



California Complete Count Committee

Trust and Confidentiality Working Group

December 3, 2018 1:30 – 2:30pm



Members Present:

Angie Wei (Chair)

California Labor Federation

Basim Elkarra

Council on American-Islamic Relations

Tom Saenz

Mexican American Legal Defense and Educational Fund

Members Absent:

Gerald McIntyre

Justice in Aging

Staff Present:

California Complete Count Committee

Tamma Adamek

California State University, Sacramento

Julia Van Horn

Handouts and Presentations:

- August 31, 2018 Meeting Minutes
- Working Group Goals Worksheet

1. Opening Procedures

Chair Angie Wei called the meeting to order. She conducted a roll call. A quorum was established with three of four members present.

Note: Due to timing constraints with the prior California Complete Count Committee (Committee) meeting, this Working Group meeting began at 1:45.

Chair Wei drew members' attention to the draft July 30th Working Group meeting minutes. No revisions were proposed, and there was no public comment on this topic. Tom Saenz moved to approve the minutes as written. The motion was seconded by Basim Elkarra. The motion carried with the three members present in favor.

2. Discuss Potential Merge with Content and Citizenship

Chair Wei briefed Working Group members on the possibility of their working group merging with the Content and Citizenship Working Group. She noted that there is significant overlap in the work done by the two working groups, so a merge of the groups was proposed in the interest of efficiency and more robust discussion.



California Complete Count Committee

Trust and Confidentiality Working Group

December 3, 2018 1:30 – 2:30pm



Mr. Saenz moved for the Working Group to recommend to the full Committee, the merger of the Trust and Confidentiality Working Group with the Content and Citizenship Working Group. Mr. Elkarra seconded the motion. There was no public comment on this topic. The motion carried with the three members present in favor.

Mr. Elkarra moved for the Working Group to recommend John Joanino as the chair of the new working group, should the merger take place. Chair Wei seconded the motion. With the three members present in favor, the motion was carried.

3. Discuss Approach to 2019 Working Group Goals and Objectives

Chair Wei drew members' attention to the Working Group Goals Worksheet, inviting discussion on the Working Group's goals and objectives for 2019. Ms. Wei suggested that the Working Group focus on goals and objectives for the first quarter of 2019, given the pending merger with the Content and Citizenship Working Group.

Mr. Elkarra noted that the Working Group had already reached out to private sector cybersecurity experts such as Google for support understanding security needs and efforts related to the Census. Mr. Saenz said that the U.S. Census Bureau (USCB) has now indicated that they are having an outside assessment conducted of their security measures. This was not a commitment previously made by the USCB, but the Bureau says it is now underway. They have not released information about who is conducting the assessment. Mr. Saenz noted that it would be important to get input on Census security from outside experts but suggested that this be done after getting more information about the USCB's assessment.

A member of the public asked about cybersecurity for the California-specific Census-related technology, such as the Statewide Outreach and Rapid Deployment (SWORD) portal. Group members noted that the Working group's efforts around California-specific technology like SwORD would be different than its efforts around the USCB's cybersecurity for the USCB Census form and data. Mr. Saenz said that it is important to ensure that the USCB has the most robust cybersecurity possible so that Committee members feel confident in defending the system's security and developing messaging around that confidence. He said that having outside experts provide feedback would help the Committee be able to push the USCB to undertake any necessary additional security efforts. Ms. Wei said that having trusted cybersecurity messengers, such as private sector experts, affirm the robustness of USCB cybersecurity will also be important to messaging.

The Working Group added the following to their list of objectives and tasks for the first quarter of 2019:

- Address cybersecurity questions for both individual and block-level data
 - Get briefing from the USCB regarding cybersecurity efforts and assessments



California Complete Count Committee

Trust and Confidentiality Working Group

December 3, 2018 1:30 – 2:30pm



- Work with tech community to evaluate robustness of USCB cybersecurity and identify what more should be done (e.g., from California Emerging Technology Fund, Google)

A member of the public noted that for communities that have significant refugee populations, mistrust in government will be especially challenging. Mr. Saenz affirmed that there are additional trust-related issues that need to be addressed, beyond cybersecurity. He said that the protection of block-level data is an important issue, particularly in immigrant communities. Although block-level data is aggregated, it can still be used by agencies or individuals to target particular communities. Information is needed about how block-level data will be protected from public release. Mr. Saenz suggested that State-level legislative interventions could be useful for messaging that the State is doing all it can to protect Californians' information, even if the actual protections put in place are redundant given existing legislation at the national or State level. Chris Wagaman, staff of the California State Assembly Select Committee on the Census, noted that it will be important for any legislation to address security issues around both federal and State technology and data, including the actual Census data as well as information used in tools like SWORD. She noted that the legislature will need guidance on legislation to ensure the protection of this information, and that the legislature stands ready to move such legislation.

The Working Group added the following to their list of objectives and tasks for the first quarter of 2019:

- Develop legislative interventions to support messaging that the State is working to protect Californians
 - Meet with and help inform State legislators about State-level legislative interventions to protect confidentiality

Mr. Saenz said that other non-policy initiatives would be useful, for example the California State Attorney General working with Attorneys General from other states to ensure that Census data will not be misused. This was added to the Working Group's list of objectives and tasks for the first quarter of 2019.

The Working Group discussed conducting stakeholder engagement to find out about trust and confidentiality concerns. Ms. Wei said that the Working Group could get this information by asking for documentation of the conversations about trust and confidentiality that emerged from the 24 regional convenings conducted around the State in 2018. This was added to the Working Group's list of objectives and tasks for the first quarter of 2019.

Mr. Saenz asked whether the Working Group needed a briefing about existing federal laws about confidentiality. Ms. Wei said that a succinct document laying out federal laws concerning confidentiality would be useful. Tamma Adamek, Deputy Director of External Affairs and Media Relations for the California Complete Count Census 2020, said that it is important to show people the protections, rather than simply tell people they are protected.



California Complete Count Committee

Trust and Confidentiality Working Group

December 3, 2018 1:30 – 2:30pm



The Working Group added the following to their list of objectives and tasks for the first quarter of 2019:

- Develop a succinct document that can explain both the federal and state laws and efforts around confidentiality
 - Get briefing on federal confidentiality laws

The Working Group discussed the need to balance usability and security in the online Census questionnaire. Ms. Wei suggested that the Working Group ask to pilot the USCB online questionnaire. Ms. Adamek said that the organization Code for America has done a lot of work on usability, and it could be useful to engage them.

The Working Group added the following to their list of objectives and tasks for the first quarter of 2019:

- Request to pilot questionnaire, and engage others like Code for America on piloting effort

Mr. Saenz asked the Working Group about whether messaging should include affirmations of birthright citizenship and the State's commitment to not misuse citizenship data. He asked whether State law requires redistricting be based on total population rather than citizen population.

Mr. Saenz asked whether the Working Group needs a briefing about the scope of the legal obligation, under federal law, of completing the Census, and whether there could be repercussions for messaging that explicitly tells residents to skip a question. He noted that there may be different legal ramifications for messengers for providing information about the potential consequences, or lack thereof, for skipping a question versus explicitly stating that a question should or could be skipped.

The Working Group added the following to their list of objectives and tasks for the first quarter of 2019:

- Make sure that messages being pursued are protective of messengers, under federal and State laws
 - Get briefing about allowable messaging regarding completing the citizenship question

A member of the public noted that their organization had conducted research that found that many people do not have a robust understanding of what "citizenship" means. Mr. Saenz said that the language of the citizenship question, as currently drafted, includes four options that respondents can choose from in noting whether or not they are citizens:

- Yes, by birth;
- Yes, by naturalization;
- Yes, by other means; or



California Complete Count Committee

Trust and Confidentiality Working Group

December 3, 2018 1:30 – 2:30pm



- No.

Mr. Saenz affirmed the importance of peoples' understanding of citizenship in answering this question. He said that the question of U.S. citizenship can be complicated for Tribal members, for example.

4. Public Comment

Chair Wei opened the floor for public comment. No public comment was made.

5. Consider All Items Discussed

Due to the time constraints faced during the break out session for this Working Group all of the items that were discussed and agreed upon under agenda item #4 were introduced and brought forward for a formal vote during the full committee meeting under [agenda](#) item #10.

6. Adjourn

Chair Wei adjourned the meeting at 2:36 p.m.