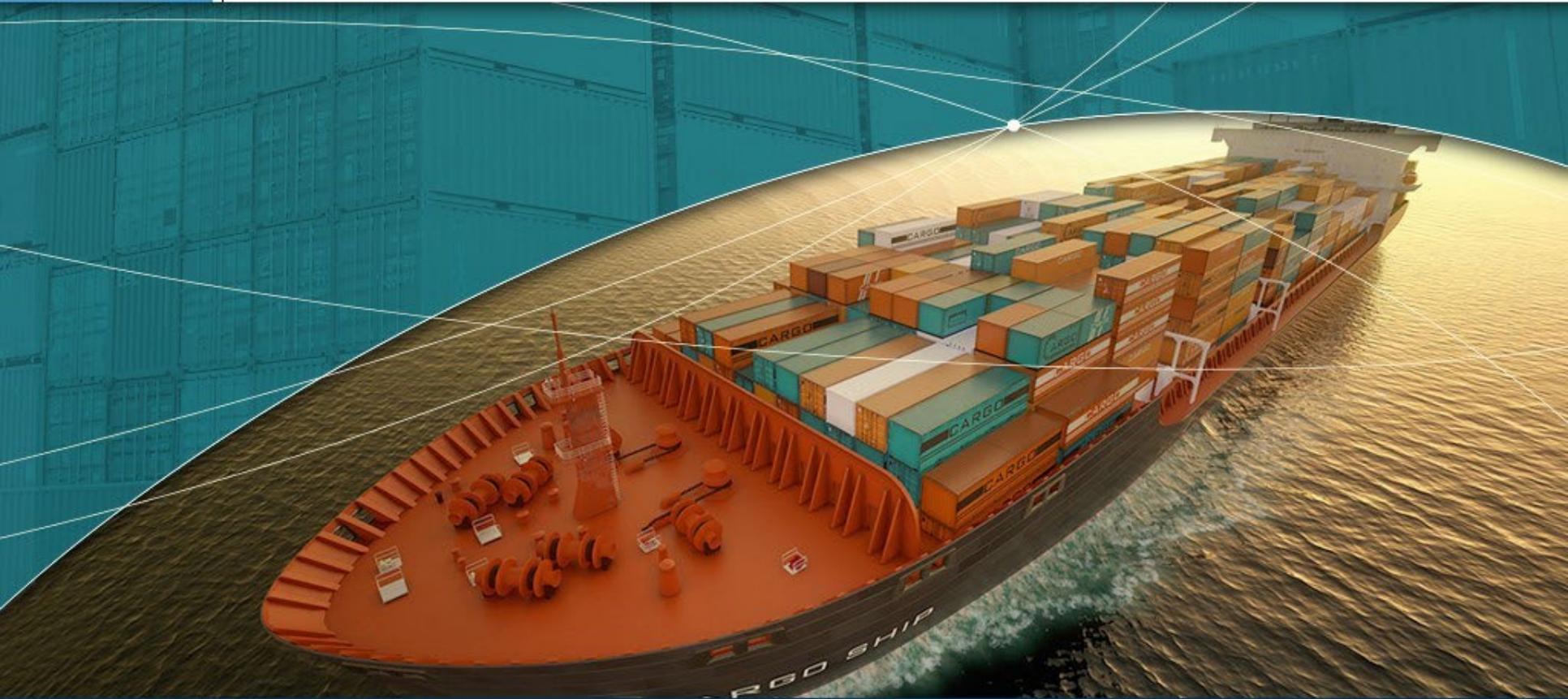




Safeguarding Confidentiality: Establishing Data Protection Protocols in a Small Federal Agency Venturing into Public Data Release

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Federal Maritime Commission

- Mission: To ensure a competitive and reliable international ocean transportation supply system that supports the U.S. economy and protects the public from unfair and deceptive practices.
- Venturing into public data release: As FMC starts releasing data publicly, it faces the challenge of maintaining confidentiality while ensuring transparency and public accountability



Challenges for Small Federal Agencies

- Small agencies, like the FMC, have unique challenges when it comes to public data release
- Meanwhile, data release is critical for policy-making, in line with the Evidence Act, but the confidentiality risks are heightened due to limited data volume and high sensitivity



Bureau of Trade Analysis

- Reviews and monitors agreements between ocean common carriers and marine terminal operators to ensure fair practices and prevent significant increases in transportation costs or substantial decreases in transportation services
- “Monitoring” data is collected to reflect current trade conditions and ensure agreements operate within legal bounds



Disclosure Limitation

- The FMC is beginning the process of releasing data for public consumption
- The focus is on balancing transparency with safeguarding confidential business information
- Categories of data include:
 - Vessel operating common carriers
 - Non-vessel operating common carriers
 - Marine Terminal Operators



NVOCCs: Low-Risk Data Release

- There are nearly 9,000 in the market
- These companies are generally small, operate independently, and the market is highly fragmented with no dominant player
- Easier to protect confidentiality of NVOCC data due to the high number of operators and lack of dominant market players



MTOs: Medium-Risk Data Release

- Approximately 200 in the market, geographically segregated
- Enter into agreements that allow them to share some information
- These agreements are a significant source of data, but confidentiality risks increase due to the smaller number of operators and shared information across entities



VOCCs: High-Risk Data Release

- 130 VOCCs operate in the U.S., but 11 carriers control 85% of the market
- 9 of these dominant carriers are part of 3 large alliances
- Data related to alliances and the most powerful carriers is the most difficult to protect, as the concentration of the market makes it easy to identify specific companies and business practices
- At the same time, these are the most salient data we have



Establishing Robust Confidentiality Protocols

- Challenges for small agencies:
 - Small agencies, like FMC, have limited data which can quickly reveal identifiable information
 - A one-size-fits-all approach to confidentiality doesn't work for small agencies
- Framework for confidentiality protection:
 - Differential privacy
 - Data aggregation
 - Threshold rules



Best Practices for Responsible Data Dissemination

- Utilizing best practices in disclosure limitation from larger agencies
- Tailoring confidentiality measures to reflect the specific risks that FMC faces due to the concentrated nature of some of its data
- Engaging with stakeholders to create guidelines that protect confidentiality while increasing transparency



Conclusions

- Small agencies like FMC can play a crucial role in providing valuable data to the public, but confidentiality protocols must be robust
- By implementing industry-standard practices and tailored approaches, the FMC can meet the demands of transparency while safeguarding sensitive information



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