

IPP Refusal Letter – Confidentiality

November 24, 2024

«RespFirst» «RespLast»
«RespTitle»
«Company»
«Street»
«City», «State» «Zip»

Dear «RespFirst» «RespLast»:

Recently «FE_FirstName» «FE_LastName» of my staff contacted your company, and I understand that your firm has declined to provide «import/export/import and export» data for the U.S. Import and Export Price Indexes (MXP) due to concerns about confidentiality. The MXP is a Principal Federal Economic Indicator of price changes for non-military goods and services traded between the United States and the rest of the world. Businesses use the MXP extensively to analyze economic conditions, adjust contracts, and assess competition in international markets. I urge you to please reconsider this decision.

One of our fundamental principles is the protection of the confidentiality of your information. The BLS has policies and procedures in place to ensure the confidentiality of all data. Our employees have signed a confidentiality pledge and complete annual training on secure data handling practices. Enclosed is a handout entitled “Protection of Survey Respondents’ Confidential Information” for more detail on BLS data protections.

Your participation is confidential. We do not reveal actual company names or prices in our published indexes.

The Bureau of Labor Statistics, its employees, agents, and partner statistical agencies, will use the information you provide for statistical purposes only and will hold the information in confidence to the full extent permitted by law. In accordance with the Confidential Information Protection and Statistical Efficiency Act (44 U.S.C. 3572) and other applicable Federal laws, your responses will not be disclosed in identifiable form without your informed consent. Per the Federal Cybersecurity Enhancement Act of 2015, Federal information systems are protected from malicious activities through cybersecurity screening of transmitted data.

In addition to Title 44 U.S.C. 3572, it is the position of the BLS, supported by the Solicitor of Labor, that Section (b) (4) of the Freedom of Information Act, exempting from disclosure "trade secrets and commercial or financial information obtained from a person (which is) privileged or confidential," clearly applies to the data which are being supplied for this program. This view is also supported by the legal and legislative history of the Act and by the opinion of the Solicitor of Labor, and was upheld in U.S. District court in *Hustead v. Norwood* 529 F. Supp. 323 (1981).

Companies like yours are crucial to forming an accurate measure of price changes; thus, we ask for your participation. «FE_FirstName» «FE_LastName» will contact you soon to provide a more complete explanation of the MXP and arrange a brief meeting. If you have any questions or concerns, please

contact «FE_FirstName» «FE_LastName» at «FE_Tel». We look forward to working with you.

Sincerely yours,

NAME

«Title»

Enclosure

«Enclosure_Name»