

Expanding Secure Access to Confidential Data Assets

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Session K-4: The Future of Evidence Act Implementation



**Interagency Council on
Statistical Policy**

REGULATION WORKSTREAM TIMELINE: PHASE I (FY22 Q1 – FY22-Q3)



FY22 Q1



Formation and Structuring

Recruited members, formed group, and appointed leaders.

Divided into section teams and completed initial draft of each section of the regulation

Agency Review and Feedback

Completed initial drafts of all sections and compiled them into a cohesive draft document

Sent initial draft to agencies for review and comment



FY22 Q3



PHASE I: Goals and Guidance for Developing (Evidence Act Section 3582)

Working Group Assembled (FY22 Q2)

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

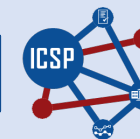
Per Section 3582 Regulation Must Include

- 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

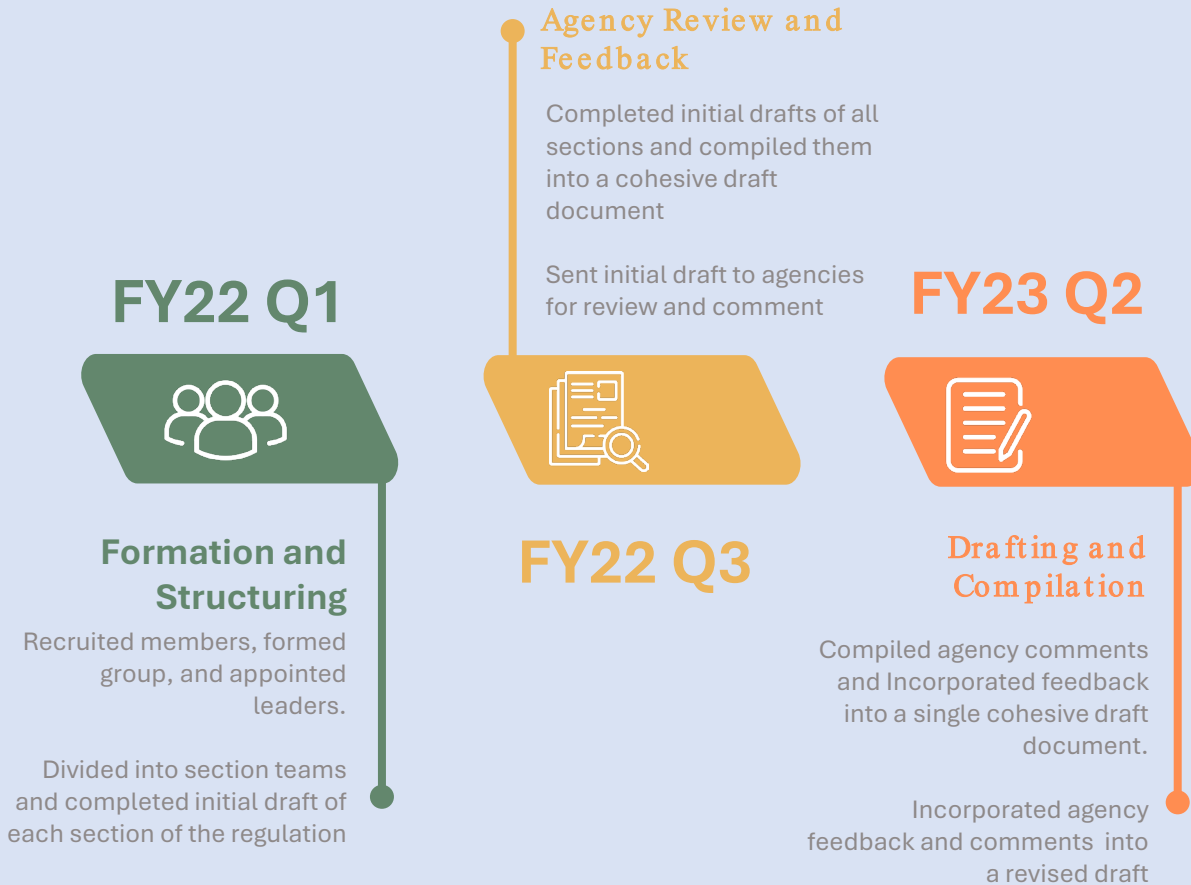


PHASE I: General Principles

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

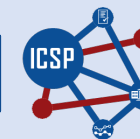


REGULATION WORKSTREAM TIMELINE: PHASE II (FY 22Q3 – FY24 Q2)



PHASE II: 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

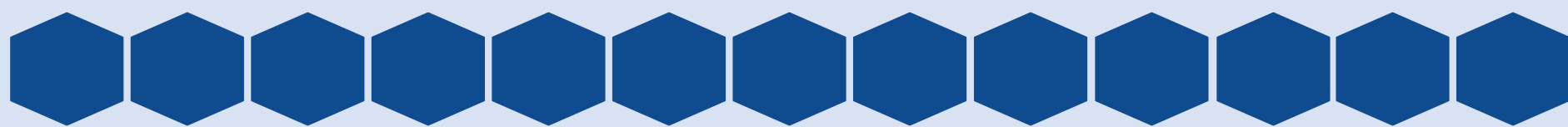
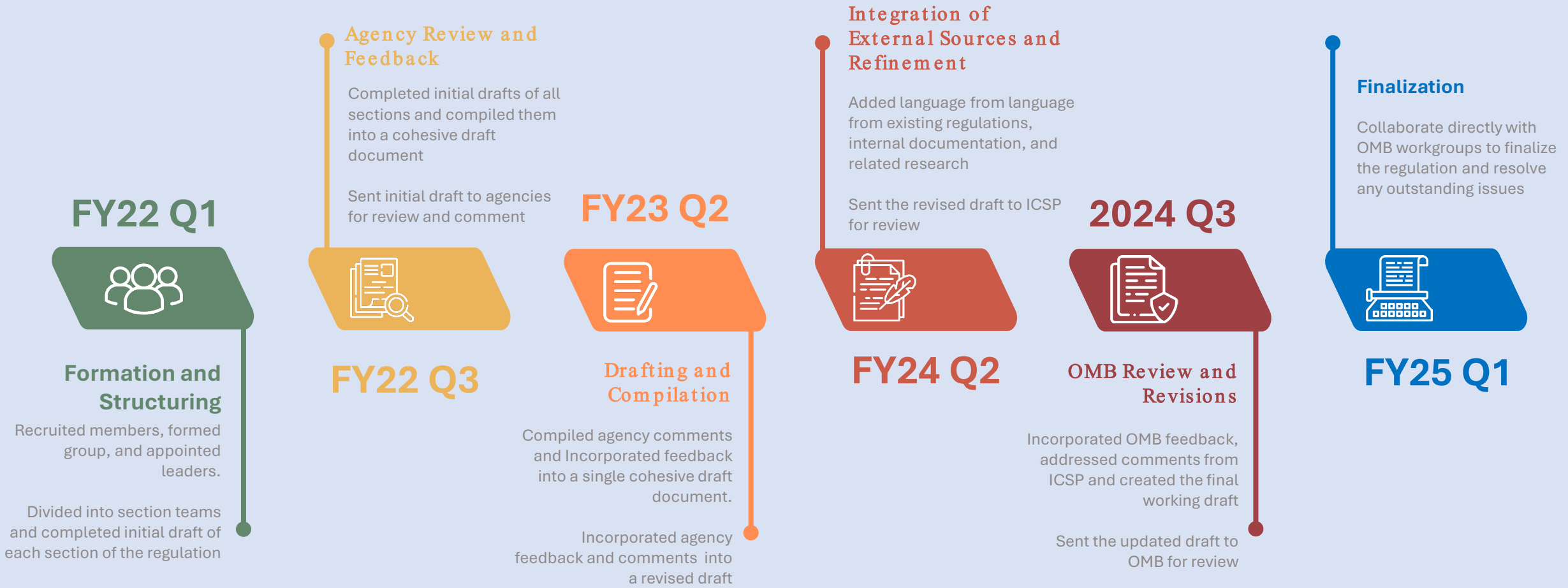


PHASE II: Elements of the Regulation Draft

- **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



REGULATION WORKSTREAM TIMELINE: PHASE III (FY 24 Q2 – PRESENT)



Working Group Composition

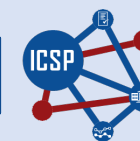
The Regulation Workstream Team initiated its work with the following

- 11 members from 8 agencies comprise the Workstream Team
- Census, ORES/SSA, BTS, NCES, BJS, IRS, NCHS, ERS
- Chaired by Monique Eleby (Census) and Christa Jones (Census)



Comments & Questions

PRE-DECISIONAL & DELIBERATIVE – DO NOT DISTRIBUTE



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