

AGENDA



Tuesday, July 29

8:30 **Opening Remarks by Chairman Kovacic**

8:45 **FTC Mission, Structure, and Resources**

This panel will focus on the FTC's mission and examine the extent to which the agency's current structure and resources aid or hinder pursuit of this mission. Topics to be covered include: (1) whether the current structure allows for optimal use of resources; (2) the optimal mix of attorneys, economists, and support personnel; (3) harmonization of the competition and consumer protection missions; (4) whether the agency has the right information to guide its enforcement, advocacy, and other programs; and (5) issues raised by including investigative and adjudicatory functions within a single agency.

Moderator: **Chairman William E. Kovacic**

Panelists: **Timothy J. Muris**

Former FTC Chairman

Of Counsel, O'Melveny & Myers

Foundation Professor, George Mason University School of Law

Thomas B. Leary

Former FTC Commissioner

Of Counsel, Hogan & Hartson

Joan Z. Bernstein

Former Director, Bureau of Consumer Protection

Of Counsel, Bryan Cave

10:15 **Break**

10:30

Deployment of Agency Resources: Enforcement

This panel will discuss how the agency deploys its enforcement capabilities and coordinates those efforts with other means for advancing competition and protecting consumers. Topics to be covered include: (1) case generation and selection; (2) the appropriate role of enforcement guidelines and advisory opinions; (3) the use of industry self-regulation as a complement to enforcement; (4) whether enforcement outcomes are achieved in a timely manner; and (5) burdens imposed by the agency's enforcement efforts.

Moderators: David P. Wales

Deputy Director, Bureau of Competition

Eileen Harrington

Deputy Director, Bureau of Consumer Protection

Panelists: Susan A. Creighton

Former Director, Bureau of Competition
Partner, Wilson Sonsini Goodrich & Rosati

Richard Parker

Former Director, Bureau of Competition
Partner, O'Melveny & Myers

William Baer

Former Director, Bureau of Competition
Partner, Arnold & Porter

Darren A. Bowie

Former Attorney Advisor to FTC Chairman Tim Muris; Assistant Director, Division of Financial Practices and Division of Advertising Practices, Bureau of Consumer Protection
Legal Director, North American Markets, Nokia

12:00

Lunch Break

1:30

Deployment of Agency Resources: Policy Research and Development

This panel will explore how the FTC allocates its available resources, focusing on the means by which policy is formed and the proper mix of tools to implement that policy. Topics to be covered include: (1) the most effective means for forming policy; (2) the optimal use of the agency's enforcement, research, advocacy, and education tools; (3) setting a research agenda; (4) the proper use of the agency's rulemaking authority; and (5) the effective use of consumer and business education.

Moderators: [Maureen K. Ohlhausen](#)

Director, Office of Policy Planning

[Michael R. Baye](#)

Director, Bureau of Economics

Panelists: [Michael A. Salinger](#)

Former Director, Bureau of Economics

Professor, Boston University School of Management

[Susan S. DeSanti](#)

Former Deputy General Counsel for Policy Studies; Director,
Office of Policy Planning

Partner, Sonnenschein Nath & Rosenthal

[Joseph Kattan](#)

Former Assistant Director, Office of Policy & Evaluation, Bureau
of Competition

Partner, Gibson Dunn & Crutcher

3:00

Break

3:15

The Agency's External Relationships

This panel will focus on how the FTC responds to, and interacts with, its core constituencies. It also will explore the FTC's relationships with other federal agencies, the states, and international entities. Topics to be covered include: (1) identification of the agency's core constituencies; (2) whether the agency

risks undermining its autonomy or sense of mission in responding to any of these constituencies' demands; (3) effective communication of the agency's goals and outcomes; (4) means by which the agency can influence the adoption of sound competition and consumer protection policies by other policy makers; and (5) advancement of the agency's mission via its external relationships.

Moderators: [Jeanne Bumpus](#)

Director, Office of Congressional Relations

[Nancy N. Judy](#)

Director, Office of Public Affairs

Panelists: [Anna H. Davis](#)

Former Director, Office of Congressional Relations; Director, Office of Public Affairs

Executive Director, Government Relations, National Board for Professional Teaching Standards

[Kathryn M. Fenton](#)

Former Attorney Advisor to FTC Chairman James Miller

Partner, Jones Day

[Rebecca Fisher](#)

Assistant Attorney General, Antitrust Section, Office of the Texas Attorney General

[Ari Schwartz](#)

Vice President & Chief Operating Officer, Center for Democracy and Technology

4:45

End of Day





Wednesday, July 30

9:00 **Characteristics of a Successful Government Agency**

This panel will explore general issues related to government administration. Topics to be covered include formal structure, statutory powers, decision-making process, articulation of and support for an agency's mission, types of resources available, agency autonomy, responsiveness to constituencies, and transparency.

Moderators: Maureen K. Ohlhausen

Director, Office of Policy Planning

Gregory P. Luib

Assistant Director, Office of Policy Planning

Panelists: Jerry Ellig

Former Acting Director and Deputy Director, Office of Policy Planning

Senior Research Fellow, Mercatus Center

Jonathan D. Breul

Partner, IBM Global Business Services

Executive Director, IBM Center for the Business of Government

10:00 **Break**

10:15 **Effectiveness of the FTC's Competition Mission**

This panel will focus on the Bureau of Competition's use of enforcement authority to advance the Commission's goals regarding competition. Among the topics to be covered will be: (1) how to measure the benefits of enforcement (e.g., direct benefits of case outcomes to consumers, deterrence of future violations, and clarification and advancement of legal doctrine) and (2) how to allocate Commission resources between enforcement actions and other Bureau of Competition activities, such as workshops, competition advocacy, and issuance of guidelines.

Moderator: Andrew J. Heimert

Office of Policy & Coordination, Bureau of Competition

Panelists: [Stephen Calkins](#)

Former FTC General Counsel

Professor, Wayne State University Law School

[Ken Heyer](#)

Economics Director, Economic Analysis Group, Antitrust Division,
U.S. Department of Justice

[Thomas G. Krattenmaker](#)

Former Advisor, Office of Policy & Coordination, Bureau of
Competition; Assistant Director, Bureau of Consumer Protection

Of Counsel, Wilson Sonsini Goodrich & Rosati

[Janet L. McDavid](#)

Partner, Hogan & Hartson

12:00 **Lunch Break**

1:00 **Effectiveness of the FTC's Consumer Protection Mission**

This panel will focus on the Bureau of Consumer Protection's use of enforcement authority and consumer education tools to advance the Commission's consumer protection goals. Among the topics to be addressed are: (1) how to measure the benefits of consumer protection efforts, including enforcement, research, and advocacy; (2) how to allocate consumer protection resources across the various enforcement areas, such as telemarketing, spam, deceptive advertising, and fraud; and (3) the effectiveness of various consumer protection tools.

Moderator: [Paul A. Pautler](#)

Deputy Director, Bureau of Economics

Panelists: [John E. Calfee](#)

Former Special Assistant to the Director, Bureau of Economics

Resident Scholar, American Enterprise Institute

William C. MacLeod

Former Director, Bureau of Consumer Protection; Attorney Advisor to FTC Chairman James Miller

Partner, Kelley Drye

C. Lee Peeler

Former Deputy Director, Bureau of Consumer Protection; Associate Director, Division of Advertising Practices, Bureau of Consumer Protection

President and CEO, National Advertising Review Council; Executive Vice President, National Advertising Self-Regulation, Council of Better Business Bureaus

Paul H. Rubin

Former Director of Advertising Economics

Professor of Law and Economics, Emory University School of Law

Professor of Economics, Emory University

2:45 Break

3:00 How to Measure the Welfare Effects of the FTC's Competition and Consumer Protection Efforts

This panel will examine the success of the FTC's competition and consumer protection missions through the lens of welfare economics. Among the questions the panel will address are: (1) how to measure the welfare effects of the enforcement activities of the FTC; (2) whether welfare effects can be measured accurately through retrospective studies; and (3) measuring the direct welfare effects of cases (e.g., stopping the unlawful conduct), as well as the indirect effects of cases (e.g., clarifying or advancing the law and enhancing deterrence).

Moderator: **Paul A. Pautler**

Deputy Director, Bureau of Economics

Panelists: **Luke M. Froeb**

Former Director, Bureau of Economics

Professor, Owen Graduate School of Management, Vanderbilt University

Vivek Ghosal

Professor, School of Economics, Georgia Institute of Technology

Thomas W. Hazlett

Professor, George Mason University School of Law

Gregory J. Werden

Senior Economic Counsel, Antitrust Division, U.S. Department
of Justice

Robert W. Crandall

Senior Fellow, Brookings Institution

5:00

End of Day

