Priorities in Open Data

From climate change to global health pandemics, tackling today's most pressing challenges requires data-driven responses. Positioning the United States to reap the full benefits and opportunities of the 21st century data economy depends on policies that facilitate greater sharing, collaboration, and experimentation with data resources while protecting privacy. BSA's Open Data Agenda identifies opportunities to enhance the collective benefits of data through policies that:

1 Enhance Access to High-Value Government Data

2 Make it Easier for Organizations to Voluntarily Share Their Own Data

3 Promote the Development and Use of Privacy-Enhancing Technologies

1 Open Government Data

Agencies collect and generate vast quantities of data at the federal and state level, which offer unique insights into virtually every facet of the modern world, from satellite imagery that can help predict the weather to transportation data that can help reduce traffic congestion. Collaboration around "open data"—i.e., non-sensitive government data that is made freely available to the public in non-proprietary, machine readable formats via non-restrictive licenses—can unlock opportunities that spark the economy and fuel job growth in virtually every industry sector. To ensure that federal data is being fully leveraged as a strategic asset, the incoming Administration should work with Congress to:

☑ **Fully Implement the OPEN Government Data Act.** Signed into law in January 2019, the OPEN Government Data Act is the cornerstone of federal open data policy. It establishes an "open by default" approach to government data, requiring agencies to make non-sensitive data assets freely available to the public in machine readable formats. Unfortunately, agencies have yet to receive critical

guidance directing them on how they must comply with its key provisions. A recent Government Accountability Office report warned that incomplete implementation means that "Congress and the public lack key information about the extent to which agencies are meeting their requirements under the act, including whether agencies have made all required data assets open and available to the public."

☑ **Appoint a Federal Chief Data Officer.** As the strategic importance of data continues to grow, ensuring that the federal government has the personnel, policies, and resources in place make the most effective use of data is an urgent priority and requires dedicated senior leadership. The incoming Administration should appoint a Chief Data Officer to oversee a whole-of-government approach to data.

☑ **Establish a Federal Commission to Enhance Open Government Data.** A federal commission should be established to bring together experts from government, industry and academia to seek out high value and underused government data assets and make those assets available for R&D; identify

opportunities for agencies to improve their uses of data; and recommend best practices for data collection, governance, and licensing.

☑ **Promote Interoperability at All Levels of Government.** COVID-19 has demonstrated how timely access to trustworthy and dependable data can be a matter of life and death. Unfortunately, data siloes and inconsistent approaches to data governance continue to hamper these efforts, making them more costly and less effective than they should be. National leadership is needed to promote data interoperability between federal government agencies and across the states.

☑ **Support Open Data Trade Commitments.** As data becomes an increasingly important component of the digital economy, trade agreements should include commitments that facilitate access to and use of non-sensitive government data.

❷ Promote Industry Data Sharing

Although there is increasing recognition of the collective benefits that data sharing produces, establishing collaborative data sharing arrangements is impeded by regulatory uncertainty and technical challenges. The incoming Administration should work to remove those impediments by:

☑ **Establishing expedited regulatory review processes** to clear data sharing arrangements consistent with competition and privacy considerations.

☑ **Promoting the development of data sharing tools and best practices** that make it easier and less expensive to share data in ways that are consistent with rigorous privacy expectations.

☑ **Share computing and data resources** through public-private partnerships and other incentives.

❸ Support Privacy-Enhancing Technologies and Data Governance

Emerging technologies and data governance structures can enable value-added uses of data without compromising the confidentiality of the underlying data. The incoming Administration should:

☑ **Leverage emerging technologies to enhance privacy.** A range of emerging technologies, including differential privacy, homomorphic encryption, and federated machine learning can be used to maximize both the value and confidentiality of sensitive information. The incoming Administration should seek out opportunities for leveraging these technologies to enable cutting edge R&D on high-value data.

☑ **Encourage innovative data governance structures** such as data trusts, data cooperatives, and data commons that facilitate public and private sharing of data in ways that preserve privacy.

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