

## FAQ: The Agriculture Data Act of 2018 and Producer Privacy

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### **What is the Agriculture Data Act of 2018?**

Introduced in March 2018, the bipartisan legislation from Senators Thune (R-SD) and Klobuchar (D-MN) would strengthen USDA management of producer data so that it can be used to study the impacts of farm conservation practices on risk, yield, and farm and ranch profitability.

### **What will the Agriculture Data Act of 2018 accomplish?**

This legislation will establish a secure, confidential conservation and farm productivity data warehouse that supports innovative research about the risk reduction impacts of conservation practices. It will also improve implementation of farm bill programs including the federal crop insurance program.

### **Will the Agriculture Data Act of 2018 compromise producer privacy?**

No. The warehouse would allow qualified, vetted university researchers to analyze common land unit (CLU) data while ensuring that any personally identifiable information is anonymized using a series of data protection practices already used by researchers across the country. In addition, producer data would *not* be subject to the Freedom of Information Act (FOIA). This legislation will specifically safeguard producer privacy by:

- Requiring USDA to establish additional protections to ensure the integrity and confidentiality of producer data
- Prohibiting the sale of individual producer data
- Requiring researchers to release only aggregated data
- Establishing procedures for producers to voluntarily elect to participate in research efforts that may be useful in analyzing the impacts conservation practices.

### **Will the Agriculture Data Act be used to regulate producers?**

No. The data will only be used for research purposes to improve understanding about how conservation practices can enhance long-term producer profitability through improved soil health and other risk reducing factors.

### **Is there precedent at USDA for sharing producer data?**

Yes. USDA has a long history of successfully sharing confidential or sensitive producer information for research purposes across its agencies. These include, for example, the Economic Research Service's Agricultural Resource Management Surveys (ARMS) and the U.S. Forest Service's secure geodata clearinghouse managing confidential land information. These efforts have resulted in research that has improved producer profitability and environmental outcomes, informed the development of policy, and saved taxpayers money.

### **Why aren't existing USDA efforts sufficient to address data and research needs?**

USDA efforts supporting conservation practice research by third parties such as universities are

constrained by a lack of uniform research policy, usable data formats, and access to data. Although USDA agencies have entered into partnerships and cooperative agreements with third party researchers and other organizations, these efforts tend to be ad hoc. The Agriculture Data Act of 2018 addresses the needs of producers through better data management and a purposeful research agenda designed to improve farm bill programs.

### About the Conservation and Crop Insurance Task Force

The AGree Conservation and Crop Insurance Task Force (CCITF) is a diverse group of experts including agricultural producers, researchers, former USDA leadership, and representatives from farmer-based and environmental and conservation NGOs, and the crop insurance industry – pursuing innovative ways to drive broader adoption of conservation practices through opportunities in federal crop insurance and federal conservation programs.

The CCITF is identifying and advocating for opportunities in the 2018 Farm Bill and in other venues to support increased adoption of conservation practices across U.S. working lands.

### Members of the Conservation and Crop Insurance Task Force

**Robert Blair:** Three Canyon Farms

**Larry Clemens:** The Nature Conservancy

**Pipa Elias:** The Nature Conservancy

**Kristin Weeks Duncanson:** Duncanson Growers

**Callie Eideberg:** Environmental Defense Fund

**Suzy Friedman:** Environmental Defense Fund

**\*Dave Gagner:** National Fish and Wildlife Foundation

**Carl Mattson:** George Mattson Farms, Inc.

**Ferd Hoefner:** National Sustainable Agriculture Coalition

**Paul Wolfe:** National Sustainable Agriculture Coalition

**\*Wayne Honeycutt:** Soil Health Institute

**\*Bruce Knight:** Strategic Conservation Solutions, Former Chief, USDA Natural Resources Conservation Service

**John Larson:** American Farmland Trust

**Scott Marlow:** Rural Advancement Foundation International

**Kellis Moss:** Ducks Unlimited

**James Moseley:** AGree Co-Chair, Former Deputy Secretary of USDA

**\*Stephanie Mercier:** Farm Journal Foundation

**\*Rob Myers:** University of Missouri

**William Salas:** Applied GeoSolutions

**Ryan Stockwell:** National Wildlife Federation

**Joshua Woodard:** Cornell University

**Fred Yoder:** Yoder Ag Services

**Eric Washburn:** Windward Strategies

*\*Not involved in any lobbying activities related to the CCITF's data improvement recommendations.*