



Written by [Bob Adelman](#) on March 2, 2010

2010 Census: Much More than Simple Enumeration

The Census Bureau is facing an uphill battle to obtain all the information being demanded in the short form arriving in the mail at every household in the country, starting this week. As usual, the government is making a simple task complicated by reaching far beyond what the Constitution allows. Article I, Section 2 states

The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.



[Merriam-Webster](#) defines “enumeration” this way: “to ascertain the number of.” [Wiktionary](#) is even clearer: “An official count of members of a population, usually residents or citizens in a particular region, often done at regular intervals.”

But change the word “enumeration” into “census”, let government [do the defining](#), and this is how it looks: “an official, usually periodic enumeration of a population, often including the collection of related demographic information.”

The opening of Pandora’s Box was never clearer. Instead of once “within every...term of ten years,” it now becomes “periodic.” And instead of just “enumeration” or simply counting numbers, it “includ[es] the collection of related demographic information.” And instead of “shall be made...every ten years,” it becomes “often.”

And let Congress redefine the words “in such manner as they [the Congress] by law direct,” about how such enumeration will take place (i.e., mail, interviews, etc.), and the enumeration [expands to include](#) “name, age, sex, date of birth, Hispanic origin, race, ethnicity, relationship (to the first name on the form), and housing tenure.”

And these are just the questions on the “short form.”

It is clear how government expands when it is given the opportunity. According to the [U.S. Code, Section 141](#): Population and other census information, “The Secretary is authorized to obtain such other census information *as necessary*. [emphasis added]” and “the Secretary...shall conduct a mid-decade census of population in such form and content *as he may determine* [emphasis added] ...”.

Furthermore, such “information obtained in any mid-decade census *shall not* [emphasis added] be used for apportionment of Representatives in Congress among the several states, nor shall such information be used in prescribing congressional districts.” The U.S. Code expands the definition of “census of population” even further, to include “population, housing, *and matters relating to* [emphasis added] population and housing.” Would that not include *everything*?

And what about enforcement, if a “sovereign citizen” refuses to complete his census questionnaire? Current law has [provisions for fining](#) those who refuse to complete the form.



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Some of the other concerns facing the Census Bureau come from illegal immigrants who fear that the “confidential” information given will be used to deport them. Others are concerned about identity theft, not being particularly reassured that the data collected will be safe from prying eyes for 75 years. The expensive Super Bowl ads failed to impress, either. Kurt Bardella, press secretary for Representative Darrell Issa (R-Calif.) commented that they were “not very effective” in getting the word out about the pending census.

The budget for the 2010 Census is an astounding \$14.7 Billion, much of which will be spent following up with door-to-door interviews by Census workers for the [anticipated 36 percent](#) of citizens who will not have returned their forms. Rebecca Terrell [reminds](#) her readers that the census is undertaken not only to determine Congressional representation “but also because \$400 billion in federal funding to states for a myriad of unconstitutional programs depends on the numbers generated.”

Here are the questions the Census Bureau demands to be answered:

1. How many people were living or staying in this house, apartment, or mobile home on April 1, 2010?

This is Constitutional according to Article I, Section 2, Clause 3.

2. Were there any additional people staying here [on] April 1, 2010 that you did not include in Question 1?

Is this asked in case the citizen lied in answering Question 1?

3. Is this house, apartment, or mobile home: owned with mortgage, owned without mortgage, rented occupied without rent?

Unconstitutional.

4. What is your telephone number?

Unconstitutional.

5. Please provide information for each person living here. Start with a person here who owns or rents this house, apartment, or mobile home. If the owner or renter lives somewhere else, start with any adult living here. This will be Person 1. What is Person 1’s name?

No thank you. Unconstitutional.

6. What is Person 1’s sex?

Unconstitutional.

7. What is Person 1’s age and Date of Birth?

Unconstitutional.

8. Is Person 1 of Hispanic, Latino, or Spanish origin?

None of your business, and unconstitutional.

9. What is Person 1’s race.

Human race. Unconstitutional.

10. Does Person 1 sometimes live or stay somewhere else?

None of your business. Unconstitutional.

As mentioned above, these are the short form questions. The long form has been replaced with the



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[American Community Survey](#), which is sent on a continuing basis to 250,000 addresses every month. According to Wikipedia:

The Department of Commerce has stated that those who receive a survey form are required to provide answers to a long list of questions about themselves and their families, including their profession, how much money they earn, their source of health insurance, their preferred mode of transportation to and from work, and the amount of money they pay for housing and utilities. Those who decline to answer these questions may receive follow-up phone calls and/or visits to their homes from Census Bureau personnel, and are threatened with prosecution and fines up to \$5000. No person has ever been charged with a crime for refusing to answer the ACS survey, which several U.S. Representatives have challenged as unauthorized by the census act and violative of the Right to Financial Privacy Act. The Department of Commerce states that it is "not an enforcement agency."

According to Rep. Ron Paul, the American Community Survey is "[None of Your Business.](#)" It contains questions that "are both ludicrous and insulting. The survey asks, for instance, how many bathrooms you have in your house, how many miles you drive to work, how many days you were sick last year, and whether you have trouble getting up stairs." Needless to say, Representative Paul won't be completing the ACS: "At the very least the survey will be used to dole out pork, which is reason enough to oppose it."

Paul has plenty of company. Rep. Michelle Bachmann (R-Minn.) told the *Washington Times* recently that [she and her family](#) will not be fully filling out the [short] 2010 census form because "the Constitution doesn't require any information beyond that." And two writers in the *Wall Street Journal* [agree](#). According to John Baker and Elliott Stonecipher: "the enumeration should count only citizens and persons who are legal, permanent residents ... instead, the U.S. Census Bureau is set to count all persons physically present in the country — including large numbers who are here illegally. The result will unconstitutionally increase the number of representatives in some states and deprive some other states of their rightful political representation."

Some are suggesting the strategy of asking the census taker where in the Constitution such powers exist to ask these questions. Others are handing out copies of the Constitution to the pollsters.

As a famous man once said, "Askin' ain't necessarily gettin'."

No wonder the Census Bureau has such an uphill battle!

Photo of the Census Bureau advertisement shown during the Super Bowl: AP Images



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