

December 12, 2018

The Honorable Wilbur Ross  
Secretary  
Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

Dear Secretary Ross,

We are writing to you as representatives of organizations whose members include census data users from the public, private, and academic sectors to communicate our interest in protecting census data confidentiality.

As you know, internal Department of Justice (DoJ) documents recently released as part of the *New York vs. Department of Commerce* case show that senior DOJ officials refused, in response to a question from Congress earlier this year, to confirm a 2010 Office of Legal Counsel ruling that no provisions of the USA Patriot Act<sup>1</sup> supersede Census Act (Title 13 U.S.C.) data confidentiality protections, even for law enforcement or national security purposes. This development alarms our organizations.

Protecting census data confidentiality is essential to maintaining the integrity of all census surveys. Since the end of World War II, Republican and Democratic Administrations alike have embraced Census Act confidentiality provisions. Any suggestions that the Administration is even considering a reinterpretation of existing law could undermine public trust in the federal government's ability to secure personal data. As a result, we believe response rates to surveys, particularly the decennial census, will plummet, generating inaccurate and incomplete essential demographic and socio-economic data about our nation.

In your capacity as the Secretary of Commerce, we urge you to reaffirm your support for upholding strict confidentiality protections in Title 13 and to reassure the public that census data will be not misused or shared inappropriately with any federal agency. We believe such a public statement of support will help restore the public's faith and improve chances of achieving an inclusive, successful 2020 Census.

Thank you for considering our views on this important matter.

Sincerely,





*Council of Professional Associations on Federal Statistics*



Cc Acting Attorney General Whitaker

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<sup>1</sup> Pub. Law No. 107-56, 115 Stat. 72, as amended