

# POLICY INSIGHTS

## *The U.S. CENSUS From Enumeration to Intrusion*

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### Executive Summary

Starting March 15, 2010, the 2010 U.S. Census forms will be sent out nationwide.<sup>1</sup> Since the first census in 1790, the U.S. Constitution has upheld the U.S. Census as a means of counting citizens to properly apportion Representatives and direct taxes among the 50 states. While enumeration continues to be one portion of the Census, the overall purpose of the Census has shifted as the nation has developed and grown. The U.S. Census and the American Community Survey now collect additional private data on Americans, including information on health status and medical conditions. The shift from enumeration to data collection has raised significant concerns for Americans. Some citizens have opted out of the Census or limited their responses despite the risk of significant but hidden financial penalties. The U.S. Census Bureau has acknowledged the public's concern, but failed to recognize the unconstitutional nature of these intrusions. Furthermore, federal officials have failed to acknowledge the shift from enumeration to intrusion as the source of higher costs and poor compliance. The problem, however, is not the American people. The problem is the intrusiveness nature of the Census. One renowned financial leader offers a better way.

### Purpose of the U.S. Census

On March 15th, the United States will begin to take its 22nd decennial census, as it does every ten years to meet Constitutional requirements.

The purpose of the U.S. Census is enumeration. During the summer of 1787, America's forefathers gathered together to compose the new Constitution of the United States of America. Among other topics, delegates to the Constitutional Convention had to decide how to allocate representatives to Congress for each State.

According to the U.S. Constitution "Representatives and direct Taxes shall be apportioned among the several states... according to their respective numbers." These

numbers are to be determined by occasional and regular enumeration:

"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..."<sup>2</sup>

To enumerate means to ascertain the number of or to count.<sup>3</sup> Thus, the sole purpose of the U.S. Census is to count the number of people in the United States in an effort to properly apportion Representatives and taxes among the 50 states.

This enumeration is conducted through the U.S. Census. In 1790, the first census was taken.<sup>4</sup> As a result, the U.S. House of Representatives grew from the original 65

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members to 106. The current membership of 435 was set by Congress in 1911.<sup>5</sup>

The first nine decennial enumerations were managed by the Judicial branch, and a crew of U.S. marshals and assistant marshals.<sup>6</sup> The United States Census Bureau has executed the census since the Bureau was established in 1902.<sup>7</sup>

## From Enumeration to Intrusion

### U.S. Census

The U.S. Census Bureau calls the decennial Census its “Population & Housing Census.”<sup>8</sup> The U.S. government initially used the Census solely for enumeration. For instance, during the first census in 1790, the Census counted 3.9 million inhabitants.<sup>9</sup>

However, as the country progressed, Congress expanded the U.S. Census beyond its Constitutional purpose to secure more data from citizens, as various sections of the U.S. Census law—Title 13 of the U.S. Code—make clear. As the Census Bureau states,

“Down through the years, the Nation’s needs and interests became more complex. This meant that there had to be statistics to help people understand what was happening and have a basis for planning. The content of the decennial census changed accordingly.”<sup>10</sup>

On the radio, First Lady Eleanor Roosevelt promoted the 1940 census as “the greatest assemblage of facts ever collected by any people about the things that affect their welfare” adding that it would provide “illuminating data on problems which have become particularly pressing.”<sup>11</sup>

Thus, the U.S. Census Bureau continued the constitutional task of counting individuals, but added the collection of private personal data.

Substantial data collection continues today with the 2010 census. According to testimony by Robert Goldenkoff of the Government Accountability Office (GAO),

“...the complex and costly business of data collection is now underway.”<sup>12</sup>

Data collected by the 10 questions in the 2010 Census show the level of intrusion—and how far the Census has shifted from enumeration. There are questions regarding:

- The number of individuals living in the household.
- The first name, last name, sex, age, date of birth, and race (and Hispanic ethnicity) of each person in the household.
- Who owns the property and whether they have a mortgage/loan, or if they own the home free and clear.
- Household telephone number.
- Whether each individual sometimes lives or stays elsewhere.<sup>13</sup>

### Economic Census

Throughout the 1800s, data collection through the U.S. Census Bureau also expanded to include surveys of quantity and value of products, manufacturers, fisheries, and social issues such as taxation, churches, poverty and crime.<sup>14</sup>

The Economic Census is conducted every 5 years “to provide reliable data for your industry and geographic area.”<sup>15</sup> According to the Census Bureau, far-reaching changes in the economy led businesses and government to seek more data “to adjust their plans” accordingly.<sup>16</sup>

The 2007 Office of Physicians and Other Health Practitioners survey had 30 questions, including one on total operating receipts. Another question asked for the total amount of revenue generated from the total number of patients in each of 18 different disease/injury groups. For example, patients treated for:

- Neoplasms
- Mental diseases

Not only could this data be published or linked with other data in the future, the findings could ultimately be used to push public health policy...

- Respiratory system
- Pregnancy/childbirth
- Signs and symptoms
- Injuries and adverse affects
- “All other patient care - Specify”

climbing stairs, reaching, lifting, or carrying?<sup>20</sup>

Because of a physical, mental or emotional condition lasting 6 months or more, does this person have any difficulty in doing any of the following activities:

- Learning, remembering, or concentrating?
- Dressing, bathing, or getting around inside the home?
- Going outside the home alone to shop or visit a doctor’s office?
- Working at a job or business?<sup>21</sup>

Not only could this data be published or linked with other data in the future (see page 4), the findings could ultimately be used to push public health policy that may or may not benefit these individuals or be preferred by these individuals.

**Serious Concerns**

As the decennial Census, the Economic Census and the American Community Survey have probed ever more deeply into the private and corporate lives of Americans, the level of public concern has risen. However, Kent Kaiser, a professor at Northwestern College in Minnesota says the public’s concern is nothing new. Kaiser writes,

“...since 1790, when the first U.S. census was taken, many members of Congress have expressed serious concerns over the extent of the information collected by the government.”<sup>22</sup>

Joseph S. Kennedy writes that even the first census generated concern:

“There were no complex forms with questions about income and plumbing – just a simple head count. Yet the 1790 count, like the 2000 Census, stirred in the American people their deepest feelings of mistrust about the role of the federal government in their lives.”<sup>23</sup>

American Community Survey

In 2005, the U.S. Census Bureau replaced the Census long form with the American Community Survey. The survey is sent out monthly to a total of approximately three million people per year.<sup>17</sup> Data collection focuses on individuals in the household. The survey includes person-specific questions such as:

- “What time did this person usually leave home to go to work last week?”
- “How well does this person speak English?”
- At what location did this person work LAST WEEK?”
- Does this person have any of the following long-lasting [health] conditions?<sup>18</sup>

A separate section of the survey focuses on housing with in-depth questions about the number of automobiles in a household, the cost of electricity, and several other topics.<sup>19</sup>

**Private Health Data**

The Survey’s health-related questions about each person in the household may be considered quite intrusive. For instance,

Does this person have any of the following long-lasting conditions:

- a. Blindness, deafness, or a severe vision or hearing impairment?
- b. A condition that substantially limits one or more basic physical activities such as walking,

At the heart of citizen privacy concerns is the question of power, in this case, individual power or government power.

Back in 1790, concerns ranged from the fear that the census was going to be used to raise taxes to the belief that counting people was against God's will.<sup>24</sup> Today, 220 years later, privacy concerns pervade the discussion. As United States Representative Michelle Bachmann notes,

"These are very intricate questions that are being asked of the American people, and I think it's time as a lawmaker that we come together and start looking out for the American individual and their privacy rights, as well."<sup>25</sup>

David McMillen, writing in *Government Information Quarterly*, explains the concern,

"When data is collected under mandatory authority... The citizen is required by law to provide the information. This then changes the constraints on the agency. No longer is it saying to the citizens, if you accept these conditions please give me your information. Rather, the citizen is given no choice.

"It is my position that the use of information collected under a mandatory authority must be limited to the intent for which it is collected."<sup>26</sup>

### Privacy & Power

Information is power. At the heart of citizen privacy concerns is the question of power, in this case, individual power or government power.

Privacy concerns have become more prevalent in the digital age. Technology has simplified access to personal data, giving rise to concerns about linking data and profiling and tracking individuals.

To address these concerns, the U.S. Census Bureau has attempted to allay the fears of the American people. Their letter enclosed with the 2000 Census states,

"Your privacy is protected by law (Title 13 of the United States Code), which also requires that you answer these questions.

That law ensures that your information is only used for statistical purposes and that no unauthorized person can see your form or find out what you tell us – no other government agency, no court of law, NO ONE."

### Authorized Access

If no 'unauthorized person' can see the information, who are the 'authorized persons' that have access to the data?

The list is growing. According to the U.S. Census Bureau website, there are 4,285 employees at the staff headquarters. An article in *About.com* provides more detailed information: there are 12 regional offices and a total of "about 12,000 permanent employees."<sup>27</sup>

In addition, U.S. Census data is regularly accessed by various third parties, including at least one federal government agency.

In 2004, the University of Minnesota received \$5.0 million from the National Science Foundation to develop "the world's most comprehensive database on population."<sup>28</sup> The University will use data from "150 censuses spanning 40 years in 40 countries" for a total of 500 million records. With this database, researchers will be able to analyze,

"global change and look at issues such as urbanization, migration, economic change, aging, educational trends and the effects of international trade."<sup>29</sup>

Census data has also been opened up to the world for genealogical purposes. The *ancestry.com* database contains 500 million people with information taken from every census record between 1790 and 1930.<sup>30</sup> \*

The modern-day ability to link private data with personal names is clarified by the use of census data at *ancestry.com*. As Chris Cowan, vice president of publishing at ProQuest Genealogy Center states,

"It is a massive undertaking to not only scan and digitize all the pages from the

Under this agreement, CBO employees became sworn “census agents”...

U.S. Census, but then to have them indexed and to have all these millions upon millions of names identified and searchable...”<sup>31</sup>

### CBO “Census Agents”

Federal officials outside of the U.S. Census Bureau have gained some access despite the federal privacy protections in Title 13. In 1999, Congress passed a law requiring the Congressional Budget Office (CBO) to develop a micro-simulation model aimed at making changes to the Social Security System. This task required the CBO to have access to Census Bureau data. However, Title 13 of federal law prohibited CBO from accessing the data, and the U.S. Census Bureau refused to share the data.<sup>32</sup>

The goal of the micro-simulation legislation was to create a “linked data set” on individuals, allowing the CBO to evaluate proposed Medicare and Social Security reforms. The data set would be created by matching individual earnings records (owned by the Internal Revenue Service and housed in the Social Security Administration) with data collected by the U.S. Census Bureau.<sup>33</sup>

Late in 2000, in an attempt to gain legal access to nearly all data collected by the Census Bureau, the CBO tried to change the law using the data-sharing language being considered for inclusion in the Electronic Government Act. In 2001, before Congress began to debate the provision, the U.S. Census Bureau relented, allowing the CBO to use “a huge Census ‘Matched Data Set’ which combines Census and IRS data on a large sample of survey respondents...”<sup>34</sup>

Under this agreement, CBO employees became sworn “census agents” and CBO analyses of data were performed at a Social Security site located a few blocks from CBO headquarters.<sup>35</sup>

However, to secure permanent access to census data, the CBO argued for statutory language. Congress agreed, inserting it into the Electronic Government Act of 2002, which was enacted on December 17, 2002.<sup>36</sup>

Under this law, the CBO cannot be limited (within the boundaries of laws governing confidentiality) in their work with databases of Designated Statistical Agencies.<sup>37</sup>

### HHS Access to Census Data?

As federal officials push for health care cost containment with an emphasis on using the monitoring capabilities of government databases and electronic health information technology, will the U.S. Department of Health and Human Services (HHS) seek similar access to Census data?

The public has several good reasons for concern regarding the possibility of future infringements of privacy through HHS access to or linking with the Census Bureau:

- There are already robust health data surveillance systems within HHS.
- Despite not yet activated, the 1996 federal Health Insurance Portability and Accountability law requires the federal government to issue every patient a Unique Patient Identification (UPI) and tracking number.
- The 1999 federal HIPAA “privacy” rule permits government access to health data without patient consent.<sup>38</sup>
- Congress has provided \$19 billion to create a National Health Information Network (NHIN). The funding is in the HITECH Act within the 2009 economic stimulus bill—the American Recovery and Reinvestment Act.<sup>39</sup>

The health insurance reform bill, titled **Patient Protection and Affordable Care Act** and signed into law by President Barack Obama on March 23, 2010, includes Section 4302: “Understanding Health Disparities: Data Collection and Analysis.”<sup>40</sup>

The health disparities section requires the Secretary of Health and Human Services (HHS) to use the U.S. Census and the

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American Community Survey to collect and report:

- “data on race, ethnicity, sex, primary language, and disability status...”
- “data at the smallest geographic level...”
- “sufficient data to generate statistically reliable estimates by racial, ethnic, sex, primary language, and disability status subgroups for applicants, recipients or participants...” and
- “any other demographic data as deemed appropriate by the Secretary regarding health disparities.”<sup>41</sup> [our emphasis]

The Secretary of HHS must:

“require that any reporting requirement imposed for purposes of measuring quality under any ongoing or federally conducted or supported health care or public health program, activity, or survey includes requirements for the collection of data on individuals receiving health care items or services under such programs activities by race, ethnicity, sex, primary language and disability status.”<sup>42</sup>

### Imperfect Data

Whether citizens answer their Census forms truthfully or not, U.S. Census data is and will be used for federal and state policy decisions. It will also be used to appropriate to each community “its fair share,” of federal funds, according to the March 8, 2010 U.S. Census letter. While the accuracy of the data is not known, sometimes the Bureau’s data can be substantially in error.

In 2007, the Census Bureau “admitted that it miscalculated the population of uninsured people for at least a decade. They announced plans to reissue totals all the way back to 1995. They estimated that 1.8 million had reported coverage, but somehow they were added to the roles of the uninsured.”<sup>43</sup>

### Tainted History

Although the U.S. Census has been marketed as a tool for good, it has also had a troubled past. The day after the Japanese bombed Pearl Harbor in 1941, the U.S. Census Bureau began sorting census data by race to identify Japanese-Americans:

“Dividing specific addresses was illegal. So the Census Bureau provided information that located Japanese-American concentration within specific census tracts. Census tracts were geographic areas generally yielding 4,000 to 8,000 citizens. When necessary, the Census Bureau could provide even finer detail: so-called ‘enumeration districts,’ and in some cities ‘census blocks.’”<sup>44</sup>

Within 48 hours of the World War II attack, the Census Bureau published its first report on Japanese-Americans. To complete these reports, “The Census Bureau had tracked the racial ancestry of Japanese Americans based on their responses to the 1940 census.”<sup>45</sup>

On February 19, 1942, President Franklin D. Roosevelt signed an executive order authorizing the internment of Japanese-Americans on the West Coast.<sup>46</sup>

With the simple connection of a name or a person’s general location to their respective data, this action proved that the Census gives government officials not only the power to intrude, but the power to deny freedom.

### Penalties for Opting Out

Concerned about their privacy, many Americans are opting out of the Census and the American Community Survey. While this may seem like an easy response for concerned individuals, non-compliance unleashes a chain of often-unpleasant events.

Census workers, known as “enumerators,” begin showing up at the door, leaving personal notes and dropping off U.S. Census marketing materials and brochures, usually until they receive a response.

This supposed impact on the U.S. Census law— outside of the view of ordinary citizens— should be considered a violation of the rule of law.

Enumerators are also encouraged to turn to neighbors for information if they receive no information from the home.<sup>47</sup> In 2010, enumerators will spend the end of April to July visiting homes and knocking on doors.<sup>48</sup>

Some citizens have found that the most effective opposition to the intrusive questions is to simply fill in the number of persons in the household— fulfill the Constitutional purpose of the Census— and leave the rest blank.

However, failure to complete the Census or the American Community Survey may result in a financial penalty. Those who fail to comply fully or in part may face a fine of \$100. Those who provide false information may be fined \$500.<sup>49</sup>

**Higher Hidden Penalties?**

The penalties may be much higher. From the Census Bureau website:

“According to Section 221 [of Title 13], persons who do not respond shall be fined not more than \$100. Title 18 U.S.C. Section 3571 and Section 3559, in effect amends Title 134 U.S.C. Section 221 by changing the fine for anyone over 18 years old who refuses or willfully neglects to complete the questionnaire or answer questions posed by census takers from a fine of not more than \$100 to not more than \$5,000.”<sup>50</sup>

Is this true, or does the U.S. Census Bureau simply claim it is true? Title 18, is titled, “Crimes and Criminal Procedures.” Section 3559 concerns criminal procedure, sentencing classifications of offenses related to imprisonment. Section 3571 says:

“(a) In General. - A defendant who has been found guilty of an offense may be sentenced to pay a fine.

“(b) Fines for Individuals. - Except as provided in subsection (e) of this section, an individual who has been found guilty

of an offense may be fined not more than the greatest of -

(1) the amount specified in the law setting forth the offense;...

(7) for an infraction, not more than \$5,000.

“(e) Special Rule for Lower Fine Specified in Substantive Provision. - If a law setting forth an offense specifies no fine or a fine that is lower than the fine otherwise applicable under this section and such law, by specific reference, exempts the offense section, the defendant may not be fined more than the amount specified in the law setting forth the offense.”<sup>51</sup>

This supposed impact on the U.S. Census law — outside of the view of ordinary citizens— should be considered a violation of the rule of law. By simply reading Title 13, no member of the general public will be able to ascertain that another law changes the facts of the law or that that other law, Title 18, makes the fine **50 times (5000%) higher** than is stated in the U.S. Census law, Title 13.

**Rising Costs**

Federal officials say that the continued non-compliance of Americans has increased the cost of the Census. As the U.S. Census Bureau’s director, Dr. Robert Groves, writes,

“In my personal judgment, much of the cost inflation is from increased reluctance to participate.

The decennial census begins by mailing a questionnaire to most persons; this is the cheapest mode of data collection from households. If everyone filled out that form and mailed it back, vast sums of money required for followup activities to the nonrespondents would be saved. For this reason, much attention at the Census

“They should abolish the Office of National Statistics.”

Bureau is focused on how to increase the mailback rate.”<sup>52</sup>

To increase the mailback rate, the Census Bureau has implemented a \$340 million informational campaign for the 2010 census.<sup>53</sup> The campaign is aimed at building motivation for compliance and alleviating fears about completing the form. Dr. Groves writes,

“The Census Bureau projects for every one percentage point increase in the national mail back participation rate for the 2010 Census, the federal government saves \$85 million. It costs substantially more money to send census takers to households that fail to mail back their short 10 question form than it does to receive it by mail.”<sup>54</sup>

However, given the public’s primary rationale for refusal, a marketing campaign may not work. Joseph L. Bast, president of The Heartland Institute, underscores the growing objections of the American public,

“I object to the census, especially the long form, because it intrudes into the privacy of citizens far beyond any reasonable interpretation of the “enumeration” authorized by the Constitution...it seems to me that compelling people to surrender to the government detailed information about their homes, families, and lifestyles is a search with neither a warrant nor probable cause. That violates the Fourth Amendment.”<sup>55</sup>

On March 24, 2010, the U.S. Census Bureau announced a partnership with Google to use Google Maps and Google Earth to track and map citizens response rates to the 2010 U.S. Census. The bureau is reporting day by day and neighborhood by neighborhood.<sup>56</sup> The press release notes that there are 30,000 Questionnaire Assistance Centers and 40,000 “Be Counted” sites throughout the country.<sup>57</sup>

## A Better Way

Perhaps, federal officials would find a much higher response rate and lower cost if they returned to the constitutional basis of the U.S. Census and left data collection behind. The impact could even build America into a stronger, more economically robust country.

Sir John Cowperthwaite, the man primarily responsible for Hong Kong’s economic transformation, was once asked what key thing poor countries should do to improve economically. He said,

“They should abolish the Office of National Statistics.”<sup>58</sup>

As Financial Secretary of Hong Kong, Mr. Cowperthwaite refused to collect all but the most superficial of statistics, believing them dangerous. He believed the State would spend its time trying to remedy perceived ills while hindering the ability of the market economy to work. In his first speech as Financial Secretary, he made his principles clear,

“In the long run, the aggregate of decisions of individual businessmen, exercising individual judgment in a free economy, even if often mistaken, is less likely to do harm than the centralised decisions of a government, and certainly the harm is likely to be counteracted faster.”<sup>59</sup>

## Unconstitutional Count

Finally, it should be remembered that the purpose of the U.S. Census is to count U.S. citizens for the purpose of determining the number of Representatives in Congress and apportioning taxes among the 50 states. Yet, federal census officials intend to count anyone and everyone in the country: “The 2010 Census aims to count all U.S. residents—citizens and non-citizens alike.”<sup>60</sup>

To encourage illegal aliens to fill out the form, census officials are promising, “No one, not immigration, not your landlord, not the

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president, not the CIA, is going to have access to the information.”<sup>61</sup>

The failure to limit the census to citizens may shift the political landscape of the United States, denying American citizens their constitutional right to equal representation.

### Conclusion

Turning away from intrusive data collection, restoring the Census to its constitutional purpose of a simple head count, eliminating the American Community Survey, and repealing all penalties for non-compliance

may help to restore American trust and compliance with the U.S. Census.

At a time when the nation’s debt ceiling has been raised to a staggering \$14.3 trillion,<sup>62</sup> such actions may also eliminate the extraordinary and needless costs associated with enumerators, repeat home visits, census merchandise (frisbees, pencils, bags, backpacks, etc.) and multi-million dollar media campaigns.

As the nation looks beyond whatever the experience of the 2010 Census will be, Congress must recognize that the intrusive nature of the Census itself is the problem with the Census, not the American people.

### ENDNOTES

<sup>1</sup> “Counting on a leap of faith.” Dean Spiros. *Star Tribune*, February 20, 2010:B3.

<sup>2</sup> Constitution of the United States, Art 1, Sec. 2.

<sup>3</sup> “Enumerate.” *Merriam Webster*. <http://www.merriam-webster.com/netdict/enumeration> - Accessed February 12, 2010.

<sup>4</sup> “History.” *U.S. Census Bureau*. <http://www.census.gov/main/www/aboutus.html> - Accessed March 7, 2000

<sup>5</sup> “The Great Compromise of 1787.” Robert Longley, *About.com* Guide. Accessed March 5, 2010.

<sup>6</sup> “United States Census.” *Wikipedia*, accessed March 5, 2010.

<sup>7</sup> *Ibid*.

<sup>8</sup> U.S. Census Bureau. <http://www.census.gov/aboutus/>

<sup>9</sup> “History.” *U.S. Census Bureau*. <http://www.census.gov/main/www/aboutus.html> - Accessed March 7, 2000

<sup>10</sup> *Ibid*.

<sup>11</sup> Black, Edwin. *IBM and the Holocaust*. (New York: Three Rivers Press, 2001) 345.

<sup>12</sup> “2010 Census: Key Enumeration Activities Are Moving Forward, but Information Technology Systems Remain a Concern.” Statement of Robert Goldenkoff, Director Strategic Issues. *United States Government Accountability Office Study*. February 23, 2010.

<sup>13</sup> “The Questions on the Form.” U.S. Census Bureau. <http://2010.census.gov/2010census/how/interactive-form.php> - Accessed February 12, 2010.

<sup>14</sup> “History.” U.S. Census Bureau.

<sup>15</sup> Thomas L. Mesenbourg. Letter from the Census Bureau Attached to the 2007 Economic Census, Office of Physicians and Other Health Practitioners (2007).

<sup>16</sup> “History.” U.S. Census Bureau.

<sup>17</sup> “About the ACS: What is the Survey?” *U.S. Census Bureau*. <http://www.census.gov/acs/www/SBasics/What/What1.htm> - Accessed February 12, 2010.

<sup>18</sup> The American Community Survey, 2006.

<sup>19</sup> The American Community Survey, 2006.

<sup>20</sup> The American Community Survey, 2006.

<sup>21</sup> The American Community Survey, 2006.

<sup>22</sup> “Editorial Counterpoint: You needn’t stand up to be counted.” Kent Kaiser. *Star Tribune*. June 30, 2009: A7.

<sup>23</sup> “Some people thought the 1790 Census was a tax-increase scheme.” Joseph S. Kennedy. *Philadelphia Inquirer*. April 16, 2000.

<sup>24</sup> *Ibid*.

<sup>25</sup> “Bachmann will fill out part of census; the rest is private.” Bob Von Sternberg. *Star Tribune*. June 26, 2009.

<sup>26</sup> “Privacy, Confidentiality, and Data Sharing: Issues and Distinctions.” David McMillen. *Government Information Quarterly* (Vol 21, Issue 3), 2004. (Quote from pre-publication version accessed February 24, 2010 at [http://www7.nationalacademies.org/chstat/McMillen\\_Paper.pdf](http://www7.nationalacademies.org/chstat/McMillen_Paper.pdf))

<sup>27</sup> “The U.S. Census Bureau.” Phaedra Trethan. *About.com*. Accessed March 5, 2010.

<sup>28</sup> “U” gets \$5 million for population studies.” Mary Jane Smetanka. *Star Tribune*. October 1, 2004.

<sup>29</sup> *Ibid*.

<sup>30</sup> “Online census data a genealogical boon.” Benjamin Pimentel. *Star Tribune*. September 1, 2006.

<sup>31</sup> Personal census information is kept sealed for 72 years after each census. Information from the 1940 Census will be released in 2012.

<sup>32</sup> “Online census data a genealogical boon.” Benjamin Pimentel. *Star Tribune*. September 1, 2006.

<sup>33</sup> “Privacy, Confidentiality, and Data Sharing.” David McMillen. [http://www7.nationalacademies.org/chstat/McMillen\\_Paper.pdf](http://www7.nationalacademies.org/chstat/McMillen_Paper.pdf). Accessed February 24, 2010.

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<sup>35</sup> “CBO Testimony: Appropriation Request for Fiscal Year 2003.” Dan L. Crippen. March 20, 2002. <http://www.cbo.gov/ftpdocs/34xx/doc3458/03-20-AppropTestimony.pdf>. Accessed February 24, 2010.

<sup>36</sup> “Privacy, Confidentiality, and Data Sharing.” David McMillen. [http://www7.nationalacademies.org/chstat/McMillen\\_Paper.pdf](http://www7.nationalacademies.org/chstat/McMillen_Paper.pdf). Accessed February 24, 2010.

<sup>37</sup> Pub. L. 107-347, Title V, Sec. 504(3), p. 116 Stat. 2962. [http://www.whitehouse.gov/omb/inforeg/cipsea/cipsea\\_statute.pdf](http://www.whitehouse.gov/omb/inforeg/cipsea/cipsea_statute.pdf).

<sup>38</sup> *Ibid*. Section 504 (e).

<sup>39</sup> “Setting the Records Straight.” Theo Francis. *The Wall Street Journal*. October 21-22, 2006.

<sup>40</sup> “Stimulating the Adoption of Health Information Technology.” David Blumenthal, MD, MPP (National Coordinator of Health Information Technology) *The New England Journal of Medicine*, April 9, 2009.

<sup>41</sup> H.R. 3590. The Patient Protection and Affordable Care Act. Section 4302. pg. 460 - 464.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> <http://hubpages.com/hub/Fun-Facts-about-the-United-States-Census>

<sup>44</sup> Black, Edwin. *IBM and the Holocaust*. (New York: Three Rivers Press, 2001) 345-346

<sup>45</sup> Ibid. p. 345.

<sup>46</sup> Ibid. p. 346.

<sup>47</sup> "Q&A: What you need to know about the 2010 Census." Paul Overberg. *USA TODAY*, March 1, 2010.

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