

JEFF KOSSEFF
U.S. Naval Academy
Cyber Science Department

EDUCATION

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|---|---|
| Georgetown University Law Center , Washington, DC | <i>Juris Doctor, magna cum laude (top 3%),</i> May 2010 |
| <ul style="list-style-type: none">• Georgetown Law Journal, Executive Articles Editor | |
| University of Michigan , Ann Arbor, MI | <i>Master of Public Policy, Economic Policy,</i> May 2001 <i>Bachelor of Arts, Economics,</i> May 2000 |

EXPERIENCE

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| U.S. Naval Academy , Annapolis, MD | <i>Assistant Professor, Cyber Science Department,</i> August 2015-present |
| <ul style="list-style-type: none">• Tenure-track professor, teaching cybersecurity law and policy in the Academy's cyber operations program | |
| American University, School of Communication , Washington, DC | <i>Adjunct Professor,</i> January 2014-April 2015 |
| <ul style="list-style-type: none">• Taught graduate course in technology, privacy, and business law (Master in Media Entrepreneurship program) | |
| Covington & Burling, LLP , Washington, DC | <i>Associate,</i> Oct. 2012 – July 2015 |
| Worked in the Privacy & Data Security and Communications & Media practice groups. | |
| <ul style="list-style-type: none">• Counseled companies on federal, state, and international data security and privacy laws• Advised companies on data security and responses to data breaches• Advised journalists on legal questions regarding copyright, defamation, and other publication risks | |
| Hon. Milan D. Smith, Jr., U.S. Court of Appeals, Ninth Circuit , El Segundo, CA | <i>Law Clerk,</i> Aug. 2011 – Aug. 2012 |
| Hon. Leonie M. Brinkema, U.S. District Court, ED of Virginia , Alexandria, VA | <i>Law Clerk,</i> Aug. 2010 – July 2011 |
| The Oregonian , Washington, DC, and Portland, OR | <i>Washington Bureau Reporter,</i> Feb. 2004 – Oct. 2008 |
| <ul style="list-style-type: none">• Wrote articles about Congress and the executive branch• Finalist for Pulitzer Prize in National Reporting; recipient of George Polk Award for National Reporting | |
| | <i>Business Reporter,</i> May 2001 – Jan. 2004 |
| <ul style="list-style-type: none">• Covered telecommunications policy and the technology industry | |

BOOKS

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- *Cybersecurity Law* (Wiley 2017) (second edition forthcoming 2019)
 - *The Twenty-Six Words that Created the Internet* (narrative history of Section 230 of the Communications Decency Act, Cornell University Press, April 2019)
 - *United States of Anonymous Speech* (history of anonymous speech in the United States, forthcoming in 2021, Cornell University Press)

JOURNAL AND LAW REVIEW PUBLICATIONS

- *The Contours of 'Defend Forward' Under International Law*, paper to be presented at the NATO Cooperative Cyber Defense Center of Excellence Conference on Cyber Conflict (Tallinn, Estonia) and to be published in the IEEE conference proceedings (June 2019)
- *Hacking Cybersecurity Law*, ILLINOIS L. REV. (forthcoming 2020)
- *Hamiltonian Cybersecurity*, WAKE FOREST L. REV. (forthcoming 2019)
- *Cybersecurity of the Person*, FIRST AMENDMENT LAW REVIEW (forthcoming 2019)
- *The U.S. Naval Academy's Interdisciplinary Approach to Cybersecurity Education* (with Tracy Emmersen, Joe Hatfield, and Stephen Orr), COMPUTER (forthcoming 2019)
- *First Amendment Protection for Online Platforms*, COMPUTER LAW & SECURITY REVIEW (2019)
- *Defining Cybersecurity Law*, 103 IOWA L. REV. 985 (2018)
- *Developing Collaborative and Cohesive Cybersecurity Legal Principles*, paper presented at the NATO Cooperative Cyber Defense Center of Excellence Conference on Cyber Conflict (Tallinn, Estonia) and published in the IEEE conference proceedings (June 2018)
- *Private Computer Searches and the Fourth Amendment*, 14 I/S: A J. OF L. & POL'Y FOR THE INFO. SOCIETY 187 (2018)
- *The Gradual Erosion of the Law that Shaped the Internet*, 18 COLUM. SCI & TECH. L. REV. 1 (2017)
- *Twenty Years of Intermediary Immunity: The U.S. Experience*, 14:1 SCRIPTED: A JOURNAL OF LAW, TECHNOLOGY & SOCIETY 5 (2017)
- *New York's Financial Cybersecurity Regulation: Tough, Fair, and a National Model*, 1 GEO. L. TECH. R. 432 (2017)
- *Cyber-Physical Systems and National Security Concerns*, chapter in book, SECURITY AND PRIVACY IN CYBER-PHYSICAL SYSTEMS: FOUNDATIONS AND APPLICATIONS (Wiley 2017)
- *The Hazards of Cyber-Vigilantism*, 32:4 COMPUTER LAW & SECURITY REVIEW 642 (2016)
- *In Defense of FAA Section 702: An Examination of Its Justification, Operational Employment, and Legal Underpinnings* (co-author with Chris Inglis), HOOVER INSTITUTION NATIONAL SECURITY, TECHNOLOGY, AND LAW WORKING GROUP and LAWFARE (2016)
- *The Cybersecurity Privilege*, 12:2 I/S: A J. OF L. & POL'Y FOR THE INFO. SOCIETY 641 (2016)
- *A New Legal Framework for Online Anonymity*, IEEE SECURITY & PRIVACY (Nov./Dec. 2015)
- *Private or Public? Eliminating the Gertz Defamation Test*, 2011 UNIVERSITY OF ILLINOIS JOURNAL OF LAW, TECHNOLOGY & POLICY 249 (2011)
- *Defending Section 230: The Value of Intermediary Immunity*, 15 JOURNAL OF TECHNOLOGY LAW AND POLICY 123 (University of Florida) (2010)
- Note, *The Elusive Value: Protecting Privacy During Class Action Discovery*, 97 GEO. L. J. 289 (2008)

CONGRESSIONAL TESTIMONY

- Testimony before the United States House of Representatives Judiciary Committee, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, *Online Sex Trafficking and the Communications Decency Act* (Oct. 3, 2017)
- Testimony before the United States House of Representatives Judiciary Committee, *Section 702 of the Foreign Intelligence Surveillance Act* (Mar. 1, 2017)

PRESENTATIONS

- *Panelist*, First Amendment Law Review Symposium, University of North Carolina (Nov. 17, 2018)
- *Presenter*, *Hamilton's Private Key: American Exceptionalism and the Right to Anonymity*, DEF CON Crypto & Privacy Village, Las Vegas (Aug. 10, 2018)
- *Panelist*, Briefing to United States House of Representatives Research and Development Caucus, *Access to Science and Technology Expertise in Congress* (May 11, 2018)
- *Panelist*, Stanford Technology Law Review and Stanford Law and Public Policy Review 2018 Cybersecurity Law Symposium (April 27, 2018)
- *Panelist*, *Fighting Sex Trafficking Online: In Search of a Legislative Solution* (congressional staff briefing), TechFreedom (Jan. 30, 2018)
- *Panelist*, *Breach Response*, Albany Law School Cyber Security and the Law Conference (Oct. 20, 2017)
- *Moderator*, *Discussion with Deputy Attorney General Rod J. Rosenstein*, Naval Academy Encryption and Going Dark Conference (Oct. 10, 2017)
- *Presenter*, *Cyber Security, Surveillance, and Free Speech*, 2017 Intelligence and National Security Colloquium, University of Oklahoma (Sept. 13, 2017)
- *Panelist*, *When Should Online Platforms be Liable for Unlawful Activity?* (congressional staff briefing), R Street Institute (Sept. 7, 2017)
- *Presenter*, *Defining Cybersecurity Law*, Johns Hopkins University, Applied Physics Laboratory (Aug. 16, 2017)
- *Panelist*, *Inside Job, Improving Cybersecurity with Better Cyber Hygiene* (June 15, 2017)
- *Presenter* (with Naval Academy Midshipman Dennis Devey), *Understanding the Cybersecurity Act of 2015*, BSidesCharm conference (April 30, 2017)
- *Moderator*, *The Future of Cybersecurity Regulation*, Joint Service Academy Cyber Security Summit (Mar. 24, 2017)
- *Panelist*, *Governance, Risk Management & Compliance*, Boston Conference on Cyber Security (sponsored by Boston College and the FBI) (Mar. 8, 2017)
- *Co-presenter* (with Mike Bilzor), *Cyber Reconnaissance and Intrusion, at Developing a Normative Framework for Cyberwarfare* conference (Oct. 17, 2016)
- *Presenter*: *The Value of Intermediary Immunity: The U.S. Experience*, Oxford Internet Institute Internet, Policy, & Politics Conference (Sept. 23, 2016)
- *Presenter*, Cyber Security and the Law conference, French-American Foundation and Interpol (Sept. 16, 2016)
- *Panelist*, *Cyber Sovereignty: Ethical and Legal Considerations*, Cyber Endeavor 2016, Naval Postgraduate School (June 22, 2016)
- *Presenter*, *Preserving the Privilege During Breach Response*, RSA Conference (Mar. 3, 2016)
- *Presenter*, *Ten Reasons to Adopt the NIST Cybersecurity Framework*, The Law & Policy of Cybersecurity Symposium, University of Maryland (Feb. 5, 2016)
- *Presenter*, *Positive Cybersecurity Law: Creating a Consistent and Incentive-Based System* (symposium article), *Chapman Law Review*, Chapman University (Jan. 29, 2016)
- *Presenter*, *Protecting the Privilege During Breach Investigations*, InfoGovCon, Hartford, CT (Sept. 30, 2015).
- *Presenter*, *The Attorney-Client Privilege for Cybersecurity Investigations*, Cyber Security Technology and Training Forum (Aug. 19, 2015).

- Moderator, *Staying Virtuous in the Virtual World: Social Media and the Ethical Lawyer*, Federal Communications Bar Association (May 18, 2015)
- Presenter, *Big Data and Privacy by Design*, Big Data TechCon, Boston, MA (April 28, 2015)
- Presenter, *Digital Rules of Engagement*, UMSL Digital Media Marketing Conference (April 17, 2015)
- Panelist, *Drones and Privacy*, NIST Information Security and Privacy Advisory Board (Oct. 23, 2014)
- Presenter, *Predictive Analytics and Privacy by Design*, Predictive Analytics World 2014 (Oct. 7, 2014)
- Presenter, MediaPost Social Media Insider Summit, *Legal Questions Every Social Media Marketer Should Ask* (Aug. 22, 2014)
- Panelist, Techweek Chicago 2014, *The Value of Internet Security* (June 28, 2014)
- Panelist, International Association of Privacy Professionals 2014 Global Privacy Summit, *Preconference Workshop on Privacy by Design* (March 5, 2014)

OTHER PUBLICATIONS

- With Professor Eric Goldman, I organized and edited a 23-essay collection for Law.com about the twentieth anniversary of *Zeran v. America Online*. The introductory essay that Eric and I co-authored was cited in a published opinion in the U.S. Court of Appeals for the District of Columbia Circuit, *Bennett v. Google*, 882 F. 3d 1163 (D.C. Cir. 2018).
- *How Do You Change the Most Important Law in Internet History? Carefully*, Ars Technica (Dec. 23, 2017)
- *Prevent Data Breaches, Don't Just Report Them*, TechCrunch (May 9, 2017)
- *A VHS-Era Privacy Law in the Digital Age*, TechCrunch (May 24, 2016)
- *In the Apple Encryption Debate, Can We Just Have the Facts, Please?* TechCrunch (Oct. 26, 2016)
- *Should Tech Companies be Subject to the Fourth Amendment?* TechCrunch (Dec. 13, 2015)
- *Time for a Serious Talk About Encryption*, The Hill (Nov. 23, 2015)
- *The Biggest Cybersecurity Risk is Not Identity Theft*, TechCrunch (Nov. 13, 2015)
- *Congress Looks at Car Hacking*, The Hill (Oct. 26, 2015)
- *Notified About a Data Breach? Too Late*, Wall Street Journal (Oct. 9, 2015)
- *Cybersecurity is Expensive – That's Why We Should Offer Tax Incentives*, Forbes (Sept. 23, 2015)
- *To Fix Cybersecurity Law, Ask More Questions*, TechCrunch (Sept. 15, 2015).
- *New California Privacy Law for 2015: More Than Just an Eraser Button*, Bloomberg BNA Social Media Law & Policy Report, Vol. 4, No. 7 (February 17, 2015) (Co-Author)
- *Will Congress Get Drone Privacy Right*, Privacy Perspectives (Jan. 6, 2015).
- *Ten Ways the U.S. Election May Affect Privacy Law in 2015*, Privacy Law & Business (December 2014)
- *Privacy Issues in Bankruptcy Cases*, NABTalk (Fall 2014) (Co-Author)
- *U.S. Big Data Report Focuses on Use Rather than Collection*, E-Commerce Law & Policy (June 2014) (Co-Author)

JOURNALISM HONORS AND AWARDS

- Finalist for 2007 Pulitzer Prize for national reporting
- Recipient of 2006 George Polk Award for national reporting