



# DIALOGUE ON DIVERSITY

OVER TWENTY FIVE YEARS OF SERVICE TO AMERICAS DIVERSE COMMUNITIES

MINI-NEWSLETTER

MARCH 2019

HAPPY INTERNATIONAL WOMEN'S DAY, MARCH 8!

SAVE THE DATE OF APRIL 25<sup>TH</sup> – PUBLIC POLICY FORUM – WOMEN'S HISTORY MONTH with emphasis on public policy issues: Among these the flood of refugees in many parts of the world: **THE NEWCOMERS: DRIFTWOOD OR DYNAMIC**

DIALOGUE ON DIVERSITY PRESENTS: **PRIVACY AND THE BRANCHES OF IT**

In a midday colloquium held February 27<sup>th</sup> at the Rayburn House Office Building, Dialogue on Diversity brought together a dozen experts on critical phases of Information Technology and the concomitant concerns of Privacy, for a day's discussion of six topic areas that the clash of IT and the fragile interests of Privacy have brought into close engagement. Fittingly, the program site, arranged through the office of **Rep. Raúl Grijalva** of Arizona, was a spacious hearing room of the House Committee on Space, Science and Technology. Proceedings got underway with remarks of **Ma. Cristina Caballero**, Dialogue on Diversity's President, introducing the day's projected breadth of topics. In her remarks she noted:

. . . Dialogue on Diversity conveys a set of significant ideas through its yearly cycle of programs: first is the Internet Data Privacy Colloquium each February, a conversation among interesting and informed persons on key issues in the major part in our lives now being played by Information Technology, and puzzling how to shield our most valuable personal possession — our privacy — from the invasive capabilities of IT. It is under this heading that we propose not to stand by uselessly, even if curious and intelligent and eager by-standers, while the revolution of the hard-charging era of computers turns the world upside down, but instead to offer ability-gauged IT training and encouragement for productive employment of young persons, particularly those of our Latino and other diverse communities, and, from the same communities, for women no longer quite “millennials”, but eager to make their mark with skilled wits and nimble hands.

The Colloquium presentation brought together support from **Franklin Garcia**, D.C's “shadow” Representative, who was on hand with a contingent of statehood advocates sounding the cause with members of the House, **Jackie Reyes-Yanes**, head of the D.C. Office on Latin Affairs, conveying greetings from **Mayor Muriel Bowser** and from MOLA's cohort of Host Agencies, from sponsors Verizon and Southwest Airlines, from the Vida Senior Center, from **Gloria Tristani**, former FCC Commissioner, **Sean Mickens** of Facebook, **Hilda Crespo** of the Aspira Association, **Carmen Pastor** of Latinos contra Alzheimer's, **Celeste Carrasco** of AT&T, among many other civil society and corporate representatives.

Proceedings were underway with the essay of the articulate **Carmen Scurato** of the Free Press organization on the nature of privacy itself, and on the demanding bill of social concerns that are now linked inextricably with the progress of IT. These follow the exposition in an open letter prepared by a small combine of writers under Ms. Scurato's leadership. First in order are the issues in high-tech profiling and the tasks of achieving a just, or “fair” design in *automated decision-making* — here decision rules, or “algorithms”, may well reflect only a set of virtues that are prized among an upper-middle-class American élite, while often metrics are ignored on equally productive sources of excellence that are recognized — and effective — among ethnic minority, low-income, and other population strata.

Another source of concern: sophisticated and potentially intrusive surveillance apparatus must not be allowed free rein contrary to privacy and liberty interests, especially when scrutiny is disproportionately targeted on minority communities. Next: persons must be secure from personal data gathering, by private-sector or public agencies, in the character of data swept up on individuals, and persons must have a practical and easy means of correcting inaccurate (or perhaps simply objectionable) elements netted in the data catch. **Travis Hall** of the National Telecommunications and Information Administration at the DOC, in a broad discussion of the recently revived national concerns over privacy, noted the beginnings of a serious drive in the Congress, and, very important, in a number of State legislatures, seeking to hammer out general privacy protection statutes. One of the sensitive questions is whether any federal statute may be permitted to contain various lax privacy protections that will forcefully preempt any State attempts to enact tougher data collection restraints.

As a very special highlight of the day the INTERNET DATA PRIVACY AWARD 2019 was presented to **Ms. Benda Leong** of the Future of Privacy organization. In presenting the Award trophy Ms. Caballero noted that the day's recognition at once honors the generosity and technical know-how of the expert staff of FPF, among whom none excel Ms. Leong in diligence and skill in the sciences of Information Technology and in analysis of the key value of Privacy, Ms. Leong having very boldly and generously mobilized the intellectual strength of the Future of Privacy Forum for the benefit of a broad public audience. The Award Citation singles out "**the Corps of Expert Colleagues, whose Intellect and Resolve Bring the Power of Information Technology to the Cause of a Fair and Decent Society.**"

Main Midday session speaker was the Brookings Institution's **Nicol Turner-Lee**, who through her career has made numerous presentations at Dialogue on Diversity events. She made reference in the present Colloquium appearance to passages from a book she is preparing, focusing on the theme of technology as a dominant instrument in the achievement of Social Justice, seen principally as the due empowerment of minority communities to stand within a general population exhibiting a much enhanced degree of economic equality. The advent of 5G technologies, for example is viewed as a means of effectively delivering opportunities at a higher order of magnitude feasibly into the hands of low-income and socially marginalized communities in the midst of a general prosperity.

**Dr. Adrian Gropper**, a frequent Dialogue on Diversity speaker, offered a rapid run-through of a catalogue of privacy threats, and the bill of popularly suggested remedies, most of which, he shrewdly pointed out, are apt only to make existing dangers more acute. The lesson: look over proposed remedies with a sharp eye and sharper wit, shun the obvious remedies, and plump for plans with good law, good economics, and as often as not little initial popular support.

**Sally Greenberg**, Executive Director National Consumers League and a legal expert on commercial use of the internet, with well over a score of years on the battle lines in courts and commissions around the country in defense of the interests of buyers by internet, reviewed the current hot spots in the dangerous practices rampant in the world of commerce and the data collection and brokering that goes on as a ubiquitous by-product of internet sales, again sketching the outlines of sensible schemes of regulation calculated to balk the out-of-bounds conduct that has often characterized these industries.

The provocative claims of governments around the world, the U.S. intelligence agencies among these, have spawned an industry of legal learning to limit the reach of surveillance of various species, and at once to design encryption and other devices to insulate, to the extent feasible, the effects and speech and whereabouts of ordinary persons from the often alarmingly efficient observational capacities of governments world-wide. **Brenda Leong** of FPF, the day's Award honoree, and **Mana Azarmi** of the Technology Security Project, CDT, discussed many of the cutting edge legal and technical aspects of these questions. Ms. Azarmi has a recent article worth perusing with care: the building of a "Smart Wall" (high-tech surveillance devices) in place of the monumental one proposed by the Administration, is not "smart" but is an invitation to undue intrusion on persons near the national borders and in a margin of territory 100 miles inland, where some 200 million persons reside – and, it

is apparent from previous exploits of this kind, is notably ineffective in interdicting passage of dangerous drug messengers and other malefactors.

The final panel, heard at mid-afternoon, dealt with the now much fabled Internet of things, for short, IoT. **Stacey Gray**, a Policy Counsel for FPF, in a return discussion of the mechanics of IoT and its perils to privacy, reviewed the complexities of the engineering that goes into the larger, more sophisticated systems, and the exposure to privacy intrusions that their users and third parties are liable to encounter. **Fernando Torrez** of NanoTech in Alexandria, Virginia, just south of Washington, aided by his assistant **Bonny Camacho**, set out a menu of practical counsel on IoT systems for small business and residential installations, with an emphasis on security devices covering every component, since there are a myriad of points at which an attacker could make an unwelcome entry – and once in, the whole system with its bundles of sensitive data, is rendered vulnerable.

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