Explaining Department Administrative Order "Disclosure Avoidance for Statistical Products" (DAO 216-26) and Its Impact on Critical Data

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What is the disclosure avoidance order?

On June 4, 2026 the Department of Commerce issued a new order "Disclosure Avoidance for Statistical Products" (DAO 216-26) that **limits the types of privacy protection methods that the Census Bureau and Bureau of Economic Analysis (BEA) can use for their data products**.

This order upends processes developed over decades to foster transparency and public trust and creates a scenario in which **there will either be less privacy for our personal information, or less usable public data, or both.**

Notably, the DAO has resulted in an indefinite delay in American Community Survey, is likely to result in changes to the availability of County Business Patterns data, and is serving as a justification to remove some demographic information from the decennial census.

What is disclosure avoidance?

"Disclosure avoidance" is the process of using mathematical techniques and technologies to ensure that published data do not expose personal information. These methods prevent bad actors from using published data to figure out information about any specific person, household, or business. This is especially important given modern computing, data proliferation, and AI, which make it easier to reconstruct and reidentify individuals from published data.

The Census Bureau is required, by Title 13 of the U.S. Code, to keep personal information confidential and has used advanced disclosure avoidance techniques to protect the privacy of each person—even in the face of modern threats—while still making high-quality data available.

What does the order do?

The DAO prohibits the use of a suite of modern disclosure avoidance methods and limits the Census Bureau and BEA to just two of the oldest, and crudest, methods of privacy protection. By rejecting the arsenal of other privacy-enhancing technologies—including those that are responsive to rapidly evolving threats to privacy—the order makes it more difficult for these agencies to safeguard the privacy and confidentiality of the sensitive data they hold on each and every person, household, and business in the United States.

The order also curtails the agencies' ability to produce detailed, decision-level information for local to federal level public policymakers. The order limits agencies to either "coarsening" (rounding, aggregating, and reporting in ranges) or suppression of data. In other words, **the only way to protect privacy and confidentiality is to reduce the amount of information that's published**. In particular, this puts information we've come to rely on for neighborhoods and rural communities at risk of being aggregated or suppressed, and therefore reduces or eliminates their usefulness.

Notably, even critics of the disclosure avoidance methods used in the 2020 Census have expressed deep concerns with the DAO and worry that it will negatively impact access to information about our communities.

Will the data be more accurate?

The stated objective for the DAO was to prioritize accuracy. However, the order does not guarantee more accurate data. To the contrary, in many cases, modern privacy protection methods result in more accurate data than older methods like rounding do.

What do we know about the impact?

Since these limited techniques make it more difficult to produce accurate data while still meeting privacy requirements, this order is expected to significantly affect what the Census Bureau and BEA can publish. Many data products will be affected, including:

- American Community Survey (ACS) 1-year data are delayed indefinitely and 5-year data will start to see impacts this year. The ACS is an irreplaceable resource used by businesses, local governments, and many others to drive critical decisions every year.
- 2030 Census data products will be reviewed and will be dramatically restructured. At a minimum, recent reporting notes that the DAO has been cited as reason to prohibit collecting some critical demographic information in the decennial census.
- Accuracy assessments for the 2030 Census are likely to be affected, limiting the Census Bureau's ability to analyze and publish detailed quality metrics on longstanding issues of bipartisan concern such as county-level assessments of the undercount of young children.
- Key sources of economic and business data will likely be disrupted, such as County Business Patterns data. In addition, the long-term availability of Longitudinal Employer-Household Dynamics program, which helps measure business activity and employment outcomes, is unclear.

- BEA has not yet produced a list of impacted products, but their documentation reflects widespread adoption of the new policy—with a focus on "reducing the level of detail or specificity of published statistics, such as through rounding, aggregating (grouping), and/or the use of ranges."[1] And BEA has begun implementing the new policy, such as in the recent release of "New Foreign Direct Investment in the United States, 2025."[2]

The potential impacts are not limited to these resources. As the DAO requires a full reassessment of data releases, other critical information for communities and businesses could be impacted.

Rural areas are at risk.

The DAO is expected to particularly affect data for areas with smaller populations such as rural areas, tribal areas, and neighborhoods. With limited, older methods of privacy protection (such as suppression and aggregation), information for these communities may need be aggregated (geographically or categorically) into groupings that are too broad to be useful, or the information may be suppressed entirely.

Data affected by the DAO (such as the decennial census, ACS, County Business Patterns, and others) are vital information resources for rural communities across the United States. Local leaders and experts have raised concerns that data will not be available to state legislators and agencies, tribes, businesses, and others for a variety of needs, including local planning and programs, economic development, emergency management, and more.

As public datasets lose the granularity and precision that communities need, the only offered alternative is costly "restricted access" avenues. These entail officials getting special permission, swearing to confidentiality agreements, and working in secure research facilities (such as [Federal Statistical Research Data Centers]) so they can access non-public data. This proposal raises concerns about access costs, logistical bottlenecks, confidentiality protections, and barriers for rural communities that do not have access to these secure facilities nor resources to staff such access. Under the DAO, necessary rural data are expected to disappear without a viable alternative.

What's still unknown?

Unfortunately, while more of the impact is coming into focus, numerous unknowns remain. We do not yet know the full impact on data availability across the many data products used by communities and businesses. For example after the DAO is applied, data needed at the

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[1] Bureau of Economic Analysis. 2026. "A Guide To BEA's Services Surveys."
https://www.bea.gov/sites/default/files/2018-08/surveysu.pdf

[2] Bureau of Economic Analysis. 2026. "Why didn't BEA use noise infusion as its statistical disclosure limitation method in its June 10, 2026, news release on "New Foreign Direct Investment in the United States, 2025''?"
https://www.bea.gov/help/faq/1490

community level may only be available for larger areas (such as county or state). In some cases, even county data may be challenging to publish. For example, in Kansas 33 counties have fewer than 4,000 inhabitants. Data needed for detailed groups (such as single-year of age data needed for school planning) may only be available in broad groups (such as 5- or 10-year age groups). These examples illustrate potential impacts, but the specifics are not yet known. The lack of clarity creates significant uncertainty for communities, as they face the possibilities of not having the data they need to plan and operate, and they do not yet know the scope of those changes nor the timeline on which the changes will occur.

We also do not know how far the ripple effects of this order will reach. While the order only applies to statistical products from the Census Bureau and BEA, it will have implications beyond those agencies. First, the Census Bureau conducts surveys for other agencies. Some of those surveys are not affected, but others may be. A detailed list of impacted products has not yet been published. Second, the Census Bureau has historically been a leader in data privacy protection—researching methods that other agencies eventually adopt. Limiting the Census Bureau's methods may inadvertently limit those at other federal agencies.

The rationale doesn't hold up.

Census Bureau leadership has framed the DAO as a policy choice.[3] However, experts and data users have emphasized that this framing is illogical. While prioritizing accuracy is a legitimate policy choice, the DAO restricts methodology in ways that will curtail data availability, without a guarantee of more accuracy, and with major consequences for communities and businesses across the country.

These changes also upend decades of investment and modernization, forcing staff to spend their limited time and resources to build a new privacy protection system to replace systems that, while imperfect, were fully functional.

The Bottom Line

Tools developed by the private sector that are viewed as the most technically and technologically advanced for ensuring the privacy of data, are banned by this order. This leaves us either with less protection for our personal information or without the data needed for understanding our communities and for ensuring transparency and accountability. Public data are meant to be for the public good, which also means that the public should be able to access data in meaningful and usable form. As it stands, in many instances the Executive Branch will have the data, but the people (including policy-makers at federal, state, and local levels), from whom the data are collected, will not.

[3] George Cook. 2026. Understanding the New Disclosure Avoidance Policy: What It Means for Data, Confidentiality and You.