Data Privacy

Data privacy in an age where big data is more prominent is paramount. Both the United States and the European Union have created guidelines geared towards protecting the accessibility, safety, and quality of data. Our group noted three interesting topics in the assignment: The organization centric view of the opt-out versus opt-in, the lack of uniformity or standards around the location and format of the opt-out, and the ability to copywrite data.

America was originally focused around the ideas of personal liberties. Given this founding idea, it seems odd that the inherent ability to collect, record, and use data lies with the organization that the individual is a part of. It seems clear that the United States Government clearly understands that the data is owned and possessed by the individual person. They have also demonstrated that there is a clear connection to the well being of a person through their data. Yet in despite of this, they do not clearly protect the by allowing them the initial choice of an option out of data collection or usage. This not only flies in the face of the invasive history of US government in regulation and disclosure but chooses to do so in a very odd situation. It is disappointing that the European Union has surpassed the United States in an area that our country was founded on, yet has an option in policy that supplies good examples for future legislation.

Another thing that we found interesting was the ability of organizations to not prominently display the ability to option out of the data participation. There seems to be very little point in mandating something if there is no expectation that a set of standards about that thing will be met and serve under the purpose of the mandate. It seems that the spirit of the mandate is not being honored by the organizations and because of this that the expectations should be changed to accommodate that.

The final thing that we noticed from the article was that data was copyrightable. When explained as expression, it made sense that data could be viewed that way. However, it seemed unclear how someone could copyright data taken from someone else and claim that it was the expression of their own thoughts or beliefs given that the data was populated from another person. We did not disagree that data in itself should be exempt from copyright ability but that perhaps that ethical codes should describe the proper way to handle the benefits gained from data collected from outside sources that do not own the copyright.