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.”

A HISTORY OF CENSUS PRIVACY PROTECTIONS

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.

Census files are removed from state and local control. Still, results could be bought, and the superintendent could provide lists of names and details to any municipal government.

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.

Potential for jail time for census takers who publish or reveal information. President Taft promises confidentiality.

1st law protecting business data from indirect disclosure.

Data swapping, “tabular and imputa”tions add.


Officially remove Census Bureau director’s discretion to grant disclosure exceptions. (1976)

“72-year rule”—agreement with National Archives (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)


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

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

First census to use ad-hoc privacy protections. Differential privacy is too new for 2010 Census use.

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

To learn more search “Disclosure Avoidance” at census.gov.