



Economic Research Service
U.S. DEPARTMENT OF AGRICULTURE

Expanding Secure Access to Confidential Data Assets

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Federal Committee on Statistical Methodology
2023 Research and Policy Conference
College Park, MD October 24-26, 2023

*Session G-4: Advances in Implementing Title III of the Evidence Act: Enhancing Public Trust
in Official Statistics and Expanding Data Access for Evidence Building*



ICSP Data Access and Confidentiality Project

- Motivated by Evidence Act
 - Identify, adopt, communicate and coordinate emerging best practices to manage data access and confidentiality
 - Federal Statistical Agencies:
 - Strength Confidence and Trust
 - Improve capacity to expand data access for evidence building
- Themes
 - Regulation Plan
 - Stakeholder Engagement Plan
 - Methods Coordination Plan



Engaging Advisory Council on Data and Evidence Building (ACDEB) Subcommittees



Elicit feedback on goals, principles,
and frameworks



Shared understanding of the
challenges



Identify innovative ways to meet
the goals and overcome challenges



Regulation

Goals and Guidance for Developing Expanding Secure Access to Data Regulation (Evidence Act Section 3582)

Regulation Goals

- Shared responsibility for protecting data
- Treating privacy/re-identification as a continuum
- Address both current and future data holdings of the Federal Statistical System

Per Section 3582 Regulation Must Include

- Standards to assess for each data asset
 - sensitivity level
 - corresponding level of accessibility
 - whether less sensitive versions can be created
- Standards to improve access by removing/obscuring identifiers
- Requirement to conduct re-identification risk assessments
- Requirement to make processes transparent and easy to understand



Regulation

Example Guidance on Regulation "Must Dos"

Sensitivity Levels: "Not all data are equally sensitive. Our regulation should not create a presumption of equal sensitivity."

Removing/Obscuring Identifiers: "Guidelines we set for data sets standing alone may be insufficient when those data sets are linked to other data sources. When articulating guidelines, consider linked data."

Risk Assessments: "Re-identification risk is only one component of a risk assessment. The regulation must also consider reputational risk to an agency and concerns regarding respondent trust."



Regulation

Goals and Guidance for Developing Expanding Secure Access to Data Regulation
(Evidence Act Section 3582))

Known Constraints

- Use of Agency-specific confidentiality laws and how they fit into a CIPSEA framework
- Data agreements to procure or collect past data often have limitations on data use
- Budget



General Principles

1. More (Not Less) Data Available
2. Not All Data Are Equally Sensitive
3. Disclosure Risk Is a Continuum
4. Consistent With Other CIPSEA Efforts
5. Address Current and Future Data
6. Shared Responsibility
7. Protect Good Faith Actors from Unknown Disclosure Risks
8. Consider Linked Data
9. Consider Multiple Audiences in Determining Sensitivity
10. Risk Assessments More Than Re-identification Risk
11. View Expansively – Improve Access to Administrative Records
12. Cost Effectiveness
13. Consider Agency-Specific Privacy Laws



Elements of the Regulation Draft

- **Codifying and clarifying definitions**
- **Standard to Assess Sensitivity**
 - Evaluating likelihood of unauthorized re-identification
 - Risk of harm: financial, legal, emotional, & reputational
 - Assigning Low, Medium, High Risk
- **Common Sensitivity Levels and Levels of Accessibility**
 - Five Accessibility Tiers: Public Access + CIPSEA Levels 1-4
- **Determining Whether a more Accessible version of Data Asset can be produced**
 - Increase accessibility using statistical disclosure limitation methods



Elements of the Regulation Draft (cont'd)

- **Standards for Disclosure Risk Mitigation**
 - Determine if disclosure risk is mitigated (incl. if combined with other data source)
 - Shared responsibility with user's institution
- **Comprehensive Risk Assessment**
 - Institutionalize Disclosure Review Capacity: Board & Officer
- **Transparency**
 - Publicly available policies and procedures, annual reporting, public feedback mechanisms



Document Status

- Draft in development by ICSP Working Group.
- Draft is aligned with other guidance and regulations:
 - SAP (Evidence Act section 3583),
 - Trust regulation (Evidence Act section 3563a) and
 - other ICSP engagement documentation.

Accomplished our goal to hew as tightly as possible to Section 3582 and to incorporate as many of the ICSPs 13 guiding principles as are relevant.



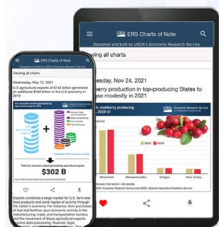
Questions?



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