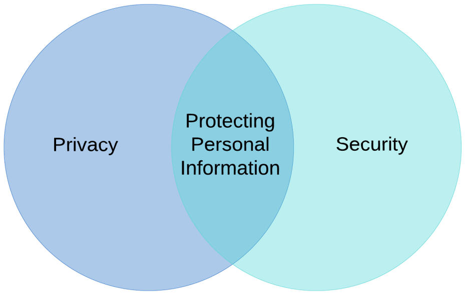
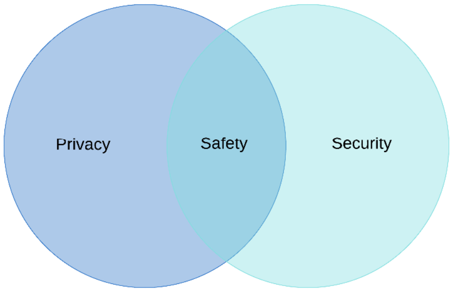
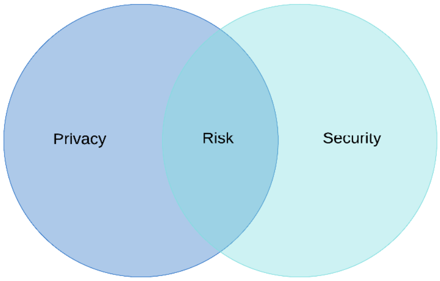
SURVEILLANCE TECHNOLOGY AND MILITARY-TYPE EQUIPMENT STUDY COMMITTEE

Privacy and Security: No Conflict for Real Privacy and Real Security

Traditionally the relationship between privacy and security has been viewed as protecting personally identifiable information (PII). And at the same time Privacy and Security have sometimes been considered at cross purposes, such as in the case of backdoors for encrypted information. Let us start by making it clear that privacy and security are in the service of providing safety by protecting people, property, and data. They have always had a symbiotic relationship and work together whether it is providing safeguards for individuals or for organizations. In this sense its helpful to, not only, look at privacy and security protecting sensitive information but also to increase safety and trust. Security and privacy together are required to address legal requirements. And finally, it is only by addressing privacy and security that we can fully address the risks that exists.







Recently there has been a further evolution in the way that privacy and security work together in a move from a risk-based approach to a rights-based approach. Global privacy and surveillance laws create operational requirements that enable peoples' rights and these need to be addressed operationally. Security and privacy (technology and operations) need to be in the service of people, not people in the service of technology. Taking a human centric approach has immediate benefits particularly from a usability perspective but also in terms of making security and privacy cooperative and increasing trust in services and institutions. Think about any security, or privacy policy. It will succeed or fail based on how people perform and this is enhanced by enabling and protecting people's rights.

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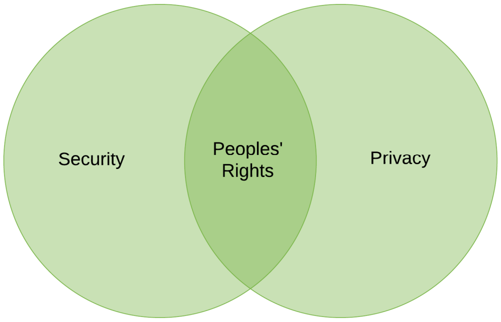

Some Current Examples

As the world, but especially the United States, is being ravaged by the COVID-19 virus, security is focused on health security. To ensure health security, everyone must be encouraged to take precautions and if they become ill to seek medical treatment, identify their contacts, and quarantine in a location known to health officials. That security is not possible unless individuals' privacy is protected. This is illustrated by the individual who does not want to interact with law enforcement or other agencies of the State that could cause them harm. Such individuals include undocumented immigrants who could be sent back to a country that may pose a significant threat to the life or health and welfare of the undocumented individual or their family members. This person will be hesitant to provide information to health authorities without iron-clad guaranties that the information they give will not get into the hands of law enforcement, such as Immigration and Customs Enforcement, or other parties that could create problems for that individual. Without such guarantee of privacy, the health security of the community is at risk because that individual will not be working with public health authorities and may be spreading the virus.

Accessing web sites is another privacy and security use case that is particularly important in the case of education resources and technology. Here, data minimization is a principle that is critical to both privacy and security and in the use of education information technology. The best way to reduce the risk of a data breach, the unwanted sharing of information, or the abuse of personal information is to limit the amount of information that is gathered in the first place. By adopting this as a policy foundation for accessing web sites and applications used in the school system and as a procurement criteria for vendors and their web sites and application, privacy and security best practice work together to create better outcomes by reducing the overall information risk and expand the scope of online education services.

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