

# Foundational Documents for Federal Statistical Agencies

The fundamental responsibilities of federal statistical agencies and the coordinating mechanism in the U.S. Office of Management and Budget (OMB) are defined and supported by the following:

- \* Acts establishing the coordination function for the federal statistical system in OMB
- \* Foundations for Evidence-Based Policymaking Act of 2018
- \* Fundamental Principles of Official Statistics of the UN Statistical Commission
- \* *Principles and Practices for a Federal Statistical Agency* of the Committee on National Statistics (CNSTAT) of the National Academies of Sciences, Engineering, and Medicine
- \* OMB Statistical Policy Directives (Nos. 1, 3, 4)

For the reader's convenience, excerpts and background on each of the above are provided below.

Additional guidance for statistical agency leadership and staff comes from statements of ethics from professional associations.

These include:

American Association for Public Opinion Research, *The Code of Professional Ethics and Practices* (2021, April, revised); available at: <https://aapor.org/standards-and-ethics/>

American Statistical Association, *Ethical Guidelines for Statistical Practice* (2022, November); available at: <https://www.amstat.org/your-career/ethical-guidelines-for-statistical-practice>

See also, Park, J., and Tractenberg, R. (2023). How Do ASA Ethical Guidelines for Statistical Practice Support U.S. Guidelines for Official Statistics? In H. Doosti, (Ed.), *Ethical Statistics*. Cambridge, UK: Ethics International Press. Preprint available at: [StatArXiv http://arxiv.org/abs/2309.07180](http://arxiv.org/abs/2309.07180). This paper compares the alignment of the ASA Ethical Guidelines with OMB Statistical Policy Directives 1, 2, and 2a; the National Academies Principles and Practices; and the OMB Data Ethics Tenets.

## ACTS ESTABLISHING THE COORDINATION FUNCTION IN OMB<sup>1</sup>

The **Central Statistical Board** was created by executive order in 1933 to “appraise and advise upon all schedules of all Government agencies engaged in the primary collection of statistics required in carrying out the purposes of the National Industrial Recovery Act, to review plans for tabulation and classification of such statistics, and to promote the coordination and improvement of the statistical services involved.” The Board was established in law in 1935, and its responsibilities transferred to the Bureau of the Budget in 1939.

The **1942 Federal Reports Act** gave authority in law for the Bureau of the Budget to coordinate and oversee the federal statistical agencies. That authority was delegated to the Statistical Policy Office. The act also provided that no federal agency could collect data from 10 or more respondents without approval of the budget director.

The **1950 Budget and Accounting Procedures Act** authorized the Bureau of the Budget, which became OMB in 1970, to promulgate regulations and orders governing statistical programs throughout the federal government.

The **1980 Paperwork Reduction Act (PRA)** established the Office of Information and Regulatory Affairs (OIRA) within OMB, charged to reduce burden on businesses and people from regulations and administrative and statistical programs. Section 3504, part (d), of the PRA specified:

(d) The statistical policy and coordination functions of the Director [of OIRA] shall include—

- 1 developing long range plans for the improved performance of Federal statistical activities and programs;
- 2 coordinating, through the review of budget proposals and as otherwise provided in this section, the functions of the Federal Government with respect to gathering, interpreting, and disseminating statistics and statistical information;
- 3 developing and implementing Government-wide policies, principles, standards, and guidelines concerning statistical collection procedures and methods, statistical data classifications, and statistical information presentation and dissemination; and
- 4 evaluating statistical program performance and agency compliance with Government-wide policies, principles, standards and guidelines.

The 1986 PRA reauthorization required the appointment of a chief statistician at OMB to carry out the statistical policy functions; the chief statistician heads the Statistical Policy Office (it has had several names), which is a branch in OIRA. The 1995 reauthorization gave the director of OMB broad authority over the federal statistical system, requiring the director to appoint a trained and experienced professional statistician as chief statistician to:

- 1 coordinate the activities of the federal statistical system to ensure (a) the efficiency and effectiveness of the system; and (b) the integrity, objectivity, impartiality, utility, and confidentiality of information collected for statistical purposes
- 2 ensure that budget proposals of agencies are consistent with systemwide priorities for maintaining and improving the quality of federal statistics, and prepare an annual report on statistical program funding;
- 3 develop and oversee the implementation of governmentwide policies, principles, standards, and guidelines concerning:

<sup>1</sup> Adapted from National Academies (2021, App. A).

- a. statistical collection procedures and methods;
  - b. statistical data classification;
  - c. statistical information presentation and dissemination;
  - d. timely release of statistical data; and
  - e. such statistical data sources as may be required for the administration of federal programs;
- 4 evaluate statistical program performance and agency compliance with governmentwide policies, principles, standards and guidelines;
  - 5 promote the sharing of information collected for statistical purposes consistent with privacy rights and confidentiality pledges; and
  - 6 coordinate the participation of the United States in international statistical activities, including the development of comparable statistics.
- (44 USC 3504(e)).

The 1995 PRA also codified the Interagency Council on Statistical Policy (ICSP); authorized federal employees to serve on rotational assignments with the Statistical Policy Office; and required an annual report to Congress on the statistical programs of the U.S. government.

## FOUNDATIONS FOR EVIDENCE-BASED POLICYMAKING ACT OF 2018 (EVIDENCE ACT)<sup>2</sup>

### Background

Congress passed the bipartisan Evidence-Based Policymaking Commission Act of 2016, sponsored by Rep. Paul Ryan (R-WI) and Sen. Patty Murray (D-WA), setting up the Commission on Evidence-Based Policymaking, which issued its report in 2017.<sup>3</sup> Congress then passed and the president signed into law the Evidence Act (Public Law 115-435),

which codified about half of the commission's recommendations. The Evidence Act directed OMB to establish an Advisory Committee on Data for Evidence-Building (ACDEB) to flesh out the Evidence Act provisions about data sharing and use of federal data for evidence-building (see below). The Evidence Act did not address the Commission's recommendation that state administrative data be available for evidence-building.

### Relevant Evidence Act Excerpts

#### TITLE I, FEDERAL EVIDENCE-BUILDING ACTIVITIES ...

##### § 314. Statistical expertise

- (a) IN GENERAL.—The head of each agency shall designate the head of any statistical agency or unit within the agency, or in the case of an agency that does not have a statistical agency or unit, any senior agency official with appropriate expertise, as a statistical official to advise on statistical policy, techniques, and procedures. Agency officials engaged in statistical activities may consult with any such statistical official as necessary.
- (b) MEMBERSHIP ON INTERAGENCY COUNCIL ON STATISTICAL POLICY.—Each statistical official designated under subsection (a) shall serve as a member of the Interagency Council on Statistical Policy established under section 3504(e)(8) of title 44.

##### § 315. Advisory Committee on Data for Evidence Building

- (a) ESTABLISHMENT.—The Director, or the head of an agency designated by the Director, shall establish an Advisory Committee on Data for Evidence Building (in this section referred to as the “Advisory Committee”) to review, analyze, and

<sup>2</sup> H.R.4174 - 115th Congress (2017-2018): Foundations for Evidence-Based Policymaking Act of 2018, <https://www.congress.gov/bill/115th-congress/house-bill/4174/text>

<sup>3</sup> *The Promise of Evidence-Based Policymaking: Report of the Commission on Evidence-Based Policymaking*, <https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2019/03/Full-Report-The-Promise-of-Evidence-Based-Policymaking-Report-of-the-Commission-on-Evidence-based-Policymaking.pdf>

make recommendations on how to promote the use of Federal data for evidence building....

- (e) DUTIES.—The Advisory Committee shall—
- (1) assist the Director in carrying out the duties of the Director under part D of subchapter III of chapter 35 of title 44 [refers to § 3581. Presumption of accessibility for statistical agencies and units—see below];
  - (2) evaluate and provide recommendations to the Director on how to facilitate data sharing, enable data linkage, and develop privacy enhancing techniques; and
  - (3) review the coordination of data sharing or availability for evidence building across all agencies....

### § 3520. Chief Data Officers ...

- (c) FUNCTIONS.—The Chief Data Officer of an agency shall—
- (1) be responsible for lifecycle data management; ...
  - (4) in carrying out the requirements under paragraphs (3) and (5), consult with any statistical official of the agency (as designated under section 314 of title 5)....
- (d) DELEGATION OF RESPONSIBILITIES.—
- (1) IN GENERAL.—To the extent necessary to comply with statistical laws, the Chief Data Officer of an agency shall delegate any responsibility under subsection (c) to the head of a statistical agency or unit (as defined in section 3561) within the agency.

## TITLE II—OPEN GOVERNMENT DATA ACT

§ 201. SHORT TITLE. This title may be cited as the “Open, Public, Electronic, and Necessary Government Data Act” or the “OPEN Government Data Act”.

### § 202. OPEN GOVERNMENT DATA ...

### (c) FEDERAL AGENCY RESPONSIBILITIES TO MAKE DATA OPEN BY DEFAULT.—

- (1) AMENDMENTS.—Section 3506 of title 44, United States Code, is amended—
- (A) in subsection (b)—
    - (i) by amending paragraph (2) to read as follows:
  - (2) in accordance with guidance by the Director, develop and maintain a strategic information resources management plan that, to the extent practicable—
    - (A) describes how information resources management activities help accomplish agency missions;
    - (B) includes an open data plan for data that does not concern monetary policy that—
      - (i) requires the agency to develop processes and procedures that—
        - (I) require data collection mechanisms created on or after the date of the enactment of the OPEN Government Data Act to be available in an open format; and
        - (II) facilitate collaboration with non-Government entities (including businesses), researchers, and the public for the purpose of understanding how data users value and use government data;
      - (ii) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability issues, recommendations for improvements, and complaints about adherence to open data requirements within a reasonable period of time;
      - (iii) develops and implements a process to evaluate and improve the timeliness, completeness, consistency, accuracy, usefulness, and availability of open Government data assets;

(iv) includes requirements for meeting the goals of the agency open data plan, including the acquisition Strategic plan of technology, provision of training for employees, and the implementation of procurement standards, in accordance with existing law, regulation, and policy, that allow for the acquisition of innovative solutions from public and private sectors;

(v) identifies as priority data assets any data asset for which disclosure would be in the public interest and establishes a plan to evaluate each priority data asset for disclosure on the Federal Data Catalogue under section 3511 and for a determination under 3511(a)(2)(A)(iii)(I)(bb), including an accounting of which priority data assets have not yet been evaluated....

### **TITLE III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY ...**

***[CIPSEA; incorporates and expands Title V of the E-Government Act of 2002]***

#### **§ 3563. Statistical agencies**

(a) RESPONSIBILITIES.— [incorporates basics of Statistical Policy Directive No. 1]

(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.

(2) POLICIES, BEST PRACTICES, AND PROCEDURES.—Each statistical agency or unit shall adopt policies, best practices, and appropriate procedures to implement the responsibilities

described in paragraph (1).

(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).

(c) REGULATIONS.—The Director shall prescribe regulations to carry out this section.... [delegated to the chief statistician, who issued a draft regulation in August 2023 (the “trust regulation”)]

#### **§ 3581. Presumption of accessibility for statistical agencies and units**

(a) ACCESSIBILITY OF DATA ASSETS.—The head of an agency shall, to the extent practicable, make any data asset maintained by the agency available, upon request, to any statistical agency or unit for purposes of developing evidence.

(b) LIMITATIONS.—Subsection (a) does not apply to any data asset that is subject to a statute that—

(1) prohibits the sharing or intended use of such asset in a manner as to leave no discretion on the issue; or

(2) if enacted after the date of the enactment of this section, specifically cites to this paragraph.

(c) REGULATIONS.—The Director shall prescribe regulations for agencies to carry out this section. Such regulations shall [not yet drafted]—

(1) require the timely provision of data assets under subsection (a);

(2) provide a list of statutes that exempt agencies from the requirement under subsection (a) pursuant to subsection (b)(1);

(3) establish clear and consistent standards, to the extent possible, for complying with section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’) and any other applicable law requiring the protection and confidentiality of individually identifiable information; and

(4) require a transparent process for statistical agencies and units to request data assets from agencies and for agencies to respond to such requests.

## § 3582. Expanding secure access to CIPSEA data assets

### (a) STATISTICAL AGENCY RESPONSIBILITIES.—

To the extent practicable, each statistical agency or unit shall expand access to data assets of such agency or unit acquired or accessed under this subchapter to develop evidence while protecting such assets from inappropriate access and use, in accordance with the regulations promulgated under subsection (b).

### (b) REGULATIONS FOR ACCESSIBILITY OF NONPUBLIC DATA ASSETS.—The Director shall promulgate regulations, in accordance with applicable law, for statistical agencies and units to carry out the requirement under subsection (a). Such regulations shall include the following [delegated to the chief statistician; not yet drafted]:

(1) Standards for each statistical agency or unit to assess each data asset owned or accessed by the statistical agency or unit for purposes of categorizing the sensitivity level of each such asset and identifying the corresponding level of accessibility to each such asset. Such standards shall include—

(A) common sensitivity levels and corresponding levels of accessibility that may be assigned to a data asset, including a requisite minimum and maximum number of sensitivity levels for each statistical agency or unit to use;

(B) criteria for determining the sensitivity level and corresponding level of accessibility of each data asset; and

(C) criteria for determining whether a less sensitive and more accessible version of a data asset can be produced.

(2) Standards for each statistical agency or unit to improve access to a data asset pursuant to paragraph (1) or (3) by removing or obscuring information in such a manner that the identity of the data subject is less likely to be reasonably inferred by either direct or indirect means.

(3) A requirement for each statistical agency or unit to conduct a comprehensive risk assessment of any data asset acquired or accessed under this subchapter prior to any public release of such asset, including standards for such comprehensive risk assessment and criteria for making a determination of whether to release the data.

(4) Requirements for each statistical agency or unit to make any process or assessment established, produced, or conducted pursuant to this section transparent and easy to understand, including the following:

(A) A requirement to make information on the assessment of the sensitivity level of each data asset conducted pursuant to paragraph (1) available on the Federal data catalogue established under section 3511(c)(1).

(B) A requirement to make any comprehensive risk assessment, and associated determinations, conducted under paragraph (3) available on the Federal data catalogue established under section 3511(c)(1).

(C) A requirement to make any standard or policy established by the statistical agency or unit to carry out this section and any assessment conducted under this section easily accessible on the public website of such agency or unit.

## § 3583. Application to access data assets for developing evidence

(a) STANDARD APPLICATION PROCESS.—The Director shall establish a process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply to access the data assets accessed or acquired under

this subchapter by a statistical agency or unit for purposes of developing evidence. The process shall include the following: [Standard Application Process (SAP) set up by Federal Statistical Research Data Center (FSRDC) executive committee for one-stop shopping for researchers to ascertain and apply for secure access to relevant datasets]

(1) Sufficient detail to ensure that each statistical agency or unit establishes an identical process.

(2) A common application form.

(3) Criteria for statistical agencies and units to determine whether to grant an applicant access to a data asset.

(4) Timeframes for prompt determinations by each statistical agency or unit.

(5) An appeals process for adverse decisions and noncompliance with the process established under this subsection.

(6) Standards for transparency, including requirements to make the following information publicly available:

(A) Each application received.

(B) The status of each application.

(C) The determination made for each application.

(D) Any other information, as appropriate, to ensure full transparency of the process established under this subsection.

(b) CONSULTATION.—In establishing the process required under subsection (a), the Director shall consult with stakeholders, including the public, agencies, State and local governments, and representatives of non-governmental researchers....

## IMPLEMENTING THE EVIDENCE ACT

- The chief statistician issued a draft “trust regulation” in August 2023, fleshing out the fundamental responsibilities of statistical agencies and of parent agencies to support them under Section 3563<sup>4</sup> (as of June 2024, this regulation has not been finalized).
- Still to be issued are regulations to flesh out the requirement for federal agencies to share datasets with statistical agencies while protecting confidentiality under Section 3581 and the requirement, under section 3582, for statistical agencies to find ways to make public as much of their data as possible.
- As required under Section 3583, there is now a Standard Application Process (SAP) portal and procedures for researchers to learn about confidential datasets from statistical agencies and units (16 are signed up currently) and apply for access at an FSRDC or other secure site; the SAP includes criteria and timeframes for agencies to review applications and statistics for each agency on the status of requests submitted since December 8, 2022.<sup>5</sup> The SAP portal, ResearchDataGov.org, is hosted and was built under contract to NCSES by the Inter-university Consortium for Political and Social Research (ICPSR) at the University of Michigan.
- As required under Section 315, ACDEB was established and issued its Year 1 Report, October 29, 2021, and its Year 2 Report (final), October 14, 2022.<sup>6</sup>

According to the Year 2 Report, the Year 1 Report “articulated a vision for the NSDS as a philosophy, a service, and a place, and for the future of data sharing, data linkages, and privacy-enhancing techniques across federal agencies and with state, territorial, local, and tribal governments.” The

<sup>4</sup> Trust Reg News Update for StatsPolicy.gov, <https://www.statspolicy.gov/assets/files/Trust%20Reg%20News%20Update%20for%20StatsPolicy.gov.pdf>

<sup>5</sup> For more on the Standard Application Process, see <https://nces.nsf.gov/about/standard-application-process#card634>.

<sup>6</sup> Advisory Committee on Data for Evidence Building: Year 1 Report, <https://www.bea.gov/system/files/2021-10/acdeb-year-1-report.pdf>; Advisory Committee on Data for Evidence Building: Year 2 Report, <https://www.bea.gov/system/files/2022-10/acdeb-year-2-report.pdf>

Year 1 Report had 7 recommendations, including elevation of the chief statistician’s role in OMB. The Year 2 Report has 45 recommendations, including 12 recommendations on the Evidence Act: primary responsibilities of statistical agencies; presumption of accessibility; expanding secure access to CIPSEA data assets; Standard Application Process; sharing business data among BEA, BLS, and the Census Bureau; methodological learning agenda, including confidentiality protection technologies, for the entire federal statistical system; and how the National Secure Data Service (NSDS) fits within existing legal and statistical frameworks. The Year 2 Report also has recommendations on the functions of the NSDS (model best practices for implementation of the Evidence Act, provide a user-friendly experience, communicate, engage in R&D, standardize data); organizational structure and governance; technical infrastructure and tools; and resources and funding (including resources for state, territorial, local, and tribal governments to improve their data infrastructure).

→ CHIPS and Science Act of 2022—Sec. 10375 establishes an NSDS demonstration project to test models and inform full implementation of a government-wide data linkage and access infrastructure, and authorizes \$9 million to the National Science Foundation (NSF) for each of fiscal years 2023 through 2027 to carry out the section (Public Law 117-167).<sup>7</sup>

## FUNDAMENTAL PRINCIPLES OF OFFICIAL STATISTICS OF THE UN STATISTICAL COMMISSION<sup>8</sup>

### Background

As noted on the United Nations Statistics Division website, “The need for a set of principles governing official statistics became apparent at the end of the 1980s when countries in Central Europe began to change from centrally planned economies to market-oriented democracies.

It was essential to ensure that national statistical systems in such countries would be able to produce appropriate and reliable data that adhered to professional and scientific standards” (National Academies, 2021, p. 189). The Conference of European Statisticians first adopted the Fundamental Principles of Official Statistics (listed below) in 1991; subsequently, the UN Statistical Commission adopted them in 1994, and the UN General Assembly endorsed them in 2014.

### THE TEN PRINCIPLES

**Principle 1.** Official statistics provide an indispensable element in the information system of a democratic society, serving the Government, the economy and the public with data about the economic, demographic, social and environmental situation. To this end, official statistics that meet the test of practical utility are to be compiled and made available on an impartial basis by official statistical agencies to honor citizens’ entitlement to public information.

**Principle 2.** To retain trust in official statistics, the statistical agencies need to decide according to strictly professional considerations, including scientific principles and professional ethics, on the methods and procedures for the collection, processing, storage and presentation of statistical data.

**Principle 3.** To facilitate a correct interpretation of the data, the statistical agencies are to present information according to scientific standards on the sources, methods and procedures of the statistics.

**Principle 4.** The statistical agencies are entitled to comment on erroneous interpretation and misuse of statistics.

<sup>7</sup> <https://www.commerce.senate.gov/services/files/1201E1CA-73CB-44BB-ADEB-E69634DA9BB9>

<sup>8</sup> See <https://unstats.un.org/fpos/>



**Principle 5.** Data for statistical purposes may be drawn from all types of sources, be they statistical surveys or administrative records. Statistical agencies are to choose the source with regard to quality, timeliness, costs and the burden on respondents.

**Principle 6.** 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.

**Principle 7.** The laws, regulations and measures under which the statistical systems operate are to be made public.

**Principle 8.** Coordination among statistical agencies within countries is essential to achieve consistency and efficiency in the statistical system.

**Principle 9.** The use by statistical agencies in each country of international concepts, classifications and methods promotes the consistency and efficiency of statistical systems at all official levels.

**Principle 10.** Bilateral and multilateral cooperation in statistics contributes to the improvement of systems of official statistics in all countries.

## **PRINCIPLES AND PRACTICES FOR A FEDERAL STATISTICAL AGENCY (P&P)<sup>9</sup>**

### **Background**

The Committee on National Statistics (CNSTAT), established at the National Academies of Sciences, Engineering, and

Medicine in 1972, issued the first edition of P&P in 1992 in response to requests about what constitutes a statistical agency. Around the same time, the Conference of European Statisticians was developing the Fundamental Principles of Official Statistics. Beginning in 2001, CNSTAT has updated P&P every 4 years to have a new edition available at the start of a new administration or second term. The document addresses the value of official statistics, presents the principles and practices, and includes appendices with material on the organization of the federal statistical system and laws and regulations governing federal statistics. P&P has been quoted and cited in Government Accountability Office (GAO) reports, in statistical policy directives, and at confirmation hearings for heads of federal statistical agencies, and is used by statistical agencies for training staff and briefing parent agencies.

### **Excerpts from the 7th Edition (2021)**

Federal statistical agencies are coordinated by OMB and are subject to government regulations and guidance, but their mission and contributions to the public good are best seen as resting on five well-established and fundamental principles, as listed below.

## **FIVE PRINCIPLES**

### **Principle 1: Relevance to Policy Issues and Society**

Federal statistical agencies must provide objective, accurate, and timely information that is relevant to important public policy issues. To provide relevant statistics needed by policy makers in Congress, the executive branch, and

<sup>9</sup> National Academies of Sciences, Engineering, and Medicine (2021, pp. 2–5). *Principles and Practices for a Federal Statistical Agency: Seventh Edition*, <https://nap.nationalacademies.org/catalog/25885/principles-and-practices-for-a-federal-statistical-agency-seventh-edition>

other users, statistical agencies must have a solid understanding of the public policy issues, federal programs, and information needs in their domains. To ensure that they are providing relevant information, statistical agencies need to reach out to a wide range of their data users, including staff in their own departments and other federal departments who use their data, members and staffs of Congress, state and local government agencies, academic researchers, businesses, and other organizations. However, statistical agencies should be careful not to become involved with policy development or implementation, as those activities could affect their ability (or the perception of their ability) to conduct impartial and objective statistical activities.

### **Principle 2: Credibility Among Data Users and Stakeholders**

Federal statistical agencies must have credibility with those who use their data and information. The value of statistical agencies rests fundamentally on the accuracy and credibility of their data products. Because few data users have the resources to verify the accuracy of statistical information, users rely on an agency's reputation to disseminate high quality, objective, and useful statistics in an impartial manner. Agencies build and maintain respect and trust through clear public commitments to professional practice and transparency in all that they do, including informing users of the strengths and weaknesses of their data.

### **Principle 3: Trust Among the Public and Data Providers**

Federal statistical agencies must have the trust of those whose information they obtain. Because virtually every person, household, business, state or local government, or organization is the subject of some federal statistics, public trust is essential for the continued effectiveness of federal statistical agencies. Individuals and entities providing data directly or indirectly to federal statistical agencies must trust that the agency is collecting information that serves a public purpose and that the agency will appropriately handle and protect their information. Federal statistical agencies not only have legal and ethical obligations that require them to fulfill these expectations, but they also have the obligation to effectively communicate the value of the data they collect and the methods they use for obtaining and protecting them. An effective statistical agency has policies and practices to instill the highest possible commitment to professional ethics among its staff and builds a culture of the confidentiality of its data and respect for those who provide data.

### **Principle 4: Independence from Political and Other Undue External Influence**

Federal statistical agencies must be independent from political and other undue external influence in developing, producing, and disseminating statistics. Statistical agencies must be impartial and execute their missions without being subject to pressures to advance any political or personal agenda. They must avoid even the appearance that their collection, analysis, and reporting processes might be manipulated for political or other purposes or that individually identifiable

data might be obtainable for nonstatistical purposes. Only in this way can statistical agencies serve as trustworthy sources of objective, relevant, accurate, and timely information. Protection from undue outside influences requires that statistical agencies have authority to make professional decisions concerning their programs, including authority over the selection and promotion of staff; the processing, secure storage, and maintenance of data; and the timing and content of data releases, accompanying press releases, and documentation.

### **Principle 5: Continual Improvement and Innovation**

Federal statistical agencies must continually seek to improve and innovate their processes, methods, and statistical products to better measure an ever-changing world. Federal statistical agencies and programs cannot be static but must continually work to create reliable information on new policy questions, adopt improvements in all aspects of their operations, and respond to user demands for more timely and granular information. An effective statistical agency not only seeks out and evaluates potential new data sources that could provide useful information, but also tests and implements new methods to enhance the cost-effectiveness of its data collection, processing, and dissemination processes. It works closely with its data users to identify potential new statistical products that are needed.

## **TEN PRACTICES**

In order to fulfill these five principles, 10 practices are essential for statistical agencies to adopt. These practices represent the ways and means of making the basic principles operational and facilitating an agency's adherence to them. Practices 1 to 4 pertain to an agency's operations, internally and within the federal government; practices 5 to 7 bridge internal operations and external relations with the professional statistical and research communities; and practices 8 to 10 focus externally on an agency's key constituents: data users and data providers....

- 1 A Clearly Defined and Well-Accepted Mission
- 2 Necessary Authority and Procedures to Protect Independence
- 3 Commitment to Quality and Professional Standards of Practice
- 4 Professional Advancement of Staff
- 5 An Active Research Program
- 6 Strong Internal and External Evaluation Processes for an Agency's Statistical Programs
- 7 Coordination and Collaboration with Other Statistical Agencies
- 8 Respect for Data Providers and Protection of Their Data
- 9 Dissemination of Statistical Products That Meet Users' Needs
- 10 Openness About Sources and Limitations of the Data Provided

The principles and practices in this report remain guidelines, not prescriptions. Nevertheless, by adhering to the principles

<sup>10</sup> See <https://www.statspolicy.gov/policies/>

<sup>11</sup> National Academies (2021, pp. 124–134).

and following the practices, a federal statistical agency will be well positioned to provide the relevant, accurate, timely, credible, and trustworthy statistical information that policy makers and the public require.

## STATISTICAL POLICY DIRECTIVES<sup>10</sup>

### Background<sup>11</sup>

The Statistical Policy Office in OIRA in OMB has issued Statistical Policy Directives (SPDs), sometimes under different names, such as standards, over the decades. Currently, there are nine directives, as detailed below:

**No. 1** Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units, issued 2014

**No. 2** Standards and Guidelines for Federal Statistical Surveys, issued 2006, with an addendum issued in 2016 on Standards and Guidelines for Cognitive Interviews (SPD No. 2 updated and combined the original SPD No. 1, Standards for Statistical Surveys, and the original SPD No. 2, Publication of Statistics)

**No. 3** Compilation, Release, and Evaluation of Principal Federal Economic Indicators, first issued in the 1970s, revised in 1985, and revised again in 2024

**No. 4** Release and Dissemination of Statistical Products Produced by Federal Statistical Agencies, issued 2008

**No. 7** Metropolitan Statistical Areas, standards date back to the 1950s and are periodically revised and applied for each census

**No. 8** North American Industry Classification

System, successor to the Standard Industrial Classification, dating back to the late 1930s, and is regularly updated

**No. 10** Standard Occupational Classification, standard dates back to 1977 and is currently updated every 10 years

**No. 14** Definition of Poverty for Statistical Purposes, first issued in 1969, minor modifications to the poverty thresholds made in 1982

**No. 15** Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity, issued 1977, revised in 1997, and revised again in 2024

## EXCERPTS FROM RELEVANT DIRECTIVES

No. 1 Fundamental Responsibilities of Federal Statistical Agencies and Recognized Statistical Units [*Federal Register* 79 (231, December 2, 2014), pp. 71614–71616]

... The responsibilities delineated in this Directive provide a framework that supports Federal statistical policy and serves as a foundation for Federal statistical activities, promoting trust among statistical agencies, data providers, and data users. Data users rely upon an agency's reputation as an objective source of relevant, accurate, and objective statistics, and data providers rely upon an agency's authority and reputation to honor its pledge to protect the confidentiality of their responses and to use them exclusively for statistical purposes. Federal statistical agencies and recognized statistical units must adhere to these responsibilities and adopt policies, best practices, and appropriate procedures to implement them. Federal departments must enable, support, and facilitate Federal statistical agencies and recognized statistical units as they implement these responsibilities....

**Responsibility 1:** *Produce and disseminate relevant and timely information.* The core mission of Federal statistical agencies and recognized statistical units is to produce relevant and timely statistical information to inform decision-makers in governments, businesses, institutions, and households. Federal statistical agencies and recognized statistical units must be knowledgeable about the issues and requirements of programs and policies relating to their subject domains. This requires communication and coordination among agencies and within and across Departments when planning information collection and dissemination activities. In addition, Federal statistical agencies and recognized statistical units must seek input regularly from the broadest range of private- and public-sector data users, including analysts and policy makers within Federal, State, local, tribal, and territorial government agencies; academic researchers; private sector businesses and constituent groups; and non-profit organizations. Program and policy-relevant information may be directly collected from individuals, organizations, or establishments through surveys; administrative records collected and maintained by the agency, or other government agencies; datasets available from the private sector; or publicly available information released on Internet Web sites that meets an agency's quality standards. Statistical agencies should be innovative in applying new technologies in their methods for designing, collecting, processing, editing, compiling, storing, analyzing, releasing, and disseminating data to improve the accuracy and timeliness of their information and the efficiency of their operations. (Principles and Practices, pp. 17 and 53)

**Responsibility 2:** *Conduct credible and accurate statistical activities.* Federal statistical agencies and recognized statistical units apply sound statistical methods to ensure statistical products are accurate. Federal statistical agencies and recognized statistical units achieve this by regularly evaluating the data and information products they publicly release against the OMB Government-wide Information Quality Guidelines as well as their individual agency's information quality guidelines. Where appropriate, information about how the data were collected and any known or potential data limitations or

sources of error (such as population or market coverage, or sampling, measurement, processing, or modeling errors) should be described to data users so they can evaluate the suitability of the data for a particular purpose. Errata identified after data release should be described to data users on an ongoing basis as verified. Federal statistical agencies and recognized statistical units must be vigilant in seeking new methods and adopting new technologies to ensure the quality and efficiency of the information they collect and produce. (*Principles and Practices*, pp. 42–43) Data derived from outside sources must be described in information products and communication materials so that users can employ exogenous information appropriately. Federal statistical agencies and recognized statistical units must provide complete documentation of their dissemination policies and ensure that all users have equitable access to data disseminated to the public (Statistical Policy Directive No. 4, 73 FR 12622 at 12625). Additionally, Federal statistical agencies and recognized statistical units must periodically review the techniques and procedures used to implement their information quality guidelines to keep pace with changes in best practices and technology.

**Responsibility 3:** *Conduct objective statistical activities.* It is paramount that Federal statistical agencies and recognized statistical units produce data that are impartial, clear, and complete and are readily perceived as such by the public. The objectivity of the information released to the public is maximized by making information available on an equitable, policy- neutral, transparent, timely, and punctual basis. Accordingly, Federal statistical agencies and recognized statistical units must function in an environment that is clearly separate and autonomous from the other administrative, regulatory, law enforcement, or policy-making activities within their respective Departments. Specifically, Federal statistical agencies and recognized statistical units must be able to conduct statistical activities autonomously when determining what information to collect and process, the physical security and information systems security employed to protect confidential data, which methods to apply in their estimation procedures and data analysis, when and how to store and disseminate their statistical products, and

which staff to select to join their agencies. In order to maintain credibility with data providers and users as well as the public, Federal statistical agencies and recognized statistical units must seek to avoid even the appearance that agency design, collection, processing, editing, compilation, storage, analysis, release, and dissemination processes may be manipulated. The actual and perceived credibility of Federal statistics requires assurance that the selection of candidates for statistical positions is based primarily on their scientific and technical knowledge, credentials, experience, and integrity. Moreover, Federal statistical agencies and recognized statistical units must maintain and develop in-house staff who are trained in statistical methodology to properly plan, design, design, and implement core data collection operations and to accurately analyze their data. (OMB Government-wide Information Quality Guidelines; CIPSEA Implementation Guidance, 33362 at 33371; OSTP Memorandum of December 17, 2010; Principles and Practices, p. 70)

**Responsibility 4:** *Protect the trust of information providers by ensuring the confidentiality and exclusive statistical use of their responses.* Maintaining and enhancing the public's trust in a Federal statistical agency's or recognized statistical unit's ability to protect the integrity of the information provided under a pledge of confidentiality is essential for the completeness and accuracy of statistical information as well as the efficiency and burden of its production. Providers of information, such as survey respondents, must be able to trust and rely upon the information and confidentiality pledges that Federal statistical agencies and recognized statistical units provide about the need to collect information and its intended use for exclusively statistical purposes. Maintaining consistent and effective protection reduces public confusion, uncertainty, and concern about the treatment and use of reported information. (Order Providing for the Confidentiality of Statistical Information, 62 FR 35044 (June 27, 1997)) In addition, adopting this protection reduces the cost and reporting burden imposed by programs of Federal statistical agencies and recognized statistical units. Fostering trust among data providers about a statistical agency's authority and ability to protect the confidentiality and exclusive statistical use of responses

promotes higher participation in surveys and accurate reporting of information from respondents. 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. Federal statistical agencies and recognized statistical units must fully adhere to legal requirements and follow best practices for protecting the confidentiality of data, including training their staffs and agents, and ensuring the physical and information system security of confidential information. (CIPSEA Implementation Guidance, 33362 at 33374)....

### No. 3 Compilation, Release, and Evaluation of Principal Federal Economic Indicators [Federal Register 89 (32, February 15, 2024), pp. 11877–11878]

Statistical series that are widely watched and heavily relied upon by government and the private sector as indicators of the current condition and direction of the economy must meet high standards of accuracy and reliability. Because such data series have significant commercial value, may affect the movement of commodity and financial markets, or may be taken as a measure of the impact of government policies, public release must be prompt and according to an established, publicly available schedule. The purpose of the procedures outlined in this directive is to assure that these data series meet specific accuracy, release, and accountability standards.

- 1 Designation of Principal Indicators. The Administrator for Information and Regulatory Affairs, Office of Management and Budget, will determine, after consultation with interested Federal agencies, the data series and estimates to be designated as principal Federal economic indicators and covered by this directive. The Administrator will review the designations annually.

- 2 Prompt Release. The interval between the period to which the data or estimates refer and the date when the data or estimates are released to the public shall be as short as practicable. Agencies should compile and release series that are issued quarterly or more frequently within 22 working days of the end of the reference period.
- 3 Release Schedule. The releasing agency is responsible for ensuring that the interested public is aware of the release time and date. The last report of each calendar year must contain the time and date of all reports in the upcoming year. In addition, each release will include an announcement of the time and date of the next release.... Changes in the release schedule may occur only if special, unforeseen circumstances arise. The releasing agency must announce and fully explain any schedule changes as soon as it has determined they are unavoidable....
- 4 Announcement of Changes. Agencies shall announce any planned change in data collection, analysis, or estimation methods that may affect the interpretation of a principal economic indicator as far in advance of the change as possible....
- 5 Release Procedure. The statistical agency that produces each principal economic indicator shall issue it in a press release or other printed report.... Each statistical agency shall be responsible for establishing procedures to assure that there is no premature release of information or data estimates during the time required for preparation of the public report.... The agency will provide prerelease information to the President, through the Chairman of the Council of Economic Advisers, as soon as it is available. The agency may grant others prerelease access only under the following conditions ... (c) Any prerelease of information under an embargo shall not precede the official release time by more than 30 minutes. (d) In all cases, prerelease access shall precede the official release time only to the extent necessary for an orderly review of the data.... Except for members of the staff of the agency issuing the principal economic indicator who have been designated by the agency head to provide technical explanations of the data, employees of the Executive Branch shall not comment publicly on the data until at least thirty minutes after the official release time....
- 6 Preliminary Estimates and Revisions ...
- 7 Granting of Exceptions ... [OIRA makes the call]
- 8 Performance Evaluation. Each agency that issues a principal Federal economic indicator shall submit a performance evaluation of that indicator to the Statistical Policy Office, Office of Information and Regulatory Affairs, every three years....

No. 4 Release and Dissemination of Statistical Products Produced by Federal Statistical Agencies [*Federal Register* 73 (46, March 7, 2008), pp. 12624–12626]

Statistics produced by the Federal Government are used to shape policies, manage and monitor programs, identify problems and opportunities for improvement, track progress, and measure change. These statistics must meet high standards of reliability, accuracy, timeliness, and objectivity in order to provide a sound and efficient basis for decisions and actions by governments, businesses, households, and other organizations. These data must be objective and free of bias in their presentation and available to all in forms that are readily accessible and understandable.... Widespread recognition of the Federal statistical system's policy-neutral data collection and dissemination fosters ... trust. This trust, in turn, engenders greater cooperation from respondents and higher quality statistics for data users.

- 1 Scope. This Statistical Policy Directive applies to the full range of statistical products disseminated by Federal statistical agencies or units. However, the Directive excludes coverage of the Principal Federal Economic Indicators addressed in Statistical Policy Directive No. 3.... Unless otherwise specified in statute, statistical agencies or units are directly and solely responsible for the content, quality, and dissemination of their products....
- 2 Statistical Products. Statistical products are, generally, information dissemination products that are published or otherwise made available for public use that describe, estimate, forecast, or analyze the characteristics of groups, customarily without identifying the persons, organizations, or individual data observations that comprise such groups. Statistical products include general-purpose tabulations, analyses, projections, forecasts, or other statistical reports.... A statistical press release announcing or presenting statistical data

is defined as a statistical product and is covered by the provisions of this Directive.... Information to help users interpret data accurately, including transparent descriptions of the sources and methodologies used to produce the data, must be equitably available for Federal statistical products....

- 3 Statistical Agencies or Units....
- 4 Timing of Release. The timing of the release of statistical products, including statistical press releases ... shall be the sole responsibility of the statistical agency or unit that is directly responsible for the content, quality, and dissemination of the data. Agencies should minimize the interval between the period to which the data refer and the date when the product is released....
- 5 Notification of Release. Prior to the beginning of the calendar year, the releasing statistical agency shall annually provide the public with a schedule of when each regular or recurring statistical product is expected to be released.... Agencies must issue any revisions to the release schedule in a timely manner on their Web sites.
- 6 Dissemination. Statistical agencies must ensure that all users have equitable and timely access to data that are disseminated to the public. If there are revisions to the data after an initial release, notification must also be given to the public about these changes in an equitable and timely manner....



a. Outreach to the Media To accelerate and/or expand the dissemination of data to the public, statistical agencies are encouraged to issue a statistical press release when releasing their products. To maintain a clear distinction between statistical data and policy interpretations of such data, the statistical press release must be produced and issued by the statistical agency and must provide a policy-neutral description of the data; it must not include policy pronouncements....

b. Pre-Release Access to Final Statistical Products....

7 Announcement of Changes in Data Series.

Statistical agencies shall announce ... as far in advance of the change as possible, significant planned changes in data collection, analysis, or estimation methods that may affect the interpretation of their data series....

8 Revisions and Corrections of Data ...

Whenever preliminary data are released, they must be identified as preliminary and the release must indicate that an updated or final revision is expected.... Consistent with each agency's information quality guidelines, statistical agencies must also establish and implement policies for handling unscheduled corrections due to previously unrecognized errors. Agencies have an obligation to alert users as quickly as possible to any such changes....

9 Granting of Exceptions....