



November 9, 2018

National Telecommunications  
and Information Administration  
U.S. Department of Commerce  
1401 Constitution Avenue NW, Room 4725  
Washington, DC 20230

Submitted via email: [privacyrfc2018@ntia.doc.gov](mailto:privacyrfc2018@ntia.doc.gov)

Re: Privacy RFC (Document Citation: 83 FR 48600)

Dear Sir or Madam:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, we appreciate this opportunity to provide comments in response to the National Telecommunications and Information Administration's request for comment on "ways to advance consumer privacy while protecting prosperity and innovation." Our comments will focus on how privacy outcomes and goals can be achieved while also promoting the public good by protecting and enhancing civil and human rights.

In 2014, The Leadership Conference was pleased to join with a broad national coalition of civil rights, technology policy, and media justice organizations in endorsing Civil Rights Principles for the Era of Big Data, which are online at <https://civilrights.org/civil-rights-principles-era-big-data/>. These principles represented the first time that national civil and human rights organizations had spoken publicly about the importance of privacy and big data for communities of color, women, and other historically disadvantaged groups. A related report, offering key examples of the ways big data can impact civil rights, has been published at <https://bigdata.fairness.io>.

As our Principles make clear, "technological progress should bring greater safety, economic opportunity, and convenience to everyone. And the collection of new types of data is essential for documenting persistent inequality and discrimination. At the same time, as new technologies allow companies and government to gain greater insight into our lives, it is vitally important that these technologies be designed and used in ways that respect the values of equal opportunity and equal justice."

Our Principles emphasize the need to "enhance individual control of personal information." Personal information that is known to a corporation — such as the moment-to-moment record of a person's movements or communications — can easily be used by companies and the government against vulnerable populations, including women, the formerly incarcerated,

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immigrants, religious minorities, the LGBTQ community, and young people. Individuals should have meaningful, flexible control over how a corporation gathers data from them, and how it uses and shares that data. Non-public information should not be disclosed to the government without judicial process.

In addition, we believe it is vital to protect people, especially disadvantaged groups, from the documented real-world harms that follow from inaccurate data. Government and corporate databases must allow everyone — including the urban and rural poor, people with disabilities, seniors, and people who lack access to the Internet — to appropriately ensure the accuracy of personal information that is used to make important decisions about them. This requires disclosure of the underlying data, and the right to correct it when inaccurate.

Thank you for embarking on this important process. We stand ready to work with you to ensure that the voices of the civil and human rights community are heard in this important, ongoing national conversation. If you have any questions about these comments, please contact Corrine Yu, Leadership Conference Senior Program Director, at 202-466-5670 or [yu@civilrights.org](mailto:yu@civilrights.org).

Sincerely,



Vanita Gupta  
President & CEO