS List - Human Rights in the Information Society Caucus, 2003 [cited January 7 2005]); available from <http://www.iris.sgdg.org/actions/smsi/hr-wsis/list/2002/msg00349.html>.

⁵¹ See *Public Voice Monthly Meetings/Teleconferences* (The Electronic Privacy Information Center, 2004 [cited January 27 2005]); available from <http://www.thepublicvoice.org/events/pvwsismeetings/default.html>. These monthly teleconferences began in January 2004.

sustainable over time than other organizations which maintained specific and persistent issue positions.⁵²

Organizational Structure

Like many advocacy organizations, EPIC reorganized as a 501c(3) non-profit organization in 2000.⁵³ This change in legal status is consistent with staff observations that funders have required more structured, advanced record keeping from all advocacy groups in CIP.⁵⁴ Unlike other notable privacy advocacy organizations (e.g., ACLU, EFF), EPIC does not maintain a membership base, nor does it have chapters or local affiliates. The choice of structure is important, with benefits and risks. It reduces the maintenance costs of the organization and allows it to freely change strategy and pursue whatever policy goals it deems important. On the other hand, the absence of a membership revenue stream raises sustainability problems, forcing Rotenberg to continually seek funding from foundations and other donors.

Since its creation, Marc Rotenberg has been EPIC's executive director and the organization's biggest advocate. In the words of one staff member, Rotenberg and other central advocates in CIP "live, breathe, battle and go to dinner," with the purpose of promoting their organizations advocacy activities. This type of behavior is to be expected, emerging from years of personal investment in his work. However, it can indirectly impact the effectiveness of CIP advocacy as a whole. The relationship that EPIC maintains with other advocacy organizations is complex – supportive at one level, but at the same time competitive for attention, funding and supporters. At lower levels, the organizational staffs often communicate, exchange ideas, and try to sign on to each others legal briefs. However, what the staff view as constructive collaboration is often short-circuited by individual turf battles and "refer back to me attitudes" at the leadership level.

With only 10 paid staff members, EPIC is a small organization and is well versed in the value of online tools to facilitate advocacy.⁵⁵ Over the past two years they have made extensive use of collaborative technologies, expanding its advocacy capacity building repertoire to include regular global conference calls. Additionally, they have begun to regularly hold Public Voice symposia in developing countries, typically in parallel with institutional events (e.g., ICANN meetings) Both of these activities have been successful in bringing together advocates with expertise in internet governance and other civil society actors who have participated in the WSIS.

EPIC also leverages its institutional ties effectively. The fact that Rotenberg secured a Board seat at PIR altered the transnational advocacy landscape temporarily and

⁵² See Mueller, Pagé, and Kuerbis, "Civil Society and the Shaping of Communication-Information Policy: Four Decades of Advocacy."

⁵³ See The Electronic Privacy Information Center, *IRS Form 990* (Guidestar, 2000 [cited January 8 2005]); available from <http://www.guidestar.org/Documents/2000/522/225/2000-522225921-1-9.pdf>.

⁵⁴ Personal Interview with Frannie Wellings, October 2 2004.

⁵⁵ EPIC famously coordinated the first electronic petition delivered to the White House, securing upward of 50,000 signatures in protest of the proposed Clipper Chip in 1994.

was an indication of public interest advocacy aligning with important global actors in internet policy. Public interest advocates are building a capacity to be institutionalized in new public policy forums. The recognition that these forums have emerged and are increasingly important in CIP is not new; however, the question of how and where public interest advocates should participate effectively has been debated.⁵⁶ Unquestionably, Rotenberg's participation on the PIR Board allowed him to influence the organization's policy positions. More importantly, it gave him influence over the direction of the organizations spending on advocacy activities, including that of his own organization.

Advocacy network

While EPIC's involvement with transnational advocacy has spanned more than a decade, there is inconsistency in terms of individual involvement. Aside from Rotenberg, who is in reality often removed from the day-to-day organization and execution of various events and projects, there has been no individual instrumental to accomplishing EPIC's transnational advocacy activities since 1994.

Recently, however, Frannie Wellings has played a critical role in EPIC's transnational advocacy efforts. By virtue of being mentioned in other individual's networks, she connects two distinct policy communities within the network of CIP advocates – consumer/privacy advocates and advocates focused on intellectual property rights (IPR) issues with advocates focused on communication rights. It is important to note, however, the direction of relationships; they are mostly outward from Wellings to other network nodes. In this sense, her own description of her role at The Public Voice project (i.e., a “bridge”) accurately reflects the ability to connect, but not necessarily influence other nodes in the network.⁵⁷ In contrast, while not being mentioned frequently in other advocate's networks, Rotenberg was identified as someone who respondents correspond or meet with regarding advocacy work most frequently and consistently overtime. No other EPIC staff members were mentioned, despite their participation in the WSIS caucuses or attendance at meetings.

Only a handful of WSIS civil society advocates mentioned EPIC as an organization with which they interact on a regular basis or consider influential. This is somewhat surprising, given the fact that many respondents participated in the recent monthly conference calls held by The Public Voice and Rotenberg's institutional ties in the CIP domain, including government actors and board members. The same pattern held true for EPIC sponsored meetings, conferences or publications. Most often, the annual Computers, Freedom & Privacy conference held in the United States was noted.⁵⁸ In terms of transnational advocacy relations, only one advocate active with APC-Africa mentioned a recent Public Voice symposium in Cape Town, South Africa. However, it

⁵⁶ See for example, Alan Davidson, John Morris, and Rob Courtney, "Strangers in a Strange Land: Public Interest Advocacy and Internet Standards" (paper presented at the TPRC 30th Research Conference on Communication, Information and Internet Policy, Alexandria, VA, 2002). In addition, the recent formation and deliberation of the Working Group on Internet Governance (WGIG) highlights this ongoing debate.

⁵⁷ As of 2005, Wellings had left EPIC for Free Press, a U.S. based, more domestically focused organization where her “bridging” skills may be critical in building transnational advocacy in other issue areas.

⁵⁸ In fact, this conference is not actually an EPIC conference. However, they have been actively involved in its organization, providing funding and speakers over the years.

should be noted that the fact that respondents mention very few EPIC meetings, conferences and publications is not surprising given the astounding diversity and frequency of such events in the CIP domain. This only highlights the pressure that advocates are under to claim credit for their organizations accomplishments.

Budget and funding

Over twenty plus years, EPIC has grown steadily and is healthy financially. From small beginnings in 1994, their annual revenue from contributions has exceeded \$1 million since 2001. Much like the communications and information industry, EPIC seemingly benefited temporarily from the internet bubble in the late nineties and early 2000s. Its revenues more than doubled from 2000 to 2001, reaching almost \$1.5 million. Since that time, revenues decreased 23%; however, they were still significantly above pre-2000 levels (see Chart 1 below).

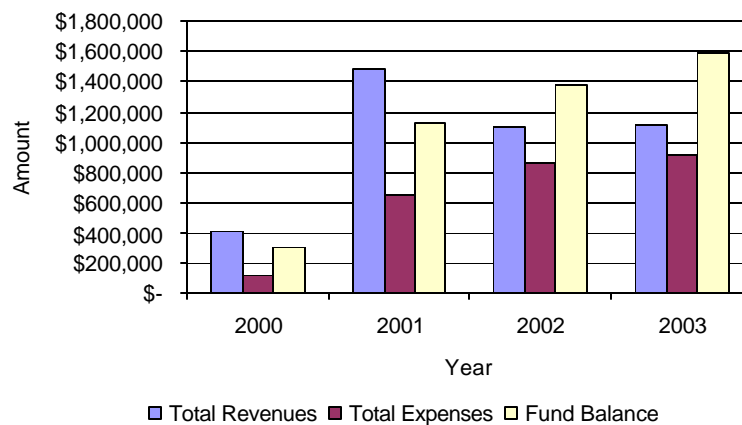


Chart 1: Financial Indicators

On average, 97% of EPIC’s total revenues come from patrons, with less than 3% from publications and other services.⁵⁹ This fact, and the longevity of EPIC, is a testament to Rotenberg’s skill, and consistent with the fact “that the origins and maintenance of groups depends...upon the success of group leaders in securing funds.”⁶⁰ Patrons include individual contributions, foundation grants, and private sector gifts with individual and foundation contributions making up the bulk of revenues.

An important change in terms of sustaining transnational advocacy was EPIC’s change in legal status. Until 2001, foundation funding related to privacy advocacy was typically distributed among a variety of organizations undertaking joint projects or campaigns (see Chart 2 below). However, since then it has been concentrated on a few, well structured organizations with specific strategies. In particular, since its reorganization as a 501(c)3, EPIC has emerged as a major recipient of foundation funding. It has averaged over \$230,000 per year, with recent grants from the Ford Foundation in excess of \$.5 million from 2004 to 2005, “for research, public education and advocacy focusing on the social

⁵⁹ Among other services is litigation assistance in privacy related matters.

⁶⁰ See Jack Walker, "The Origins and Maintenance of Interest Groups in America," *American Political Science Review* 77, no. 2 (1983).

policy challenges created by information technology.”⁶¹ These changes in political organization, especially the rise of professionalized advocacy and subsequent increase in foundation funding, are consistent with growing social movements and has been observed domestically in environmentalism and civil rights.⁶²

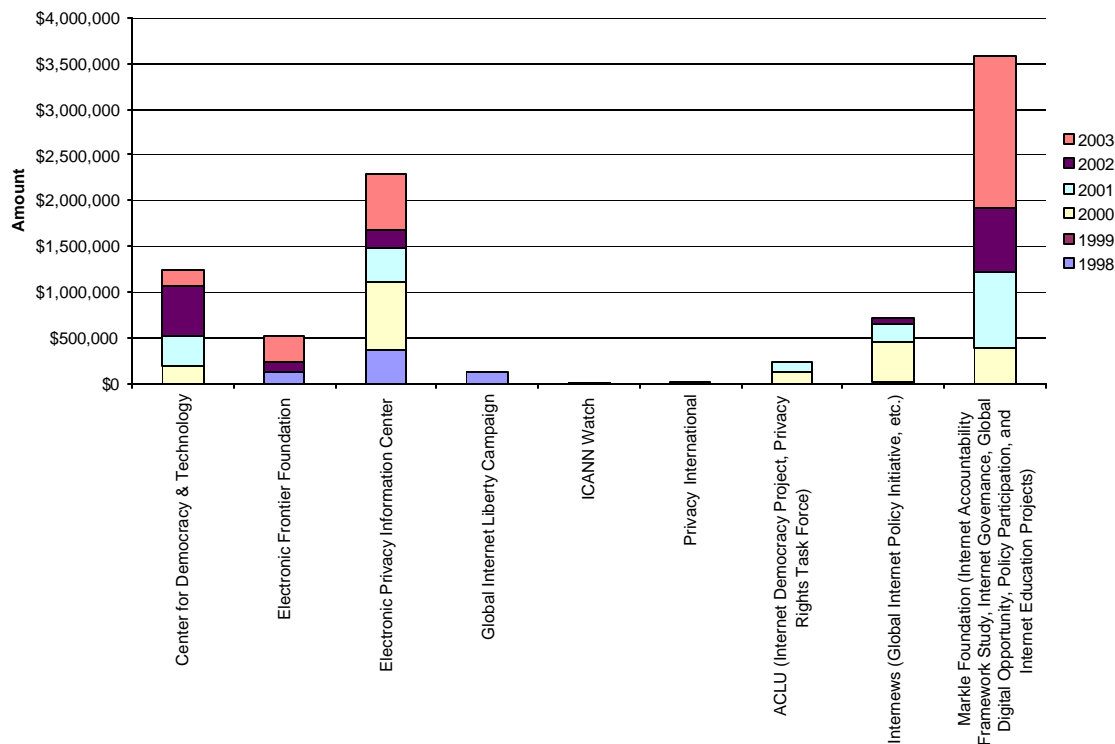


Chart 2: Selected Funding for Transnational CIP Advocacy Projects and Organizations⁶³

EPIC also appears to indirectly benefit from grants to related organizations as well. In 2001, OSI awarded a \$60,000 grant to the FCG to “identify successful aspects of freedom of information laws from different jurisdictions worldwide,” which most likely resulted in information published by EPIC in their annual *Privacy & Human Rights* report.⁶⁴ Similarly, the Ford Foundation has provided \$500,000 to SSRC for Support for Research on Global Governance and Global Civil Society in the Technology Sector.⁶⁵ SSRC funds

⁶¹ The Ford Foundation’s Knowledge, Creativity and Freedom program granted \$300,000 in 2003, \$200,000 in 2004 and \$400,000 in 2005. See http://www.fordfound.org/grants_db/view_grant_detail.cfm?grant_id=199532, http://www.fordfound.org/grants_db/view_grant_detail.cfm?grant_id=197938 and http://www.fordfound.org/grants_db/view_grant_detail.cfm?grant_id=201290

⁶² See page 61, J. Craig Jenkins, "Social Movement Philanthropy and the Growth of Nonprofit Political Advocacy: Scope, Legitimacy and Impact," (Washington, D.C.: Urban Institute, 2001).

⁶³ Chart data includes funding from the Fund for Constitutional Government and foundations with CIP-focused programs, including: the Open Society Institute, the Robert J Glushko & Pamela Samuelson Foundation, the Markle Foundation, the MacArthur Foundation, and the Ford Foundation. Information derived from .organizations’ websites and grant expenditure detail contained in IRS Form 990s,.

⁶⁴ See page 231, The Open Society Institute, *IRS Form 990-PF* (Guidestar, 2001 [cited January 8 2005]); available from <http://www.guidestar.org/Documents/2001/137/029/2001-137029285-1-F.pdf>.

⁶⁵ See Ford Foundation website

research in ICTs, thereby creating a steady stream of academic research on issues related to EPIC's transnational work. Overall, one can infer from EPIC's sustained level of foundation funding since its change in legal status that they are viewed as particularly successful in facilitating transnational advocacy.

Conclusion

The transnational privacy advocacy community has evolved from advocates with significant legal expertise in privacy and its implications for human rights to include technical experts versed in computing and communications systems. Over time, the center of gravity of advocacy activity migrated from Europe to North America, with the biggest shift occurring during the encryption battles that started in the 1980s. As internet related policy issues came to the fore in the middle to late 1990s, efforts emerged to move advocacy to a global stage. Throughout the evolving landscape, advocates continued to leverage the frame of human rights to advance policy arguments surrounding computing and communications technologies.

Since 1994, EPIC has pursued several efforts aimed at transnational advocacy including collaborative and individual projects. Projects that were run with other organizations had limited and temporary success; more recent efforts operated by EPIC alone, however, appear to be more sustainable. Over the years, the organization's success came about by, (1) regularizing meetings of public interest advocates and providing opportunities for advocates to interact and share knowledge, (2) identifying influential policy actors who could support the organization through influence and funding opportunities, and (3) institutionalizing public interest advocacy as the nexus of policy making for critical communications resources shifted to new global forums. In doing so, EPIC has become a significant CIP advocacy organization and played an important role bridging and incorporating different civil society perspectives on ICT issues into technology policy debates.

References

- Annual Report: Research Grants and Contracts* Georgia Tech School of Public Policy, 2001 [cited February 8 2005]. Available from http://www.spp.gatech.edu/research/report01_faculty.html.
- Bennett, Colin. *Regulating Privacy: Data Protection and Public Policy in Europe and the United States*. Ithaca, New York: Cornell University Press, 1992.
- Bradner, Scott. *Special Meeting of the Board of Trustees of the Internet Society* (October 10) Internet Society, 2003 [cited January 28 2005]. Available from <http://www.isoc.org/isoc/general/trustees/mtg35.shtml>.
- Clemens, Elisabeth S. "Organizational Repertoires and Institutional Change: Women's Groups and the Transformation of U.S. Politics, 1890-1920." *American Journal of Sociology* 98, no. 4 (1993): 755-98.
- Davidson, Alan, John Morris, and Rob Courtney. "Strangers in a Strange Land: Public Interest Advocacy and Internet Standards." Paper presented at the TPRC 30th Research Conference on Communication, Information and Internet Policy, Alexandria, VA 2002.
- Davies, Simon. "Spanners in the Works: How the Privacy Movement Is Adapting to the Challenge of Big Brother." In *Visions of Privacy: Policy Choices for the Digital Age*, edited by Colin J. Bennett and Rebecca Grant, 244-61. Toronto: University of Toronto Press, 1999.
- "EPIC against Clipper." *Intelligence Newsletter*, April 5 1994.
- EPIC Grant to NCUC* (September 22) Archives of NCUC - DISCUSS@LISTSERV.SYR.EDU, 2003 [cited February 8 2005]. Available from <http://listserv.syr.edu/scripts/wa.exe?A2=ind0309&L=ncuc-discuss&P=R3014&I=-3>.
- "Evaluation Report of the ICANN/DNSO Non Commercial Constituency." Noncommercial Domain Name Holders Constituency, 2002.
- First Annual Report and 1996 Work in Progress* Center for Democracy & Technology, 1996 [cited February 9 2005]. Available from <http://www.cdt.org/mission/activities1996.html#WIF>.
- Global Internet Liberty Campaign* Open Society Institute - Internet Program, [cited February 4 2005]. Available from http://www2.soros.org/internet/policy/global_internet_liberty.html.
- Grant Detail* W.K. Kellogg Foundation, [cited February 4 2005]. Available from <http://www.wkkf.org/Knowledgebase/Grants/GrantDetail.aspx?ID=P0084430>.

History Computer Professionals for Social Responsibility, 2004 [cited November 29 2004]. Available from http://www.cpsr.org/about/history/index_html/.

Huridocs-Tech List Archive hrea.org, 2004 [cited February 8 2005]. Available from <http://www.hrea.org/lists/huridocs-tech/markup/maillist.php?file=author2.html>.

Internet Democracy & Governance Project Open Society Institute, [cited February 5 2005]. Available from <http://www2.soros.org/internet/policy/governance.html>.

Jenkins, J. Craig. "Social Movement Philanthropy and the Growth of Nonprofit Political Advocacy: Scope, Legitimacy and Impact." Washington, D.C.: Urban Institute, 2001.

Keck, Margaret E., and Kathryn Sikkink. "Transnational Advocacy Networks in International and Regional Politics." *International Social Science Journal* 51, no. 1 (1999): 89-101.

Laurant, Cedric. *EPIC Action: Worldwide Coalition Signon - Letter to ICANN on Whois Privacy* (October 24) HR-WSIS List - Human Rights in the Information Society Caucus, 2003 [cited January 7 2005]. Available from <http://www.iris.sgdg.org/actions/smsi/hr-wsis/list/2002/msg00349.html>.

Mueller, Milton, Christiane Pagé, and Brenden Kuerbis. "Civil Society and the Shaping of Communication-Information Policy: Four Decades of Advocacy." *The Information Society* 20, no. 3 (2004): 169-85.

Personal Interview with Frannie Wellings. October 2 2004.

Personal Interview with Marc Rotenberg. December 6 2004.

Personal Interview with Milton Mueller. February 11 2005.

"Public Interest Computer Association." In *Encyclopedia of Associations: National Organizations of the United States*, edited by D. S. Akey, K. Gruber, I. Cloyd and K. E. Koek. Detroit: Gale Research Company, 1985.

Public Interest Registry. "IRS Form 990." Internal Revenue Service, 2003.

Public Voice Monthly Meetings/Teleconferences The Electronic Privacy Information Center, 2004 [cited January 27 2005]. Available from <http://www.thepublicvoice.org/events/pvwsismeetings/default.html>.

Re: PIR and Constituency Finances (March 17) Non-Commercial User Constituency Listserv Archive, 2004 [cited February 5 2005]. Available from <http://listserv.syr.edu/scripts/wa.exe?A2=ind0403&L=ncuc-discuss&P=R3432&I=-3>.

Special Meeting of the Board of Trustees of the Internet Society (November 23) Internet Society, 2004 [cited June 13 2005]. Available from <http://www.isoc.org/isoc/general/trustees/mtg42.shtml>.

Statement of Financial Position The Internet Society, 2003 [cited February 8 2005]. Available from http://www.isoc.org/isoc/fin/FinancialInfo_web.pdf.

Stepanek, Marcia. *The E.Biz 25: Marc Rotenberg* BusinessWeek Online, 2000 [cited February 13 2005]. Available from http://www.businessweek.com/2000/00_20/b3681063.htm.

The Electronic Privacy Information Center. *IRS Form 990* Guidestar, 2003 [cited January 8 2005]. Available from <http://www.guidestar.org/Documents/2003/522/225/2003-522225921-1-9.pdf>.

———. *IRS Form 990* Guidestar, 2000 [cited January 8 2005]. Available from <http://www.guidestar.org/Documents/2000/522/225/2000-522225921-1-9.pdf>.

The Open Society Institute. *IRS Form 990-PF* Guidestar, 2001 [cited January 8 2005]. Available from <http://www.guidestar.org/Documents/2001/137/029/2001-137029285-1-F.pdf>.

———. *IRS Form 990-PF* Guidestar, 2000 [cited February 8 2005]. Available from <http://www.guidestar.org/Documents/2000/137/029/2000-137029285-1-F.pdf>.

The Public Voice. *The Public Voice WSIS Sourcebook: Perspectives on the World Summit on the Information Society*: The Electronic Privacy Information Center, 2004.

Union, American Civil Liberties. *Warning of Thorny Online Issues Ahead, Cyber-Rights Groups Form Internet Democracy Project* (July 6) American Civil Liberties Union, 2000 [cited February 4 2005]. Available from <http://www.aclu.org/Privacy/Privacy.cfm?ID=8012&c=39>.

Walker, Jack. "The Origins and Maintenance of Interest Groups in America." *American Political Science Review* 77, no. 2 (1983): 390-406.

Warning of Thorny Online Issues Ahead, Cyber-Rights Groups Form Internet Democracy Project (July 6) American Civil Liberties Union, 2000 [cited February 4 2005]. Available from <http://www.aclu.org/Privacy/Privacy.cfm?ID=8012&c=39>.

"The World-Wide Encryption Battle." *Intelligence Newsletter*, October 3 1996.