

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.¹ 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.

¹ 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