

Discrimination potential seen in 'big data' use

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In this April 17, 2014, file photo, President Barack Obama speaks in the White House briefing room in Washington. A White House review of how the government and private sector use large sets of data has found that such information could be used to discriminate against Americans on issues such as housing and employment even as it makes their lives easier in many ways. Obama requested the review in January, when he called for changes to some of the National Security Agency's surveillance programs that amass large amounts of data belonging to Americans and foreigners. (AP Photo/Carolyn Kaster)

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"Big data" is everywhere.

It allows mapping apps to ping cellphones anonymously and determine, in real time, what roads are the most congested. But it also can be used to target economically vulnerable people.

The issue came up during a 90-day review ordered by President Barack Obama, White House counselor John Podesta said in an interview with The Associate Press. Podesta did not discuss all the findings, but said the potential for [discrimination](#) is an issue that warrants a closer look.

Federal laws have not kept up with the rapid development of technology in a way that would shield people from discrimination.

The review, expected to be released within the next week, is the Obama administration's first attempt at addressing the vast landscape of challenges, beyond national security and consumer privacy, posed by technological advancements.

President Barack Obama requested the review in January, when he called for changes to some of the National Security Agency's surveillance programs that amass large amounts of data belonging to Americans and foreigners.

The technology that enabled those programs also enables others used in the government and the [private sector](#). The White House separately has reviewed the NSA programs and proposed changes to rein in the massive collection of Americans' phone records and emails.

"It was a moment to step back and say, 'Does this change our basic framework or our look at the way we're dealing with records and privacy,'" Podesta said in the interview.

"With the rapidity of the way technology changes, it's going to be hard to imagine what it's going to look like a generation from now. But at least we can look out over the horizon and say, 'Here are the trends. What do we anticipate the likely policy issues that it raises?'"

Podesta led the review, along with some of Obama's economic and science advisers. The goal, Podesta said, was to assess whether current laws and policies about privacy are sufficient.

Podesta would not discuss the specific recommendations he will make to Obama. He did mention an unexpected concern that emerged during White House officials' meetings with business leaders and privacy advocates, and merits further examination: how big data could be used to target consumers and lead to discriminatory practices.

Civil rights leaders, for example, raised in discussions with the White House the issue of employers who use data to map where job applicants live and then rate them based on that, particularly in low-paying service jobs.

"While big data is revolutionizing commerce and government for the better, it is also supercharging the potential for discrimination," said Wade Henderson, president and chief executive officer of the Leadership Conference on Civil and Human Rights.

Some employers might worry that if an applicant lives far enough away from a job, he or she may not stay in the position for long. As more jobs move out of the city and into the suburbs, this could create a hiring system based on class.

"You're essentially being dinged for a job for really arbitrary characteristics," said Chris Calabrese, a lawyer with the American Civil Liberties Union. "Use of this data has a real impact on peoples' lives."

The civil rights advocates could not offer specific examples of such injustices, but instead talked about how the data could be used in a discriminatory way.

Federal employment laws don't address this nuanced tactic, Calabrese said. Similarly, anti-discrimination laws for housing make it illegal to target customers based on credit reports. But the laws don't address the use of other data points that could group people into clusters based on information gleaned from [social media](#).

For instance, companies sell data amassed from social media sites that clumps people into clusters, such as the "Ethnic Second-City Struggler" category. A bank could target people who posted something on social media about losing a job as a likely candidate for a high-interest loan. The idea is that a person who lost a job may be behind on mortgage payments and might be open to a high-interest loan to help get out of a bind, Calabrese said.

"You are individually targeted for a loan based on inclusion on one of these lists and get a high interest rate. That is in spite of the fact that if you walked in off the street you might qualify for a lower rate. You never know that you are being targeted individually since you just click on an ad on the side of a website," Calabrese explained. "That is the discrimination."

Few dispute that there are lots of good reasons to use [big data](#).

"There's been a push by the administration to say that these are important tools, and the ability to apply analytics to that data is important

for a whole range of issues from health care to education to public safety," Podesta said.

It can help communities be more efficient.

A New York data-analysis operation under former Mayor Michael Bloomberg allowed the city to pinpoint properties with a higher risk of deadly fires by analyzing fire department data in conjunction with data on illegal housing complaints and foreclosures.

The federal government recently announced an initiative to provide private companies and local governments with better access to climate data. This data could help communities and developers decide where not to build based on predictions about sea levels.

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