Tribes and the Census

Cybersecurity and the 2020 Census

The 2020 Census will make history as the most automated ever. From the collection of data from individual households submitted on-line, to various checks on the validity of that data, to the collection of time and expense reports from enumerators in the field, this will be an electronic census. It is destined to represent another milestone in the Census Bureau's use of technology, a milestone as important as the use of the Hollerith punch card tabulating machine to calculate the results of the 1890 Census.

While valuable as a way of reducing costs and increasing the efficiency of many Census Bureau operations, the digitization of the 2020 Census raises serious questions as to how all that data will be protected from unauthorized access.

One of the Bureau's Congressional oversight committees, the General Accountability Office (GAO) and a number of former high level federal officials assembled by the Georgetown University Law School have all called on the Bureau to describe the basic details about what it is doing to protect the information it collects.

In a terse statement issued in mid-July, the Bureau replied:

"We have incorporated industry best practices and follow Federal IT security standards for encrypting data in transmission and at rest. As a matter of data security, we do not disclose our specific encryption methods . . ."

Last week, as part of its regular series of quarterly Program Management Reviews of 2020 Census operations, Bureau officials launched a vigorous defense of their cybersecurity systems and practices. They made a number of points:

- Security involves more than just technology. It is also about people working in a culture that places the confidentiality of the data they handle as their highest responsibility. The Bureau works to protect and further that culture.

- The Bureau's systems utilize the best practices of both industry and the other federal agencies in the protection of Census data. The Bureau has access to the knowledge of the US intelligence community in developing protective systems, knowledge that goes beyond what is available in private industry.
• The data collected on handheld devices (primarily iPhones) by enumerators in the field is immediately encrypted and transmitted to Bureau computers isolated from the Internet. Once transmitted, the data is deleted from the enumerators' devices.

• Once in Bureau computers, the data is protected from malicious attacks by systems continuously monitoring for suspicious behavior. Should such an attack occur, the data affected is isolated for analysis.

• The systems that are to be used in 2020 have been carefully tested through the use of deliberate "penetration" attacks and found to be robust in repelling such attacks.

• Title 13 of the U.S. Code, the bedrock of Census Bureau confidentiality procedures, carries severe penalties for the disclosure of any personally identifiable information to anyone, including persons in other federal agencies, state, local and tribal agencies and private organizations or persons.

The Census Bureau is well aware that the public's trust in the confidentiality of the information provided in the 2020 Census is absolutely essential in insuring a complete count of the entire population of the US. Convincing all involved, from members of Congress to the individual being enumerated, is one of the major tasks that lies ahead as preparations continue for the upcoming national headcount.

Alaska Native Selected to Chair Bureau’s National Advisory Committee

On Tuesday the Census Bureau announced that Carol Gore, the President and CEO of Cook Inlet Housing Authority (CIHA) in Anchorage, is the new Chair of the Bureau's National Advisory Committee on Racial, Ethnic and Other Populations (NAC). She most recently served as the Committee's Vice Chair.

The Committee provides the Bureau with advice on Census Bureau policies and operations. A major responsibility is to suggest ways to reduce the undercount of various segments of the population, including the undercount of the American Indian and Alaska Native (AI/AN) population.

The Committee currently has two AI/AN members, Carol Gore, Aleut and a shareholder in Cook Inlet Region, Inc. and Desi Rodriguez-Lonebear, Northern Cheyenne and a dual PhD candidate, along with one other AI/AN advocate, James Tucker, pro bono voting rights counsel to the Native American Rights Fund (NARF). In addition, it has several Native Hawaiian members.
Senators Call for Full Count of the Native Population

In a recent letter to the Secretary of Commerce, a bipartisan group of United States Senators called on the Census Bureau to insure a full count of the American Indian and Alaska Native population. The Census Bureau is part of the Commerce Department.

Senators Lisa Murkowski of Alaska, Heidi Heitkamp of North Dakota and Amy Klobuchar of Minnesota expressed their "deep concern" over the Bureau's preparations for the count of tribal communities across the nation in 2020. The letter pointed out that "tribal communities present unique and challenging characteristics that require additional effort, foresight and planning to overcome."

The letter called on the Secretary to provide "an actionable plan that ensures an accurate and cost effective process to count all American Indians and Alaska Natives."

In a statement accompanying the letter, Senator Murkowski said:

"Census data is incredibly significant to American Indians and Alaska Natives as it is used by Tribes and Tribal Organizations to make informed decisions about the future of their people. This information helps ensure fair allocations of funding for federal programs that are vital to Native communities, including housing, health care and education. Unfortunately, due to their remote nature, language barriers, lack of access to telephones and internet, and often non-traditional mailing addresses, getting accurate Census data in rural Alaska and throughout Indian Country is no simple task."

The full text of the Murkowski, Heitkamp and Klobuchar letter accompanies this newsletter as a separate file.

Norm DeWeaver norm_deweaver@rocketmail.com August 10, 2018
Redistribution of this information is encouraged
The Honorable Wilbur Ross  
Secretary  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, D.C. 20230

Dear Secretary Ross:

We are writing to express our deep concern regarding ongoing preparations for the 2020 Decennial Census, as it relates to the accurate enumeration of tribal communities across the country. Tribal communities present unique and challenging characteristics that require additional effort, foresight, and planning to overcome. It is imperative that the Census Bureau makes every effort to demonstrate its commitment to these communities. We request that you provide our office with information related to Census Bureau’s plans to ensure an accurate 2020 Decennial Census in tribal communities.

When the 2017 tests at the Standing Rock Reservation in North and South Dakota and Colville Reservation and Off-Reservation Trust Land in Washington State were cancelled, it furthered our concern that, once again, the needs of American Indians and Alaska Natives were being set aside for other priorities. While the ultimate goal of those tests was to examine the now abandoned tribal enrollment question, it would have provided an excellent opportunity to measure and understand the challenges the Census Bureau will face in 2020. This was an opportunity lost.

For the 2020 Census, the Census Bureau has taken on the monumental task of moving away from paper questionnaires, to an internet-based collection method, which is expected to result in substantial cost savings. We applaud these efforts; however, it is imperative that we do not leave these families and communities behind. American Indians and Alaska Natives face additional challenges in responding to the Census, which will only be exacerbated by the move towards an online response platform. According to the Census Bureau’s data, only 58.2 percent of American Indians use the internet, and cell phone coverage in rural areas is substandard. Therefore, it is critical that the Census Bureau take steps to ensure these communities are counted accurately.

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3 Senate Committee on Homeland Security and Governmental Affairs, Briefing with Committee Staff: Census 2020 Overview (Dec. 7, 2016).


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Throughout U.S. history, American Indians and Alaska Natives have faced systemic discrimination, leading to a heightened, and well deserved, distrust of the Federal government. For too long, we have given American Indians and Alaska Natives the leftovers. Members of these communities deserve to be counted where they reside, just like any other person. It is incumbent upon the Census Bureau to ensure that the burden of responding is no greater for these communities. Therefore, we request that you provide us with an actionable plan that ensures an accurate and cost effective process to count all American Indians and Alaska Natives. Steps must be taken to ensure that inaction in Washington does not lead to an unsuccessful 2020 Census for these communities.

Thank you for your attention in this matter. We request that you provide us with a written response no later than Thursday, August 16, 2018. If you have any questions, please contact Anthony Papian (Heitkamp) at anthony_papian@hsgac.senate.gov, Eric Reimers (Murkowski) at eric_reimers@murkowski.senate.gov and Denise Fleming (Klobuchar) at denise_fleming@rules.senate.gov.

Sincerely,

Heidi Heitkamp
United States Senator

Lisa Murkowski
United States Senator

Amy Klobuchar
United States Senator

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6 Ibid., 9.