

Privacy, Confidentiality, and Statistical Purposes

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Benefits of Administrative Records for Official Statistics

- Reduce respondent burden
- Reduce costs
- Improve data quality
- Create blended data products



Mechanisms to Share

There are numerous statutory provisions and frameworks for statistical agencies to acquire administrative records, including:

- Privacy Act -- 5 U.S.C §552(b)(4)
- Evidence Act – 44 U.S.C. §3581
- Internal Revenue Code – 26 U.S.C. §6103(j)
...to name just a few.

In fact, statistical agencies are often required to use administrative records over direct survey collections whenever practicable.

“To the maximum extent possible and consistent with the kind, timeliness, quality and scope of the statistics required, the [Census Bureau] shall acquire and use information available from [administrative records] instead of conducting direct inquiries.” 13 U.S.C. §(6)(c)

“Statistical Purposes” Only

Once acquired by a federal statistical agency, these records are typically afforded strong confidentiality and data access and use protections.

These limit the use of the data "for statistical purposes only"

- 1) To ensure that information supplied by individuals or organizations to an agency for statistical purposes under a pledge of confidentiality is used exclusively for statistical purposes.
- 2) To ensure that individuals or organizations who supply information under a pledge of confidentiality to agencies for statistical purposes will neither have that information disclosed in identifiable form to anyone not authorized by this subchapter nor have that information used for any purpose other than a statistical purpose.
- 3) To safeguard the confidentiality of individually identifiable information acquired under a pledge of confidentiality for statistical purposes by controlling access to, and uses made of, such information.

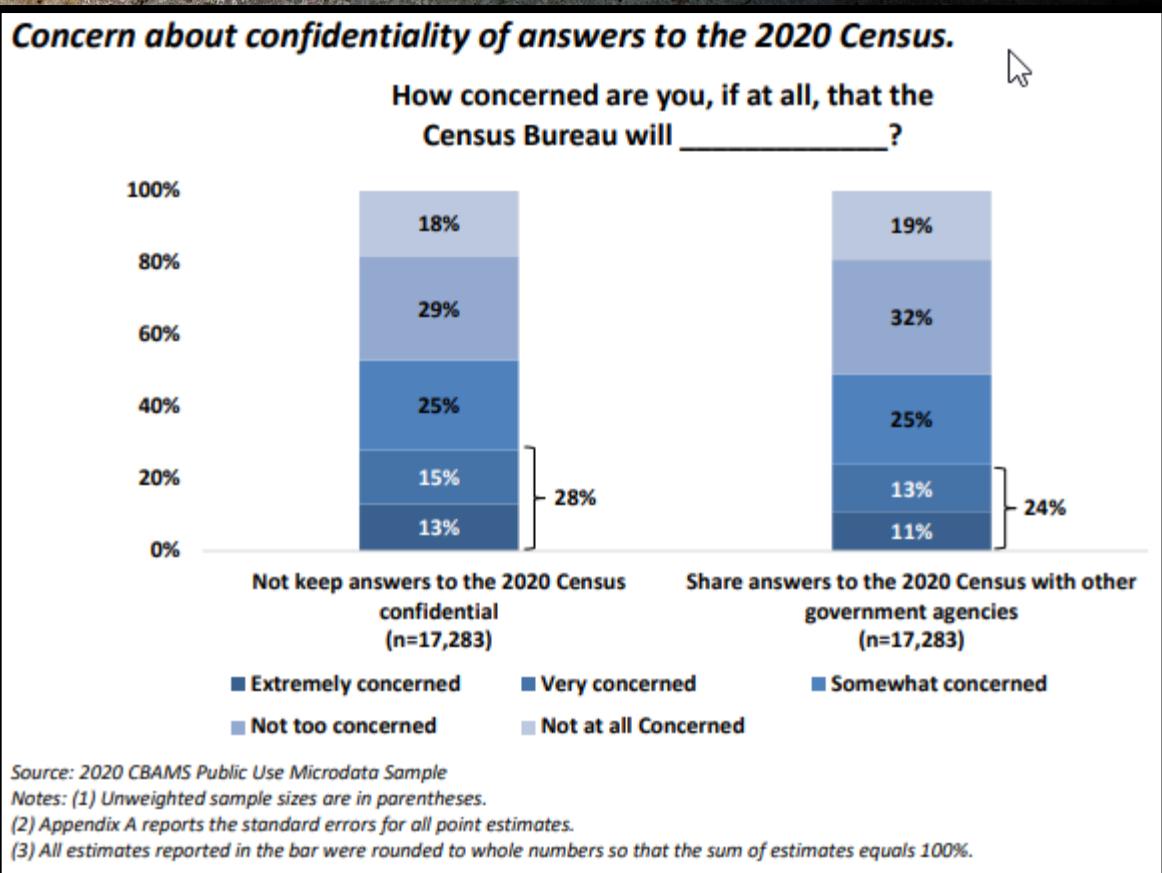
Confidential Information Protection and Statistical Efficiency Act [44 U.S.C. §3572(a)]

Privacy and Confidentiality Challenges with Increased Administrative Record Usage

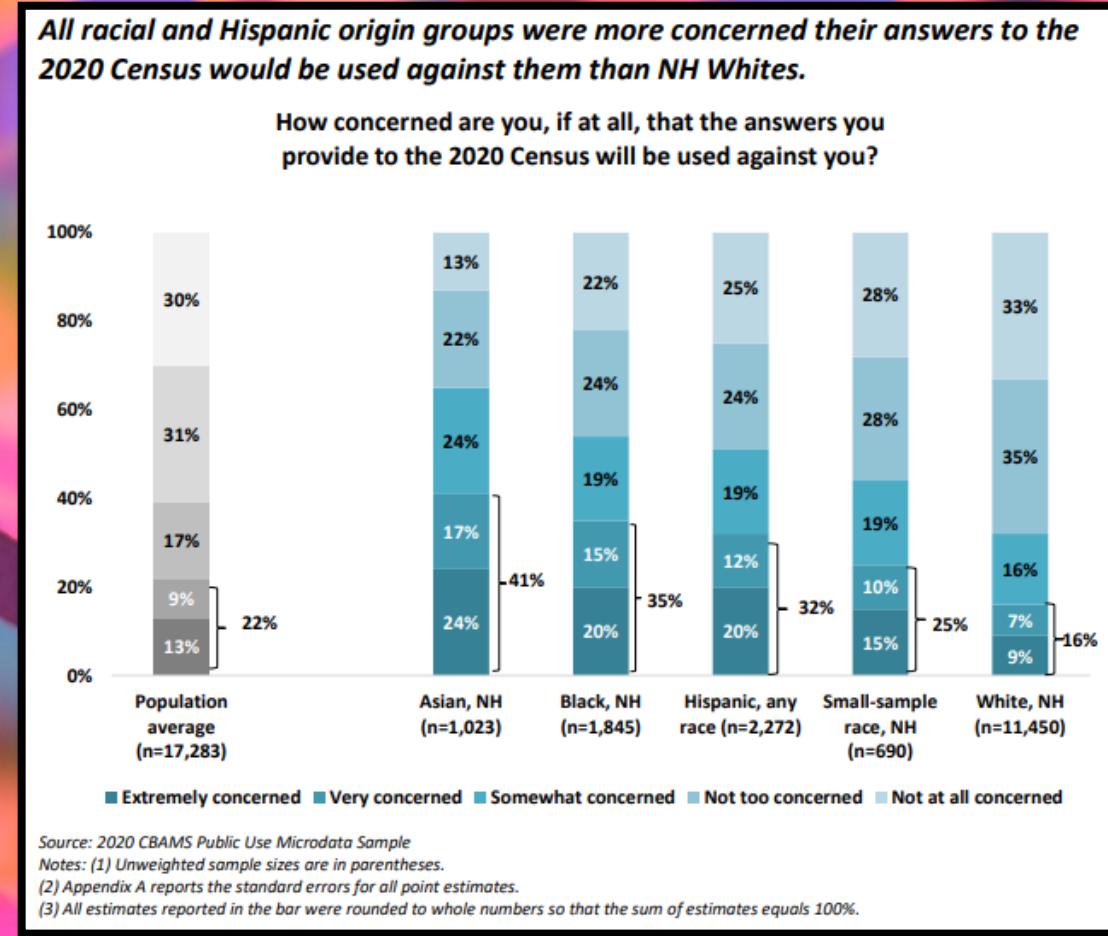
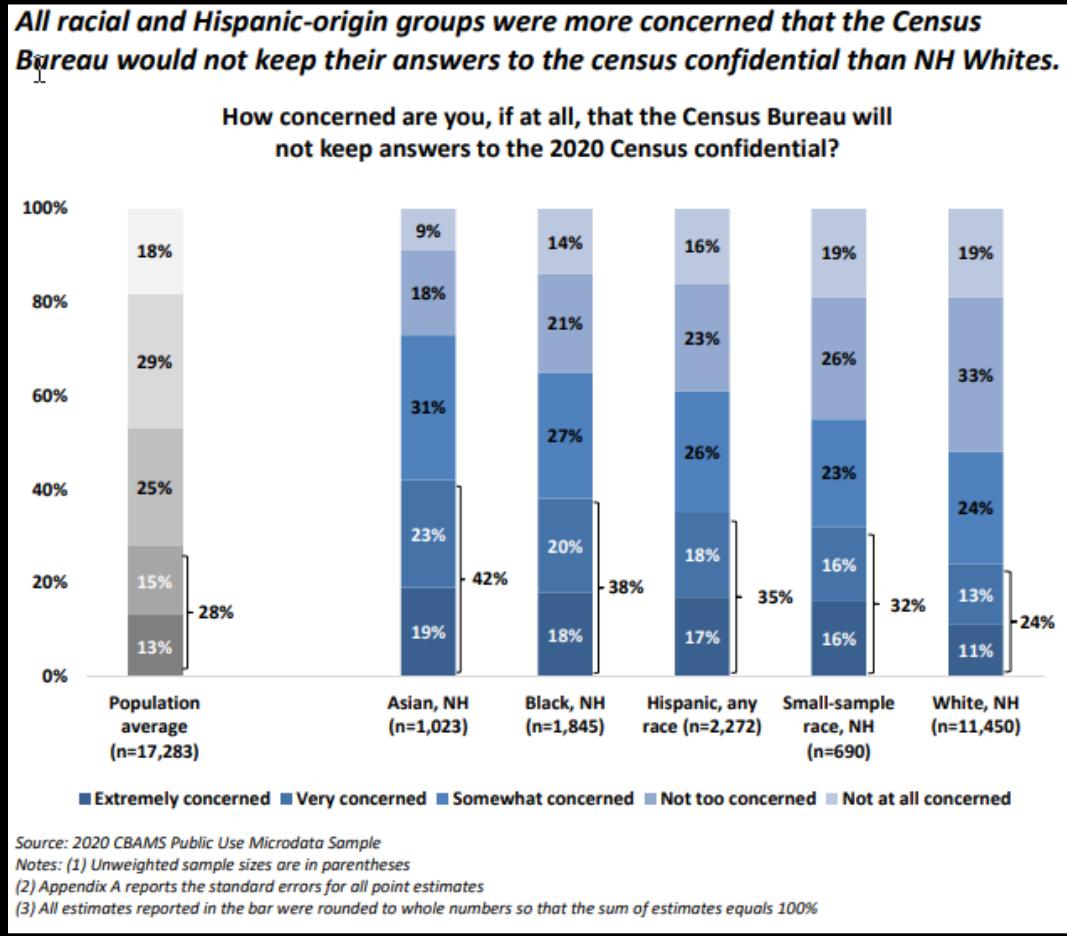
Privacy attitudes are a barrier to survey participation

53% of respondents were “somewhat,” “very,” or “extremely” concerned about the Census Bureau’s ability to protect the confidentiality of their data.

49% thought the Census Bureau would share their information with other government agencies.



Privacy attitudes vary by demographic group



Privacy attitudes are contextual

- Individuals supply data within a particular social, institutional, or administrative context
- Expectations and concerns about privacy will vary widely across contexts (even for the same data element)



Privacy attitudes are transactional

Fears about privacy “...do not translate into a universal yearning for anonymity. In fact, almost two-thirds of [survey respondents] are comfortable with disclosing information under the terms of the basic Information Age bargain: ‘I give you a piece of information about me in return for something of value from you.’”

-Lee Rainie, Pew Internet & American Life Project



Privacy attitudes are difficult to anticipate

“...privacy [is] a ‘landmine issue’ because it is something which may blow up in the faces of people who are not expecting it. They are not aware that it is there as an issue until it blows up.

When we ask people to tell us what issues are important to them spontaneously, they very rarely mention privacy. It is not usually a top-of-the-mind issue. But whenever we ask people about the importance of privacy, they almost invariably tell us that it is important or very important.”

-Humphrey Taylor, The Harris Poll





Privacy attitudes change over time

Take everything I've just said
with a big grain of salt!

*“...public opinion on privacy issues is not stable,
it changes, and will continue to change”*

-Humphrey Taylor, The Harris Poll

Messaging about data protections may hurt rather than help

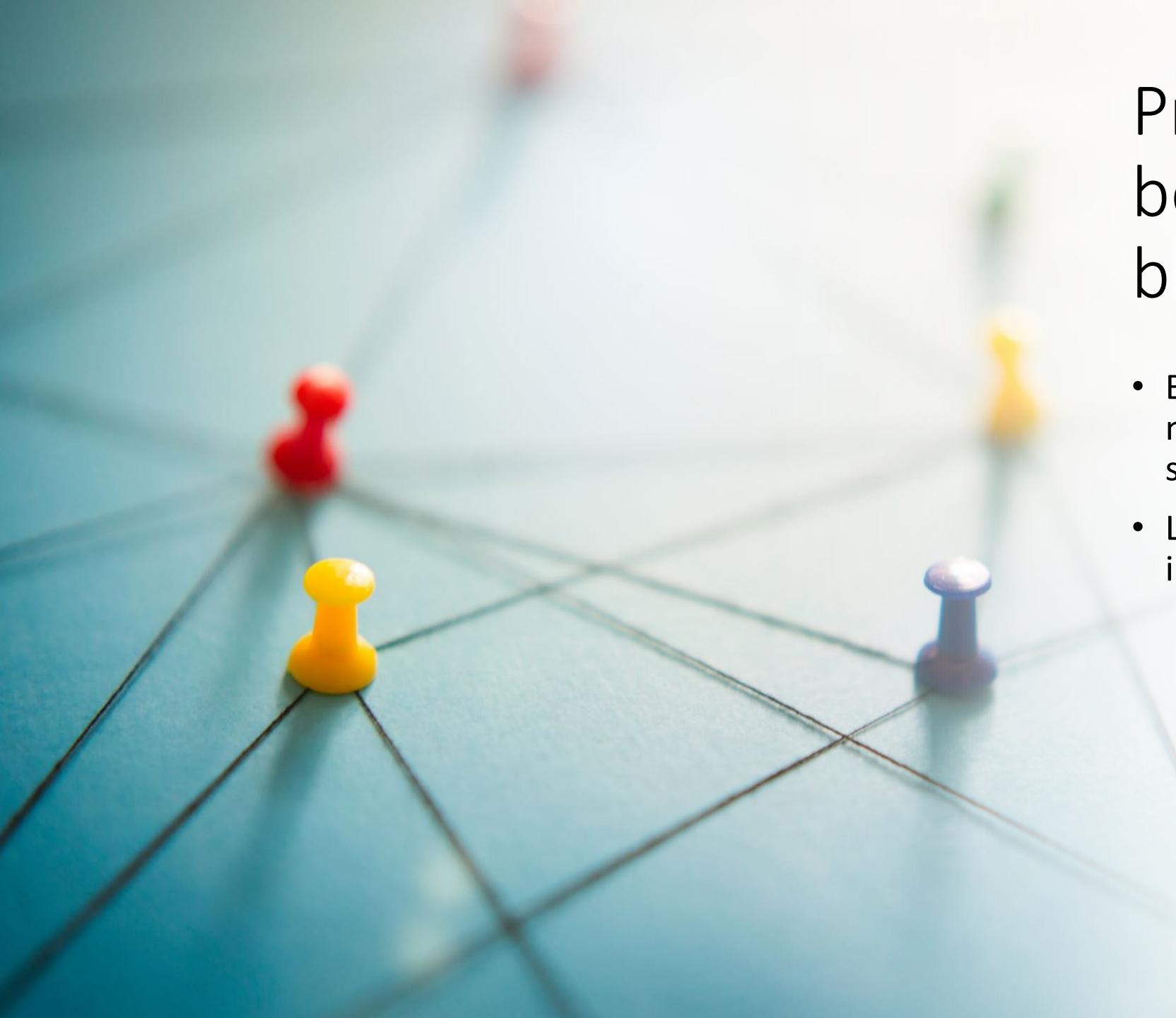
- "...respondents will extract information about the nature of a survey from the confidentiality assurances given to them. If these assurances are very elaborate, respondents are likely to infer that the survey is sensitive and that they will be asked a number of questions that may be unpleasant, embarrassing, or incriminating." - [Singer, Hippler, and Schwarz \(1992\)](#)

[Landreth, Gerber, and DeMaio \(2008\)](#) also note:

- Messaging about "confidentiality," "statistical purposes," and linkage to administrative records is often misunderstood, or seen as vague or open-ended
- Messaging about legal protections and penalties for unauthorized disclosure was variously interpreted as "legalese," the "fine print," or "over the top"



What does this mean in the context
of blended data?



Privacy risks can be greater for blended data

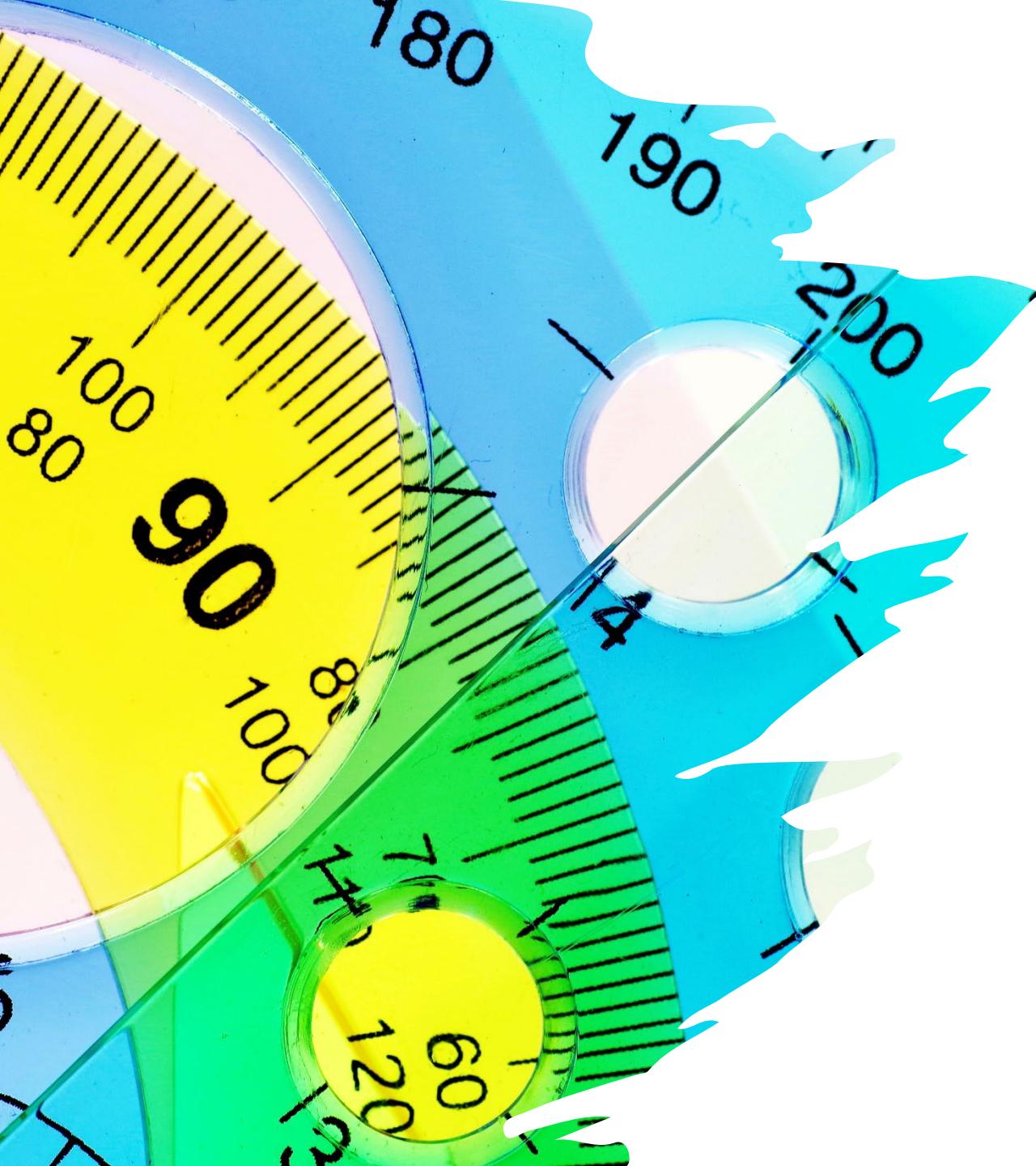
- Blended data can produce a richer, more complete picture of the data subject than the original source files
- Linkable files “out in the wild” may increase re-identification risk

Privacy is contextual, but the context of privacy in re-purposed (blended) data is very different than the context in which the data were originally collected



Informed consent notices or statements may not foresee the types of future uses

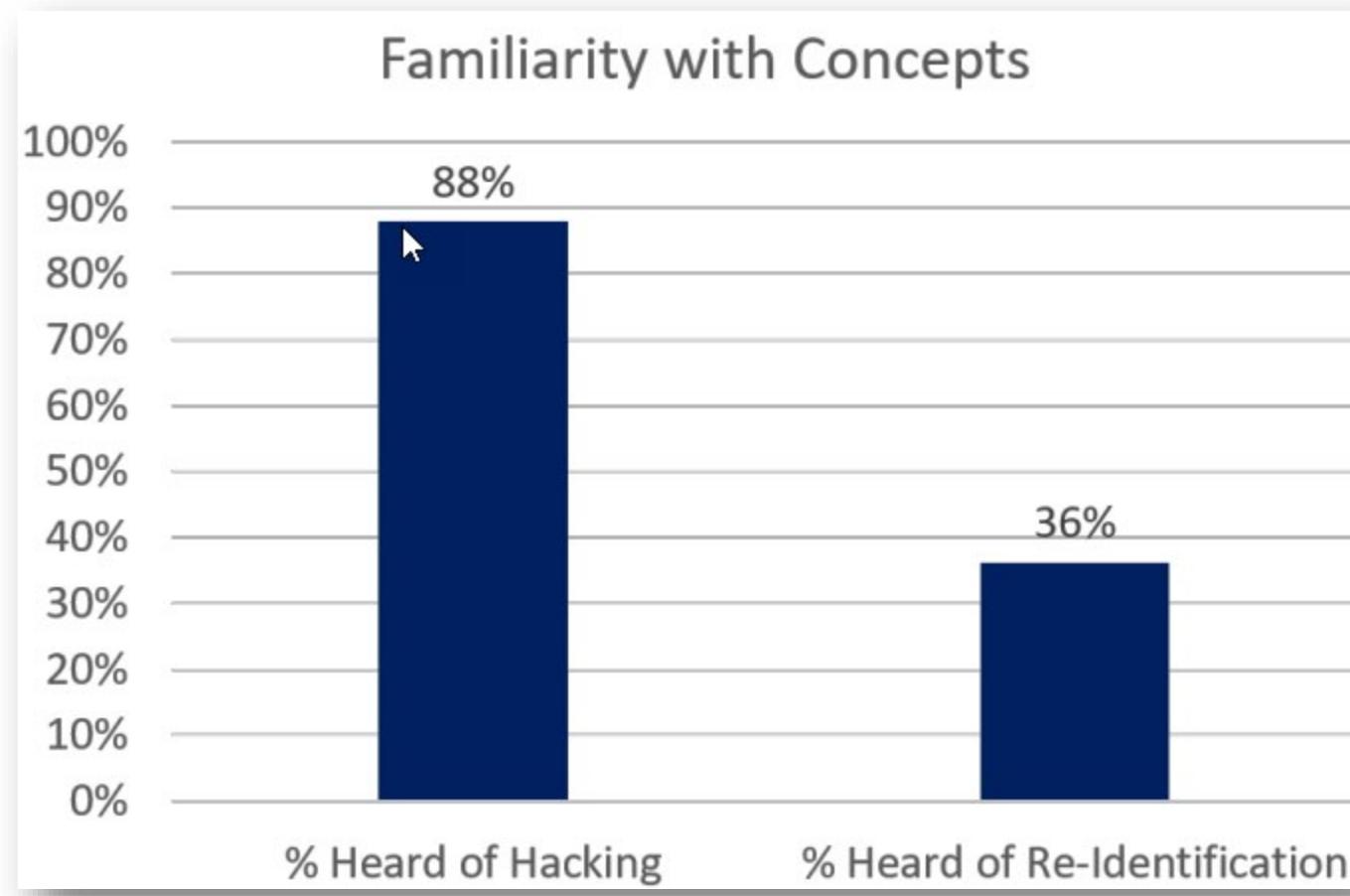




Privacy protections are harder to quantify

- Sequential data releases by each data curator are not (typically) coordinated
- Hence, disclosure controls employed by the data curators may not be composable, undermining efforts to effectively assess and mitigate disclosure risk.

Privacy protections are harder to communicate





What can we do about it?

Don't attempt
to explain
everything to
everyone

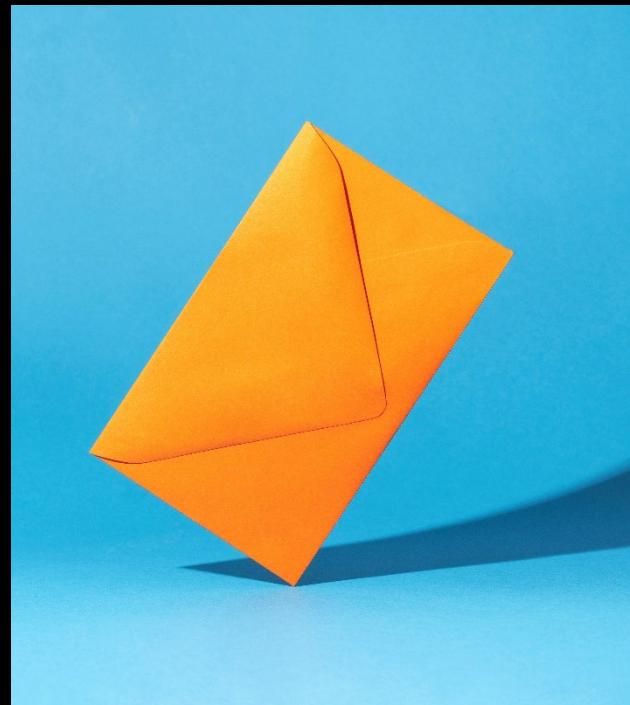




Consider audience-specific messaging when appropriate

Use multi-layered communications strategies

Customize privacy messaging and level of legal/technical detail by communications method and audience



Regularly engage with trusted partners

Invest in educating and engaging with trusted intermediaries and civil society groups

They can also alert you to audience-specific privacy concerns and changes in privacy attitudes over time

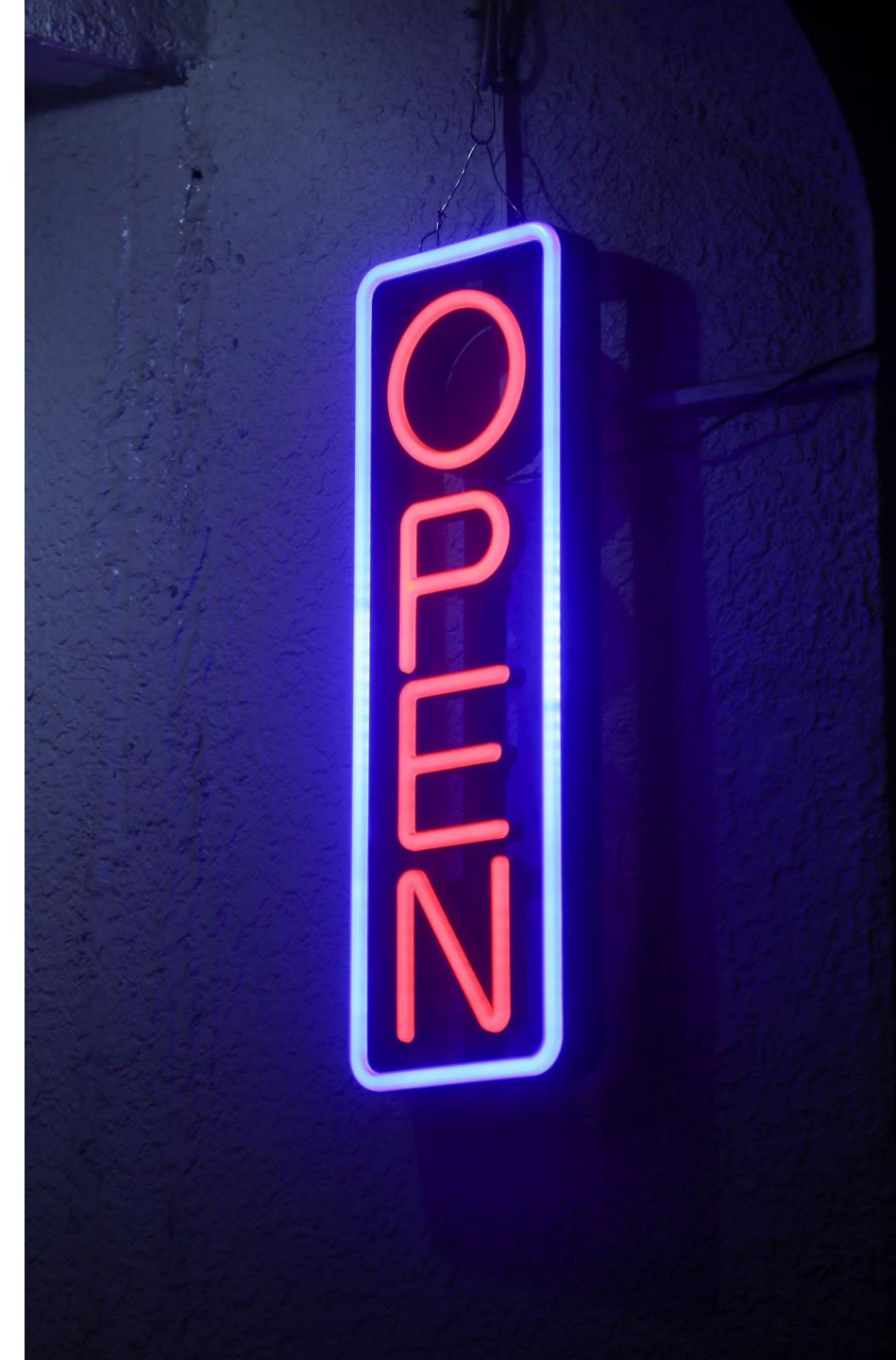


Be transparent

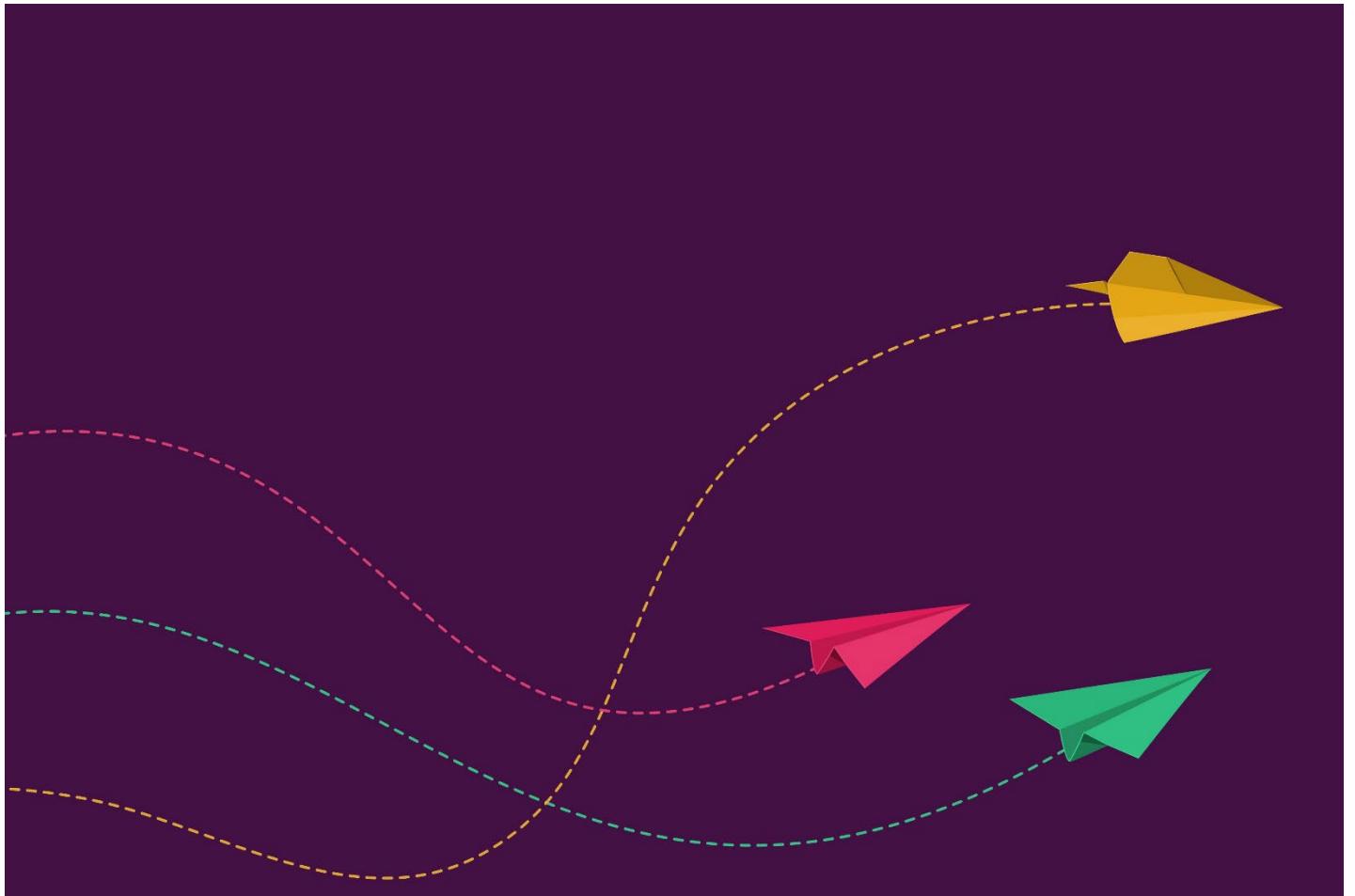
“Increased transparency will enable the public to be informed about how data are being used to improve their government, even as data are being stringently protected.”

“Government also can dramatically improve transparency about its collection and use of data, improving the American public’s ability to hold the government accountable. Adhering to the highest possible standards with respect to privacy and accountability is an important part of earning the public’s trust.”

-[Commission on Evidence-based Policymaking \(2017\)](#)



Continue to
research and
track evolving
public attitudes
about privacy



Questions?



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