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### Better Engineering, and Better Laws



Aleecia M. McDonald is the director of privacy at the Center for Internet and Society at Stanford Law School.

Updated September 8, 2013, 7:01 PM

It's a noisy, nosy world. For example, our cellphones are nonstop tracking devices that occasionally make calls – and yet we would be lost without their maps. Our shoes can tell hundreds of our closest Facebook friends about our latest jog. Tiny **RFID tags**, embedded in many objects and devices, have unique IDs that they blurt out to any radio signal that asks. New cars not only phone information back to car makers, but also to other cars. Vehicular communication improves safety but adds new risks that a database of everywhere you drive could become available to hackers, police or insurance companies. We are at the cusp of big changes – good and bad.

We have learned the hard way  
that we cannot trust companies  
or governments to show  
restraint in collecting our data.

The idea of devices chatting away to one another is both radically cool and rightly concerning. Most people want what a data-driven future can provide, but we have learned the hard way that we cannot trust companies or governments to exercise basic decency and restraint in collecting our data. Lack of trust hampers adoption of potentially useful technologies, including [California's decision last week](#) to halt plans for RFID in drivers' licenses.

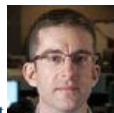
How can we have smart devices while preserving our core rights to privacy? First, the key is to include privacy and security [from the very start](#) while designing products and components. This way we can use technology without technology using us. Second, we already use firewalls and other approaches to limit who can reach our desktop computers. We could engineer similar technical intermediaries for our new devices. Third, privacy tools should be as simple to use as products themselves. Finally, it is rare for technology to entirely solve the challenges technology creates, so we need new [privacy laws](#) that are savvy and wise. There is much work to do, but we can build an awesome future without trading away our human need for privacy.

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tom midwest

If one thinks about it, most data collection requires an opt out by the user to not collect data. The default option should be opt in where the business who is so interested in you has to personally ask you for the privilege. It would be easy to change the laws for everything from junk mail in your mailbox (the first spam before computers) to anything else. I grant that one "opts in" when one uses an online service but today many websites (who want to keep my business or visitation) asks me to opt in. Those businesses that do not lose my business. Vote with your feet or your money. It works for me.

Sept. 9, 2013 at 1:16 p.m. [REPLY](#) [RECOMMEND](#)



Susannah France

Laws do not stop crime nor indeed any activity that a person is insistent to do. As well, a law that might protect me in France may not protect me when I return for a visit to the USA. Privacy here is more protected than in the USA but that doesn't stop

the USA from inquiring about all sorts of things. Have you read FACTA? I want to retain my American citizenship and at the same time I am tired of being treated as if I have criminal intent simply because I live in France. FACTA is not going to force me to divorce my husband, the best in the world, and move back to the USA just because it is a books of laws. But that is beside the point, isn't it? No. Pass a law and then find the money to enforce it on people who never intend to recognize its validity. Where is that money suppose to come from? The food stamp program?

You need to write an amendment of citizens' rights to privacy. It needs to pass and become the 28th Admendment of the Constitution. Good luck doing that with a red Congress.

Sept. 9, 2013 at 12:18 p.m. [REPLY](#) [RECOMMEND](#)

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