

Atlanta Research Data Center (ARDC) Fact Sheet

RDCs are managed by the Census and provided for through:

- **Title 13, sec. 9 & 214 (Census)**
- use of the data only by employees and sworn officers of Census
- **Title 26, subtitle f, Ch. 61, Sub Ch. B, § 6103(j) (IRS)**
- allows sharing of information with Commerce for statistical use
- **CIPSEA (Title 44, Ch. 35, Sub Ch. I, § 3501)**
- use of confidential data must have a statistical purpose
- provides for severe penalties for disclosing confidential data

Federal Statistical Research Data Centers

RDCs are secure computing labs where qualified researchers can conduct approved statistical analysis on non-public data from the Census Bureau, the National Center for Health Statistics (NCHS), the Agency for Healthcare Research and Quality (AHRQ), the Social Security Administration, and other government agencies. This document contains key requirements for accessing and using Atlanta RDC data and penalties for misuse.

Institutional Review Board (IRB) Approval

The individual researchers undertaking approved research in the ARDC will be responsible for ensuring that they are in compliance with the Internal Review Board (IRB) policies and requirements of their home institution. However, many research projects conducted through the ARDC will be exempt from IRB approval.

Penalties for Mishandling Data

Researchers are subject to a fine of up to \$250,000 or a prison term of up to five years (or both) for wrongful disclosure of confidential information.

Improper disclosure of federal tax information is also subject to a maximum fine of \$250,000 and/or a prison term of up to five years.

In addition, individual taxpayers may file a lawsuit for an unauthorized disclosure with penalties up to \$1,000 per disclosure or actual and punitive damages.

Resources

There is written guidance for researchers; this takes the form of the *Researcher's Handbook*, which describes RDC operating rules and procedures, particularly those relating to reporting, documentation, and archiving of data and programs; maintaining security, and maintaining confidentiality. If additional conditions are imposed for particular datasets, these will be articulated explicitly in the formal project agreement.

Handling/Publishing Confidential Information

Consortium members must identify confidential information in writing as such when disclosing confidential information to other members or non-members with approved research projects. If the parties discuss the information orally, the content must be identified as confidential in writing within ten (10) days of the disclosure.

Parties receiving confidential information may not use it for any purpose other than the approved research that prompted the disclosure, and they may not disclose confidential information to a third party for a period of three (3) years from the date of receipt of such information.

Each consortium member has the right to publish or similarly publicly disclose information pertaining to research conducted solely by that consortium member's employees, subject to the agreement's confidentiality provisions.

Census and taxpayer data are confidential and may only be used for statistical purposes and cannot be disclosed or published in any way that permits identification of the respondent.

Insurance and Liability

The Census Bureau, as an agency of the United States Government, is self-insured for the negligent or wrongful acts of its employees acting within the scope of their employment. However, consortium members and all other non-Federal researchers, even though given Special Sworn Status, are not employees or agents of the United States and, therefore, are responsible for their own negligent or wrongful acts.

Further restrictions

Absolutely no materials shall be removed from the RDC laboratory without first undergoing disclosure analysis and review. The Census Bureau shall provide disclosure analysis and review services to researchers at the ARDC.

Some data collected by the Census Bureau are based on surveys sponsored by other Federal agencies. Permission to access these data often requires concurrence from the source agency(s). The Census Bureau does not guarantee that other agencies will permit access to their data.

All individuals who have had access to confidential data are bound for life to uphold their vows to maintain confidentiality, and any violations are still subject to the penalties enumerated above or as modified by law.

For more information, consult:

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