Tribes and the Census

Census Bureau Promises Tribal Consultation On New Privacy Protection Procedures

Top Census Bureau staff has now assured the National Congress of American Indians (NCAI) that the agency will consult with tribes before making decisions on the use of a new procedure called "differential privacy." The Bureau will use this procedure to protect the confidentiality of personal information collected in the 2020 Census.

Last week NCAI sent a polite but strongly worded letter to the Director of the Bureau insisting that consultation begin immediately, before any decisions are made on the suppression of data on the American Indian and Alaska Native (AI/AN) population and AI/AN geographic areas in the data tables to be released following the 2020 headcount.

Although the current focus is on the data products from this decennial census, the differential privacy procedure will undoubtedly be used for the American Community Survey (ACS) products as well. Those products contain valuable information on the socio-economic characteristics of the AI/AN population, such as unemployment, poverty and educational attainment at the individual reservation level.

The issue of the impact of the use of differential privacy to protect the confidentiality of personal information on individual persons, families and households arose several months ago.

In presentations by Bureau staff at the spring meetings of the agency’s National Advisory Committee and Scientific Advisory Committee and several professional organizations, data users were cautioned that a number of data products published after the last several decennial censuses might not be published after the one in 2020. One such product is the AI/AN Summary File. This file has data on the number of AI/AN persons by tribe, based on self-identification, down to the reservation level.

It appeared likely that other data, including data on the AI/AN population and AI/AN geographic areas such as individual reservations, would be suppressed because of the rules associated with the use of differential privacy.

Differential privacy is a very sophisticated mathematical process involving the injection of "noise," false data, into a data set to block other parties from reconstructing individual records by using various Census data tables and information from private commercial sources, like Google. It is capable of some fine tuning, to adjust the amount
of "noise" and enable the release of more information while still protecting the confidentiality of the data.

Differential privacy would replace the simpler ways that the Census Bureau has used in the past to protect personal data. One such procedure has involved "data swapping," changing the data for a household in a particular small geographic area by replacing it with what appears to be a similar household in a nearby area.

As a more restrictive procedure, differential privacy is a more significant threat to the release of data on small populations and small areas.

The differential privacy issue affects only the data that the Bureau will release after the decennial census and subsequent surveys like the ACS. It does not affect the data that is collected. All the questions to be asked in the 2020 Census questionnaire and the annual ACS surveys remain the same as currently planned.

NCAI Letter Calls for Consultation with Tribes and Native Advocates

With the help of a work group led by the Policy Research Center Director at NCAI, Yvette Roubideaux, the new NCAI CEO, Kevin J. Allis, sent a letter to Steven Dillingham, the Director of the Census Bureau. The letter strongly supported the protection of the confidentiality of information provided by AI/AN people, but cautioned that many of the products the agency has made available in the past provide data that is essential for the use of tribes and Native organizations serving off-reservation areas.

The letter stated:

"Through consultation and full engagement with tribal nations, and with the advice of those who use these summary tables, the U.S. Census Bureau must find a balance between privacy protection and the availability of data on AI/AN populations at all geographic levels."

The letter emphasized that the need for tribal consultation, required under long-standing Bureau policy, is an immediate need and should begin now before any decisions on the fate of AI/AN data in the products to be released after the 2020 Census is decided.

The letter also raised a number of questions and asked for a Bureau response. Several dealt with the effect of the use of differential privacy on the publication of data for all levels of AI/AN geographic areas, including small reservations and Alaska Native villages.
Over 60% of all federal reservation and trust land areas for which the Census Bureau published data after the 2010 Census had AI/AN only populations counted as being less than 500. Nearly 40% of the Alaska Native villages counted in 2010 had AI/AN only populations counted as being less than 100.

The letter went on to mention an issue of concern to tribes and Native organizations whose annual funding for major Native programs is determined by Census data obtained by their funding agencies through "special tabulations" -- tabulations which the funding agencies pay the Census Bureau to generate.

This includes the Indian Housing Block Grant (IHBG) program funding Native tribal housing authorities. The number on the size of the AI/AN population in American Indian and Alaska Native areas used in the IHBG program is also used in the fund allocation formula for the Tribal Transportation Programs in BIA. Data on AI/AN unemployment and poverty from the ACS may be used in the future to allocate Native workforce money under the Workforce Innovation and Opportunity Act (WIOA).

Carol Gore, head of the tribal housing authority for the Cook Inlet Region in Alaska, and current Chair of the Bureau's National Advisory Committee, has mentioned this issue a number of times. She heads an Alaska-specific work group also pressuring Census on the issue of the impact of differential privacy on the release of AI/AN data.

Census officials have promised a response to the NCAI letter. The full text of the letter can be downloaded from the Web site of NCAI's Policy Research Center at: http://www.ncai.org/policy-research-center/research-data/research-recommendations.

NCAI Issues Toolkit on Ways to Promote the 2020 Census

NCAI has released a "toolkit" for tribes and Native organizations to use in planning their efforts to promote responses to the 2020 Census questionnaire among their members. The 13-page toolkit covers a wide variety of topics, explaining such issues as why the Census is important to Indian Country, how people should answer the race question on the 2020 form in order to be counted as American Indian or Alaska Native, important contacts and resources and the timeline for the 2020 Census.


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1 AI/AN only populations are those persons who identify AI/AN as their only race.
Congress Needs to Act Swiftly on Census Funding for Fiscal 2020

The new federal Fiscal Year begins on October 1st. Congress has yet to pass any of the appropriation bills that fund various units of the government, including the budget for the Census Bureau.

It has, however, cleared a major hurdle by removing the spending caps that threatened sharp cuts in both defense and non-defense programs in the coming year. That legislation is currently pending Presidential approval, approval that has been promised.

The House of Representatives has cleared its FY 2020 appropriations bill for the Commerce Department, covering funding for the Census Bureau. The bill would provide a total of $8.175 billion for the "Periodic Censuses and Programs," which includes the 2020 Census and the American Community Survey operations in the coming Fiscal Year. The amount is consistent with the recommendations of a broad-based Census advocacy group, The Census Project.

In its official report on the bill, the House Appropriations Committee urged the Bureau to be prepared to increase its efforts to reach "hard-to-count" groups, a category that includes American Indians and Alaska Natives. The report says:

"The Committee . . . encourages the Census Bureau to concentrate its efforts in hard to count communities and work with state, local, and tribal partners to identify locations for the Mobile Response Initiative to target."

The Mobile Response Initiative is a Bureau effort to send Census workers to areas considered as having hard-to-count populations to assist individuals there to fill out their Census forms online.

The Senate has waited until the spending cap issue was resolved to move any of its FY 2020 appropriations bills. Action on those bills is expected soon after Congress returns from its August recess.

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