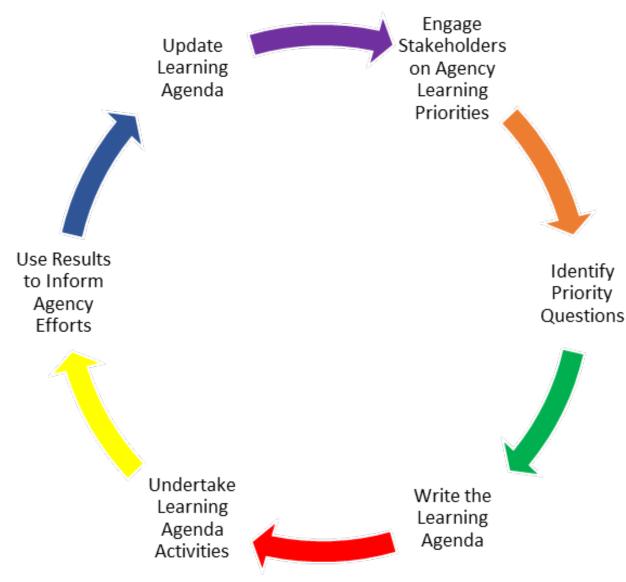


# Big Steps to Increase Data Access for Evidence-Building

### Title III of the Evidence Act

# High Level Look at the Evidence Act



Title I asks agencies to develop research plans to address priority questions

### High Level Look at the Evidence Act



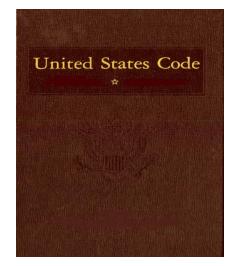
Title II asks agencies to build data catalogs, coordinate data governance, and develop open data plans.

### High Level Look at the Evidence Act



Title III protects the confidentiality of non-open data; makes those data accessible at an appropriate level for the purposes of evidence building.

# Title III (subtitled "CIPSEA of 2018"):



Re-authorizes the Confidential Information Security and Statistical Efficiency Act (CIPSEA)



Adds provisions to strengthen access to data for evidence building

# Background: CIPSEA (2002)

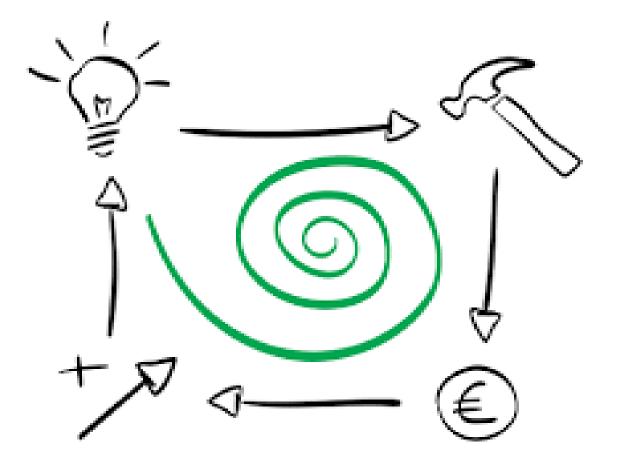
- CIPSEA established strong confidentiality protections for information collected for statistical purposes by Federal agencies
- Key feature: the "CIPSEA pledge"
- Only recognized statistical agencies and units may designate agents to handle CIPSEA data

# Information acquired under CIPSEA Pledge

- 1. Can be used <u>exclusively for statistical purposes</u>
- 2. <u>Cannot be disclosed</u> in identifiable form to anyone not authorized by CIPSEA
- 3. Is safeguarded by control of its access and use

#### New Features of CIPSEA in Title III

- Expand Access to Confidential Data for Evidence
- Strengthen and Preserve
  Confidentiality
  Protections



#### Access to Data for Evidence – Game Plan

- Identify trusted intermediaries
- Articulate high confidentiality standards
- Empower trusted intermediaries to access data
- Ensure provision of data to evidence-builders
- Build tools and infrastructure

### Access to Data for Evidence – Statute

- Identify trusted intermediaries
- Process for recognizing statistical agencies
- Articulate high confidentiality standards
- Codification of SPD1 (the "Trust Directive")
- Empower trusted intermediaries to access data
- Presumption of Accessibility
- Ensure provision of data to evidence-builders
- Expanding Secure Access to CIPSEA Assets
- Build tools and infrastructure
- Standard Application Process

# **Statistical Agencies**

#### **Process for recognizing statistical agencies**

- **<u>Previous</u>**: Request to Chief Statistician, demonstrate that activities predominantly statistical
- **<u>New</u>**: Increased transparency, expanded criteria

#### **Codification of Statistical Policy Directive 1**

Stat Agency Responsibilities: Relevance and Timeliness; Accuracy and Credibility; Objectivity; Confidentiality

**Previous:** OMB Guidance

**<u>New</u>**: Regulations

# **Presumption of Accessibility**

Previous: OMB Guidance (OMB – M-14-06)

- Encouraged agencies to share data while addressing legal requirements
- Highlighted relevant Privacy Act exceptions

**<u>New</u>**: Regulations to implement Evidence Act

- Require the timely provision of data assets to any requesting statistical agency or unit
- clear and consistent standards for complying with applicable laws
- transparent process for requesting data and responding to requests

## **Expanded Access to CIPSEA Data Assets**

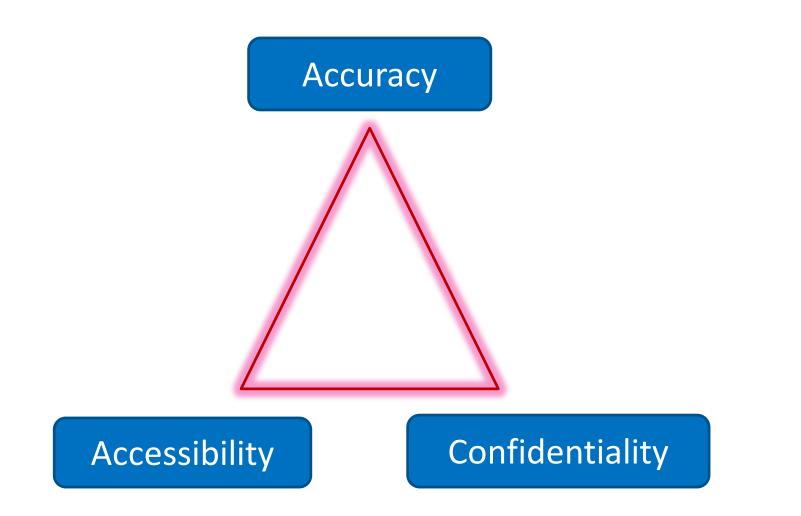
#### Previous: 2-tier system

- Public Use datasets and statistics for broad investigations
- Data Enclaves for small number of well-qualified investigators

#### **<u>New</u>**: Broader implementation of multiple tiers

- Statistical agencies must assess sensitivity level of each data asset
- Access to data assets related to risk assessments
- Access to some assets may be improved through modifications (e.g. removing or obscuring some information) to the data

#### **Tiered Access: Trade-offs**



# **Principles of Tiered Access**

- Control of authorized access (person, machine, device, location)
- Principle of least privilege (need to know) for access
- Time-bound access to the minimum data and services required
- Baked-in data governance and compliance requirements for increased security

Public	Protected	Restricted	Highly Restricted
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# **Single Application Process**

**Previous:** Each statistical agency potentially had its own application process to access confidential data

**New:** The process for each statistical agency will be identical