

Census 2020 and Confidentiality

What information does the census ask for?

The census asks for basic information about the people who live in a household, including name, age, sex, race, and ethnicity. The census will not ask about immigration status or citizenship, and will not ask for identification numbers (SSN, driver's license).

Can the Census Bureau share information about individuals with other agencies?

Federal law contains extremely strong confidentiality protections for census data.

- Census data cannot be used for any purpose other than statistical analysis.
- The Census Bureau is not allowed to share information about individual respondents with anyone outside the Census Bureau, including immigration enforcement and other federal, state, and local government agencies.
- Other federal government agencies are not allowed to ask for copies of individual census responses.
- Census reports cannot be used against people in judicial or administrative proceedings.
- Census Bureau employees with access to protected data are sworn to keep information confidential for life. Wrongful disclosure can result in a fine of up to \$250,000, imprisonment up to five years, or both.

Can these confidentiality laws be changed?

Census confidentiality laws are codified in federal statute, under Title 13 of the United States Code. This means that it would take an act of Congress to change the rules. The Trump Administration cannot change these confidentiality laws by itself.

Do confidentiality laws apply to administrative data?

The Census Bureau plans to collect information from other government agencies about whether people are citizens. This is called "administrative data." Data that is gathered from administrative sources still falls within the scope of Title 13 protections. Information about individual respondents cannot be shared or made public, and data collected cannot be used for anything other than statistical purposes.

What happens if people don't respond to the census?

Technically, Census response is required by law. According to the Census Bureau, no one has been prosecuted since 1970 for failing to fill out the Census. A likely consequence of non-participation is a visit by an enumerator, who will seek to obtain missing information from the household.



Asian Americans Advancing Justice - Asian Law Caucus is ready to provide free legal information to any community organizations working on census. Please contact us if you have any questions. Contact: Julia Marks, juliam@advancingjustice-alc.org

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