CODE

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AMERICA'S DATA FUTURE
Towards a Roadmap for Action

A Report of the Center for Open Data Enterprise (CODE)

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Table of Contents

Click to go to the desired section.

Introduction: Government Data at a Turning Point

America's federal data is so diverse that it's hard to summarize the ways it impacts industry, public services, and daily life. The country has vast stores of public data - roughly 300,000 public datasets at the current count.[1] Federal data is the basis for economic measurement and metrics, climate predictions, public health and educational programs, and more, and has fueled a wide range of local and national initiatives.[2]

U.S. federal data is so valuable because most of it is *open data* that can be freely used, reused, and distributed by anyone for any purpose.[3] Americans interact with open federal data in innumerable Web searches, every time they use their phones' GPS systems, and whenever they check a weather forecast. In recent years, the U.S. has been part of a global movement to promote open government data and its use. Since 2009, the U.S. government has set policies, passed legislation, and taken practical steps to improve the government's open data resources, with virtually unanimous bipartisan support. That progress has put the U.S. on a strong path to more effective data-driven policymaking.

Now that progress may be stalled. Under President Trump's leadership, agencies and offices across the U.S. government are rapidly reviewing, altering, and cutting major parts of the U.S. data infrastructure.

Since January 2025, the federal government has taken down websites and datasets, decreased staffing and funding for data-providing agencies, modified surveys and data collections, and laid the groundwork for changes to long-established data programs. Some of these actions have been aligned with the administration's political priorities, including an opposition to DEI programs and "gender ideology." Some data collections have been cut or reduced through efforts to reduce government spending, including the work of the Department of Government Efficiency (DOGE) and its aftermath. In some cases, agencies are altering or discontinuing data collections that they see as flawed. And in still other cases, like discontinuing a database on domestic terrorism and targeted violence, the rationale is hard to understand.[4]

There is no question that America's data systems need reform. Many government data sources, platforms, and tools are not interoperable with each other, are difficult to access or share, and are not ready to support AI applications. Our data infrastructure is dependent on legacy systems that go back decades and are often inefficient, hard to use, and outmoded. Data experts inside and outside of government have been working to solve these problems, following guidance from legislation and government directives.

While these experts support data reform, however, many are concerned that there is no clear, comprehensive strategy guiding the major changes now being made. They worry that the administration is ignoring established procedures, deleting data without assessing its value, or eliminating data that could support conclusions it disagrees with. ProPublica has described the administration's actions as a "war on measurement." [5]

Some of these actions may be reversed through court challenges, in response to public pressure, or because government leaders have reconsidered them. Agencies are rehiring many federal workers who were fired in haste, and they may also rethink some hasty cuts to important data sources.[6] But whatever the final outcome, the lesson is clear: The nation's data ecosystem is not immune to change, and we cannot assume that our federal data is an immutable national resource.

Dealing with this new reality is a complex challenge for open data advocates, who want to both preserve the nation's data and reform how it is collected and managed. For example, many advocates have protested the extreme cuts to the National Center for Education Statistics (NCES) that have endangered studies of educational attainment.[7] At the same time, some of those same advocates have criticized NCES for years for gathering data in outmoded, inefficient ways. The question is: How can we ensure the future of essential data while also improving, rethinking, or discontinuing data collections that need to be changed?

The best path forward is a thoughtful approach that *monitors* changes to federal data as they occur, *protects* the most valuable data for public use, and *improves* datasets and the systems that support them where necessary. At a time of disruption, we have an opportunity to reconsider the ways the nation collects its data, manages it, and publishes it. We can identify the core data collections that must be protected for continuity and long-term tracking; improve those that can be managed more efficiently and effectively; and prioritize data resources for preservation, development, and use.

Data advocates can also leverage government actions designed to improve the nation's data infrastructure and analytic capacity. The One Big Beautiful Bill Act (OBBBA), signed by President Trump on July 4, and the President's recommended Budget for 2026 include some provisions to improve the country's data infrastructure.[8, 9] The President's Budget recommends consolidation of some statistical agencies, while OBBBA funds programs to improve the use of open scientific data and use AI to reduce waste, fraud, and abuse.[10, 11, 12] These changes will require accurate, reliable, and complete data to be successful, which strengthens the case for preserving and improving essential data sources.

The nonprofit Center for Open Data Enterprise (CODE) is publishing this report - written by CODE President Joel Gurin - to provide an in-depth analysis of the current disruptions to federal data and propose a draft Roadmap for Action.[13] The report presents strategies for preserving critical data collections, finding new, additional data sources, and improving our national data infrastructure over time. CODE has also created a U.S. Data Action Hub (bit.ly/us-data-action-hub) with information on dozens of organizations working on these issues.

We plan to update this report and the Action Hub as events impact the national data landscape. CODE welcomes new information, corrections, and ideas and opportunities for collaboration. *Suggestions should be sent to CODE's President at joel@odenterprise.org.*

Executive Summary

The U.S. has had a strong bipartisan consensus that open federal data is an essential public good. Since 2009, initiatives by Presidents Obama, Trump, and Biden and two acts of Congress have made federal data more accessible, transparent, and useful. The current presidential administration has not challenged these established principles. However, the administration has altered many government data programs on an individual basis, often with the rationale that they do not align with the President's priorities.

Civil society has responded to these actions with a data rescue movement to archive critical datasets and keep them publicly available. There is a good chance that the movement will be able to save most of the federal data that was available in January 2025.

The greater risk, however, is to the future. The data we have today will not be very useful in a year or two, and future data collections are now under threat. Since the start of the Trump Administration, the federal government has:

- Dismantled and defunded agencies that collect data mandated by Congress

- Discontinued specific data programs

- Defunded research that can be a source of open scientific data

- Disbanded advisory committees for the U.S. Census Bureau and other data-collecting agencies and offices

- Removed data disaggregated by sexual orientation and gender identity

- Proposed changing established methods of data collection and publishing in some key areas

These changes can have a major impact on the many institutions - including state and local governments, businesses, civil society organizations, and more - that depend on federal data for policymaking, decision making, and growth.

This paper analyzes the current situation, reports on strategies to preserve federal data, and concludes with a draft Roadmap for Action. It recommends a path that combines engagement with government, collaboration, advocacy, and innovation, described in detail at the end of this report. The Roadmap includes the following recommendations.

- **Work with Government**

    - *Engage with the Executive Branch on positive reforms.* Some federal reforms now in the works could improve statistical systems, make data collection more efficient, and make government data more useful. Stakeholders with an interest in federal data can support and influence these plans.

○ *Work with members of Congress and promote new legislation.* Advocates with a stake in government data can build on longstanding Congressional support for open data in the public interest.

○ *Align with the administration's AI goals.* The administration's AI goals depend on large and accurate data sources - including major government data collections - and thus provide an opportunity for data advocates.

○ *Build cross-state data collaborations.* Experience with health data during COVID has demonstrated how state data can become a more valuable national resource.

- **Take Collaborative Action**

  ○ *Continue data rescue efforts.* Organizations that are now archiving government data will need to continue preserving data and making it widely available.

  ○ *Activate philanthropy.* Foundations can help preserve mission-critical data, support data rescue efforts, and fund research for new data creation.

  ○ *Foster nonprofit collaborations.* Organizations that are advocating for government data in different ways can collaborate for greater impact.

  ○ *Prioritize the most valuable data.* Data providers and users in different sectors can collaborate to prioritize the most important data and focus their efforts.

  ○ *Engage with the public.* Data advocates should ensure that federal agencies engage with stakeholders on their data programs, as they are required to do.

- **Pursue Advocacy**

  ○ *Make the case for robust public data.* Several organizations are now collecting compelling use cases for public data, which can help communicate the data's value.

  ○ *Form alliances for advocacy.* State and local governments, civil society organizations, and businesses have common interests in a strong national data ecosystem.

  ○ *Promote disaggregated data.* Data on race, ethnicity, sexual orientation, gender identity, and disability is essential for both business needs and the public good.

  ○ *Leverage legal protections.* A number of lawsuits and wins in court are demonstrating diverse legal strategies for protecting public data.

- **Develop New Data Sources**

  - *Leverage administrative data.* With appropriate privacy protections, federal, state, and local government records can become a new source of data for public use.

  - *Explore non-traditional data sources.* AI analysis of mobile, social media, and other kinds of data, as well as established methodologies like crowdsourcing, can augment government data.

What this Report Is Not About

The changes to America's data systems have raised several important issues that are beyond the scope of this report, which focuses on federal open data for public use. They include the following.

- *Data privacy and security.* DOGE has gained access to sensitive databases containing personally identifiable information, raising alarms about the potential for unprecedented government surveillance or private-sector data mining.[14] Privacy advocates have also raised concerns about the creation of a national citizenship database and about plans to share IRS data with ICE.[15] [16]The privacy issues raised by these actions are beyond the scope of this paper to analyze. However, it's important to note that escalating fears about data privacy may make Americans more reluctant to respond to government surveys, including the U.S. Census.[17]

- *Performance data.* Federal agencies continue to need data on the effectiveness of their own programs. While this data is important both for agencies' internal use and for public accountability, it may be at less risk than other data for public use.

- *International data.* The loss of some U.S. data is also a loss for the international community, as CODE has written here.[18] Conversely, some data from other countries or intergovernmental organizations may be able to substitute for U.S. data collections. (Examples include the World Bank's Data360 program and data from European satellites.)[19] It's still too early to know how these international impacts and opportunities will play out.

- *The use of FOIA.* DOGE has made staff cuts to the office that administers the Freedom of Information Act (FOIA).[20] Cuts like these may make it harder for Americans to request and access government documents that contain information and data they need.

The History and Status of U.S. Data

The U.S. has enjoyed an enviable public data system that goes back to 1790, when Thomas Jefferson administered the first count of the country's 3.9 million people.[21] The last 100 years, and particularly the last decade and a half, have seen major legislative, executive, and administrative initiatives to ensure the quality of government records and data.

A Timeline of Data Progress

- **1934**: National Archives created to centralize federal record-keeping.[22]
- **1946**: Administrative Procedure Act (APA) enacted; includes processes for data collections.[23]
- **1974**: The Privacy Act establishes fair information practices for the collection, management, and use of individuals' information from federal records.[24]
- **1980**: Paperwork Reduction Act (PRA) lays out guidelines for federal information collections.[25]
- **1995**: PRA is revised with added requirements for agencies to seek public comment on proposed information collections and then have them reviewed by the White House Office of Management and Budget (OMB).[26]
- **2000**: Information Quality Act is enacted to ensure the quality, objectivity, utility, and integrity of statistical and other information from federal agencies.[27]
- **2009**: President Obama issues a memorandum on transparency and open government on day one of his presidency.[28]
- **2009**: Launch of data.gov, the federal government's centralized portal to all open government data.[29]
- **2013**: President Obama issues an executive order to make open and machine-readable data the new default for government information.[30] OMB simultaneously releases an Open Data Policy that builds on the administration's open data initiatives already under way.[31, 32]
- **2014**: The Digital Accountability and Transparency Act of 2014 (the DATA Act) is enacted to establish new standards for the transparency of federal spending data, made available through the website USASpending.gov.[33, 34, 35]
- **2018**: President Trump signs the Foundations for Evidence-Based Policymaking Act (the Evidence Act), which sets requirements for all federal data.[36]
- **2021**: President Trump continues the government's commitment to open data by launching the Federal Data Strategy.[37,38] The Strategy, developed through a collaborative effort involving 23 agencies, is designed to guide annual action plans over the following decade to "leverage data as a strategic asset." [39]
- **2025**: In the last week of the Biden administration, OMB issues a long-awaited memorandum with specific guidance on open government data access and management under the Evidence Act.[40]

The Evidence Act of 2018 established the current framework for making federal data open, accessible, and usable. Title II of the Evidence Act, known as the OPEN Government Data Act, required agencies to publish data in machine-readable formats, develop data inventories, and designate Chief Data Officers (CDOs). It also established a CDO Council within OMB.[41]

The Evidence Act guaranteed the independence of federal statistical agencies. The Data Foundation, a nonprofit concerned with Evidence Act implementation, notes that the Act "created a clear framework for statistical agency independence with support from parent agencies and departments to those statistical activities. This framework [known as the Public Trust rule] unambiguously places decision-making authority for federal statistical activities with statistical agency leadership, not with external entities." [42, 43] The Public Trust rule is particularly important in light of the current risk that government statistics could be politically manipulated.

Over the last decade and a half, support for the expansion and use of federal open data has been thoroughly bipartisan. The DATA Act and the Evidence Act - one signed by President Obama, and one by President Trump - were passed by Congress almost unanimously. In President

Trump's second term so far, the overall amount of public data available has remained about the same: At the 100-day mark, data.gov actually provided access to more datasets than it did on Inauguration Day.[44]

At the same time, however, many individual data collections have been put at risk. Beginning in January 2025 many websites and their data sources were taken down indefinitely, or taken down temporarily and then reposted with significant changes. Changes were triggered by Executive Orders on diversity, equity, and inclusion (DEI) and "gender ideology," administration policies on climate change, and lists of "banned words" issued by the administration.[45, 46, 47, 48] While some changes only involved altering or deleting text, others impacted data sources and tools.

A data rescue movement has emerged rapidly as a response to these changes. Across the U.S., and with some international support, thousands of technologists and subject matter experts have taken on the labor-intensive task of downloading and archiving federal datasets. Public Environmental Data Partners, which has been a model for collaborative action, rapidly recreated the Environmental Protection Agency (EPA) EJScreen and the Climate and Economic Justice Screening Tool (CEJST) developed under President Biden.[49, 50, 51] On another level, a Harvard Law School Library project has been able to replicate all of data.gov, showing the potential to archive federal data in bulk.[52] The Data Rescue Project is now tracking these and similar efforts.[53] Some European organizations are also trying to save American climate data and tools, and *The Guardian* has recreated a FEMA map of U.S. climate risk.[54, 55]

These heroic efforts, however, are limited by a simple fact: You can only archive data that already exists. Even if data rescuers save all the data that was available in January 2025, that data won't be very useful in 2026 or 2027. The biggest risk now is to future data much more than the data we already have.

Three Expert Views: A Snapshot in Time

In May 2025, CODE co-hosted a webinar on *Ensuring the Future of Federal Data* with the Technology Leadership Standing Panel of the National Academy of Public Administration (NAPA).[56] The one-hour webinar, available on video and as a podcast, provided insights from three experts in data policy, civil rights, and national statistics.[57, 58] Their analysis has also informed this report. Here are some excerpts, edited for brevity and clarity.

- *On approaches to government data under recent administrations:* President Obama was all about open data, including the Open Government Directive and the launch of data.gov.[59] In the first Trump administration, data efforts were exemplified by the signing of the Evidence Act of 2018, in a push to turn data into evidence to improve government policymaking. Under Biden, we built on the capacity established in the previous two administrations to focus on improving data on race, ethnicity, sexual orientation, gender identity, and disability.

"And now 100-plus days into the second Trump administration, we're seeing two main areas of action on data. The first is breaking down information silos, for better or worse, to create a master file on all residents, reducing the barriers and safeguards for sharing data across agencies and levels of government. And second, we're seeing significant reductions in the federal government's capacity to collect and publish data."

- Denice Ross, former U.S Chief Data Scientist

- *On the biggest risks to federal data from a rights perspective:* I'm seeing a deep erosion of public trust. The IRS/ICE data share will have a chilling effect on responses to surveys.[60] People are going to be worried that any data they share with the government will not be used for their benefit.

"Those members of our community that are already the most marginalized, the most underserved, the most underrepresented aren't going to want to respond to government surveys. We may start seeing Census data skewed with a lack of representation of communities of color, of rural communities, of communities with disabilities. Then you're going to see a misallocation of resources, a misallocation of representation, and the inability to tell a story that is reflective of what the actual conditions are that we're experiencing in our society."

- Meeta Anand, Senior Director, Census & Data Equity, The Leadership Conference on Civil and Human Rights

- *On the risks to federal statistical agencies:* The benchmarks are whether the data remain available, objective, and credible, and whether the agencies remain trustworthy. Last summer we issued a report called *The Nation's Data at Risk*. These agencies were already at risk, and that makes what we're seeing now all the more impactful.[61] In terms of staffing cuts, the work of the federal statistical agencies is hugely person-intensive, expertise-intensive, and experience-intensive. Losing people most likely means we're going to lose more data products.

"Regarding objectivity, the administration is pushing to make policy-influencing positions at-will positions. If federal statistical agency personnel could be fired by the administration, that is a lever that could be used to try to improperly influence the data, and it raises questions about the objectivity of the data."

- Steve Pierson, Director of Science Policy, American Statistical Association

The Risks to Future Federal Data

The risks to federal data stem partly from the nature of U.S. data infrastructure. The U.S. federal data system is not really a "system" as much as a massive collection of programs run by many different agencies and offices. These include programs to collect and publish official statistics, geospatial data, and many other disparate forms of data. While much federal data is nonpublic for security reasons (e.g. Department of Defense data) or privacy reasons (e.g. health data), the nation maintains massive amounts of open data for public use.

In July 2024 the American Statistical Association (ASA) published the results of a year-long study, *The Nation's Data at Risk*, that described the risks to the nation's statistical agencies - a

critical subset of the agencies that collect all of the country's open data.[62] Where other countries have national statistical offices (NSOs) that collect and publish statistics in a unified way, the U.S. relies on "an infrastructure of 13 principal statistical agencies (located within 11 larger federal 'parent' agencies) and over 100 other offices throughout the U.S. government." [63]

The ASA report, which the organization has followed up with a monitoring program, focused on the 13 principal agencies and found reasons for concern.[64] Among other issues, they found that these statistical agencies were at risk from a lack of resources, a lack of professional autonomy, and a lack of strong authorizing language in law. These factors are at the core of the following risks to federal data, including non-statistical data collected by federal agencies.

Defunding or Dismantling Departments and Agencies

Critical national data is collected by agencies across the federal government, and if those agencies are defunded or dismantled, health, scientific, social, and economic data may be lost. The administration has implemented massive layoffs and shuttered government programs, including cuts to data-producing departments and agencies - actions that have triggered ongoing litigation.[65]

An early example was the move to eliminate the U.S. Department of Education, which has been responsible for many data and statistical resources.[66] The National Center for Education Statistics (NCES) was almost immediately decimated. The NCES has run the quadrennial National Assessment of Educational Progress (NAEP), widely known as "the nation's report card." Under the Department of Education reorganization, staff for the NCES was cut from more than one hundred to only three.[67]

The status of Education data is now in flux. Cuts to the Department of Education were put on hold by a federal judge and then allowed by the Supreme Court in July.[68] In a June court filing, the Department said it was in the process of reinstating contracts for 20 data collections required by statute, and that plans for the NAEP are proceeding.[69]

Meanwhile, the federal government has been downsizing or eliminating many other agencies, offices, and programs that prepare analyses or collect data required by Congress. For example, the government has defunded the U.S. Global Change Research Program (USGCRP), which produces the National Climate Assessment - a report used by states and communities that Congress requires to be updated in 2027.[70] Major staffing cuts and changes at HHS have put public health information and data at risk.[71] HHS has laid off staff responsible for a number of Congressionally mandated programs, including several that require data collections.[72] For example, under a 1981 law, HHS is required to set poverty guidelines for health programs such as Medicaid, but the HHS office that sets those guidelines has been eliminated.[73] (CODE is now working under a grant from the Robert Wood Johnson Foundation on a project to ensure the availability of public health data for the future.)

Even if agencies are not eliminated or dramatically defunded, they are likely to lose staff with data expertise. The nonprofit Data Foundation, which is publishing a monthly Evidence Capacity Pulse Report, found in April that many positions required by the Evidence Act were unstaffed.[74, 75]

The Foundation also noted that statistical agencies, including the Census Bureau, were "experiencing staff departures that challenge historical knowledge and understanding of existing data assets used to produce reliable economic and demographic information." The trend is part of a larger federal "brain drain" triggered by the administration's efforts to reduce the federal workforce.[76] Several economists have warned that inadequate funding and staffing could affect the integrity of critical economic benchmarks.[77] "I would not want anyone to think the data have deteriorated to a point where it's difficult for us to understand the economy," Federal Reserve Chair Jerome H. Powell told Congress in June. "But the direction of travel is concerning."

Some Selective Data Targets

In addition to broad cuts to major federal agencies, the administration has selectively discontinued a number of data collections that are at odds with its priorities. As a few examples:

- The EPA is discontinuing requirements for industries to report their greenhouse gas emissions, and the OBBBA has eliminated funding for this program.[78, 79]

- The National Oceanic and Atmospheric Administration (NOAA) is discontinuing its program to track billion-dollar disasters, a key source of information on the impact of extreme weather related to climate change.[80]

- The Centers for Disease Control and Prevention (CDC) are discontinuing the PLACES data program, which has tracked health trends at the county level to provide highly localized community data.[81]

- The Demographic and Health Surveys (DHS) program, which collected and published data on population, health, HIV, and nutrition globally, is "currently on pause," as its website says, "due to the on-going review of U.S. foreign assistance programs." [82]

Defunding Scientific Research

Over the last few years, the research community has been preparing to open up a wealth of new data from research studies. Under 2022 guidance from the White House Office of Science and Technology Policy (OSTP), by the end of 2025 recipients of federal research grants will be required to publish their data in open formats for public use.[83] SPARC, an organization that promotes open science, notes that "the new guidance unlocks more than $90 billion in research that the U.S. government funds each year." [84]

Now, with deep cuts planned for the government's major research funders, that potential may not be realized - at least not in the near future.[85] Major staff and funding cuts have been implemented or are planned for the National Institutes of Health (NIH), the largest funder of medical research; the National Science Foundation (NSF), the chief funder of nonmedical research; and NOAA.[86, 87]

In April, NIH and NSF grants were terminated en masse and new grant funding was put on hold.[88] Grant Watch, a new site that tracks these changes, identified more than 800 terminated NIH grants and almost 1500 terminated NSF grants as of mid-May.[89] A New York Times analysis found that almost half the canceled NIH grants "addressed the health of sexual and gender minority groups." [90] In June, a federal judge ordered the NIH to restore many of the grants that it had canceled, ruling that the funding cuts were illegal and reflected "racial discrimination and discrimination against America's L.G.B.T.Q. community." [91]

While some grants may be reinstated, future grant funding is at risk. The proposed budget for fiscal year 2026 would reduce NSF's funding by 57 percent.[92] An OMB memo has proposed cutting 74 percent of NOAA's research funding and eliminating the Oceanic and Atmospheric Research Office.[93] As reported in The Hill, this 2026 budget cut would "eliminate 'all funding' for climate, weather and ocean laboratories and cooperative institutes, as well as funding for regional climate data." These changes could endanger historical data as well as future data collections.[94] The OBBBA has started the rollbacks by rescinding any unobligated funds from two allocations approved through the Inflation Reduction Act (IRA): $200 million previously allocated to NOAA for climate forecasting and research, and more than $30 million for data programs run by the Council on Environmental Quality.[95]

Most immediately, staff reductions at the National Weather Service (NWS), together with cuts to research and reduced maintenance for Earth observation satellites, could reduce the quality of weather data and forecasts.[96, 97] In May, the Washington Post reported that NOAA was "scrambling" to correct understaffing from DOGE cuts before the hurricane season.[98] Lower-quality weather data would be harmful to government and nongovernmental organizations, to millions of Americans at risk from extreme weather, and to American businesses that use weather data to manage inventory and supply chains.[99] In July, Texas officials questioned whether cuts to NWS staff had weakened the warning system for the flash floods that killed dozens of people in the state.[100]

Disbanding Advisory Committees

Major federal data programs have relied on expert councils and committees, including those that operate under the Federal Advisory Committee Act (FACA). In his first day in office, President Trump reinstated a first-term Executive Order directing agencies to terminate at least one-third of their FACA committees.[101] By April, agency heads had eliminated many committees

chartered to ensure standards for scientific research and data collection and publication.[102] These have included committees at the U.S. Departments of Agriculture and Interior, the U.S. Department of Commerce Bureau of Economic Analysis and Federal Economic Statistics Advisory Committee, and three advisory committees to the U.S. Census.[103, 104] The General Services Administration (GSA) also terminated the Open Government Federal Advisory Committee, whose role included promoting open data in the interest of open and transparent government.[105]

There's no principle that says that FACA committees should continue indefinitely, and sunsetting some committees may be appropriate. Commerce Secretary Howard Lutnick terminated the Census advisory committees with the rationale that the committees' purpose "had been fulfilled." [106]

However, dozens of organizations have disagreed strongly with that assessment. In a letter to Secretary Lutnick sent by the Leadership Conference on Civil and Human Rights, these organizations argued that "The elimination of these committees . . . threatens the ability of the Census Bureau to serve communities that have historically been undercounted in the census and under-represented in other surveys.[107] . . . It also disregards the decades of nonpartisan precedent through which civil rights and community-based organizations have worked in partnership with the federal government to ensure a fair and accurate census and comprehensive demographic and economic data collection activities."

Some other changes to federal advisory committees also mirror the administration's anti-DEI efforts. Early on, for example, the EPA disbanded a committee on environmental justice.[108, 109] In another instance, an analysis of NIH scientific councils showed that 43 advisors had been let go as of mid-April, and that 38 of those were female, Black, or Latino.[110]

In the absence of formal advisory committees, agencies may be subject to more public criticism of their work, whether well-founded or not. Project 2025, the conservative policy blueprint published before the 2024 election, noted that "EPA currently operates 21 federal advisory committees [that] often play an outsized role in determining agency scientific and regulatory policy," and proposed as a remedy that EPA should "deputize the public to subject the agency's science to greater scrutiny, especially in areas of data analysis, identification of scientific flaws, and research misconduct." [111] Replacing expert committees with public opinion - and incentivizing individuals to find flaws with the science, as Project 2025 suggested - could have a chilling effect on scientists who are afraid of politically motivated attacks.

While the government has not yet adopted this Project 2025 recommendation, an Executive Order (EO) on "Restoring Gold-Standard Science" has raised alarms across the scientific community. The EO states that research used in policymaking must meet a range of quality standards, including reproducibility and transparency, peer review, and freedom from conflicts of interest. However, as the Center for Open Science and others have pointed out, the EO gives federal agency heads the responsibility to determine whether these "gold-standard" principles are

being followed.[112, 113] The *New York Times* wrote that the order thus puts "political appointees in charge of vetting scientific research and gives them the authority to 'correct scientific information,' control the way it is communicated to the public and the power to 'discipline' anyone who violates the way the administration views science." [114] The potential for political censorship or data manipulation is especially great when advisory committees are no longer there to provide a counterbalance.

Loss of Disaggregated Data

Disaggregated data - data that is broken down by race and ethnicity, gender identity, sexual orientation, disability, or other factors - is essential for understanding how different groups are impacted by different issues.[115] For example, such data can be analyzed to understand racial disparities in health care, the risk of bullying faced by gay high school students, or environmental justice issues affecting Latino communities. As part of his administration's commitment to racial equity, President Biden established an Equitable Data Working Group on standards for disaggregated data and implemented changes to data collections.[116]

Conservative strategists have recommended rolling back these changes. Project 2025 recommended that the incoming administration "thoroughly review" proposed changes to race and ethnicity questions on the 2030 U.S. decennial Census.[117] A Cato Institute blog post went further: It recommended that the federal government should cease collecting data by race and ethnicity unless legally required to do so, and that "the administration and Congress should work together to remove all statutory requirements for the collection of race and ethnicity data that exist in federal law." [118]

While recommendations like these may or may not be implemented, organizations that support disaggregated data are on alert. The Leadership Conference Education Fund, the Urban Institute, and the Annie E. Casey Foundation held a joint roundtable on protecting race and ethnicity data in March 2025.[119, 120, 121] A major concern has been the implementation of recent OMB revisions to Statistical Policy Directive 15 (SPD 15), released in March 2024, that provide for more precise collection of race and ethnicity data across government.[122] In one recent article, health policy researchers noted that the Trump administration may not require federal agencies to meet the September 2025 deadline for SPD 15 implementation plans. They also note that supporting reports and materials from SPD 15 working groups had been taken down from the Web.

At this writing, the administration has not rescinded the SPD 15 revisions. The Acting Director of the U.S. Census Bureau has stated that the Bureau is "still moving forward" with plans to make changes to update 2030 Census survey questions accordingly. Still, advocacy organizations continue to be concerned that government data collections could lose information on race and ethnicity. The Office of Personnel Management (OPM), for example, has eliminated public

information on the race and ethnicity of federal employees and announced that it will stop collecting such data going forward.[123, 124]

So far, there have been more changes to data on sexual orientation and gender identity (SOGI) than on race and ethnicity. By early February, the *Washington Post* reported that SOGI data had been removed from the Census Bureau's National Crime Victimization Survey (NCVS) and Household Pulse survey, and the AP noted that the Bureau of Prisons no longer posted statistics on the number of trans inmates.[125, 126] A group of almost a hundred advocacy organizations has protested the changes to NCVS data on the basis that SOGI data is required under the Hate Crimes Statistics Act (HCSA).[127] In March, NPR reported that the CDC, National Park Service, State Department, and Social Security Administration had also removed references to transgender people.[128] A UCLA analysis has stressed the importance of maintaining data on the LGBTQ population in a wide variety of federal surveys - on topics including health, nutrition, housing, and criminal justice - and described the impact of losing that data in the future.[129]

Loss of Access to Restricted Data

Many important data sources are not open to the public but are widely used by qualified researchers and others who are granted special access. Some of these data sources are also at risk. For example, an April report covering the U.S. Department of Health and Human Services (HHS) found that nearly two dozen data repositories, on topics including COVID, HIV, and Alzheimer's disease, were "under review." [130] These databases cannot be downloaded and archived since they can only be accessed under individual data use agreements (DUAs). In another example, the National Law Enforcement Accountability Database (NLEAD), which federal officials could access to monitor law enforcement misconduct, has been decommissioned by the U.S. Department of Justice.[131, 132] An independent analysis found that most of the misconduct incidents in the database were committed by employees of the Bureau of Prisons (BOP) and U.S. Customs and Border Protection (CBP).[133]

Changes to Established Data Collection and Reporting

Standards for data collection, analysis, and publishing should be expected to change over time: The 2024 revisions to SPD 15 are an example. However, some dramatic changes, particularly those that reverse well-established practices, can have a negative impact intentionally or unintentionally.

In March 2025, for example, Secretary of Commerce Howard Lutnick floated the idea of changing how the U.S. government reports on the Gross Domestic Product (GDP).[134] Secretary Lutnick suggested that GDP could be reported without the "G" - that government spending is not a good indicator of economic growth and should be dropped. Such a change would make it more

difficult to measure the impact of the administration's cuts to federal funding, programs, and staff. It would also make the U.S. an outlier by reporting GDP differently than other countries do, making international comparisons difficult if not impossible. And the change would make it very difficult to compare current and future U.S. GDP to historical measures and trends.

Another potentially major change, proposed in Project 2025, would be to add a question on citizenship to the decennial U.S. Census in 2030.[135] This change was proposed for the 2020 Census but was blocked by the U.S. Supreme Court.[136] However, the Court blocked the change on procedural grounds that could be remedied in the future. Adding a citizenship question would inevitably decrease response to the Census and would have an impact on redistricting and the disbursement of federal funds.[137] A bill introduced in Congress in June would go even further: In addition to adding a citizenship question, it would require that Congressional apportionment be based only on the number of citizens in each state rather than on the total number of residents.[138]

The Impacts of Data Loss

Civil society, academic, and research organizations have been quick to recognize the impact of these widespread changes to the nation's data. In the interest of the public good, they have run data rescue operations, brought lawsuits to restore data sources, and advocated to keep America's data intact.

While these organizations may be the first to be impacted by the loss of federal data, however, they will hardly be the last. Business and trade associations are beginning to realize the potential impact of federal data losses. They can be powerful voices - more so, perhaps, than civil society and the research community - in advocating for a strong data ecosystem as a critical business resource.

Some organizations are now collecting use cases that show the value of federal data. The Data Foundation has set up the MyDataStory website to encourage the public to share examples of important data uses, and Demographic Analytics Advisors has launched a website, America's Essential Data, to collect and present use cases as well.[139, 140, 141] In addition, the Data Disaggregation Action Network is collecting data stories at We Are the Data on the importance of race and ethnicity data from a community perspective.[142, 143]

An unprecedented loss of federal data could deal a blow to American businesses. The first Trump Administration promoted the business value of open government data. In 2017 and 2018, CODE collaborated with OMB to hold two Roundtables, one on Open Data for Economic Growth and one on Leveraging Data as a Strategic Asset.[144, 145] The convenings and the reports they produced underscored that administration's commitment to making federal data a valuable resource for American businesses large and small. In the years since, the business value of U.S. open data has become even more clear. Below are some of the industries and businesses that stand to suffer from current and proposed changes to federal data.

How Businesses Use Government Data

- *The financial sector* relies on consistent, accurate economic data for its analysis, projections, and trillions of dollars in investment decisions.

- *Consumer and retail businesses* use weather data for supply chain management, demographic data for marketing, and other federal data specific to their business goals.

- *The healthcare industry* needs a wide range of data on disease risks and trends, treatment effectiveness, and the social determinants of health.

- *The housing industry* relies on demographic, education, financial, and other data for development plans, real estate, and business projections.

- *Farmers and agribusiness* need accurate climate data, weather data, and data on soil quality.

- *Marine industries* (such as fisheries and seaports), which account for almost three trillion dollars of the U.S. economy, rely on NOAA data that is now at risk.

- *Insurance and reinsurance* companies need accurate, extensive climate data for risk assessment and projections.

- *Geospatial data companies* rely on massive amounts of Earth observation data to create their products and services.

- *Tech companies* developing AI applications require large, accurate public datasets to train their models.

Strategies for Today: A Portfolio of Approaches

What should the nation's data providers, data users, and data advocates do about the threats to U.S. data resources?

First, they will need to assess the state of federal data as the situation develops. It's still impossible to tell how far the government's changes to the data ecosystem will go. The Federal Data Strategy, developed during President Trump's first term, is still in effect; the Evidence Act, signed by President Trump, is the law; and OMB's January 2025 guidance on implementing the Evidence Act has not been rescinded.[146] Several websites and datasets that were taken down at the start of 2025 have since been restored. Some of the more drastic proposals now on the table, including major cuts to data-gathering agencies, may not come to pass.

That said, significant changes to the nation's data ecosystem have already been made, more are likely to come, and some, at least, will be difficult to reverse. Equally important, the current level of disruption shows just how vulnerable our data infrastructure is. While no one can yet predict

the future of American data, data experts, advocates, and policymakers can take action now to strengthen our data resources for the years ahead.

The following strategies are now being developed and tested by data policy experts, technologists, civil society organizations, public interest groups, and others with an interest in federal data. This collection is meant as a resource to be discussed, developed, and drawn on collaboratively to meet the changing needs of the times.

Philanthropic Support

Civil society organizations have been in the vanguard of efforts to monitor changes to the data ecosystem, advocate for data programs, and rescue federal datasets. They will need to continue this effort over the next several years, and will need increasing philanthropic support.

Many foundations rely on federal data for their programs on health, equity, climate action, democratic governance, housing, education, and other issues. They have an opportunity to support nonprofits that are defending these data sources. Some efforts are now under way to develop a funders' collaborative for data preservation. It's also possible that philanthropies may be able to take over some data collections now done by the federal government, although they cannot be expected to replicate huge federal datasets.

Foundational Work: Monitoring, Analysis, and Data Rescue

Several organizations have developed projects and tools to identify datasets at risk, so that members of the data rescue movement can archive them safely. For example, the American Statistical Association (ASA) is tracking changes that impact the country's statistical agencies and providing regular updates.[147] Through its secure SAFE-Track program, the Data Foundation is inviting the public to flag websites and datasets that have disappeared or are threatened.[148]

Another project, dataindex.us, is using federal sources to track changes to government data collections.[149] The company Demographic Analytics Advisors (DAA), which is working with others on dataindex.us,[150] has developed a monitoring system to detect URLs that have become inactive and determine whether websites have been changed if they are reposted. DAA is also analyzing the authorizing language for at-risk data collections to determine whether there are legal safeguards protecting them.

In addition to these new efforts, data rescuers are continuing to rely on archival systems that have been in place for years. The Internet Archive now claims to have more than 946 billion web pages archived and available through its Wayback Machine.[151, 152] The End of Term Archive, established to maintain continuity between presidential administrations, makes websites from earlier administrations easily available.[153] These and other efforts to monitor, track, and assess

changes online will continue to be a foundation for preserving the nation's data.

Coalitions for Advocacy

A range of civil society organizations and interest groups are advocating to preserve data and research funding. Scientific and medical advocacy groups like the Coalition for National Science Funding (CNSF) may have a good chance of success.[154] These groups have high professional credibility; there is historical bipartisan support for scientific and medical research; and federal research grants go to red as well as blue states. Some early cuts to medical research were quickly restored after challenges from public health groups: In April, the NIH reversed a plan to defund the long-running Women's Health Initiative and restored a small number of canceled grants.[155, 156]

On the corporate side, business groups that rely on government data can advocate for the data they need. These range from the U.S. Chamber of Commerce, to trade associations, to small groups of companies with common interests. Professional groups representing doctors and farmers have sued the administration to restore data, as described below; other, similar groups might try an advocacy approach.

Advocates can also tap the expertise of former federal data experts and former members of FACA committees. In some cases, they may want to assemble "shadow advisory committees" that can continue to monitor the state of federal data and raise concerns from outside of government. The Union of Concerned Scientists has published a toolkit for doing this.[157, 158]

Opportunities for Government Engagement

Once data advocates develop their case, whom should they present it to? Despite our polarized political environment, traditional government advocacy may be the best place to start.

Executive Office and Federal Agencies

The Office of Management and Budget has broad authority over federal data and could choose to protect key federal data sources. OMB also has an interest in ensuring that federal agencies follow legally established processes for making changes to data collections, and thus avoid court challenges. These include processes established by the Evidence Act and earlier legislation.

The White House Office of Science and Technology Policy (OSTP) may be receptive to arguments for scientific data collections. OSTP has a strong commitment to AI development, which requires large, high-quality datasets.[159] Preserving large-scale government data collections, like Earth observation data, would help meet their AI goals.

More broadly, data advocates can identify Trump Administration actions and proposals that have potential bipartisan support, and advocate for a path forward that will lead to a positive outcome. Here are a few examples.

- *Breaking down federal/state information silos.* There are potential benefits and risks in a March 2025 Executive Order on "eliminating information silos" by expanding government data-sharing.[160] Among other directives, the Executive Order requires federal agency heads to "ensure the Federal Government has unfettered access to comprehensive data from all State programs." This order could lead to federal pressure on states to change the ways they collect their data. Optimally, however, it could provide greater state and federal coordination on data collection and analysis.

- *Synthesizing data on individuals from different sources.* That same Executive Order calls for the "consolidation" of records across the federal government. In principle, there is a strong logic to linking records on individual Americans from different government databases. Individual records have been notoriously difficult to manage across government agencies, which can make it hard to provide federal services efficiently. For example, the U.S. Department of Veterans Affairs (VA) has historically had difficulty linking Veterans' records to their records of military service from the Department of Defense and to their Medicare and Medicaid data.[161]

  Despite this EO's potential advantages, organizations including the American Civil Liberties Union (ACLU) have opposed it, claiming that the EO unduly limits the protections of the Privacy Act of 1974.[162, 163, 164] DOGE's access to personal data across agencies has also triggered opposition including several lawsuits.[165] However, a careful, nonpartisan approach to linking individual records, implemented with transparency, effective privacy protection, and meaningful oversight, could make government records more useful and ultimately improve data-driven government services. The ACLU recommends developing data-linking programs on an individual project basis rather than through a centralized clearinghouse.

- *Restructuring elements of the statistical system.* The detailed version of the President's 2026 Budget includes a plan to consolidate the U.S. Census Bureau, the Bureau of Economic Analysis (BEA), and the Bureau of Labor Statistics (BLS) within the Department of Commerce.[166] Several financial experts have raised concerns that this consolidation is being proposed with budget cuts that could reduce the bureaus' data quality. The cuts may have a particular impact on the BLS, resulting in less reliable data on inflation and other economic measures.[167, 168]

  If these bureaus maintain adequate budgets, however, consolidating them could have several advantages. This proposal has actually been discussed for years and has broad support.[169] It could also open the door to a larger review and reform of federal statistical agencies, which many leaders in the statistical community would welcome if it is done

with care.[170] One group of leading federal statisticians has launched a new project, Modernizing the Federal Statistical System, to develop recommendations by the end of the year.[171]

- *Reviewing and reducing data collections.* In May DOGE raised concerns by fielding a "2025 Survey of Surveys" to federal agencies, in order to identify data collections that might no longer be needed.[172] Journalists pointed out that this survey could duplicate OMB's regular review of data collections, or could be an attempt to bypass OMB's process. However, there could be benefits to a thorough, rigorous, and unbiased review of government data collections, some of which may no longer be necessary for the goals they were meant to achieve.

Engaging with Congress

The most important opportunity for government advocacy may be with members of Congress. Senators and Representatives have constituents in their states and districts who rely on federal data for their livelihoods, for distribution of federal funds, or in other ways. As advocates collect compelling use cases for federal data, they may find ways that data programs benefit specific Congressional districts.

The time is right for a new bipartisan effort for legislation to ensure accurate, timely, reliable, and usable federal data in policy and decision making. In May Republican Congressman William Timmons (R-SC) led a bipartisan group in a resolution to convene a new Commission on Evidence-Based Policymaking like the one that originally shaped the Evidence Act.[173] "This bipartisan commission," he said, "will strengthen our ability to use data, evidence, and real-world outcomes to shape policy that works."

The current situation has shown the vulnerabilities in the nation's data infrastructure. The U.S. needs stronger protections for our valuable data, just as we have protections for our natural resources, public lands, and physical infrastructure. With support from civil society organizations and a new Commission on Evidence-Based Policymaking, Congress could:

- Identify, enforce, and strengthen existing laws that prohibit changes to major data collections without Congressional approval

- Write more precise specifications for the most important, highest-priority datasets

- Amend the Evidence Act to strengthen the protections it provides - drawing on the same kind of bipartisan collaboration that created the Evidence Act itself

- Update national archiving requirements for the digital age

- Create clear guidelines for making government data AI-ready

- Pass a resolution or legislation recognizing the need to maintain accurate, scientific public data

- Take other measures to protect national data resources

Scientific and medical advocacy groups can also pressure Congressional Representatives to restore lost research funding. Red as well as blue states are home to research institutions that depend on federal support. The Impact Map, which shows the local impacts of federal policy changes, can pinpoint research cutbacks and give advocates a tool to make the case for funding.[174]

The OBBBA, now passed by Congress and signed by President Trump, includes some programs that actually bolster the case for more scientific research data. The act provides $150 million for the Department of Energy to structure scientific data for AI and machine learning models. It also calls for the creation of an "American science cloud" defined as "a system of United States government, academic, and private sector programs and infrastructures utilizing cloud computing technologies to facilitate and support scientific research, data sharing, and computational analysis across various disciplines. . . . " [175] This innovative development could potentially be expanded, making the case for maintaining funding for NSF, NIH, NOAA, and the other government agencies that provide critical scientific data for analysis.

Public Engagement

Open data advocates should hold federal agencies accountable for engaging with the public. OMB's guidance on implementing the Evidence Act states that agencies must "consider whether the public has provided feedback about the value of the public data asset. For example, uses that are in the public interest may include news reporting, policy development, and research in the physical sciences, social sciences, humanities, or another field."[176, 177] The memo requires each agency to establish " processes and procedures . . . to facilitate collaboration with stakeholders outside the Federal Government . . . for the purpose of understanding how data users value and use government data." [178] (Since 2015, CODE has run a program of Open Data Roundtables with the White House and federal agencies for exactly this purpose.)[179]

This public input is critical both for accountability and for practical reasons: A government with more than 300,000 open datasets can't pay equal attention to all of them. Agencies need meaningful stakeholder engagement to identify the highest-priority data collections and learn more about how they are used. This includes input and feedback from businesses, nonprofit organizations, researchers and academics, journalists, community-based organizations, state and local governments, and a wide range of other data users.

Legal Strategies

A number of organizations have taken legal action to restore critical data and websites. The digital law and policy journal Just Security is tracking these cases, along with other legal challenges to the current administration, and many cases have been covered in national news media.[180, 181] Several lines of legal argument are starting to emerge.

Mandates for Specific Data Collections

The vast majority of data collections are not required by specific Congressional mandates.[182] Some laws dictate that an agency "shall" collect and publish data in a certain way. But usually the Congressional language describes what an agency "may" do to meet the goals of the authorizing legislation, giving agencies much more leeway.

Under OMB's guidance, federal agencies are likely to leave the small number of Congressionally required data collections alone and focus on changing the rest. In some cases, though, the government may step over a legal line, and public interest organizations can take action in those cases. In March, OMB stopped publishing data on its "apportionment" of federal funds, which show the office's budget decisions about agency expenditures. The nonprofit Public Citizen and Citizens for Responsibility and Ethics in Washington (CREW) sued.[183] The organizations noted that OMB is legally required to make apportionment data public and has done so since 2022.

Lawsuits from the States

State Attorneys General are a line of defense for preserving federal research and data collections. In April, a coalition of 16 states sued the NIH to challenge the termination of NIH grants.[184] (The June court order to restore NIH grants was based on a similar lawsuit from the American Public Health Association.)[185] Other coalitions of Attorneys General have sued to reverse cuts to HHS and to the Department of Education.[186, 187] If successful, these lawsuits would help reinstate the agencies' data collections as well as their other functions.

Data Requirements for Defunded Agencies

What happens when the government eliminates the agency responsible for data or a report required by Congress? Can the courts require the government to reinstate the agency, direct another government entity to produce the same work product, or just allow Congressional requirements to go unmet?

This question is now being tested in court. Two educational research organizations, the National Academy of Education (NAEd) and the National Council on Measurement in Education (NCME), are suing to reinstate the work of the National Center for Education Statistics (NCES)

and the Institute of Education Sciences (IES).[188] The lawsuit claims that defunding these Department of Education agencies "violate[s] the Department's legal obligations and [has] undermined researchers' and state and local governments' efforts to track and advance equal access to education nationwide." This case could be relevant to other defunded government agencies that produce Congressionally mandated data and reports, such as the reports on climate change, health, and poverty described earlier in this paper.

The First Amendment Argument

Much of the nation's scientific and medical data is not directly collected by government agencies, but is developed under federal research grants and then published on federal websites. Some lawyers are now arguing that researchers have a First Amendment right to prevent those websites from taking down their research. The ACLU is suing the HHS Agency for Healthcare Research and Quality (AHRQ) on this basis.[189] The ACLU is representing Harvard medical researchers whose study, which included information on LGBTQ individuals, was removed from the AHRQ website. If the court finds that the Harvard researchers have a right to continued publication on this HHS website, research could reappear on other websites as well.

Leveraging the Evidence Act and the PRA

The Evidence Act and the OMB directive on its implementation can be invoked to protect public data sources. The Act requires that federal agencies make their data "open by default," meaning that they have an obligation to publish it unless there are compelling reasons not to, such as privacy or national security. Lawyers could argue about whether or when an Executive Order can override the "open by default" presumption.

Arguably, the Evidence Act could even be applied where agencies have collected data but not yet analyzed it. HHS, for example, has collected data for the National Survey on Drug Use and Health, but the team responsible for analyzing the data has been laid off.[190] Since HHS has the data in hand, could the department be required to release the data for others to analyze?

Through the Public Trust rule, the Evidence Act also underscores the independence of federal statistical agencies - a protection that is especially important to maintain, since DOGE has begun to interfere with statistical data programs. In May the Data Foundation published a statement from its president that the Foundation "is concerned about and monitoring the expanding scope of potential changes in the federal statistical system by the Department of Government Efficiency (DOGE)."

The statement noted that "DOGE publicly disclosed direct actions affecting initial data collections, and our review confirmed additional impacts across multiple statistical agencies with interagency agreements with the U.S. Census Bureau." [191] It went on to note that under the

Public Trust rule, changes to federal statistics "must be publicly disclosed, just as initial collections are disclosed under the Paperwork Reduction Act and other laws." [192] The Data Foundation called on OMB and Congress to review any changes to statistical data collections, enforce the Public Trust rule, and ensure public transparency about changes to statistical data or methodologies.

To ensure transparency, the Evidence Act requires federal agencies to publish data inventories that reflect any changes to their data programs.[193] OMB guidance requires agencies to update their data inventories no more than 90 days after the agency "creates or identifies a data asset" and at least once a year.[194] By the time the public sees changes in a data inventory, however, the change will have been made months before.

The PRA provides a more proactive tool for challenging changes to data before they are made. The 1995 revised PRA requires a process for changing federal information collections, including data programs, which OMB has spelled out in detail.[195] Among other mandates, the PRA requires agencies to submit an Information Collection Request (ICR) to OMB whenever they plan to create, modify, or discontinue a data collection. They also need to submit an ICR to renew each data collection every three years, whether they have altered it or not. ICRs are published and serve as an early warning system for upcoming data changes.

The website dataindex.us is now tracking ICRs as part of its commitment to monitoring changes in federal datasets. The website describes its mission as "building tools to track a broad range of changes in federal datasets to build actionable insights for policymakers, advocates, journalists, and data users."[196] Its ICR Tracker is a powerful tool for anyone concerned about U.S. data who wants to prevent changes to data collections before they occur.[197]

Demonstrating the Harm of Data Loss

Two successful lawsuits have argued that the government must protect public data that is essential to individuals' livelihood. This argument goes to the heart of the principle that open government data is a valuable public good.

The first lawsuit was brought by Public Citizen representing the physicians' group Doctors for America. The physicians sued HHS, the CDC, and the Food and Drug Administration (FDA) over the agencies' decision to remove datasets and guidance on topics including HIV, contraception, and student health. The week after the lawsuit was brought, a federal judge issued a temporary injunction requiring the agencies to repost the online information.[198] No other remedy, he wrote, "could ameliorate the inability to provide all required care during an appointment time to a patient who cannot return in the future." In July, the same judge gave a final ruling in the plaintiffs' favor.[199]

In the second lawsuit, which EarthJustice brought on behalf of organic farmers,[200] the plaintiffs claimed that the U.S. Department of Agriculture (USDA) had taken down climate data that they need to manage their crops. The data is relevant to climate-related risks including heat waves, droughts, flood, extreme weather, and wildfires, and information on strategies to deal with those risks. In mid-May, the USDA agreed to reinstate the missing data - which included pages on federal funding and loans, forest conservation, and rural clean energy projects - and to restore the maps in the U.S. Forest Service's Climate Risk Viewer.[201, 202]

Only a few cases so far have claimed that professional groups are directly harmed by disappearing data. But the argument could prove to be a powerful one. If the courts find that groups of professionals have standing to sue over data - and if they find that unpublishing federal data does them harm - it could open the way for legal challenges to all kinds of government data deletions. Beyond protecting existing data, the same argument could be used to ensure continued collections of important data sources.

Strategies for the Future: New Data Sources

As challenging as it is, the current situation is an opportunity not only to strengthen America's existing data but to develop new resources. New kinds of data could provide a backstop, a supplement, or even a replacement for some current federal data. Developing new data sources would give the nation a more robust, distributed data infrastructure. Here are a few options.

Administrative Data

Federal data stewards have been concerned for years about decreasing survey response. All kinds of government surveys, including the U.S. Census, are having a harder time reaching large numbers of Americans than they have in the past.

Part of the solution may be to use administrative data, which tracks government transactions and records such as pensions, taxation, and births and deaths.[203] While administrative data is not a panacea - among other issues, it poses significant privacy challenges - it could provide new opportunities to learn about the American population.

Administrative data could become a new source of insight for states as well. A recent opinion piece from NORC at the University of Chicago noted that "states are sitting on a treasure trove of administrative data, including eligibility records, service usage patterns, benefit payments, program enrollments, and outcome measurements. These data represent an untapped source of evidence and insights that can help states make more effective program and policy decisions and better serve the needs of their residents."[204]

State and Local Data

Some national data collections, such as health and education statistics, rely on aggregating and analyzing data from all 50 states.[205] While the federal government is the main data aggregator, academic, nonprofit, or other research organizations could create national datasets from subnational data in the same way.

The COVID pandemic gave us a successful proof of concept. At a time when the CDC was not providing trusted statistics on the pandemic, both the Center for Government Excellence at Johns Hopkins University and the nonprofit USAFacts developed their own dashboards by aggregating data themselves.[206, 207] These dashboards became go-to sources for timely, reliable COVID information.

State and local data could be particularly important sources relating to race, ethnicity, sexual orientation, and gender identity if the federal government stops collecting disaggregated data. However, subnational data is not a perfect solution. States already vary in the data they collect and how they collect it, and they may diverge even more as politics impacts data programs. Republican lawmakers in more than 30 states are taking steps against DEI programs, and could potentially restrict the collection of race, ethnicity, or SOGI data as well.[208]

In addition, state data collections that rely on federal funding are at risk. In May, the U.S. Department of Labor terminated grants that had been given to states to modernize their unemployment insurance (UI) systems during the pandemic.[209] As the former head of the U.S. Bureau of Labor Statistics pointed out, "State UI data are critical infrastructure for administering the UI program, evaluating federal and local policies, informing state and local economic development and workforce programs, creating federal statistics, and much more."[210]

Data from Non-Government Sources

Commercial data could have tremendous public value, at least in theory. Large corporations collect data on their customers that could provide new insights if it is anonymized and analyzed appropriately. Other, smaller businesses collect data on real estate and land use, medical data, scientific data, and other kinds of data that could be applied for public good.

So far it's proven difficult to repurpose private data for public use. There are practical, ethical, and incentive issues in reusing data that was collected by private companies for proprietary purposes. However, some data and tech companies are experimenting with ways to use anonymized data in collaborative projects for new public insights. A notable recent example is the use of Meta's data to map global migration, a project conducted with the University of Hong Kong and Harvard University and published in the *New York Times*.[211]

At the same time, nonprofit organizations are finding ways to develop new data and tools - including Earth observation data, which depended entirely on large-scale government investment until fairly recently. For example, the nonprofit Earth Genome uses AI and Earth data (including government data) to publish Earth Index, a "search tool for the environment;" Climate TRACE, which provides independent greenhouse gas emissions tracking; and several other data resources and tools.[212, 213]

Data advocates have cautioned that independent programs should not be expected to replace what the federal government can do.[214] The National Aeronautics and Space Administration (NASA), NOAA, and other major scientific agencies have resources that can't be matched outside of government. The American Community Survey, conducted by the U.S. Census Bureau, may also be irreplaceable: It is widely used by businesses, researchers, and as input to other data products, and advocates are working to protect it.[215, 216] But independent data initiatives can supplement government data collections, provide new, valuable tools, and serve as a stopgap when federal data programs are diminished, in the hope that they will be restored in the future.

Non-traditional Data Sources

Data experts have become increasingly interested in nontraditional data sources (NTDs) created with the help of AI. The GovLab at New York University recently categorized many of these NTDs, such as internet search data, mobile data, and social media data, and gave examples of their emerging use.[217] These data sources can be used for health, humanitarian aid and disaster response, climate and environment, urban systems, and economic and labor dynamics, among other applications.

Many organizations are crowdsourcing data, a well-established strategy for using large numbers of volunteers to gather data and share it publicly. (The Humanitarian OpenStreetMap Team is a well-known example.)[218] The Director of Academy Health has pointed to several health crowdsourcing projects, such as a flu-tracking project that fills gaps in CDC data and a global study of COVID systems.[219] She notes, however, that crowdsourcing health data "complements rather than replaces the essential role of government-collected data. Government data sources provide systematic, comprehensive, and standardized insights that are crucial for maintaining a complete, longitudinal understanding of national health needs and outcomes. . . . "

While NTDs may not replace government data, they still hold promise. The next steps are to improve methodologies, determine who should control these data sources and in what ways, and determine how best to make different NTDs useful as public goods.

Conclusion: Towards a Roadmap for Action

The U.S. national data ecosystem, which has developed over more than two centuries, is being disrupted in unprecedented ways. The businesses, advocates, researchers, and others who rely on that system have an opportunity to preserve it and strengthen it for the future. Below is a proposed first draft of a Roadmap for Action. We at CODE hope this will be a starting point for discussion, collaboration, and the work ahead.

Work with Government

- *Engage with the Executive Branch on positive reforms.* Some of the administration's actions and proposals could improve data systems with bipartisan support. They provide an opportunity to improve statistical systems, make data systems more interoperable, discontinue data collections that are no longer needed, and make government data more AI-ready. Data advocates can engage with government to support these changes and advise on their implementation. They should insist on adherence to established statutes, processes, and privacy and data security protections in any changes to federal data systems.

- *Work with members of Congress and promote new legislation.* Senators and representatives have constituents who depend on federal data, and have a responsibility to protect data programs that have been authorized by Congress. Data advocates should identify use cases that show the value of specific datasets in specific states and districts, and lobby to preserve the data on that basis. More broadly, advocates can promote new legislation to strengthen the Evidence Act, tighten requirements for key data collections, and protect and improve the nation's data in other ways. The bipartisan proposal for a new Commission on Evidence-Based Policymaking is an ideal opportunity for Congressional engagement.

- *Align with the administration's AI goals.* The White House and OSTP have made a major commitment to AI development, which depends on large and accurate data sources. At the same time, the U.S. Department of Commerce is leading an effort to make government data more AI-ready.[220] Government data advocates can help identify the data sources that will be most valuable for AI development and work with OSTP and federal agencies to preserve and improve them.

- *Build cross-state data collaborations.* State data is already a major source for national data resources, and can be aggregated and analyzed in even more effective ways. By collaborating on data collection strategies and standards, state governments can improve their own data and make it easier to use for the common good.

Take Collaborative Action

- *Continue data rescue efforts.* It's hard to know whether and how the administration and federal agencies will continue to delete important datasets. The organizations that are tracking changes to federal data, archiving datasets, and making the data available will need to continue their work for the foreseeable future.

- *Activate philanthropy.* Foundations have an opportunity to help preserve the data that is essential to their missions. They can fund data rescue efforts, support organizations that advocate for data programs, and fund research to produce new, non-federal data sources.

- *Foster nonprofit collaborations.* Several organizations are monitoring changes to federal data, archiving datasets, collecting data use cases, and advocating for essential data sources. By collaborating, they can increase their collective impact.

- *Prioritize the most valuable data.* All federal data is not equally important. Some datasets are flawed, outmoded, or unnecessary, and deserve to be sunsetted or reinvented. Others, however, are core to the nation's interests. Data providers and users should collaborate to prioritize the datasets that are most important to their sectors and then collaborate to save them.

- *Engage with the public.* Federal data ultimately serves the public, and the public needs to have a say in its future. Federal agencies should follow the OMB directive to assess public data needs, which goes well beyond simply publishing a notice for comment in the *Federal Register*. Data advocates can also convene independent public discussions on federal data, like the new Federal Data Forum.[221] CODE's decade-long program of Open Data Roundtables is designed for public engagement and can serve as a model for action.[222]

Pursue Advocacy

- *Make the case for robust public data.* Data advocates need to develop clear messages about the value of federal data, the risks of wholesale data deletions, and the importance of clear and consistent processes for evolving data programs over time. Assembling compelling use cases for open federal data, as several organizations are doing now, is a valuable first step.

- *Form alliances for advocacy.* State and local governments, civil society organizations, and American businesses have a common interest in preserving the nation's data resources. By working as allies, they can create a compelling platform to advocate for federal data programs.

- *Promote disaggregated data.* Data on race, ethnicity, sexual orientation, and gender identity are essential to understanding the American public. Data on Americans with disabilities is also critical, and is also now at risk.[223] Disaggregated data can help inform government policymaking, the development of government programs, and even business planning and strategy. Advocacy efforts should continue to focus on preserving this disaggregated data.

- *Leverage legal protections.* Congressional mandates, the PRA, the Evidence Act, and other federal laws provide legal protections for federal data collections and require transparent processes for changing them. Advocates can leverage the law in their engagement with government officials and through litigation if necessary. They can also learn from the legal cases that claim certain data is essential to the livelihood of professional groups such as physicians and farmers. That argument goes to the heart of open data's purpose - the application of government data for public good - and could be made for virtually any major federal data source.

Develop New Data Sources

- *Leverage administrative data.* Data scientists have been exploring the use of administrative data to augment or replace survey-based data. Now is the time to ramp up those efforts and leverage administrative data at a federal, state, and local level.

- *Explore non-traditional data sources.* AI has opened new opportunities to convert mobile, social media, and other kinds of data into structured data sources for analysis. These non-traditional data sources, together with well-tested crowdsourcing methods, can be put to use nationally.

In her book *Recoding America*, tech entrepreneur Jennifer Pahlka documented how outdated software, IT systems, and policies have hobbled government and failed the people that government serves.[224] The same could be said about America's data resources. Along with invaluable demographic, economic, and scientific data, we have data that is inaccurate, outdated, unreliable, and otherwise unsuited for modern use. The current disruption of federal data provides an opportunity to re-evaluate our data resources and find ways to improve them.

We need to recognize the critical importance of America's data infrastructure and acknowledge that it needs to improve precisely because it is essential. Ill-considered program cuts, manipulations of data analysis, and politically-driven changes to longstanding methodology won't serve the country well. But an approach that identifies, preserves, and builds on our most valuable data - while taking a fresh look at data that needs to be dramatically improved or simply cut - will give the country what we need for truly data-driven policies and programs.

Acknowledgments

About CODE

The Center for Open Data Enterprise (CODE) is an independent 501(c)3 nonprofit organization based in Washington, D.C. CODE's mission is to harness the power of open and shared data for the public good, by working with government agencies, businesses, nonprofits, and researchers who are both data providers and data users. Since it was founded in January 2015, CODE has held numerous Open Data Roundtables with the White House, a dozen different federal agencies, and independent partners in the U.S.; has published a wide range of research papers and online tools; and has implemented several international projects. In addition to working with government agencies and officials, CODE partners with private-sector companies, foundations, and other nonprofit organizations to fulfill its mission. More information is available at CODE's website, www.odenterprise.org.

About the Author

Joel Gurin is the President and Founder of CODE. He is an internationally recognized expert on open data with a background in government, journalism, and nonprofit leadership. His book *Open Data Now* (McGraw-Hill), written for a general audience, is considered a benchmark publication that helped define this emerging field. Before launching CODE in January 2015 he conceptualized and led the development team for the NYU GovLab's Open Data 500 project, the first thorough study of the use of open government data by the private sector. He served as Chair of the White House Task Force on Smart Disclosure, which studied how open government data can improve consumer markets, and as Chief of the Consumer and Governmental Affairs Bureau of the U.S. Federal Communications Commission. For more than a decade he was Editorial Director and then Executive Vice President of *Consumer Reports*, where he directed the launch and development of ConsumerReports.org, which was then the world's largest paid-subscription information-based website. He is a graduate of Harvard University with an A.B. in Biochemical Sciences, Magna Cum Laude, Phi Beta Kappa. In 2023 he was selected as one of the FCW Federal 100, and he is an elected Fellow of the National Academy for Public Administration. He can be reached at joel@odenterprise.org.

Acronym List

ACLU	American Civil Liberties Union
AHRQ	Agency for Healthcare Research and Quality
AI	Artificial Intelligence
APA	Administrative Procedure Act
ASA	American Statistical Association
BEA	Bureau of Economic Analysis
BLS	Bureau of Labor Statistics
BOP	Bureau of Prisons
CBP	U.S. Customs and Border Protection
CDC	Centers for Disease Control and Prevention
CDO	Chief Data Officer
CEJST	Climate and Economic Justice Screening Tool
CFPB	Consumer Financial Protection Bureau
CNSF	Coalition for National Science Funding
CODE	Center for Open Data Enterprise
CREW	Citizens for Responsibility and Ethics in Washington
DAA	Demographic Analytics Advisors
DATA Act	Digital Accountability and Transparency Act
DEI	Diversity, Equity, and Inclusion
DHS	Demographic and Health Surveys
DOGE	Department of Government Efficiency
DUA	Data Use Agreement
EO	Executive Order
EPA	Environmental Protection Agency
FACA	Federal Advisory Committee Act
FDA	U.S. Food and Drug Administration
FEMA	Federal Emergency Management Agency
FOIA	Freedom of Information Act
GDP	Gross Domestic Product

GSA	General Services Administration
HCSA	Hate Crimes Statistics Act
HHS	U.S. Department of Health and Human Services
HMDA	Home Mortgage Disclosure Act
ICE	Immigration and Customs Enforcement
ICR	Information Collection Request
IES	Institute of Education Sciences
IRA	Inflation Reduction Act
IRS	Internal Revenue Service
LGBTQ	Lesbian, gay, bisexual, transgender, or queer
NAEd	National Academy of Education
NAEP	National Assessment of Educational Progress
NAPA	National Academy of Public Administration
NASA	National Aeronautics and Space Administration
NCES	National Center for Education Statistics
NCME	National Council on Measurement in Education
NCVS	National Crime Victimization Survey
NGO	Non-governmental organization
NIH	National Institutes of Health
NLEAD	National Law Enforcement Accountability Database
NOAA	National Oceanic and Atmospheric Administration
NSF	National Science Foundation
NTD	Nontraditional data
NWS	National Weather Service
OBBBA	One Big Beautiful Bill Act
OMB	Office of Management and Budget
OPM	Office of Personnel Management
OSTP	Office of Science and Technology Policy
PRA	Paperwork Reduction Act
SAFE-Track	Secure Anonymous Federal Evidence, Data and Analysis Tracking

SOGI	Sexual orientation and gender identity
SPD	Statistical Policy Directive
UI	Unemployment Insurance
USDA	U.S. Department of Agriculture
USGCRP	U.S. Global Change Research Program
VA	U.S. Department of Veterans Affairs

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The Center for Open Data Enterprise (CODE), a 501(c)3 nonprofit organization based in Washington, DC, was founded in January 2015. CODE's mission is **to harness the power of open and shared data for the public good**. We achieve our mission by working with government agencies, businesses, nonprofits, and researchers who are both data providers and data users.

We support the application of fully open data - free, publicly available data that anyone can access and use, without limitation - as well as strategies for sharing and exchanging data that requires privacy or security restrictions. CODE welcomes ideas and opportunities for collaboration at contact@odenterprise.org.