

New York University  
Robert Abrams Public Service Lecture:  
“FINDING HEROES IN A SMALL WORLD”  
Commissioner Julie Brill, Federal Trade Commission  
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Being in Vanderbilt Hall in early September takes me back to my first day of law school. There I was, ready for class with my notebook on the desk – and not an Apple MacBook, but the kind you need a pen, with ink, to use.

Along with my new classmates, I was waiting for my professor to speak the words that would launch my legal career. I was also praying that those words would not be the dreaded: “Ms. Brill, what do you think?”

Many of you will leave, in a few months or years, with recollections like this, a diploma –

seats of great learning, where men go to become great thinkers. And when they come out, they think deep thoughts and with no more brains than you have. But they have one thing you haven't got: a diploma.”

With your diploma in hand, you will have many different and remarkable opportunities to create an exceptional career. And I know that the reason many of you are here, at NYU, and at this talk tonight, is that you want to focus, at least in part, on public service. So let me tell you a bit about my path, and about those who inspired me along the way. With this, I hope to give you some ideas about how to find your own yellow brick road.

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Law is a literary field. As students of the law, we can find muses not only in our classrooms and workplaces, but also in the words and lives of those who came before us. Our mentors don't have to be present;

Brandeis began his career focusing on local issues in the small world he found in his adopted home of Boston. There, he opened up a practice with a law school chum, and, from this vantage point, eagerly took up local causes.

He worked to modernize the local rules for liquor distribution. He investigated the conditions of the local public poor houses. He fought against corruption among those building the Boston subway system. And, convinced that life insurance was “simply a bad bargain for the vast majority of policyholders”, he reformed the way it was sold in Massachusetts.<sup>4</sup> These crusades, in his small Boston world, won him a national reputation as the “people’s lawyer,”<sup>5</sup> and the attention of national policy makers like Woodrow Wilson.

I found my small world in the Vermont Attorn

deceptive practices, including advertising to children and misleading the public about the harm smoking causes.<sup>6</sup> Because we carefully crafted our case as a public protection lawsuit focusing on consumer protection issues, we were one of the few states that survived the industry's intense litigation onslaught. We also worked with the Vermont legislature to pass a state law clarifying the industry's responsibilities to reimburse the state for the to

Comptroller of the Currency to warn that lenders were pushing increasingly risky loans – with exorbitant interest rates and fine-print fees – on consumers who couldn’t afford them. The Comptroller sided with the lenders and refused to give the states the power to reign in abuses.<sup>11</sup> General Cooper characterized Washington’s attitude as taking “50 sheriffs off the job during the time the mortgage lending industry was becoming the Wild West.”<sup>12</sup>

General Cooper asked me to come to North Carolina to lead his consumer protection division and join his fight against predatory lending and Washington’s obstructionism. I was eager to take that on, and the challenge of managing more staff than we had at the entire Vermont Attorney General’s office. I was on the job in North Carolina only a few months when the White House called and asked me to serve on the Federal Trade Commission. In the nine months it took my nomination and confirmation process to unfold, I watched with admiration how General Cooper wielded the power of an Attorney General of a large state with commitment, creativity, and humility.

I didn’t land at the Federal Trade Commission because I worked on Wall Street or at a large corporate law firm. Political connections and wealth didn’t get me to this point in my career, either. I assure you, I don’t have those! No. It was working in small worlds that brought me to the Federal Trade Commission.

And now I have the opportunity to work in a larger world on many of the same issues I fought for in the states, including one that I’ve championed since my first days in the Vermont Attorney General’s office: privacy and data security in the internet age.

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Granted, much of this data is collected to fuel targeted advertising, a practice that has solved the problem posed over a century ago by one of Brandeis's contemporaries, the great merchant and philanthropist John Wanamaker, who said "Half the money I spend on advertising is wasted; the trouble is I don't know which half." Companies are willing to pay significantly more for targeted advertising, so it is paying for much of the online free content we all enjoy.

he put it, “overstep[ ] in every direction the obvious bounds of propriety and of decency.”<sup>16</sup> And in *Olmstead v United States*, a case concerning nascent wiretap technology, Brandeis issued his famous and influential dissent, arguing that “against the government,” Americans have “the right to be let alone.”<sup>17</sup>

The Internet Revolution makes snapshot photography and wiretap technology look like child’s play. We at the FTC are playing both defense and offense in our work to protect consumer privacy online in this new digital age. We have brought a number of law enforcement cases against companies that failed to protect the vast amount of personal information they held about consumers, including sensitive financial information.<sup>18</sup> We have also brought law enforcement actions against companies that disclosed personal data that consumers expected to be private: we took action against Twitter when it made some private tweets public,<sup>19</sup> and action against Google when “Google Buzz” revealed identit

part in reworking the nation's privacy laws. I was simply working in my small world where I found issues and people that interested and inspired me.

And I now work to develop the law that frames the world in which you will start your legal career – as you will someday end up working on the law that frames the world of future students.

Find your own small world in which to practice law, where – if you look hard enough – you will discover issues that have great significance for us all. And in those small worlds, find some heroes, just as I found Bill Sorrell, Roy Cooper, and Louis Brandeis.

You will all have the foundation to do what you set out to do – not just because you will have a law school diploma – but because you will have studied at this unique place, where commitment to public service is at the core of this institution. Some of you will go in and out of public service, or find ways to serve the public while at the same time pursuing other career paths. The important thing is that you give back in some way, and make a difference. On a small scale or a large scale. If precedence serves as any indicator, many of you will dedicate your entire careers to answering Brandeis' call to become a "people's lawyer."

And one day, one or more of you will be at this podium speaking to the next generation that will follow you, about how you found your own yellow brick road.

Thank you.