



November 8, 2018

Delivered via Electronic Mail

Dr. Ron S. Jarmin
Associate Director for Economic Programs
(Performing the Non-Exclusive Functions
and Duties of the Director)
Bureau of the Census
U.S. Department of Commerce
4600 Silver Hill Road
Washington, DC 20233

RE: Census Bureau Request for Comment on “2020 Census Data Products”

Dear Acting Director Jarmin:

We write as the co-chairs of the Bipartisan Policy Center’s Evidence-Based Policymaking Initiative and the former co-chairs of the U.S. Commission on Evidence-Based Policymaking, to provide input on the Census Bureau’s request for comments about uses of 2020 census data products.¹

In September 2017, the 15-member U.S. Commission on Evidence-Based Policymaking issued its final report – *The Promise of Evidence-Based Policymaking* – with a set of unanimous recommendations.² The commission identified three broad issues to be addressed if data the government already collects are to be used more effectively: access to data is often too difficult; privacy protections are not sufficiently strong or understood; and the government’s capacity to engage in evidence-building is limited. These themes and our recommendations have direct implications for the development of the Census Bureau’s 2020 data products. Strengthening privacy protections must be a priority in this process, but so too must ensuring that data collected by the government can be used effectively to inform public and private decisions.

¹ *Federal Register*, Vol. 83, No. 195, p. 50636. Available at: <https://www.gpo.gov/fdsys/pkg/FR-2018-10-09/pdf/2018-21837.pdf>

² U.S. Commission on Evidence-Based Policymaking. (2017) *The Promise of Evidence-Based Policymaking: Report of the Commission on Evidence-Based Policymaking*. Washington, D.C.: Government Printing Office. Available at: <https://bipartisanpolicy.org/wp-content/uploads/2017/10/CEP-Final-Report.pdf>

We note that the Census Bureau is considering opportunities to implement differential privacy approaches to the 2020 census products. Chapter 3 of the commission's final report described new and emerging threats to protecting information, including that the risk of re-identifying individual records in public use datasets may threaten data privacy and, therefore, data uses. The commission recommended that agencies "adopt state-of-the-art database, cryptography, privacy-preserving, and privacy enhancing technologies for confidential data used for evidence building."³ The commission acknowledged that differential privacy was one "emerging approach" that held promise for achieving this recommendation in practice, but that there were others.

The commission imagined widespread application of emerging privacy approaches, but also recognized that learning and iteration will be required to successfully transition from theory to practice in the adoption of these practices. The commission endorsed an iterative approach to good program administration more broadly, concluding that "continuous improvement can be facilitated by supporting a cycle of first pilot testing a new program, policy, or regulation, then conducting research to learn from the pilot test, and finally, adapting the program, policy, or regulation based on what was learned through the research."⁴ More specifically, the commission recommended that privacy-protecting capacities be piloted as part of the process of implementing the National Secure Data Service.⁵

We encourage the Census Bureau to consider carefully the commission's assessments and recommendations in proceeding with the development of the 2020 census products. As emphasized throughout the commission's report, access to data offers valuable benefits to society through an improved ability to generate research and evaluation. Given these benefits, we urge the Census Bureau to be cautious about making decisions that limit access to data products in ways that may conflict with the vision articulated by the commission—a vision of "a future in which rigorous evidence is created efficiently, as a routine part of government operations, and used to construct effective public policy."⁶ To this end, we encourage the Census Bureau to consider a careful test of differential privacy approaches on existing data products, such as public use files from the 2000 or 2010 censuses, before making any decision about data products for the 2020 census. Such testing will have the considerable benefit of illustrating concretely how different possible decisions about the application of differential privacy might impact the suitability of publicly-released data for the many purposes they serve. Evaluating the application of differential privacy in this way will (1) help the Census Bureau calibrate its policy for determining the best balance between access and privacy along the access-privacy frontier with respect to data products from the 2020 census and (2) help census data users understand the implications of future differential privacy policy choices with regard to their priorities and needs for accessing census data, something that absent a concrete demonstration it will be difficult if not impossible for most data users to do.

³ CEP, 2017, p. 62.

⁴ CEP, 2017, p. 102.

⁵ CEP, 2017, p. 83.

⁶ CEP, 2017, p. 8.

RE: Census Bureau RFC on 2020 Census Data Products

If we can be of assistance, or if you would like more information about the commission's thinking and recommendations as they relate to the Census Bureau's 2020 data products, please contact us (evidence@bipartisanpolicy.org) or Nick Hart, Director of the Bipartisan Policy Center's Evidence Project (nhart@bipartisanpolicy.org, 202-204-2400).

Sincerely,

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