

May 7, 2019

Good morning. Thank you for convening this conversation today.

I'm here in my capacity as the co-director of The New School's Digital Equity Laboratory, a nonpartisan university center dedicated to advancing digital equity through applied research, convening power, and leadership development.

I've been working in digital equity, access, and adoption for a decade. Based on my experience in the field, I believe that the digital transition of the census is understudied and requires attention and investment to achieve a level of success sufficient for governance.

To remind everyone here, the last time we had a major shift to a digitized process at national scale was with Healthcare.gov. Many remember what happened then: systems were untested, and some failed when the website launched, causing a cascade effect with political and operational consequences. But that was not the only problem. Basic digital challenges led to a situation where many eligible residents were not able to register for plans due to lack of digital and broadband access, not to mention digital literacy.

The Assemblyman who testified earlier mentioned an online option and the need to get out the word about it.

But is it really just an option? 80% of households will be asked to respond online first, and only 20% will receive paper forms. This implies that in fact paper forms will be the option, and that we are taking the ability to participate via internet for granted for response at scale.

Moreover, it is unclear whether there is sufficient budget to cover a high number of paper survey requests, since the paper and pen process is far more expensive than the digital process that Congress has budgeted for. And this is in a situation where according to Pew's most recent data, 35% of adults in the US do not have internet at home. So where will they fill out their online survey? Most likely, at a public library.

Here's a brief thought exercise. Imagine going to your public library. Have you ever seen what front-line librarians helping people get online actually do? Have you ever gone during tax season, when people are struggling to do their taxes in 30-minute increments (the common time allotment for public library internet sessions)? Have you seen new and marginal internet users struggle to use a mouse, avoid malicious pop-up windows, scams, and misleading advertisements -- and get frustrated, then give up?

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Anyone familiar with the digital divide in the US, and any public librarian is familiar with this picture. Now, imagine what that looks like at scale, happening in a fraught political context, in which people are suspicious of the motives of government and nervous about giving their personal and private data up over the internet. It doesn't seem like a recipe for a successful count.

Here are some of the things we **don't know** about the 2020 census:

- We don't know how or even if some of the new digital systems will work properly, since there was not enough budget for the second and third of three planned end-to-end tests. At the time the first one was conducted, some systems were not complete.
- We don't know how the user interface will work, how friendly it will be, and which devices or browsers it will work on.
- We don't know if there will be an option for mobile digital response, or if so how it will work. (Have you ever tried to type a URL into your phone's browser -- especially transcribing it from a piece of paper? Have you seen a new internet user or an elder do it?)
- We don't know how we will message to people about the very real possibility of imposter census websites, a cybersecurity threat that is not solved by providing an encrypted HTTPS portal.

These are just a few issues we have asked the Census Bureau, and to which we have not received responses.

In the meantime, New York's public libraries and its community anchor organizations need to prepare for implementation. And it is no small process. For safety and security, that means setting up physical security at access points to guard against incidents and coordinated misinformation attacks; device security measures to guard against the theft of metadata that could re-identify people even if their census data itself is protected by an encrypted connection, and to guard against malware or physical devices bringing keylogging software into computer systems; network security including firewalls to protect organizations providing public internet access that are already vectors of cyberattack and harassment due to their political visibility; account security to ensure that session logs are properly cleared and secure configurations re-set.

In addition, messaging to a public aware of cybersecurity threats and vulnerable to politically or racially motivated harassment and attack will be a challenge. Based on what we know about questions arising at public hearings thus far, as soon as people learn that the census will primarily take place over the internet, they immediately have a million questions about how it will work and whether it will be secure.

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We are pleased that New York State is investing in messaging and outreach, especially to the communities that are hard to reach. However, without proactive messaging and sufficient support for digitally marginal and challenged populations, we are concerned about the success of the digital transition. Moreover, in addition to the cybersecurity and digital safety measures listed previously, we should anticipate the expense of providing digital literacy support for people coming into the libraries or their local anchor institutions to participate in census. This means support for secure systems, IT staff, and for training and support of front-line staff asked to step in and represent the interest of a complete count -- including by, e.g., helping people learn how to use a mouse or click through a series of windows.

The Digital Equity Laboratory has produced a set of recommendations, tools, and strategies geared toward the implementation needs of digital access institutions, including public libraries. We will release these recommendations next week, and believe that they can lead not only to a more complete and accountable Census, but to safer and secure e-governance and public digital systems overall.

We urge the Commission to be cognizant of the capacity and resources required for a large-scale digital transition. We know what could go wrong based on the learnings of the ACA. There is no reason to repeat the operational mistakes of the past, especially in the high-stakes political atmosphere of this critical, Constitutionally mandated process.