Will the White House's big data privacy initiative distract from the NSA debate?

By Andrea Peterson
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The White House is studying how the growth of "big data" will affect online privacy. Every day, Americans create data points about themselves that are increasingly being collected, analyzed and used by private and public actors alike. These data points can be reveal relationships or personal information from shopping choices to health-care information, but are also used to commercialize services and perform research. But some civil liberties advocates worry that the initiative is an attempt to shift focus away from the National Security Agency's controversial spying programs.

"It's an important issue to study," says Cato Institute Research Fellow Julian Sanchez, "but given the odd timing, I think it read to many folks as -- take your pick -- a distraction, a bone to privacy advocates, or a shot across the bow of tech companies that have been pushing back on NSA." Sanchez's skepticism about the timing was echoed by other privacy advocates who talked to the Switch.

In an e-mailed statement White House spokesman Eric Schultz suggested the administration could address concerns in many areas at once, writing "We are moving forward on multiple fronts on privacy issues: intelligence, government, consumer, and beyond."

"We have made a lot of progress in the last two years on the Administration's consumer privacy initiatives as well as the manner in which government itself uses and makes accessible large data sets, which were unprecedented in their scope and ambition," he wrote. "We expect to have more announcements on those efforts in the coming months, and see these as complementary."

President Obama announced the project while taking a break from laying out changes to the NSA's domestic call record program during a Jan. 17 speech, saying he asked his counselor John Podesta to "lead a comprehensive review of big data and privacy." (Disclosure: I am a former employee of the Center for American Progress, a think tank founded and once run by Podesta.)

Within a week of the speech, Podesta laid out a 90-day timeline for the "Big Data and the Future of Privacy" initiative in a blog post and announced that several senior Obama administration officials would be involved in the project. The group is charged with a daunting task:

We are undergoing a revolution in the way that information about our purchases, our conversations, our social networks, our movements, and even our physical identities are collected, stored, analyzed and used. The immense volume, diversity and potential value of data will have profound implications for privacy, the economy, and public policy. The working group will consider all those issues, and specifically how the present and future state of these technologies might motivate changes in our policies across a range of sectors.

At the end of the 90-day mission, the group expects to present Obama with a report "that anticipates future technological trends and frames the key questions that the collection, availability, and use of "big data" raise – both for our government, and the nation as a whole." This afternoon Podesta hosted a meeting on the subject with consumer privacy advocates and civil liberties groups -- a key step in getting getting the feedback from community stakeholders.

And Monday morning, the Electronic Privacy Information Center (EPIC) released a letter signed by 25 consumer privacy, civil liberties and scholarly groups -- including some of which who were represented at Monday's meeting -- asking for the Office of Science and Technology Policy to take another step in soliciting feedback by issuing a Request for Information (RFI) "so as to encourage meaningful public participation in the development of this important policy" and outlined a number of issues questions they believed should be addressed by the group.

Among those questions are inquiries about the current risk and standards or legal obligations of private and public entities working in big data and what possible future trends are relevant to the current policy debate.

Schultz did not address if the White House would specifically consider issuing a RFI but wrote that Monday's meeting was "one of a number that will inform our report to the President over the next two-plus months" and "one of a number of ways we will use to engage outside perspectives – including the public at large – in this dialogue."

And concerns about the timeline aren't universal. EPIC Executive Director Marc Rotenberg looks at the project as an opportunity, saying, "we think this is a very important privacy initiative, probably the most important [the administration] has launched since the consumer privacy bill of rights were released two years ago."He says it's good to see the White House acknowledge one of the "big challenges of the information age" is "reconciling the opportunity of big data with the privacy risks."