



Why this restriction?

Data, Compliance, and the Law

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Beyond the Numbers

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the author and do not necessarily reflect the
views of the Federal Reserve Bank of Kansas
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Data Definition

Structured information used in quantitative analysis



[illegible]

Structured

```
<line><delimited detail="quotation-1">"Prophet!"</delimited> said I, <delimited detail="quotation-1">"thing of evil!—prophet still, if bird or devil!"</delimited><line>By that Heaven that bends above us—  
by that God we both adore—</line><line>Tell this soul with sorrow laden if, within the distant Aidenn,  
</line><line>It shall clasp a sainted maiden whom the angels name Lenore—</line><line>Clasp a rare and ra-  
diant maiden whom the angels name Lenore.</line></line>  
<line><highlight detail="emph">Quoth the Raven <delimited detail="quotation-1">"Never-  
more."</delimited></highlight></line>
```



Quantitative Analysis

- Counting
 - Statistical Models
- 



Data Definition

Structured information used in quantitative analysis



Where does data come from?

Primary Data

- Collected data
 - Behavioral Economics
- Created Data
 - Systematic Reviews
 - Extracted from TDM

Secondary Data

- Publicly available data
 - Census
 - ICPSR
- FOIA data
- Purchased data
- Sensitive Government Data
 - Research Data Centers

ICPSR

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Four Important Moments

- As Published or As Collected Data
- Extracted Data
- Intermediate Data
- Final Model Data



Kinds of Restrictions

- Limits on internal access
 - Limits on sharing
 - Limits on preservation
- 

Where do restrictions come from?

- Primary Data

- IRB Study
- Non-disclosure agreement to participants
- End User License Agreement
- Site License
- State Law
- Federal Law

Where do restrictions come from?

- Secondary Data
 - End User License Agreement
 - Site License
 - State Law
 - Federal Law
 - Formal Contracts

Why do they matter?

- Using
 - Aggregating
 - Computing
 - Citing
- Sharing
 - Reproducing
- Preserving
 - 10 year half life
 - 4 different updates to Microsoft Office in 10 years
 - Restrictions are barriers to preservation

Questions


- What are you trying to do?
- Does the underlying restriction
 - Bar public dissemination?
 - Bar private preservation?
- Does it matter?
- Is the vendor or participant willing to given consent?
- To what extent is the library or institution willing to mediate or facilitate those conversations?
- Can the data be aggregated or computed enough from the underlying raw data to satisfy concerns?

Determine the Reason for the Underlying Restriction

- Confidential Information
 - IRB Information
 - Research Data Centers
 - Privacy
- Data Integrity
- Industry Leader
 - ICPSR: Standard Agreement
- Market harm through competition
 - Proprietary Data
 - Proprietary Data Organization



Final Steps

- Negotiate
 - Find an alternative data provider
 - Return the vendor to ask
- 



Questions?