Support for Tribal Governments

Ensuring tribes have the tools for effective governance is critical to fulfilling the promise of the Indian Self-Determination and Education Assistance Act. Key funding mechanisms that support Indian self-determination are steady tribal base funding, direct funding to tribes as opposed to grant or state pass through funding, and accurate data for policy-making, redistricting, and governance.

**Key Recommendations**

**DEPARTMENT OF THE INTERIOR**

**Interior – Environment Appropriations Bill**

Bureau of Indian Affairs

- *Provide increases via tribal base funding instead of through grants to tribal governments.*

Grant funding, particularly inside the BIA, is not consistent with the intent of Indian self-determination. Tribal leaders have grown increasingly frustrated by the increase in Indian Affairs funding offered through grants. Allocating new funds via grant opportunities marginalizes and impedes the exercise of tribal self-determination. New BIA funding should be distributed via formulas developed through consultation with all tribes. When tribes are forced to apply for funding through grant opportunities at BIA, the ultimate result is that federal employees in Washington, DC, not elected tribal leaders, retain program authority. Grants limit the flexibility and local control available to tribes under the Indian Self-Determination Act. For example, if a tribe receives funds for a detention facility but creates a culturally appropriate rehabilitation or prevention program they cannot use their detention funds for those programs even though it would lower incarceration rates in their community. Moreover, Congress has historically underfunded programs intended to benefit American Indians and Alaska Natives, with current figures estimating that BIA programs are underfunded by about a billion dollars when compared to need.23
Commerce, Justice, Science Appropriations Bill

- **Census Bureau and the 2020 Census:** Ensure that the Census Bureau has sufficient funding at the start of FY 2020 — including certainty of its full-year funding level through an advance appropriation, if possible — to begin implementing a full 2020 Census program, without shortchanging the bureau in FY 2019, the critical final year of preparations.

The census is a critical and powerful information source that will significantly influence American policy for the coming decade. It is a foundational tenet of American democracy, mandated in article 1, section 2 of the US Constitution and central to our representative form of government. A fair democracy requires an accurate population count.

The US population is enumerated every 10 years and census data are used to allocate Congressional seats, electoral votes, and is the basis for political redistricting. Public Law 94-171 governs the release of census data for redistricting at the federal, state, and local levels, and an accurate count is necessary to ensure that American Indian and Alaska Native voters have an equal voice in the political process of non-tribal elections. Jurisdictions also use census data to comply with the Voting Rights Act, such as making sure Native voters have access to language assistance when they cast their votes in an election.

In addition to its use in fair voting representation, census data play a key role in the fair distribution of billions of dollars to tribes and American Indian/Alaska Native people across the nation. Federal funding for Indian schools, Indian education programs, Indian health programs, Indian housing programs, water and sewage projects, roads, and economic development are distributed on the basis of data collected by the Census Bureau.

Certain population groups are at higher risk of being missed in the decennial census – groups considered hard-to-count. Native people especially on reservations and in Alaska Native villages have been historically underrepresented in the census, and in 2020, new methodologies for enumerating the U.S. population could put other groups at risk. In the 2010 Census, the Census Bureau estimates that American Indians and Alaska Natives living on reservations or in Native villages were undercounted by approximately 4.9 percent, more than double the undercount rate of the next closest population group.24

A large proportion of American Indians/Alaska Natives in certain states live in hard-to-count (HTC) tracts; for instance, in New Mexico 78.6 percent of AI/AN people live in HTC tracts, 68.1 percent in Arizona, 65.6 percent in Alaska, 52.4 percent in South Dakota, and 49.9 percent in Montana.25

Households in poverty are very hard to count: in 2015, 38.3 percent of Native individuals on reservations were living in poverty compared to the national rate of 13 percent.26 Young children are also undercounted at disproportionately high rates compared to other age groups, and Native people on reservations have a median age nine years lower than the national average.27 The poverty rate is 46.3 percent for AI/AN-alone youth ages 0 to 17 in reservation areas.28 Many of the characteristics that make American Indians and Alaska Native hard to count persist, such as economic hardship and education, and thus the Census Bureau will again need the resources to enumerate accurately the AI/AN population in the 2020 Census.

We expect the President’s Budget request to implement the 2020 Census in FY 2020 will be at least double the FY 2019 appropriation. We also urge Congress to ensure sufficient funding in that budget for Questionnaire Assistance Centers, which currently are not included in the Census Bureau’s operational plan. With only half the number of Regional Census Centers and local census offices across the country, it will be important to expand the field footprint, to provide ‘safe space’ for people who do not have reliable Internet access, are wary of using the telephone to respond, or need assistance filling out a paper form, to meet with sworn Census Bureau employees near where they live.