

The Data Stewardship Program

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.

