



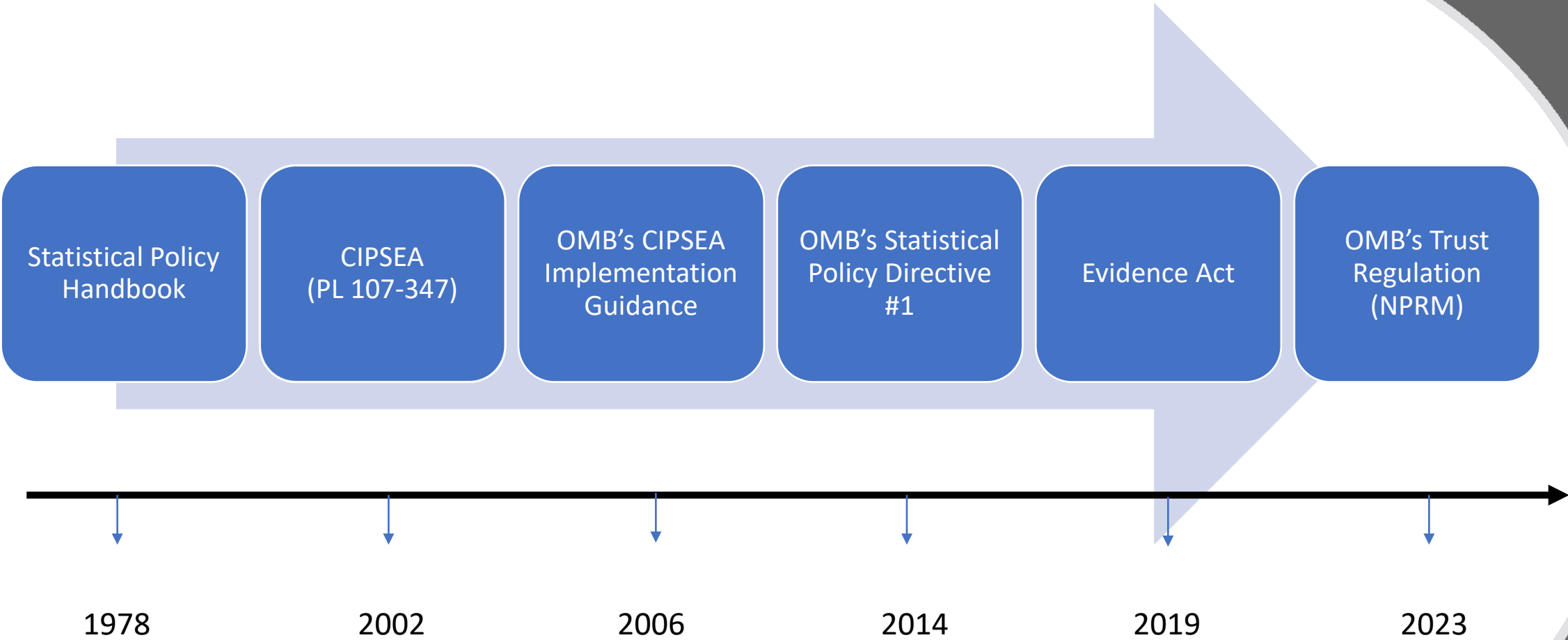
Chief Statistician of the United States

Statistical Purposes: United States and International Policy Framework

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*Any opinions and conclusions expressed herein are those of the author and
do not reflect the views of the Office of Management and Budget.*

Tracing “Statistical Purposes”



Codification of “Statistical Purposes”

Statistical Policy Handbook

CIPSEA
(PL 107-347)

OMB’s CIPSEA
Implementation
Guidance

OMB’s Statistical
Policy Directive
#1

Evidence Act

OMB’s Draft
Trust Regulation

Confidential Information Protection and Statistical Efficiency Act
(2002)

Section 502 (9) The term “statistical purpose” —

- (A) means the **description, estimation, or analysis** of the characteristics of groups, **without identifying the individuals or organizations** that comprise such groups; and
- (B) includes the development, implementation, or maintenance of methods, technical or administrative procedures, or information resources that support the purposes described in subparagraph (A)

Codification of "Nonstatistical Purposes"

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Section 502 (5) The term "nonstatistical purpose" —

- (A) means the use of data in identifiable form for any purpose that is not a statistical purpose, including any administrative, regulatory, law enforcement, adjudicatory, or other purpose that **affects the rights, privileges, or benefits of a particular identifiable respondent**; and
- (B) includes the disclosure under section 552 of title 5, United States Code (popularly known as the **Freedom of Information Act**) of data that are acquired for exclusively statistical purposes under a pledge of confidentiality.

Non-Statistical Agencies and Uses

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Section 512 (a) USE OF STATISTICAL DATA OR INFORMATION.—Data or information acquired by an agency **under a pledge of confidentiality** and for **exclusively statistical purposes** shall be used by officers, employees, or agents of the agency exclusively for statistical purposes

Section 512 (c) RULE FOR USE OF DATA OR INFORMATION FOR NONSTATISTICAL PURPOSES.—

A statistical agency or unit shall **clearly distinguish** any data or information it collects for nonstatistical purposes (as authorized by law) **and provide notice to the public**, before the data or information is collected, that the data or information could be used for nonstatistical purposes.

SPD 1: The Trust Directive

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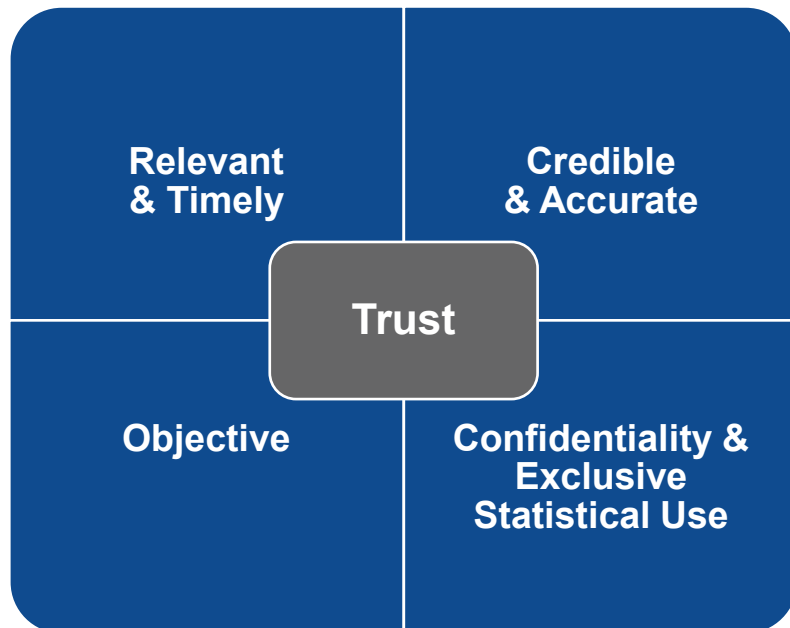
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Statistical Policy Directive #1: Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units



Four fundamental responsibilities

SPD 1: The Trust Directive

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Statistical Policy Directive #1: Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units

Responsibility 4: Protect the trust of information providers by ensuring the confidentiality and exclusive statistical use of their responses.

Federal statistical agencies and recognized statistical units **build and sustain trust** with data providers by maintaining a strong organizational climate that safeguards and protects the integrity and confidentiality of the data collected, processed, and analyzed to ensure that the information is **secure against unauthorized access, editing, deletion, or use.**

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Foundations for Evidence-Based Policymaking Act (Pub.L. 115–435)

A.K.A. CIPSEA 2018 - Evidence Act Title III codified CIPSEA in the U.S. Code. And codifies into law the four fundamental responsibilities!

44 U.S.C. 3571: Pledges of confidentiality by agencies provide assurances to the public that information about individuals or organizations or provided by individuals or organizations for **exclusively statistical purposes** will be **held in confidence** and **will not be used against** such individuals or organizations in any agency action.

OMB's Draft Trust Regulation

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Notice of Proposed Rulemaking: Fundamental Responsibilities of Recognized Statistical Agencies and Units

Preamble: The Commission on Evidence-Based Policymaking emphasized that making data available for statistical purposes to advance evidence-building could place that data at **increased risk of being used for nonstatistical purposes** in ways that undermine the public's willingness to provide data to the Federal Statistical System, and thus recognized the need for **“strict structural and institutional separation between statistical and nonstatistical uses of data,”** noting throughout its final report that a strong legal framework is needed to strengthen privacy and confidentiality protections for the data.

Structural and Institutional Separation

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Preventing unauthorized non-statistical use:

- Data governance and access
- Data and cyber security
- Staff – training, reporting
- Decisionmaking and authority
- Agency policies



*European Statistics
Code of Practice*



*Fundamental Principles
of Official Statistics*



*Recommendations on
Good Statistical
Practice*



“The privacy of data providers, the confidentiality of the information they provide, its use **only for statistical purposes** and the security of the data are absolutely guaranteed.”



“Individual data collected by statistical agencies for statistical compilation, whether they refer to natural or legal persons, are to be strictly confidential and **used exclusively for statistical purposes.**”



“Protect the privacy of data providers (including individuals, households, enterprises, administrations, and all level of government), and guarantee by law the confidentiality of the individual information provided and its **use for statistical purposes only.**”

Thank You!

Congressional Direction: Evidence Act

(a) Responsibilities.—

(1) In general.—Each statistical agency or unit shall—

- (A) produce and disseminate relevant and timely statistical information;
- (B) conduct credible and accurate statistical activities;
- (C) conduct objective statistical activities; and
- (D) protect the trust of information providers by ensuring the confidentiality and exclusive statistical use of their responses.

(b) Support From Other Agencies.—The head of each agency shall enable, support, and facilitate statistical agencies or units in carrying out the responsibilities described in subsection (a)(1).