

March 31, 2014

Big Data Study
Office of Science and Technology Policy
Eisenhower Executive Building
1650 Pennsylvania Ave. NW
Washington, DC 20502

Dear Deputy Wong:

Our organizations favor the White House review of Big Data and the Future of Privacy. As the President has explained, both the government and the private sector collect vast amounts of personal information. “Big data” supports commercial growth, government programs, and opportunities for innovation. But big data also creates new problems including pervasive surveillance; the collection, use, and retention of vast amounts of personal data; profiling and discrimination; and the very real risk that over time more decision-making about individuals will be automated, opaque, and unaccountable.

That is the current reality and the likely future that the White House report must address. We therefore urge the White House to incorporate these requirements in its final report on Big Data and the Future of Privacy:

TRANSPARENCY: Entities that collect personal information should be transparent about what information they collect, how they collect it, who will have access to it, and how it is intended to be used. Furthermore, the algorithms employed in big data should be made available to the public.

OVERSIGHT: Independent mechanisms should be put in place to assure the integrity of the data and the algorithms that analyze the data. These mechanisms should help ensure the accuracy and the fairness of the decision-making.

ACCOUNTABILITY: Entities that improperly use data or algorithms for profiling or discrimination should be held accountable. Individuals should have clear recourse to remedies to address unfair decisions about them using their data. They should be able to easily access and correct inaccurate information collected about them.

ROBUST PRIVACY TECHNIQUES: Techniques that help obtain the advantages of big data while minimizing privacy risks should be encouraged. But these techniques must be robust, scalable, provable, and practical. And solutions that may be many years into the future provide no practical benefit today.

MEANINGFUL EVALUATION: Entities that use big data should evaluate its usefulness on an ongoing basis and refrain from collecting and retaining data that is not necessary for its intended purpose. We have learned that the massive metadata program created by the NSA has played virtually no role in any significant terrorism investigation. We suspect this is true also for many other “big data” programs.

CONTROL: Individuals should be able to exercise control over the data they create or is associated with them, and decide whether the data should be collected and how it should be used if collected.

We continue to favor the framework set out in the Consumer Privacy Bill of Rights and see that as an effective foundation on which to build other responses to the challenges of Big Data.

Signatories:

Advocacy for Principled Action in Government
American Association of Law Libraries
American Library Association
Association of Research Libraries
Bill of Rights Defense Committee
Center for Digital Democracy
Center for Effective Government
Center for Media Justice
Consumer Action
Consumer Federation of America
Consumer Task Force for Automotive Issues
Consumer Watchdog
Council for Responsible Genetics
Electronic Privacy Information Center (EPIC)
Foolproof Initiative
OpenTheGovernment.org
National Center for Transgender Equality
Patient Privacy Rights
PEN American Center
Privacy Journal
Privacy Rights Clearinghouse
Privacy Times
Public Citizen, Inc.