A HISTORY OF CENSUS PRIVACY PROTECTIONS

Today's law is clear: The Census Bureau must keep responses completely confidential. It cannot release identifiable information about an individual, household or business to anyone, including other government or law enforcement agencies.

It wasn't always that way. Public attitudes on privacy have changed since the first census in 1790. Early laws and policies focused on preventing direct disclosure of personal information. Later, laws and policies addressed the growing threat of indirect disclosure—the risk that someone might be able to figure out the identity of a person or business just by analyzing the statistics we publish.

Twenty-first century privacy threats—faster and more powerful computers, new data science, and exponential growth in personal data available online—demand new safeguards to protect against indirect disclosure.

See how the laws and protections have changed from 1790 to the 2020 Census—the first census to use advanced disclosure protections based on the new data science known as “differential privacy.”

Early censuses had no legal privacy protections. In fact, census takers (U.S. marshals at the time) were required to post census lists in the town square for local review. There were no restrictions on information sharing.

Businesses are assured their answers will be confidential. Due to dismal response rates in earlier censuses of manufactures, marshals were instructed to provide assurances about privacy of these responses.

Data swapping, “name and impute” protections added. More precise methods enable fewer whole-table suppressions. Published data expands to include block-level data. The new protection methods lower indirect disclosure risk.

Potential for jail time for census takers who publish or reveal information. President Taft promises confidentiality. 1st law protecting business data from indirect disclosure.

Responses shared for World War I military draft and other purposes. Despite Taft’s assurances, law allows Census Bureau director to share at his discretion. (1916-1918)

1st statistical efforts to prevent indirect disclosure of business data. Census Bureau specialists “redact” data tables and manually hide (suppress) suspicious data or combine (compress) it into larger categories.

Data products must be protected by interim safeguards. (2018)


New law ends sharing and sale of census records. Census records can no longer be bought. Only you or your descendants can access your records. (1929)

Law strengthened, loophole closed. Officially removes Census Bureau director’s discretion to grant disclosure exceptions. (1976)

Census Bureau stops publishing small-area data. The reason: It can’t prevent indirect disclosure.

Whole-table suppression The 1970 Census suppresses whole data tables to protect small-area data about people and housing.


Law codified into Title 13 of the U.S. Code. Courts have repeatedly upheld Title 13’s protections. Results can’t be shared with anyone for nonstatistical purposes. (1954)

Census use of ad-hoc privacy protections. Differential privacy is too new for 2010 Census use.

New protections added against growing Internet threats. Rounding, top-coding, and more techniques added.

"Differential privacy" is born. Data scientists create new algorithm-based, anti-disclosure protection method to combat digital age threats. (2006)

1st tabulating machine brings automation. Number of detailed data tables grows along with indirect disclosure risk.

New law bans census takers from disclosing business and property responses. Census takers and clerks face stiff fines if they break their oath of secrecy.

Last census conducted by U.S. marshals. Future censuses conducted by dedicated census takers subject to Census Office quality and privacy demands.

Second War Powers Act overturns protections in the name of the war effort. (1942)

“2-2-year rule” New agreement with news agencies (later codified into law) restricts public release of census records for 72 years. (1952)

New policies tighten restrictions on data releases. Data products must be protected by interim safeguards. (2018)


2020 Census data products will be protected using differential privacy. World’s first large-scale application of new privacy system. (2020)

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