

# Legal & Ethical Analysis

Reidentification in Open Datasets

Connor Brew, Katy Scott, and Samantha Williams

# Open Data Set

[www.transparencyusa.org](http://www.transparencyusa.org)

TransparencyUSA.org, is a website which publishes a database of campaign donations, searchable by state, election season, donor, and recipient. Reporting obligations enforced by the Federal Election Commission (FEC) according to the Federal Election Campaign Act require that donations be reported.

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📍 Florida

📅 2022 Election

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# Donors

\$569,066,538

TOTAL CONTRIBUTIONS

View By:

ALL

INDIVIDUALS

ENTITIES

FEDERAL PACS

Donor



Contributions



Joshua D

\$10.00

Collier County Democratic Party

\$30.00

Jamie

\$40.00

PNC Bank

\$47.87

# TransparencyUSA.org vs FEC Data Uses

## TransparencyUSA.org

- No Privacy Policy or TC on published on website.
- Can use data for:
  - Research
  - Scholarly papers
  - Investigative reporting
  - Citizens wanting information prior to casting their vote
- Data is available for sale

## Federal Election Commission

- Under the Federal Election Campaign Act, information about individual contributors taken from FEC reports cannot be sold or used for soliciting contributions (including any political or charitable contribution) or for any commercial purpose.



# Privacy Concerns

## Concern 1

### **Lack of Privacy**

The information available makes it extremely easy to search for donors on google, yielding a LinkedIn, Facebook and other public facing information about the individual.

## Concern 2

### **Inconsistent Regulations**

While federal datasets are protected by sharing and use restrictions, state datasets are not consistently protected across state borders - some states offer little/no protection at all

## Concern 3

### **Information Abuses**

Resulting from the first two concerns, there is high likelihood secondary use, disclosure, and appropriation to negligently and/or maliciously target individuals.

# Privacy Frameworks: Solove

## Information

TransparencyUSA retrieves its data passively from state regulatory bodies, which in turn collect the information via interrogation from the individual contributor. This raises challenges regarding which entity bears the brunt of the responsibility, which enables both entities to minimize said responsibility.

## Information

The individual contributor behind each data record is very easily identifiable, and it is highly unlikely that the individual contributor provided explicit consent to the re-use of their data in analytics conducted by TransparencyUSA, violating Solove's principles of exclusion in information processing.

## Information

Many issues arise with the dissemination of this information with respect to secondary use, disclosure, and appropriation. Individuals may be the subject of negative judgement or the targets of appropriated misuse of widely spread identifiable personal information.

## Invasion

Solove notes that "Intrusion need not involve spatial incursions: spam, junk mail, junk faxes, and telemarketing are disruptive in a similar way." Modern automation techniques would easily enable an individual or organization, using this dataset, to spam and solicit individual contributors or target them for malicious purposes.

# Privacy Frameworks: Nissenbaum

Transparency	Choice	Example
<p>Understand where money is coming from for different political parties, candidates and causes.</p> <p>However it comes at the cost of the donor's privacy.</p>	<p>Greater transparency = voters making informed choices about the candidates, political parties or proposed laws they choose to donate to.</p> <p>Small Donors vs. Large Donors, Corporations and PACs.</p>	<p>Buying a house in USA is public record:</p> <p>Celebrity home buyers vs. Domestic abuse victims home buyers</p> <p>Access to resources are not the same.</p>

# Privacy Frameworks: Mulligan, et al.

## Individual Donors

### Harms:

Open ballot  
Malicious targeting  
Employment  
Marketing

### Protections:

State Law  
Federal Law  
FTC

## Associates of Donors

### Harms :

Open ballot  
Malicious targeting  
Employment  
Marketing

### Protections:

State Law  
Federal Law  
FTC

## US Citizens

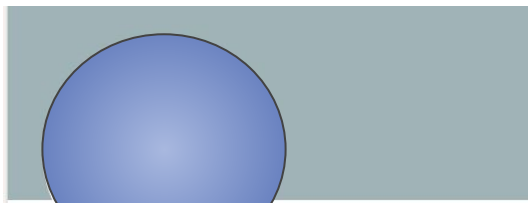
### Harms:

Impaired Democracy

### Protections:

State Law  
Federal Law  
Will of the voter





jamie [redacted] 3rd

Independent Writing and Editing Professional  
Beverly Hills, California, United States · [Contact info](#)

292 connections

Jamie [redacted]  
Individual

\$40  
TOTAL DONATIONS

Overview Donations Also Known As

### Donations

*This page displays individual donations made by this donor.*

Amount	↑↓	PAC	↑↓	Date	↑↓	Occupation	↑↓	Employer	↑↓
\$25.00		Remove Ron		03/05/2022		Writer			
\$15.00		Annette Taddeo		07/22/2021		Writer			



Annette Taddeo  
Florida State Senate District 40

Overview Donations Expenditu

#### CURRENT STATE PROFILE

Office Held Florida State Senate District 40  
Office Sought Governor of Florida  
Party Democratic Party

#### Financial Activity

\$300k \_\_\_\_\_  
\$250k \_\_\_\_\_

This data was made publicly available through the Transparency USA website search tool.

# Jamie's Campaign Contributions in 2022

Viewing **7,238** filtered results for:

[Reset filters](#)

"Beverly Hills" x

"jamie" x

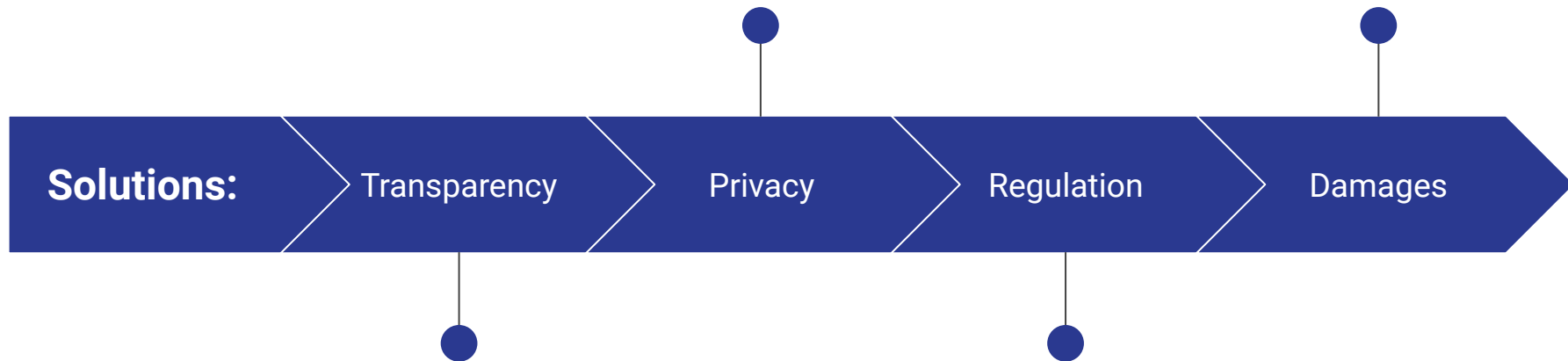
Contributor name	Recipient	State	Employer	Receipt date ▼	Amount	
 JAMIE R.	<a href="#">DCCC</a>	CA	SELF-EMPLOYED	05/31/2022	\$50.00	
 JAMIE	<a href="#">ACTBLUE</a>	CA	SELF	05/31/2022	\$50.00	
 JAMIE	<a href="#">ACTBLUE</a>	CA	SELF	05/31/2022	\$5.00	
 JAMIE	<a href="#">ACTBLUE</a>	CA	SELF	05/30/2022	\$50.00	
 JAMIE	<a href="#">ACTBLUE</a>	CA	SELF	05/30/2022	\$5.00	
 JAMIE	<a href="#">ACTBLUE</a>	CA	SELF	05/27/2022	\$1.80	
 JAMIE	<a href="#">ACTBLUE</a>	CA	SELF	05/27/2022	\$18.00	

This data was made publicly available through the FEC website search tool.

**To create real transparency, privacy and accountability, we suggest the following:**

Since there is a dollar cap, anonymize PII of all donors.

Implement consequences for data abuse violations



Cap all campaign contributions to a certain dollar amount.

Extend FEC data protections to state and local level.