



# governmentattic.org

*"Rummaging in the government's attic"*

Description of document: Census Bureau Data Stewardship policies, 2003-2010

Requested date: 18-September-2012

Released date: 14-November-2012

Posted date: 24-December-2012

Source of document: Freedom of Information Act Officer  
Census Bureau  
Room 8H207  
4600 Silver Hill Road  
Washington, DC 20233-3700  
Fax: (301) 763-6239  
[census.efoia@census.gov](mailto:census.efoia@census.gov)

The governmentattic.org web site ("the site") is noncommercial and free to the public. The site and materials made available on the site, such as this file, are for reference only. The governmentattic.org web site and its principals have made every effort to make this information as complete and as accurate as possible, however, there may be mistakes and omissions, both typographical and in content. The governmentattic.org web site and its principals shall have neither liability nor responsibility to any person or entity with respect to any loss or damage caused, or alleged to have been caused, directly or indirectly, by the information provided on the governmentattic.org web site or in this file. The public records published on the site were obtained from government agencies using proper legal channels. Each document is identified as to the source. Any concerns about the contents of the site should be directed to the agency originating the document in question. GovernmentAttic.org is not responsible for the contents of documents published on the website.



NOV 14 2012

1. This letter is in further response to your request made under the Freedom of Information Act (FOIA). We are processing your request under the FOIA and have assigned to it tracking number 2012-00301. According to our records:
  - a. We received your initial request in this office on September 18, 2012.
  - b. By letter, dated October 11, 2012:
    - 1) We advised you that on September 18, 2012, this office received from you two requests involving related material. Since this was the case, pursuant to the Department of Commerce's FOIA regulations, Code of Federal Regulations Title 15, Part 4.11(h), we aggregated our response to you for those requests.
    - 2) We provided you a fee calculation of \$408.37 for processing your aggregated request and let you know that pursuant to the Department of Commerce's FOIA regulations, Code of Federal Regulations Title 15, Part 4.11, we would not process your request further until we received payment for the entire anticipated fee.
  - c. On October 15, 2012, we received a clarification of your request in which you withdrew your request for copies of the meeting minutes of the Census Bureau's Data Stewardship Executive Policy (DSEP) Committee.
2. Following is a list of requested items as stated in your October 15, 2012 clarification:
  - a. a copy of the listing of the Data Stewardship policies, and
  - b. a digital or electronic copy on a CD-ROM of each of the Data Stewardship policies.
3. Following is our final response to this request:
  - a. We have located one document (1 page) responsive to item 2a, referenced above, which has been partially redacted as nonresponsive to your request. An electronic copy of the aforementioned document is included on the enclosed CD-ROM.
  - b. We have located 15 documents (251 pages) responsive to item 2b, referenced above, that we have determined to be fully releasable under the FOIA. Electronic copies of the aforementioned documents are included on the enclosed CD-ROM.

There is no charge for the above-mentioned documents.

4. You have the right to appeal this partial denial of the FOIA request. An appeal must be received within 30 calendar days of the date of this letter by the Assistant General Counsel for Administration (Office), Room 5898-C, U.S. Department of Commerce, 14<sup>th</sup> and Constitution Avenue, N.W., Washington, D.C. 20230. Your appeal may also be sent by e-mail to [FOIAAppeals@doc.gov](mailto:FOIAAppeals@doc.gov) or by facsimile (fax) to 202-482-2552. The appeal must include a copy of the original request, this response to the request and a statement of the reason why withheld records should be made available and why denial of the records was in error. The submission (including e-mail and fax submissions) is not complete without the required attachments. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should be clearly marked "Freedom of Information Act Appeal." The e-mail, fax machine, and office are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine or office after normal business hours will be deemed received on the next normal business day.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. J. Toland", is written over the word "Sincerely,".

Michael J. Toland, Ph.D.  
Freedom of Information Act Officer  
Chief, Freedom of Information Act and Information Branch

Enclosure

PP	Privacy Principles
Non Responsive	Non Responsive
DS002	Articulating the Title 13 Benefits of Census Bureau Projects
DS006	Controlling Non-Employee Access to Title 13 Data
DS007	Information Security Management Program
DS009	Expanded Linkage of Decennial Census Records with Survey and Administrative Records
DS012	Negotiating Collaborative Arrangements with Agencies for the Acquisition of Administrative Record Data to Support Title 13 Project
DS014	Record Linkage
DS015	Policy on Accepting Reimbursable Projects
DS016	Respondent Identification
DS017	Title 13 Training
DS018	Unauthorized Browsing
DS019	Privacy Impact Assessments
DS021	Custom Tabulations
DS022	Data Breach Policy Data Breach Policy Implementation Guide
DS022a	Procedures for Reporting and Responding to a Data Breach Related to Decennial Census Operations

Enclosure 1

Originally Issued: April 2, 2003  
Revised: April 6, 2006  
Organizational Names Updated: July 6, 2009

## **Policy Cover Sheet for U.S. Census Bureau Privacy Principles**

---

***Purpose:*** These Privacy Principles set the ethical standards for the U.S. Census Bureau's data collection, handling, and dissemination. They serve as the underpinnings for all Data Stewardship policies and as the basis for current and future practices.

***Scope:*** The Privacy Principles apply to all phases of a project or activity (planning, design, collection, processing, dissemination, and archiving) involving censuses and surveys authorized by Titles 13 and 15, United States Code, for all types of economic, demographic, and decennial census data.

***Policies and Procedures Impacted:***

- ❑ ***Relationship to Mission:*** The Privacy Principles establish that all data collections must support the Census Bureau's mission and legal requirements.
- ❑ ***Relationship to Existing Policies, Relevant Laws and Regulations, and Procedures:*** The Privacy Principles are consistent with all relevant laws and regulations pertaining to Census Bureau activities. Further, they establish fundamental values that are consistent with accepted fair information practice principles, as well as professional ethical guidelines for survey research organizations (see references). All Census Bureau Data Stewardship policies support one or more of these principles. Current practices have been examined to ensure that they are consistent with these principles, and gaps between principles and current practices that were identified have been addressed by new data stewardship policies or are in the process of being addressed by policies or refinement of practices.

***Responsibility for Implementation:*** The program area divisions that collect, process, and disseminate data from censuses and surveys are responsible for implementing the Privacy Principles in their data collection, processing, and disseminating activities. The Privacy Office is responsible for ensuring Census Bureau-wide awareness of these Privacy Principles. The Data Stewardship Executive Policy Committee is responsible for reviewing the Privacy Principles periodically, with the assistance of its staff committees, and ensuring they are complete and that any gaps in current practice are being addressed.

***Committee Responsible for Ensuring the Continued Efficacy of This Policy:*** The Privacy Policy and Research Committee (PPRC) is responsible for maintaining and updating the Privacy Principles, based on guidance from the Data Stewardship Executive Policy Committee.

***Contact:*** Chief Privacy Officer

***Division:*** Chair, PPRC

***Room Number:*** 8H168

***Phone Number:*** 301/763-2906

## U.S. CENSUS BUREAU PRIVACY PRINCIPLES

1. **Principle of Mission Necessity:** *The U.S. Census Bureau will only collect information that is necessary for meeting the Census Bureau's mission and legal requirements.*

*Subprinciple 1* - The Census Bureau will only collect or acquire information about individuals and businesses that is necessary to meet its legal responsibility and fulfill its mission to provide timely, relevant, and quality data about the people and economy of the United States.

*Subprinciple 2* - The Census Bureau will only engage in projects requiring data protected under Title 13, United States Code, if there is a clear benefit to Census Bureau programs.

*Subprinciple 3* - The Census Bureau will only collect or acquire information on a reimbursable basis, or in exchange for products or services, if such collection or acquisition would be seen as being consistent with the Census Bureau's reputation of providing relevant statistical data for public policy and maintaining the public's trust.

*Subprinciple 4* - The Census Bureau will ensure that it uses the data it obtains or collects only for statistical purposes and will advise the public of these limited uses.

2. **Principle of Openness:** *The Census Bureau will be open about its programs, policies and practices to collect and protect identifiable data used to produce statistical information.*

*Subprinciple 1* - The Census Bureau will make it easy to access information about what we collect and why, and provide opportunities for public comment prior to collecting new information.

*Subprinciple 2* - When we collect information, respondents will be informed about the purpose, authority, reporting obligation, legal protections, and uses.

*Subprinciple 3* - When we acquire and link identifiable records from other organizations as part of creating statistical products, we will be open about our activities and inform those supplying the records of proposed uses in order to confirm that they are permitted.

*Subprinciple 4* - Once we have assured the confidentiality of the data, the Census Bureau does not attempt to control the uses or users of its products. Further, we

release the identity of all requesters of custom data products and make those same products publicly available.

**3. Principle of Respectful Treatment of Respondents: *The Census Bureau will be considerate of respondents' time and desire for privacy and will respect their rights as research participants.***

***Subprinciple 1*** - When we design our data collections, the Census Bureau will employ efficiencies to minimize respondents' time and effort.

***Subprinciple 2*** - The Census Bureau will engage only in legal, ethical and professionally accepted data collection practices.

***Subprinciple 3*** - The Census Bureau will request sensitive information from children and other sensitive populations only when it has determined that doing so will provide a clear benefit to the public good and will not violate federal protections of human research participants.

**4. Principle of Confidentiality: *The Census Bureau will ensure that confidentiality protections are included in its procedures to collect, process, and release data.***

***Subprinciple 1*** - The Census Bureau will permit authorized users access to, and use of, only that confidential data needed to conduct their work in support of Census Bureau programs.

***Subprinciple 2*** - The Census Bureau will use appropriate and comprehensive physical and communications security measures when collecting, storing, and analyzing all legally protected information held by the Census Bureau.

***Subprinciple 3*** - The Census Bureau will use comprehensive disclosure avoidance techniques consistent with professionally acceptable standards before releasing data products derived from legally protected information.

***Subprinciple 4*** - Agencies supplying legally protected information to the Census Bureau will always be given the opportunity to review and approve either the proposed data releases or the disclosure methodology used to protect the data in order to ensure that the agencies' disclosure-protection requirements are met.



## Enclosure 2

**Writing Benefit Statements  
For Projects Accessing Confidential Data**

**Table of Contents**

1.	Why Projects Must Have Written Benefit Statements.....	2
2.	The Benefit Criteria Projects May Meet.....	3
3.	What Each Criterion Means.....	5
4.	How to Prepare Benefit Statements .....	19

## **1. Why Projects Must Have Written Benefit Statements**

The Census Bureau has consistently placed the highest premium on the appropriate use of data collected or acquired in accordance with its legal authority under Title 13, United States Code. That authority requires all access to confidential data to benefit the Census Bureau's data collection programs. Written benefit statements provide documentation of how specific projects involving access to confidential data are expected to benefit the Census Bureau.

The Census Bureau approved the following list of thirteen criteria to determine whether a project delivers a benefit to the Census Bureau. All researchers wishing to access confidential data for a project must include a benefit statement specifically addressing one or more of these criteria. To ensure that the Census Bureau receives the anticipated benefits from such projects, all projects must provide technical memoranda or otherwise document the actual benefits of the project. Project output will not be reviewed for disclosure avoidance until the project's actual benefits are documented.

This guidance document explains what each of the thirteen criteria means and describes how to prepare benefit statements. If you have any questions about the attached materials or need further guidance, please contact the Office of Analysis and Executive Support.

## **2. The Benefit Criteria Projects May Meet**

1. Evaluating concepts and practices underlying Census Bureau statistical data collection and dissemination practices, including consideration of continued relevance and appropriateness of past Census Bureau procedures to changing economic and social circumstances.
2. Analyzing demographic and social or economic processes that affect Census Bureau programs, especially those that evaluate or hold promise of improving the quality of products issued by the Census Bureau.
3. Developing means of increasing the utility of Census Bureau data for analyzing public programs, public policy, and/or demographic, economic, or social conditions.
4. Conducting or facilitating Census Bureau census and survey data collection, processing or dissemination, including through activities such as administrative support, information technology support, program oversight, or auditing under appropriate legal authority.
5. Understanding and / or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;
6. Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;
7. Enhancing the data collected in a Title 13, Chapter 5 survey or census. For example:
  - a. Improving imputations for non-response;
  - b. Developing links across time or entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5.
8. Identifying the limitations of, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data;
9. Identifying shortcomings of current data collection programs and / or documenting new data collection needs;

Issued: 10-01-2003

Last Updated: 04-08-2009

10. Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5;
11. Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5;
12. Developing a methodology for estimating non-response to a census or survey authorized under Title 13, Chapter 5;
13. Developing statistical weights for a survey authorized under Title 13, Chapter 5.

### **3. What Each Criterion Means**

Criterion 1: Evaluating concepts and practices underlying Census Bureau statistical data collection, processing, and dissemination practices, including consideration of continued relevance and appropriateness of Census Bureau procedures to changing economic and social circumstances.

*Explanation:*

This criterion can be interpreted to include evaluations such as:

- Evaluate whether the current data contain the information required to reflect changing social and economic circumstances.
- Evaluate whether published reports and data provide information relevant to these changing circumstances, and point to new dissemination methods that would improve their relevance.
- Such evaluations provide information the Census Bureau needs to decide what means, such as new questions, collection practices, or reports, would make its data continue to be relevant.

*Examples:*

- Changes in family circumstances: Grandparents rather than parents are thought to be primary caregivers of a growing proportion of children.
- Evaluating new questions about this care giving relationship can point to:
  - potential improvements in questionnaire design;
  - additional areas where new questions are needed (for example, on the grandparents' physical health, and on their responsibilities as caregivers of other family members);
  - aspects of the relationship that are most important to convey in new published statistics and reports.
- Changes in sources of health insurance coverage: the new government State Children's Health Insurance Program (SCHIP) program was intended to provide health insurance coverage to some groups of children. Because the program was new, new questions were needed to collect information on it. Evaluating the responses provides important information on the quality of the new data, and on the need for additional questions, or modifications to the questions.

- Welfare reform: The legislation was intended to change incentives for labor force participation and employment, as well as for participation in government transfer.
- Programs. Extensive analysis of post-reform data can enhance the data's relevance by providing assessments of the legislation's effectiveness. These analyses can also provide information pointing to the need to evaluate the extent of deficiencies in questionnaire content and collection practices that hinder the data's relevance for this new circumstance.

Criterion 2: Analyzing demographic and social or economic processes that affect Census Bureau programs, especially those that evaluate or hold promise of improving the quality of products issued by the Census Bureau.

*Explanation:*

New products -- reports, on-line statistics, public-use files, etc. -- may be needed to provide relevant information about changing demographic, social, or economic processes. New questions, surveys, and methods may be required to ensure that Census Bureau products continue to be relevant in a changing economy and society. Improving relevance could improve the quality of the Census Bureau's products.

*Examples:*

- Changes in the demographic composition of households -- age structure, race and ethnicity, duration of relationships -- affect assumptions underlying the specific data the Census Bureau collects. For example, assumptions about the ages at which meaningful labor force participation begins, or formal schooling begins and ends, sometimes determine which individuals are asked about such behaviors. An aging society in which people continue to participate in the labor force for many years, and so have more years to benefit from mid-life education and retraining, may invalidate those assumptions.
- New reports on, for example, numbers of workers returning to formal schooling, by age.
- Number and socioeconomic characteristics of workers who are self-employed, independent contractors, etc., supplementing information currently collected or not collected at all.
- Shifts in education patterns and employment in specific economic sectors may require information about new types of education, jobs, and employment practices. Analyzing the ability of current data to address such new and emerging patterns provides information the Census Bureau needs to consider whether it needs to modify existing occupational and employment classification systems, and questions about types of employment.



Criterion 3: Developing means of increasing the utility of Census Bureau data for analyzing public programs, public policy, and/or demographic, economic, or social conditions.

*Explanation:*

Census Bureau data are widely used to analyze existing and proposed public programs, to inform public policy decisions, and to investigate changing demographic, economic, and societal conditions. In their original forms -- publications and other public-use data -- these data may not immediately yield the required information. Specific variables and data structures frequently need to be created to make the existing data useful for particular concerns. Constructing these variables and data structures allows the existing data to be used to address an expanded set of concerns.

*Examples:*

- An individual's participation in public programs such as Medicaid depends on their own income and labor force participation and on family characteristics. Those family characteristics include family income, labor participation by other family members, and members' eligibility for employer-provided health insurance. Some of the raw material from which such individual and family information can be constructed is available on the original Census Bureau data products. But some information may not be available, or available at the level of detail required, on the public-use data. For example, Medicaid programs are administered at the county level. Access to geographic detail beyond what is available publicly may be crucial to improved modeling of program effects or outcomes, or to an accurate description of economic conditions.
- The racial and socioeconomic composition of neighborhoods is thought to matter to individuals when they consider whether to move. Although potentially relevant data have been collected in the American Housing Survey to address this hypothesis, making use of them requires access to internal data. The data can be used to (a) characterize how stable neighborhoods are over time with respect to the race and economic status of residents within an area; (b) examine how the racial composition and socioeconomic status of neighbors affect whites' and blacks' development of plans to move out of the neighborhood and their actual out-migration; and (c) examine how the perceptions of the neighborhood by individuals and their neighbors, particularly with respect to crime and the quality of schools, influences the process of moving for whites and blacks.

Criterion 4: Conducting or facilitating Census Bureau census and survey data collection, processing or dissemination, including through activities such as administrative support, information technology support, program oversight, or auditing under appropriate legal authority.

*Explanation:*

Administering Census Bureau survey and census programs may require advice, collaboration, oversight, or direct involvement of persons who are not Census Bureau employees.

*Examples:*

- While conducting the Census Bureau's programs requires many skills, some critical skills, such as administrative and information technology support, are most effectively acquired through the flexibility of contractor and other non-employee relationships.
- Appropriate oversight of the Census Bureau's operations may require direct involvement of program sponsors or others with legal oversight responsibilities. For example, program sponsors may wish to observe data collection activities, or to review in detail proposed modifications to data processing. Such review requires access to the relevant Title 13 data, such as the specific response of the observed data collection.

Criterion 5: Understanding and / or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;

*Explanation:*

The Census Bureau needs to understand and continually assess the quality of all the data in all surveys, censuses, and estimates, and to seek ways to improve them.

*Examples:*

- Examine little-used data. If the particular variables the project uses have not been used previously, or have been used in a very different application, then the Census Bureau benefits by having a researcher examine the data carefully. Good empirical analysis often begins with tasks such as examining where records or items are missing, where responses are extreme, or take on inconsistent values. The examination will be far more extensive than can be carried out in the routine internal consistency checks during survey processing. The examination should lead both to an assessment of this aspect of data quality, and to recommendations for directions for improvement.
- Compare similar data from different sources. Independent sources often contain measures of similar concepts. Comparing measures from independent sources that should be similar, or that should differ in predictable ways, increases the Census Bureau's knowledge of its data collection programs.

Criterion 6: Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;

*Explanation:*

Continually changing economic and social circumstances, and statistical and economic methodologies, require continual assessments of the Census Bureau's current practices, including drawing new inferences from analyses of its previous practices.

*Examples:*

- Analysis of existing data may show that information should be collected at a different level, for example, from persons rather than households, or from plants rather than firms.
- Analysis may show that data should be tabulated and published at a different level. For example, data tabulated at the firm level perhaps should also be tabulated at the plant level. Similarly, there may be meaningful tabulations at the household level of data currently only tabulated at the person level.

Criterion 7: Enhancing the data collected in a Title 13, Chapter 5 survey or census. For example:

- a. Improving imputations for non-response;
- b. Developing links across time or entities for data gathered in census and surveys authorized by Title 13, Chapter 5.

*Explanation:*

Existing data in a survey or census are substantial investments of resources. Applying new techniques to improve the quality of these data, for example, by applying better adjustments for non-response increases the value of these investments. Similarly, linking existing data across time or space provides additional information from them. Insights drawn from analyzing these enhanced data also provide information on potential improvements to future data collections.

*Examples:*

- Analysis of important economic or social relationships can be compared with the explicit or implied relationships used in nonresponse imputation algorithms, leading to suggestions for improving the algorithms. Such improvements enhance Census Bureau data.
- Linking external data to Census Bureau data enhances the Census Bureau data. Future researchers can make more informed inferences about economic and social relationships using these linked data. Those inferences may improve imputations for non-response or provide information about the quality of sampling frames and data collection techniques.
- Linking existing Census Bureau data by developing longitudinal files for data from businesses or households creates new data that enhance the information collected in the survey or census. While some business data have been linked extensively, those links have not been exhaustively evaluated.
- Links between business and person or household data, and links over time of person and household data, are not as extensive and have not been exhaustively evaluated. Such linkages enhance the information collected in each data set.

Criterion 8: Identifying the limitations of, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data.

*Explanation:*

Important information for Census Bureau data collection efforts is provided by research that evaluates whether emerging new social and economic patterns lead to elements that are missing from the household or business sampling frames, or identifies likely sources to improve the frames.

*Examples:*

- Identify errors in geographical and industrial coding, and potential systematic causes of those errors.
- Linking data for the same households or businesses, either between two Census Bureau data sets or by linking data from other sources, can provide this kind of information.
  - an outside data set may identify businesses or individuals that should be in the Census Bureau frame but are not;
  - understanding the sources of any differences in economic or geographical coding improves the quality of Census Bureau data.

Criterion 9: Identifying shortcomings of current data collection programs and / or documenting new data collection needs.

*Explanation:*

Current Census Bureau programs may not collect sufficient information to address important questions about social, demographic, or economic populations.

*Examples:*

- No information may be collected, or there may be insufficient detail to estimate important comparisons among subgroups of these populations.
- Research may point out such deficiencies as data are used to address such questions or make such comparisons.
- Research may identify the best directions in which the Census Bureau should begin collecting data to fill these gaps. For example, research may identify the need for additional information on the materials that businesses purchase to produce their product, and may in particular identify the most important details on which information should be gathered.

Criterion 10: Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5.

*Explanation:*

Sampling frames are a fundamental building block for Census Bureau data collections. Continually evolving economic and social circumstances affect the appropriateness and completeness of existing and potential frames, and continual changes in statistical tools and methods affect the best practice techniques for using those frames.

*Examples:*

- Outside data sources can be used to construct alternative sampling frames. Linking the alternative and Census Bureau frame allows researchers to assess the Census Bureau frame and either verify it or suggest improvements.
- Alternative sampling strategies can be tested within existing sampling frames. Assessing the comparative characteristics of the alternative and existing samples provides information to verify the robustness and appropriateness of current practice, or to suggest improvements.



Criterion 11: Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5.

*Explanation:*

Existing publications and projects may not contain all population and subgroup characteristics of relevance and interest.

*Examples:*

- Research typically yields statistics beyond those that the Census Bureau has already released. These statistics estimate specific populations and subpopulations and their characteristics.
- Such statistics include summary statistics about specific variables (means, medians, moments), and coefficient estimates that summarize behavior of subgroups of the population. These statistics increase the information available about these populations, subpopulations, and their characteristics.

Criterion 12: Developing a methodology for estimating non-response to a census or survey authorized under Title 13, Chapter 5.

*Explanation:*

Understanding patterns of nonresponse, and its sources, is of greater importance to the Census Bureau because response rates are an important indicator of data quality. Nonresponse is so important to data quality that the Census Bureau initiated, participates actively in, and supports, long-standing interagency groups that jointly explore developing better measures of response rates, sources of nonresponse, and ways to improve response rates. However, these staff resources are limited, so many important facets of nonresponse remain unexplored.

*Example:*

- Research that carefully addresses patterns of response, and the impact of nonresponse on data quality, provides important information that the Census Bureau needs to improve the quality of its data.

Criterion 13: Developing statistical weights for a survey authorized under Title 13, chapter 5.

*Explanation:*

Appropriate weights are essential to correctly presenting the data items collected in surveys.

*Examples:*

- The research may assess how survey weights are currently developed. Findings from such research are valuable to the Census Bureau in improving survey weighting.
- Particularly for external research projects, the research may address issues such as nonresponse that the researcher does not explicitly connect to the Census Bureau's processes for developing survey weights. However, Census Bureau staff may recognize that such factors are considered in developing survey weights, or should be considered. Such research findings will provide important information to the Census Bureau.

#### 4. How to Prepare Benefit Statements

1. Determine which benefit criteria the project meets. Note that a broad range of research activities and products potentially meet each benefit criterion.
2. Determine which benefit criteria the project must meet. Most projects will provide benefits under several criteria. However, a project that provides benefits under only one or two criteria shows benefits as long as those benefits are clear and strong. Some projects meet most or all criteria. For such projects, identify all the criteria it meets, but emphasize only the strongest benefits.
  - a. All projects are required to show at *least one* benefit.
  - b. Projects that use Federal Tax Information covered under Title 26 must show that the *predominant purpose* of their project is to benefit the Census Bureau by meeting *at least one* of criteria 5 through 13.
3. For each criterion:
  - a. State the criterion *verbatim*.
  - b. Write a clear and strong paragraph describing how the project will meet it.
4. Clear paragraphs are written in plain English for an educated layperson. Do not use Census Bureau abbreviations, or Census Bureau or technical jargon. People in other Census Bureau divisions or Directorates may review the statements. The reviewers may come from disciplines other than social science, or from your own specialty.
5. Strong paragraphs are specific about:
  - a. *What* the project will do:

"compares geographic coding for the same plant in the Annual Survey of Manufactures and the Survey of Manufacturing Technology for 1988 and 1993" vs. "examines geographic coding in two sources."

"analyzes welfare-to-work transitions of demographic groups over time in the Survey of Income and Program Participation and whether those patterns change following welfare reform" vs. "examines income and employment in a household survey."

b. *How* the project will do it:

"uses program xyz / technique to compare geographic coding for the same plant in the Annual Survey of Manufactures and the Survey of Manufacturing Technology for 1988 and 1993, and develops measures of accuracy and sources of error" vs. "examines geographic coding in two sources."

"uses program xyz / technique to analyze welfare-to-work transitions of demographic groups over time in the Survey of Income and Program Participation and whether those patterns change following welfare reform" vs. "examines income and employment in a household survey."

c. *How specifically* will the project meet Census Bureau needs, including needs of which it may currently be unaware?

"By identifying errors in geographic coding arising from the use of sampling frame x or data coding procedure y, the researcher will be able to improve the quality of the existing data and will make recommendations to the Census Bureau about how to avoid or minimize errors in future survey collections" vs. "examines geographic coding in two sources."

"Examines the effect of new question sequences on estimates of welfare-to-work transitions of demographic groups over time in the Survey of Income and Program Participation and whether estimates follow expected patterns, and will make recommendations to the Census Bureau on whether additional change are likely to be needed to assess the effects of welfare reform" vs. "examines income and employment in a household survey."

d. *Breadth* of what the project will do:

i. How many states, industries, population groups, years, surveys, censuses, will be involved?

ii. If the project's breadth is small, can it be viewed as a pilot study that assesses feasibility of methods and adequacy of data for a broader project? Are the population groups, states, years, etc., critical for specific Census Bureau products or purposes?

e. *Match* with Census Bureau needs:

- i. Does the Census Bureau already have research underway, or under discussion? If so, could an external project on this topic substitute for scarce staff resources and enhance the Census Bureau's stock of knowledge?
- ii. Should the Census Bureau be looking at this question? If so, why? Is it in the professional literature? Is it in the public debate? Could an external project on this topic substitute for scarce staff resources and enhance the Census Bureau's stock of knowledge?

\_\_\_\_\_/s/\_\_\_\_\_  
Nancy Potok  
Principal Associate Director and Chief Financial Officer

10/01/2003  
Date

## 1. Why Projects Must Have Written Benefit Statements

SEPTEMBER 24, 2002

### MEMORANDUM

TO: All Census Bureau Project Managers

FROM: Nancy Potok, Chair, Data Stewardship Executive Policy Committee /s/

SUBJECT: Articulating the Title 13 Benefits of Census Bureau Projects

The Census Bureau has consistently placed the highest premium on the appropriate use of data collected or acquired in accordance with its legal authority under Title 13, United States Code. Recently, however, the Census Bureau Data Stewardship Executive Policy (DSEP) Committee has identified a need to develop specific guidance about the manner in which a project should deliver a Title 13 benefit to the Bureau, and how that benefit should be documented. A number of events have motivated the development of this guidance, including:

***The 1999-2000 Internal Revenue Service (IRS) Safeguard Review***-- The Census Bureau is authorized to acquire Federal Tax Information (FTI) from the IRS under Title 13, Chapter 5; the IRS is further authorized to disclose these data to the Census Bureau under Title 26, Section 6103(j) "for the purposes of, but only to the extent necessary in, the structuring of censuses and national economic accounts and conducting related statistical activities authorized by law." During the course of the IRS' last Safeguard Review, the IRS raised questions about the manner in which FTI could be used under statute. To resolve a difference in interpretation about what constituted a Title 13 purpose, the Census Bureau and IRS negotiated criteria that set forth the specific ways in which a project can meet IRS requirements under Title 26 and Title 13, Chapter 5. All projects using FTI must now articulate both to the Census Bureau Administrative Records Project Review Team and to the IRS how they meet one or more of these criteria.

***Administrative Records Project Review Process***-- In May, 2001, the Census Bureau put into a place a systematic review process for projects using administrative records under the authority of ***Title 13. The process uses similar criteria to those negotiated with the IRS to determine the project's anticipated Title 13 benefit.***

***Increased External Interest in Accessing Title 13 Data*** --The Census Bureau has received a number of requests from federal agencies and other research groups interested in having access to Title 13 micro data as Census Bureau Special Sworn Status (SSS) individuals. In many cases, these researchers can be accommodated at the Bureau's Center for Economic Studies; in some cases, the agency is proposing that its researchers have access to the data at its own site. Regardless, all such projects conducted by individuals external to the Bureau must demonstrate a Title 13 benefit and, in the case of projects that require use of FTI, that benefit must be the *predominant* purpose for conducting the project.

The DSEP Committee has approved a list of thirteen criteria to determine whether a project delivers a benefit to the Census Bureau. Effective immediately, these criteria will be applied universally to all Census Bureau projects. Those using administrative records under Title 13, and all projects that require access to Census Bureau internal data (whether Title 13 or other titles) by Special Sworn Status individuals, undergo specific processes described in formal Census Bureau policy. All such projects must include a benefits statement that specifically addresses one or more of these criteria. To ensure that the Census Bureau receives benefits from such projects, project output will not be reviewed for disclosure avoidance until the researchers provide technical memoranda or otherwise document the actual benefits of the project.

The attached guidance includes an annotated list of the thirteen criteria and examples of benefit statements. The DSEP Committee is confident that these criteria will bring a level of consistency to the types of projects conducted at the Census Bureau under Title 13 and to projects requiring access to any internal Census Bureau data. If you have any questions about the attached materials or need further guidance, please contact the Office of Analysis and Executive Support.



## **2. The Benefit Criteria Projects May Meet**

1. Evaluating concepts and practices underlying Census Bureau statistical data collection and dissemination practices, including consideration of continued relevance and appropriateness of past Census Bureau procedures to changing economic and social circumstances.
2. Analyzing demographic and social or economic processes that affect Census Bureau programs, especially those that evaluate or hold promise of improving the quality of products issued by the Census Bureau.
3. Developing means of increasing the utility of Census Bureau data for analyzing public programs, public policy, and/or demographic, economic, or social conditions.
4. Conducting or facilitating Census Bureau census and survey data collection, processing or dissemination, including through activities such as administrative support, information technology support, program oversight, or auditing under appropriate legal authority.
5. Understanding and / or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;
6. Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;
7. Enhancing the data collected in a Title 13, Chapter 5 survey or census. For example:
  - a. Improving imputations for non-response;
  - b. Developing links across time or entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5.
8. Identifying the limitations of, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data;
9. Identifying shortcomings of current data collection programs and / or documenting new data collection needs;
10. Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5;
11. Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5;
12. Developing a methodology for estimating non-response to a census or survey authorized under Title 13, Chapter 5;

13. Developing statistical weights for a survey authorized under Title 13, chapter 5.

### 3. What Each Criterion Means

Criterion 1: Evaluating concepts and practices underlying Census Bureau statistical data collection, processing, and dissemination practices, including consideration of continued relevance and appropriateness of Census Bureau procedures to changing economic and social circumstances.

*Explanation:*

This criterion can be interpreted to include evaluations such as:

- Evaluate whether the current data contain the information required to reflect changing social and economic circumstances.
- Evaluate whether published reports and data provide information relevant to these changing circumstances, and point to new dissemination methods that would improve their relevance.
- Such evaluations provide information the Census Bureau needs to decide what means, such as new questions, collection practices, or reports, would make its data continue to be relevant.

*Examples:*

- Changes in family circumstances: Grandparents rather than parents are thought to be primary caregivers of a growing proportion of children.
- Evaluating new questions about this care giving relationship can point to:
  - potential improvements in questionnaire design;
  - additional areas where new questions are needed (for example, on the grandparents' physical health, and on their responsibilities as caregivers of other family members);
  - aspects of the relationship that are most important to convey in new published statistics and reports.
- Changes in sources of health insurance coverage: the new government State Children's Health Insurance Program (SCHIP) program was intended to provide health insurance coverage to some groups of children. Because the program was new, new questions were needed to collect information on it. Evaluating the responses provides important information on the quality of the new data, and on the need for additional questions, or modifications to the questions.
- Welfare reform: The legislation was intended to change incentives for labor force participation and employment, as well as for participation in government transfer.
- Programs. Extensive analysis of post-reform data can enhance the data's relevance by providing assessments of the legislation's effectiveness. These analyses can also provide

information pointing to the need to evaluate the extent of deficiencies in questionnaire content and collection practices that hinder the data's relevance for this new circumstance.

Criterion 2: Analyzing demographic and social or economic processes that affect Census Bureau programs, especially those that evaluate or hold promise of improving the quality of products issued by the Census Bureau.

*Explanation:*

New products - reports, on-line statistics, public-use files, etc. - may be needed to provide relevant information about changing demographic, social, or economic processes. New questions, surveys, and methods may be required to ensure that Census Bureau products continue to be relevant in a changing economy and society. Improving relevance could improve the quality of the Census Bureau's products.

*Examples:*

- Changes in the demographic composition of households age structure, race and ethnicity, duration of relationships affect assumptions underlying the specific data the Census Bureau collects. For example, assumptions about the ages at which meaningful labor force participation begins, or formal schooling begins and ends, sometimes determine which individuals are asked about such behaviors. An aging society in which people continue to participate in the labor force for many years, and so have more years to benefit from mid-life education and retraining, may invalidate those assumptions.
- New reports on, for example, numbers of workers returning to formal schooling, by age.
- Number and socioeconomic characteristics of workers who are self-employed, independent contractors, etc., supplementing information currently collected or not collected at all.
- Shifts in education patterns and employment in specific economic sectors may require information about new types of education, jobs, and employment practices. Analyzing the ability of current data to address such new and emerging patterns provides information the Census Bureau needs to consider whether it should modify existing occupational and employment classification systems, and questions about types of employment.

Criterion 3: Developing means of increasing the utility of Census Bureau data for analyzing public programs, public policy, and/or demographic, economic, or social conditions.

*Explanation:*

Census Bureau data are widely used to analyze existing and proposed public programs, to inform public policy decisions, and to investigate changing demographic, economic, and social conditions. In their original forms--publications and other public-use data-- these data may not immediately yield the required information. Specific variables and data structures frequently need to be created to make the existing data useful for particular concerns. Constructing these variables and data structures allow the existing data to be used to address an expanded set of concerns.

*Examples:*

- An individual's participation in public programs such as Medicaid depends on their own income and labor force participation and on family characteristics. Those family characteristics include family income, labor participation by other family members, and members' eligibility for employer-provided health insurance. Some of the raw material from which such individual and family information can be constructed is available on the original Census Bureau data products. But some information may not be available, or available at the level of detail required, on the public-use data. For example, Medicaid programs are administered at the county level. Access to geographic detail beyond what is available publicly may be crucial to improved modeling of program effects or outcomes, or to an accurate description of economic conditions.
- The racial and socioeconomic composition of neighborhoods is thought to matter to individuals when they consider whether to move. Although potentially relevant data have been collected in the American Housing Survey to address this hypothesis, making use of them requires access to internal data. The data can be used to (a) characterize how stable neighborhoods are over time with respect to the race and economic status of residents within an area; (b) examine how the racial composition and socioeconomic status of neighbors affect whites' and blacks' development of plans to move out of the neighborhood and their actual out-migration; and (c) examine how the perceptions of the neighborhood by individuals and their neighbors, particularly with respect to crime and the quality of schools, influences the process of moving for whites and blacks.

Criterion 4: Conducting or facilitating Census Bureau census and survey data collection, processing or dissemination, including through activities such as administrative support, information technology support, program oversight, or auditing under appropriate legal authority.

*Explanation:*

Administering Census Bureau survey and census programs may require advice, collaboration, oversight, or direct involvement of persons who are not Census Bureau employees.

*Examples:*

- While conducting the Census Bureau's programs requires many skills, some critical skills, such as administrative and information technology support, are most effectively acquired through the flexibility of contractor and other non-employee relationships.
- Appropriate oversight of the Census Bureau's operations may require direct involvement of program sponsors or others with legal oversight responsibilities. For example, program sponsors may wish to observe data collection activities, or to review in detail proposed modifications to data processing. Such review requires access to the relevant Title 13 data, such as the specific response of the observed data collection.

Criterion 5: Understanding and/or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;

*Explanation:*

The Census Bureau needs to understand and continually assess the quality of all the data in all surveys, censuses, and estimates, and to seek ways to improve them.

*Examples:*

- Examine little-used data. If the particular variables the project uses have not been used previously, or have been used in a very different application, then the Census Bureau benefits by having a researcher examine the data carefully. Good empirical analysis often begins with tasks such as examining where records or items are missing where responses are extreme, or take on inconsistent values. The examination will be far more extensive than can be carried out in the routine internal consistency checks during survey processing. The examination should lead both to an assessment of this aspect of data quality, and to recommendations for directions for improvement.
- Compare similar data from different sources. Independent sources often contain measures of similar concepts. Comparing measures from independent sources that should be similar, or that should differ in predictable ways, increases the Census Bureau's knowledge of its data collection programs.



Criterion 6: Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;

*Explanation:*

Continually changing economic and social circumstances, and statistical and economic methodologies, require continual assessments of the Census Bureau's current practices, including drawing new inferences from analyses of its previous practices.

*Examples:*

- Analysis of existing data may show that new questions, or modifications to existing questions, are required to better measure the statistic of interest. Important subcategories may emerge, or entirely new categories. Examples include new categories of households, for persons, and new industries and product groups, for businesses.
- Analysis of existing data may show that information should be collected at a different level, for example, from persons rather than households, or from plants rather than firms.
- Analysis may show that data should be tabulated and published at a different level. For example, data tabulated at the firm level perhaps should also be tabulated at the plant level. Similarly, there may be meaningful tabulations at the household level of data currently only tabulated at the person level.

Criterion 7: Enhancing the data collected in a Title 13, Chapter 5 survey or census. For example:

- a. Improving imputations for non-response;
- b. Developing links across time for entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5.

*Explanation:* Existing data in a survey or census are substantial investments of resources. Applying new techniques to improve the quality of these data, for example, by applying better adjustments for non-response increases the value of these investments. Similarly, linking existing data across time or space provides additional information from them. Insights drawn from analyzing these enhanced data also provide information on potential improvements to future data collections.

*Examples:*

- Analysis of important economic or social relationships can be compared with the explicit or implied relationships used in nonresponse imputation algorithms, leading to suggestions for improving the algorithms. Such improvements enhance Census Bureau data.
- Linking external data to Census Bureau data enhances the Census Bureau data. Future researchers can make more informed inferences about economic and social relationships using these linked data. Those inferences may improve imputations for non-response or provide information about the quality of sampling frames and data collection techniques.
- Linking existing Census Bureau data developing longitudinal files for data from businesses or households creates new data that enhance the information collected in the survey or census. While some business data have been linked extensively, those links have not been exhaustively evaluated.
- Links between business and person or household data, and links over time of person and household data, are not as extensive and have not been exhaustively evaluated. Such linkages enhance the information collected in each data set.

Criterion 8: Identifying the limitations of, or improving, the underlying business register, household Master Address file, and industrial and geographical classification schemes used to collect the data;

*Explanation:*

Important information for Census Bureau data collection efforts is provided by research that evaluates whether emerging new social and economic patterns lead to elements that are missing from the household or business sampling frames, or identifies likely sources to improve the frames.

*Examples:*

- Identify errors in geographical and industrial coding, and potential systematic causes of those errors.
- Linking data for the same households or businesses, either between two Census Bureau data sets or by linking data from other sources, can provide this kind of information.
  - An outside data set may identify businesses or individuals that should be in the Census Bureau frame but are not.
  - Understanding the sources of any differences in economic or geographical coding improves the quality of Census Bureau data.

Criterion 9: Identifying shortcomings of current data collection programs and / or documenting new data collection needs;

*Explanation:*

Current Census Bureau programs may not collect sufficient information to address important questions about social, demographic, or economic populations.

*Examples:*

- No information may be collected, or there may be insufficient detail to estimate important comparisons among subgroups of these populations.
- Research may point out such deficiencies as data are used to address such questions or make such comparisons.
- Research may identify the best directions in which the Census Bureau should begin collecting data to fill these gaps. For example, research may identify the need for additional information on the materials that businesses purchase to produce their product, and may in particular identify the most important details on which information should be gathered.

Criterion 10: Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5;

*Explanation:*

Sampling frames are a fundamental building block for Census Bureau data collections. Continually evolving economic and social circumstances affect the appropriateness and completeness of existing and potential frames, and continual changes in statistical tools and methods affect the best practice techniques for using those frames.

*Examples:*

- Outside data sources can be used to construct alternative sampling frames. Linking the alternative and Census Bureau frame allows researchers to assess the Census Bureau frame and either verify it or suggest improvements.
- Alternative sampling strategies can be tested within existing sampling frames. Assessing the comparative characteristics of the alternative and existing samples provides information to verify the robustness and appropriateness of current practice, or to suggest improvements.

Criterion 11: Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5;

*Explanation:*

Existing publications and projects may not contain all population and subgroup characteristics of relevance and interest.

*Examples:*

- Research typically yields statistics beyond those that the Census Bureau has already released. These statistics estimate specific populations and subpopulations and their characteristics.
- Such statistics include summary statistics about specific variables (means, medians, moments), and coefficient estimates that summarize behavior of subgroups of the population. These statistics increase the information available about these populations, subpopulations, and their characteristics.

Criterion 12: Developing a methodology for estimating non-response to a census or survey authorized under Title 13, Chapter 5;

*Explanation:*

Understanding patterns and sources of non-response is of great importance to the Census Bureau because response rates are an important indicator of data quality. Nonresponse is important to data quality that the Census Bureau initiated, participates actively in, and supports, long-standing interagency groups that jointly explore developing better measures of response rates, sources of nonresponse, and ways to improve response rates. However, these staff resources are limited, so many important facets of nonresponse remain unexplored.

*Example:*

- Research that carefully addresses patterns of response, and the impact of nonresponse on data quality, provides important information that the Census Bureau needs to improve the quality of its data.

Criterion 13: Developing statistical weights for a survey authorized under Title 13, chapter 5.

*Explanation:*

Appropriate weights are essential to correctly presenting the data items collected in surveys.

*Examples*

- The research may assess how survey weights are currently developed. Findings from such research are valuable to the Census Bureau in improving survey weighting.
- Particularly for external research projects, the research may address issues such as nonresponse that the researcher does not explicitly connect to the Census Bureau's processes for developing survey weights. However, Census Bureau staff may recognize that such factors are considered in developing survey weights, or should be considered. Such research findings will provide important information to the Census Bureau.



#### 4. How to Prepare Benefit Statements

1. Determine which benefit criteria the project meets. Note that a broad range of research activities and products potentially meet each benefit criterion, as illustrated in the following guidance.
2. Determine which benefit criteria the project must meet. Most projects will provide benefits under several criteria. However, a project that provides benefits under only one or two criteria shows benefits as long as those benefits are clear and strong. Some projects meet most or all criteria. For such projects, identify all the criteria it meets, but emphasize only the strongest benefits.
  - a. *All* projects are required to show at *least one* benefit.
  - b. Projects that use Federal Tax Information covered under Title 26 must show that the *predominant purpose* of their project is to benefit the Census Bureau by meeting *at least* one of criteria 5 through 13.
3. For each criterion:
  - a. State the criterion *verbatim*.
  - b. Write a clear and strong paragraph describing how the project will meet it.
4. Clear paragraphs are written in plain English for an educated layperson. Do not use Census Bureau abbreviations, or Census Bureau or technical jargon. People in other Census Bureau divisions or Directorates may review the statements. The reviewers may come from disciplines other than social science, or from your own specialty.
5. Strong paragraphs are specific about:
  - a. *What* the project will do:

"compares geographic coding for the same plant in the Annual Survey of Manufactures and the Survey of Manufacturing Technology for 1988 and 1993" vs. "examines geographic coding in two sources."

"analyzes welfare-to-work transitions of demographic groups over time in the Survey of Income and Program Participation and whether those patterns change following welfare reform" vs. "examines income and employment in a household survey."
  - b. *How* the project will do it:

"uses program xyz / technique to compare geographic coding for the same plant in the Annual Survey of Manufactures and the Survey of Manufacturing Technology for 1988 and 1993, and develops measures of accuracy and sources of error" vs. "examines geographic coding in two sources."

"uses program xyz / technique to analyze welfare-to-work transitions of demographic groups over time in the Survey of Income and Program Participation and whether those patterns change following welfare reform" vs. "examines income and employment in a household survey."

- c. *How specifically* will the project meet Census Bureau needs, including needs of which it may currently be unaware?

"By identifying errors in geographic coding arising from the use of sampling frame x or data coding procedure y, the researcher will be able to improve the quality of the existing data and will make recommendations to the Census Bureau about how to avoid or minimize errors in future survey collections" vs. "examines geographic coding in two sources."

"Examines the effect of new question sequences on estimates of welfare-to-work transitions of demographic groups over time in the Survey of Income and Program Participation and whether estimates follow expected patterns, and will make recommendations to the Census Bureau on whether additional change are likely to be needed to assess the effects of welfare reform" vs. "examines income and employment in a household survey."

- d. *Breadth* of what the project will do:

- i. How many states, industries, population groups, years, surveys, censuses, will be involved?
- ii. If the project's breadth is small, can it be viewed as a pilot study that assesses feasibility of methods and adequacy of data for a broader project? Are the population groups, states, years, etc., critical for specific Census Bureau products or purposes?

- e. *Match* with Census Bureau needs:

- i. Does the Census Bureau already have research underway, or under discussion? If so, could an external project on this topic substitute for scarce staff resources and enhance the Census Bureau's stock of

knowledge?

- ii. Should the Census Bureau be looking at this question? If so, why?  
Is it in the professional literature? Is it in the public debate?  
Could an external project on this topic substitute for scarce staff  
resources and enhance the Census Bureau's stock of knowledge?

## 5. **Examples of Approved Benefit Statements for Projects Using Household or Person Data**

### A. **For Each Criterion**

*Note:* The first four criteria are new, so no approved benefits statements were prepared specifically to address them. This section of the guidance provides examples of benefit statements from approved projects that clearly meet the first three new criteria. For some projects, the original benefit statements have been rewritten to correspond to the new criteria. Experience will provide new examples that better illustrate the new criteria.

#### 1. **Evaluating concepts and practices underlying Census Bureau statistical data collection and dissemination practices, including consideration of continued relevance and appropriateness of past Census Bureau procedures to changing economic and social circumstances.**

*Example:*

The research study proposed should benefit the Census Bureau in several ways:

- It will address one of the Bureau's subject areas of interest, as indicated on the Bureau's home page [www.census.gov/population/www.socdemo/grandparents.html](http://www.census.gov/population/www.socdemo/grandparents.html), which features a widely cited working paper on co-resident grandparents and their grandchildren (Casper and Bryson, 1998), and cites a Bureau report, press release and state tables on this topic.
- The proposed study will use data from the Census 2000 Supplementary Survey (C2SS)/American Community Survey (ACS), which has a nationally and state-representative sample of 700,000 households, to analyze in depth the survey's (C2SS/ACS) rich data on grandparent caregivers, using questions which Congress required be included in Census 2000.
- The proposed research will enhance Bureau resources by merging two data sets: the Census 2000 Supplementary Survey (C2SS) and the Small Area Income and Poverty Estimates (SAIPE 1997). The resulting product will remain with the Census Bureau so that Bureau staff and researchers with special sworn status will be able, in the future, to access the merged data and thereby consider important county level data such as percentage of population living in poverty and median household income-in their studies.

**Comment:** This project explains why its topic is of importance to the Census Bureau. It states the data sets it will use, and what its product will be. It notes specifically that the product will remain with the Census Bureau, and why that will be an asset to the Census Bureau.

**2. Analyzing demographic and social or economic processes that affect Census Bureau programs, especially those that evaluate or hold promise or improving the quality of products issued by the Census Bureau.**

*Example 1:*

This project benefits the Census Bureau in two respects: (1) it augments the Bureau's existing data, thereby enhancing the Bureau's ability to inform policy-makers, and, (2) it enables corroboration across two Census data sets which may have important implications for survey design.

With respect to the first of these benefits, I will merge CPS and SIPP data with county-level employment data collected from employers and made available by the BEA, county-level prevailing Medicare charges from HCFA, physician supply from the ARF, and private managed care penetration from the Interstudy Competitive Edge. These additional data would enhance any examination of recent trends in health insurance coverage for children.

In addition, because previous studies of Medicaid expansions typically analyzed either the CPS or the SIPP, I believe that my proposal to use both data sets represents a significant improvement. Using both data sets allows comparison of estimates of Medicaid and Child Health Insurance Program (CHIP) take-up from the government's two most important sources of data on public program participation, enabling corroboration of the estimates and evaluation of the two data sets with respect to their ability to adequately capture program participation. Because administrative data on enrollment in CHIP and Medicaid are available through HCFA, one can also compare estimates of program participation not only between CPS and SIPP, but also with administrative data. This sort of comparison has important implications for both the sample design and questionnaire design of the CPS and SIPP, and therefore may be of considerable benefit to the Bureau.

**Comment:** This project provides specific information about the questions it will address, and why the questions are important for analyzing public policy and public programs. It also notes specific implications the analysis may have for survey methodology.

*Example 2:*

The predominant purpose of this project is to prepare estimates of migration among a significant portion of the U.S. population, in accordance with the stated need for estimates of population and characteristics of the population authorized by Title 13, Chapter 5. The proposed work is expected to be beneficial in several ways:

- This study will provide up-to-date estimates of migration among the welfare

poor.

- It will improve understanding the quality of data produced by the Census Bureau through efforts to understand migration-related reasons for loss to sample.
- It will result in enhancement of the data collected by the Census Bureau by addition of state-level policy data and local labor market indicators for the 1996 through 2003 period. These efforts will result in the development of links across both time and entities for these data.
- It will demonstrate to the demographic community the value of the SIPP for studying *migration* and other migration-related phenomena. The past inadequacy of the SIPP for this purpose is well known, but efforts were made by the Census Bureau early in the 1990s to correct the problem. The strength of 1996 and 2001 Panels of the SIPP for migration-related research should now be demonstrable.

**Comment:** This statement explains the specific Census Bureau need it will meet producing population estimates and specific changes in social and economic conditions (migration) that may affect those estimates. It identifies enhancements it will make and how those enhancements benefit a specific program (SIPP). Finally, it expects to demonstrate how the recent SIPP is a better tool for public policy analysis. Such analysis benefits the Census Bureau because it shows whether changed methods make the SIPP more relevant and appropriate to measure the changes potentially caused by migration.

*Example 3:*

Data for the overall project primarily come from the Integrated Public Use Microdata Series (IPUMS), consisting of 1-percent samples of the American population drawn from the decennial censuses of 1940, 1950, 1960, 1970, 1980, and 1990. However, because traditional measures of teacher quality such as standardized test scores are not found in the IPUMS, I turn to the National Longitudinal Surveys of Young Men (NLSYM; aged 14-24 in 1966), Young Women (NLSYW; aged 14-24 in 1968), and Youth-79 (NLSY; aged 14-22 in 1979), to explore changes over a subset of this period (1970-90) in the quality of those who teach. It is particularly difficult to find national data that spans the period of interest that also collected traditional measures of teacher quality. In addition, the NLS surveys can illuminate the effect of changes in market wages at entry into the profession as well as over the individual's lifecycle. I submit this proposal to request that state level identifiers be attached to the individual records of the Young Men and Young Women cohorts of the National Longitudinal Surveys. Without access to this data, it is very difficult to derive unbiased estimates of labor market wage effects.

Understanding the effect of rising opportunities for women on employment in teaching is of relevance and of interest to the social science research community at large and the Bureau of Labor Statistics and the Census Bureau in particular, in light of the perception that teachers today are less qualified than they once were because of the greater professional opportunities available to women.

Policymakers and researchers also debate about whether paying teachers more will induce highly skilled women to enter the profession. With this study, I hope to improve our knowledge of wage effects on teacher supply and quality and its determinants. Other than the scientific merit of the project, by pooling the Young Men and Women cohorts with the Youth-79, this project will also enhance data collected under Title 13 by developing links across these cohorts.

**Comment:** This project identifies specific public policy questions that its enhanced data can address. It shows why these questions are relevant to the Census Bureau's data collection programs. The project also notes specifically how it will enhance existing data.

**3. Developing means of increasing the utility of Census Bureau data for analyzing public programs, public policy, and/or demographic, economic, or social conditions.**

*Example 1:*

The proposed research will benefit the Census Bureau's data programs in three important ways. First, the research will utilize data from the AHS specifically, the special sample of neighbors collected in the 1985, 1989, and 1993 waves of the survey which, to the best of the investigator's knowledge have only been used once before (see Hoyt and Rosenthal (1997)). Such use of the data would certainly renew interest in the ARS data program responsible for collecting the neighbor sample. Second, the research undertaken here will contribute the discussion within the Bureau on "Geographic Issues for Current Surveys." Although some studies have centered on explaining how neighbors affect individuals' mobility (South and Crowder 1997a, 1997b, 1998; Massey et al. 1994), the focus has been primarily on the characteristics of residents at the census tract level. It is argued that such a level of analysis may be too abstract when examining the effect that context has on individual-level behavior. The neighbor clusters within the AHS, along with the availability of data at the census tract level, offer a unique opportunity to compare how immediately situated neighbors affect an individual's mobility relative to the neighborhood context. The effect of such contexts may also be compared to the effect that metropolitan-level factors have on an individual's mobility. Such an analysis, would therefore, be useful in distinguishing between the effects that different types of contexts have on the mobility of individuals. Third, by linking data across waves of the ARS and between the AHS and the decennial Census Summary Tape Files, the research will create new data from the existing data, demonstrating new uses for these data and strengthening existing data programs.

**Comment:** This project states clearly what the problem is, and how it makes the AHS data more useful for addressing a specific set of social conditions. It explicitly notes how its project addresses existing Census Bureau concerns. Finally, it clearly states the new products it will develop.

*Example 2:*

The NLMS is formed by combining Current Population Survey (CPS) Title 13 data with mortality information from the National Death Index (NDI). This hybrid file provides information to assess socio-economic differentials in mortality, thus enhancing the capabilities of these Title 13 data, and creates a file with research potential of interest to health scientists throughout the world.

In the processing and research phases of developing NLMS files, comparative studies are performed which permit the identification and verification of imputed values in the CPS, thus permitting an assessment of the quality of these



imputations. The matching of mortality records from the NDI also identifies persons who are surveyed in more than one CPS, thus permitting an assessment of the independence of the CPS files involved in the NLMS.

There are several variables, which are in common to both CPS and NDI records including educational status, occupations and location of residence. This duplicity of variables enables us to assess the quality of the Title 13 CPS data and offers the potential for filling missing values.

**Comment:** The project clearly identifies the public policy and social conditions for which analysis will be improved. It also shows how developing its database will provide important assessments of the quality of Census Bureau data, and potentially enhances those data.

- 4. Conducting or facilitating Census Bureau census and survey data collection, processing or dissemination, including through activities such as administrative support, information technology support, program oversight, or auditing under appropriate legal authority.**

**Note:** Examples will be added in the future.

**5. Understanding and / or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;**

*Example 1:*

- The purpose of the DID SSN Verification System (PVS) is to provide a production capability at the Census Bureau to verify SSNs for programs involving demographic and administrative records. This system will also improve record linkage capabilities for approved projects involving these types of data. The PVS replaces an existing verification capability at the Social Security Administration (SSA), where the Census Bureau has shared specific data elements for this purpose under formal arrangements for many years. The PVS offers an improvement on this capability by achieving a higher SSN match rate while concomitantly reducing the time and per-case processing costs required through full automation of matching techniques.
- SSN verification as implemented in the PVS involves the use of specific types of demographic data, including name (first, last and middle or initial), date of birth and gender. The underlying principle is the use of probabilistic techniques to compare the data in a source file with data in the Census Numident, defining thresholds for what is considered an acceptable match. The Census Numident itself is created by unduplicating records on SSA's Numident file by SSN. These records are further enhanced with corresponding address information from the IRS 1040 and 1099 files as contained in the Statistical Administrative Records System (StARS). Each person record on the Census Numident is matched to StARS by SSN, and if the StARS record contains address information (including addresses from the IRS source files), an abbreviated version of the address-known as the "geokey"-is then attached to the Census Numident to facilitate the match. This file containing the geokey is called the "Enhanced Census Numident".
- Address data derived from Federal Tax Information (FTI) are critical to the PVS. Tests have shown that the geokey, in combination with name, sex and date of birth, enables a higher percentage of accurate matches between candidate records than can be achieved using SSA techniques. After matching has occurred, records are retained on the Enhanced Census Numident, in the form of the geokey, to support subsequent processing for additional surveys. (Note: FTI data are never attached to the source file.) The expectation is that a new geokey will be constructed from StARS and attached to the Enhanced Census Numident on an annual basis.
- The PVS will lead to improvements in the data quality of Title 13, Chapter 5 programs by ensuring the highest percentage possible of SSNs are verified on records contained within demographic surveys and

administrative data sets. Ensuring this high degree of certainty is vital because increasingly Census Bureau programs use data linkage among data sets as a tool for basic and applied research and evaluation. For example, records within longitudinal surveys must be matched (linked) across years or decades, and may involve multiple data sets. Similarly, large administrative data sets from disparate government agencies are typically matched efficiently through use of SSNs to provide aggregated demographic characteristics for Census Bureau projects, such as the intercensal estimates program.

- Beyond these efforts, the PVS also has the potential to improve data quality in data sets where SSNs are not collected. In essence, the PVS techniques are such that records can be matched on the basis of name, date of birth and geokey without the use of the SSN, and may in fact yield an SSN that matches these characteristics as a byproduct of the process. This capability has the potential to support programs, including the American Community Survey, where SSNs are not collected but where the need to link data--such as to improve the Master Address File--is very great.
- As a final comment, it should be noted that the methods used in the PVS for SSN verification are comparable to those already in place at the SSA which the Census Bureau uses to meet Title 13, Chapter 5 needs for existing programs. From this standpoint, the PVS is not breaking new ground, but rather providing a local capability for SSN verification and data linkage to replace the existing one. Although the inclusion of geokeys built from FTI data is an enhancement to current capabilities, the fundamental principle of data linkage already has precedent and approval through prior policy decisions.

**Comment:** The project states clearly why it will improve a critical dimension of the quality of Census Bureau data. The statement explains in some detail how it proposes to accomplish that improvement, naming data sets and stating the relevant information in each. It shows how Federal Tax Information is critical to its success, and that its predominant purpose is to improve the quality of Title 13 data.

*Example 2:*

- All longitudinal surveys suffer sample loss over time. A major issue is whether the sample remaining retains its representativeness. The project will determine if those who leave the sample because of attrition are different from those who remain in the sample in terms of characteristics of leavers' earnings subsequent to attrition that are not observable based on survey characteristics. If attrition bias is shown to affect estimates that can be made from the remaining sample it is proposed to adjust the weights of the sample remaining in the survey to compensate for the

differential characteristics of the leavers, again using longitudinal earnings records.

**Comment:** This statement identifies an important dimension of data quality representativeness. However, this statement provides little detail about how it will determine whether there is attrition bias, or which of many techniques it will consider for proposed adjustments to survey weights.

**6. Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;**

*Example 1:*

The Numident Race Enhancement project will lead to improved methods of conducting a Title 13, Chapter 5 survey or census or creating a Title 13, Chapter 5 estimate. There is significant potential for cost savings through the use of administrative records for a variety of decennial census applications. These applications include targeting of special procedures and field operations, imputation of missing data, and design of post-enumeration surveys. However, a current deficiency of administrative records is the limited information on race or Hispanic origin. This is especially true of the Numident file. The Numident file is the *only* file national in scope with any race or origin information, but that information is highly coarsened into few categories and is completely lacking for almost all records for people born since about 1986. The size and scope of the Numident file give it great potential, but its limited race and Hispanic origin data reduce that potential.

- This project will greatly broaden the possible applications of the Numident file to Title 13, Chapter 5 surveys, censuses or estimates. For example, the results of this project may provide benefits to the 2010 Census. Because race and Hispanic origin generally do not change over time, it is possible that more accurate imputations of missing data in the 2010 Census can be made from the improved administrative records resulting from this project. These benefits will also be available to other Census Bureau surveys. As another example, the Population Division of the Census Bureau uses the numident in its intercensal estimates program. The improved race and Hispanic origin on the Numident will lead to more accurate race and origin distributions in the intercensal estimates.
- This project also will lead to more accurate methods of imputations for non-response cases in Title 13, Chapter 5 surveys and censuses by linking surveys and censuses over time. Race and Hispanic origin from the census placed on the Numident can be retained for as long as we retain the Numident. Race and Hispanic origin generally do not change over time, unless the response options change or the respondents' perception or knowledge of his own race or origin changes.
- Other research is currently determining the value of matching to administrative records to obtain imputed values for missing data in censuses and surveys. If, as expected, this application of administrative records is shown to be of value, the Numident, with its enhanced race and Hispanic origin information, would become a primary source for imputation. The Numident could provide highly accurate imputations because its race and origin data were obtained from Census 2000

responses. Any future census or survey could obtain this benefit because of the generally stable nature of race and Hispanic origin data.

**Comment:** This project clearly identifies an important problem reducing costs of conducting a decennial census and a new method using administrative records to address it. It then identifies a specific potential problem with one administrative record source, shows why that might compromise the expected quality of the new method, and details specific ways it will assess and attempt to fix the problem. Finally, the project explains how it may benefit not just the decennial census, but also provide improved imputation methods for other Census Bureau surveys and censuses.

*Example 2:*

In the **Multiple System Estimation, II** project, the STARS 2000 database will be used to support critical research on the feasibility of using administrative records to supplement the

- Accuracy and Coverage Evaluation (A.C.E.) for coverage measurement in the decennial census of population and housing. This research builds upon the first STARS database, constructed in 1999, from which the Administrative Records Census Experiment (AREX 2000) was conducted. STARS 2000 will enable comparison to Census 2000 results beyond the AREX 2000 test site areas to encompass national tallies by demographic and geographic subgroups.
- STARS 2000 will provide the opportunity to develop a third independent address and person list to valuate and potentially enhance the Bureau's dual system for estimating decennial census under- and overcounts, which currently utilizes Decennial and Accuracy and Coverage Estimation (A.C.E.) survey data. Triple system estimation will allow the Bureau to overcome certain biases existing in a dual-only system of estimation.

**Comment:** This statement explains how it will provide a new method to estimate under-and over-counts in the decennial census, and why this new method will be an improvement to current methods.

**7. Enhancing the data collected in a Title 13, Chapter 5 survey or census. For example:**

- a. Improving imputations for non-response;
- b. Developing links across time or entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5.

*Example 1:*

- Linkages of Title 13, Chapter 5 survey data to administrative records is routinely done to enhance the usefulness of the data collected in the survey. This project will evaluate new and improved methods for SSN validation at the Census Bureau such that the data collected in the survey is enhanced for linkages to other administrative data. Better SSN validation methods will improve our ability to match survey respondent records to administrative data. Better matching increases our accuracy for developing a wide variety of improvements to our survey questionnaires and the use of the data they provide. The research will help to develop improved techniques for editing of survey and census responses; imputing for item or household non-response; place-of-work coding; and evaluating and modeling demographic information (particularly race and Hispanic origin).
- This research project supports the development of methodology for estimating non-response to a census/survey authorized under the Title 13, Chapter 5. Specifically, improvement of race information on the Census Numident File and Person Characteristics File will support development of multiple system estimation methodology which can be used to estimate census non-response.

**Comment:** This statement is specific about how it will improve the methods the Census Bureau now uses to enhance existing data by making links with other data, and how the improved methods will lead to improved imputations for nonresponse.

*Example 2:*

- The primary purpose of this project is to expand the reach of the SIPP dataset. While the SIPP contains information on successful disability applicants, it does not identify unsuccessful applicants or provide information on the Social Security's Disability Determination Process. This limits the use of household data to credibly estimate the impact of the SSDI program. This study will therefore expand the reach of the SIPP dataset by linking it to the SSA records on disability determination known as the 831 file. The 831 record includes administrative, diagnostic and statistical items related to the application process. In order to link the two



datasets, a unique identifier will be attached to both by the Census Bureau. This unique identifier will allow me to exact match 5 panels of the SIPP data (1990-1996) to the 831 file. Records in the 831 awards file will only be matched to SIPP data within a 4-year range of their award date. This will ensure that the household data taken from the SIPP is still relevant.

**Comment:** This statement is specific about how it will enhance existing data, and why that enhancement increases the utility of the SIPP for analyzing public programs and public policy.

**8. Identifying the limitations of, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data.**

*Example:*

- The Census Bureau is authorized to prepare address lists to support its Title 13, Chapter 5 surveys and censuses. This same authorization requires the Census Bureau to conduct adequate research and testing to maintain the quality and efficiency of its programs. The Master Address File is critical to the conduct of current demographic surveys as well as the decennial census of the population. In order to adequately support these programs, the MAF must be current and complete and this research provides important information about how to maintain and/or evaluate the MAF.

**Comment:** This statement is clear about the fact that it will improve the Master Address File, and why the MAF is critical to the quality of Title 13 data. There should also be statements of what the project will do to improve the MAF.

*Example 2:*

- Address information from STARS supports research on the use for update or quality measurement of the Master Address File (MAF). STARS 2000 will build on the results of AREX 2000, which accomplished a match between unduplicated addresses in administrative records files, and a complete list of possible residential addresses on the MAF. Specifically, STARS will enable the development and testing of methods for using independent address information from administrative records to: 1) provide quality measures of the MAF at low geographic levels; 2) target areas for update (additions and/or deletions) and 3) validate updates from other sources.

**Comment:** This statement explains the data it will use (independent address information) and what it will use it for. The statement should also describe the independent data, and explain how it will use them (e.g., for item 1, what quality measures will it provide, and the definition of “low” geographic level).

**9. Identifying shortcomings of current data collection programs and / or documenting new data collection needs.**

*Example 1:*

- The NLMS is formed by combining Current Population Survey (CPS) Title 13 data with mortality information from the National Death Index (NDI). This hybrid file provides information to assess socio-economic differentials in mortality, thus enhancing the capabilities of these Title 13 data, and creates a file with research potential of interest to health scientists throughout the world.
- In the processing and research phases of developing NLMS files, comparative studies are performed which permit the identification and verification of imputed values in the CPS, thus permitting an assessment of the quality of these imputations. The matching of mortality records from the NDI also identifies persons who are surveyed in more than one CPS, thus permitting an assessment of the independence of the CPS files involved in the NLMS.
- There are several variables, which are in common to both CPS and NDI records including educational status, occupations and location of residence. This duplicity of variables enables us to assess the quality of the Title 13 CPS data and offers the potential for filling missing values.

**Comment:** The statement is clear about the kinds of shortcomings it will address, such as imputed values in the CPS, and specific variables that CPS and NDI have in common. The statement also speaks to other criteria, identifying ways the project's product will increase the utility of Census Bureau data for analyzing public policy and demographic and social conditions.

**10. Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5.**

Note: No examples of approved projects to date.

**11. Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5***Example 1:*

- The project will produce extensive descriptive statistics pertaining to a crucial period in welfare reform and make them available to Executive Branch policy makers and the policy analysis community in time for them to inform TANF reauthorization. Given total workload and priorities of the Bureau of the Census, without this project it is unlikely that these most informative data will be known outside the Bureau when they are most relevant.

**Comment:** This statement explains that it will produce “extensive descriptive statistics” and it is clear that these are estimates of populations and characteristics of population.

*Example 2:*

- Improvement of the Demographic Analysis population projections: This match will offer important insights on the residence and movements of immigrants. Because migration plays a key role, along with fertility and mortality, in the DA (Demographic Analysis) population models and estimates used extensively by the Census Bureau and other agencies, a clearer understanding of in and out-migration can have extensive impacts. The DA population estimates in 2000 were about 1.5 million below those of the census, and 4.2 million below the estimates produced by the ACE (Accuracy and Coverage Evaluation). Analyses conducted for the U.S. Census Monitoring Board suggest that underestimates of immigration may be substantially responsible for these differences. California, home to a third of all immigrants in the U.S. and to an estimated 40% of undocumented immigrants, is an ideal state for investigating immigrant mobility. Linkage with the MEDS and EDD files permits the longitudinal exploration of residence status, as marked by monthly Medicaid eligibility and quarterly earnings, to contrast with the cross-sectional self-report of "when an immigrant first came to the U.S. to stay" asked in the CPS and SIPP.

**Comment:** This statement is clear that the project will provide estimates of population and characteristics of populations immigrants that are important for analyzing demographic, social, and economic processes both because they affect Census Bureau programs and because the resulting estimates will increase the usefulness of Census Bureau data for analyzing public programs and demographic, economic, and social processes.

**12. Developing a methodology for estimating non-response to a census or survey**

**authorized under Title 13, Chapter 5.***Example:*

- The researcher has documented recent declines in reporting of welfare receipt in the March annual demographic supplement to the Current Population Survey and the 1996 panel of the Survey of Income and Program Participation. He has also demonstrated that welfare leavers in the 1996 panel who do not remain in the sample for 12 post-exit months are less likely to have been employed in their exit months than those who do remain. Consequently, it is likely that a longitudinal examination of leavers is dealing with a somewhat less disadvantaged subgroup of all leavers.
- The project will extend these analyses to pre-release wave files from the 2001 panel and any pre-release files from the 2000 panel available for such analysis. TANF caseload levels and recipient characteristics will be compared to administrative data. Moreover, given fundamental changes in administrative data collection requirements brought about by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the project will also include an assessment of the reliability of administrative data as a benchmark.
- In addition, the number, characteristics, and labor force experience of female family heads with children, the sub-population affected most directly by welfare reform, will be compared to monthly CPS core data for the same periods.

**Comment:** The statement identifies non-response in a Census Bureau survey (SIPP) as an important problem for the analysis of public policy. It is clear about some aspects of how it proposes to assess the importance of non-response, but does not identify the specific administrative data that will be used, or how it will rank differences among the SIPP, CPS, and administrative data, if the administrative data differs both from SIPP and CPS.

**13. Developing statistical weights for a survey authorized under Title 13, chapter 5.***Example 1:*

- The SPD sample is derived from the 1992 and 1993 SIPP panels. However, by the time of the initial SPD interview, almost 50 percent of the original SIPP sample could not be located or proved unwilling to continue participation in the survey. Use of matched earnings records will contribute to an assessment of whether the remaining sample is biased in ways not easily observable from data collected by the survey prior to attrition. Since the issue of attrition bias is so serious in the SPD context, to the extent that matched earnings records contribute to a better understanding and correction of attrition effects, they can play an important role in establishing the credibility of the SPD program.
- Findings from this study will not only help to answer questions about the representativeness of the SPD sample and yield procedures to address what biases may be detected, but will also contribute more generally to understanding and dealing with possible attrition biases in other Census Bureau longitudinal surveys such as the SIPP. Thus this project has the potential to lead to higher quality products for the public in more than one Census Bureau program.
- The project will determine if those who leave the sample because of attrition are different from those who remain in the sample in terms of characteristics of leavers' earnings subsequent to attrition that are not observable based on survey characteristics. If attrition bias is shown to affect estimates that can be made from the remaining sample it is proposed to adjust the weights of the sample remaining in the survey to compensate for the differential characteristics of the leavers, again using longitudinal earnings records.

**Comment:** This project is clearer than many about the data it will use (matched earnings records) in determining whether adjustments to weights are needed in the SPD program. It also explains how it will improve the quality of multiple Census Bureau programs.

**B. Examples of Approved Benefits Statements Using Household or Person Data For Entire Projects***Example 1:*

This project will benefit the Census Bureau in five ways. First, the predominant purpose of this study is to improve Census measures of poverty and income by incorporating multi-year measures. Second, in the process of conducting this research I will compare SIPP survey measures of earnings and Social Security benefits with administrative data on these same measures. Third, I will compare SIPP measures of earnings among workers with multiple jobs to the Master Earnings File records on jobs for each individual. Fourth, in the process of conducting this research I will compare the SIPP topical modules on lifetime work history with administrative earnings data. Fifth, I will develop and evaluate a dynamic statistical model for imputing earnings levels above the Social Security taxable maximum that should be useful to the Census Bureau in constructing the "potential PIA" variable that the Census Bureau is planning to add to the SIPP.

- *Improving Measures of Poverty and Income* This research project studies whether official Census measures of poverty, income, and the income distribution can be improved by taking into account more than a single year's worth of income, potentially up to an individual's entire lifetime. An important mandate of the Census Bureau is to provide data on the well-being of the U.S. population. The annual measures of poverty and income calculated from Census household surveys are among the most influential numbers released by the Census Bureau every year. In reports in the P-60 series, the Census Bureau provides estimates of the incomes and poverty status for many demographic subgroups of the U.S. population and of the impacts of government tax and transfer programs on these measures. In addition the microdata files from the CPS and SIPP are used by researchers both inside and outside the Census Bureau to analyze the impact of government programs on the well-being of the U.S. families. One of the primary purposes in designing the SIPP, was to collect more detailed information on the income and program participation of low-income populations than was available from the CPS. The existing income and poverty measures provide extremely valuable one-year snap-shots of the U.S. population. However, in evaluating the effectiveness of government programs targeted at low-income populations, there are many questions that require longer-term data. This project will construct multi -year measures of 1) the income distribution on, 2) the impact of government programs on the income distribution; and 3) the incomes and career paths of low-income households. Then it will use these measures to address the research questions described earlier in this proposal. By first constructing these measures and then applying them, the project will enable the Census Bureau to evaluate both the feasibility and utility of improving existing measures of income and poverty by incorporating multiple years of income.
- *Improving the Quality of SIPP Income Data* In the course of this research, I will



compare SIPP measures of earnings and Social Security benefits with administrative measures. Specifically, I will construct complete calendar year earnings for each sample member by combining the monthly data from successive SIPP waves (for most sample members I will be able to construct such data for at least two calendar years). Then I will compare these data to the administrative earnings data from the SER and Master Earnings File for the same calendar year. I am particularly interested in 1) how under- and over-reporting of earnings in the SIPP varies with income and 2) whether employment is underreported or only earnings levels. In addition, I am interested in whether the SIPP itself is representative of all earners. If so, then aggregating the total matched administrative data earnings for the SIPP (with appropriate reweighting for nonmatches should match published totals for covered earnings. I am particularly interested in investigating whether workers with low-earnings are disproportionately missed in survey data sets. This could be checked by comparing the distribution of aggregate earnings published in the *Annual Supplement to the Social Security Bulletin* to the distribution of earnings among SIPP sample members matched to the administrative data. Finally, this match will allow me to evaluate the quality of imputed earnings data in the SIPP. This work will build heavily on existing work at HHES on these topics such as the important recent paper by Roemer (2000). I will conduct similar comparisons of Social Security and SSI Benefits measured in the SIPP survey to SSA administrative records in the MBR and SSI SBR benefit extracts. In this comparison, I am particularly interested in whether SIPP respondents confuse Social Security and SSI benefits and in whether official measures of poverty among the elderly (particularly widowed, divorced and never married women who have such high poverty rates) are affected by misreporting of benefit receipt.

- *Improving SIPP Measures of Multiple Jobs and Job Turnover* It is the conventional wisdom among labor economists that the SIPP has better coverage of earnings among low-wage workers than the CPS and that the reason the SIPP does better is that it does a better job of measuring multiple, part-year jobs. Because the Master Earnings File contains an earnings record for every job an individual had during the year, I can compare job by job measures of earnings from the SIPP to those in the MEF for people with multiple jobs and evaluate how well the SIPP does in capturing the earnings of people with multiple jobs. There have also been questions about how well the SIPP measures job turnover, especially within waves. By using the firm identifiers in the MEF, I will be able to determine whether a worker switched between two employers within a year and compare this to SIPP survey based measures of job turnover.
- *Evaluating the Quality of the Employment History Topical Module* The SIPP employment history topical module contains extensive questions about past jobs, dates of entrance and exit into the labor force, and related issues. It is unclear how accurate retrospective data like this are. By comparing the topical module to the earnings histories, I will be able to evaluate the quality of this data and may be able to make recommendations for improving this module.

- *A Dynamic Model for Imputing Earnings Above a Top Coded Level* The SER reports earnings only up to the Social Security taxable maximum. People with earnings above this level simply have the taxable maximum in their earnings record. There are many purposes for which the un-topcoded value is needed. For example, since roughly 7 percent of workers (representing 15 percent of earnings) currently have earnings above the taxable maximum, income inequality measures that compare the 95th percentile of earnings to the 5th percentile of earnings cannot be directly calculated from these data. In earlier years (the 1960s for example) the taxable maximum was at a much lower point in the earnings distribution and a much larger fraction of workers therefore have their earnings levels topcoded. In my work with the SER I have been developing a new procedure for imputing earnings above the topcoded level. Existing measures typically impute earnings year by year, ignoring the dynamic pattern of an individual's earnings. The problem with such an approach is that a person with only one year of earnings above the maximum will typically have lower earnings than a person with a string of years above the maximum. The method I have been developing imputes earnings in a given year conditional on an individual's entire observed lifetime earnings pattern. I plan to use a Gibbs sampling algorithm to estimate an earnings equation in the presence of the topcoded data and then multiply impute data by drawing from the distributions implied by the estimated earnings equation. By comparing the results of this procedure to the un-topcoded earnings in the Master Earnings File, I will be able to determine how good this technique is. Since I will need to use this technique with the SER data from years before 1978 (the first year of the Master Earnings File), it is important to test its quality even though I will be able to use the untopcoded MEF data in the later years. This imputation procedure should be useful to the Census Bureau's effort to add a potential PIA variable to the public use version of the SIPP.
- *Memos I Will Produce*  
Over the course of this project, I plan to produce the following six short memos to the Census Bureau based upon my findings. The exact content of the memos will depend on what my research findings turn out to be.  
Memo 1: A comparison of administrative earnings and social security benefit data to SIPP survey measures.  
Memo 2: Do SIPP measures of multiple jobs correspond with administrative data?  
Memo 3: A comparison between the SIPP Topical Module on employment history with Social Security earnings histories.  
Memo 4: A Dynamic Imputation Procedure for Top Coded Earnings Data  
Memo 5: A Comparison of lifetime and annual measures of inequality  
Memo 6: Final recommendations on multi-year measures of income

**Comment:** This project benefit statement is exemplary. It is very specific about the five ways it will benefit the Census Bureau. It lays out why the benefit is important to the Census Bureau. It states the data it will use and what it will do. For example, the first benefit statement not only states that it will attempt to improve official Census Bureau statistics on income and poverty, but is specific

about the three kinds of measures that it will construct to improve them. It details project outputs, including six distinct memoranda.

*Example 2:*

- *Enhancing the data collected*

The primary purpose of this project is to expand the reach of the SIPP dataset. While the SIPP contains information on successful disability applicants, it does not identify unsuccessful applicants or provide information on the Social Security's Disability Determination Process. This limits the use of household data to credibly estimate the impact of the SSDI program. This study will therefore expand the reach of the SIPP dataset by linking it to the SSA records on disability determination known as the 831 file. The 831 record includes administrative, diagnostic and statistical items related to the application process. In order to link the two datasets, a unique identifier will be attached to both by the Census Bureau. This unique identifier will allow me to exact match 5 panels of the SIPP data (1990-1996) to the 831 file. Records in the 831 awards file will only be matched to SIPP data within a 4 year range of their award date. This will ensure that the household data taken from the SIPP is still relevant.

- *Understanding and improving the quality of data produced.*

Once the data has been exact matched, I will be able to compare self reports of SSDI status with administrative data on SSDI status. Specifically, since the 831 file provides information on both SSI and SSDI applicants, I will be able to examine how often SSDI recipients mis-report themselves as SSI recipients. Vaughan (2000) suggests in his study reporting of OASDI benefits in the SSA Master Beneficiary Records (MER) and the SIPP, that one possible reason for the mismatch between benefit types in the SIPP and the MBR is that new SSDI recipients misreport their benefit type. This occurs because persons who were actually receiving SSI benefits during the five month waiting period that precedes award of SSDI benefits misreported their income when they finally qualified for SSDI benefits. Creation of this dataset will allow me to study this hypothesis in greater detail. Furthermore, since I have information on the date that the award was made, I will be able to figure out what role time plays in this mis-reporting. Are more recent awardees more or less likely to mis-report their beneficiary status? I can then extend this analysis to compare the level of mis-reporting across all five panels of the SIPP. This will highlight the differences in data quality in the SIPP panels from 1990 to 1996.

- *Identifying shortcomings of current data collection programs & documenting new data collection needs*

The analysis and comparisons on mis-reporting will allow me to quantify the errors in the SIPP. Documentation of these errors will assist the Census Bureau in future data collection efforts. Furthermore, documenting these problems will provide invaluable information to other researchers in this area.

- *Preparing estimates of population and characteristics of population*  
The research agenda that I have proposed will estimate an upper bound on the impact of the SDI program on labor force participation and a more credible estimate of the elasticity of labor force participation with respect to the SSDI program. In addition, I will generate population level tables relating to the SSDI program, health and other demographic characteristics.

**Comment:** This statement also is exemplary. It is specific and clear about the benefits it expects to produce. It explains why the benefits matter to the Census Bureau, and how it will accomplish them (e.g., not just “expand the reach of the SIPP” but that SIPP “does not identify unsuccessful [disability] applicants, or provide information on the Social Security’s Disability Determination Process,” so the study will link SIPP “to the SSA records on disability determination”). It then also explains how it will make the link, and enumerates analyses it will undertake (not just “will analyze”).

*Example 3:*

This study will identify and document the strength and limitations of the CPS and SIPP surveys regarding the welfare and employment histories of immigrant families. It will also suggest possible improvements in the CPS and SIPP. Previous research using related data has already shown that many problems of research data sets are uncovered when they are actually used for research purposes. Recently, Card, Hildreth and Shore-Sheppard (2001) linked the SIPP with the Medical Eligibility File (MEF) and discovered that the SIPP underestimates Medicaid coverage in the California population by about 10%. They found that the SIPP does a good job of measuring coverage of those who are actually in the Medicaid system. However, the SIPP tends to have high estimated rate of false-positives (those who were not enrolled in Medicaid but reported that they were). The estimated false-positive rate for the entire sample was 2.8% and more than 20% for poor children.

In matching CPS/MEDS/EDD and SIPP/MEDS/EDD data, this research will benefit the Census Bureau in the following distinct ways.

- *Validation of self-reported program participation in the CPS/SIPP by nativity* This research will provide the Census Bureau with a basis to evaluate the accuracy of important self-reported data items, including Medicaid coverage, the receipt of cash aid, food stamps, and Supplemental Security Income (SSI). This validation will enhance the future value of these surveys because the SIPP and CPS tend to differ significantly in their estimates of participation in these important programs. The MEDS administrative data provide actual records of program participation that can then be compared to self-reports in the CPS and SIPP for samples of natives and immigrants in California.
- *Comparison of self-reported program participation in the CPS/SIPP by nativity* Combining survey and administrative data will improve the understanding of the

reasons these surveys often produce such different estimates of program usage. Further, it will allow us to evaluate the types of errors made in recalling program usage, determine the effects of panel attrition and data imputation, as well as assess the importance of the sampling differences between the two surveys.

Differences in the time frame of the reciprocity questionnaire items are probably the most important source of variation in the CPS and SIPP estimates. The CPS asks respondents about their program usage during the year preceding the interview, while the SIPP asks respondents about their usage during the past four months. Because CPS interviewees are asked to remember their program status over twelve months, they may have much greater recall problems than respondents to the SIPP. Given these differences in question wording, the SIPP consistently displays greater

program usage as well as higher income levels than does the CPS. Directly related to these question-wording variations are the differences in the frequency of measurement. The CPS only includes income and program items once per year, while the SIPP includes the core income and program items in each of the three interviews waves per year. Comparing administrative and survey data will provide information about the importance of survey question wording and the frequency of survey administration to the measurement of program participation.

Matching the SIPP and CPS data to administrative records could also shed light on the effects of panel attrition on the measurement of program participation.

Comparing respondents who leave the panel with those who remain will allow us to determine the relative accuracy of estimates from the initial and later SIPP and CPS waves. Panel attrition is a particular concern for this study as it focuses on often difficult to reach populations immigrants and users of public assistance.

Both the SIPP and CPS include imputed values for data missing from the program participation items. Comparing these imputed values to administrative records will allow us to assess the effects of imputation on survey estimates of public assistance use. It will also allow us to assess the accuracy of imputed values and determine whether imputation changes the overall estimation of program usage or the relationship between program participation and other variables.

- *Measurement or the size and direction of error of self-reported earnings in CPS and SIPP by nativity* The CPS only includes income and program items once per year, while the SIPP includes the core income and program items in each of the three interviews waves per year. Comparing administrative and survey data will provide information about the importance of survey question wording and the frequency of survey administration to the measurement of earnings. Comparisons with employers reported wages and salaries as recorded in EDD administrative records offer a way to examine discrepancies in CPS and SIPP measures. For most occupations and about 85% of establishments, the EDD records offer a reasonably

good estimate of earnings against which we can examine self-reported earnings in the CPS and SIPP. Thus, the EDD data will provide a benchmark for an analysis of the self-reported earnings in the CPS and SIPP and for estimates of measurement error inherent in calculation of wages and employment in these surveys. The research could potentially be detailed by self-reported nativity, occupation/industry, geography, or household/earner characteristics. Such details will provide insight into potential sources of error in SIPP and the CPS that are introduced by labor force/employment characteristics.

- *Improvement of validation of poverty measures* The differences in the measurement of poverty produced by the SIPP and the CPS could also be explored with matched administrative records. How to measure poverty, specifically what data to use to formulate poverty threshold levels and to calculate poverty rates, has been an ongoing source of debate. Improving the measurement of poverty is a central public policy goal as the poverty level is often related to eligibility requirements for government programs and the poverty rate is often used to assess the effectiveness of those program to improve standards of living over time and to determine state and local funding levels.

The CPS has been used as the source for official income and poverty statistics since the 1960s. However, many recent studies, most notably the National Research Council's *Measuring Poverty: A New Approach* (Citro and Michael 1995), have advocated using the SIPP rather than the CPS to calculate poverty statistics. The more detailed SIPP questionnaire items on income and program participation, as well as on child care, medical, and work-related expenses, allow a more fine-grained assessment of household financial conditions. In comparison to the CPS, the SIPP collects information about family and household income and composition at monthly rather than yearly intervals, and the response rate for income items is higher. However, the relatively small sample sizes and the increasing rates of attrition across the SIPP panel waves reduce the ability of the SIPP to measure national poverty accurately. A match of the two Census surveys with California administrative records will provide a more complete picture of individual and household financial well being, allowing more detailed comparisons between the SJPP and the CPS measurements of income and program usage.

Matching survey respondents to administrative records will provide more information about the effect of supplemental income and benefits from government programs on household financial conditions. For example, differences in the rate of poverty among older Americans between the SIPP and CPS data have been found to be due in part to differences in reported Social Security benefits (Martini and Dowhan 1997). The effects of health insurance coverage on household well-being could also be assessed more completely with the addition of state administrative data. The longitudinal nature of the administrative data will facilitate comparisons between the financial status of users and non-users of various forms of public assistance programs over time.

The effect of panel attrition in the SIPP on the measurement of poverty could also be explored in more depth. The current redesign of the SIPP does not include overlapping panels, potentially limiting its usefulness for measuring poverty due to the increasing rates of attrition in later waves. A data match with administrative records will permit detailed analysis of attrition bias in the SIPP, an important consideration in determining the appropriate data to use for official poverty statistics. The panel design of the SIPP follows individuals and households in poverty over the short- and longer-term, allowing researchers to examine the effects of program usage and changing economic conditions on household financial status. An administrative data match will improve understanding of the effects of panel attrition on the measurement of short and long-term changes in household poverty status.

- *Improvement of the Demographic Analysis population projections* This match will offer important insights on the residence and movements of immigrants. Because migration plays a key role, along with fertility and mortality, in the DA (Demographic Analysis) population models and estimates used extensively by the Census Bureau and other agencies, a clearer understanding of in and out-migration can have extensive impacts. The DA population estimates in 2000 were about 1.5 million below those of the census, and 4.2 million below the estimates produced by the ACE (Accuracy and Coverage Evaluation). Analyses conducted for the U.S. Census Monitoring Board suggest that underestimates of immigration may be substantially responsible for these differences. California, home to a third of all immigrants in the U.S. and to an estimated 40% of undocumented immigrants, is an ideal state for investigating immigrant mobility. Linkage with the MEDS and EDD files permits the longitudinal exploration of residence status, as marked by monthly Medicaid eligibility and quarterly earnings, to contrast with the cross-sectional self-report of "when an immigrant first came to the U.S. to stay" asked in the CPS and SIPP.

**Comment:** This statement is exemplary. Like the two preceding examples, it explains in detail the benefits it expects to provide, the data that will be used, and precisely how that will provide a benefit. For example, the second benefit, comparing self-reported program participation in the CPS/SIPP by nativity, is followed by a four-paragraph explanation of how the data will be compared, and the ways that comparison could improve the CPS and SIPP.

**6. For Projects Using Data Covered Under Title 26****A. For Each Criterion Negotiated with the IRS**

*Note on benefit numbering in this section:* The benefit statements in this section are for the nine approved criteria negotiated between the Census Bureau and the IRS. They therefore are numbered as in the negotiated list, not as in the Census Bureau list of 13 approved benefit criteria. To help guide readers, both the number in the IRS / Census Bureau negotiated list, and the number in the Census Bureau list are used. The number in the Census Bureau list is entered in parentheses and italics. Thus, the criterion immediately below is number 1 in the negotiated list, and number 5 in the Census Bureau list.

**1. (5) Understanding and/or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;****• Strong:**

This project will improve our understanding of the quality of Title 13, Chapter 5 data in the Census of Manufactures (CM) and Annual Survey of Manufactures (ASM). In particular, this research will make extensive use of the place-level geography collected in the CM and ASM (and would be among the first projects to make intensive use of these data). The researchers' experience with place-level geography (and their documentation of it) will both facilitate future place-level economic research as well as suggest potential improvements in the Census Bureau's geo-coding of economic data, especially as it contemplates modifications to the place level universe to be used in the 2002 Economic Census. As a rule, much more place-level geography is recognized in the decennial Census of Population than in the Economic Censuses, where incorporated place must have at least 2,500 persons. Among the modifications being considered (which this particular research may inform) are: lowering the recognition threshold for minor civil divisions (MCDs) from 10,000 persons to 2,500; separately recognizing some 4,000-5,000 important unincorporated places (some of which are "edge cities") which are currently lumped into "balance of county" categories; and so forth. The relevance of the current place-level geography will be explored and evaluated in this project. The results will increase the Census Bureau's knowledge base regarding the usefulness of current place-level geography.

**Comment:** This statement strongly satisfies negotiated criterion # 1 because it clearly shows that this project, focusing on place-level geography, has the potential to provide direct benefits to the Census Bureau by suggesting improvement in the Census Bureau's geo-coding of economic data. The project also contemplates modifications to the place-level universe to be used in the 2002 Economic Census.



- **Weak:**

The Census of Manufactures and other Chapter 5, Title 13 programs are used to describe the geographic pattern of manufacturing and other economic activity in the U.S. This project will help further illuminate how this distribution has been changing and what the movement of economic activity may imply for the economic well being of the counties involved.

This project critically depends on the reliability of establishment identifiers, firm identifiers, and geographic identifier in the Census of Manufactures. Constructing measures of relocation will help to characterize patterns of ownership, and will thus assess the consistency of firm identifiers. Prior research at the Center for Economic Studies has found a variety of inconsistencies in both geographic and industry coding. This project, by focusing on plant relocation, will identify coding problems not previously documented.

**Comment:** While this statement is acceptable to IRS reviewer, it is not as strong as the one presented above. In particular, it is not clear *how* focusing on plant relocation will identify coding problems not previously documented.

**2. (6) Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;**

- **Strong:**

This project will develop new methods for constructing county job-flow measures. It will use the Standard Statistical Establishment List (SSEL), linked over time, to construct measures of changes in employment attributable to establishment openings, closings, expansions and contractions by business size class and industry at the county level.<sup>1</sup> For each business size class and county, the researchers will then construct annual measures specific to county residents in a particular skill group (e.g. persons with less than a high school education). These measures will be constructed by taking a weighted average of job flows in the industries and counties that employ, for example, county residents with less than a high school education, using as weights the fraction of residents' employment accounted for by each industry/county. The needed skill and county-of-residence specific weights have already been derived from the 1990 decennial Sample Edited Detail File (SEDF) by the researcher in previous work at the Center for Economic Studies. The result will be annual county-level measures specific to a business size class and a skill group that reflect the commuting and industry employment patterns of that group of workers.

Currently, statistics on local changes in employment attributable to establishment openings, closings, expansions and contractions are available only for manufacturing. Cross sectional statistics on employment are available for all industries (from the County Business Patterns) but these aggregated measures cannot be used to distinguish between different sources of job flows at the establishment level, e.g. births, deaths, etc. Neither source of statistics on local business conditions gives information that is relevant to specific demographic skill groups, so this project would lead to an important extension of the current methodology, in addition to producing estimates of job flows for non-manufacturing industries.

**Comment:** This statement strongly satisfies negotiated criterion # 2 by stating that the project will develop new methods for constructing county job-flow measures, using the Census Bureau's data in the Standard Statistical Establishment List (SSEL). The project will link the SSEL over time to construct measures of changes in employment attributable to establishment openings, closings, expansions and contractions by business size class and industry at the county level. Thus, it is clear that this project would provide direct benefits to the Census Bureau's data collection programs.

- **Weak:**

---

<sup>1</sup> Business size class will be defined in two ways: one based on establishment employment and a second based on firm (enterprise) employment.

The researchers will use the linked NIST/MEP – LRD/LBD data to construct new measures of productivity growth and establishment survival. The productivity and survival measures will be constructed primarily from Title 13, Chapter 5 data and will again be differentiated based on the size of the establishment. Productivity measures will be computed from data on inputs (e.g., labor, materials, capital) and outputs (e.g., shipments, value added) contained in the LRD. Alternative productivity measures using information from the NIST/MEP data will also be computed. Survival measures will be constructed by identifying active establishments in the LRD and LBD.

**Comment:** While this statement is approved, it is considered weak by reviewers. This is because it seems that the researcher will estimate productivity growth using two different data sets rather than developing new methods of measuring productivity growth.

**3. (7) Enhancing the data collected in a Title 13 Chapter 5 survey or census; for example, by improving imputations for non-response; or by developing links across time or entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5.**

- **Strong:**

The job flow measures will be matched by skill level and county of residence with data on workers from the 1990 decennial SEDF and the 1991-97 March Current Population Survey (CPS). The data set resulting from the "linking" of three existing data sources (SSEL, decennial SEDF, and CPS) will combine data on individuals and businesses to enhance the utility of both types of Title 13, Chapter 5 data. The enhanced data set will be useful for analyses of the effects of local labor markets on households' economic well-being, a topic of great interest to Census Bureau data users, including decision makers at both the local and national level. Thorough analysis of the effects of business conditions on local economies cannot be conducted using either the decennial or the CPS data alone.

**Comment:** This statement strongly satisfies negotiated criterion # 3 by indicating that the proposed project will link three Census Bureau data sets: the 1990 decennial SEDF, the 1991-97 March Current Population Survey (CPS), and SSEL. The proposed combined data set would greatly enhance the utility Title 13, chapter 5 data.

- **Weak:**

This project will use an unbalanced panel of manufacturing data<sup>2</sup> from the Annual Survey of Manufactures (ASM), the Census of Manufactures (CM), and the Manufacturing Energy Consumption Survey (MECS) to estimate efficiency and factor ratio distributions of plants within five 4-digit industries selected as test cases from six 2-digit industries<sup>3</sup>. The 2 digit industries are being requested in case the five (unspecified) 4-digit industries are too thin in terms of sample size. In doing so, he will be able to detect data that are inconsistent with his model of production. By supplementing the establishment data collected in the ASM/CM with more detailed energy data collected in the MECS, such as establishment-level energy consumption quantities and prices by fuel type as well as aggregates, he will be able to detect substantial differences between the ASM, CM, and MECS as well. Furthermore, it is possible that his methods could be used to either impute missing data within the unbalanced panel (i.e., establishments that are not included in the sampling frame

---

<sup>2</sup> Entire establishment-level records from the Annual Survey of Manufactures, the Census of Manufactures, and the

<sup>3</sup> Manufacturing Energy Consumption survey will be used. WI as enumerated in Section B. is included in this data. The industries are SIC 20 (Food and Kindred Products), 22 (Textile Mill Products), 26 (Paper and Allied Products), 29 (Petroleum refining and related industries), 32 (Stone, clay, glass, and concrete products), and 37 (Transportation equipment).

during some point of any of the surveys) which in turn aids longitudinal analysis which is the first method of Census imputation, or determine whether current imputation methods for item nonresponse are consistent with the economic model he is estimating.

**Comment:** This statement of benefits is considered weak. While it is possible that the project could lead to a new method that would improve imputations for non-response, it is not clear how this method will be developed. Moreover, the scope of the proposed project is rather narrow, covering only five selected 4-digit industries - (out of 450 4-digit manufacturing industries). Thus, the linked data set will not represent the U.S. manufacturing sector.

**4. (8) Identify the limitations or, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data.**

- **Strong:**

Past research using the Economic Census has shown that there are problems with information on both geographic and industry coding of new establishments. This project will provide new quantifying the extent of these problems, particularly for small establishments. This project focuses on tracking changes over time in the service sector, while most prior research at CES has focused on the manufacturing sector. Due to the shorter history of broad Census coverage of service businesses, the much higher turnover rates in service firms, and the much smaller average size of service establishments, it is likely that Census data on services will have many more problems than manufacturing with both the geographic and the industry coding of new establishments.

This project will provide new information quantifying the likely extent to which these coding problems occur in services coverage of the SSEL, which is the Census Bureau's underlying business register. It will do so by various groups will identify where particular problems with coding exist.

**Comment:** This statement is considered strong by the reviewer because it clearly indicates that one of predominant purposes of this project is to focus on the geographic and industry-coding problems in services coverage of the SSEL. The project will compare patterns of industry and geographic code changes for new firms with those for older firms, with special attention to how this differs for surviving single-employee firms. It is clear that this project has the potential to provide direct benefits to the Census Bureau's data collection programs.

- **Weak:**

This project will also examine and compare the completeness and quality of the detailed material input data collected from long-form respondents to the 1987, 1992, and 1997 Census of Manufactures. Comparability over time will be emphasized.

**Comment:** This statement is short and weak. It is not clear to reviewers how the researcher will evaluate the completeness and quality of the data or how this project would help the Census Bureau improve the Census of Manufactures.

**5. (9) Identifying Shortcomings of Current Data Collection Programs and/or Documenting New Data Collection Needs.**

- **Strong:**

This project will be useful to the Census Bureau because one of the main concerns with the Pollution Abatement Control Expenditures (PACE) survey data is that reported abatement costs often include investment spending that also increases the productivity of the plant. If this occurs frequently enough, then the aggregate abatement costs reported in PACE might not be useful to researchers or decision makers because they overstate the true abatement costs incurred by plants by not considering the benefits associated with these types of investments. If the overstatement is large enough, then the Census Bureau could add new question on future PACE surveys in order to collect data that allows for better measurements of abatement costs. Further, the Census Bureau could collect specific types of emission data on the PACE if it knew it would be helpful in forming estimates of true abatement costs. The examination of the relationships between the carefully crafted productivity measures (essentially total shipments divided by total costs), abatement costs from the PACE, and emissions from the TRI emissions performed by this study will aid the Census Bureau in its assessment of the usefulness of the PACE data and need for additional data collection.

**Comment:** This statement is considered strong by reviewers because it articulates clearly how the researcher will identify possible shortcomings of the data contained in the PACE. It also indicates that the proposed project will aid the Census Bureau in its assessment of the usefulness of the PACE data and need for additional data collection. Thus, potential benefits to the Census Bureau obtained from this project are clear.

Note: All approved projects provided good statements for this criterion. Therefore, there are no weak examples.

**6. (10) Constructing, Verifying, or Improving the Sampling Frame for a Census or Survey authorized under Title 13, Chapter 5.**

- **Strong:**

This project will evaluate whether ASM samples are geographically representative and whether biases (if any) increase over the course of an ASM wave. Currently, ASM samples are drawn without an eye toward geography; nonetheless geographic statistics are published (see *ASM Geographic Area Statistics*). Here, responses to industry-of-employment in the 1980 and 1990 Census of Population (by geographic area) will be compared to estimates of manufacturing employment (in the industry in the geographic areas) in the contemporaneous ASM. In addition, geographic aggregates from the latest ASM panel (1994-1998) will be compared to the geographically stratified CPS for those same years. Discrepancies between the two sets of employment estimates may suggest inappropriate sampling and/or weighting in the ASM.

**Comment:** This statement strongly satisfies negotiated criterion # 6 because it indicates that the proposed project will deal directly with the sampling of the ASM. It also discuss how the researcher will evaluate the sampling/and or weighting in the ASM.

- **Weak:**

The NIST/MEP data contain information that can be used to assess the quality and coverage of the Annual Survey of Manufactures (a component of the LRD) and the business register (a component of the LBD). In particular, the plant level data provided by NIST/MEP contain information on plant location, industrial classification and employment that can be used to verify similar information contained in the business register.

**Comment:** While it is approved, this statement is weak. It appears that the researcher will use the NIST/NIEP data to verify the data contained in the ASM and SSEL. It does not indicate that the researcher will construct, verify or improve the sampling frame for a census or survey authorized under Title 13, Chapter 5.



**7. (11) Preparing Estimates of Population and Characteristics of Population as Authorized under Title 13, Chapter 5.**

- **Strong:**

This project will prepare estimates of the determinants of a set of decisions that together determine the health care coverage of employees. These decisions include:

- Employers' decisions to offer health insurance;
- Employers' decisions on the types of plans to offer employees and the amounts of employer contributions towards premiums;
- Employers' decisions on health insurance eligibility requirements for workers;
- Employees' health insurance enrollment decisions;
- Labor market responses to employer sponsored health insurance.

In producing these estimates, the project will use multivariate methods to control for workforce characteristics, employer characteristics, and the cost of health insurance.

The methods used will include linear and logistic regression. In producing estimates of employers' decisions to offer health insurance, the project will use a multi-step procedure to try to adjust estimates for possible biases inherent in such estimates. It will also employ a new methodology to correct for biases that arise if employees choose their workplaces based on their health insurance. If an employee's desire for health insurance is an important determinant of who they work for, this can affect estimates of employers' decision to offer a choice of plans, employees' enrollment decisions, and employers' eligibility requirements.

The controls for workforce characteristics will include the age, gender, and wage distribution. Employer characteristics will include the employer's industry, employment, and legal form of organization. These estimates will be useful in predicting the responses of employers to various government decisions, such as subsidization of employer-sponsored insurance or changes in regulations that may affect the premium prices faced by employers.

The project will also develop state-by-industry estimates of worker characteristics using data from the public use samples from the 1990 population census. These estimates will be matched to MEPS-IC data by an employer's state and industry to measure worker characteristics (such as marital status and family composition of the workforce) that affect health insurance demand but are not part of the current MEPS-IC data collection. The project will examine whether these proxy measures have statistically significant effects on employers' decisions in order to assess the value of collecting this additional data as part of the MEPS-IC.

Similarly, the 1996-2000 Area Resource File (which contains estimates of a wide variety of economic and demographic characteristics by county) will be matched to the MEPS-IC by county to characterize local economic conditions that may affect the

supply and demand for health insurance. Several other non-Census healthcare survey data sets (the 1993 NEHIS, the 1996-1998 MEPS-Household Component and the 1987 NMBS Household Component) will also be matched to the MEPS-IC by industry, employment size category, and geography to develop additional measures that can be used in conjunction with the MEPS-IC. Data from these other healthcare surveys will also provide information on the consistency of MEPS-IC measures with preceding surveys. Thus, the Census Bureau's knowledge base of healthcare-related data will be substantially increased as a result of this project.

**Comment:** This statement is strong because it explains in details how the researcher will prepare estimates of population and characteristics of population. Data and estimation methods are clearly discussed.

- **Weak:**

The project will produce new estimates of the entry, survival, and exit of non-employer firms. These new estimates will increase the Census Bureau's knowledge base of the behavior of the non-employer universe.

**Comment:** This statement is short and weak. It does not discuss how the researcher will produce new estimates of entry, survival, and exit of non-employer firms.

**8. (12) Developing Methodology for Estimating Non-Response to a Census or Survey Authorized under Title 13, Chapter 5.**

This project will produce new estimates, primarily in the form of regression coefficients, of the contribution of plant and firm productivity growth to industry productivity growth in the Food and Kindred Products industry. This project proposes to construct a model, which takes adjustment costs into consideration within dynamic optimization framework thereby helping to understand fully the firm's investment behavior in the measurement of productivity growth. Thus the project will develop estimates of the relationship between factor productivity at both the plant and firm level. By computing productivity at the plant and firm level, the researcher will be able to separately estimate both plant level productivity and firm level productivity in relation to aggregate level productivity. Previous studies have shown that aggregate growth measures may be significantly reduced when using the plant level data. Therefore the dynamic disaggregated measure of total factor productivity generated by this research will assist the Census Bureau in determining and evaluating whether the aggregation problem is due to the underlying economic forces or if it is possibly due to the questionnaire design or collection methodology. Thus these new measures will increase the Census Bureau's knowledge base and data users' understanding of the dynamics of productivity growth. As productivity increases are a major contributing factor to economic growth, accurately measuring and understanding productivity growth is important to both the development and analysis of the economic decision making process.

Note: This is the only approved project that satisfies this criterion.

**9. (13) Developing Statistical Weights for a Survey Authorized under Title 13, Chapter**

This project will evaluate whether ASM samples are geographically representative and whether biases (if any) increase over the course of an ASM wave. Currently, ASM samples are drawn without an eye toward geography; nonetheless geographic statistics are published (see *ASM Geographic Area Statistics*). Here, responses to industry-of-employment in the 1980 and 1990 Census of Population (by geographic area) will be compared to estimates of manufacturing employment (in the industry in the geographic areas) in the contemporaneous ASM. In addition, geographic aggregates from the latest ASM panel (1994-1998) will be compared to the geographically stratified CPS for those same years. Discrepancies between the two sets of employment estimates may suggest inappropriate sampling and/or weighting in the ASM. New procedures for updating ASM weights (over the course of a wave), using geographic stratification that takes into account population changes, would be explored.

**Note:** There is only approved project that satisfies this criterion.

**B. For Entire Projects**

This section provides examples of approved benefit statements for the IRS Criteria. Two statements are strong, while two others just "clear the bar".

- **Strong Examples:**

**Strong Example # 1:** This project satisfies five of the nine negotiated Criteria.

- 1.) Understanding and/or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate (Criterion # 1 (5)).

The non-employer data have been used as part of the Chapter 5, Title 13 Economic Census program for decades as a supplement to the payroll universe, particularly for construction, retail, and services sectors. In addition, in 1997 the Chapter 5, Title 13 County Business Patterns program incorporated tabulations of the non-employer universe in their annual publication program. The Census Bureau needs to evaluate the impact of the addition of the non-employer universe to the Chapter 5, Title 13 programs, specifically, how these data supplement the payroll portion of the business population.

- 2.) Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate. (Criterion # 2 (6)).

The County Business Patterns program has begun including tabulations of non-employer firms comparable to its employer tabulation program. This project will explore methodologies to identify overlap in the employer and non-employer universes. In addition, the Company Statistics Division of the Census Bureau is interested in adding these data to its Statistics of U.S. Businesses (SUSB) program, showing formation, survival/growth, and dissolution of firms.

- 3.) Enhancing the data collected in a Title 13, Chapter 5 survey or census. (Criterion #3 (7))

The annual non-employer data beginning in 1996 and in subsequent years may be linked in a fashion similar to that of the employer universe, following those non-employer units that enter during a year, survive/grow over a number of years, and exit/close after one or more years of "registration" in the prior years' non-employer files. The business register area is interested in pursuing these types of linkages. A second form of linkage is to connect the non-employer units either preceding or succeeding appearances of the employer units, showing a transition between statuses.

- 4.) Identifying the limitations of, or improving, the underlying business register household Master Address File, and industrial and geographical classification

schemes used to collect the data; Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5 (Criterion # 4 (8))

This study of the non-employer business units and employer business units over time and across the non-employer-employer boundary will identify limitations in the underlying administrative records business population and may improve Census Bureau processing for the business register.

5.) Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5. (Criterion # 5 (9))

This project will produce new estimates of the entry, survival, and exit of non-employer firms. These new estimates will increase the Census Bureau's knowledge base of the behavior of the non-employer universe.

**Comment:** This project is considered strong in term of benefits to the Census Bureau because it deals directly with issues related to data collected from the universe of non-employers, which is an important part of Chapter 5, Title 13 Economic Census Program. In particular, The Census Bureau's County Business Patterns program has incorporated tabulations of the non-employer universe in its annual publication program. This project has the potential to provide direct benefits the Census Bureau by evaluating non-employer data, exploring methodologies to identify overlap in the employer/non-employer universe, enhancing the data by linking them over time, identifying limitations of the data, and preparing estimates of the non-employer population and its characteristics such as entry, exit and survival.

In their benefits statement, the researchers *clearly* explained *why* and *how* their project satisfies each of the five listed criteria.

**Strong Example # 2:** This project also strongly satisfies five of the nine IRS criteria.

- 1.) Understanding and/or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate. (Criterion # 1 (5))

The project will create and use an extensive panel of data for establishments in the paper, oil and steel industries from the Census Bureau's Census of Manufacturers (CM), Annual Survey of Manufacturers (ASM) and Pollution Abatement Control Expenditures Survey (PACE). Data from sources other than the Census (*e.g.*, Lockwood directory, Compustat, Environmental Protection Agency regulatory data, Occupational Safety and Health Administration regulatory data, etc.) will be matched through the use of name and address information contained in both the Census Bureau's Standard Statistical Establishment Lists and the external data sets. Census Bureau establishment identifiers will then be used to connect the Census Bureau's data sets to one another. The creation of this data set comprised of data from many various sources will greatly aid in the assessment of the quality of the PACE data by comparing the values of variables such as abatement expenditures that are intended to represent the same information from various surveys conducted by various organizations.

Given the numerous data sets that will be combined at the establishment level, the quality of a large number of variables collected for Title 13, Chapter 5 purposes will be assessed. Examples include comparing the measures of abatement costs reported in the PACE with data from other sources collected for the same purposes and comparing input material file data (*i.e.*, data on establishments' inputs at the 7-digit Standard Industrial Classification level) from the CM with similar data that is reported in trade publications. These comparisons will be very helpful in the Census Bureau's assessment of the quality of the ASM, CM, and PACE data.

This project will also examine the consistency of PACE data across time. This topic is a particular concern because the PACE survey was not performed during the years of 1995-98. This creates a need to thoroughly examine the data after the delay relative to the values from the previous sets of surveys.

Although the researchers will be focusing on the paper, oil and steel industries, they will extend some of their analysis to all industries in the manufacturing sector as a whole. In particular, they will extend some of their analysis to produce a set of estimates for all industries included in the ASM and CM that will be used to place the results for the oil, paper, and steel industries in context of developments in the manufacturing sector of the economy as a whole.

- 2.) Identifying shortcomings of current data collection programs and/or documenting new data collection needs. (Criterion # 5 (9))

Previous work by these researchers has already uncovered some problems with the measurement of abatement costs reported for older PACE surveys with more limited

data sets for earlier years. For instance, they provided estimates from models that indicated that pollution abatement costs in the PACE tended to be understated on average relative to the true costs as revealed by a plant's productivity level. Further, they found evidence suggesting that pollution abatement capital expenditures included some productive capital expenditures, overstating true abatement expenditures. Thus, the results of the projects extensions of this type of work to the more the recent years of PACE surveys would be very beneficial to Census by aiding its decisions made on variables to collect on additional surveys.

- 3.) Identifying the limitations of, or improving, the underlying business register, Household Master Address file, and industrial or geographic classification schemes used to collect the data. (Criterion # 4 (8))
- 4.) Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5. (Criterion # 6 (10))

Verifying the coverage underlying business register and then using surveys whose sampling framework is based upon it will aid in the verification of the sample coverage contained these surveys. This project will link data on ownership from industry publications and other sources to Title 13, Chapter 5 data. The project plans to compare the outside plant ownership data to that collected and maintained by Census on establishments that is derived from the underlying business register and updated over time with the Census Plant Ownership Survey. Disagreements as to the nature and timing of plant ownership across time would suggest revisions to the underlying business register and/or changes in the Census Bureau's efforts of collecting data that might include asking for more detail relating to on ownership characteristics on survey forms.

- 5.) Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5 (criterion # 7 (11))

This project will produce analytical results (chiefly in the form of regression results) that will greatly aid in our understanding of the characterization of the population of paper, oil, and steel manufacturing establishments. First, the project will produce estimates of the relation between different types of environmental regulations and the environmental performance of manufacturing plants (*i.e.*, emissions, compliance with regulations and occupational safety measures), along with estimates of the relationship between differences in regulatory environments and the level and/or location of new investment. Second, the project will develop estimates that measure the differences that arise in the relationship between total factor productivity and pollution abatement across different types of manufacturing plants such as those associated with single- versus multi-establishment plants. Third, the project will develop estimates of the relationship between corporate restructuring and environmental performance, along with the effects of organizational structure (*e.g.*, part of a single- or multi-establishment firm) on total factor productivity.



As mentioned previously, some of the analysis will also be extended to the set of manufacturing industries as a whole, rather than just those of paper, oil, and steel production. The examination of all of these relationships will increase the Census Bureau's knowledge base of the factors that affect pollution emissions, factor productivity, and location of manufacturing activity and investment.

**Comment:** While this project focuses on only three industries (paper, oil and steel), it is considered strong by reviewers because it deals with data collected in three different Census Bureau's collection programs: Annual Survey of Manufactures (ASM), Census of Manufactures (CM) and Pollution Abatement Expenditures Survey (PACE). The project also links these Census data to data taken from other sources such as Compustat, Environmental Protection Agency regulatory data, and others. Combining data from different sources would help the researchers to identifying shortcomings of Census data, verifying the coverage underlying business register and sample coverage of Census surveys. Also, the researchers have worked with these data in a previous study and have uncovered some measurement problems with older PACE surveys. Thus, it is believed that the results of this extended project would be very beneficial to the Census Bureau by aiding its decisions made on variables to collect on future surveys.

As with the project in example # 1, this project satisfies 5 of the nine negotiated criteria. In their benefits statement, the authors also *clearly* explained *why* and *how* their project satisfies these five cited criteria.

- **Weak Examples:**

**Weak Example # 1:** This project satisfies four of the nine negotiated Criteria.

- 1.) Understanding and/or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate. (Criterion # 1 (5))

This study will be the first to carry out an extensive analysis of data for a particular state, and as such would help to evaluate whether the current sample allocation is adequate to the task. One of the central goals of the MEPS-IC sample design is to provide adequate sample size to support estimates of the characteristics of health insurance offerings at the state level. Because the impact of health care reforms is likely to vary among different types of employers, the study results will be helpful for evaluating not only what is an adequate sample size for state-level analyses, but also the suitability of the current sample distribution across different employer-size classes, such as firms with more than 50 employees versus those with 50 or fewer employees. This information can be used to improve the sample allocation, and to evaluate the benefits of increasing sample sizes. In addition, as the proposed study will use five years of MEPS-IC data, it will provide evidence on the stability of estimates from the data across years to evaluate their reliability in measuring changes over time.

- 2.) Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate (criterion #2 (6));

The project will develop a new methodology for measuring the degree of crowding-out associated with public health care reforms using MEPS-IC data that can be applied to data from other states as well as Massachusetts. The phenomenon of crowding-out occurs when employers encourage employees to substitute public coverage for private coverage once public coverage is expanded. The result is that total coverage expands by less than the expansion in public coverage. Given that providing estimates to inform decision-making is an important objective of the survey, and that states have made many recent changes to public health care programs, this new methodology will be valuable to the MEPS-IC program. Many of the recent changes in state health care programs are in response to federal initiatives; so evaluating their effects is of great importance to federal decision makers, as well as those at the state level.

- 3.) Identifying shortcomings of current data collection programs and/or documenting new data collection needs, (Criterion # 5 (9))
- 4.) Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5 (Criterion # 7 (11))

The project will produce two sets of estimates of changes in employer health insurance offerings: one based on simple differences in summary statistics before and after health care reforms, and a second set in which regression analysis is used to control for confounding factors, such as differences in state-wide industry norms and standards. By comparing two different approaches to constructing these types of estimates, the project will contribute to understanding the limitations of relatively simple changes-in-means for understanding the effects of health care reforms. This will inform the Census Bureau's knowledge base of the type of data that needs to be collected to support such estimates that could be generated across other U.S. states.

**Comment:** While this proposed project is approved, it was considered weak relative to other approved projects. One reason is that its scope is narrow in that it studies only a single state (Massachusetts), using a single data set (MEPS-IC). Also, the potential benefits to the Census Bureau described in the benefits statement are rather "indirect." For example, the researchers wrote: "This project will develop a new methodology for measuring the degree of crowding-out associated with public health care reforms" (criterion # 2 (6)). It is not very clear how this "new methodology" will help the Census Bureau to "improve methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate."

**Weak Example # 2:** This project satisfies three of the nine negotiated criteria.

- 1.) Enhancing the data collected in a Title 13, Chapter 5 survey or census; for example, by improving imputations for non-response; or by developing links across time or entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5 (Criterion# 3 (7))

The National Employer Survey (NES) data set can distinguish between firms that "fully" completed the survey from those that only "partially" completed the survey (i.e., those for which there is "item non-response."). Census Bureau research on the characteristics of non-response in demographic (household) surveys has (in some cases) enhanced survey methods by (for example) identifying sets of probes that could be added to the questionnaire in order to improve reporting. One of the authors of this proposal participated in such a study. The NES presents an opportunity to apply this methodology to an economic (or establishment-level) survey. Thus, identifying the characteristics of firms that are likely to only complete "partial interviews" would aid in the Census Bureau's efforts to collect more accurate economic information.

- 2.) Identifying the limitations of, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data. (Criterion # 4 (8))

Several fields on the NES can be directly compared to information contained in the SSEL: information on the NES on the numbers of workers of various types employed at the establishment, and information on whether or not the establishment is part of a multi-establishment firm. The information on employment and the identification of multi-establishments may be used to identify entities that have experienced reorganization. Over time, for example, it is possible for two entities to become one. The Census Bureau must then track one entity instead of two. Furthermore, survey-reported employment items from the NES can be compared to employment totals from the SSEL, possibly leading to improvements in either or both.

- 3.) Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5 (criterion # 7 (11))

This project will use the 1997 internal National Employer Survey (NES) file, which is augmented with a few variables from the SSEL, to examine the relationship between minimum state-level wages and on-the-job training. The establishment-level NES offers advantages over household (worker) data for this purpose, because it is firms that decide to offer training. In comparison with previous studies of the relationship between minimum wages and on-the-job training, this project will have better measures of job training (from the NES); better measures of how "binding" the minimum wage is; better ability to control for establishment level determinants of training (e.g., turnover); and better measures of other establishment characteristics, such as the gender composition of the workforce and management practices.

**Comment:** As with the project in the above example, this proposed project was approved, but it was considered weak by reviewers. It satisfies only three of the nine negotiated criteria. Of these three, the project appears to satisfy adequately only criterion # 5 (9) by dealing with the characteristics of non-response and, hence, it has the potential to benefit the Census Bureau in their effort to collect more accurate data. For the other two criteria (# 4 (8) and # 7 (11)), the project just barely "clears the bar."

## Enclosure 3

*Data Stewardship Executive Policy Committee*  
*Policy on*

**Controlling Non-Employee Access to Title 13 Data**

---

**EXECUTIVE SUMMARY**

Title 13, United States Code (U.S.C.), Section 9 requires the U.S. Census Bureau to protect the confidentiality of respondent information. Therefore, no one can access such data – commonly referred to as “Census confidential data” -- unless he or she is authorized to do so under this title and is made subject to its confidentiality requirements.

Those who may access the data fall into two categories: (1) employees and (2) non-employees who receive Special Sworn Status (SSS). Title 13, U.S.C., Section 23(c), permits the Census Bureau to provide SSS to non-employees who help the Census Bureau carry out its work, by making them liable for penalties for unauthorized disclosure and use of protected information, just as employees are. Most non-employee access to Census confidential data takes place at Census Bureau facilities, which are operated and managed by Census Bureau employees. Occasionally, access takes place “off-site” – at a non-Census Bureau site, such as at a Census Bureau-approved secure location at another agency, university, or contractor’s facility. Under any of these scenarios, access to Census confidential data pursuant to Title 13, U.S.C., Section 23(c) is not a right. Access is discretionary on the part of the Census Bureau, which solely makes the determination under Section 23(c) when it is appropriate to confer SSS to assist the Census Bureau in performing work authorized by Title 13.

This policy establishes three project criteria and three individual/organizational criteria for determining if a non-employee should be given SSS. It also sets four additional criteria to be used by the Data Stewardship Executive Policy Committee (DSEP) in determining if a project can take place at a non-Census Bureau facility, if needed.

**PURPOSE**

The purpose of this policy is to establish criteria and procedures for determining when it is appropriate to confer SSS on an individual for purposes of working with Census confidential data and when it is appropriate for access to those data to take place at a non-Census Bureau site or facility. In so doing, this policy enhances guidance provided by the Privacy Principle for Confidentiality, by establishing clear criteria for Census Bureau staff. The implementation of the policy also will permit the Census Bureau to closely monitor how many SSS people are working for the agency, where they are located, and what they are working on.

## **LEGAL AUTHORITIES**

The chief legal authority governing non-employee access to Census confidential data is Title 13, U.S.C.:

- ❑ Section 9 requires the Census Bureau to protect the confidentiality of respondent information
- ❑ Section 23(c) permits the Census Bureau to provide SSS to non-employees who help the Census Bureau carry out its work, by making them liable for penalties for unauthorized disclosure of protected information, just as employees are
- ❑ Section 214 (as updated) provides the penalties for unauthorized disclosure – a fine of up to \$250,000 or a jail term of up to 5 years or both.

Non-employees are also subject to the Privacy Act of 1974 and the Office of Management and Budget's (OMB) Circular A-130, which provide for confidentiality and informed consent in data collection activities.

## **SCOPE**

This policy applies to all new and existing projects involving individuals with SSS. It covers all non-employees accessing data protected by Title 13, U.S.C., Section 9, for all types of economic, demographic, and decennial projects and activities. It does not apply to foreign trade data, collected under Title 13, U.S.C., Section 301 or to data collected under Title 15, U.S.C. Furthermore, it does not apply to those with "incidental access" to Census confidential information – i.e., those who have authorized access to a Census Bureau secure site but do not have authority to access Title 13 data, such as guards or delivery persons.

## **BACKGROUND**

The Census Bureau has used SSS persons throughout its program areas for a wide number of tasks, including:

- ❑ Contracting for persons with skills in areas for which recruiting has been a problem
- ❑ Arranging for firms to carry out tasks requiring special space, equipment, location, or turnaround, which would be too costly for the Census Bureau to develop on its own
- ❑ Permitting survey sponsors to participate in program development and assessment to ensure higher quality results from reimbursable surveys
- ❑ Providing access to Census confidential data for academic researchers with specific expertise, for purposes of analyzing and improving current data sets and methods.

Although the Census Bureau has made valuable use of the SSS authority for many years, there has not been any systematic accounting or monitoring of how many SSS people are accessing data at any given point in time and for what specific purposes. This was emphasized when the Internal Revenue Service (IRS) asked for a count of SSS accessing federal tax information (FTI). The Census Bureau was unable to provide a count in a timely manner, given that our records did not distinguish access to federal tax information from access to census data. Furthermore, without centralized tracking, some areas had not updated their rolls to reflect removal of SSS persons whose access to the data had already expired.

As a result of this and other problems that emerged from the IRS Safeguard Review, the Census Bureau has developed an Administrative Records Tracking System or ARTS, that provides a means of tracking and generating reports on SSS people working with administrative records (incorporated FTI) and their projects. This policy complements that work by providing a means to better identify and track **all** SSS persons, in particular those who do not have access to administrative records.

In response to growing privacy concerns that emerged from the 2000 decennial census and the desire to further refine Privacy Principle 4, however, this policy sets out to do more than yield a count of SSS people; it spells out criteria for deciding if a person should be given SSS, based on an assessment of the project, the individual, and the person's organization.

## **POLICY**

Attachment A provides a glossary of terms for this policy. Attachment B presents an overview of the approval process. It identifies where the criteria are applied (darkened boxes) and the effective flow of the project involving SSS people. The specific criteria to be applied are presented below.

### **Criteria That Must Be Met Before Conferring SSS**

In order for an individual to qualify for SSS, the *project* must:

- ❑ Require access to Census confidential data
- ❑ Benefit the Census Bureau's Title 13 programs – see *Title 13 Criteria Handbook*
- ❑ Be a viable project
  - ❑ Be feasible within the time constraints and with the proposed data
  - ❑ In the case of access to administrative records, abide by any use restrictions specified in agreements with source agencies – see ARTS<sup>1</sup>
  - ❑ Be able to adhere to Census Bureau disclosure requirements

---

<sup>1</sup> The Administrative Records Tracking System maintains and tracks all users of administrative records at the Census Bureau. Any proposed project involving administrative records must be entered into the ARTS, which contains all underlying agreements for administrative records acquired by the Census Bureau.



- ❑ Be consistent with the Census Bureau's Privacy Principles – see *Census Bureau Privacy Principles and Subprinciples*

In addition, the **individual** and the **organization** with which he/she is affiliated must:

- ❑ Have a good track record for handling sensitive or confidential data
- ❑ Have no identified conflict of interest in dealing with the Census Bureau – i.e.,
  - ❑ No **real** conflict of interest from having taken an oath or pledge that conflicts with the Title 13 pledge of confidentiality – e.g., the IRS oath; or
  - ❑ No **real** or **perceived** conflict of interest – i.e.,
    - ❑ Financial – a representative from a company who might use his access to the data to produce results that are biased; someone who might use the data to benefit his employer
    - ❑ Personal – a family member who is related to the Census Bureau project decision maker; a previous close collaborator who recommends approval of an External research project
    - ❑ Partisan – an individual or organization that displays partisan political or issues advocacy motives
- ❑ Pass the background investigation for SSS candidates – see Form BC-1759(ef).

Projects involving individuals or organizations with a **real** conflict of interest will be denied; those with a **perceived** conflict of interest must be approved by the DSEP – e.g., individuals who work for an enforcement or regulatory agency or credit bureau personnel who could raise perception concerns if they are provided access to Census confidential data.

If a project and associated people meet the above criteria, SSS may be conferred. In most cases, the SSS individual is going to access the Title 13 data at a Census Bureau facility. Then, such access must occur according to the *Policies and Procedure Manual S-5 Information Security (handbook)* which spells out procedures to ensure adequate protection during the period of access.

### **Criteria That Must Be Met Before Off-Site Access May Occur**

Off-site access depends, in part, on which of the five project types is involved (Attachment A provides additional information):

- ❑ **Internal** – projects authorized by Title 13, U.S.C., operated and managed by Census Bureau employees (including SSS people who are covered by the Intergovernmental Personnel Act Mobility Program). These projects are generally funded by Census Bureau appropriated funds.

- ❑ **Joint** – projects with a Title 13 purpose, to which both the Census Bureau and another participating federal statistical agency or unit contribute confidential data and resources. Work is jointly managed and access can -- though it is not required to -- take place at both agencies.
- ❑ **Reimbursable** – projects for which the Census Bureau receives reimbursement, in whole or in part. For purposes of this policy, reimbursable projects are limited to those projects carried out under the authority of Title 13, U.S.C.
- ❑ **External** – projects with a predominant Title 13 purpose that are proposed by academic, governmental, nonprofit, and for profit organization researchers, approved by the Census Bureau using the existing Center for Economic Studies (CES) Project Review procedures<sup>2</sup>, and carried out by the non-employees at a Census Bureau site – usually at the CES Office at Census Bureau HQ or at a Census Bureau Research Data Center (RDC) – under Census Bureau supervision.
- ❑ **Oversight** – projects to oversee or audit some aspect of Census Bureau operations, carried out by an organization with specific legal authority to conduct oversight activities, such as the General Accounting Office or an agency from which the Census Bureau obtains confidential administrative records data.

External projects must be carried out at a Census Bureau facility. Internal, Reimbursable and Oversight projects also should occur at a Census Bureau facility, but the DSEP may grant exceptions. Requests for exceptions must meet the criteria set forth, as follows<sup>3</sup>:

- ❑ Provide a technical/logistical advantage (acceptable interpretations of these criteria provided in Attachment C) *and*
- ❑ Meet the Required Security Models for Off-site Access (see Attachment D) *and*
- ❑ In the case of a governmental agency or organizational unit, have legal or regulatory functional separation of the data collected for statistical purposes<sup>4</sup> *and*
- ❑ Obtain DSEP approval prior to any major commitment of resources.

Under some circumstances, a Joint project may require SSS individuals to access the data at the partner's location. Such access will be granted by the DSEP if the criteria noted above are met.

If the DSEP approves off-site access for an Internal, Reimbursable, Oversight or Joint project, such access must occur according to the Attachment D and the Policies and

---

<sup>2</sup> See <http://www.ces.census.gov/ces.php/home>.

<sup>3</sup> Projects involving access to files with personal identifiers on them will undergo special scrutiny before off-site access is permitted.

<sup>4</sup> The one exception to this rule is to permit off-site access for selected Joint projects carried out at the Social Security Administration (SSA). Although the SSA's functional separation is in practice, not in law or regulation, this exception is made in view of the SSA's more than 30-year history of protecting Title 13 data and the integral role that SSA data play in ongoing Title 13 programs.

Procedures Manual S-5 Information Security (handbook), which spells out procedures to ensure adequate protection during the period of access.

## **IMPLEMENTATION**

### **❑ Responsibilities for Implementation**

Implementation of this policy involves a number of areas of the Census Bureau, but application of the criteria begins in the program area Divisions, when the project is initially conceived. The process is designed to permit the program area Divisions to approve projects involving SSS persons. However, it provides for elevating any project involving off-site access to the DSEP. Further, it ensures that the DSEP is consulted before any legal, financial, or other formal arrangements are made, even though – in an open competition contracting environment – the organization and individuals may not yet be identified.

If a project involves access at a Census Bureau facility to Title 13 data only, it can be approved using the Division's existing decision making authority. (All External projects must undergo CES Project Review, for approval purposes.) If it involves administrative records, the standard Administrative Records Project Review approval is required next. (See the *Administrative Records Handbook*, Section 3, for directions on how to proceed.)

Once the program area Division has assessed a need for and defined the project, the Project Contact is responsible for ensuring that each of the following areas is consulted regarding the project:

- ❑ The Acquisition Division – if a *Form CD-435: Procurement Request* is involved
- ❑ The Budget Division – if a reimbursable agreement or Miscellaneous Obligation Agreement is involved (Unfunded interagency agreements go through the Office of Analysis and Executive Support.)
- ❑ The Anti-Terrorism Branch, Office of Security – if the project involves changes to or a new physical location
- ❑ The Information Technology Security Office – if the project involves access to the network or to electronic data
- ❑ The Counter-Espionage Branch, Office of Security – for all SSS people
- ❑ The Office of Analysis and Executive Support (OAES) – if the project involves off-site access and must obtain DSEP concurrence.

Each area is responsible for applying the respective criteria from this policy.

The Contracting Officer's Technical Representative (COTR) – or, if there is no COTR, the Project Contact in the program areas – is responsible for maintaining accurate information about the SSS person and his/her project in the Commerce Business System (CBS). The Administrative and Management Systems Division is responsible for maintaining the CBS modules. OAES is responsible for generating

reports from the CBS on SSS for the DSEP and for ensuring that the policy is properly implemented and carried out.

❑ **Implementation and Awareness Strategies**

OAES, in conjunction with the Workforce Development Branch, Human Resources Division, and the Communications Directorate will conduct an introductory information session on the policy in late Summer 2002. The session will be targeted at Division Chiefs, Branch Chiefs, Project Contacts and COTRs. The session will provide an overview of the policy and basic information on how to implement it. A job aide will be provided to help the participants apply the policy.

Subsequent training sessions will be targeted to those areas that have specific implementation roles, such as the Acquisition Division and the Counter-Espionage Branch, OSY. These sessions will focus specifically on the steps for implementing the policy in the particular area being targeted. In addition, the Acquisition Division has established a new series of Acquisition Awareness seminars that will disseminate information about these procedures as they relate to the acquisition process.

Eventually a more general DSEP policies awareness series will be developed that will focus on the role of the DSEP and highlight this policy and others. This latter approach will be used to refresh awareness and reach out to new Project Contacts, along with full documentation that will reside on the OAES Intranet site.

OAES will issue a campaign implementation guide, which will provide further details. Compliance with the procedures specified in the guide is part of compliance with this policy.

**REFERENCES**

Information Technology Security Office, U.S. Census Bureau (2001), *Policies and Procedures Manual S-5 Information Security (handbook)*, internal documentation, January 2001.

Policy Office, U.S. Census Bureau (2001), *Administrative Records Handbook*, internal documentation, May 2001.

**DATE POLICY BECOMES EFFECTIVE:** July 31, 2002

**SIGNATURE:**

Signed \_\_\_\_\_  
John H. Thompson  
Chair, Data Stewardship Executive Policy Committee

July 16, 2002 \_\_\_\_\_  
Date

**DATE UPDATED:** October 16, 2002

## **ATTACHMENTS**

- Attachment A – Glossary of Terms for Controlling Non-employee Access Policy
- Attachment B – Summary Flow of Non-employee Access Policy Implementation
- Attachment C – Justification Criteria for Off-site Non-employee Access to Title 13 Data
- Attachment D – Required Security Models for Off-site Non-employee Access to Title 13 Data
- Attachment E – Proposal Template for Requests for Off-site Access to Title 13 Data for the Data Stewardship Executive Policy Committee

## **Glossary of Terms for Controlling Non-employee Access Policy**

**Administrative Records** – Administrative records and administrative records data refer to microdata records contained in files collected and maintained by administrative (i.e., program) agencies and commercial entities. Government and commercial entities maintain these files for the purpose of administering programs and providing services. Administrative records are distinct from systems of information collected exclusively for statistical purposes, such as those the U.S. Census Bureau produces under the authority of Titles 13 or 15 of the United States Code (U.S.C.). For the most part, the Census Bureau uses, and seeks to use, administrative records developed by federal agencies. To a lesser degree, it may use information from state, local, and tribal governments, as well as from commercial entities.

**Administrative Records Project Review** – Administrative Records Project Review refers to the review process that has been established to assess projects involving the use of administrative records. Steps for submitting a proposal and receiving approval via the Administrative Records Tracking System are fully detailed in the *Administrative Records Handbook*. Because data acquisition agreements may specify special conditions under which a data set may be used, it is important to ensure that all projects involving administrative records pass through the Administrative Records Project Review.

**Business Entity** – This policy applies both to person data and business entity data. A business entity may be an enterprise, legal entity, or an establishment.

**Census Bureau Facility** – A Census Bureau facility is a location that is operated and managed by Census Bureau staff -- not contractors -- although contractors or other Special Sworn Status (SSS) individuals may work at the facility. Current Census Bureau facilities include the Suitland Federal Center buildings; the Bowie Computer Center; the National Processing Center; the telephone centers;; the Regional Offices; and each of the Research Data Centers. During the decennial census, Local Census Offices opened to carry out data collection and processing were also considered Census Bureau facilities. Census Bureau facilities meet physical and Information Technology (IT) security requirements for a secure environment.

**Census Confidential** – “Census confidential” data are data protected from disclosure under Title 13, U.S.C., Section 9. (Note: Foreign trade data are collected under the authority of Title 13, U.S.C., Section 301 and provide for exemptions in the National interest not permitted under Section 9.)

**Confidentiality** – Confidentiality prohibits the dissemination of data in a manner that would allow public identification of the respondent or would in any way be harmful to him/her and provides that the data are immune from legal process. The Census Bureau applies disclosure review criteria, as defined or recognized by the Disclosure Review Board (DRB), to reduce the risk of authorized disclosure of confidential data. (Note that this permits other units of the Census Bureau to set criteria that exceed those of the DRB, but they may not set criteria that provide less protection than the thresholds and disclosure limitation techniques that the DRB would endorse.)

For Census confidential data, confidentiality also ensures that the data will be used only for statistical purposes.

**Conflict of Interest** – A conflict of interest is an irreconcilable difference between the interests and official responsibilities of a person in a position of trust. For purposes of this policy, we have identified several different types of conflicts of interest – both real and perceived. These include:

- ❑ Direct conflicts due to having taken an oath that contradicts the Census Bureau Oath of Nondisclosure
- ❑ Financial conflicts
- ❑ Personal relationship conflicts
- ❑ Organizational conflicts
- ❑ Partisan conflicts

All but the first may be either real or perceived. For purposes of this policy, projects involving persons with perceived conflicts of interest require approval from the Data Stewardship Executive Policy Committee (DSEP) before they can be finalized. Conflict of interest determinations regarding the individual are generally assessed as part of the background investigation; determinations about the organization are generally assessed as part of the contract review process. The CES also assesses conflict of interest as part of the project review process for External projects.

**Contract** – A contract is a mutually binding legal relationship obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. Simplified acquisitions are contracts for less than or equal to \$100,000; if the amount to be paid is more than \$100,000, the agreement is called a contract.

**Disclosure Requirements** – Disclosure requirements are the steps taken to mitigate the risk that information about an individual respondent can be identified. Disclosure limitation procedures commonly used at the Census Bureau include rounding, minimum cell sizes, cell suppression, and data swapping. The DRB can review data products prior to public release to ensure that they meet the current guidelines for data protection.

**Economy Act** – The Economy Act (31 U.S.C. 1535) provides authority for placement of orders between major organizational units within an agency. Each Economy Act order accompanies a reimbursable agreement and includes a completed Form BC-505A. Each agreement must include a Determination and Finding (D&F), prepared by the sponsoring agency. For more information, see <http://www.arnet.gov/far/farqueryframe.html>.

**Employees** – Employees are individuals who work directly for the Census Bureau, usually for salary or wages.

**Existing Projects** – Existing projects are current and ongoing projects for which the scope, status (e.g., one-time or cyclical), methodology, data linkage strategies, data sets, or data uses have not changed. An existing project does not have to undergo assessment under this policy unless it experiences one or more of the above mentioned changes. A new SSS person can be added to an existing project by assessing the individual, but not the project.

**External Projects** – External projects have a predominant Title 13 purpose and are proposed by academic or governmental researchers, approved by the Census Bureau, and carried out by the non-employees under SSS at a secure Census Bureau site – usually at the CES or at an RDC – under Census Bureau supervision.

**Foreign Trade Data** – Foreign Trade data are data collected under the authority of Title 13, U.S.C., Section 301 and includes “information pertaining to exports, imports, trade, and transportation relating thereto, as [the Secretary] deems necessary or appropriate to enable him to foster, promote, develop, and further the commerce, domestic and foreign, of the United States and for other lawful purposes.”

Foreign Trade data are out of scope for this policy, because they not covered by Section 9 confidentiality. Instead, Section 301(g) exempts from public disclosure all export data unless the Secretary determines that an exemption would be contrary to the National interest.

**Functional Separation** – Functional separation refers to separating the use of information about an individual for a research or statistical purpose from its use in arriving at an administrative or other decision about that individual. Title 13, U.S.C., Section 9 requires the Census Bureau to use data are collected for statistical purposes only.

**Good Track Record --** Good track record applies to the past performance of individuals and their organizations. It includes their experience in handling sensitive or confidential data. Most of the time, this information is collected as part of the contract process and background investigation. If an individual seeking access to Census confidential data has previously had access to other sensitive or confidential data without incident, that is an indicator of the likelihood that the individual can be trusted to access Title 13 data.



In assessing the organization, the Census Bureau looks at the overall agency or organization, as well as a specific unit of that organization, if that unit has features that are germane to the assessment – e.g., an individual works for an agency with regulatory functions, but holds a position in a statistical unit of the agency with functional separation and a history of handling sensitive data. The Census Bureau may decide that his track record with sensitive data outweighs any perceived concerns about providing data to a person from an agency with regulatory functions.

**Incidental Access** – Incidental access refers to accessible non-employees who do not have authorized access to Title 13 data, but do have access to a facility where Title 13 information resides – i.e., library contractors; cafeteria staff, and the maintenance repair persons. In addition, individuals such as software and systems development personnel may also have incidental access, if they do not require access to Title 13 data to carry out their work.

For purposes of this paper, we consider non-employees with incidental access out of scope. They do not have to be assessed according to the policy's criteria to determine if they can obtain SSS; they must simply meet the requirements specified by the Counter-Espionage Branch, Office of Security.

**Individual** – For purposes of this policy, the individual is the person who will be given Special Sworn Status. Certain information about this person is collected to assess the risk of permitting him or her to access Title 13 data.

**Internal Projects** – Internal projects are authorized by Title 13, U.S.C., organized and managed by Census Bureau employees, including those at the Census Bureau under the Intergovernmental Personnel Act Mobility Program. These projects are generally funded by Census Bureau appropriated funds. Decennial operations, including the Local Update of Census Addresses (LUCA) project, program design and evaluation work, computer programming and systems development are all examples of Internal projects.

**Joint Projects** – Joint projects are projects that have a Title 13 purpose, to which both the Census Bureau and the other participating federal statistical agency contribute confidential data and resources. Work is jointly managed and access can – though it is not required to – take place at both agencies. The Census Bureau's current arrangements for mutual access to confidential data with the Social Security Administration and the Bureau of Labor Statistics are examples of Joint projects.

**Memoranda of Understanding** – Memoranda of Understanding or MOUs are agreements between agencies that involve an exchange of goods or services without the exchange of funds. The MOU spells out the details of the arrangement, including the expectations and obligations of each party; the data involved, if any; and start and end date of the agreement.

**Miscellaneous Obligation Agreements** – Miscellaneous Obligation Agreements or MOAs are agreements between the Census Bureau and another entity – often another Federal agency – for goods or services. Under MOAs, the Census Bureau provides the funds for the goods or services. For example, the Census Bureau pays a fee to the National Science Foundation in return for NSF coordination of the Digital Government Initiative.

**New Projects** – New projects are subject to the Census Bureau review and approval process described in this policy. A project is considered new if:

- ❑ It is an original idea for a project that has not already been approved.
- ❑ It is an approved project for which the scope, status (i.e., goes from one-time to cyclical), methodology, data linkage strategies, data sets, or data uses change.

**Non-employees** – Non-employees, for purposes of this policy, are individuals who work for or carry out services for an entity or individual other than the Census Bureau and who do not receive salary or benefits directly from the Census Bureau. In accordance with Title 13, U.S.C., Section 23(c), non-employees who are authorized to access Census confidential data must first take the Oath of Nondisclosure, swearing to protect the confidentiality of the data and acknowledging that they are subject to penalties for unauthorized disclosure and use.

**Oath of Nondisclosure** – Title 13, U.S.C., Section 9(a)(3) states that persons who are permitted to examine individual reports must be sworn officers and employees of the Department or bureau or agency. The text for the Oath of Nondisclosure that is given to all new employees and SSS staff is on the *Form BC-1759: Special Sworn Status*.

**Off-site Access** – For purposes of this policy, off-site access is access to Title 13 data that takes place at a non-Census Bureau facility – e.g., at another agency, a university, or a contractor’s site. In all cases, the off-site location must be a Census Bureau-secure site, meaning it meets minimum requirements for safe access to Title 13 information.

**Organization** – For purposes of this policy, the organization is the place where the person who will be given Special Sworn Status works. Certain information about this person’s organization is collected to assess the risk of permitting him or her to access Title 13 data.

**Organization Criteria** – By law, the Census Bureau may provide SSS only to an individual, not to the organization with which he/she is affiliated. Hence, all access belongs to the SSS individual, not his organization. However, in assessing conflict of interest and security, it is important to look at the organization, as well as the individual – especially if the access is going to take place off-site.

**Oversight Projects** – Oversight projects oversee or audit some aspect of Census Bureau operations, carried out by an organization with specific legal authority to

conduct oversight activities, such as the General Accounting Office or an agency from which the Census Bureau obtains confidential administrative records data.

**Personal or Business Identifiers** – Personal and business identifiers are labels or codes that identify one and only one individual or business entity, including:

- ❑ Individual/householder/contact names or business entity name, name of the parent company, or names of business officials within the company
- ❑ Social Security Numbers or Employer Identification Numbers
- ❑ Inmate identification numbers
- ❑ Identified numbers assigned to individuals or business entities by a company or government agency, such as an account number.

Also included are addresses, e-mail addresses, and telephone numbers assigned to individuals or businesses or shared by a few individuals or businesses, but only when these are associated with characteristics of the individuals or businesses linked to this information. For instance, addresses with the associated demographics of the household members are defined as personal identifiers, even though they are not specifically linked to the householder's name. This qualification is designed to recognize that individuals may be identified through easily known references. Similar examples hold true for business entities.

**Privacy Principles** – Privacy refers to an individual's right to safeguard his own information. The Census Bureau's four overarching Privacy Principles are:

1. **Principle of Mission Necessity:** The Census Bureau will only collect information that is necessary to achieve the Census Bureau's mission and legal requirements.
2. **Principle of Informed Consent:** The Census Bureau will ensure that participants in data collection activities are informed about the purpose and planned statistical uses of the information collection.
3. **Principle of Protection from Unwarranted Intrusion:** The Census Bureau will respect respondents' rights to decide the conditions of their voluntary participation in surveys and will respect their rights as research participants.
4. **Principle of Confidentiality:** The Census Bureau will ensure that confidentiality protections are included in its procedures to collect, process, and release data.

All Census Bureau activities should be governed by these four Principles.

**Project** – A project is a set of activities that has a distinct mission and clear starting and ending points. A project has a life cycle that proceeds from conception to planning, execution, and termination. There is generally a single point of contact for each project. A project is often part of a broader program and is a building block in the design and execution of program goals. Dependent relationships may exist

between projects. For example, one project may require output from another. Finally, projects may be directly attributed to accounts in the Census Bureau's accounting structure; e.g., Conduct 2001 Current Population Survey.

**Project Contact** – A Project Contact is the Census Bureau employee who will be responsible for managing or overseeing a project in which non-employees will have access to Title 13 data. The Project Contact for:

- ❑ Internal, Joint, and Reimbursable projects is a staff person in the program area Division sponsoring the project
- ❑ External projects is a staff person at the CES
- ❑ Oversight projects is the staff person coordinating the oversight arrangements.

**Reimbursable Agreements** – Reimbursable agreements are agreements between the Census Bureau and another entity – often another Federal agency – for goods or services. Under Reimbursable Agreements, the other entity pays the Census Bureau, in whole or in part, for the goods or services. For example, another agency might pay the Census Bureau to conduct a survey, or collect data through an existing survey, based on a Title 13 frame. The Reimbursable agreement spells out the expectations, schedule, and products of the arrangement for both parties.

Reimbursable agreements must be accompanied by a Form BC-505A and a Determination and Findings statement, per the Economy Act. For the form, see [http://cwww.census.gov/bud/reimbursable\\_work/pdf/bc505a.pdf](http://cwww.census.gov/bud/reimbursable_work/pdf/bc505a.pdf); for information on the Economy Act statement, see <<http://www.arnet.gov/far/farqueryframe.html>>.

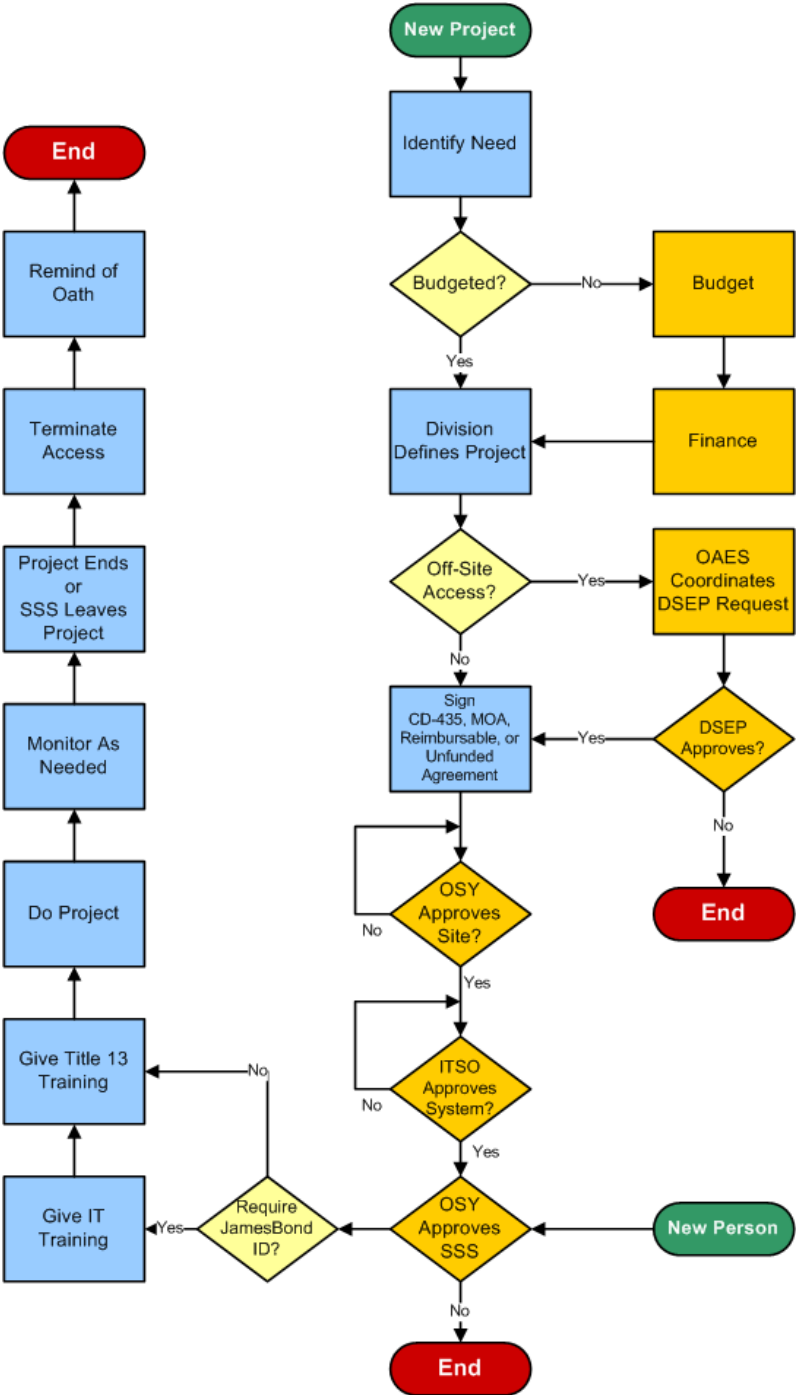
**Reimbursable Projects** – Reimbursable projects are projects for which the Census Bureau receives payment in whole or in part. For this policy, reimbursable projects are limited to those projects carried out under the authority of Title 13, U.S.C.

**Simplified Acquisitions** – Simplified Acquisitions are small dollar amount contracts – i.e., mutually binding legal relationships obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. Simplified acquisitions are contracts for less than or equal to \$100,000; if the amount to be paid is more than \$100,000, the agreement is called a contract.

**Special Sworn Status** – Special Sworn Status is the designation given to non-employees who are given the Oath of Nondisclosure in order to access Census confidential data in support of Title 13 programs. SSS is authorized by Title 13, U.S.C., Section 23(c), which permits the temporary staff to be sworn to observe the limitations imposed by Title 13, U.S.C., Section 9. (See Oath of Nondisclosure.)

**Training** – The training referred to in this policy will include the computer-based training modules for Title 13 data and IT security (and, if applicable, for Title 26 data) that are developed to reinforce the protection of the data. Some of this training already exists and some is yet to be developed.

Summary Flow of Non-employee Access Policy Implementation Steps



## **Justification Criteria for Off-site Non-employee Access to Title 13 Data**

Off-site access to Title 13 data by non-employees is limited by the U.S. Census Bureau's policy for Non-employee Access to Title 13 Data. As specified in the policy, some exceptions may be considered if there is a technical justification for carrying out the project at a non-Census Bureau location. Furthermore, off-site access must be approved by the Data Stewardship Executive Policy Committee (DSEP).

This document defines what is meant by a technical justification to take Title 13 data off-site. It identifies criteria for determining technical requirements, logistical requirements, and cost considerations. These criteria -- either alone or in combination with each other -- must be met to justify off-site access to Title 13 data by non-employees.

### **Technical Requirements**

The following are technical requirements that would justify off-site access to Census confidential data:

- ❑ The project requires ongoing access to a continuously updated database maintained at the off-site location, rather than a one-time or limited number of accesses
- ❑ Production scheduling requirements (including differences imposed by different time zones) can be met most effectively at an off-site location, whereas setting up the project at a Census Bureau facility would adversely impact the schedule (this includes the need for quick turnaround, but is not intended to accommodate poor planning)
- ❑ Special hardware/software is required that the Census Bureau does not have and it is not feasible to purchase
- ❑ Data from the off-site location require a stricter level of security than the Census Bureau provides and it is not feasible to upgrade the Census Bureau's security to that level

### **Logistical Requirements**

The following are logistical issues that would justify off-site access to Title 13 data:

- ❑ The project requires the use of extensive physical space or access to transportation infrastructure that does not exist at Census Bureau facilities and could be provided at the off-site location -- e.g., the decennial census questionnaire printing operations

- ❑ The project requires participation by individuals across the Nation, e.g., the Census 2000 Local Update of Census Addresses (LUCA) project
- ❑ The project involves multiple people at the off-site location -- e.g., a unit of people with special expertise -- and bringing them to a Census Bureau facility is not feasible.
- ❑ The project involves access by SSS individuals for data collection efforts in overseas areas, e.g., to conduct censuses and surveys in outlying territories or for counting Americans living overseas.
- ❑ The project involves Oversight auditing activities at an off-site location.

### **Cost Considerations**

Off-site access also may be justified in terms of cost considerations. Here the Census Bureau assesses the costs of carrying out the project both at the Census Bureau and at the off-site location and compares the costs to determine cost effectiveness. Cost, alone, may serve as a technical justification for off-site access if it would be *cost prohibitive* to carry out the work at the Census Bureau and if the Title 13 data do not include personal or business identifiers. If personal or business identifiers are involved, the DSEP will require other technical/logistical justifications, as well.

In determining costs, consider the following items:

- ❑ Direct costs – hardware, software, facility space, additional security (if needed) to cover the required security model, etc.
- ❑ Program costs -- including an on-site Census Bureau employee, in some cases
- ❑ Personnel costs -- including travel, per diem, etc., if applicable
- ❑ Support costs – including Telecommunications Office costs, to set up the telecommunications network; physical security, to approve the site; and the Information Technology Security Office's costs, for maintaining and assuring security at the site – e.g., staff travel and time to conduct audits
- ❑ Any non-recoupable costs that are project-specific and cannot be used for/applied to other program work

### **Caveat**

In addition to these technical criteria, no project will be approved for off-site access if it cannot meet the requirements set out for the required security models – see Attachment D.

## **Required Security Models For Off-site Non-employee Access to Title 13 Data**

The required security models establish the security provisions for off-site access to Title 13 data. These provisions vary, depending on the extent to which security practices can be expected to meet existing U.S. Census Bureau requirements for safeguarding and protecting Census confidential data. For this policy, the models distinguish among three organizational profiles, based on the type of organization that owns and operates the site that will be used to access Title 13 data – Executive Branch of the Federal Government, Private Sector Contractors, or University-based Independent Researchers. The Information Technology Security Office (ITSO) will identify the appropriate security model for other types of organizations not explicitly described here.

***Note: The required security model applies to Internal, Reimbursable, Joint and Oversight projects. Exceptions to the policy for off-site access will not be considered for External projects; these projects must take place at a Census Bureau facility.***

### **Organizational Profiles**

These security provisions will be implemented in an increasingly more protective manner, depending on the type of organization at which off-site access will occur. For detailed instructions on security requirements, see the Policies and Procedure Manual S-5 Information Security (handbook).

- ❑ **Executive Branch Agency of the Federal Government**
  - ❑ Establish close contact with the off-site security officers to confirm physical and IT security protections (Federal statistical agencies have comparable security requirements.)
  - ❑ Establish a security plan
  - ❑ Establish a set of requirements for systems level, file level, printing, and deletions auditing
  - ❑ Require the statistical agency security staff to train the individuals with Special Sworn Status (SSS), providing details on Title 13-specific restrictions (Training modules being developed.)
  - ❑ Place a Census Bureau employee at the off-site location if the risk and magnitude of the project warrant direct oversight
  - ❑ Carry out one scheduled site visit and one or more surprise site visits each year



❑ **Private Sector Contractors**

- ❑ Establish close contact with the off-site security officers to confirm physical and IT security protections
- ❑ Establish a security plan
- ❑ Bring security staff to a Census Bureau facility for special training before the project begins
- ❑ Train all SSS individuals involved in the project prior to turning over the data to reinforce that the data are confidential and require special treatment
- ❑ Establish a Thin Client computing environment, if feasible – i.e., data are maintained at the Census Bureau and accessed remotely electronically; uses can be tracked by Census Bureau staff
- ❑ Disable disk drives and removable media, unless they are required for the project
- ❑ Place a Census Bureau employee at the off-site location if the risk and magnitude of the project warrant direct oversight
- ❑ Carry out at least one site visit (whether scheduled or unannounced) per year

❑ **University-Based Independent Researchers<sup>1</sup>**

- ❑ Establish a security plan
- ❑ Train all SSS individuals involved in the project prior to turning over the data to reinforce that the data are confidential and require special treatment
- ❑ Require SSS individuals working on long-term projects to repeat SSS training every six months, to reinforce the importance of following security requirements
- ❑ Require a stand-alone computer (or a thin client environment, if cost effective)
- ❑ Disable disk drives so that data cannot be downloaded
- ❑ Adopt ITSO-identified requirements to minimize risks associated with printing
- ❑ Place a Census Bureau individual at the off-site location if the risk and magnitude of the project warrant direct oversight
- ❑ Carry out at least one site visit (either scheduled or unannounced) per year

## **Noncompliance**

The Chief, ITSO, should be alerted immediately about any noncompliance with established security procedures by any individual at an off-site location. Penalties for noncompliance will depend on the seriousness of the violation, ranging from correction of the issue to suspension of access rights for the project. If noncompliance continues, the Chief, ITSO, in consultation with the Chief, OAES, will assign stricter penalties, which may, depending on the act of noncompliance, terminate all access to Title 13 data at that site. Project Contacts may appeal such termination to Data Stewardship Executive Policy Committee, which will hear both sides of the issue and make a final ruling.

---

<sup>1</sup> The preferred security models distinguish between academic researchers who the Census Bureau contracts with to carry out work in support of Title 13 programs (Internal projects) and academic researchers who approach the Census Bureau with a proposal to carry out research that has benefits for the Census Bureau's programs (External projects). Internal projects may be carried out off-site, if they meet the technical and security criteria and receive DSEP concurrence for off-site access. External projects must take place at a Census Bureau facility.

## Required Security Model for Off-site Access to Title 13 Data

Security Control	Federal Executive Br Agency	Private Sector Contractor	Academic/ Independent Researcher
1. Establish close contact w/ off-site security office.....	X	X	X <sup>1</sup>
2. Establish security plan.....	X	X	X
3. Establish requirements for system, file, print auditing .....	X		
4. Establish Thin Client environment ...		X	X <sup>2</sup>
5. Establish stand-alone computer.....			X
6. Disable disk drives to prevent Downloading, unless required by project .....		X	X
7. Train off-site security staff at the Census Bureau/give data .....	X <sup>3</sup>	X	X <sup>1</sup>
8. Train SSS individuals at the Census Bureau/give data .....	X <sup>3</sup>	X	X
9. Bring SSS individuals to Census Bureau for refresher training .....			X
10. Carry out one scheduled visit/yr.....	X	X	X
11. Carry out surprise visit .....	X	X	X
12. Place a CB employee off-site, if the risk and magnitude of the project warrants direct oversight .....	X	X	X

<sup>1</sup> Many universities do not have security offices comparable to an agency or business entity. However, if available, these items apply.

<sup>2</sup> If cost effective.

<sup>3</sup> Training may take place at the off-site location if it is not feasible to bring all SSS individuals to the Census Bureau.

**Proposal Template for Requests for Off-site Access to Title 13 Data  
for the  
Data Stewardship Executive Policy Committee**

*According to the Non-Employee Access to Title 13 Data policy (July 2002), all projects involving off-site access to Title 13 data require prior approval by the Data Stewardship Executive Policy Committee (DSEP). Off-site access is defined as access to Title 13 data that takes place at a non-Census Bureau facility – e.g., a contractor site or university. (For purposes of this policy, the Center for Economic Studies’ Research Data Centers are not considered off-site access.) This template provides information needed by the DSEP to assess a project that involves such off-site access by non-employees with Special Sworn Status (SSS). Only Internal, Joint, Reimbursable, and Oversight projects will be considered for off-site access and, then, only if they meet all other criteria spelled out in the above-mentioned policy.*

*This template should usually be completed before a specific contractor has been selected. In that case, please be as specific and detailed as possible in responding to the questions. If you have any questions about how to complete this template, please contact the Office of Analysis and Executive Support for direction.*

**GENERAL INFORMATION**

**Division:**

**Point of Contact:**

Contracting Officer’s Technical Representative’s (COTR) name or Project Contact from sponsoring program area Division

**Project Title:**

**Project Description:**

Provide a brief description of the project.

**Type of Project:**

Indicate which of the following types describes this project:

- ☐ **Internal** – projects authorized by Title 13, U.S. Code, contracted for, and managed by Census Bureau employees (including those projects at the Census Bureau under the Intergovernmental Personnel Act (IPA) Mobility Program)

- ❑ ***Joint*** – projects with a Title 13 purpose, to which both the Census Bureau and another participating federal statistical agency or unit contribute confidential data and resources; work is jointly managed and access can – though is not required to – take place at both agencies.
- ❑ ***Reimbursable*** – projects for which the Census Bureau receives reimbursement in whole or in part. For purposes of this policy, reimbursable projects are limited to those projects carried out under the authority of Title 13, U.S.C.
- ❑ ***External*** – projects with a predominant Title 13 purpose that are proposed by academic, governmental, nonprofit, and for-profit organization researchers, approved by the Census Bureau using the existing Center for Economic Studies (CES) Project Review procedures, and carried out by the non-employees at a Census Bureau site – usually at Census Bureau Headquarters or at a Research Data Center – under Census Bureau supervision. **Off-site access is prohibited for External projects.**
- ❑ ***Oversight*** – projects to oversee or audit some aspect of Census Bureau operations, carried out by an organization with specific legal authority to conduct oversight activities, such as the General Accounting Office or an agency from which the Census Bureau obtains confidential administrative records data.

#### **Type of Access:**

Indicate which of the following types of access will take place while the project is off-site: (Select all that will apply.)

- ❑ ***Direct Access to Title 13 Data***
- ❑ ***Direct Access to Title 13 and Title 26 (Internal Revenue Service) Data*** (Note: Title 26 data may not be taken off-site without specific prior IRS concurrence.)
- ❑ ***Ancillary Access*** by persons who have system-wide access, but do not have a need to see to specific files – e.g., system administrators
- ❑ ***Incidental Access*** refers to non-employees who do not have authorized access to Title 13 data, but do have access to a facility where Title 13 information resides – e.g., guards, cafeteria workers, copier repair persons, foreign visitors, persons from other agencies attending a meeting at the site, surveys sponsors observing interviewer training.

#### **Type of Data Being Accessed:**

Provide a general response to this question – e.g., CPS, Decennial, Linked SIPP and IRS, Survey of Manufactures, SAIPE; it is not necessary to specify the exact data set.

**Location Where Data Will Be Accessed:**

**Start Date of Project:**

**Projected End Date of Project:**

**Date of Extension (if Applicable):**

## **CRITERIA QUESTIONS**

*Answer each of the following questions in narrative format. Consideration of this template assumes that the project conforms with the rest of the Non-employee Access criteria. Questions 1-4, below, must be answered in the affirmative or off-site access will not be approved.*

1. Can the project's technical requirements be better met at another organization's facility than at the Census Bureau? Please describe how this is the case, referencing the following criteria.
  - ☐ *The project requires ongoing access to the partner's continuously updated database, rather than a one-time or limited number of accesses*
  - ☐ *Production scheduling requirements (including differences imposed by different time zones) can be met most effectively at an off-site location, whereas setting up the project at a Census Bureau facility would adversely impact the schedule (this includes the need for quick turnaround, but is not intended to accommodate poor planning)*
  - ☐ *Special hardware/software is required that the Census Bureau does not have and it is not feasible to purchase*
  - ☐ *Data from the off-site location require a stricter level of security than the Census Bureau can provide and it is not feasible to upgrade the Census Bureau's security to that level*
  - ☐ *The project requires the use of extensive physical space and/or access to transportation infrastructure that does not exist at Census Bureau facilities and could be provided at an off-site location*
  - ☐ *The project requires participation by individuals across the Nation*

- ❑ *The project involves multiple people at the off-site location, e.g., a technical unit of people with special expertise, participating in the project and bringing them all to a Census Bureau facility is not feasible.*
  - ❑ *The project involves access by SSS individuals for data collection efforts in overseas areas, e.g., to conduct censuses and surveys in outlying territories or for counting Americans living overseas.*
2. Is the cost to conduct the project at the Census Bureau prohibitive? Please provide some cost data to support this response. In making any comparison to the off-site costs, be sure to consider:
- ❑ *Direct costs – hardware, software, facility space, additional security costs (if needed to cover the required security model, etc.*
  - ❑ *Program costs -- including a Census Bureau employee, in some cases*
  - ❑ *Personnel costs -- including travel, per diem, etc., if applicable*
  - ❑ *Support costs – including Telecommunications Office costs, to set up the telecommunications network; physical security, to approve the site; and Information Technology Security Office costs, for maintaining and assuring security at the site – e.g., staff travel and time to conduct routine audits*
  - ❑ *Any non-recoupable costs that are project-specific and cannot be used for/applied to other program work*

Note: If the project involves records with personal identifiers (person or business identifiers that are labels or codes that identify one and only one individual or business entity, e.g., name or Social Security Number), then cost alone does not justify taking the data off-site – other technical justifications are required, as well.

3. If the off-site location is a Federal agency, does the agency have legal or regulatory functional separation between its uses of data collected for statistical purposes and its enforcement or administrative uses of data?
4. Has the Information Technology Security Office and the Office of Security determined that the other site can meet the Required Security Model? See the required security models for offsite non-employee Access to Title 13 Data (Attachment D), for minimal security requirements.
5. What are the chief benefits of the project for the off-site organization?

6. Is this project likely to be extended or to lead to other projects requiring off-site access?

## APPROVALS

The Program Area Division Chief responsible for the project must sign below, indicating if he/she approves the project.

- ☐ Approve – proceed as indicated below.
- ☐ Tentative Approval, Subject to Further Revision -- revise and resubmit for approval
- ☐ Disapprove – DO NOT forward to DSEP

If the project is approved and

- ☐ It involves administrative records, the Division Chief must sign the form below and send the template forward for Administrative Records Project Review.
- ☐ No administrative records are involved, the Division Chief must signed below; then, the template should be forwarded to the Chief, OAES, for review by the staff team leaders and for concurrence by the DSEP.

*No project involving off-site access to Title 13 data is approved until the DSEP has approved the project. Formal, legal, or financial arrangements must not be made until approval has been granted.*

---

Signature

---

Title

---

Date

Enclosure 4



## DS007: Information Security Management Program

### INTRODUCTION

For the U.S. Census Bureau, the Information Security Management Program encompasses the Census Bureau's Data Stewardship program objectives while meeting its information security obligations. The Information Security Management Program involves effectively safeguarding, while simultaneously facilitating legitimate access to, information through its entire life cycle: generation, collection, processing, dissemination, and disposal. The Information Security Management Program is essential to the credibility of the Census Bureau and to the success of its mission. In working to provide relevant statistical products on the people and businesses of the United States, the Census Bureau must safeguard and protect the information in its custody, consistent with federal statutes and regulations.<sup>1</sup> This policy replaces the prior DS007 policy, which was entitled, "Policy for Control of Access to Personally Identified Survey and Decennial Census Data."

This policy, *DS007: Information Security Management Program*, is intended to ensure an integrated and consistent approach to information security management. It establishes *Information Security Management Roles* and *Information Handling Categories*, which apply to all information collected, acquired, or maintained by the Census Bureau in any and all forms (paper copies, computer systems, etc). Based on this policy a separate document outlining Information Handling Guidelines will be produced to assist in the implementation of this policy. This policy applies to economic and demographic data used to generate statistical products (such as the results of censuses and surveys), data from administrative records acquired from other sources, and personnel or financial data used to facilitate agency administration. This policy is not intended to provide information or guidelines for federally defined classified<sup>2</sup> data; please refer to Chapter S-10 of the Census Bureau Policies and Procedures Manual<sup>3</sup>.

### INFORMATION SECURITY MANAGEMENT PROGRAM ROLES AND RESPONSIBILITIES

This section identifies roles and responsibilities delegated to individuals who will directly implement the Information Security Management Program. These roles are modeled from the National Institute of Standards and Technology (NIST)<sup>4</sup> and include, but are not limited to, the Data Stewardship Executive Policy Committee (DSEP), the Chief Information Officer, Senior Agency Information Security Officer, Authorizing Officials, Information System Owners,

---

<sup>1</sup> For instance, the Census Act (Title 13, U.S. Code), the Privacy Act, the E-Government Act (P.L. 107-347), which includes Title 3, the Federal Information Security Management Act (FISMA) and Title 5, the Confidential Information Protection and Statistical Efficiency Act (CIPSEA), and National Institute of Standards and Technology (NIST) guidance.

<sup>2</sup> Classified information is defined as information requiring protection against unauthorized disclosure in the interests of national security pursuant to Executive Order or Federal statute. Classified information is protected under the provisions of Title 18, United States Code, and classified as "Top Secret," "Secret," or "Confidential." (S10, Census Bureau Policies and Procedures Manual).

<sup>3</sup> <http://cww2.census.gov/amsd/services/ppm/ppm.html>

<sup>4</sup> For a detailed explanation of this role and the process of accreditation of Federal Information Systems, please consult the NIST *Special Publication 800-37 Guide for Certification and Accreditation of Federal Information Systems*.

Information Security Managers, Information Owners, and Data Stewards. *(Please see Attachment B for a quick reference guide to the following Roles and Responsibilities.)*

### ***Data Stewardship Executive Policy Committee***

The Data Stewardship Executive Policy Committee (DSEP) acts on behalf of the Director in setting policy and making decisions on policy-related matters related to privacy, security, confidentiality, and administrative records. The mission of DSEP is to ensure that the Census Bureau can effectively collect and use data about the nation's people and economy, while fully meeting the Census Bureau's legal and ethical obligations to respondents to respect privacy and protect confidentiality. This includes fully meeting the legal, ethical and reporting obligations of the Census Act (Title 13), the Privacy Act, and other applicable statutes, including those of governmental and other suppliers of data to the Census Bureau. DSEP is responsible for effectively safeguarding and facilitating legitimate access to information required to fulfill the agency's mission, including administrative information. In any instance where an issue appears to fall outside of the scope of this policy, the issue should be brought to the attention of the DSEP.<sup>5</sup>

### ***Chief Information Officer***

The Chief Information Officer is the organizational official responsible for: (i) designating a Senior Agency Information Security Officer; (ii) developing and maintaining information security policies, procedures, and control techniques to address all applicable requirements; (iii) overseeing personnel with significant responsibilities for information security and ensuring that the personnel are adequately trained; (iv) assisting senior organizational officials concerning their security responsibilities; (v) in coordination with other senior officials, reporting annually to the Director of the Census Bureau on the overall effectiveness of the organization's information security program, including progress on remedial actions; and (iv) ensuring that all DSEP policies are implemented in information technology (IT) security procedures. The Chief Information Officer is a member of the DSEP and is responsible for reporting to and updating the DSEP on a regular basis.

### ***Senior Agency Information Security Officer***

The Senior Agency Information Security Officer is an organizational official responsible for: (i) carrying out the Chief Information Officer's security responsibilities under the Federal Information Security Management Act (FISMA); and (ii) serving as the Chief Information Officer's primary liaison to the organization's Authorizing Officials, Information System Managers, Information System Owners, and Information System Security Officers. The Senior Agency Information Security Officer possesses professional qualifications, including training and experience, required to administer the information security program functions, maintains information security duties as a primary responsibility, and heads an office with the mission and resources to assist in achieving FISMA compliance. It is also the responsibility of the Senior Agency Information Security Officer to work with the Chief Information Officer to jointly report and update the DSEP.

---

<sup>5</sup> In order to bring an issue to DSEP please contact the Office of Analysis and Executive Support (OAES).

### *Authorizing Official*

The responsibilities of the Authorizing Official are generally defined in NIST SP 800-37 *Guide for the Security Certification and Accreditation of Federal Information Systems*. The Authorizing Official must have the authority to oversee the budget and business operations of the information system within the operating unit.

The Authorizing Official has the authority to assume responsibility for operating an information system at an acceptable level of risk to operations, assets, or individuals by granting an Authorization to Operate, Interim Authorization to Operate, or Denial of Authority to Operate as defined in NIST SP 800-37. The Authorizing Official shall authorize system security requirements, System Security Plans (SSP), Interconnection System Security Agreements, and Memorandum of Agreements and/or Memorandum of Understandings.

With the increasing complexities of missions and organizations, it is possible that a particular information system may involve multiple Authorizing Officials. If so, agreements should be established among the Authorizing Officials and documented in the SSP system support plan. In most cases, it will be advantageous for a Lead Authorizing Official to represent the interests of the other Authorizing Officials. The Authorizing Officials can also delegate to an Authorizing Official Designated Representative to act on his or her behalf in carrying out and coordinating the required activities associated with security authorization.

### *Information Security Manager*

The Information Security Manager serves as the principal security risk advisor, provides oversight functions, and coordinates and disseminates information on security matters on behalf of a directorate. This role is often supported by appropriate coordinating roles (e.g., Internet coordinators, Division Security Coordinators, property custodians, data custodians, Information System Security Officers), who may directly report to the Information Security Manager. The Information Security Manager ensures that: (i) security risk-related considerations for individual information systems are viewed from a directorate-wide perspective with regard to the overall strategic goals and objectives of the directorate in carrying out its missions and business functions; and (ii) management of risk from an individual information system is consistent across the directorate, reflects organizational risk tolerance, and is considered along with other organizational risks in order to ensure mission or business success. The Information Security Manager also acts as the principal liaison with the Senior Agency Information Security Officer to ensure that the directorate's security posture complies with applicable Federal laws, as well as Department of Commerce and Census Bureau policies. He or she will act as the principal person responsible for ensuring that information relating to information security is communicated throughout the directorate.

### *Division Security Coordinator*

The Division Security Coordinator is responsible for coordinating division activities in support of meeting information security requirements and best practices. The Division Security

Coordinator is a role that is focused on the coordination of security activities on behalf of a division, whereas the Information System Security Officer (ISSO) is a role that is focused on an information system. The Division Security Coordinator assists the Information System Security Officer(s), as necessary, in support of Certification and Accreditation of information systems within the division (e.g., participate in risk assessments, development of Interagency Security Agreements, Memorandums of Understandings, Contingency Plans, Business Impact Assessments, etc.).

Functions commonly performed by employees in this role include participating in developing division level policies and procedures to ensure information system reliability and accessibility and to prevent and defend against unauthorized access to systems, networks, and data; participating in risk and vulnerability assessments of planned and installed information systems to identify vulnerabilities, risks, and protection needs; promoting awareness of security issues among division management and ensuring sound security principles are reflected in the division's vision and goals; conducting information security evaluations, audits, and reviews; and participating in activities relating to privacy issues.

#### *Information Owner*

The Information Owner is an agency official with operational authority for specified information. The Information Owner is responsible for establishing the rules for appropriate use and protection of the subject information (e.g., rules of behavior) and retains that responsibility even when the information is shared with other organizations. The Information Owner of the information processed, stored, or transmitted by an information system may or may not be the same as the Information System Owner. Also, a single information system may contain information from multiple Information Owners. The Information Owner is responsible for:

- (i) ensuring that the level of security required for the information is input into the requirements for appropriate security measures to be implemented by the proper Information System Owner of each applicable system; and
- (ii) Privacy Impact Assessments are conducted to verify that appropriate IT security controls related to privacy and protection of data are deployed.

#### *Information System Owner*

The Information System Owner is an agency official responsible for the overall procurement, development, integration, modification, or operation and maintenance of an information system. The Information System Owner is responsible for the development and maintenance of the system security plan and ensures the system is deployed and operated according to the agreed-upon security requirements. The Information System Owner is responsible for consulting with the Information Owner(s) to establish and implement the controls associated with information generation, collection, processing, dissemination, and disposal. Note that a single information system may process information from multiple Information Owners.

#### *Information System Security Officer*

The Information System Security Officer is the individual responsible to the authorizing official, Information System Owner and the Senior Agency Information Security Officer for ensuring that

appropriate security controls are implemented and operating as intended for an information system. The Information System Security Officer typically has the detailed knowledge and expertise required to manage the security aspects of an information system and, in many cases, is assigned responsibility for the day-to-day security operations of the system. This responsibility may also include, but is not limited to, tasks required to fulfill information security management security responsibilities, as agreed to by the Information Owners and System Owner. The Information System Security Officer may be called upon to assist in the development of the system security policy and to ensure compliance with that policy on a routine basis. In close coordination with the Information System Owner, the Information System Security Officer often plays an active role in developing and updating the system security plan, as well as in managing and controlling changes to the system and assessing the security impact of those changes. The Information System Security Officer coordinates and manages the security requirements of the system with the Information System Owner and the Information Owners, as necessary, and facilitates implementation of those requirements through system administration and operational support staff.

#### **Data Steward**

All Census Bureau employees, and individuals with Special Sworn Status are Data Stewards. Data Stewards are responsible for adhering to all regulatory requirements and internal data policies and standards. This includes fully meeting the legal and reporting obligations levied by the Census Act, the Privacy Act, and other applicable statutes, including the requirements of governmental and other suppliers of data to the Census Bureau. Data Stewards are responsible for following all security controls mandated by the Census Bureau.

#### **INFORMATION HANDLING CATEGORIES**

This section establishes Information Handling Categories. These categories are intended to assist all Census Bureau Data Stewards in effectively implementing the Information Security Management Program. Moreover, they are the foundation of the *Census Bureau Information Handling Guidelines (published separately)*, which provide general guidance to Census Bureau Data Stewards for ensuring that information is handled correctly (*Please note this policy does not apply to classified information; for further information refer to the Census Bureau Policies and Procedures Manual-Chapter S-10*). The information handling categories reflect policies and regulations that apply to the Census Bureau. They are intended to be supportive of the Census Bureau's information and information systems security categorizations, and are derived from the NIST Federal Information Processing Standard 199, *Standards for Security Categorization of Federal Information and Information Systems*, and Special Publication 800-60, *Guide for Mapping Types of Information and Information Systems to Security Categorizations*.

The NIST Federal Information Processing Standard 199 and Special Publication 800-60 are used by federal agencies to determine security categorizations for agency specific information and information systems<sup>6</sup>. Through the categorization process, federal agencies are better able to

---

<sup>6</sup> NIST Special Publication 800-60 defines a Security Category as: "The characterization of information or an information system based on an assessment of the potential impact that a loss of confidentiality, integrity, or availability of such information or

assess and apply appropriate levels of security to deal with potential unauthorized disclosure. In brief, agencies are to take into consideration the level of impact that unauthorized disclosure of information and information systems would have on the confidentiality, integrity, and availability of data. Once the impact level is determined, an agency can assign a security categorization and implement security controls for its information systems.<sup>7</sup> In order to address agency specific requirements it is necessary to also introduce Information Handling Categories. These categories ensure the Census Bureau is adhering to all statutes and regulations that govern the agency and the work we conduct. Therefore, Information Handling Categories support the process outlined by NIST by providing needed information for the security categorization of information and information systems process, and providing guidance to Census Bureau Data Stewards for the utilization of information and information systems.

The Census Bureau's three *Information Handling Categories* are intended to provide an effective means of addressing the agency's Information Security Management Program obligations. Information that is commonly referred to as "Sensitive" is contained in Categories I and II: "Protected Information" and "Administratively Restricted Information". Data that fall within Categories I or II, if released, can have detrimental impacts on individuals, businesses, markets, and the Census Bureau's integrity. Information in Category III is fully available to the public and therefore titled, "Public Information."

It is important to note that information exists in mutually exclusive categories and passes from one category to the next by the application of techniques--removing/replacing unique identifiers, disclosure avoidance procedures—or after time-sensitive information is released.

### ***Protected Information***

Includes information about individuals, businesses, and sensitive statistical methods that are protected by law or regulation, such as response data, address lists and frames, and select types of microdata, personnel data, and internal methodological data or documentation. This category also includes the pre-release Principal Economic Indicators and Demographic Time-Sensitive Data. Systems processing protected information will be categorized at the appropriate level required under NIST FIPS 199 and NIST Special Publication 800-60 with the proper controls identified and implemented for that category. In general, NIST Special Publication 800-60 recommends statistical information (such as decennial data) be protected at the Moderate level; however, the exact categorization must be reviewed and identified during the system design process. Due to the sensitive nature of these data types, the Census Bureau has opted to classify the following list as Category I: Protected Information.

---

information system would have on organizational operations, organizational assets, individuals, other organizations, or the Nation." (p. A-8)

<sup>7</sup> For a detailed explanation of the security categorization of federal information and information systems, please consult the *Federal Information Processing Standards Publication: Standards for Security Categorization of Federal Information and Information Systems (FIPS PUB 199)* and the *NIST Special Publication 800-60 Volume I, Revision I: Guide for Mapping Types of Information and Information Systems to Security Categories*.

- A. Individual census or survey responses.
- B. Microdata or paradata, containing original census or survey respondent data and/or administrative records data that do not meet the disclosure avoidance requirements.
- C. Address lists and frames, including the Master Address File (MAF).
- D. *Pre-release* Principal Economic Indicators and Demographic Time-Sensitive Data.
- E. Aggregate statistical information produced for *internal* use or research that do not meet the Disclosure Review Board disclosure avoidance requirements, or that have not been reviewed and approved for release.
- F. *Internal use* methodological documentation in support of statistical products such as the primary selection algorithm, swapping rates, or Disclosure Review Board checklists.
- G. All Personally Identifiable Information (PII) protected by an existing legal authority (such as Title 13, Title 15, Title 5, and Title 26).
- H. All Business Identifiable Information (BII) protected by an existing legal authority.

#### *Administratively Restricted Information*

Consists of agency documentation that is not intended as a public information product, and other pre-release, or embargoed public information. Examples of Administratively Restricted Information include:

- A. “For Official Use Only” (FOUO) information: Internal Census Bureau documentation consisting of program or operational materials (e.g. contracting, financial, budget, security, legal, policy documents) determined by management to be either protected under the Freedom of Information Act and/or of a nature that release could negatively impact the mission of the Census Bureau.
- B. Embargoed data or reports that have not been released, but meet Disclosure Review Board requirements for public release
- C. Proprietary contractor information, such as its cost proposal and labor rates.
- D. All information not otherwise protected by statutory authority, but that is subject to access and/or use restrictions, as provided in a valid Agreement with the government agency or other entity supplying the information.
- E. All Personally Identifiable Information (PII) **not** protected by an existing legal authority.
- F. All Business Identifiable Information (BII) **not** protected by an existing legal authority.

#### *Public Information*

Consists of information that is released to the public, such as statistical products, metadata, schedules, program descriptions, and risk plans, as well as information released under the Freedom of Information Act (FOIA) requirements. Public information products are information that conforms to the disclosure avoidance standards of the Disclosure Review Board for which

the appropriate legal or administrative authorities have granted release permission, including FOIA. Examples of "Public Information" include:

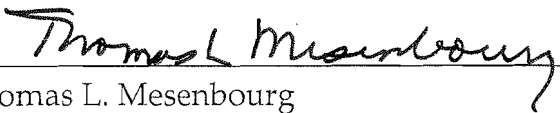
- A. Information or data that conforms with the Disclosure Review Board's requirements (e.g., Public Use Microdata Samples, custom tabulations, non-FOUO program documents).
- B. Information or data that have been approved for release by the appropriate legal or administrative authorities.

#### *Information Handling Guidelines*

Based on this policy, a separate document on guidelines will be published. The guidelines are intended to provide direction on how individuals with different roles and responsibilities are expected to handle different types of data.

Guidelines will be placed on the intranet in the same location as all Data Stewardship policies. If you have difficulty determining the location of the guidelines please contact the Office of Analysis and Executive Support (OAES).

#### APPROVAL/SIGNATURE

  
\_\_\_\_\_  
Thomas L. Mesenbourg  
Acting Director

5/27/09  
Date



# Attachment A: Information Handling Categories

CATEGORY I PROTECTED INFORMATION	CATEGORY II ADMINISTRATIVELY RESTRICTED INFORMATION	CATEGORY III PUBLIC INFORMATION
<ul style="list-style-type: none"> <li>A. Individual census or survey responses.</li> <li>B. Microdata or paradata, containing original census or survey respondent data and/or administrative records data that do not meet the disclosure avoidance requirements.</li> <li>C. Address lists and frames, including the Master Address File (MAF).</li> <li>D. <i>Pre-release</i> Principal Economic Indicators and Demographic Time-Sensitive Data.</li> <li>E. Aggregate statistical information produced for <i>internal</i> use or research do not meet the Disclosure Review Board disclosure avoidance requirements, or that have not been reviewed and approved for public release.</li> <li>F. <i>Internal use</i> methodological documentation in support of statistical products such as the primary selection algorithm, swapping rates, or Disclosure Review Board checklists.</li> <li>G. All Personally Identifiable Information (PII) protected by an existing legal authority (e.g. Title 13, Title 26, Personnel files).</li> <li>H. All Business Identifiable Information (BII) protected by an existing legal authority.</li> </ul>	<ul style="list-style-type: none"> <li>A. "For Official Use Only" (FOUO) information: Internal Census Bureau documentation consisting of program or operational materials (e.g. contracting, financial, budget, security, legal, policy documents) determined by management to be either protected under the Freedom of Information Act and/or of a nature that release could negatively impact the mission of the Census Bureau.</li> <li>B. Embargoed data or reports that have not been released, but meet Disclosure Review Board standards for public release</li> <li>C. Proprietary contractor information, such as its cost proposal and labor rates.</li> <li>D. All information not otherwise protected by statutory authority, but that is subject to access and/or use restrictions, as provided in a valid Agreement with the government agency or other entity supplying the information.</li> <li>E. All Personally Identifiable Information (PII) <b>not</b> protected by an existing legal authority.</li> <li>F. All Business Identifiable Information (BII) <b>not</b> protected by existing legal authority.</li> </ul>	<ul style="list-style-type: none"> <li>A. Information or data that conforms with the Census Bureau's Disclosure Review Board's requirements (e.g., Public Use Microdata Samples, custom tabulations, non-FOUO program documents).</li> <li>B. Information or data that have been approved for release by the appropriate legal or administrative authorities.</li> </ul>

## *Quick Reference Guide for Roles and Responsibilities\**

### *DS007: Information Security Management Program*

Role Title†	Responsibilities	Agency Level**
<i>Data Stewardship Executive Policy Committee (DSEP)</i>	<ul style="list-style-type: none"> <li>• Make policy decisions on issues relating to: privacy, security and confidentiality.</li> <li>• Ensure the methods of collection and uses of data adhere to legal, ethical, and reporting obligations.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Chair</i>: Deputy Director</li> <li>• <i>Members</i>: Designated Associate Directors, Senior Advisor for Data Management, Chief Policy Officer and Chief Privacy Officer</li> <li>• <i>Staff</i>: Office of Analysis and Executive Support</li> </ul>
<i>Chief Information Officer</i>	<ul style="list-style-type: none"> <li>• Designate Senior Agency Information Security Officer.</li> <li>• Develop and maintain information security policies, procedures, and techniques to address requirements.</li> <li>• Ensure information security personnel are adequately trained</li> <li>• Assist senior officials in their security related responsibilities.</li> <li>• Report annually to the head of the Census Bureau on the state of its security program.</li> <li>• Ensure DSEP policies are implemented in IT security procedures.</li> </ul>	<ul style="list-style-type: none"> <li>• Associate Director for Information Technology</li> </ul>
<i>Senior Agency Information Security Officer</i>	<ul style="list-style-type: none"> <li>• Carry out CIO's security responsibilities under FISMA.</li> <li>• Serve as the CIO's liaison to the organization's Authorizing Officials, Information System Managers, Information System Owners, and the Information System Security Officers.</li> </ul>	<ul style="list-style-type: none"> <li>• Chief, Information Technology Security Office</li> </ul>

\* This document is intended to be used as a quick reference tool, for full details refer to the body portion of DS007: Information Security Management Program policy. An Electronic copy of this document in its entirety is available on the Census Bureau Intranet, under DSEP policies.

† All Roles are inherently designated as Full Time Employees of the U.S. Census Bureau, with the exception of the Information System Security Officer and the Data Steward, which can also be contractors or non-permanent employees.

\*\* Please note, agency level designations may alter depending on the situation, levels provided represent the expected level.

Role Title	Responsibilities	Agency Level**
<i>Authorizing Official</i>	<ul style="list-style-type: none"> <li>Assumes responsibility for operating a system at an acceptable level of risk.</li> <li>Designates the Information System Owner(s) and Information Owner(s).</li> <li>Ensure that Information System Owner(s) and Information Owner(s) are adhering to all applicable policies</li> </ul>	<ul style="list-style-type: none"> <li>Associate Director (1 per system)</li> </ul>
<i>Information Security Manager</i>	<ul style="list-style-type: none"> <li>Principal security risk advisor for the directorate</li> <li>Works with and is supported by Internet Coordinators, Division Security Coordinators, Property Custodians, Data Custodians, Information System Security Officers, and other coordinating roles.</li> <li>Actively advocates for the directorate view to be considered in security risk-related matters.</li> <li>Ensures that individual information systems are within directorate and organization risk tolerance levels.</li> <li>Facilitates the directorate-wide communication of relevant information relating to information security.</li> </ul>	<ul style="list-style-type: none"> <li>Each Associate Director should designate an Information Security Manager for the Directorate</li> </ul>
<i>Division Security Coordinator</i>	<ul style="list-style-type: none"> <li>Coordinates activities in support of meeting information security requirements and best practices.</li> <li>Common activities (<i>division level</i>): <ul style="list-style-type: none"> <li>helps develop policies and procedures to protect information systems and control unauthorized access;</li> <li>participates in risk assessments;</li> <li>promotes security awareness;</li> <li>participates in information security evaluations, audits, and reviews; and</li> <li>participates in privacy issue activities.</li> </ul> </li> <li>Provides necessary information to the Information System Security Officer(s) during any Certification and Accreditation of Information Systems within a division.</li> </ul>	<ul style="list-style-type: none"> <li>Each Division Chief should designate a Division Security Coordinator for the Division</li> </ul>

\*\* Please note, agency level designations may alter depending on the situation, levels provided represent the expected level.

Role Title	Responsibilities	Agency Level**
<i>Information Owner</i>	<ul style="list-style-type: none"> <li>Establishes rules for lifecycle use and protection of specified information (such as datasets, systems of records, etc.).</li> <li>Retains responsibility for specified information even when shared with other organizations.</li> <li>Has input to the requirements to ensure the correct level of required security measures are implemented by the appropriate Information System Owner.</li> <li>Ensures Privacy Impact Assessments are conducted</li> </ul>	<ul style="list-style-type: none"> <li>Division Chief or Assistant Division Chief (ADC). (1 per specified information)</li> </ul>
<i>Information System Owner</i>	<ul style="list-style-type: none"> <li>Responsible for the overall procurement, development, integration, modification and/or operation and maintenance of an information system.</li> <li>Develops and maintains system security plans.</li> <li>Consults with the Information Owner(s) to gather requirements needed to establish and implement controls for information generation, collection, processing, dissemination and disposal.</li> </ul>	<ul style="list-style-type: none"> <li>Division Chief or ADC. (1 per system)</li> </ul>
<i>Information System Security Officer</i>	<ul style="list-style-type: none"> <li>Responsible to the Authorizing Official, Information System Owner and the Senior Agency Information Security Officer to ensure security controls are implemented and operating for an information system.</li> <li>Manages day-to-day security of an Information System.</li> <li>Assists in developing and assessing system security policies and plans, and ensuring compliance.</li> </ul>	<ul style="list-style-type: none"> <li>Technical Representative for a system, a system may have one or many Information System Security Officer(s)</li> </ul>
<i>Data Steward</i>	<ul style="list-style-type: none"> <li>Responsible for knowing, applying, and following all appropriate security controls deemed necessary and mandated by the Census Bureau and the U.S. Federal Government.</li> </ul>	<ul style="list-style-type: none"> <li>All U.S. Census Bureau Employees and Special Sworn Status individuals</li> </ul>

---

\*\* Please note, agency level designations may alter depending on the situation, levels provided represent the expected level.

## Enclosure 5

## **Census Bureau Policy Statement on Negotiating Collaborative Arrangements with Agencies for the Acquisition of Administrative Record Data to Support Title 13 Projects**

### **I. EXECUTIVE SUMMARY**

Since the 1940s, the Census Bureau has considered administrative records an important resource for enhancing the census and survey data collections conducted under Title 13, United States Code (U.S.C.). Typically, the Census Bureau acquires administrative record data through monetary payment to the agency supplying the data (hereinafter referred to as the “source agency”). Occasionally, however, source agencies will receive non-monetary remuneration from the Census Bureau – i.e., products, services and/or technical consultation -- in return for using their data.

This policy provides guidance to Census Bureau employees and Special Sworn Status individuals for the negotiation of such administrative record data files for use in a Title 13 project. It sets forth four principles to ensure appropriate acquisition of administrative record data: 1) that there be appropriate Census Bureau legal authority to acquire the data; 2) that there be appropriate Census Bureau legal authority to deliver the proposed project or service to the source agency; 3) that the product or service can be delivered without compromising the Census Bureau’s authority, mission or reputation; and 4) that the Census Bureau have the corporate resources required to provide the product or service to the source agency.

### **II. PURPOSE**

The purpose of this policy statement is to provide Census Bureau employees and Special Sworn Status individuals with guidance in negotiating for the acquisition of administrative record data for Title 13 purposes. This policy sets forth principles that ensure commitments made to acquire administrative records on behalf of the Census Bureau’s Title 13 projects are legal and ethically appropriate given the Bureau’s commitment to the privacy and confidentiality of its respondents, and that they make sound business sense in terms of the net value received by the federal government.

### **III. LEGAL AUTHORITIES**

The following legal authorities guide the implementation of this policy:

- ❑ Title 13, United States Code (U.S.C.)
- ❑ Title 15, Section 1525
- ❑ The Privacy Act of 1974
- ❑ Attorney General McGranery Opinion (1953)

A description of these legal authorities and how they guide the negotiation of administrative record data acquisition can be found in Attachment B of this policy.

## IV. SCOPE

This policy covers negotiation activities at the Census Bureau that have **all** of the following characteristics:

- They involve the acquisition of administrative record data by the Census Bureau for the purposes of conducting a Title 13 project.
- They involve a Census Bureau deliverable to the source agency that is other than direct payment. Such deliverables may include, but not be limited to, data products, data enhancements, statistical models, access to data, file editing or other technical services.
- The Census Bureau deliverable is part of a specific “give-and-take” arrangement covered in an agreement for the acquisition of administrative record data, **or** a service provided by the Bureau which, while not part of a formal agreement, facilitates the overall relationship between the Census Bureau and the source agency. An example of the latter would be the Census Bureau’s practice of processing data received by the Internal Revenue Service (IRS) and providing back to the IRS on an as-needed basis aggregated counts on the number of IRS returns filed for various forms. Without being part of a specific agreement, this deliverable strengthens the Census Bureau’s relationship with the IRS, from which it receives significant amounts of data to support both demographic and economic programs.
- The legal authority for the Census Bureau’s **delivery of a product or service** to the source agency is **either** Title 13 U.S.C. **or** Title 15 U.S.C.

This policy does **not** apply to situations where Title 15 U.S.C. is the Census Bureau’s authority to **acquire** administrative records for the purposes of conducting a reimbursable project. Please refer to the Census Bureau Reimbursable Policy Statement for policy guidance on this topic.

## V. BACKGROUND

Since the 1940s, the Census Bureau has considered administrative records an important resource for enhancing its census and survey data collections. Title 13 United States Code (U.S.C.), Section 6 authorizes the Census Bureau to use administrative records for this purpose “to the maximum extent possible and consistent with the kind, timeliness, quality and scope of the statistics required.” The negotiation process for acquiring administrative record data from a particular source agency is generally straightforward: either the source agency provides its data files to the Census Bureau without charge, or the Census Bureau offers funds to the source agency in exchange for using the data. Occasionally, however, source agencies receive non-monetary remuneration from the Census Bureau – i.e., products, services and/or technical consultation -- in return for

allowing the Census Bureau to use their data. Examples of such in-kind requests from source agencies have included the following:

- Providing public data products for no charge or a reduced charge;
- Producing aggregated statistical data, special tabulations or models derived from a Title 13 data collection;
- Cleaning up, unduplicating, or otherwise editing a source agency data file without using information protected by Title 13 and returning the edited file to the agency;
- Appending classification information that is not protected by Title 13 to a source agency's data files such as geocodes; and
- Providing technical support on the use of publicly available data products, geocodes, models, etc. that could be used to enhance a source agency's data file.

## **VI. POLICY**

This policy sets forth four principles to guide negotiations involving a Census Bureau deliverable in return for administrative record data. These principles, including expository sub-principles, are as follows:

### **A. There is legal authority for the acquisition of the administrative record data by the Census Bureau.**

This principle is addressed if the negotiation meets the following conditions:

- Confirmation that the administrative record data can be legally acquired under Title 13 U.S.C. (For Census Bureau collection authorities, see Attachment B, "Summary of Relevant Legal Authorities for Data Collected or Acquired by the Census Bureau"); AND
- Confirmation that the acquisition of these administrative record data delivers a clear benefit to the Census Bureau under Title 13 (See Attachment C, "Criteria for Determining a Title 13 Benefit"); AND
- Confirmation that the source agency has legal authorization to provide these administrative record data to the Census Bureau; AND
- Confirmation that there is no third party having legal right to the data involved in the acquisition; OR if there are such third-party data involved, that the third party has provided appropriate authorization.

### **B. There is legal authority for the Census Bureau to deliver the proposed product or service requested by the source agency in return for the acquired data file.**

This principle is addressed if the negotiation meets the following conditions:



*If the **deliverable** is a data product or service that contains or is derived from data collected or acquired **under Title 13**:*

- Confirmation that the deliverable is already available in the public domain; OR
- If it is not in the public domain but is scheduled to be placed there, confirmation that it is releasable under the Census Bureau's Pre-Release Policy; OR
- If the deliverable is being tailored to the needs of the source agency, confirmation that it can meet the confidentiality requirements of Title 13, U.S.C., Section 9; OR
- If the source agency requirements cannot be met with a product or service that can be made publicly available, confirmation that the source agency agrees to submit a project via the Center for Economic Studies/Research Data Centers (CES/RDCs) or other approved Census Bureau secure site, subject to all terms and conditions for acceptance.

*If the **deliverable** is a data product or service that does **not** contain or derive from Title 13 data:*

- Confirmation that the deliverable is a product or service that does not involve Title 13 data; AND
- Confirmation that the product or service can be delivered in accordance with the Census Bureau's authority under Title 15, U.S.C., and the Census Bureau's Policy for Conducting Reimbursable Projects (final approval pending).

**C. The product or service can be delivered to the source agency without compromising the Census Bureau's authority, mission or reputation.**

This principle is addressed if the negotiation meets the following conditions:

- Confirmation that there is a precedent that meets the criteria set forth herein for delivering this type of product or service; OR, if there is no precedent, confirmation that the proposed deliverable has been presented to the Data Stewardship Executive Policy (DSEP) Committee and met with its approval; AND
- Confirmation that the source agency's mission precludes enforcement or regulatory activities; OR, if the source agency's mission involves enforcement

or regulatory activities, confirmation that the deliverable is going to and will be restricted to a functionally separated unit within the source agency whose purpose is solely statistical in accordance with the Office of Management and Budget's Order Providing for the Confidentiality of Statistical Information<sup>1</sup>; AND

- Confirmation that the Census Bureau has provided products or services to the source agency before without encountering any problems with the source agency's use or handling of those deliverables; OR, if the source agency does not have a history with the Census Bureau, confirmation that it agrees to abide by Census Bureau principles regarding privacy, confidentiality, and use of the deliverable only for statistical purposes;<sup>2</sup> AND
- A high level of confidence that the delivery of this product or service to the source agency will have only a positive or neutral impact on the Census Bureau's reputation and its ability to fulfill its mission; AND
- Confirmation that the deliverable will comply with the Census Bureau Privacy Principles.

**D. The Census Bureau has the corporate resources required to provide the product or service deliverable to the source agency.**

This principle is addressed if the negotiation meets the following conditions:

- Confirmation that the resources necessary to provide the specified deliverable have been identified; AND
- Confirmation that all the divisions whose involvement will be required to deliver the product or service have the resources available to do so; AND
- Confirmation that the delivery of the product or service is a cost-effective means for obtaining the administrative record data.

---

<sup>1</sup> The one exception to this condition is when the source agency receiving the deliverable from the Census Bureau is the Social Security Administration (SSA), which has functional separation in practice, but not in law or regulation. The specific guidance for this exception is the Census Bureau's Policy on Non-Employee Access to Title 13 Data.

<sup>2</sup> The Administrative Records Coordinator, in the Office of Analysis and Executive Support, can provide the Census Bureau parties negotiating agreements with documentation that can be provided to the source agency setting forth the Census Bureau's standards for individual privacy, data confidentiality, and the need for agency functional separation to ensure data are used solely for statistical purposes.

## **Special Considerations**

### ***Negotiating Agreements That Involve Both Title 13 and Title 15 Legal Authorities***

Occasionally, an agreement will be negotiated whereby the legal authority for **acquiring** administrative record data is **Title 13** (i.e., the data will be used in a Title 13 program), but the legal authority under which the Census Bureau is **providing a particular deliverable** to the source agency is **Title 15** (e.g., editing and unduplicating some records provided by the source agency using a commercially available software product). This type of deliverable is generally something that the source agency could do for itself, but it may not have adequate resources or expertise. In the event that the data to be serviced under Title 15 are essentially the *same data* that are being acquired for a Title 13 purpose, it is important that these data and the distinct purposes for which they were brought to the Census Bureau are not “commingled,” or even perceived to be commingled.

Because the confidentiality requirements under Title 15 are not as stringent as those under Title 13, such arrangements should be considered only when there are no other negotiation options available. Such arrangements must be presented to the DSEP Committee for its review and approval (see “Requirement for DSEP Review” section below) before any agreement with the source agency can be finalized. The Office of Analysis and Executive Support (OAES) Administrative Records Coordinator (ARC) will work with the Census Bureau parties negotiating the agreement to make a presentation to DSEP.

If DSEP approves the proposed arrangement, the Census Bureau parties negotiating the agreement must establish structures and procedures that ensure distinct logical and functional access control for each data set acquired under these separate authorities. These controls are listed below, in order of preference:

- Maintaining and using the data acquired for a Title 13 purpose in an organizational unit that is functionally separate and distinct from the organizational unit maintaining and using the same data being worked on under Title 15.
- If the data are obtained under both legal authorities for use by the same organizational unit, the data acquired for a Title 13 purpose must be maintained and used on a computer system that is separate and distinct from the computer system housing the same data being worked on to produce a deliverable under Title 15. There should be no communication capability between the two systems.
- If program or resource constraints preclude the possibility of maintaining and using the data in separate organizational units or on separate computers, the organizational unit may maintain the data on one computer system with the explicit approval of the Census Bureau IT Security Office (ITSO). ITSO will require a security plan that demonstrates rigorous access controls for both data sets: these options include, but are not limited to, restricting each employee’s access to only one or the other data set; having access to one of the data sets embargoed by the system administrator while the other data are being accessed by staff; and/or fully automating the processing on one

data set such that employee access is no longer required, or at least only minimally required.

### ***Impact on Census Bureau Reputation***

The primary objective of this policy is to protect the Census Bureau's reputation as a data collection agency that places the highest premium on the confidentiality of respondents' data and its use of data solely for statistical purposes. The Census Bureau cannot afford to have its mission compromised by breaches – real or perceived -- in these areas.

Compliance with this policy, therefore, requires that the Census Bureau staff involved in the negotiation weigh the effect on public perception of providing a particular product or service. In instances when the impact is unclear to either the parties negotiating the agreement or the ARC, the decision will be elevated to the DSEP Committee for counsel and direction as noted below.

### ***Requirement for DSEP Committee Review***

There are a number of instances when the proposed deliverable should be submitted to the DSEP Committee for its consideration and approval. The DSEP Committee will review any negotiation whereby:

- There is no Census Bureau precedent for delivering the particular product or service being proposed.
- The source agency has an enforcement or regulatory mission, and it has not established a functionally separated division, unit or other organizational entity for statistical activities.
- The Census Bureau has a history of difficulties with the source agency misusing or misrepresenting Census Bureau products or services.
- It is unclear to either the Census Bureau individuals negotiating the agreement or the ARC whether the deliverable will have a negative impact on the Census Bureau's reputation for protecting the confidentiality of data or as an objective collector of data for statistical purposes.
- The Census Bureau parties negotiating the agreement wish to appeal a decision by the ARC disapproving an agreement based on this policy.

## **VII. IMPLEMENTATION**

### **Roles and Responsibilities for Implementation**

The processes for negotiating administrative records agreements and acquiring data are fully described in the *Administrative Records Handbook*, Sections 2 and 4. These steps are briefly summarized as follows:

- Negotiations for the acquisition of a new administrative record file typically move through several stages before a Memorandum of Understanding (MOU) or other type of agreement is finalized. Typically, a program manager or a researcher will have an idea for using a particular administrative data file, determine that the necessary data are not already available at the Census Bureau by consulting with the appropriate division,<sup>3</sup> and initiate a preliminary discussion with appropriate staff at the source agency. Once this initial contact is made and a decision is made to proceed with the negotiation, the program manager or researcher contacts the ARC.
- The ARC then coordinates a “strategy meeting,” that includes the program manager/researcher, the ARC, and representatives from either the Data Integration Division (DID) or the Economic Planning and Coordination Division (EPCD).<sup>4</sup> At this meeting, the group decides on specific roles and responsibilities for managing the overall negotiation, including establishing specific data needs with the source agency, Census Bureau deliverables, drafting and finalizing the MOU/agreement, determining whether third party concurrence is required (e.g., from the IRS to secure certain data files from the Social Security Administration, or to use IRS files in producing a deliverable), and acquiring the data.
- The Census Bureau individual(s) responsible for negotiating with the source agency should advise the source agency that any deliverables proposed in lieu of funding for the acquisition of data must meet the parameters of this policy statement. They should evaluate the proposed arrangement against the principles set forth in this policy (see Attachment A), and if they have any concerns, they should contact the ARC. If the ARC indicates concerns with the arrangement, the individuals negotiating the agreement should inform the source agency and explore appropriate alternatives.
- In some instances, the negotiated arrangement will warrant additional review and approval by the DSEP. These circumstances are noted above in the “Special Considerations: Requirement for DSEP Committee Review” section of this policy statement.
- Once the MOU/agreement is ready for clearance and signature, the ARC will make a formal determination that it meets the requirements of this policy statement as part of the clearance process. In addition, the clearance process will require certification by the Census Bureau staff member(s) negotiating this agreement that the requirements of this policy have been met.

---

<sup>3</sup> The Data Integration Division (DID) manages the acquisition of demographic administrative record data and state-level economic administrative record data; the Economic Planning and Coordination Division (EPCD) manages the acquisition of federal economic administrative record data; the Geography Division (GEO) manages acquisition of data for maintaining the Master Address File. See *Administrative Records Handbook* for more information.

<sup>4</sup> Negotiations for the acquisition of administrative record data to enhance the Master Address File are conducted exclusively by the GEO Division and thus GEO is not typically involved in this process.

- If the ARC determines that the MOU/agreement does not meet the requirements of this policy, the Census Bureau staff involved in the negotiation may appeal to the Data Stewardship Executive Policy (DSEP) Committee. The DSEP Committee will review the agreement against the policy and render a final decision approving or disapproving the agreement.

### **Implementation and Awareness Strategies**

The framework for implementing this policy is already established in the *Administrative Records Handbook*.

## **VIII. REFERENCES**

Data Stewardship Executive Policy Committee Issue Paper: “Negotiating Quid Pro Quo Arrangements with Administrative Record Source Agencies for Title 13 Projects,” January 24, 2002.

## **IX. DATE POLICY BECOMES EFFECTIVE**

TBD.

## **X. SIGNATURE AND DATE SIGNED**

\_\_\_\_\_/s/\_\_\_\_\_  
**Nancy A. Potok**  
**Chair, Data Stewardship Executive Committee**

**9/29/2002**  
**Date**

## **XI. ATTACHMENTS**

Attachment A -- Decision Flowchart: Policy on Negotiating Collaborative Arrangements with Agencies for the Acquisition of Administrative Record Data to Support Title 13 Projects

Attachment B – Summary of Relevant Legal Authorities for Data Collected or Acquired by the Census Bureau of the Census

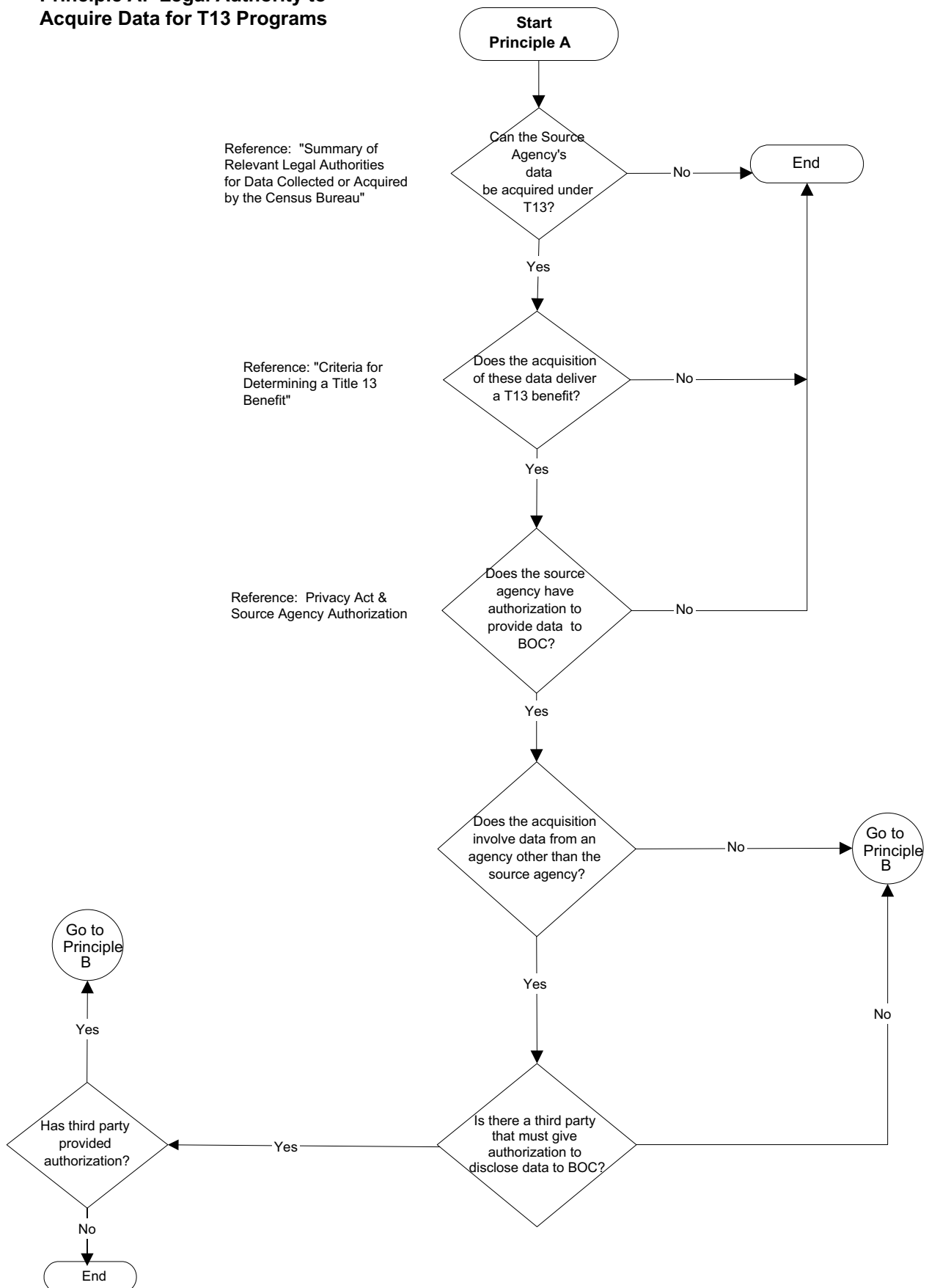
Attachment C – Criteria for Determining a Title 13 Benefit

Attachment D -- Definitions

**Decision Flow for Policy on Negotiating Collaborative Arrangements with Agencies  
for the Acquisition of Administrative Record Data to Support Title 13 Projects**

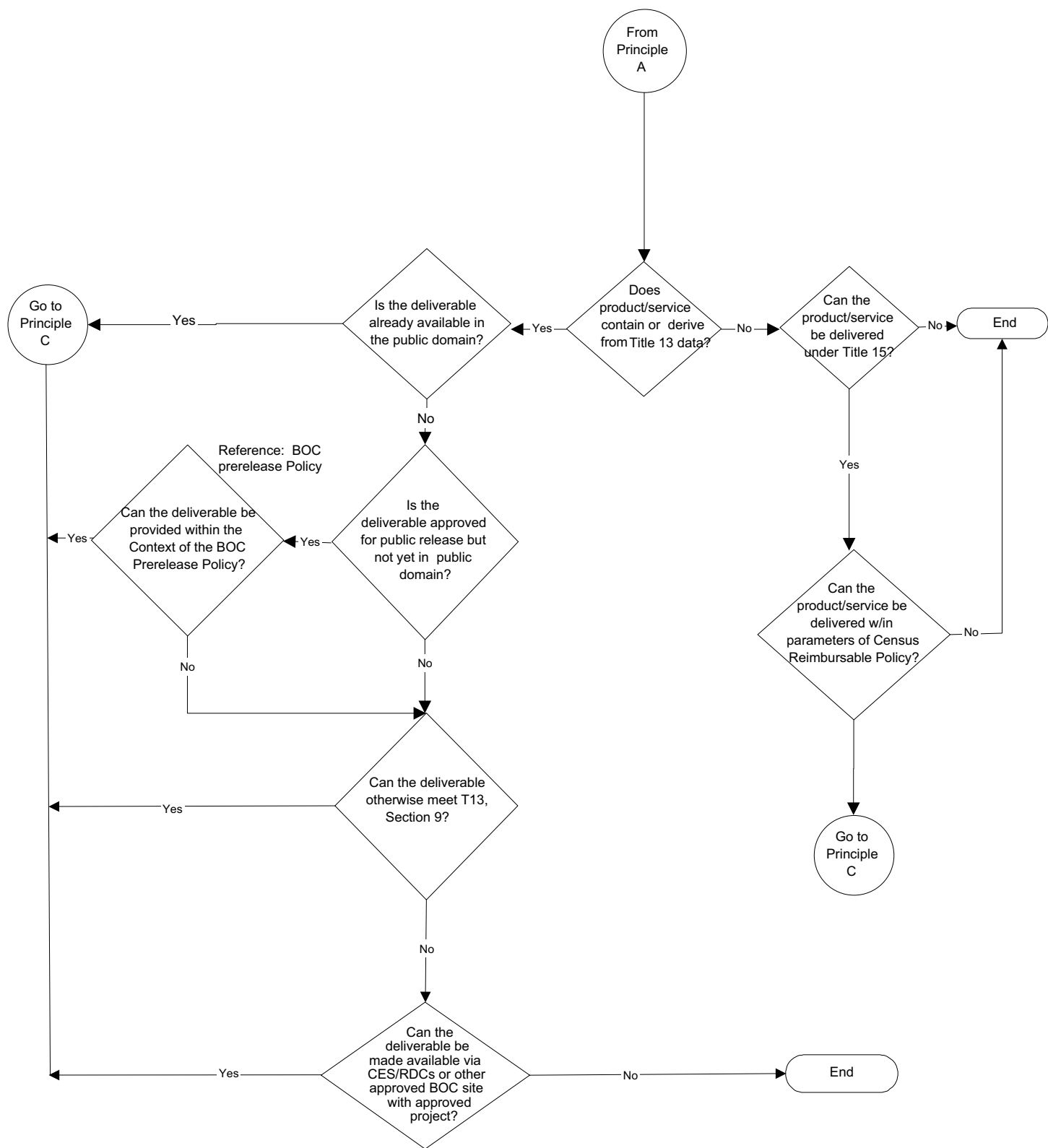
# Principles for Negotiating Collaborative Arrangements with Agencies for the Acquisition of Administrative Record Data to Support Title 13 Projects

## Principle A: Legal Authority to Acquire Data for T13 Programs

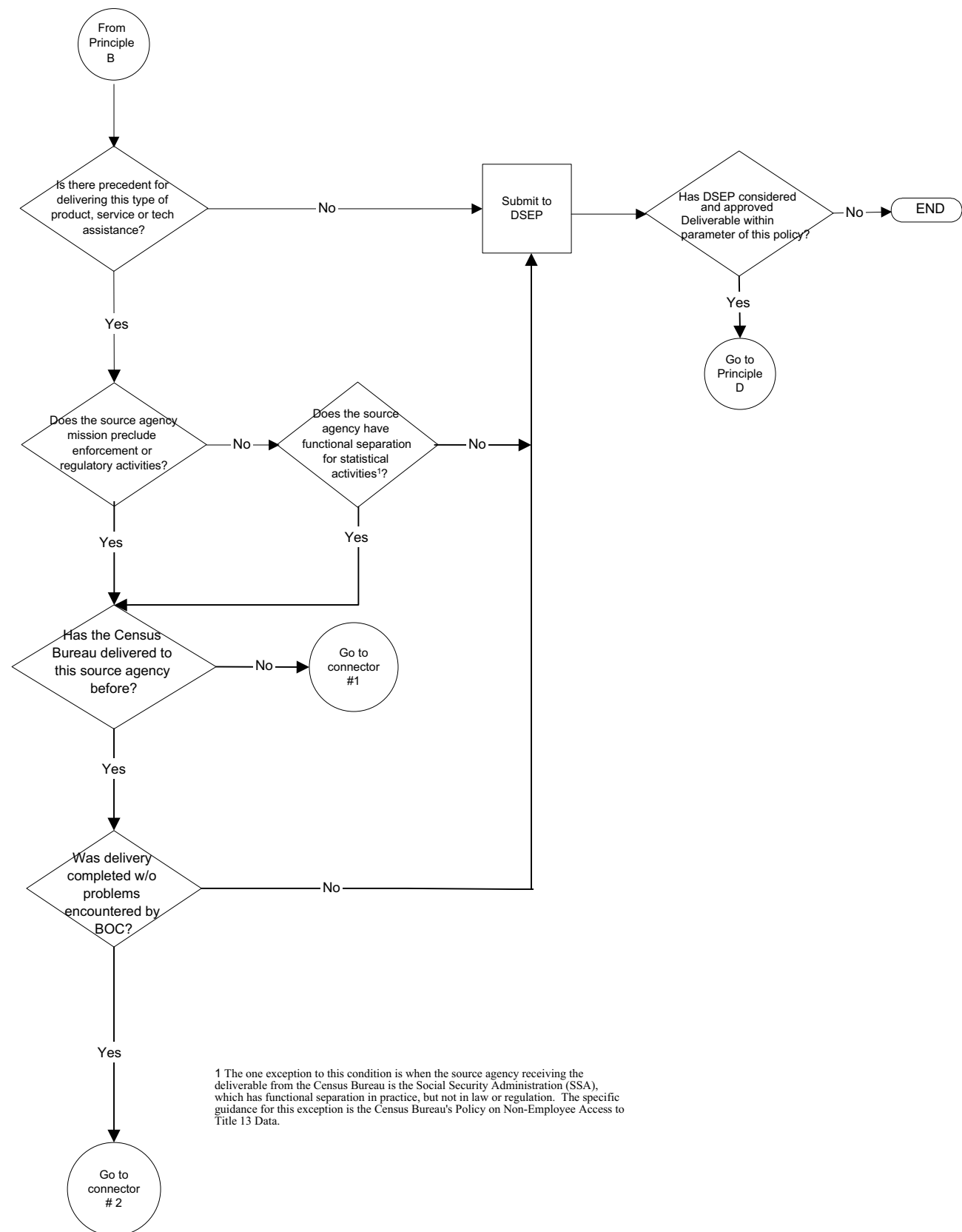




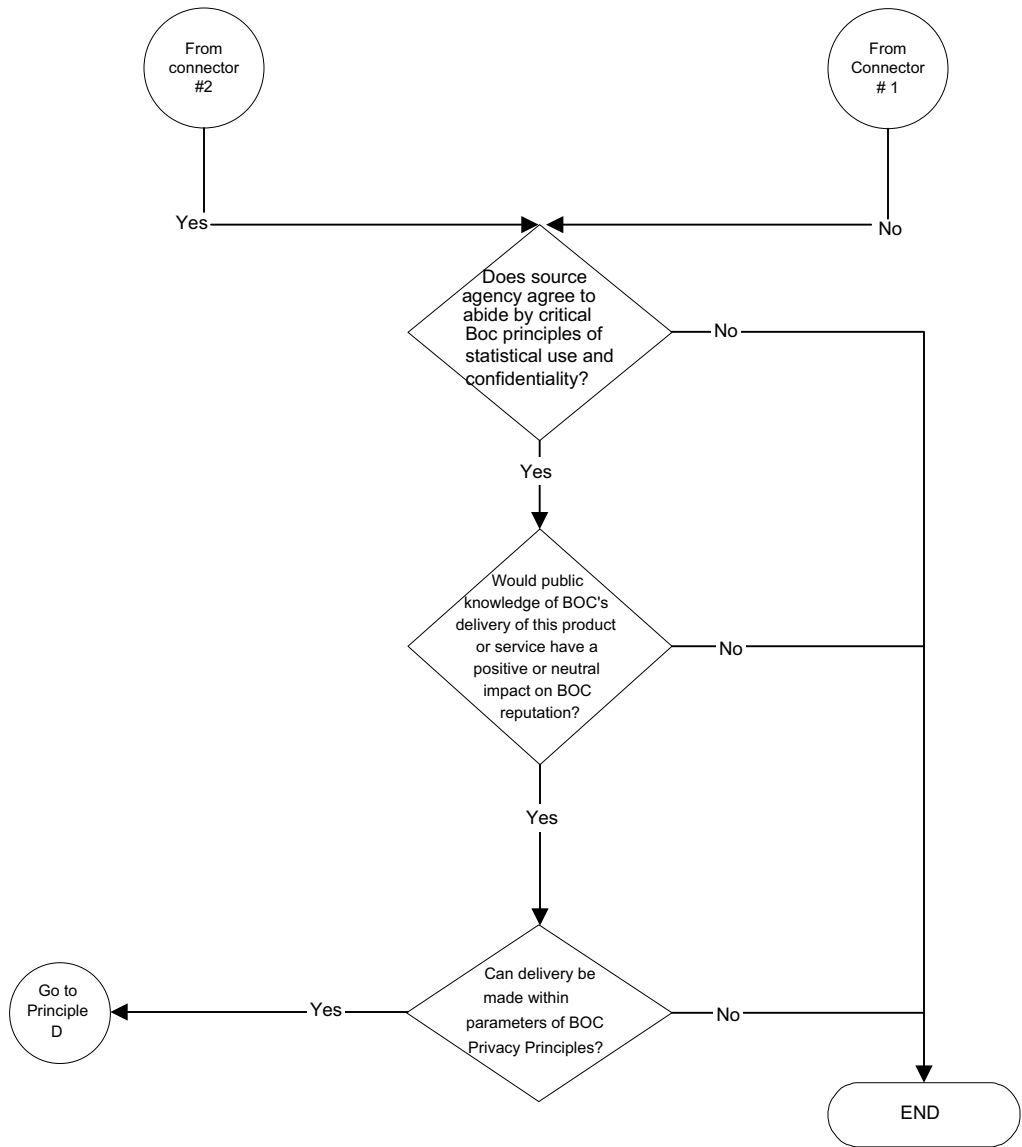
**Principle B: Legal Authority**  
**Permitting BOC Delivery of a Product, or Service**



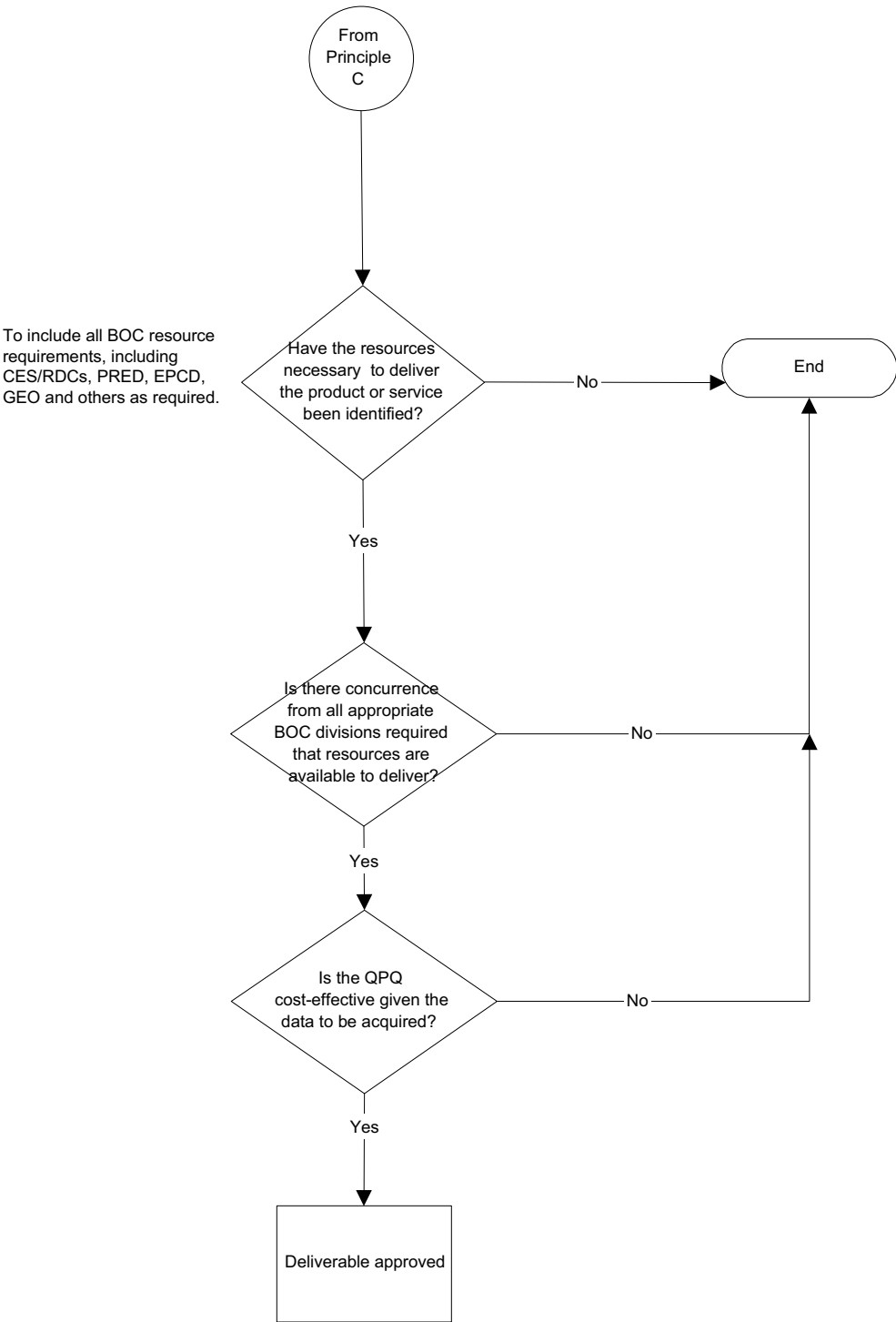
Principle C: Census Bureau Mission & Reputation



**Principle C: Census Bureau Mission & Reputation**



**Principle D: Resource Availability**



## Summary of Relevant Legal Authorities

### I. Census Bureau Collection Authorities

- ***Title 13 U.S.C., Chapter 3:*** Chapter 3 authorizes the collection and publication of statistics on specific commodities, and the production of Quarterly Financial Statistics.
- ***Title 13 U.S.C., Chapter 5:*** Chapter 5 provides the Census Bureau with broad authority to conduct economic and demographic censuses and surveys, including special censuses for states, counties, cities or other governmental units.
- ***Title 13 U.S.C., Section 6:*** Section 6 authorizes the Census Bureau “to the maximum extent possible and consistent with the kind, timeliness, quality and scope of the statistics required” to acquire and use administrative records from other agencies. The Census Bureau may acquire data from other agencies “by purchase or otherwise.”
- ***Title 13 U.S.C., Section 8:*** Section 8 authorizes the Census Bureau to receive funding from other agencies to “furnish copies of tabulations and other statistical materials which do not disclose the information reported by, or on behalf of, any particular respondent, and may make special statistical compilations and surveys for departments, agencies, and establishments of the Federal Government, the government of the District of Columbia, the government of any possession or area. . . , or other public and private person and agencies, upon payment of the actual or estimated cost of such work.”
- ***Title 13 U.S.C., Chapter 9:*** Chapter 9 provides authorization to the Census Bureau to collect foreign trade data, and “compile and publish such information pertaining to exports, imports, trade and transportation relating thereto. . . .”
- ***Title 15, Section 1525:*** Title 15, Section 1525 authorizes the Census Bureau to provide services and receive payment for services rendered to other agencies; however, any data acquired under Title 15 must be used solely for a Title 15 purpose. They may not be commingled with any data collected or acquired under Title 13 nor used for any Title 13 purpose. Data acquired under Title 15 are not covered by the confidentiality protections under Title 13, Section 9, but they are subject to the provisions of the Privacy Act (see “Census Bureau Confidentiality Provisions” below).
- ***The Economy Act (Title 31 U.S.C., Section 1535):*** Other agencies generally cite the Economy Act as their authority to order statistical work from the Census Bureau. The Economy Act authorizes reimbursable agreements between Federal agencies for the procurement of goods and services if it is in the interest of the government. The

procuring agency in an Economy Act agreement must execute a Determination and Finding (“D&F”) stating that the agency has determined that the ordered goods or services cannot be provided as conveniently or cheaply by a commercial enterprise and that the order is in the best interests of the government.

## **II. Census Bureau Confidentiality Provisions**

- ***Title 13, Section 9:*** Section 9 prohibits the Census Bureau from using “information furnished under the provisions of Title 13 for any purpose other than the statistical purposes for which it is supplied; or make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports.” Section 9 protections do not apply to Foreign Trade or Governments data.
- ***Title 13, Section 23(c):*** Section 23(c) gives the Census Bureau the authority to utilize temporary staff “to assist the Bureau in performing the work authorized by this title.” Such individuals – identified as “Special Sworn Status individuals” at the Bureau – must be sworn to observe the confidentiality provisions set forth in Title 13, Section 9 (see above).
- ***Privacy Act of 1974:*** The Privacy Act regulates the collection, maintenance, use and dissemination of personal information by federal agencies. Specifically, it prohibits agencies from disclosing records to any person or agency without the specific written consent of the individuals to whom the records pertain. Agencies are exempted from this requirement, however, if they are providing such individual records to the Census Bureau “for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13.
- ***Freedom of Information Act (FOIA):*** The Freedom of Information Act (FOIA), found in Title 5 of the United States Code, section 552, was enacted in 1966 and provides that, upon request from any person, a Federal agency must release any agency record unless that record falls within one of the nine statutory exemptions and three exclusions. The FOIA binds only Federal agencies, and covers only records in the possession and control of federal agencies.
- ***Trade Secrets Act (Title 18 U.S.C., Section 1905):*** The Trade Secrets Act prohibits officers or employees of the federal government from publishing, divulging, disclosing or making known in any manner any information coming to them in the course of their employment or official duties relating to the trade secrets or other confidential information of “any person, firm, partnership, corporation or association.”
- ***McGranery Opinion (41 OP.A.G. 120 et. Seq. January 5, 1953):*** In 1953, then Attorney General James McGranery rendered an opinion on the Census Bureau’s ability to revise industrial classifications on business establishments provided by

other federal and state statistical agencies. He determined that, even though industrial classifications were maintained by the Census Bureau under Title 13, the Census Bureau could verify and correct classifications to individual establishment records as long as 1) those individual records were provided by the source agency and the Census Bureau added no additional establishment records; and 2) that the records with industry codes appended by the Census Bureau be used for statistical purposes only.

## Criteria for Determining a Title 13 Benefit

1. Evaluating concepts and practices underlying Census Bureau statistical data collection and dissemination practices, including consideration of continued relevance and appropriateness of past Census Bureau procedures to changing economic and social circumstances.
2. Analyzing demographic and social or economic processes that affect Census Bureau programs, especially those that evaluate or hold promise of improving the quality of products issued by the Census Bureau.
3. Developing means of increasing the utility of Census Bureau data for analyzing public programs, public policy, and/or demographic, economic, or social conditions.
4. Conducting or facilitating Census Bureau census and survey data collection, processing or dissemination, including through activities such as administrative support, information technology support, program oversight, or auditing under appropriate legal authority.
5. Understanding and / or improving the quality of data produced through a Title 13, Chapter 5 survey, census or estimate;
6. Leading to new or improved methodology to collect, measure, or tabulate a Title 13, Chapter 5 survey, census or estimate;
7. Enhancing the data collected in a Title 13, Chapter 5 survey or census. For example:
  - a. Improving imputations for non-response;
  - b. Developing links across time or entities for data gathered in censuses and surveys authorized by Title 13, Chapter 5.
8. Identifying the limitations of, or improving, the underlying business register, household Master Address File, and industrial and geographical classification schemes used to collect the data;
9. Identifying shortcomings of current data collection programs and / or documenting new data collection needs;
10. Constructing, verifying, or improving the sampling frame for a census or survey authorized under Title 13, Chapter 5;
11. Preparing estimates of population and characteristics of population as authorized under Title 13, Chapter 5;
12. Developing a methodology for estimating non-response to a census or survey authorized under Title 13, Chapter 5;
13. Developing statistical weights for a survey authorized under Title 13, chapter 5.



## Definitions

The following terms are defined for the purposes of this policy:

***Administrative Records:*** Records collected and/or maintained by federal, state, tribal or local government agencies or commercial entities for the purpose of administering programs or providing services. Title 13 U.S.C., Section 6 gives the Census Bureau legal authority to acquire such administrative records for statistical purposes.

***Census Bureau Mission Statement:*** To be the pre-eminent collector and provider of timely, relevant and quality data about the people and the economy of the United States. We will succeed by: valuing our employees, being innovating in our work and responding to our customers.

***Census confidential data:*** Data collected or acquired by the Census Bureau for which confidentiality protections are guaranteed under Title 13 U.S.C., Section 9. No one may access Census confidential data unless authorized to do so under this title.

***Data Stewardship Executive Policy (DSEP) Committee:*** The mission of the Data Stewardship Executive Policy Committee is to assure that the Census Bureau can effectively collect and use data about the nation's people and economy while fully meeting the Census Bureau's legal and ethical obligations to respondents to respect privacy and protect confidentiality.

***External Research Project:*** A project that meets a Title 13 purpose, but is managed by individuals granted special sworn status (SSS) by the Census Bureau. Such projects are typically funded by external sources. They are usually conducted at the Census Bureau's Center for Economic Studies (CES) or a Census Bureau Research Data Center (RDC).

***Identifiable Data:*** Data that contain information that specifically identifies or permits identification of a person or a business entity.

***Publicly Available Data:*** Data that have been modified to ensure that no individually identifiable records are disclosed; these disclosure-proofed data can be made available to outside agencies.

***Source Agency:*** A federal, state, local, tribal, or commercial/non-government agency or organization that maintains administrative record files and has the authority to provide those data to the Census Bureau.

Enclosure 6

## **Census Bureau Policy Statement on Record Linkage**

### **I. EXECUTIVE SUMMARY**

Since the 1940s, the U.S. Census Bureau has routinely matched records to support its mission. Title 13, United States Code (U.S.C), Section 6 provides the Census Bureau authority to do this by directing the Census Bureau to acquire and use information in lieu of conducting direct inquiries of the general public. Record linkage activities are essential for evaluating, editing, and analyzing the Census Bureau's census and survey data. They also help the Census Bureau improve the content and coverage of its data collections, permit cross-sectional and longitudinal analyses of populations and establishments, and ultimately provide quality data products that would otherwise be infeasible without adding cost or burden to the public.

Within the last decade, the Census Bureau's record linkage activities have increased with advancements in linkage methodologies and computer technology and the availability of administrative data. While the benefits of record linkage are clear, the Census Bureau recognizes that these activities must take place in a strategic and measured manner that respects its legal authority, mission, and ethical standards with regard to individual privacy. If the public were to perceive the privacy risks to be too great and the benefits too small the Census Bureau risks diminished cooperation in its data collection activities.

This policy provides guidance to Census Bureau employees and Special Sworn Status individuals who use record linkage. This policy guides linkage activities at the Census Bureau involving *Demographic, Business, and Address/Geographic Data* with a corporate requirement for openness. The Census Bureau will communicate with the public about its record linkage activities, the purposes and public benefits thereof, the implications for individuals and businesses, and how the Census Bureau mitigates privacy risks by protecting data confidentiality. The policy sets forth six principles:

- 1) **Mission Necessity** – The linkage must be necessary and consistent with the Census Bureau's legal authority and mission.
- 2) **Best Alternative** – The Census Bureau will examine alternatives for meeting the project objectives and determine that record linkage is the best alternative given considerations of cost, respondent burden, timeliness, and data quality.
- 3) **Public Good Determination** – The Census Bureau will weigh the public benefits to be gained by the information resulting from the record linkage against any risks to individual privacy that may be created by the linkage and determine that the benefits clearly outweigh any risks. In addition, the Census Bureau will proactively implement procedures to mitigate any risks. The confidentiality of the resulting information is protected under Title 13, U.S.C.

- 4) **Sensitivity** – The Census Bureau will assess the public perception of the level of risk to individual privacy of a particular linkage and create an appropriate level of review and tracking.
- 5) **Openness** – The Census Bureau will communicate with the public about its record linkage activities, how they are conducted, and the purpose and benefits derived from them.
- 6) **Consistent Review and Tracking** – Record linkage activities will undergo a consistent review process using the criteria set forth in this policy and be centrally tracked by the Census Bureau.

## **II. PURPOSE**

The purpose of this policy statement is to provide Census Bureau employees and Special Sworn Status individuals with guidance in the development of projects that use record linkage in their methodology. This policy sets forth principles that guide Census Bureau linkage activities involving *Demographic, Business, and Address/Geographic Data* at the Census Bureau with a corporate requirement for openness. The six principles set forth are: mission necessity, best alternative, public good determination, sensitivity, openness, and consistent review and tracking.

## **III. LEGAL AUTHORITIES**

The following legal authorities, ethical guidance, and Census Bureau policies and regulations guide the implementation of this policy:

### *Legal Authorities:*

- Title 13, U.S.C., Section 6.
- Title 13, U.S.C., Section 9.
- Title 15, U.S.C., Section 1525.
- Paperwork Reduction Act of 1995.
- The Privacy Act of 1974.
- The Computer Matching and Privacy Protection Act of 1988.
- The E-Government Act of 2002.

### *Ethical Guidance:*

- The Federal Committee on Statistical Methodology, *Working Paper #5: Report on Exact and Statistical Matching Techniques*, 1980.
- The National Academy of Sciences, *Private Lives and Public Policies*, 1993.
- The Federal Committee on Statistical Methodology, *Record Linkage Techniques – 1985: Proceeding of the Workshop on Exact Matching Methodologies*, 1985.

- The National Research Council, *Principles and Practices for a Federal Statistical Agency*, 2001.
- The General Accounting Office, *Record Linkage and Privacy: Issues in Creating New Federal Research and Statistical Information*, 2001.

*Relevant Census Bureau Policies and Procedures:*

- The Census Bureau's *Strategic Plan (FY 02 – FY 04)*, which sets forth a direction for record linkage in Strategic Objective 4.1.
- *Policy on Restricted Access to Personal Identifiers for Administrative Records*.
- *Policy on Expanded Linkages of Decennial Census Records with Survey and Administrative Records*, which is superseded by this policy (DS014).
- *Policy on Access and Control of Personal Identifiers for Census and Survey Data* (pending).
- *Administrative Records Handbook*.
- *Privacy Principles*.
- *Privacy Impact Assessment process*.

#### **IV. SCOPE**

The focus of this policy is limited to record linkages that take place at the Census Bureau *for statistical purposes* under the authority of *Title 13, U.S.C.* or *Title 15, U.S.C.*

“Record linkage” for the purposes of this policy is defined as the creation of a one-to-one correspondence between records *on separate files* for the *purposes of increasing or improving the content or coverage of data* collected or acquired by the Census Bureau under either Title 13, U.S.C. or Title 15, U.S.C., and/or *obtaining longitudinal information* about records. Such record linkages may be created on a temporary or intermediate basis as a process step in a larger project, or they may result in the establishment of a new, enhanced dataset or system of records maintained on a permanent basis.

Excluded from the scope of this policy are linkages created in the course of routine data collection and processing operations necessary to conduct a single, discrete census or survey, or to conduct multiple censuses and surveys derived from the same master database (e.g., the Business Register), or linkages that incorporate listings or survey results back to the data source from which they originally came. Linkages involving census and survey operations that involve a data source *external to one specific census or survey or the master database from which the census or survey is derived* would be subject to the *Record Linkage Policy*.

By way of example, linkages conducted within the universe of the address frame and data collected in a given decennial census would be excluded from the policy; however, if an external file (e.g., passport data acquired from the Department of State) is linked to the census data, that linkage would be subject to the policy.

Further definition of the terms used in this policy can be found in Attachment A.

## V. BACKGROUND

Since the 1940s, the Census Bureau has routinely matched records from two or more sources of data to support its mission to collect and provide timely, relevant, and quality data about the people and economy of the United States. Title 13, U.S.C, Section 6 provides the Census Bureau authority to do this by directing the Census Bureau to acquire and use of information in lieu of conducting direct inquires of the general public. Such record linkage activities are essential for evaluating, editing, and analyzing the Census Bureau's census and survey data. They also help the Census Bureau improve the content and coverage of its data collections, permit crosssectional and longitudinal analyses of populations and establishments, and ultimately provide quality data products that would otherwise be infeasible without adding cost or burden to the public.

Within the last decade, the Census Bureau's record linkage activities have increased with advancements in linkage methodologies and computer technology and the greater availability of administrative data. Indeed, the Census Bureau now maintains four large databases involving linked records: the Master Address File (MAF), the Business Register, the Statistical Administrative Records System (StARS), and the Longitudinal Employer-Household Dynamics (LEHD) Master File. Two of these databases, StARS and the LEHD Master File, were initiated within the last five years; all four of them involve multiple sources of administrative data.

Current record linkage activities are identified in the Demographic, Economic, and Decennial, Directorates. Several of these linkages are well established and have been conducted over two or more decades. These include the development of the Business Register (formerly called the Standard Statistical Establishment List), the National Longitudinal Mortality Study, and the Internal Migration Estimates. Other more recent linkages include the StARS, the LEHD Program, the Current Population Survey (CPS)/Decennial Census Match Study, the MAF, and many projects taking place in the Center for Economic Studies. A number of these more recent linkages are enabled by the Census Bureau's acquisition of important new administrative record sources, including the Social Security Administration's 100 percent Numident File, state-level Unemployment Insurance and ES-202 files, and the U.S. Postal Service's Delivery Sequence File. In addition, the Census Bureau has recently received final regulatory authority from the Internal Revenue Service to acquire earnings data from the Social Security Administration, which enables linkages to the Survey of Income and Program Participation as well as the CPS.

While the benefits of record linkage are clear, the Census Bureau recognizes that these activities must take place in a strategic and measured manner that complies with its legal authority, mission, and ethical standards with regard to individual privacy<sup>1</sup>. The act of linking multiple data sources inherently concentrates information on specific individuals or entities that would otherwise be diffused. The power of record linkage is further realized when one matches records on individuals across time, effectively illustrated by the Census Bureau's LEHD Program, for

---

<sup>1</sup> The issue of individual privacy is not relevant to record linkages that solely involve business data; however, even with business data, the Census Bureau must give due consideration to its legal authority and mission to determine the appropriateness of a particular linkage.

example, which links statistical and administrative records on individuals and establishments (cross-sectional linkages) and then further links those records across time (longitudinal linkages).

The Census Bureau therefore has a responsibility to balance the benefit derived from a given record linkage against the extent to which the linkage could be perceived as compromising individuals' privacy and particularly their right to control the ways in which their data are used. If the public perceives that the privacy risks are too great and the benefits too small, its willingness to cooperate in the Census Bureau's data-collection activities may be diminished.

## **VI. POLICY**

This policy sets forth six principles to guide Census Bureau linkage activities involving *Demographic, Business, and Address/Geographic Data* at the Census Bureau, which has a corporate requirement for openness. These principles, including their expository sub-principles, are as follows:

### **A. Mission Necessity – The linkage must be necessary and consistent with the Census Bureau's legal authority and mission.**

This principle is addressed if the record linkage meets all the following conditions:

- *Can be conducted under the Census Bureau's legal authority (Title 13 or Title 15).*
- *Data developed are necessary to meet the mission requirements of the Census Bureau.*
- *Is conducted for statistical purposes only.*
- *Fulfills the Census Bureau mission to be the preeminent collector and provider of timely, relevant, and quality data about the people and economy of the United States.*

### **B. Best Alternative – The Census Bureau will examine alternatives for meeting the project objectives and determine that record linkage is the best alternative given considerations of cost, respondent burden, timeliness, and data quality.**

This principle is addressed if the following criteria are examined in determining whether record linkage is the best alternative:

- *Alternatives to record linkage that could meet project objectives are evaluated (e.g., direct collection).*
- *The record linkage is demonstrated to be the most cost-effective among the alternatives.*
- *The record linkage is demonstrated as the best way to reduce public burden in accordance with the Paperwork Reduction Act.*
- *The record linkage meets data user needs in the most timely fashion.*
- *The record linkage will provide higher quality than, or at least comparable quality to, data from other alternatives.*

### **C. Public Good Determination – The Census Bureau will weigh the public benefits to be gained by the information resulting from the record linkage against any risks to**

**individual privacy that may be created by the linkage and determine that the benefits clearly outweigh any risks. In addition, the Census Bureau will proactively implement procedures to mitigate any risks. The confidentiality of the resulting information is protected under Title 13, U.S.C.**

This principle is addressed if the record linkage meets all the following conditions:

- *The record linkage will result in more accurate, more descriptive, and/or higher quality data than can be produced without such a linkage.*
- *There is a demonstrated public need for the data produced by the linkage.*
- *Respondents are notified of the intent to conduct record linkage for statistical purposes, and if the survey is voluntary, they can indicate they do not want the linkage to occur and we will abide by that preference.*
- *The linked product can be protected under the confidentiality provisions of Title 13, Section 9.*

**D. Sensitivity – The Census Bureau will assess the public perception of the level of risk to individual privacy of a particular linkage and create an appropriate level of review and tracking.**

This principle is addressed if the record linkage meets the following condition:

- *The potential sensitivity that the general public would have to the linkage is identified and responded to appropriately.*

**E. Openness – The Census Bureau will communicate with the public about its record linkage activities, how they are conducted, and the purposes and benefits derived from them.**

This principle is addressed if the record linkage meets the following condition:

- *The public has the opportunity to be fully apprised of the Census Bureau's linkage activities.*

**F. Consistent Review and Tracking – Record linkage activities will undergo a consistent review process using the criteria set forth in this policy and be centrally tracked by the Census Bureau.**

This principle is addressed if the record linkage meets all the following conditions:

- *The record linkage activity meets relevant project review criteria.*
- *Record linkages involving administrative record data meet the project review criteria set forth in the Administrative Records Handbook*
- *The project is maintained in a centralized tracking system.*

In order to ensure that record linkage activities at the Census Bureau meet the principles set forth above, Attachment B provides a checklist that is designed to determine if a project meets the requirements and to gauge the sensitivity of the record linkage project. For each record linkage



project, the Checklist and an accompanying Administrative Records Project Description, must be completed, uploaded, and reviewed in the Census Bureau's Administrative Records Tracking System (ARTS).

## **VII. IMPLEMENTATION**

### **RESPONSIBILITIES FOR IMPLEMENTATION**

The process for approval of projects that utilize record linkage is a modified version of the process for approval of projects that use administrative records and is fully detailed in the *Administrative Records Handbook*. The steps can be summarized as follows:

- Project Contacts are responsible for completing the Record Linkage Checklist as well as developing an ARTS project description for each record linkage project deemed in scope. (Note: This is a modification to the existing administrative records review process in that previously these projects were not required to be tracked in the ARTS system.)
- Branch Chiefs, Assistant Division Chiefs, Division Chiefs, and others specified in the Division review process are responsible for thoroughly reviewing the Record Linkage Checklist, as well as the ARTS project description, for each new project.
- The Administrative Records Coordinator, in the Office of Analysis and Executive Support, and the Project Review Team (as defined in the *Administrative Records Handbook*) are responsible for reviewing all Record Linkage Checklists.
- The Office of Analysis and Executive Support, in consultation with the Committee on Administrative Records Policies and Procedures (CARPP), is responsible for ensuring an evaluation of the policy.

### **IMPLEMENTATION AND AWARENESS STRATEGIES**

Initially, this policy will be communicated to employees and Special Sworn Status individuals by memorandum. The framework for implementing this policy is already established in the *Administrative Records Handbook*. The Administrative Records Coordinator and the Office of Analysis and Executive Support, in consultation with the CARPP, will communicate this policy to the program areas.

### **IMPLEMENTATION MEASURE**

- Conformance with this policy means that Project Contacts have completed an ARTS Project Description and the Record Linkage Checklist for each project covered by this policy.
- Conformance will be reviewed on an ongoing basis through the project review process, as documented in the *Administrative Records Handbook*. For projects that use record linkage, a project description will be considered complete only if the ARTS database record includes the Record Linkage Checklist. Record linkage projects that lack complete documentation (full ARTS Project Description and Record Linkage Checklist) will be assessed a "revise and resubmit" rating and returned to the Project Contact for revision and resubmission.

- On a sample basis, the Administrative Records Coordinator in the Consultation with the Project Review Team, will document the assessment of the projects reviewed. This documentation will be shared with the Data Stewardship Executive Policy Committee.

## **VII. DATE POLICY BECOMES EFFECTIVE**

Upon Signature.

## **IX. SIGNATURE AND DATE SIGNED**

\_\_\_\_\_/s/\_\_\_\_\_  
Herbert Habermann  
Chair, Data Stewardship Executive Policy Committee

\_\_\_\_\_2/5/2004\_\_\_\_\_  
Date

## **X. ATTACHMENTS**

Attachment A – Definition of Terms  
Attachment B – Record Linkage Checklist

## Attachment A – DEFINITION OF TERMS

The following terms are defined for the purpose of this policy:

- ***Administrative Records*** – Records collected and/or maintained by federal, state, tribal, or local government agencies or commercial entities for the purpose of administering programs or providing services. Title 13, United States Code, Section 6 gives the U.S. Census Bureau legal authority to acquire such administrative records for statistical purposes.
- ***Administrative Records Coordinator (ARC)*** – The ARC in the Policy Office provides overall direction and coordination to program areas regarding internal administrative records policy and external, data-supplier partnership.
- ***Business Identifier*** – A data element that identifies a business establishment, i.e., the name of the establishment or the Employer Identification Number (EIN) on a specific record. In the case of non-employer establishments, an individual's name and Social Security Number (SSN) are considered business identifiers (as opposed to personal identifiers, defined below).
- ***Committee on Administrative Records Policies and Procedures (CARPP)*** – The CARPP is the primary group that monitors and evaluates administrative records procedures and activities. The Committee is responsible for keeping the *Administrative Records Handbook* up-to-date and for considering any changes to related procedures. Members represent each directorate with a role in administrative records.
- ***Personal Identifier*** – A data element that identifies an individual on a demographic record, i.e., the individual's name or SSN. Individual name or SSN on an economic record are considered business identifiers rather than personal identifiers.
- ***Primary Data*** – Demographic, economic, or geographic data the Census Bureau collects directly from respondents.
- ***Privacy Impact Assessment (PIA)*** – A structured review of any information technology system or electronic data collection that contains personally identifiable information. A PIA is required in Office of Management and Budget Circular No. A-11, Form 300 and by Section 208 of the E-Government Act of 2002. The purpose of a PIA is to ensure that no collection, storage, access, use, or dissemination of identifiable personal information occurs without proper proof of need and purpose, and to ensure that appropriate security measures and controls on data use are in place.
- ***Project Review Team (PRT)*** – The PRT is responsible for reviewing and approving all projects that use administrative records. The team generally consists of the Project Review Coordinator (CES), the Administrative Records Coordinator (POL), a representative from the Information Technology Security Office (ITSO), the Assistant Division Chief of Administrative Records Research (PRED) if the project involves demographic data, and a representative from the Economic Planning and Coordination Division (EPCD) if the project involves economic data.

- **Record Linkage** – The creation of a one-to-one correspondence between records on different files using some criteria or algorithm to establish matches. Such linkages may be made on a temporary or intermediate basis as one step in a larger project, or they may result in the establishment of a new, enhanced dataset or system of records maintained on a permanent basis.

For purposes of this policy, record linkages at the Census Bureau are only in scope when they involve matching data on *separate files* for the purpose of *increasing or improving the content or coverage* of a particular data collection and/or *creating longitudinal data from different files*. Excluded from the scope of this policy are linkages created in the course of routine data collection and processing operations necessary to conduct a single, discrete census or survey, or to conduct multiple censuses and surveys derived from the same master database (e.g., the Business Register). Also excluded are linkages that incorporate listing or survey results back to the data source from which they originally came.

- **Secondary Data** – Demographic, economic, or geographic data that the Census Bureau acquires indirectly, such as an administrative record or public-use dataset.
- **Sensitive Populations** – Includes children, cognitively impaired people, comatose patients, the elderly, limited English-speaking or non English-speaking people, non-citizens, prisoners, impoverished and terminally ill patients, residents of shelters for battered and abused women and children, and small minority groups, such as Native Americans.
- **Sensitive Topics** – Includes abortion; use of alcohol, drug, or other addictive products; illegal immigration status; information damaging to financial standing, employability, or reputation; information leading to social stigmatization or discrimination; politics; psychological well-being or mental health; religion; same sex partners; sexual behavior; sexual orientation; taxes; and other information due to specific cultural or other factors.
- **Statistical Records** – Records collected or acquired on a mandatory or voluntary basis solely for statistical purposes.
- **Statistical Purposes or Uses** – The description, estimation, or analysis of the characteristics of groups without identifying the individuals or organizations that compose such groups.

Enclosure 7

## **Policy on Accepting Reimbursable Projects**

### **PURPOSE**

The purpose of this policy is to provide criteria for U.S. Census Bureau decision makers to use in determining whether to accept mandatory or voluntary surveys or other projects proposed on a cost-reimbursable basis. Because some work requirements are not determined at the inception of the project when the initial decision to accept or reject work is made, these criteria also must be applied during the design and implementation phases of the project as well. Sponsors will need to agree to the ongoing review and evaluation of a project to ensure consistency with this policy.

### **LEGAL AUTHORITIES**

The chief legal authorities governing reimbursable agreements are Title 13, United States Code (U.S.C.), Section 8(b), and Title 15, U.S.C., Sections 1525 and 1526. Reimbursable projects must be conducted under one authority or the other. Data collection projects conducted under Title 15, U.S.C., must have an identified legal authority from the sponsor's statute. Other government agencies must meet the criteria of the Economy Act before entering into a reimbursable agreement with the Census Bureau.

After a data collection project is approved under this policy, the sponsoring agency must submit a request for clearance to the Office of Management and Budget (OMB), as required by the Paperwork Reduction Act. No collections of data from the public can be done without OMB approval and appropriate citation on all forms associated with the collection.

### **SCOPE**

This policy covers all projects for which the Census Bureau would receive funds and for which a BC-505-A form is required by the Budget Office, excluding product sales.

### **BACKGROUND**

The Census Bureau has conducted work for other parties—chiefly federal agencies—for many years. This work is authorized under either Title 13, U.S.C., Section 8, or Title 15, U.S.C. Sometimes this work requires third-party approval, such as when federal tax information is used or when government printing regulations apply. During nonpeak decennial funding years, the funding from outside sources comprises approximately one-third of the entire agency budget. The largest component of reimbursable work is demographic surveys. Other work includes technical assistance to other nations and special data analyses and tabulations.

The Census Bureau is uniquely qualified to meet many of the data collection, tabulation, and analysis needs of other federal agencies and some other organizations. In addition to its professional experience and skill, the statutorily-confidential decennial and economic

census address lists are the basis for scientifically selecting representative samples for a survey. Further, the Census Bureau provides an unbiased service to its customers. It has no business interests, stockholders, or political philosophies that could create biased perceptions. This objectivity is essential in measuring and assessing critical and sensitive information that will affect markets and public policy.

Reimbursable projects also benefit the taxpayer by allowing for continuation and improvement of the Census Bureau's data collection and dissemination infrastructure required for core census and survey work. The infrastructure includes highly experienced field representatives; headquarters staff with experience in survey design, analysis, publications, and the like; and a knowledge base about changes in communities.

The Census Bureau has been approached in recent years about projects beyond what could obviously be considered within the agency's mission or "routine" work. For example, it has been asked to conduct employee satisfaction surveys for other government agencies. It has been asked to consider taking biological specimens (e.g., blood samples) from respondents to a health survey. It also has been asked to provide nonstatistical data processing services to another federal agency. While none of these projects were undertaken, much of the decision making about which work to accept has been decentralized, generally taking place at the division level.

As part of the 2001 Strategic Planning activities, the Census Bureau's Executive Staff commissioned an environmental scan, which identified the need for a formal policy, defining the scope of acceptable work for the agency to pursue or accept. Developing such a policy was explicitly stated as Objective 1.6.1 in that Strategic Plan.

## POLICY

Conducting reimbursable surveys and providing other statistical services, particularly for other agencies of the federal government, are consistent with the Census Bureau's mission and aid the operational efficiency for government. It is, therefore, appropriate to actively provide information about our services, related policies and standards, and other relevant information to those agencies that may find such information useful. The Census Bureau generally does not actively provide such information to for-profit organizations. Further, consistent with federal policy, the Census Bureau does not respond to requests for proposals advertised to the public, which would place it in direct competition with a private, for-profit organization.

The types of reimbursable projects encountered at the Census Bureau fall into eight categories, which are: (1) Data Collection from Households or Individuals, (2) Data Collection from Establishments or Institutions, (3) Administrative Records/Data Linking, (4) Technical Assistance/Consulting Services, (5) Analytic Research or Reporting, (6) Special Censuses, (7) Special Tabulations, and (8) National Processing Center Projects not Involving Data Collection.

There are seven criteria that proposed projects must meet.<sup>1</sup> They address: mission, reputation, resources, privacy and confidentiality, quality, other agency requirements, and sensitive populations and topics. These criteria are intended to be fully consistent with, and in some cases elaborate on, the Census Bureau’s mission statement and privacy principles. The purpose of these criteria and the associated considerations is to ensure conscious and deliberate consideration of, and adequate planning for, the legal, ethical, and other obligations inherent in some projects.

The first three criteria are applicable to all reimbursable projects.<sup>2</sup> The rest are applicable to subsets, such as household surveys. Most projects will fall into one category, as depicted in the following chart.<sup>3</sup> Definitions are provided in Attachment 3, Glossary of Terms.

Category of Reimbursable							
Projects	Criteria <sup>1/</sup>						
	M	R	R/I	P/C	Q	ADREC	S
Data Collection from Households or Individuals (DCHI)	X	X	X	X	X	X	X
Data Collection from Establishments or Institutions (DCEI)	X	X	X	X	X	X	
Administrative Record/Data Linking (ADREC)	X	X	X	X	X	X	
Technical Assistance/Consulting Services (TA/CS)	X	X	X				
Analytic Research or Reporting (AR)	X	X	X	X	X		
Special Censuses (SC)				X	X		
Special Tabulations (ST)		X		X	X		
National Processing Center Project not Involving Data Collection (NPC) (Telephone Assistance, Mail Services, Coding, Forms Design, Data Capture)	X	X	X	X	X		
1/ Mission (M), Bureau Reputation (R), Resource/Infrastructure (R/I), Privacy/Confidentiality (P/C), Quality (Q), Administrative Records (ADREC), Sensitive Populations or Topics (S)							
Note: An “X” means that the project category is subject to that particular criteria.							

<sup>1</sup> Additional criteria or review may be required for some projects, beyond this policy, before a decision can be made. Specifically, this is the case for Administrative Records projects (see the *Administrative Records Handbook*). Implementation of this policy can often be accomplished by integrating it into those existing reviews.

<sup>2</sup> As a practical matter, Special Censuses and Special Tabulations are assumed to meet these criteria, with one exception (i.e., Special Tabulation projects are subject to one component of Criteria II).

<sup>3</sup> In some cases, two categories could apply (e.g., a data collection involving households that will link results to administrative records). If so, questions in both sets of applicable considerations apply. Externally proposed research projects involving census confidential data, typically conducted at the Center for Economic Studies or a Research Data Center, are considered Analytic Research or Reporting projects.



Attachment 1 provides a checklist that is designed to determine if a project meets the requirements of this policy. **The checklist must be completed for each new reimbursable project.** Attachment 2 provides a summary of the same information in flow chart format. The following explanation of the criteria is summary in nature and should not be used in lieu of the checklist.

If the Census Bureau is participating in one portion of a larger project (e.g., performing sample design for a survey to be conducted by another organization), then the category is determined by the nature of the Census Bureau's involvement. However, to complete the checklist accurately, the decision maker should make a reasonable effort to determine what the sponsor intends for the larger project.

A project must:

I. Be consistent with the Census Bureau's mission

This criterion is considered met if the project possesses all of the following characteristics:

- Has identifiable legal authority (i.e., both a Census Bureau or Department of Commerce (DOC) authority and a sponsoring agency authority, if another government agency).
- Is consistent with DOC requirements for agreements and other relevant Census Bureau policies.
- Will be used for statistical purposes only (if project involves data collection by the Census Bureau).
- Adheres to the Census Bureau mission of high-quality data collection, provision, and analysis.
- Does not harm relationships with partner agencies.
- Is designed to benefit the public good.

II. Have a positive or neutral effect on the Census Bureau's reputation

This criterion is considered met if the project possesses the following items:

- Likely positive or neutral impact on the agency's reputation as an objective, unbiased data collector.
- Adhere to professional integrity standards, such as those published by the American Statistical Association or the International Statistical Institute.

And one of the following:

- A governmental sponsor with clear functional separation between its statistical and any domestic enforcement or regulatory functions.
- A nongovernmental sponsor disassociated with partisan activities.

- Written acknowledgement by the Division Chief, approved by the cognizant Associate Director, that he/she has determined that it is in the Census Bureau's interest to undertake the project, despite one of the above items not being met.

III. Be feasible without jeopardizing resources and infrastructure needed to support other Census Bureau commitments

This criterion is considered met if:

- Sufficient resources (including equipment and staff expertise) are available, or can be made available, in a full cost-recovery manner, without putting appropriated projects at risk.
- Participating divisions or offices concur with this assessment.

IV. Be consistent with the Census Bureau's commitment to privacy and confidentiality

This criterion is considered met if:

The project can be conducted in accordance with the Census Bureau's privacy principles.

- A survey is collected under Title 13, U.S.C., and the sponsor understands the requirements to follow the Census Bureau's disclosure-avoidance rules and procedures.
- A survey is collected under Title 15, U.S.C., and the sponsor agrees to the following:
  - Maintain the data in accordance with all applicable laws, including the Privacy Act, the Freedom of Information Act, the Trade Secrets Act, and its own statute (if a government agency).
  - Advise respondents that the Census Bureau is an agent of the sponsor and that disclosure in a form permitting identification of an individual respondent is prohibited, except when the data are collected from public records.

V. Be consistent with the production of high-quality data

This criterion is considered met if the project:

- Includes preparation of documents that describes the methodology, statements of data limitations, and reliability measures for each aspect that the Census Bureau is contracted to perform.
- Is a data collection, and:
  - Has a stated objective that the data collection can reasonably be expected to meet.

- The sponsor is willing to collaborate in an effort to meet existing Census Bureau guidelines for coverage rates, response rates, variance estimation, pretesting, evaluation, analysis, and other relevant quality guidelines.

VI. Accommodate source agency requirements for using administrative records

This criterion is considered met if the project:

- Uses administrative records in a manner consistent with the source agencies' requirements.
- Complies with the Administrative Records Restricted Access Policy and the procedures specified in the Administrative Records Handbook.

VII. Address sensitive populations and topics thoughtfully

This criterion is considered met if the project:

- Includes sensitive topics or populations and:
  - Can be designed to meet requirements levied by a sponsoring agency's Institutional Review Board.
  - Can be designed to mitigate risk to the Census Bureau associated with such sensitivities adequately.
  - Is elevated to the Executive Staff for decision if the risk is moderate to high.
- Does not include sensitive topics or populations, or medical or psychological interventions.

Primary aspects of determining risk level include:

- Extent to which anonymity or confidentiality can be maintained.
- Targeting of one or more sensitive population groups.
- More than nominal incentives.
- One or more sensitive topics.
- Potential for social, economic, legal, or psychological harm.
- Medical or psychological intervention.

Primary aspects of mitigating risk include ensuring:

- Informed consent.
- Confidentiality of data.
- Presence of appropriate medical or other professional personnel, as warranted.
- Appropriate training or procedures to address problematic situations.

To assess the risk level of a project, as well as to design appropriate risk mitigation, see the final section of Attachment 1.

If all of the questions in Attachment 1 are answered satisfactorily, the project can be accepted. If one or more responses indicates “elevate,” then the Division Chief must elevate the decision to the Executive Staff level. If the responses indicate that the project must not be accepted, the Census Bureau cannot carry out the project unless modifications are made to address identified concerns. Division Chiefs should further elevate any project they deem appropriate, such as those that raise issues not anticipated in this policy, to the Executive Staff level.

For projects subject to Criterion VII, Sensitivities: Four or more risk points indicate a moderately high-risk project. Such projects must have a formal risk mitigation plan for the Division Chief’s approval. Projects with more than six risk points must be elevated to the Executive Staff for a decision. The risk mitigation plan is required for such projects before the Executive Staff can determine project acceptability.

## IMPLEMENTATION

The Reimbursable Policy Team was rechartered to address implementation details, including automation of the attached checklist, to facilitate use. It also will provide tools needed to facilitate staff and sponsor awareness. These will be available from the Office of Analysis and Executive Support (OAES) upon completion.

**Summary:** Division Chiefs are the primary decision makers in this policy and are responsible for ensuring compliance among their staff. Reimbursable Contact Persons (RCPs), designated by each Division Chief, are responsible for completing the policy checklist for each new project. No one may commit the Census Bureau to a project until the criteria specified herein are applied and approved by the Division Chief or above. The Executive Staff is responsible for making a final decision, based on these criteria, when a project is elevated. OAES will work with divisions to ensure timely Executive Staff consideration. Divisions will periodically report on reimbursable projects to the Executive Staff in a manner prescribed by OAES in order to evaluate the impact of this policy.

**Additional Detail:** When a potential reimbursable project comes into the Sponsoring (i.e., lead) Division, the RCP will take the specifications (Statement of Work [SOW] or any information describing what work the sponsor is requesting) for the project and complete the Reimbursable Policy checklist for the proposed project. The RCP is encouraged to work with the Census Bureau project manager when completing the checklist.

When a recurring project has changed, a new checklist must be completed if the project meets the criteria for being a “new project,” as defined in the glossary. If a recurring project is unchanged, a new checklist is not required.

In many instances, the sponsor initially contacts the Census Bureau informally, with a SOW being developed subsequently. The checklist is applied at this point, prior to or concurrent with cost estimation.

The RCP must provide his/her counterpart(s) in any participating division the opportunity to review and concur with the checklist. If a participating division disagrees, the RCP must document the dissent and append it to the checklist, which will be elevated consistent with the policy.

Once other division concurrence is obtained, the RCP provides the document to the Division Chief, usually along with the BC-505-A and the SOW. The Division Chief's signature on the checklist signifies approval. The checklist must be included in the full packet of documentation routed for approval for any new project.

The Division Chief is responsible for using his/her judgment in elevating proposed projects when appropriate, beyond what is explicitly directed by the policy, in potentially problematic instances not fully anticipated by this policy. In most such cases, the appropriate Associate Director will be able to determine whether the project can be accepted. In unusual cases, including those explicitly specified in the checklist, a project must be elevated to the DSEP.

In those cases, the RCP or Division Chief will work with OAES to schedule such a review. Necessary documentation includes the project specifications, the completed Reimbursable Policy checklist, documentation to support why the division should take on this project, and any participating division dissent.

After this process is complete, the Census Bureau can finalize agreement with the sponsor about the cost, timing, and other details of the work. An agreement is then signed, funds are transferred, and work is initiated.

#### DATE POLICY BECOMES EFFECTIVE

Upon signature, these criteria are in effect. However, the documentation requirements will take effect when OAES provides implementation materials to program areas.

#### SIGNATURE AND DATE SIGNED

\_\_\_\_\_/s/\_\_\_\_\_  
Charles Louis Kincannon  
Director

\_\_\_\_\_/2/3/03\_\_\_\_\_  
Date

Attachment 1: Checklist  
Attachment 2: Decision Tree Flow Chart  
Attachment 3: Glossary of Terms

Attachment 1: Checklist

Attachment 2: Decision Tree Flow chart

Attachment 3: Glossary of Terms

**Attachment 1<sup>1</sup>**  
**Checklist: Questions for Consideration**  
**to Elaborate on Policy Criteria**

This attachment provides a checklist that is designed to determine if a project meets the requirements of the Reimbursable Project Acceptance Criteria policy. The **checklist must be completed for each new reimbursable project**. Note that many questions require an affirmative answer or the project cannot be conducted, as currently configured. Project contacts should encourage potential sponsors to consider modifications to allow the project to conform to this policy. Other questions require analysis and consultation before an adequate answer can be provided. Questions with a “no” answer that requires elevation to an Associate Director or the Executive Staff are clearly indicated. A final (positive) determination is reached only after all applicable questions are considered.

Name of Project:

Lead Division:

Participating Division(s), if applicable:

Person Completing Checklist, including title and phone number:

Project Number:

BC-505-A File Reference Number:

**I. Mission: Be consistent with the U.S. Census Bureau’s mission.**

1. Is the project consistent with the Census Bureau’s mission statement?
  - A. If Census Bureau data collection is a part of the project, will the data be used for statistical purposes only?  
☐ Yes. Continue.  
☐ No. Project cannot be accepted.  
☐ No. Data collection is not involved. Skip to 1.C.
  - B. Will the collection of these data allow the Census Bureau to adhere to its mission of high-quality data collection, provision, and analysis?  
☐ Yes. Continue.  
☐ No. Project cannot be accepted.
  - C. Will the proposed project enhance (or have a neutral effect on) the work that the Census Bureau already does (including the avoidance of any safety, productivity, or ethical impairments on the interviewing staff)?  
☐ Yes. Continue.  
☐ No. Project must be elevated to the Executive Staff for decision.
  - D. Does the project have the potential to enhance (or have a neutral effect on) the existing relationship with partner agencies?  
☐ Yes. Continue.  
☐ No. Project cannot be accepted.

---

<sup>1</sup> A user-friendly, automated version of this checklist is available from the Policy Office.

- E. Is there an identifiable legal authority for conducting the work?<sup>2</sup>
    - ☐ Yes. Continue.
    - ☐ No. Project cannot be accepted.
  - F. Has the customer fulfilled the obligations required by the legal authority?
    - ☐ Yes. Continue.
    - ☐ No. Project cannot be accepted.
  - G. Does the project have the potential to benefit the public good?
    - ☐ Yes. Continue.
    - ☐ No. A written comment is required indicating that the Division Chief has considered this issue and has determined that it nonetheless is in the Census Bureau's interest to undertake the project.
2. Is the proposed work consistent with other relevant Department of Commerce and Census Bureau policy?
- ☐ Yes. Continue.
  - ☐ No. Project cannot be accepted.

**II. Bureau Reputation: Have a positive or neutral effect on the Census Bureau's reputation.**

[Special Tabulations should begin at Question 3.]

- 1. Would conducting this project have a positive (or neutral) impact on the agency's reputation as a collector and provider of objective, unbiased information?<sup>3</sup>
  - ☐ Yes. Continue.
  - ☐ No. Project cannot be accepted.
- 2. Will the professional integrity of the Census Bureau be maintained (i.e., will adherence to a professional code of ethical conduct, such as American Statistical Association Ethical Guidelines for Statistical Practice, be maintained)?
  - ☐ Yes. Continue.
  - ☐ No. Project cannot be accepted.
- 3. Is the project sponsor a government agency or part of a government department that conducts domestic law enforcement or regulatory activities?
  - ☐ Yes, a government agency with such activities -- Go to Question A.
  - ☐ No, not a government agency -- Go to Question B.
  - ☐ No, a government agency with no domestic law enforcement or regulatory activities -- Skip to Question D.

---

<sup>2</sup> The Census Bureau can conduct work under Title 13 or 15, United States Code (U.S.C.). Title 15, U.S.C., projects also require reference to the Economy Act and, if a government data collection, the other agency's collection authority.

<sup>3</sup> This response should consider the larger project, of which the Census Bureau's participation is only a part, if applicable (e.g., if technical assistance is for a survey conducted by another agency).



- A. Does the sponsor have clear "functional separation" between its research/statistical and domestic law enforcement or regulatory activities?
  - ☐ Yes. Skip to Question D.
  - ☐ No. A written comment is required indicating that the Division Chief has considered this issue and has determined that it nonetheless is in the Census Bureau's interest to undertake the project. Such a statement requires approval by the cognizant Associate Director.
- B. Is the project sponsor, or other parts of its organization, disassociated with partisan political activities, issue advocacy, or research that may be construed as partisan or biased?
  - ☐ Yes. Continue.
  - ☐ No. A written comment is required indicating that the Division Chief has considered this issue and has determined that it nonetheless is in the Census Bureau's interest to undertake the project.
- C. Is the project sponsor a for-profit entity? If so, will the sponsor agree to not misrepresent its relationship with the Census Bureau in a manner that conveys access to confidential Census Bureau data, the exclusivity of the relationship, and the Census Bureau's concurrence in the sponsor's findings or in any other survey?
  - ☐ Yes. Continue.
  - ☐ No. Project sponsor is not a for-profit entity. Continue.
  - ☐ No. Project sponsor does not agree. Project cannot be accepted.
- D. Is the project sponsor free from a known conflict of interest (e.g., family member of a Census Bureau decision maker)?
  - ☐ Yes. Continue.
  - ☐ No. A written comment is required indicating that the Division Chief has considered this issue and has determined that it nonetheless is in the Census Bureau's interest to undertake the project.

[Special Tabulations skip to Section IV.]

- 4. Has the Census Bureau previously worked with the project sponsor?
  - A. If yes, were any problems encountered that may have bearing on this project (e.g., a sponsor used data from a pilot project to produce unreliable national estimates)?
    - ☐ Yes. A written comment is required indicating that the Division Chief has considered this issue and has determined that it nonetheless is in the Census Bureau's interest to undertake the project.
    - ☐ No. Skip to III.
  - B. If no, does the sponsor agree to become familiar with, and abide by, critical Census Bureau principles, like statistical use only, confidentiality, statistical quality (including reuse of sample issues), and informed consent?
    - ☐ Yes. Continue.
    - ☐ No. Project cannot be accepted.

**III. Resources/Infrastructure: Be feasible without jeopardizing resources and infrastructure needed to support other Census Bureau commitments.**

1. Are sufficient staff and infrastructure resources available to produce a quality product without putting at risk the Census Bureau's mandated work (including considering other pending projects and any special requirements, such as a sponsor's request to use only specific staff)?  
☐ Yes. Skip to B.  
☐ No. Go to A.
  - A. Can sufficient resources be acquired in a timely, full cost-recovery manner<sup>4</sup> in order to produce a quality product?  
☐ Yes. Continue.  
☐ No. Project cannot be accepted.
  - B. Once affected divisions have been informed of the scope of work, have they agreed that sufficient resources are available to meet project requirements?
    1. National Processing Center ☐ Yes or NA – Continue. ☐ No – Elevate to relevant Associate Director (AD) if the lead and participating areas are within the same directorate, or to two ADs if in separate directorates.
    2. Field ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate or to two ADs if in separate directorates.
    3. Technologies Management Office ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate, or to two ADs if in separate directorates.
    4. Information Technology Directorate, including Telecommunications and Security ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate or to two ADs if in separate directorates.
    5. Mathematical Statisticians within lead division and across the Census Bureau ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate or to two ADs if in separate directorates.
    6. Applicable Programming Staff within lead division and across the Census Bureau ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate or to two ADs if in separate directorates.
    7. Survey Methods Research Staffs ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate or to two ADs if in separate directorates.
    8. Any other area expected to support the project – Please list. ☐ Yes or NA – Continue. ☐ No – Elevate to relevant AD if the lead and participating areas are within the same directorate or to two ADs if in separate directorates.

---

<sup>4</sup> See Policies and Procedures Manual, Chapter D-5, Budget Requirements for Reimbursable Work or Service for Other Agencies and Organizations, for guidance on full cost recovery.

2. Does the sponsor have adequate funds for the proposed project?  
[ ] Yes. Continue.  
[ ] No. Project cannot be accepted.
3. A. Is the project an external research project (i.e., initiated by outside individual, generally via the Center of Economic Studies (CES) or a Search Data Center)?  
[ ] Yes. Continue to Section IV.  
[ ] No. Continue.
- B. Can the work be done using existing core competencies (e.g., survey methods and data collection) and expertise, or will it give us skills to do our existing work better?  
[ ] Yes. Continue.  
[ ] No. Elevate to Executive Staff.

[Technical Assistance/Consulting Services projects go to determination. The National Processing Center (NPC) projects not involving data collection skip to Section V.]

**IV. Privacy and Confidentiality: Be consistent with the Census Bureau's commitment to privacy and confidentiality.**

1. If the project is analytic research or reporting, a special tabulation or a special census, does it conform to Census Bureau confidentiality and disclosure-avoidance requirements?  
[ ] Yes. Skip to Section V, Data Quality.  
[ ] No. Project cannot be accepted.
2. Does the project involve collecting data other than those that are publicly available?  
[ ] Yes. Continue.  
[ ] No. Skip to Question 4.
3. Will the survey be collected under Title 13, U.S.C.?  
A. If yes, does the sponsor agree to the Census Bureau's disclosure avoidance procedures, rules, and review process?  
[ ] Yes. Continue to Question 4.  
[ ] No. Project cannot be accepted.
- B. If no (the survey is not sampled from a Title 13, U.S.C. source), does the survey meet the following?
1. The sponsor agrees to maintain the data in accordance with all applicable laws?
  2. The sponsor, agrees that personal identifiers will not be provided to the sponsor, unless they are needed for subsequent interviews by the sponsor or for matches to other individual data held by the sponsor?

3. The sponsor agrees that respondents are advised that:
  - a. The Census Bureau is conducting the survey as an agent of the sponsor.
  - b. Disclosure of respondent's information in a form permitting identification of an individual respondent is prohibited.
  - c. Participation is voluntary.

☐ Yes. Continue.

☐ No. Project cannot be accepted.
4. Can the project be conducted in accordance with the Census Bureau's privacy principles of ensuring:
  - a. That personal and sensitive information is collected only if needed and that such information will be used appropriately?
  - b. Appropriate informed consent?
  - c. Protection from unwarranted intrusion?
  - d. That confidentiality procedures are integral to all stages of the project?

☐ Yes. Continue.

☐ No. Project cannot be accepted.

**V. Data Quality: Be consistent with the production of high-quality data.**

1. If the project is a special tabulation or special census, does it conform to published standards?

☐ Yes. Skip to Determination.

☐ No. Product must include standard disclaimer that indicates such.

☐ No. Not a special tabulation or special census. Continue.
2. If the project is an external research project, has it been reviewed and approved by the standard CES review process?

☐ Yes. Skip to Determination.

☐ No. Project cannot proceed. Consult the CES for assistance.

☐ No. Not an external research project. Continue.
3. If an NPC project, does the sponsor agree to operate consistently with the Census Bureau's quality-control standards (under development)?

☐ Yes. Skip to Determination.

☐ No. Project cannot be accepted.

☐ No. Not an NPC project. Continue.
- 4.A. Does the project have a reasonably clear and feasible specified objective?

☐ Yes. Continue.

☐ No. Project cannot be accepted.
- 4.B. Will the data collection meet the specified objectives?

☐ Yes. Continue.

☐ No. Project cannot be accepted.

5. Will the project include preparation of explanatory documents to accompany the results that describe the methodology, statements of data limitations, and reliability measures for each aspect of the work that the Census Bureau agrees to perform?
- ☐ Yes. Continue.
- ☐ No. Project cannot be accepted.

[ADREC projects can skip to Section VI; AR projects can skip to Determination.

6. Is there adequate lead time to prepare to field and implement a survey of appropriate quality?
- ☐ Yes. Continue.
- ☐ No. Project cannot be accepted.
- 7.A. Is the sponsor willing to collaborate in an effort to meet standards and guidelines for coverage rates, response rates, variance estimation, pre-testing, evaluation, analysis, and other relevant quality guidelines?
- ☐ Yes. Continue.
- ☐ No. Elevate to Division Chief.
- 7.B. Does sponsor have funds available for this activity?
- ☐ Yes. Continue.
- ☐ No. Elevate to Division Chief.

[Projects not involving Administrative Records or Data Collection go to Determination.]

**VI. Administrative Records: Can the project be designed/implemented to accommodate source agency requirements for administrative records?**

1. Will the project use as input only those administrative record data files that are available publicly?
- ☐ Yes. Skip to Section VII if a Data Collection from Households of Individuals or to Determination if a Data Collection Involving Establishments or Institutions.
- ☐ No. Project is required to undergo the administrative records review process detailed in the *Administrative Records Handbook: A Compilation of Policies and Procedures*, in addition to complying with the criteria in this policy.
2. Will the project involve linkages across administrative records and other data?
- A. If yes, can the project comply with the Administrative Records Restricted Access Policy (which includes stripping of personal identifiers, unless an exemption is granted)?
- ☐ Yes. Continue.
- ☐ No. Elevate consistent with the Administrative Records Restricted Access Policy.
- B. If no, continue to Determination.

## **VII. Sensitivities: Can the project be designed and implemented to address sensitive populations and topics thoughtfully?**

NOTE: With this section, you will need to begin tallying risk points.

1. Is this a project the Census Bureau has done previously?  
☐ Yes. Skip to Question 3.  
☐ No. Continue.
2. Is this similar to a project the Census Bureau has done previously?  
☐ Yes. Please provide the name of the similar project below and then continue.  
Name:  
☐ No. Assess 1 risk point. Continue.
3. Will personal identifiers be collected and maintained?  
☐ Yes. Assess 1 risk point. Continue. [See Risk Mitigation, Section 2.]  
☐ No. Continue.
4. Does the sponsor's agency have an Institutional Review Board (IRB) that evaluates research?  
☐ Yes. Continue.  
☐ No. Skip to Question 7.
5. Has the sponsoring agency's IRB reviewed the project?  
☐ Yes. Continue.  
☐ No. Project cannot proceed until such a review is completed.
6. Can the Census Bureau meet any IRB-levied requirements (e.g., make available professional counselors)?  
☐ Yes. Continue.  
☐ No. Project cannot be accepted.
7. Is participation in the project voluntary?  
☐ Yes. Continue.  
☐ No. Assess 1 risk point.

### **A. Interaction**

1. Interaction is structured or unstructured communication or interpersonal contact between interviewer and respondent. Surveys are one type of interaction. Does this project include any interaction?  
☐ Yes. Continue.  
☐ No. Skip to B.

2. Does the project include one or more potentially sensitive topics as defined in the glossary (e.g., illegal behaviors)?  
☐ Yes. Assess 1 risk point. Continue.  
☐ No. Skip to “Sensitive Populations” section.
3. Are the topics required to meet project objectives?  
☐ Yes. Continue.  
☐ No. Project may not include those topics.
4. Does the project pose potential social, economic, and/or legal harm if the information collected were made known (e.g., social stigma)?  
☐ Yes. Continue.  
☐ No. Skip to Question 6.
5. Is the potential social, economic, and/or legal harm more than minimal, as defined in the glossary?  
☐ Yes. Assess 3 risk points. Continue. [See Risk Mitigation, Section 5.]  
☐ No. Assess 1 risk point. Continue.
6. Does the project pose any potential psychological harm (e.g., impact from being probed about a recent traumatic experience)?  
☐ Yes. Assess 4 risk points. Continue. [See Risk Mitigation, Sections 3 and 4.]  
☐ No. Continue.
7. Does this project also involve any interventions?  
☐ Yes. Continue to “Intervention” section.  
☐ No. Skip to “Sensitive Populations” section.

## **B. Intervention**

1. Intervention is data collection that includes information derived from both physical procedures (e.g., venipuncture) and manipulations of the respondent or the respondent’s environment. Does this project include any intervention?  
☐ Yes. Continue.  
☐ No. Skip to C.
2. Will the nature of the intervention likely introduce atypical physical or psychological stress on the Census Bureau’s field representatives?  
☐ Yes. Assess 1 risk point. Continue. [See Risk Mitigation, Sections 3 and 4.]  
☐ No. Continue.
3. Is more than one intervention planned?  
☐ Yes. Assess 3 risk points. Continue.  
☐ No. Assess 1 risk point. Continue.

4. Please rate the intervention risk level based on the following:

☐ Noninvasive procedure with minimal technical skill required; little or no risk of harming individual (e.g., weighing a healthy adult). Add no additional risk points. Skip to “Sensitive Populations” section. [See Risk Mitigation, Sections 1 and 4.]

☐ Noninvasive procedure with some technical skill required; little risk of harming individual (e.g., weighing an infant or taking saliva sample from adult). Add 1 additional risk point. Skip to “Sensitive Populations” section. [See Risk Mitigation, Sections 1 and 4.]

☐ Invasive or noninvasive procedure with technical skill required; some risk of harming individual (e.g., taking tissue samples, administering drugs, in-depth psychological probing). Add 3 additional risk points. Skip to “Sensitive Populations” section. [See Risk Mitigation, Sections 1, 3, and 4.]

### **C. Unobtrusive Observation**

1. An unobtrusive observation is the systematic or guided examination of social phenomena or social interactions in a manner that is completely, or in large part, unnoticed by social actors as they proceed with their daily activities or interactions. Will this project involve unobtrusive observation?

☐ Yes. Continue.

☐ No. Skip to Item D.

2. Will the project allow for full anonymity?

☐ Yes. Continue.

☐ No. Assess 1 risk point. Continue.

3. Is the extent of the interference with the participant’s environment from which data are collected appropriate as warranted by the research design?

☐ Yes. Continue to “Sensitive populations” section.

☐ No. Assess 2 risk points. Continue to “Sensitive populations” section.

### **D. Sensitive Populations**

1. Does the project target individuals in one or more sensitive populations, as defined in the glossary (e.g., the cognitively impaired)?<sup>5</sup>

☐ Yes. Assess 1 risk point. Continue.

☐ No. Skip to Determination.

2. Do the targeted individuals belong to two or more sensitive populations (e.g., incarcerated children)?

---

<sup>5</sup> The Census Bureau does not include in its universe for demographic data collection domestic violence shelters, given their unique sensitivity (July 14, 2002, memorandum from John H. Thompson).



☐ Yes. Assess 1 additional Risk Point. Continue. [See Risk Mitigation, Sections 1 and 2.]

☐ No. Continue.

3. Are atypical interview techniques being applied, such as videotaping?

☐ Yes. Assess 1 Risk Point. Continue. [See Risk Mitigation, Section 1.]

☐ No. Continue.

4. Are more than nominal incentives being offered to either the participant or the field representative? (Examples of nominal include a “trinket” or paying local, public transportation expenses.)

☐ Yes. Assess 1 Risk Point. Skip to Determination. [See Risk Mitigation, Section 1.]

☐ No. Continue to Determination.

## **E. Determination**

If all of the questions above are answered satisfactorily, the project can be accepted. If one or more of the responses indicates “elevate,” then the Division Chief should do so. If the responses indicate that the project must not be accepted, the Census Bureau cannot carry out the project unless modifications to address identified concerns are made.

Division Chiefs should further elevate any project they deem appropriate, such as those that raise issues not anticipated in this policy.

For projects subject to Criterion VII, Sensitivities: Four or more risk points indicate a moderately high-risk project. Such projects must have a formal risk mitigation plan for the Division Chief’s approval. Projects with more than six risk points must be elevated to the Executive Staff for a decision. The risk mitigation plan is required for such projects before the Executive Staff can determine project acceptability.

## **F. Risk Mitigation**

Projects with identified sensitivity risks also must have identified risk mitigation strategies. These strategies can range from simple to elaborate, depending upon the level and type of risk.

- Concerns about perceived coercion or potential harm can be mitigated in part by informed consent procedures.
- Concerns about sensitive topics and associated harms can be mitigated in part by confidentiality protections and assurances.
- Concerns about potential psychological or physical harm can be mitigated in part by the presence of appropriate medical or other professional personnel and in part by specific training and procedures.
- Concerns about some types of economic harm (i.e., loss of income due to participation in a project with more than minimal risk) can be mitigated in part by appropriate compensation.

The following five sections provide risk mitigation strategies for different types of risk:

## **1. Informed Consent**

Informed consent procedures must be employed for any Census Bureau survey/interaction and intervention, as required by the Privacy Act and the Paperwork Reduction Act. Informed consent must include, at a minimum, information about the authority for conducting the project, intended uses of the information, and whether participation is mandatory or voluntary.

Projects with applicable risk points must employ two or more of the items listed below. The higher the risk, the more extensive the informed consent procedures must be, such as the following:

- Verbal consent that is recorded
- Notification by an impartial third party
- Both written and oral communications, with appropriate translations
- Reminders throughout the interaction or intervention
- Written materials that can be kept
- Signed consent form
- Consent specific to the recording medium (e.g., videotape)

## **2. Confidentiality**

The greater the confidentiality protections available, the greater the risk mitigated. Therefore, projects conducted under Section 8, Title 13, U.S.C., are significantly protected. This protection is enhanced further by assurances made during and after an interaction or intervention. For the most sensitive projects, this is a preferred approach. For some types of projects, use of pseudonyms may be an option to further enhance confidentiality.

If the project cannot be conducted under Title 13, U.S.C., a comparable confidentiality statute invoked by the sponsor, if available, especially if accompanied by reminders, provides a high degree of risk mitigation. If not available, the Census Bureau must consider whether the sponsor has policies and a track record supportive of keeping data confidential. If none of these conditions exist, the Census Bureau cannot sufficiently mitigate the risk, and the project must not be conducted. If RCPs have questions about the confidentiality protections available to a sponsor, they may contact the Legal Office. If they have disclosure or confidentiality concerns, they may consult with the Disclosure Review Board.

## **3. Availability of Appropriate Medical/Other Professional Personnel**

This risk category is applicable primarily for interventions. Therefore, its focus is on identifying the appropriate professional personnel (e.g., psychologists) or appropriate

medical personnel (e.g., psychiatrists) and making them available as needed. The highest risk projects should include medical personnel present during the intervention. Projects with less risk can provide for follow-up access to such professionals, as needed. The least risky interventions can provide information about appropriate follow-up, as needed.

#### **4. Procedures or Training**

This risk mitigation addresses primarily the asking of sensitive topics and targeting of sensitive populations. The appropriate risk mitigation is to identify specific procedures or training to minimize risks specific to the product. Examples include training that emphasizes the inappropriateness of proxy responses for sensitive topics or procedures to anticipate problems that could arise when interviewing cognitively impaired people on certain sensitive topics. Failure to identify and plan for key risks yields an unacceptably high-risk project, and it should not be conducted.

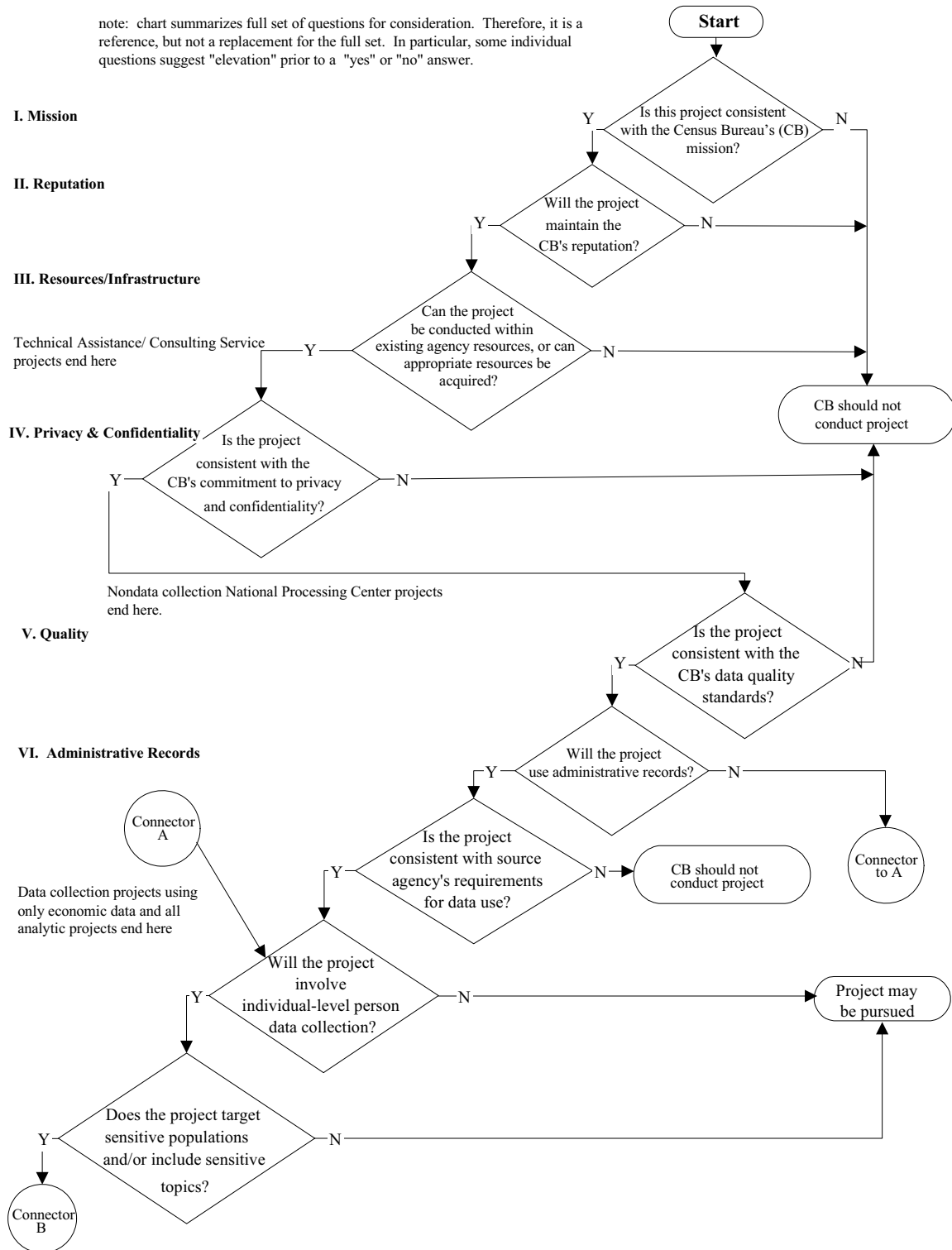
#### **5. Compensation**

This risk mitigation section is focused on “more than minimal” risk interactions or interventions. Therefore, it is appropriate to try to anticipate the economic harm or loss a participant may experience (e.g., missing days of work). The availability and need for funding sufficient to compensate respondents who might experience economic harm or loss is an appropriate risk mitigation strategy.

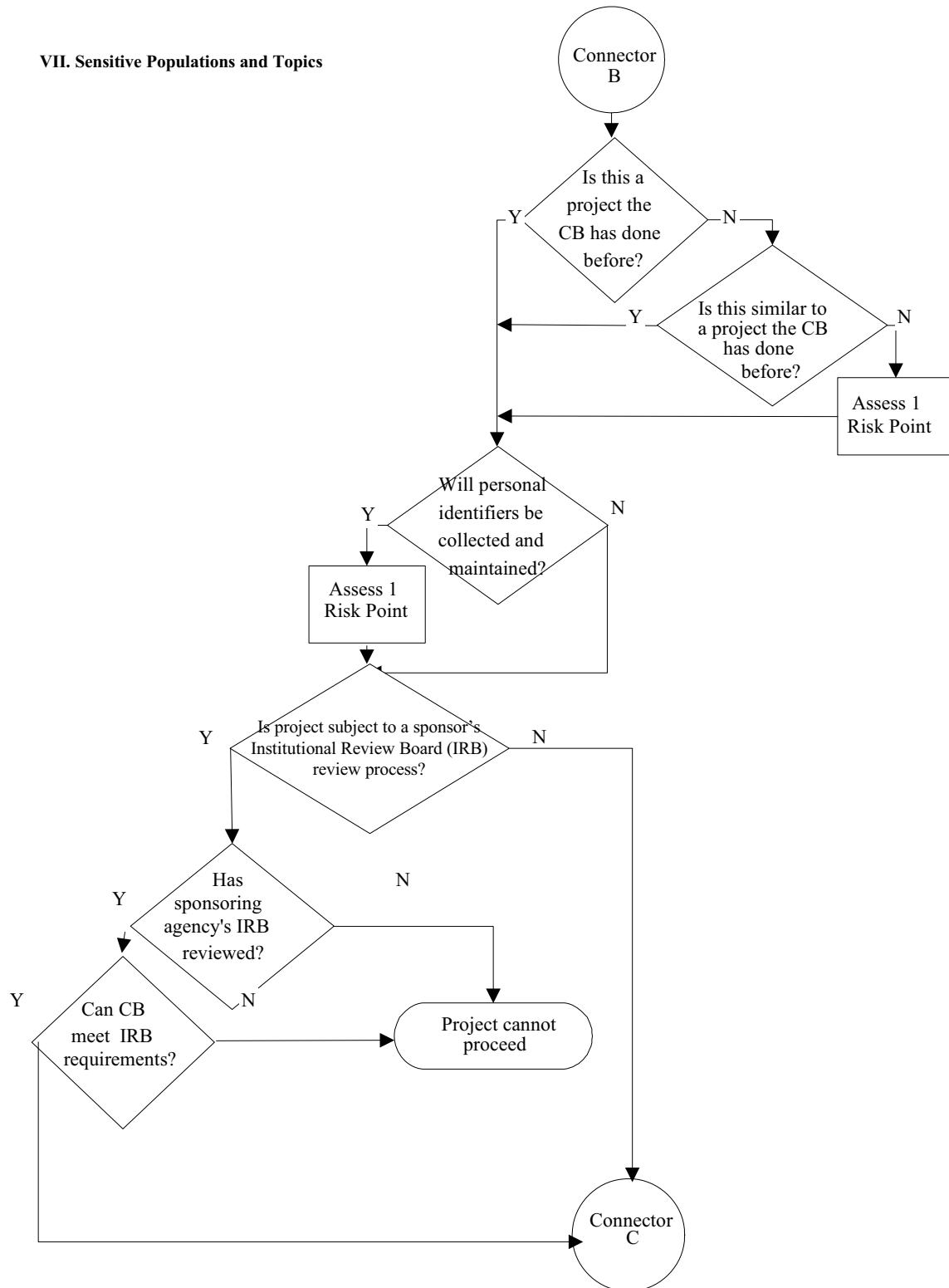
## Attachment 2

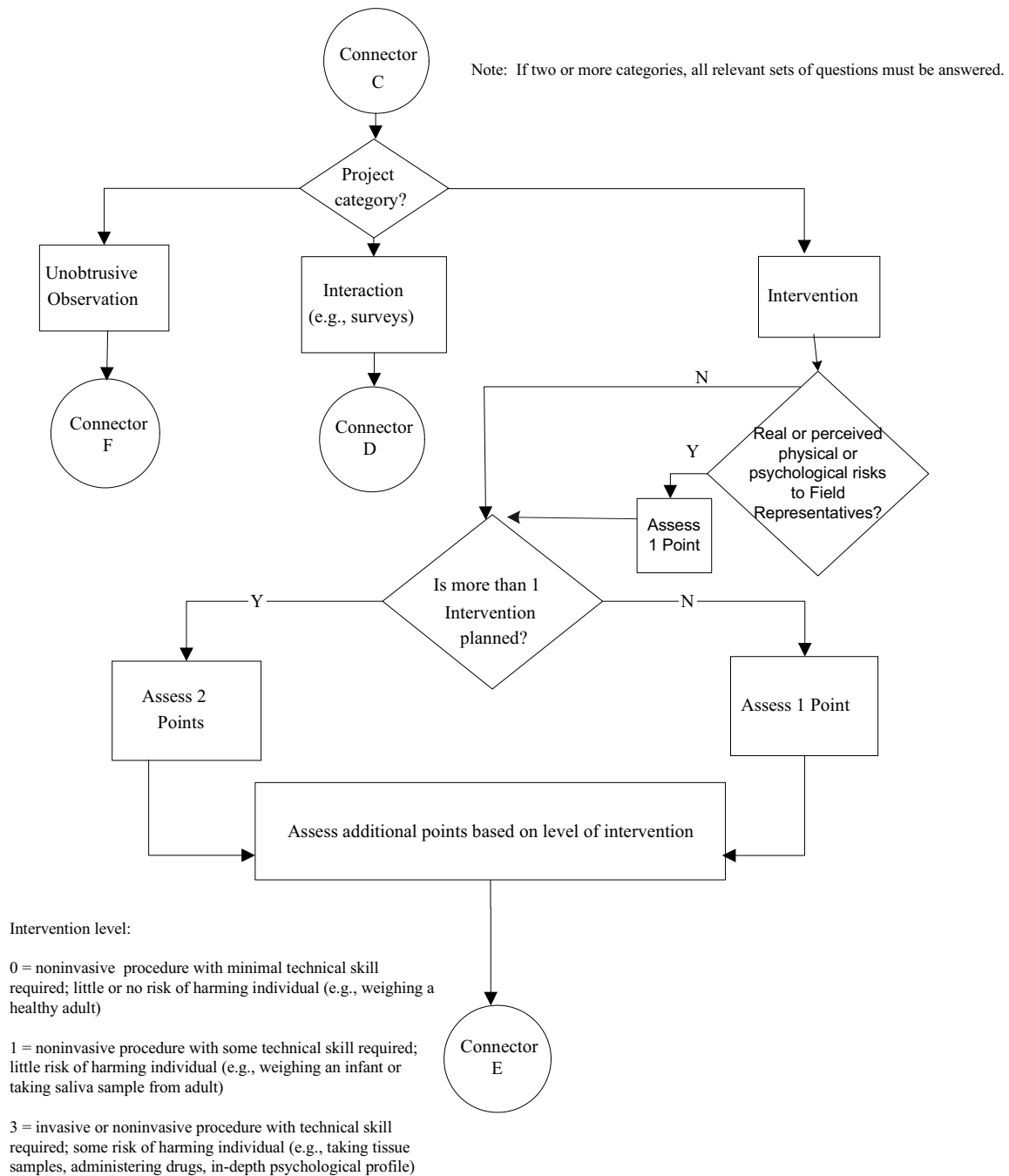
### Reimbursable Project Acceptance Criteria Decision Tree

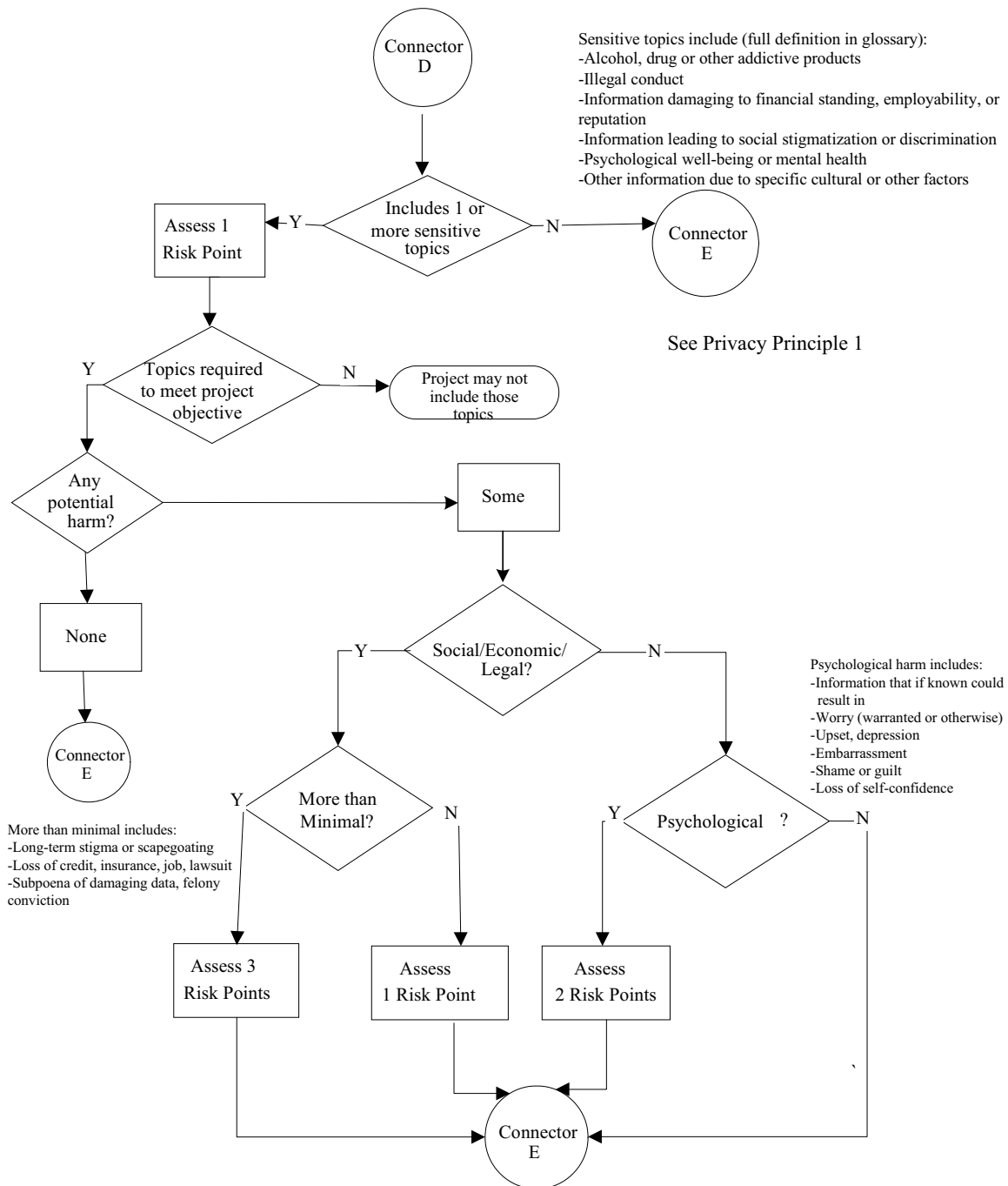
note: chart summarizes full set of questions for consideration. Therefore, it is a reference, but not a replacement for the full set. In particular, some individual questions suggest "elevation" prior to a "yes" or "no" answer.

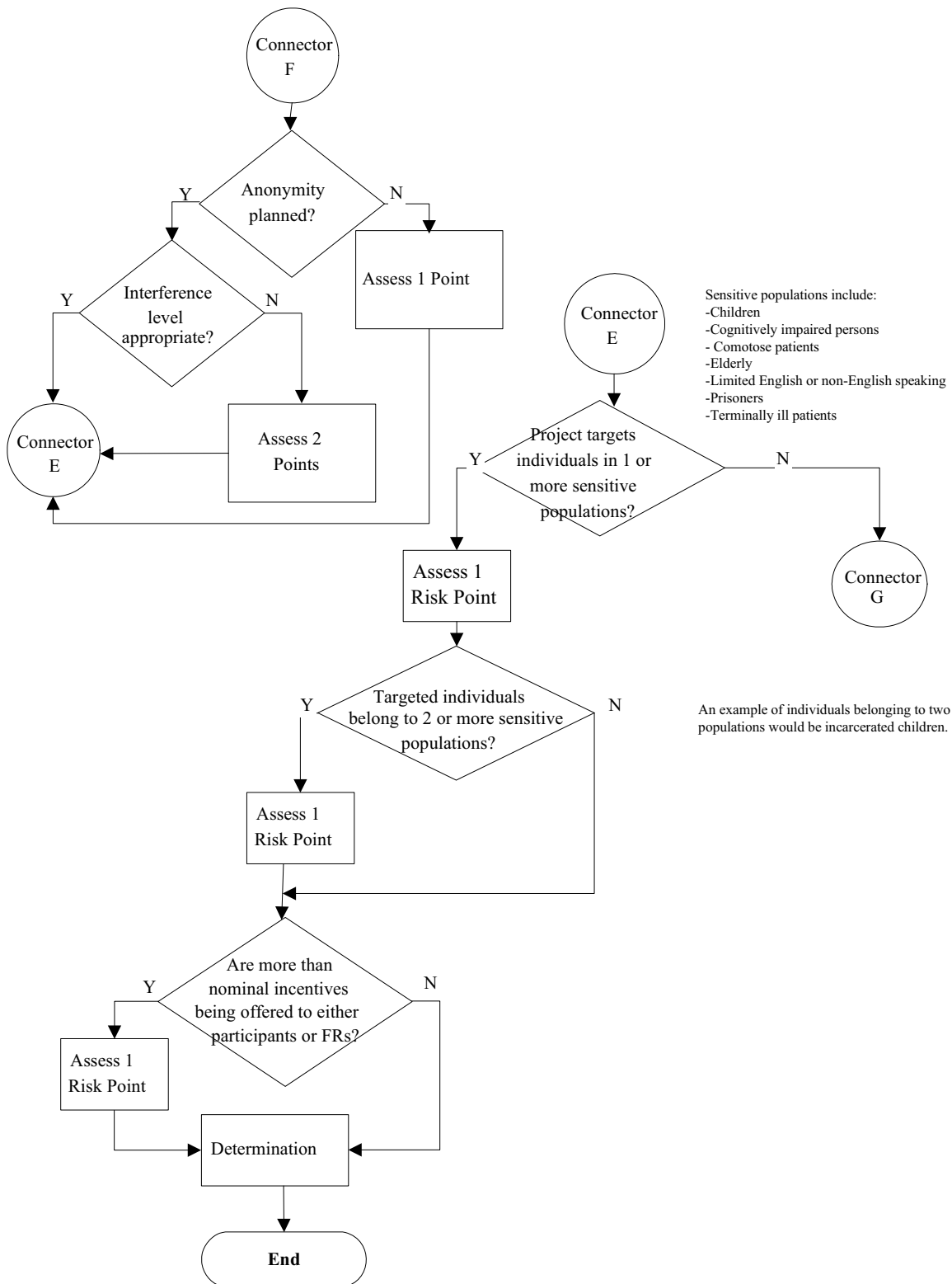


## VII. Sensitive Populations and Topics











### **Attachment 3**

### **Glossary of Terms**

Administrative record/data linking (ADREC): One of eight categories into which a reimbursable project falls. A project that uses microdata records contained in files collected and maintained by administrative or program agencies and commercial entities. The primary sources of ADREC data used by the Census Bureau are the Internal Revenue Service, Social Security Administration, Bureau of Labor Statistics, Health Care Financing Administration, United States Postal Service, and Bureau of Economic Analysis. To obtain these data, the Census Bureau must adhere to a number of regulatory requirements.

Analytic research or reporting: One of eight categories into which a reimbursable project falls. This category includes any project that involves data analysis or special report preparation. Examples of analytic research or reporting include Center for Economic Studies (CES) external research projects.

Census Bureau Mission Statement: To be the preeminent collector and provider of timely, relevant, and quality data about the people and economy of the United States. We will succeed by valuing our employees, innovating in our work and responding to our customers.

Data collection from establishment or institution: One of eight categories into which a reimbursable project falls. A survey involving establishments or institutions, typically referred to as an “Economic Survey Project.”

Data collection from households or individuals: One of eight categories into which a reimbursable project falls. A project involving interaction, intervention, and/or observation of individuals or households.

External Research Project: A project that meets a Title 13 purpose, but is managed by individuals granted special sworn status by the Census Bureau. They are typically funded by external sources. Such projects are usually conducted at the Census Bureau’s CES or a Research Data Center.

Individual: A separate person.

Informed Consent: Is a person's voluntary agreement, based upon adequate knowledge and understanding of relevant information, to participate in project. It typically contains the following elements: full disclosure, adequate comprehension, and voluntary choice related to authority, use, and mandatory status of project.

Interaction: Includes structured or unstructured communication or interpersonal contact between interviewer and respondent.

Intervention: For data collection purposes, intervention includes information derived from both physical procedures (e.g., venipuncture) and manipulations of the respondent or the respondent's environment. Generally, it is more intrusive and invasive than interactive procedures.

Minimal Risk: A risk is minimal where the probability and magnitude of harm or discomfort anticipated in the proposed project are not greater than those ordinarily encountered in daily life or during performance of routine physical or psychological examinations or tests.

National Processing Center project not involving data collection: One of eight categories into which a reimbursable project falls. A project that involves the use of NPC expertise and equipment related to, but not involving, handling of confidential data.

New Projects: Subject to review under this policy. A project is considered new if either (a) it is an original idea for a project that has not already been approved or (b) it is an approved project for which the scope, status (i.e., goes from one-time to cyclical), methodology, data linkage strategies, data sets, or data uses change.

Professional Integrity: Defined as conformance with ethical guidelines from a recognized professional association, such as the American Statistical Association.

Psychological harm: Includes the result of seeking information that if known could result in worry (warranted or otherwise), being upset, depression, embarrassment, shame or guilt, and loss of self-confidence.

Reimbursable Project Contact: The individual designated by a Division Chief to review potential projects using this policy as criteria.

Risk: The probability of harm or injury (physical, psychological, social, economic or legal) occurring as a result of participation in a Census Bureau project. Both the probability and magnitude of possible harm may vary from minimal to significant.

Sensitive populations: Includes children, cognitively impaired persons, comatose patients, the elderly, limited English-speaking or non-English-speaking persons, non-citizens, prisoners, impoverished and terminally ill patients, and small minority groups, such as Native Americans. The Census Bureau considers residents of shelters for battered or abused women and children uniquely sensitive and does not permit inclusion of them in any reimbursable data collection.

Sensitive topics: Includes abortion; alcohol, drug, or other addictive products; illegal conduct; illegal immigration status; information damaging to financial standing, employability, or reputation; information leading to social stigmatization or discrimination; politics; psychological well-being or mental health; religion; same-sex partners; sexual behavior; sexual orientation; taxes; and other information due to specific

cultural or other factors. The Census Bureau considers religion a uniquely sensitive topic and has a specific policy on the collection of information about religion.

Special censuses: One of eight categories into which a reimbursable project falls. Projects authorized in Section 196, Title 13, U.S.C., in which the Census Bureau conducts a census for a tribal or local government.

Special Tabulations: One of eight categories into which a reimbursable project falls. A custom preparation of data already collected by the Census Bureau in response to a specific request.

Target: A group is the focus or one of the focuses of sample design.

Technical assistance/consulting services: One of eight categories into which a reimbursable project falls. Advising on a project conducted by another entity, such as a survey. Technical assistance also includes performing a subset of the survey, such as sample design. This excludes projects in which the Census Bureau performs data collections.

Unobtrusive Observation: Unobtrusive observation refers to systematic or guided examination of social phenomena or social interactions in a manner that is completely, or in large part, unnoticed by social actors as they proceed with their daily activities or interactions. This form of observation is conducted in order to collect information related to human activity occurring in a realistic or natural setting. This method of data collection is commonly used in the social sciences, particularly in anthropological and sociological research.

## Enclosure 8

## RESPONDENT IDENTIFICATION POLICY

The following policy applies to data collection operations involving households, where respondents in households provide information.

SUMMARY OF POLICY	
Context:	A respondent in a household provides personal information about himself/herself or another individual.
Policy:	<b>The Census Bureau may provide that personal information to (an)other individual(s) in the household only if the respondent authorizes us to do so in general or by giving us the name(s) of people who can be given that information. The Census Bureau may always provide personal information to the same person who originally provided the information.</b>

### Definition of Terms:

Original Respondent. A person who provides personal information about himself/herself or another individual. The original respondent can change from interview to interview.

Identified Respondents. The person(s) who may be given personal information provided by an original respondent. These people are identified by the original respondent.

Personal Information. When a question references a particular person, the resulting answer is "personal information." Generally, the question or question series inserts the name of a person, and the survey instrument (or questionnaire) records the name or line number of the person to whom the information applies.

**Does the policy apply to all procedures and programs (e.g. roster updates, feedback, and quality checks) where information is verified or updated?**

Yes, with one exception. It is not necessary to use an original respondent or an identified respondent to update or perform a quality control check of names and addresses. Quality control checks are a necessary part of survey interviewing. In addition, Field Representatives often need to ask for a household member by name, or verify that they have reached the correct household, before learning the identity of the person who answers their call or greets them at the door. The 2000 Census Integrated Coverage Measurement Program is an example of a quality control check that verifies name and address information. For decennial census quality control checks, limited

demographic information is available to the enumerator but is used only as a reference tool and cannot be disclosed in the followup interview.

All other procedures and programs where personal information is verified or updated with the respondent must follow this policy. This type of feedback could take place in various operations such as a subsequent interview, during reinterview, during a callback for more information, or an edit follow up. If a survey collects personal information, and any of that personal information is given to a respondent, then the respondent who receives the information must be either the original respondent or an identified respondent. For example, personal demographic information, such as relationship, age, sex, race, ethnicity, education, and marital status are included in this respondent identification policy, if a survey sponsor wishes to update the item by giving a respondent prior data.

#### **How does the policy apply to reinterviews in mail-back surveys such as ACS?**

Because reinterview is designed to evaluate the quality of reporting, procedures will specify that the original respondent is to be interviewed again during reinterview. In mail surveys, such as ACS, the first person listed on the form is assumed to be the original respondent and the Field Representative should verify this when attempting to interview this person. In personal visit interviews, only the original respondent will be interviewed during reinterview unless other eligible persons have been identified in the original interview.

#### **What concerns are addressed by this policy?**

Our current data collection practice of sharing information within households has not adapted to the changing characteristics of households<sup>1</sup>, nor to the American public's increased concern over privacy issues<sup>2</sup>. It is not consistent with existing practice that permits release of one's decennial census information to another household member only when the census respondent authorizes such release.<sup>3</sup> Finally, it raises ethical concerns which are addressed below in the response to a question on exceptions.

#### **Why do our current practices need to change? This has not been a problem for respondents in the past.**

We need to change because there is an increased risk of a negative public incident. Present and future respondents are part of a rapidly changing society. Their attitudes towards privacy and their living arrangements have changed over the last few decades. There is increased concern over privacy issues, more unrelated persons are living together in households, and dependent interviewing has increased<sup>4</sup>. These three conditions combine to increase the risk of a serious, negative public reaction. A lawsuit or negative media coverage could jeopardize the level of public cooperation we depend upon for successful survey and census operations.

**Are any other survey organizations concerned with this issue?**

Yes. Westat Inc. has adopted policies on the issue of sharing data within households. For example, for the Medicare Current Beneficiary Survey, the first interview may be conducted with a sample person or a proxy. The respondent provides confidential information, and the interviewer asks the respondent to name someone else who could substitute for him/her at the next interview, in case the first respondent cannot do it for some unexpected reason. In the second interview, if the initial respondent cannot provide the information, the interviewer is allowed to contact persons named in the first interview. If no one was named, Westat does not continue with the data collection.

**Are business respondents included?**

This policy does not apply to business respondents. For example, it does not apply to surveys such as the Hospital Discharge Survey, National Ambulatory Medical Care Survey, or Commodity Flow Survey. As a practical matter, during data collection, the Census Bureau does not contact another establishment or the parent company to verify or update information already given by an establishment. If this were to change, then a respondent identification policy would need to be put in place. Within the same establishment any individual may be contacted to update information provided previously.

**Will programs be granted exceptions where the division can show that risks are minimal?**

Exceptions based upon a minimal risk cannot be given, since we also must be sensitive to the ethical dimension of our current practice. When respondents cooperate in our surveys and censuses, we enter into a social contract with them. Any qualification to this social contract would need to be clearly understood by the respondent, as it would affect the terms of the contract. This is, in effect, what the proposed policy does. It helps the respondent clearly understand the terms of the contract.

**Will there be any distinction between Title 13 surveys and Title 15 surveys in the implementation of this policy?**

All respondents will be afforded the same treatment, regardless of under what title the survey is conducted. The policy is a response to a growing public concern with privacy issues and the need to adjust the Census Bureau's practices to accommodate changing household relationships.

**How do we establish the pool of eligible persons for update/verification?**

Respondents will be asked at the end of the interview if we can contact others in the household to update information they give us, in the event they are not available for the next interview. Wording could be similar to the following: "If you are not available to answer the questions when I contact your household (or you) next time, may I update the information you gave me with someone else in the household?" If the respondent identifies specific household members, the interviewer will record eligible persons on the instrument for use in the next interview. In subsequent contacts, personal information may be used as feedback according to the original respondent's instructions.

The above procedure could also accommodate the reinterview program. If, for example, the reinterview procedures called for interviewing a person for himself, and a proxy provided the original information, wording could be similar to the following: "We may need to contact your household again to review the data. If we call again, may we review the information you gave me with someone else in the household?"

Individual program areas may develop technical specifications and wording. The wording used, however, must indicate that we may make some of the information the respondent gives us available to other respondents in the household. Less explicit language would not be acceptable. The survey instruments must provide a record of whether or not the respondents were willing to provide a contact person.

#### **What happens if the respondent does not give permission to update information with someone else in the household?**

Two options are available.

1. **Preferred:** The subsequent contact will be made with the original respondent only.
2. Subsequent contacts will be made with any eligible respondent, but prior information can only be used with the original respondent. If interviewing a different respondent, dependent interviewing that uses prior information cannot be used.

Option 1 is recommended, but not required. The respondent may have steered the field representative away from potentially hostile or poorly informed respondents. With option 2, there is more flexibility, but the original respondent may believe that we have ignored his/her preferences. Survey sponsors choosing the second option need to make it clear to original respondents that, if we contact people who were not identified, we will not use prior information with them.

#### **Do we need to have the respondent sign an authorization form?**

No. A signed authorization form is not required.



### **What if a non-household member provided the original information?**

This policy applies to within-household respondents. If a non-household member provides the original personal information about a household member, none of that personal information (with the exception of name and address) may be used as feedback during subsequent interviews with household members. In this situation, record that there are no other respondents authorized to receive feedback. If the same non-household member continues to provide information during subsequent interviews, then prior information may be used, since feedback is being given to the same person who gave the original information.

### **What if a proxy provided the original information, and the person for whom the information applies is available for a subsequent interview?**

Here is an example. Suppose Bill and Jane form a two person household. Bill provides answers for his wife Jane in the first interview. In the second interview, Jane is available to answer questions for herself.

- If Bill did not object to Jane updating the information he provided about her, then Jane may be interviewed for herself using prior information.
- If Bill did not want Jane to update the information he provided about her, then there are two options:
  - Bill may provide answers for his wife again, using prior information
  - Jane may be interviewed for herself, but she would not be given the information Bill provided.

### **When should this policy be implemented?**

This policy is in effect immediately for all planned data collection operations. For surveys already in the field that plan updates to the instruments or questionnaires, schedule this change for the next update. For panel surveys, such as SIPP, this policy should be fully implemented with the introduction of a new panel. For surveys already in the field where there are no plans for updating, that data collection is exempt.

## Enclosure 9

*Data Stewardship Executive Policy Committee*  
*Policy on*

**DS-017, “Safeguarding Census Confidential Data”<sup>1</sup>**  
**Title 13 U.S.C. Awareness Training**

---

**PURPOSE**

One of the major initiatives the Office of Analysis and Executive Support has undertaken in recent years is the promotion of the concept of “data stewardship.” Data stewardship is the process of balancing the public need for statistical information and the legal and ethical obligation to respect individual privacy and protect confidentiality. The training is designed to address the confidentiality aspect of this concept. It is imperative that those with access to data collected or maintained under the authority of Title 13, United States Code (U.S.C.) are aware of and respect the confidentiality of the data, so that the public feels comfortable with responding to the Census Bureau’s censuses and surveys, and that its private information will not be misused. The Title 13 training will be used to teach those new to the Census Bureau and annually remind our current workforce of the Census Bureau’s strict confidentiality standards and how the standards apply to everyday work life at the Census Bureau. This policy documents basic requirements surrounding implementation of the course.

**LEGAL AUTHORITIES**

The Census Bureau’s legal authority is Title 13, U.S.C. This training provides awareness and a basic understanding of the oath of nondisclosure, the confidentiality aspects of Title 13 U.S.C., the basic differences between the confidentiality protections of Title 13 U.S.C. and those for data collected under Title 15 U.S.C., the newly signed Privacy Principles, and the Unauthorized Browsing Policy.

**SCOPE**

This awareness training focuses on Title 13 U.S.C., related policies that support confidentiality requirements, and examples of how these policies apply to specific job tasks throughout the Census Bureau. There is also some discussion of Title 15 U.S.C. and how it differs from Title 13 U.S.C. with regard to data confidentiality. The course includes several interactive exercises and gives specific examples to help users understand how the information applies to their specific job. Division Chiefs and Regional Directors will be encouraged to expand on this training to explain further to their workforces how the concepts are applied within their individual areas. The target audience is anyone who takes the oath of nondisclosure.

---

<sup>1</sup> The term “Census Confidential” does not imply a national security designation.

The course will be available through the most appropriate delivery methods including the Census Bureau Learning Management System (LMS), CD-ROM, and the Internet. It is expected that the training will take 30 minutes to complete.

## **BACKGROUND**

This training was originally conceived by an Administrative Records Steering Committee. The Office of Analysis and Executive Support was charged with developing a training course comparable to the Title 26 course that was developed in response to a finding in the 1999-2000 Internal Revenue Service's (IRS) Safeguard Review. In the summer of 2002, the Office of Analysis and Executive Support identified resources necessary to conduct this project.

## **POLICY**

All new employees are required to complete the Appointment Affidavits that include the oath of nondisclosure. Employees are required to review the Title 13 Awareness brochure and acknowledge the requirement to complete the training within 30 days of registration in the LMS and then annually thereafter.<sup>1</sup> Employee training is tracked to ensure course completion; the possibility of requiring users to pass the knowledge checks will be addressed at a later date. Field Representatives (FRs), who are required to enter a project code to account for all of their working hours, will be compensated for 30 minutes of time to complete this course. For individuals who do not complete the course within the specified time period, the Census Bureau may take disciplinary action and/or revoke access to Title 13-protected data.

## **IMPLEMENTATION**

### **❑ RESPONSIBILITIES FOR IMPLEMENTATION**

#### *Overall Responsibility*

The overall responsibility for hosting the delivery of the Title 13 Awareness training lies with the Human Resources Division (HRD). The overall responsibility for the implementation of this policy lies with the Office of Analysis and Executive Support. The remainder of this section summarizes the tasks for implementation and which areas are responsible. An implementation guide will contain details of tasks, procedures, and responsibilities for full implementation.

#### *Division/Office Chief Responsibility*

---

<sup>1</sup> This training universe has some minor exceptions. There are some select groups that take the oath, but for whom taking a computer-based training may not be practical. Examples include short-term employees at the National Processing Center (NPC) and Special Sworn Status (SSS) individuals who take the trash, work in the cafeteria, etc. These groups will receive awareness training via a brochure.

Division and Office Chiefs have primary responsibility to ensure all employees complete the course within 30 days. All managers are responsible for allowing time for their staff to complete the course. HRD will issue reports periodically and provide the reports to Division and Office Chiefs showing employees that have not completed training. Division and Office Chiefs will also have the ability to generate reports to track the status of training of their employees. Chiefs are responsible for ensuring that their employees complete the training by the next reporting period.

#### *Human Resources Division (HRD)*

HRD provides new employees (during orientation) the Title 13 U.S.C. training brochure and notifies employees of their responsibility to complete the training within 30 days of registration in the LMS. At the Division Chief's direction, HRD will work with the Chiefs to support any action that may be taken as a result of failure to complete the course within 30 days of notification. HRD will issue the report to the DSEP, the Director, and the Deputy Director reporting employees who are not compliant. Compliance rates will be periodically reported to the DSEP.

#### *Employees*

Employees and SSS individuals are required to complete the 30-minute course within 30 days. Most employees will complete the course via the LMS that is maintained and managed by the HRD.

#### *Special Sworn Status (SSS) Individuals*

The Office of Security (OSY) provides all employees and SSS individuals the brochure and notifies them of their responsibility to complete the CBT within 30 days, if appropriate. All employees and SSS individuals who do not need access to the network such as cafeteria workers, guards, cleaning crews, etc., will not be required to complete the CBT. The OSY provides training completion information via the Commerce Administrative Management System (CAMS).

#### *National Processing Center (NPC)*

The NPC employees will complete the course in the same manner as Headquarters employees. The NPC OSY will function in the same capacity as the OSY located at headquarters. The Policy Office works directly with individuals at the NPC, and will coordinate with the NPC OSY for implementation.

#### *Field*

Field Division (FLD) is following its standard awareness process by sending information on this requirement to the Regional Offices (RO), which are then responsible for notifying the FRs that report to them. The FLD Training Office will ensure the data get entered into the CAMS system for all employees completing the training. The FLD will establish an equitable method for funding the cost of FRs to complete the course.

## **Course Completion Reporting**

Division Chiefs will work with the Telecommunications Office (TCO) to disable access to Title 13-protected data for those who do not complete the course within the specified 30-day time frame. The Human Resources Division (HRD) is supplying a centralized workstation for those who must complete the course to regain access. Any employee whose access is suspended must contact HRD to schedule completing the training on the workstation. These individuals will print out their completion certificates and HRD will manually entry the data into the CAMS system. This will provide statistics reporting the number of employees not meeting the 30-day deadline. HRD will notify the Division Chief of completion and who will work with TCO to enable the users account.

## **IMPLEMENTATION and AWARENESS STRATEGIES**

HRD maintains the contract between the LMS vendor and the Census Bureau. HRD is responsible for registering employees for the training in the LMS. Policy Office staff will brief Division Chiefs prior to rollout to discuss issues regarding implementation. Both offices will use other means, such as flyers, to create awareness.

**DATE POLICY BECOMES EFFECTIVE:** Upon Signature

## **SIGNATURE AND DATE SIGNED**

---

Hermann Habermann  
Chair, Data Stewardship Executive Policy Committee

---

Date

## ENDNOTES

1. In 1970, families made up 81 percent of all households, but by 1990 that number had dropped to 71 percent. Population projections up to the year 2010 predict a continuing drop. Meanwhile, the number of households made up of unmarried couples of the opposite sex have quadrupled since 1970. More unrelated persons are living together in households, more adult children are living at home, and more families are combined due to divorce and remarriage. (Sources: Current Population Reports, P23-189, and Table 1. Projections of Households by Type: 1995 to 2010, Series 1, 2, and 3 located on <http://www.census.gov/population/projection-extract/nation/>)

2. The 1994 and 1995 Equifax-Harris surveys revealed that 84 percent and 82 percent respectively of the individuals polled expressed concern about threats to personal privacy. This is an increase from the 79 percent in 1990 and 1993 and the 64 percent in 1978. More evidence of growing privacy concerns is found in the results of a recent study completed by Westat Inc. for the Census Bureau. The final report for the 1996 Study of Public Attitudes Toward Administrative Records Use concluded: "Public beliefs that rights to privacy are well protected have decreased in the past year, while beliefs that the government has no concern for their view have increased, as has mistrust of the federal government."

3. A respondent who wishes to obtain his/her individual census information must file an Application for Search of Census Records. An individual may obtain another household members' census records if the other person authorizes the release of the information. This is called the "age search."

4. Computer-assisted data collection has given the Bureau the opportunity to increase the use of dependent interviewing. The Current Population Survey, for example, now uses dependent interviewing to verify industry and occupation, duration of unemployment, and to confirm the status of disabled or retired persons. Before the advent of computer-assisted interviewing, only the address, roster names, and demographic characteristics were verified using prior information, and the remaining labor force information was asked in an independent mode. Other surveys such as the Survey of Income and Program Participation (SIPP) and the American Housing Survey (AHS) have also increased dependent interviewing or are planning to do so.

## Enclosure 10



## **Control of Access to Personally Identified Survey and Decennial Census Data: Unauthorized Browsing Policy**

### **PURPOSE**

The U.S. Census Bureau's ability to gain the public's cooperation in its surveys and censuses depends on its reputation as a good data steward. Even the perception that the Census Bureau does not adequately protect personal information may damage its reputation and affect its ability to fulfill its mission. Consequently, this policy establishes that, in addition to prohibitions against misuse and disclosure of protected records, unauthorized browsing by employees of protected records also is prohibited.

### **POLICY**

Unauthorized browsing is defined as the act of searching or looking through, for other than work-related purposes, protected personal or business-related information that directly or indirectly identifies individual persons or businesses. Unauthorized browsing is prohibited.

### **SCOPE**

This policy applies to employees in all Directorates and all persons with special sworn status who have access to data files and records that identify or may identify persons or businesses, including, but not limited to, demographic and economic data, administrative records obtained for statistical purposes, and personnel-related records. The unauthorized browsing policy applies to all data and information contained in files and records protected by Titles 13 and 15 of the United States Code (U.S.C.) and the Privacy Act.<sup>1</sup> Also, included is information that has not been disseminated to the general public and is not authorized to be made available to the public on request.

### **PENALTIES**

Unauthorized browsing may result in disciplinary action—up to and including removal.

---

<sup>1</sup> Additionally, Internal Revenue Service tax filings resident at the Census Bureau are protected from browsing by Title 26, U.S.C., *The Taxpayer Browsing Protection Act*, which applies to all federal employees and renders casual browsing of federal tax information illegal.

## **BACKGROUND**

In June 1999, the Administrative Records Steering Committee adopted the “Policy for Access to and Uses of Systems of Administrative Records” (revised December 4, 2001, by the Data Stewardship Executive Policy Committee [DSEP]), which set standards for access to personally identified administrative records data. In May 2001, the DSEP identified the same issue for survey and decennial census data and requested that a companion policy be developed. Additionally, the DSEP expressed concern about risks associated with the retention of decennial census files with personally identifying information for the first time. In response, the Privacy Policy and Research Committee prepared an issue paper, “Policy for Control of Access to Personally Identified Survey and Decennial Census Data,” that the DSEP approved on July 11, 2002. The issue paper includes a proscription against unauthorized browsing of records as requested by the DSEP.

The unauthorized browsing policy has been developed in consultation with and vetted by all affected divisions, the Office of Analysis and Executive Support (OAES), and the Legal Office.

## **IMPLEMENTATION**

Initially, this policy will be communicated to employees by memorandum. New employees will be introduced to the policy during entry processing. All employees will be apprised as part of the annual Title 13 Nondisclosure Reminder Notification. The policy also will be included in Title 13 confidentiality training for all staff. The Office of Analysis and Executive Support will oversee administration of the policy. Potential violations should be brought to the attention of the Office of Analysis and Executive Support; any disciplinary action will be implemented by the division of the employee in consultation with Human Resources Division.

## **REFERENCES**

Data Stewardship Executive Policy Committee, “Policy for Control of Access to Personally Identified Survey and Decennial Census Data,” July 11, 2002.

Data Stewardship Executive Policy Committee, “Access to and Uses of Systems of Administrative Records,” June 1999, revised December 4, 2001. (The Executive Staff approved the original issue paper on June 24, 1999.)

The policy, in conjunction with forthcoming data custodian policy, closes the gap identified for Privacy Principle 4, the Principle of Confidentiality, Sub-principle 4.1, which is that “the Census Bureau will grant employee access to individually identifiable data only when such access is required for their specific responsibilities.” Gaps are from an unpublished internal analysis.

**DATE POLICY BECOMES EFFECTIVE: (Date will be inserted when signed.)**

---

Hermann Habermann  
Chair, Data Stewardship Executive Policy Committee

---

Date

Enclosure 11

## ***The Data Stewardship Program***

---

### **Policy on Conducting Privacy Impact Assessments**

#### **PURPOSE**

The purpose of this policy statement is to indicate the requirements for: conducting, updating and releasing a Privacy Impact Assessment (PIA); PIA scope and content; and major roles and responsibilities. There are several legal authorities that establish the requirement for PIAs. These authorities address the importance of agencies protecting identifiable data. The Census Bureau depends on the trust and cooperation of the public to achieve its mission. Compliance with all legal authorities and ethical responsibilities strengthens the relationship with respondents and stakeholders.

#### **LEGAL AUTHORITIES**

The following legal authorities and Census Bureau policies and regulations provide a foundation for this policy:

- E-Government Act of 2002
- Office of Management and Budget (OMB) Memorandum 03-22
- Department of Commerce (DOC) Information Technology (IT) Privacy Policy
- OMB Circular A-11, Part 7, Section 300, Planning, Budgeting, Acquisition, and Management of Capital Assets
- Paperwork Reduction Act of 1995
- Homeland Security Presidential Directive (HSPD) 12 and related Federal Information Processing Standards Publication 201 (FIPS Pub 201), Personal Identity Verification (PIV) of Federal Employees and Contractors
- OMB Memorandum 01-05 Guidance on Inter-Agency Sharing of Personal Data - Protecting Personal Privacy
- Privacy Act of 1974
- National Institute of Standards and Technology Special Publication 800-26.

#### **SCOPE**

A Census Bureau program, project or system must be covered by an up-to-date privacy impact assessment if it involves the use of identifiable data from or about members of the public and in other cases as required by law or regulation.

#### **BACKGROUND**

In December 2002, the E-Government Act of 2002 became law. Section 208 of the Act requires that agencies conduct a PIA when personally identifiable data are involved in a data collection or information

## ***The Data Stewardship Program***

---

technology system that meets certain criteria. The law also specifies, broadly, the areas a PIA should cover, such as what data are involved and uses. Following the implementation of the E-Government Act, OMB issued M-03-22, which provides guidance on implementing Section 208 of the Act. OMB's guidance identifies a number of "triggers" that determine when a PIA should be conducted. Memorandum M-03-022 requires that PIAs be conducted on new electronic collections consistent with the Paperwork Reduction Act (PRA) of 1995. The Paperwork Reduction Act of 1995 requires that agencies obtain OMB approval for new collections of information. The DOC issued a policy in 2004 that extends the legal requirement to identifiable business data and adds a review and clearance requirement with the Office of the Chief Information Officer (CIO). OMB Circular A-11, Part 7, Section 300 requires that PIAs be conducted on major initiatives requesting funding through the OMB Exhibit 300. The HSPD-12 requires PIAs for the PIV systems. OMB M-01-05 reminds federal agencies of the requirements of data sharing and extends guidance to include PIAs as applicable.

The Census Bureau began preliminary work on PIAs long before it was a requirement, incorporating guidance as it became available. PIAs are an important tool for assuring Census Bureau census and survey respondents, other agencies from whom we receive data, and the taxpayer, that the Census Bureau is minimizing privacy impacts and ensuring data confidentiality and security. The PIA tool does this by assessing adherence to the complete set of Census Bureau Privacy Principles that are based on the Organization for Economic Cooperation and Development's (OECD's) Privacy Principles and the fair information principles of the Privacy Act of 1974, and related Census Bureau data stewardship policies. The PIA review tool addresses each phase of program life-cycle development defined as concept, proposal, authorization, planning/organizing, design, collection, processing, analyzing, and archiving.

### **POLICY**

Privacy impact assessments must be conducted when an existing information technology system or a data collection containing identifiable information (person or business) is substantially modified thereby creating new privacy risks, or, a new system or collection is created. A PIA must cover the risks and effects of collecting, maintaining, and disseminating information in identifiable form in an electronic information system. A PIA must evaluate the protections and alternative processes for handling information to mitigate potential privacy risks. A PIA must use the approved Census Bureau template tool, including a summary statement. The cognizant program manager, Associate Director, Chief Information Officer (CIO), and Chief Privacy Officer (CPO), must approve a new PIA.

A new PIA will be publicly available unless the program manager successfully petitions the CPO for exclusion. Because of the Census Bureau's commitment to transparency, the CPO's office will attach a justification for release to each PIA sent to the DOC CIO as required by the DOC IT Privacy Policy.

Existing PIAs must be updated annually as part of the OMB Exhibit 300 submission process, the Census Bureau IT Business Planning (ITBP) process, and in accordance with Paperwork Reduction Act (PRA) submissions. PIAs are uniquely identified in OMB Exhibit 300 submissions, IT Business Plans,

## ***The Data Stewardship Program***

---

Information Collection Request (ICRs) as part of the Paperwork Reduction Act submission, and in security assessments as identified in the NIST SP 800-26. PIAs must also be reviewed/considered during the creation/updating of a System of Record (SOR) notice consistent with the Privacy Act.

### **IMPLEMENTATION**

#### **❑ RESPONSIBILITIES FOR IMPLEMENTATION**

##### **Chief Privacy Officer**

The CPO is responsible for the implementation and coordination of all PIAs through the process. The Privacy Office coordinates the design, provides technical assistance and reviews and approves all PIAs. The CPO routes PIAs for approval to the CIO. The CPO coordinates with the DOC CPO and CIO. The CPO reviews Exhibit 300, ITBP and associated PIA information provided from the Information Systems Support and Review Office (ISSRO) and informs the ISSRO of any omissions. The CPO follows-up with the PIA contacts to ensure they provide updated Exhibit 300, ITBP and/or PIA information to the ISSRO.

Approximately one month before the deadline for OMB Exhibit 300s or ITBPs to be finalized, the CPO will follow-up with PIA contacts to inform them that their OMB Exhibit 300s or IT Business Plans may be held pending a complete/accurate PIA. The ISSRO will be copied on this communication. The CPO also provides guidance and input into the DS Awareness effort and coordinates SOR notice reviews.

Once the CPO approves the PIA, it will be forwarded to the ISSRO. The ISSRO will provide these PIAs to the CIO along with the ITBP approval letters. The CPO will provide a list to the ISSRO showing the ITBPs associated with each PIA. Once the CIO approves, the CPO will forward the PIA to the Department of Commerce for approval.

##### **PIA Contacts/Owners**

PIA contacts are responsible for coordinating with the persons in their area responsible for OMB Exhibit 300s, IT Business Plans, Information Collection Requests, and SP 800-26 security assessments to ensure all documents correctly cross-reference the applicable PIA and vice versa. PIA Contacts are responsible for getting the PIA reviewed internally and approved by their Associate Director. Once approved, the PIA contact should forward the PIA to the Privacy Office for review and approval by the CPO and CIO.

## ***The Data Stewardship Program***

---

### **Office of Analysis and Executive Support**

The Office of Analysis and Executive Support (OAES) advises the CPO on design considerations as Data Stewardship (DS) policies are developed and updated. The OAES is responsible for submitting policies through the standard review approval process. The office also publishes the policies on the Census Bureau Intranet and manages the DS Awareness effort.

### **Information Systems Support and Review Office**

The ISSRO provides program areas with basic information on the requirements for PIAs. The ISSRO sends the CPO a list of Exhibit 300s and ITBPs with PIA information for review. The CPO informs the ISSRO of any omissions and follows-up with the PIA contact to ensure they send updated information to ISSRO. If an ITBP requires a PIA, the ISSRO will withhold approval of the ITBP until the CPO has provided the ISSRO with a complete PIA. The ISSRO will send the ITBP and completed PIA to the CIO for approval. The ISSRO will send the approved PIA back to the CPO for forwarding to the Department of Commerce for approval.

### **Forms Clearance Officer**

The Forms Clearance Officer (FCO) is responsible for providing program areas basic information on the requirements for PIAs. The Forms Clearance Officer will provide PIA information to program areas when preparing the “pre-submission notice” and ensures approved PIAs are included/identified on Forms Clearance Packages in the Supporting Statement.

### **❑ IMPLEMENTATION and AWARENESS STRATEGIES**

The basic implementation strategy consists of modifying existing processes to include the PIA review, approval and submission tasks. The OMB Exhibit 300 and ITBP process is coordinated by the ISSRO who provides basic information in the OMB Exhibit 300 template and process, the ITBP template and process, and conducts meetings with Exhibit 300 and ITBP contacts reminding them to review, update, and submit PIAs as appropriate. The CPO is responsible for providing the ISSRO the updates to the PIA section of the guidance documentation. The FCO includes basic information in the forms clearance guidance. All of these process templates, forms, and guidance are provided online via the Census Bureau Intranet. This policy is also provided online via the Intranet. Additionally, the basic requirements of the policy and process are covered in the DS Awareness program.

### **❑ IMPLEMENTATION MEASURES**



## **The Data Stewardship Program**

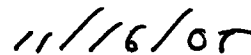
The annual Federal Information Security Management Act (FISMA) report includes Section D that consists of reporting on the number of PIAs required versus the number conducted for each fiscal year. This annual count will inform how well the Census Bureau is meeting the PIA requirement. Section D of this report is completed by the CPO. The decisions or choices made on IT systems or information collections based on the PIA will also be examined as a possible metric of measure.

DATE POLICY BECOMES EFFECTIVE: Upon Signature

SIGNATURE AND DATE SIGNED



Hermann Habermann  
Chair, Data Stewardship Executive Policy Committee



Date

## Enclosure 12

**DS-021, “Policy on Providing Custom Tabulations  
under Section 8(b) of Title 13 U.S.C.”**

**PURPOSE**

The purpose of this policy is to state the Census Bureau’s procedures for filling requests for special statistical data products under section 8(b) of Title 13 U.S.C. and for providing copies of these products to others. The Census Bureau provides such products in keeping with its mission to collect, tabulate and disseminate data about the nation’s people and economy while protecting the confidentiality of all respondents.

**LEGAL AUTHORITIES**

Section 8(b) of Title 13 states that the Secretary of Commerce may “furnish copies of tabulations and other statistical materials which do not disclose the information reported by, or on behalf of, any particular respondent...for departments, agencies, and establishments of the Federal Government...state or local agencies, or other public and private persons and agencies upon payment of the actual or estimated cost of such work.” The Secretary has delegated this authority to the Director of the Census Bureau.

Section 9(a) of Title 13 provides that the Census Bureau *may not* “...make any publication whereby the data furnished by any particular establishment or individual under this title can be identified.” Section 214 of Title 13, as amended by Sections 3559 and 3571 of Title 18, United States Code, provides for a fine of up to \$250,000 or imprisonment of up to five years, or both for violating the Section 9 prohibition on disclosure of individually identifiable information.

The Freedom of Information Act (FOIA) provides for the public disclosure of custom tabulations except in those instances where exemptions to the FOIA prevent their release.

## ***The Data Stewardship Program***

---

### **SCOPE**

This policy applies to special data products referred to as “custom tabulations” produced outside the Census Bureau’s regular publication activities for other government agencies, private sector organizations, and the members of the public. For the purpose of this policy, a custom tabulation is: 1) a statistical aggregation of confidential data, collected under the authority of Title 13, that are developed from internal Census Bureau files that are not accessible by the public, or 2) the reorganization of an existing Census Bureau data product by staff requiring either (a) a significant effort or (b) access to files, including underlying source files, that are not easily manipulated by novice or casual data users. Custom tabulations result in new tangible data products prepared to meet specific data use needs of the requester and must meet the Census Bureau’s disclosure avoidance requirements. The Census Bureau provides a service in creating custom tabulations. Requests for custom tabulations may be made formally (e.g., written request) or informally (e.g., telephone call) and the cost to create them is usually, but not always, reimbursed.

### **POLICY**

1. The Census Bureau, as authorized under section 8(b) of Title 13, may produce custom tabulations derived from data protected under section 9 of Title 13 consistent with “Census Bureau Pricing Policy” (PPM B-17).
2. All custom tabulations shall comply with “Census Bureau Standard: Disclosure Review” and the relevant Associate Director’s determination that the work can be accomplished within the mission priorities of the directorate.
3. Prior to agreeing to produce a custom tabulation, the Census Bureau will encourage and help the requester to use available resources, such as the Internet or State Data Centers, to the extent possible.
4. Documentation provided to requesters establishing the agreement to produce custom tabulations will contain language informing them that the identity of the requester and the data product (or a description thereof) is subject to public disclosure.
5. When requested, the Census Bureau will provide copies of any available custom tabulations to the public (including government agencies or private sector organizations) upon the payment of the cost to reproduce, or free of charge if the cost to reproduce is less than the expense to process cost recovery. In addition, the Census Bureau will make available a list of requesters and a description of their custom tabulations upon request.

## ***The Data Stewardship Program***

---

### **RELATED POLICIES AND PROCEDURES**

- Policies and Procedures Manual Chapter D-5: Reimbursable Work or Services for Other Agencies, Organizations, and Individuals
- Policies and Procedures Manual Chapter B-17: U.S. Census Bureau Pricing Policy
- Census Bureau Standard: Disclosure Review
- Data Stewardship Policy DS-015: Reimbursable Project Acceptance Policy

### **IMPLEMENTATION**

The Office of Analysis and Executive Support has overall responsibility for implementing this policy. An implementation guide will contain details of tasks, procedures, and responsibilities for full implementation. The guide will include specific language to be used by division staffs responsible for filling requests to ensure that requesters understand the public nature of custom tabulations.

Divisions will submit information about custom tabulations to the Office of Analysis and Executive Support (OAES). Where the number and nature of the custom tabulations warrant, as determined by an Associate Director, reporting of individual custom tabulations may be consolidated into a single report. OAES has responsibility for producing a regular, comprehensive report of custom tabulations produced by the Census Bureau. This report will be available to the general public upon request.

Date Policy Becomes Effective: Upon Signature.

Signature:

(Signed)  
Hermann Habermann  
Chair  
Data Stewardship Executive Policy Committee

10/20/2005  
Date

# **DATA BREACH POLICY IMPLEMENTATION GUIDE**

**OCTOBER 15, 2007**

## **Data Breach Policy Implementation Guide**

### **Purpose**

The response to any breach of personally identifiable information (PII) can have a critical impact on the U.S. Census Bureau's reputation and how trustworthy the public perceives the agency. Thus, exceptional care must be taken when responding to data breach incidents. Not all incidents result in data breaches, and not all data breaches require notification. This guide is to assist the Data Breach Team in developing an appropriate response to a data breach based on the specific characteristics of the incident.

### **Background**

This Data Breach Policy Implementation Guide is based on the President's Identity Theft Task Force recommendations that provide a menu of steps for an agency to consider, so that it may pursue a risk-based, tailored response to data breach incidents. Ultimately, the precise steps to take must be decided in light of the particular facts presented, as there is no single response for all breaches. Please refer to the Identity Theft Task Force Memorandum document entitled *Identity Theft Related Data Security Breach Notification Guidance* dated September 19, 2006 for additional insight and assessment considerations. Further guidance can be obtained in the NIST Special Publication 800-16, *Computer Security Incident Handling Guide*.

#### **A. What constitutes a breach?**

A breach is a loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users and for an authorized purpose have access or potential access to PII in usable form, whether physical or electronic.

#### **B. How is a potential breach reported?**

- Breaches are reported immediately through the Census Bureau Computer Incident Response Team (CIRT).
- Census CIRT procedures are available at:  
[http://cww2.census.gov/it/itso/itso\\_incident\\_reporting.asp](http://cww2.census.gov/it/itso/itso_incident_reporting.asp)
- The IT Security Office (ITSO) Computer Incident Response Team (CIRT) in conjunction with the Network Operations Center (NOC) within the Bowie Computer Center have established a toll-free number to report the actual or suspected loss of sensitive data. The number (877-343-2010) provides Field Representatives and other employees a 24-hour contact channel to use when reporting loss or theft of sensitive data, regardless of media.
- Breaches or improper disclosures of Title 26 federal tax information (FTI) must be reported upon discovery by the individual making the observation to the Treasury inspector General for Tax Administration at 1-800-366-4484. The Data Breach Team should establish communications with the reporter of such breaches to determine appropriate actions.

### **C. How is a breach identified?**

- A weekly review of all incidents reported through the CIRT can determine which ones should be investigated as breaches. At a minimum, the Chief Privacy Officer (CPO), Chief Information Officer (CIO), and Chief, IT Security Office should review incidents and provide a report to the Senior Agency Official who can then certify those incidents that don't warrant investigations as breaches.

### **D. Who gets involved in Breach Response?**

1. Senior Agency Official – Director or Deputy Director
2. Chief Privacy Officer (CPO)
3. Chief Information Officer (CIO)
4. Chief, IT Security Office (ITSO)
5. Associate Director for Communications
6. Chief, Office of Analysis and Executive Support (OAES)

As warranted:

7. Chief, Office of Security
8. General Counsel
9. Inspector General
10. Law Enforcement

## **Risk Assessment**

### **A. Assessing risk and harm to organization and individuals**

Risk is a function of the probability or likelihood of a privacy violation, and the resulting impact of that violation. To assign a risk score, assess the probability of the event (data breach) occurring and then assess the impact or harm caused to an individual and our organization in its ability to achieve its mission.

**Table 1. Likelihood Definitions**

<b>Likelihood</b>	<b>Likelihood Definition</b>
High (H)	The nature of the attack and the data indicate that the motivation is criminal intent; the security of the data and controls to minimize the likelihood of a privacy violation are ineffective.
Medium (M)	The nature of the attack and data indicate that the motivation could be criminal intent; but controls are in place that may impede success.
Low (L)	The nature of the attack and data do not indicate criminal intent, and security and controls are in place to prevent, or at least significantly impede, the likelihood of a privacy violation.



To assess likelihood of a breach occurring, consider five factors:

1. How the loss occurred
2. Data elements breached
3. Ability to access the data - the likelihood the personal information will be or has been compromised – made accessible to and usable by unauthorized persons
4. Ability to mitigate the risk of harm
5. Evidence of data being used for identity theft or other harm

1. How Loss Occurred

- H - Online system hacked
- H - Data was targeted
- M - Device was targeted
- M - Device stolen
- L - Device lost

2. Data Elements Breached\*

- H - Social Security Number
- H - Biometric record
- H - Financial account number
- H - PIN or security code for financial account
- H - Health data
- M - Birthdate
- M - Government Issued Identification Number (drivers license, etc.)
- L - Name
- L - Address
- L - Telephone Number

\*A combination of identifying information and financial or security information should always be considered a high risk with high likelihood of harm occurring.

3. Ability to access data

- H – paper records or electronic records in a spreadsheet that is not password protected
- M – electronic records that are password protected only
- L – electronic records that are password protected and encrypted

4. Ability to mitigate the risk of harm

- H – no recovery of data
- M – partial recovery of data
- L – recovery of data prior to use

5. Evidence of data being used for identity theft or other harm

- H – Data published on the web
- M – Data accessed but no direct evidence of use
- L – No tangible evidence of data use

After evaluating each factor and assigning an overall probability or likelihood of a breach occurring, review and assess the impact or harm to an individual or our organization.

**Table 2. Impact Rating Definitions**

<b>Impact Rating</b>	<b>Impact Definition</b>
High	Event (1) may result in human death or serious injury or harm to individual; (2) may result in high costs to organization; or (3) may significantly violate, harm, or impede an organization's mission, reputation, or interest.
Medium	Event (1) may result in injury or harm to the individual; (2) may result in costs to the organization; or (3) may violate, harm, or impede an organization's mission, reputation, or interest.
Low	Event (1) may result in the loss of some tangible organizational assets or resources; or (2) may noticeably affect an organization's mission, reputation, or interest.

The impact depends on the extent to which the breach poses a risk of identity theft or other substantial harm to an individual such as: embarrassment, inconvenience, unfairness, harm to reputation or the potential for harassment or prejudice, particularly when health or financial benefits information is involved (5 U.S.C. § 552a (e)(10)).

Financial considerations can be factored in when determining the impact on our organization. For instance, credit monitoring is generally estimated at \$20 per year per case (individual). The costs associated with implementing a call center including staff salaries may also be a factor. Alternatively, the cost of contracting for this service could be a factor.

## **B. Assigning Risk Score**

The risk score is determined by cross-referencing the likelihood score with the impact score.

**Table 3. Risk Scores**

<b>Likelihood</b>	<b>Impact</b>		
	<b>Low</b>	<b>Medium</b>	<b>High</b>
<b>High</b>	Medium	High	High
<b>Medium</b>	Low	Medium	High
<b>Low</b>	Low	Low	Medium

## Notification

### A. If, when, and how are individuals notified?

The risk score assigned will help determine if and when we should provide notification. If the likelihood of risk is low, there could be more harm or impact on the individual if notification is provided due to the actions the notified individual may take. Thus, notification must be weighed with the likelihood of risk. No notification may be required when the risk levels of each of the five factors is low. If the likelihood of risk is high and the level of impact or harm to the individual is medium, notification and remedy may be required. Alternatively, if the likelihood of risk is low and the level of impact or harm to the individual is high, notification only may be required. If the five factors are considered appropriately, it is more likely that notification will only be given in those instances where there is a reasonable risk of harm and will not lead to the overuse of notification and thus the associated further complications to the individual.

Thus, consideration should be given to all factors when determining final actions to take when addressing each incident. The table below should only be used as guide and conditions may warrant actions above or below those associated with the final risk score.

**Table 4. Action**

<b>Risk Score</b>	<b>Necessary Action</b>
High	Notify and provide remedy
Medium	Notify only
Low	Monitor only

### B. When are they told?

Notice will be provided within a reasonable time following the discovery of a breach consistent with the legitimate needs of law enforcement and national security and any measures necessary for the Census Bureau to determine the scope of the breach and, if applicable, to restore the reasonable integrity of the system/process that was compromised.

In some circumstances, law enforcement or national security considerations may require a delay in notification if the investigation of the breach or of an individual affected by the breach requires it and notification would seriously impede the investigation. The delay should not exacerbate risk or harm to any affected individual(s) or be tied to the completion of the investigation, but rather be based on whether it would seriously impede the investigation to provide the notice promptly.

### C. Who tells them?

The notice should come from the Senior Agency Official. If the breach involves a Federal contractor or public-private partnership, the Census Bureau response will consider the specific relationship and any signed agreements.

#### **D. What are they told?**

The notice must be clear, concise, conspicuous, easy-to-understand, in plain language and should include the following elements:

- A brief description of what happened, including the date(s) of the breach and its discovery.
- A description of the types of personal information that were involved in the breach (e.g., full name, Social Security number, date of birth, home address, account number, disability code, etc.) to the extent possible.
- What steps, if any, an individual should take to protect himself from potential harm.
- What the Census Bureau is doing, if anything, to investigate the breach, to mitigate losses, and to protect against any further breaches.
- Who and how affected individuals should contact the Census Bureau for more information, including a toll-free telephone number, e-mail address, and postal address.
- Direction to additional guidance available from the Federal Trade Commission at: <http://www.consumer.gov/idtheft/>.  
Minimizing your risk at: [http://www.consumer.gov/idtheft/con\\_minimize.htm](http://www.consumer.gov/idtheft/con_minimize.htm).  
Publications at: [http://www.consumer.gov/idtheft/con\\_pubs.htm](http://www.consumer.gov/idtheft/con_pubs.htm).

#### **E. How are they told?**

Notice of the breach will be provided commensurate to the number of individuals affected by the breach and the availability of contact information the Census Bureau has for the affected individuals. Correspondence must be prominently marked on the exterior reflecting the importance of the communication to help ensure the recipient does not discard or otherwise ignore the notification.

- In general, the primary means of notification will be by first-class mail to the last known mailing address of the individual based on Census Bureau records.
- Where we have reason to believe that the address is no longer current, reasonable efforts will be made to update the address using the U.S. Postal Service National Change of Address (NCOA) database.
- Substitute notice **may** be made in instances where the Census Bureau does not have sufficient contact information for those who need to be notified. In such instances, notice **may** consist of a conspicuous posting of the notice on the Census Bureau's home page of its web site and include additional information in a Frequently Asked Questions (FAQ). Notification **may**, if deemed necessary, be provided to major print and broadcast media in areas where the affected individuals reside. The notice to media, if warranted, will include a toll-free phone number where an individual can learn whether his or her personal information was included in the breach.

- Special consideration will be given in providing notice to individuals who are visually or hearing impaired consistent with Section 508 of the Rehabilitation Act of 1973. Accommodations may include establishing a Telecommunications Device for the Deaf (TDD) or posting a large type notice on the Census Bureau web site.

## **Remedy**

### **A. If, when and how is remedy provided?**

Remedy is provided when the risk score is High. The easiest method is to use the GSA Blanket Purchase Agreement (BPA) # 10266. Federal Supply Schedule BPAs eliminate contracting and open market costs such as the search for sources, the development of technical documents and solicitations, and the evaluation of offers. This BPA will further decrease costs, reduce paperwork, and save time by eliminating the need for repetitive, individual purchases from Financial and Business Solutions (FABS) Schedule contracts. The end-result is a purchasing mechanism for the Government that works better and costs less. This BPA provides multiple levels of service from three companies:

- GS-23F-06-E3-A-0013 Bearak Reports (Woman-Owned, Small)
- GS-23F-06-E3-A-0014 Equifax Inc. (Large)
- GS-23F-06-E3-A-0015 Experian Consumer Direct (Large)

Each company offers three basic levels of service. The nature of the breach, including the data and number of individuals, should be considered when deciding the service to provide. Additionally, if the event warrants it, optional supplemental services can be procured.

See attachment for additional details on services.

## **Data Breach Team Follow-up**

The Data Breach Team will file a report identifying the Risk Score associated with the incident and the follow-up action or response they took.

The Data Breach Team will file all documents (emails, letters, Request for Quotes, etc.) created in response to the incident in a secure location that is accessible to all Data Breach Team members to use in responding to any future incidents.

Attachment

**Bearak Reports Credit Monitoring Data Breach Risk Packages**

<b>Low Risk Package</b>	<b>Low Risk Package Includes:</b> <ul style="list-style-type: none"><li>▪ Social Security, Credit Card and 1 Bureau Credit Report Monitoring</li><li>▪ 3 Bureau Initial Fraud Alert</li><li>▪ Credit Card Registry</li><li>▪ Online Identity Theft Assistance</li><li>▪ 24 x 7 Customer Support</li></ul>
<b>Medium Risk Package</b>	<b>Medium Risk includes Low Risk benefits plus:</b> <ul style="list-style-type: none"><li>▪ Instant 1 Bureau Credit Report</li><li>▪ Instant 1 Bureau Credit Score</li><li>▪ Personal Information Directory Monitoring and Deletion</li><li>▪ Identity Theft Consumer Guide</li><li>▪ \$25,000 (\$0 deductible) Identity Theft Insurance</li></ul>
<b>High Risk Package</b>	<b>High Risk includes Medium Risk benefits plus:</b> <ul style="list-style-type: none"><li>▪ 3 Bureau Credit Report Monitoring</li><li>▪ Instant 3 in 1 Credit Report</li><li>▪ Instant 3 Bureau Credit Scores</li><li>▪ Fraud Resolution &amp; Identity Restoration Specialist</li></ul>

### Equifax Credit Monitoring Services

Features/Functionality	Silver (Good)	Gold (Better)	Gold with 3-in-1 Monitoring (Best)
Product Type	One Year Membership Service		
Enrollment Method	Internet	Internet, Fax, US Mail	
Access Method	Internet	Internet or US Mail	
Alert Frequency	Weekly	Daily	
Alert Method	Internet & Wireless Devices	Internet & Wireless Devices or US Mail	
Alert Types	<ul style="list-style-type: none"><li>▪ New Credit Inquiries</li><li>▪ New Accounts Established</li><li>▪ Name/Address Changes</li><li>▪ New &amp; Changes to Public Records (bankruptcy, collections, suits or judgments &amp;/or liens</li><li>▪ Account Balance (\$ and %) changes (Internet enrollees only)</li><li>▪ Dormant Account Activity (Internet enrollees only)</li></ul>		
Credit Reports	One Equifax Credit Report (Internet Delivery)	Unlimited Equifax Credit Reports (Internet Delivery)	One 3-in-1 Credit Report & Unlimited Equifax Credit Reports (Internet Delivery)
	US Mail delivery is NOT AVAILABLE	One Equifax Credit Report at enrollment with Quarterly updates (US Mail delivery)	One 3-in-1 Credit Report at enrollment with Quarterly updates to the Equifax credit file (US Mail delivery)
Identify Theft Insurances	\$2,500 with \$250 deductible	\$20,000 with \$0 deductible	
Customer Care	<p>Assist consumers during/after enrollment:</p> <ul style="list-style-type: none"><li>▪ Respond to product questions</li><li>▪ Assist in initiating dispute resolutions &amp;</li><li>▪ Provide fraud victim assistance if consumer’s identity is believed to be compromised</li></ul>		

## Experian Credit Monitoring Services

<p><b>Triple Alert<sup>SM</sup> Monitoring</b> – This product is delivered to qualified* Individuals using an online or offline application process and a single-use, Access Code.</p>	<p><b>Triple Alert benefits include:</b></p> <ul style="list-style-type: none"> <li>▪ Automatic daily monitoring of credit reports from all three national credit reporting companies: Experian, Equifax and TransUnion</li> <li>▪ Email or US mail monitoring alerts to inform the Individual of key changes to their credit reports, including new inquiries, newly opened accounts, delinquencies, address changes and public record items</li> <li>▪ Monthly “no hit” alerts, if there have been no important changes to the Individual’s credit report</li> <li>▪ Informative credit related articles</li> <li>▪ Toll-free Customer Service</li> <li>▪ Toll-free access to fraud resolution representatives and support should the Individual become a victim of Identity Theft after s/he enrolls in Triple Alert</li> <li>▪ Assistance from fraud resolution representatives who will walk the Individual step-by-step through the process of resolving problems associated with credit fraud or Identity Theft and: (i) assist with understanding credit reports and alerts (ii) assist in contacting law enforcement officials, (iii) receive and make calls with the Individual, and (iv) contact financial institutions and creditors as required. All assistance is provided as appropriate on a case by case basis</li> <li>▪ \$10,000 or \$25,000 identity theft insurance coverage provided by a designated third party insurer</li> </ul>
<p><b>Triple Advantage<sup>SM</sup> Monitoring (Premium)</b> –This product is delivered to qualified* Individuals using an online or offline application process and a single-use, Access Code.</p>	<p><b>Triple Advantage benefits include:</b></p> <ul style="list-style-type: none"> <li>▪ Automatic daily monitoring of credit reports from all three national credit reporting companies: Experian, Equifax and TransUnion</li> <li>▪ Email or US mail monitoring alerts to inform the Individual of key changes to their credit reports, including new inquiries, newly opened accounts, delinquencies, address changes and public record items</li> <li>▪ Monthly “no hit” alerts, if there has been no important changes to the Individual’s credit report</li> <li>▪ Unlimited online and offline access to the Individual’s Experian® Credit Report and Score for the duration of the membership</li> <li>▪ Score Simulator - helps Individuals understand how factors on their credit report impact their credit score</li> <li>▪ Consumer-friendly credit report with detailed explanations and descriptions</li> <li>▪ Monthly Score Trending of the Individual’s Experian score</li> <li>▪ Informative credit related articles</li> <li>▪ One free 3 bureau Credit Report and score upon enrollment</li> <li>▪ Toll-free Customer Service</li> <li>▪ Toll-free access to fraud resolution representatives and support should the Individual become a victim of Identity Theft after s/he enrolls in Triple Advantage</li> <li>▪ Assistance from fraud resolution representatives who will walk the Individual step-by-step through the process of resolving problems associated with credit fraud or Identity Theft and: (i) assist with understanding credit reports and alerts (ii) assist in contacting law enforcement officials, (iii) receive and make calls with the Individual, and (iv) contact financial institutions and creditors as required. All assistance is provided as appropriate on a case by case basis</li> <li>▪ \$25,000 identity theft insurance coverage provided by a designated third party insurer</li> </ul>



## Enclosure 13

## **The Data Stewardship Program**

### **DS-022 DATA BREACH POLICY**

#### **I. TITLE: DS0-022 Data Breach Policy**

#### **II. PURPOSE/STATEMENT OF PROBLEM**

The purpose of this policy is to establish procedures for responding to a “breach of personally identifiable information (PII)”<sup>1</sup>. In the event of a breach of personally identifiable information (PII), this policy establishes procedures for action to be taken, by whom, and for notifying affected individuals and others who have a need to know.<sup>2</sup> Each incident involves unique circumstances that must be assessed in order to ensure the action and response is appropriate. This may or may not include notifying individuals and providing remedy.

#### **III. LEGAL AUTHORITIES**

- ❑ The Privacy Act of 1974. The Privacy Act of 1974<sup>3</sup> requires agencies to establish:
  - “...rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or maintaining any record, and instruct each such person with respect to such rules and the requirements of the [Act], including any other rules and procedures adopted pursuant to this [Act] and the penalties for noncompliance...”
  - “...appropriate administrative, technical and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience or unfairness to any individual on whom information is maintained.” (5 U.S.C. § 552a(e)(9)-(10)).
- ❑ Office of Management and Budget Memorandum 06-19, Reporting Incidents Involving Personally Identifiable Information and Incorporating the Cost for Security in Agency Information Technology Investments. Requires agencies to:
  - “...report all incidents involving personally identifiable information to US-CERT within one hour of discovering the incident.”
- ❑ Identity Theft Task Force Memorandum, September 19, 2006, Identity Theft Related Data Security Breach Notification Guidance. Recommends that:

<sup>1</sup> Information covered by this policy may be in written form (on paper) or may reside electronically on traditional devices such as computer mainframes, servers, personal computers (desktop or laptops), PDAs (blackberrys) or removable media such as flash drives and memory sticks.

<sup>2</sup> Need to know is defined as having a work-related purpose for the information.

<sup>3</sup> 5 U.S.C. § 552a.

## ***The Data Stewardship Program***

---

- Agencies should immediately identify a core response group that can be convened in the event of a breach.
- If an incident occurs, the core response group should engage in a risk analysis to determine whether the incident poses problems related to identity theft.
- If it is determined that an identity theft risk is present, the agency should tailor its response (which may include advice to those potentially affected, services the agency may provide to those affected, and public notice) to the nature and scope of the risk presented.

### **IV. SCOPE**

This policy establishes guidelines for action in the case of a breach of PII. For the purposes of this policy, note the following definitions:

- **Breach** – loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users and for an authorized purpose have access or potential access to personally identifiable information in usable form, whether physical or electronic.
- **Incident** – a violation or imminent threat of violation<sup>4</sup> of data protection policies, acceptable use policies, or standard security practices.
- **External notification** – The process of informing individuals about incidents such as security breaches that have caused their personal information to be acquired by unauthorized persons.
- **Personally identifiable information (PII)**<sup>5</sup> – any information about an individual maintained by the Census Bureau, including, but not limited to, education, financial transactions, medical history, and criminal or employment history and information which can be used to distinguish or trace an individual's identity, such as their name, social security number, date and place of birth, mother's maiden name, biometric records, etc., including any other personal information which is linked or linkable to an individual regardless of the source or authority (e.g. Title 5, Title 13, Title 15, Title 26, etc.).

---

<sup>4</sup> Refers to a situation where there is a factual basis for believing that a specific incident is about to occur.

<sup>5</sup> OMB Memo-06-19, "Reporting Incidents Involving Personally Identifiable Information and Incorporating the Cost for Security in Agency Information Technology Investments."

## ***The Data Stewardship Program***

---

### **V. BACKGROUND**

Recent Congressional and OMB action have provided initial guidance on protecting data from identity theft, which is the basis for this policy. However, the focus of this policy extends beyond identity theft because our data are at minimal risk for such criminal purposes.

A primary objective of the Census Bureau is to protect the privacy of individuals who have entrusted the Census Bureau with their personal information. The Census Bureau must strive to preserve its reputation as a data collection agency that places the highest priority on protecting the confidentiality of respondents' data and their use solely for statistical purposes. The Census Bureau cannot afford to have its mission compromised by breaches – real or perceived – in these areas.

- This policy is in direct support of Strategic Objective 4.2: Foster trust and cooperation of the public by respecting privacy and protecting the confidentiality of respondents' information.
- The Census Bureau must inform its workforce and implement procedures for the reporting and handling of potential data breaches. Appropriate responses to potential breaches demonstrate to employees and the public that we take our responsibility for the stewardship of data seriously.
- Rise in identity theft heightens public concern over any potential data loss. We must be able to respond quickly and appropriately to maintain the public's trust.
- Our privacy principle of Confidentiality is to ensure that only those that have a need to know have access to our data.
- The Privacy Act requires that we protect data, thus, we must respond appropriately to data at risk of disclosure.
- OMB requires that agencies report all breaches and provide recommendations on how to handle breaches.

### **VI. POLICY**

The Census Bureau will identify and assess each data breach and consider providing notification, and in some cases, free credit monitoring for affected individuals based on risk scores that consider the probability that the information will be used to harm the individual.

#### **□ Policy Requirements**

- All potential (actual or suspected) data loss/breach incidents will be reported via the Census Bureau's Computer Incident Response Team (CIRT).
- Incidents reported via the CIRT are reviewed weekly by the Chief Privacy Officer (CPO), Chief Information Officer (CIO), and Chief, IT Security Office. Incidents are referred to the Data Breach Team as described below. Weekly reviews that identify trends in incidents will be discussed for identifying potential actions to decrease or limit occurrences.
- The CIRT will continue to notify the US-Cert according to requirements.

## ***The Data Stewardship Program***

---

- Identified breaches are referred to the Data Breach Team for assessment. Assessments will be guided by the procedures outlined in the Data Breach Policy Implementation Guide.
- The Data Breach Team conducts a risk assessment and assigns a risk score.
- The Data Breach Team determines what action to take based on the risk score and other factors associated with the breach. Action may result in notification to individuals, providing credit monitoring services, and notifying law enforcement, if warranted.
- All data sharing arrangements will be covered by an agreement that provides for the Census Bureau to follow the guidelines of this policy in the event of a data breach. If the organization involved has a Data Breach Policy, the Census Bureau has the option to follow either policy as appropriate and in the best interest of the Census Bureau.

### **VII. IMPLEMENTATION**

The complete implementation details can be found in the Data Breach Policy Implementation Guide.

#### **□ Responsibilities for Implementation**

- The Privacy Office will provide privacy training and information on its Intranet site on identifying breaches and how to report incidents via the CIRT. The CPO participates in reviews of the incidents reported on the CIRT. The CPO serves as a member of the Data Breach Team.
- The CIO participates in the weekly review of incidents reported on the CIRT and serves as a member of the Data Breach.
- The Chief, IT Security Office (ITSO) provides training and information on the ITSO Intranet site on identifying breaches and how to report incidents. The ITSO manages the CIRT, participates in the weekly reviews of incidents reported on the CIRT, and serves as a member of the Data Breach Team.
- The CIRT completes the weekly CIRT report.
- The Human Resources Division (HRD) provides training on the importance of the safe handling of data during the New Employee Orientation and Time and Attendance system training.
- Employees are responsible for knowing the policies and requirements for safe data handling and proper and timely reporting of incidents to the CIRT.
- The Data Breach Team will consist of the following members: Senior Agency Official; Chief Privacy Officer; Chief Information Officer; Chief, ITSO; Associate Director for Communications; and Chief, Office of Analysis and Executive Support. Others as warranted: Chief, Office of Security; General Counsel; Inspector General; and appropriate law enforcement.

#### **□ Implementation Awareness Strategies**

The new Privacy Awareness training module and training on the new electronic Time and Attendance system will be used to communicate to all employees how to identify and report potential breaches.

## **The Data Stewardship Program**

Additionally, information on how to identify and report a breach will be provided on the Census Bureau Intranet site both through the IT Security Office site and the Privacy Office site.

### **□ Implementation Measures**

- Completion of weekly review of incidents reported via the CIRT by the CPO, CIO, and Chief, IT Security Office.
- Assessment of incidents by Data Breach Team and resulting response.

### **VIII. REFERENCES**

Federal laws define "identifying information" broadly. *See, e.g.*, The 1998 Identity Theft Assumption and Deterrence Act (Pub. L. No. 105-318, 112 Stat. 3007 (1998) (codified at 18 U.S.C. § 1028)) and the Fair and Accurate Credit Transactions Act (15 U.S.C. §§ 1681-1681x, as amended). This memorandum focuses on the type of identifying information generally used to commit identity theft.

IDENTITY THEFT TASK FORCE MEMORANDUM, September 19, 2006, Identity Theft Related Data Security Breach Notification Guidance.

[http://www.whitehouse.gov/omb/memoranda/fy2006/task\\_force\\_theft\\_memo.pdf](http://www.whitehouse.gov/omb/memoranda/fy2006/task_force_theft_memo.pdf)

**IX. DATE POLICY BECOMES EFFECTIVE:** Upon Signature

**X. SIGNATURE AND DATE SIGNED**



Hermann Habermann

Chair, Data Stewardship Executive Policy Committee



Date

## **Data Stewardship Program**

---

### **DS022A: Procedures for Reporting and Responding to a Data Breach for the 2010 Census**

#### **I. PURPOSE/STATEMENT OF PROBLEM**

These procedures establish the process for reporting and responding to a breach (actual or suspected) of protected information that is related to or involves 2010 Census operations, including personally identifiable information (PII) and Title 13 data. In the event that a data breach is discovered or suspected, this policy establishes procedures for action to be taken, by whom, and for providing notification to affected individuals and other stakeholders.

#### **II. LEGAL AUTHORITIES**

These procedures implement DS-022 "Data Breach Policy," and thus share the same legal authorities as that document. Additionally, these procedures relate to:

- Department of Commerce Breach Notification Response Plan dated September 28, 2007.

#### **III. SCOPE**

These are procedures for reporting and resolving all incidents related to 2010 Census activities, including those at Census Bureau facilities, as well as any incidents related to 2010 Census activities that occur at non-Census Bureau facilities (such as some 2010 Census testing activities). These procedures do not apply to the reporting of any incidents related to on-going survey operations, or to any other non-decennial census operations.

The procedures for handling IT, physical, personnel security, PII (Personally Identifiable Information) and Title 13 breaches that occur at the DRIS (Decennial Response Integration System) paper data capture centers or the telephone call centers, or with the FDCA (Field Data Collection Automation) IT solution in the local census offices and the data processing centers are covered under and outlined in the DRIS and FDCA contract documents, with notification going to OSY (Office of Security), BOC-CIRT (Bureau of the Census – Computer Incident Response Team) and the D-CIRT (Decennial – Computer Incident Response Team) as appropriate.

#### **IV. BACKGROUND**

The Data Stewardship Executive Policy Committee (DSEP) approved a Data Breach Policy in December 2006; the most recent procedures implementing this policy were approved on October

15, 2007. With the approach of the 2010 Census, DSEP has implemented the following procedures specific to the 2010 Census. DSEP expects to examine and revise the non-decennial policies and procedures in late 2010 in light of the 2010 Census experience.

## V. IMPLEMENTATION

### *REPORTING*

All actual and suspected breaches occurring during the course of the 2010 Census operations must be reported by employees/contractors within one hour of incident discovery to the D-CIRT, the Decennial Computer Incident Response Team, via a toll free telephone number, 1-877-744-1522. Employees/contractors should also notify their immediate supervisors whenever a breach has been discovered, or is suspected. Calls not involving the 2010 Census should also be reported within one hour, **but to the BOC CIRT, at (301)763-5141, or (877)343-2010**

D-CIRT calls are handled by telephone operators located in the Census Bureau's Field Directorate (FLD) Telephone Centers in Tucson, Arizona and Hagerstown, Maryland. Call Center operators use the PII Incident Management System (PIMS) to record the details of the calls as they are talking to the caller. The PIMS provides the operators with prompts, drop down lists, and radio boxes to assist in the recording of the call. The PIMS is configured to use the information recorded during the telephone call to assign a preliminary rating to the incident, and to assign the incident to the appropriate teams for follow-up investigation. The system assigns a system-generated sequential number to the incident. A contingency plan has been developed for the telephone centers to record cases manually in the event the automated system is down for any period of time.

### *RISK RATING*

Various types of incidents that might occur during activities related to the 2010 Census have been identified, pre-assessed, and entered into the PIMS. PIMS automatically assigns a risk rating to incidents comparing the information entered into the system with the pre-assessed information. Once PIMS has assigned an automated risk rating, the PII Coordination Team (PCT) assesses any unique circumstances surrounding the incident, and verifies that the PIMS rating is correct. Risks are rated as follows:

NA (Not Applicable). Many calls are the wrong number or result in immediate hang-ups. These types of calls are rated NA. Some incidents involve no information and thus are rated NA.

Low. Risks are rated low if there is little chance that the breach could result in harm to the individual whose data is lost. Low risk incidents include phonebook type of information such as



name, address, and phone number. Incidents involving 2010 Census short forms are also rated low risk.

Medium. Medium is usually assigned to incidents involving equipment where an initial determination could not be made regarding the type of information lost. Most medium equipment incidents will be reassigned as a low or a high, upon further investigation, depending on the information involved.

High. Incidents involving the loss of SSN (Social Security Number) in conjunction with the individual's financial information are always rated as high, regardless of where the loss took place. Incidents involving SSN without financial information are only rated high if they occur outside of secure Census facility space.

### *INVESTIGATION/UPDATING INFORMATION*

After an incident is reported and rated, the Census Bureau investigates it. The Field PII and Security Staff investigates all losses of PII, Title 13, and IT equipment. The staff works with managers in each of the 12 Regional Census Centers (RCCs), who in turn follow up with employees and their supervisors in the Local Census Office where the incident/loss occurred. The Field PII Security Staff also works closely with the PCT and ITSO (Information Technology Security Office) to provide clarifying information and updates regarding incidents.

The PCT is responsible for resolving all incidents of lost PII and Title 13 information. This includes determining any violation of privacy policies, as well as any impact on the agency and the individual. The ITSO is responsible for resolving all incidents of lost IT equipment, unauthorized or misuses of IT resources, or incidents involving intrusions of the Census Bureau computer network. This includes determining if the incident involved the unsecure transmission, storage, or processing of sensitive data. When an incident involving IT equipment, resources, or network information is determined to involve PII or Title 13 information, ITSO will add the PCT as an assignee in the system. Both the PCT and the ITSO determine when sufficient information has been collected, and when an incident can be closed.

Typically, not all information about an incident is available at the time of the initial report. Call center operators instruct callers to call the D-CIRT back with updated information including police report numbers and FedEx tracking numbers. Through an agreement with the Federal Protective Service (FPS), equipment losses are also reported by the RCCs to the appropriate FPS regional office to assist in stolen equipment recovery. The call center operator can access the existing incident and enter updated information. When the call is completed, PIMS will send an updated report as required. The ITSO and the PCT also have the capability to update the incident records as new details are discovered. The FLD PII and Security Staff and managers at the Regional Census Centers have rights to enter notes in the Investigative Notes section only.

## *NOTIFICATION*

The Census Bureau notifies all individuals whose information is involved in incidents rated High and Medium. Losses rated Medium usually warrant notification only, while losses rated High are also provided the option to elect credit monitoring. Cases rated Low do not require notification to the individual. However, the unique circumstances of all cases are reviewed and the final action is modified based on the details. For example, some exceptional cases rated Low may require notification of the individual, and some Medium cases may result in credit monitoring being offered.

The Census Bureau's Privacy Office notifies the individual in writing as soon as possible following the discovery of a breach. Procedures have been developed for LCO and RCC staff to determine the addresses for notification letters if they are not otherwise available. Notification may be delayed for a short time to: 1) meet the legitimate needs of law enforcement and national security, 2) allow the Census Bureau to determine the scope of the breach and, 3) if applicable, to restore the reasonable integrity of the system/process that was compromised. These delays should not exacerbate risk or harm to any affected individual(s) or be tied to the completion of the investigation, but rather be based on whether prompt notification would seriously impede the investigation. The notification is signed by the Chief Privacy Officer. If the breach involves a Federal contractor or public-private partnership, the Census Bureau response will consider the specific relationship and any signed agreements.

The written notification to the individual is clear, concise, conspicuous, easy-to-understand, and includes the following elements:

- A brief description of what happened, including the date(s) of the breach and its discovery.
- A description of the types of personal information that were involved in the breach (e.g., full name, Social Security number, date of birth, home address, account number, disability code, etc.) to the extent possible.
- What steps, if any, individuals should take to protect themselves from potential harm.
- What the Census Bureau is doing, if anything, to investigate the breach, to mitigate losses, and to protect against any further breaches.
- How affected individuals should contact the Census Bureau for more information, including a toll-free telephone number, name, e-mail address, and postal address.
- Direction to additional guidance available from the Federal Trade Commission at:  
<http://www.consumer.gov/idtheft/>; Minimizing your risk at:  
[http://www.consumer.gov/idtheft/con\\_minimize.htm](http://www.consumer.gov/idtheft/con_minimize.htm); Publications at:  
[http://www.consumer.gov/idtheft/con\\_pubs.htm](http://www.consumer.gov/idtheft/con_pubs.htm).

For large mailings, the National Processing Center (NPC) will be used to print and mail the letters. The FLD PII and Security Staff, PCT, and the NPC have access to a secure folder space used to store the names and addresses of individuals to be notified. At the direction of the PCT, the NPC will conduct the mail operation. The NPC notifies the PCT when mailings are completed so the PCT can close the incident.

In general, the PCT sends the primary notification by certified mail. The PCT handles all requests for credit monitoring. Responses to requests for credit monitoring are documented for tracking and accountability purposes and are sent via FedEx. The PCT provides a weekly report for all correspondence to the Chief Privacy Officer (CPO) and members of the FLD Decennial Staff.

### *COMMUNICATIONS AND REPORTING*

PIMS sends real-time email alerts to the ITSO, PCT Supervisors, CPO, FLD PII and Security Staff, and selected Headquarters (HQ) and regional managers when an incident is entered into the system. Similarly, the PIMS also sends reports to the DOC (Department of Commerce)-CIRT within one hour of an incident being entered into the system, if it is rated category 1 or involves the loss of equipment. The Field Directorate prepares daily summaries of all high and exceptional cases. This summary is reviewed by the Assistant to the Associate Director for Field Operations. Once approved, FLD distributes the summary to the Field Division Chief, ITSO Division Chief, Associate Director for Communications, Chief Financial Officer, Chief Privacy Officer, Chief Information Officer (CIO), Assistant Director for ACS and Decennial Census, and Deputy Director.

ITSO briefs BOC (Bureau of Census) and DOC officials on breaches involving IT equipment, systems, and networks, and includes the CPO in all communications related to these incidents that also involve PII or Title 13 information. ITSO sends a report to US CERT (Computer Emergency Readiness Team) twice a month on all paper-related PII incidents.

The CPO briefs the following officials on exceptional cases as they occur. BOC Deputy Director, BOC Associate Director and Assistant for Communications, Associate Director and Assistant Associate Director for Field Operations, Associate Director and Assistant for Decennial Census, Associate Director and Division Chief of the involved business unit, the BOC CIO, BOC Chief of IT Security and selected staff, Under Secretary and Deputy Under Secretary for ESA (Economics and Statistics Administration), the DOC CIO and selected staff, the DOC OPA (Office of Public Affairs) and (Office of General Counsel) OGC, the DOC Chief of Staff.

We have found over time that the rapidly changing information about incidents can result in unclear lines of communication. Accordingly, for decennial-related incidents involving PII and

Title 13, the CPO should be considered as the “single point of contact” for communications between the Communications Directorate, the Department of Commerce, and senior management at BOC about the details of the incident. The CPO will coordinate and communicate as necessary to keep stakeholders involved; however, the CPO should be viewed as the ultimate repository of up-to-date information about the status of the breach investigation.

### *EXCEPTIONAL CASES*

While the Census Bureau takes seriously all breaches, the majority of incidents that occur during decennial census operations are routine and low risk, of the sort that are inevitable in the course of hiring over a million temporary employees who are carrying paper questionnaires. Although the majority of incidents will be resolved using the incident handling process described herein, there are times when incidents must be dealt with manually. The PCT reviews and investigates all incidents reported through the D-CIRT on a continual basis and determines which cases to bring to the attention of the Chief Privacy Officer (CPO). Incidents are put into manual processing mode when the CPO determines that the incident has circumstances beyond those identified as being typical for losses associated with the 2010 Census operations, or have the potential to have broad and significant impact if widely disseminated. Cases that are considered exceptional are escalated to appropriate management for additional action. For example, the case may be selected for manual processing if any of these conditions occur:

- The data are the target of the theft, rather than equipment
- Large losses occur in small geographic area
- The incident involves the media – known or suspected
- Any other unusual or exceptional circumstance

Once an incident has been identified as an exceptional case, and selected for manual processing, the CPO, with the support of the PCT, then determines whether the incident is serious enough that the Census Bureau Breach Notification Team (BNT) must be called together to review and investigate the incident. When appropriate, the CPO is also responsible for notifying higher echelons of Census Bureau and Department of Commerce management of exceptional cases.

## **VI. ROLES AND RESPONSIBILITIES**

This section identifies the roles and responsibilities of the major stakeholders involved in managing the incident response process for the 2010 Census. The stakeholders include:

### Decennial Management Division (DMD)

DMD is the sponsor of the Project Management Incident System (PIMS) and provides project management, operational guidance and necessary resources. The DMD coordinates the PIMS Change Control Board that reviews and decides on all requests for changes to the PIMS.

### Chief Privacy Officer

The CPO has overall responsibility for managing and resolving PII incidents resulting from Decennial operations. The CPO will review periodic reports from PIMS and PCT Supervisors to identify broader trends, as indicated by the location, frequency and severity of incidents. The CPO also manages the operation of the PCT and approves the assessment assigned by the PIMS or the manual assessment by the PCT. The CPO is responsible for keeping the Bureau of the Census executive management informed of exceptional breaches. The CPO will review exceptional incidents in accordance with DS022 and the associated Implementation Guide. The CPO will generate summary reports and approve recommended remediation actions. The CPO can hold any incident for manual processing, regardless of the automated assessment. Once an incident has been converted for manual processing, it must be resolved and closed manually.

### PII Coordination Team

The PII Coordination Team (PCT) resides in the Privacy Office. The PCT is responsible for coordinating, investigating, and effectively resolving all incidents involving PII and Title 13. In addition, the PCT determines the potential risk to the affected individual(s) and if the information was accessed and used for fraudulent purposes. The PCT consults and coordinates with the FLD Directorate to conduct follow-up investigations and fact-gathering.

The PCT is also responsible for the initial notification process as well as follow up requests for credit monitoring for all affected individuals. In general, the primary means of notification is by certified mail. Responses to requests for credit monitoring are sent via FedEx. The PCT tracks United States Postal Service (USPS) mailing and FedEx funds (spent/available), and the number of activated/non-activated promo codes. In addition, the PCT provides documentation and weekly reports of accountability for the notification and credit monitoring operation to the CPO and members of the FLD Decennial Staff.

At the direction of the PCT, the NPC will conduct the mail operation for large quantity mailings involving notifications and/or credit monitoring correspondence. The FLD PII and Security Staff, PCT, and NPC all have access to a secure folder space used to store the names and addresses of individuals to be notified. The NPC notifies the PCT upon completion of mailing, by placing all mail receipts for the mailing on the shared drive. PCT will document and file all receipts with the appropriate incident and close the incident.

### Field Division PII and Security Staff

The FLD PII and Security Staff office works under the direction of Field Division Headquarters in investigating incidents occurring in the field, including all field offices. The ITSO delegated the closing of Hand Held Computers (HHC) incidents to the FLD PII and Security Staff. The FLD PII and Security Staff also ensures that instructions for the protection of PII and reporting of incidents are in every training and procedural manual utilized in the census, and for ensuring that all decennial census field staff have the appropriate contact cards for reporting to D-CIRT.

M:\Policy and Procedures\2010 Census Data Breach Policy (date)

The Staff also provides regular training to key officials in the RCCs to assist with investigations. In the case of equipment, the Staff also ensures that police report numbers are associated with each incident, that Census Bureau inventories are appropriately updated and consistent with reported losses, and that the Office of Security at the Census Bureau, and the Federal Protective Service, are notified in cases of stolen equipment.

#### TCCO

The Telephone Center Coordination Office of the Field Directorate (TCCO) has the responsibility for developing the specifications for the D-CIRT application for incoming PII calls. TCCO also designs the training for telephone center interviewers; currently, interviewers receive 24 hours of training. TCCO creates system modifications as necessary, and alerts the telephone centers of each application modification and how the interviewers should proceed. TCCO monitors call center volume, including variations in volume by time of day, and determines necessary staffing levels by shift. TCCO is also responsible for the manual contingency plan in the event the automated system is down, and for training on the contingency plan.

#### Information Technology Security Office

For lost and/or missing equipment and IT incidents occurring during Decennial operations, ITSO is responsible for coordinating with the PCT and the FLD PII and Security Staff to investigate and close incidents. The ITSO will notify the PCT if computer related incidents involve PII and will add the PCT as an assignee to the incident. ITSO will notify the PCT if a PII or Title 13 incident is reported to the BOC-CIRT and needs to be entered into the D-CIRT. In these cases, the PCT will work with the TCCO to enter the incident into the D-CIRT.

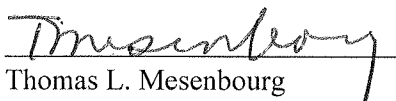
#### Census Bureau Breach Notification Team (BNT)

The BNT will function according to DS-022 "Data Breach Policy" and its associated Implementation Guide.

### **VII. OWNERSHIP/CLEARANCE**

The CPO is responsible for maintaining and disseminating these procedures.

### **VIII. SIGNATURE**



Thomas L. Mesenbourg  
Deputy Director  
U.S. Census Bureau

4/20/10  
Date

M:\Policy and Procedures\2010 Census Data Breach Policy (date)

<b>Summary Information</b>	
<b>Title:</b>	DS-022A "Procedures for Reporting and Responding to a Data Breach for the 2010 Census"
<b>Date Signed:</b>	April 20, 2010
<b>Policy Owner:</b>	Chief Privacy Officer (CPO)
<b>Office Responsible for Implementation:</b>	Privacy Office
<b>Office Responsible for Dissemination:</b>	Privacy Office
<b>Stakeholders:</b>	Chief, Privacy Office Chief, Information Technology Security Office Associate Director for Communications Associate Director for Field Operations Associate Director for Decennial Census Associate Director for Information Technology Chief, Field Division Chief, Decennial Management Division Chief, Office of Analysis and Executive Support Chief, Telephone Center Coordination Office Director, National Processing Center