



NATIONAL CONGRESS OF AMERICAN INDIANS

“Making Indian Country Count: Native Americans and the 2020 Census” NCAI Written Testimony for the Senate Committee on Indian Affairs

February 14, 2018

On behalf of the National Congress of American Indians (NCAI), I want to thank you for holding this hearing on how to ensure Indian Country counts in the upcoming decennial Census. In the spring of 2020, the attention of the nation will be focused on the decennial Census, however plans and funding are required now for an accurate enumeration, with no differential undercounts. The upcoming Census will be unlike any other census undertaken before. The failure to fully enumerate the American Indian and Alaska Native (AI/AN) population could result in devastating consequences, including reductions in access to federal and state services and resources.

Foundational to Democracy

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 U.S. population is enumerated every 10 years and census data are used to allocate Congressional seats, electoral votes, and is the basis for political redistricting. Under the 14th Amendment’s guarantee of equal representation, congressional districts must have roughly equal numbers of people, so census data are used to draw district lines. 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.

Essential to Fair Resource Distribution

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 AI/AN 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.

American Indians/Alaska Natives at Risk for Undercounts

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 US 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.¹

EXECUTIVE COMMITTEE

PRESIDENT
Jefferson Keel
Chickasaw Nation

FIRST VICE-PRESIDENT
Aaron Payment
*Sault Ste. Marie Tribe of Chippewa
Indians of Michigan*

RECORDING SECRETARY
Juana Majel-Dixon
Pauma Band Mission Indians

TREASURER
W. Ron Allen
Jamestown S’Klallam Tribe

REGIONAL VICE- PRESIDENTS

ALASKA
Rob Sanderson, Jr.
*Tlingit & Haida Indian Tribes of
Alaska*

EASTERN OKLAHOMA
Joe Byrd
Cherokee Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Roger Rader
Pokagon Band of Potawatomi

NORTHEAST
Lance Gumbs
Shinnecock Indian Nation

NORTHWEST
Leonard Forsman
Suquamish Tribe

PACIFIC
Willie Carrillo
Tule River Tribe of California

ROCKY MOUNTAIN
Darrin Old Coyote
Crow Nation

SOUTHEAST
Nancy Carnley
Ma-Chis Lower Creek Indians

SOUTHERN PLAINS
Zach Pahmahmie
Prairie Band of Potawatomi Nation

SOUTHWEST
Joe Garcia
Ohkay Owingeh Pueblo

WESTERN
Franklin Pablo, Sr.
Gila River Indian Community

EXECUTIVE DIRECTOR
Jacqueline Pata
Tlingit

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

The net undercount for American Indians living on reservations was also very high in 1990, with an estimated 12.2 percent missed. About one in three Native people live in hard-to-count census tracts.² The Census Bureau identifies twelve characteristics that are associated with census undercounts, including linguistic isolation, poverty, low educational attainment, lacking a telephone, unemployment, and others.³ A recent report found that although the rural population is generally easier to enumerate than the urban population, certain rural areas will be difficult to count in 2020, such as American Indians on reservations and Alaska Natives, as well as Hispanics in the Southwest, residents of Appalachia, migrant workers, and African Americans in the rural South.⁴

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.⁵

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.⁶ 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.⁷ The poverty rate is 46.3% for AI/AN-alone youth ages 0 to 17 in reservation areas.⁸ 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.

Barriers, Attitudes, and Motivators

The Census Bureau plans to conduct the Census Barriers, Attitudes, and Motivators Survey (CBAMS) to inform work on the 2020 Census Integrated Partnership and Communications Plan. While attitudes and the political climate may have changed since the 2010 CBAMS, the results of the last study are informative as baseline data to understand the critical need for effective education and outreach activities for 2020. The 2010 CBAMS results showed that among racial and ethnic groups, AI/AN people and Asians had the lowest overall intent to respond. Some of the other relevant findings from then:⁹

- Native people reported less favorability and were less likely to think responding to the Census was important (p. 21).
- AI/ANs felt that they were familiar with the Census and its purpose. However, while AI/ANs understood that the Census "lets government know what my community needs," they did not see results in their community (p. 21).
- They do not tend to consider it a "civic responsibility" to answer the Census, but answering the Census reflects pride in oneself (p. 22).
- Many did not feel it was important to participate in the Census nor did they view it favorable.
- The previous report suggested "that messages targeted to American Indians should focus on appealing to a sense of civic duty as well as on specific information about the Census." (p. 22)
- AI/ANs in particular were characterized by a unique belief profile. They were much more likely than other groups to express skepticism about the use and purposes of the Census and the security of Census data, and they were the only group for which agreement that it is important for everyone to be counted was lower than 90% (p. 24).
- American Indians expressed cynicism about the importance of the Census, and they were particularly characterized by suspicion about the use and purpose of the Census (p. 25).

The 2010 report recommended that, “while strong conclusions about this group are not warranted, the data suggest that messages focusing on civic duty might be effective among American Indians” (p. 34). The analysis suggested that while AI/AN people expressed negative feelings about the Census and skepticism, they are relatively knowledgeable about its purpose (p. 36). The report recommended focusing on census as a civic duty, security of census data, and how the Census has benefited AI/AN communities.

These results are important since many aspects of public life have changed since the last Census, with heightened concern around security of digital data, federal government agency breaches, as well as the perception of increasingly strained race relations.

These new elements of the social landscape may exacerbate some of the barriers to Census participation, especially mistrust of government and the perception that participation in the census will lead to improvements in one’s community. Messages appealing to civic duty for AI/AN people may also have to be implemented in new ways. However, AI/AN trust in government varies based on whether the government is local (tribal), state, or federal – trust in tribal government is often much higher than trust in the federal government. Finding the trusted messengers in Indian Country is critical to an effective public education and outreach campaign, especially for AI/AN people.

Impacts of Undercounts in Indian Country

Undercounting AI/AN people in the 2020 Census could lead to inefficient distribution of federal funding to tribes. Each tribe and tribal community has unique health, housing, education, and economic development needs. Many programs serving tribes are funded based entirely or in part on census or census-derived data, including the following.

- The **Indian Housing Block Grant Program (IHBG)** is a formula grant that provides a range of affordable housing activities on Indian reservations and Indian areas. The block grant approach to housing for Native Americans was enabled by the Native American Housing Assistance and Self Determination Act of 1996 (NAHASDA). The block grant program, which is based almost entirely on census data, served, helped build, or rehabilitated 5,014 units in 2015.
- Population data used in the IHBG program are also used to allocate money for the **Tribal Transportation Programs** administered by the Bureau of Indian Affairs. Several child welfare programs administered by the Children's Bureau in the Department of Health and Human Services also use Census data for fund allocation.
- The special **Native American workforce programs** under the Workforce Innovation and Opportunity Act distributed almost \$49 million for the Comprehensive Services Program and an additional nearly \$13 million for the Supplemental Youth Services program in Program Year 2017. The fund allocation system for each of these two programs uses Census data exclusively. The program supports employment and training activities in order to develop more fully the academic, occupational and literacy skills; make individuals more competitive in the workforce; and promote economic and social development in accordance with the goals and values of such communities.
- The **Indian Health Service** provides access to comprehensive and culturally acceptable healthcare to AI/AN people, a critical program that fulfills the federal treaty and trust obligations to tribal people. The IHS provides services to 2.2 million Natives nationwide and uses Census data for planning and implementation of programs.¹⁰ IHS also uses Census data in a number of its funding distribution formulas.

Concerns with the 2020 Census

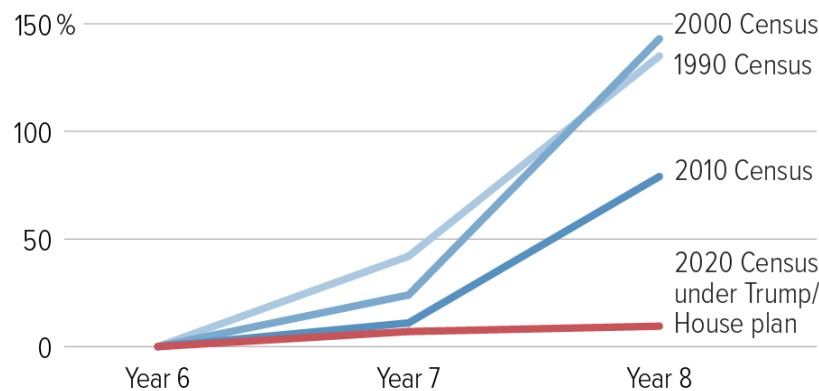
Careful planning and adequate funding now and leading up to 2020 are essential to minimizing undercounts of the American Indian and Alaska Native population. As we move into the middle of FY 2018, funding for the Census Bureau appears to be a significant problem.

Peak operations for the 2020 Census will start in two years. Early operations are underway for an important “dress rehearsal” in 2018 (the End-to-End Census Test). State, local, and tribal governments are preparing to review address lists and digital maps for their communities (the Local Update of Census Addresses program, or LUCA), which create the universe for the count in 2020. As in every decade, the U.S. Census Bureau must have a steady annual funding ramp-up between now and 2020 for the constitutionally required enumeration, to ensure on-time, comprehensive final testing and preparations.

The Census Bureau is funded through the Commerce, Justice, and Science (CJS) Appropriations bill. Throughout the entire 2020 Census lifecycle (FY 2012—FY 2021), Congress every year has not allocated the amount of money the Census Bureau requested. This means that *the 2020 Census has been underfunded from the start*.

Proposed Increase in 2018 Census Bureau Funding Far Less Than in Previous Decennial Census Cycles

Change in Census Bureau budget relative to year 6 of each decade



Note: All years are fiscal years. Figures show discretionary budget authority in each year of the decade relative to that in the sixth year, not adjusted for inflation.

Source: CBPP based on Office of Management and Budget, enacted appropriations, and draft legislation from the House Appropriations Committee

CENTER ON BUDGET AND POLICY PRIORITIES | CBPP.ORG

For context, the Census Bureau generally ramps up for the decennial count with a decade-long cycle of spending, starting with research and testing in the fiscal year ending in “2.” Generally, after modest but important increases earlier in the decade, Census budgets begin to rise significantly in the fiscal year ending in “6,” when the Bureau must begin to operationalize the census design and conduct larger field tests. After preparation during the year ending in “8,” address canvassing takes place in the eighth year of the cycle (e.g. 1989 before the 1990 Census).

Census outreach and promotion, as well as recruitment of hundreds of thousands temporary field staff, begins in the year before the census. Peak Census operations start in late January in remote Alaska in the year ending in “0” – Census Year! Census operations wind down in the 10th year of the lifecycle (e.g. 2021), with tabulation and publication of the census data will carry our nation through the next decade.

Impact on American Indians/Alaska Natives

Unfortunately, uncertainty about FY 2017 funding levels and lack of sufficient appropriations resulted in the Census Bureau canceling planned field tests on the Standing Rock Reservation in North and South Dakota and the Colville Reservation and Off-Reservation Trust land in Washington State, which eliminated critical testing of methods for the 2020 Census. These field tests would have helped the Bureau evaluate methods for counting people in tribal areas lacking street addresses, and test methods of making in-person counts in Native households. Inadequate funding has compelled the Census Bureau to announce “pauses” and modifications for key 2020 Census activities, which could greatly diminish the Bureau’s ability to take an accurate, cost-effective census and is expected to increase the disproportionate undercount of American Indian and Alaska Natives, especially those living in rural, low-income, geographically isolated, and/or linguistically isolated households.

Overall Recommendations

NCAI urges Congress to ensure a sufficient funding ramp-up for the 2020 Census in Fiscal Year 2018 and beyond, without undermining other core programs such as the American Community Survey (ACS), Economic Census, and other economic and demographic surveys and programs (such as the Current Population Survey (CPS) and Small Area Health Insurance Estimates (SAHIE), all of which are critical to monitoring the well-being of American Indians and Alaska Natives. NCAI also includes two non-funding recommendations to ensure a successful 2020 Census: urging strong, permanent, and nonpartisan leadership for the Census Bureau and opposing the addition of a citizenship question.

Funding Details

The FY 2018 continuing resolution that runs through March 23, 2018 provides a temporary adjustment of an additional \$182 million for the Census Bureau to meet necessary deadlines in preparing for the 2020 Decennial Census. That amount falls short of the Administration’s revised FY 2018 funding request of +\$187 million over the President’s original budget, but it is at least a first step toward full funding. NCAI continues to support the amount needed to fully fund critical outreach, promotion, and partnership activities in the full year appropriations bill for FY 2018.

NCAI urges Congress to enact a total of at least \$1.848 billion for the Census Bureau in the *final Omnibus FY 2018 appropriations bill, which Congress must pass and the president must sign by March 23 to avoid another CR or government shutdown.*

NCAI adopted resolution MKE-17-050, “Support for Census Programs, Surveys, and Other Critical Preparations for Accurate Enumeration in the 2020 Census,” which calls for full funding for the Census Bureau to meet updated cost projections for the 2020 Census.¹¹

Included in the \$1.848 billion for the Census Bureau, NCAI supports a total discretionary appropriation of \$270 million for **Current Surveys and Programs**, equal to the Senate Appropriations Committee mark and the FY 2017 appropriation.

NCAI also supports a total discretionary appropriation of \$1.578 billion for **Periodic Census and Programs**, which is \$140 million above the adjusted request for the 2020 Census program. This amount includes:

- **2020 Census:** \$1.127 billion, at a minimum, derived as follows:
 - \$987 million, administration's adjusted request
 - +\$50 million for the contingency fund proposed by Commerce Secretary Ross
 - +\$80 million for development of the communications campaign under Integrated Partnership and Communications contract (Y&R)
 - +\$10 million to increase the number of Partnership Specialists from 43 to 200 in FY 2018

Further justification:

An increase is needed for communications research and development (+\$80 million). NCAI supports additional funding in FY 2018 to expand research and testing (including surveys and focus groups) of effective messaging for the growing number of communities, such as American Indians on reservations and Alaska Natives, at higher risk of undercounting. NCAI considers it critical that the creative development of the advertising campaign is on schedule. The Integrated Partnership and Communications (IPC) contract was awarded a year earlier than the 2010 Census cycle, but budget delays and shortfalls in FY 2017 caused delays in funding the contract for this work. Unfortunately, messaging research and creative development for the advertising campaign are now behind the comparable schedule for the 2010 Census.

NCAI supports restoring some level of testing in rural and remote areas in the next year, which includes methods used on American Indian reservations and in Alaska Native villages. With cancellation of two of three 2018 dress rehearsal sites, the Census Bureau will be forced to use methods and operations in these communities in 2020 that are untested or not fully tested, and which could lead to an undercount and cost increases.

An increase is needed in the number of Partnership Specialists engaged in outreach to state, local, and tribal governments and community-based organizations (+\$10 million). Congress should provide increased funding in fiscal years 2018 through 2020 for the Partnership Program and related promotion campaign, which will ensure the 2020 Census is cost-efficient and can help constrain the cost of follow-up with reluctant, unresponsive households. The Tribal Liaison Program is a very important component of this partnership program in Indian Country and should be funded at no less than it was for the 2010 decennial. Forty-three Partnership Specialists is insufficient to do the outreach and education necessary for the 2020 Census in an increasingly difficult civic environment. The first phase of the 2020 Census communications plan is scheduled to start in a year, and some census offices will open early in 2019 to support preliminary census activities. Tribal officials and tribal 'trusted messengers' at the grassroots level must be prepared to reinforce the Census Bureau's messages, explain census activities, and help identify candidates for temporary census positions. Tribes and tribal organizations will also need to address fears about census participation.

NCAI urges that Congress request a cost estimate for the advance work needed in FY 2018 to increase the number of Area Census Offices to 300 in FY 2019-FY2020 and to include additional funding for this activity in the final FY 2018 Omnibus Appropriations bill. NCAI supports the expansion of the Census Bureau's Areas Census Offices and census takers for peak census operations (2019-2020).

Census Leadership

Census leadership is critical for the agency to carry out its mission of serving as the leading source of objective, quality data about the nation's people and economy. The Census Bureau's leadership must uphold its core principles of protecting confidentiality, sharing expertise, and conducting its work openly and fairly. The Census must be carried out in a non-partisan way, guided by a commitment to objectivity. This person must have an extensive background in demography or the statistical sciences and significant experience in the management of a large public or nonprofit organization.

Right now, the need for strong, permanent leadership at the Census Bureau is more important than ever as the agency prepares for the 2020 decennial count. NCAI urges the Administration to put forward candidates for Census Director and Census Bureau Deputy Director who can lead the agency in a nonpartisan, scientifically objective way. A nominee or appointment that undermines the credibility of the Bureau's role as a nonpartisan statistical agency would also imperil the public trust in the integrity of the 2020 Census and all census statistics.

Citizenship Question

In December 2017, the U.S. Department of Justice requested to add a question about citizenship to the 2020 Census. The Constitution requires a count, regardless of citizenship or legal status, of all persons living in the United States on Census Day.

Changes to the census form this close to 2020 Census planning would jeopardize the validity of the tests of alternative questionnaires and designs, which the Census Bureau has spent years testing. A change to the questionnaire now would impact the outreach and partnership strategies designed around different content. Changes to the form would potentially have adverse and unintended consequences for 2020 census operations and the accuracy of the data.

Adding a citizenship question could also have cost implications if added this late in the 2020 Census cycle. The self-response rates that the 2020 Census Operational Plan bases staffing levels on did not include a question on citizenship. Experts expect that adding a question on citizenship will lower initial response, leading to an expanded Nonresponse Follow-up operation, which will increase the cost of the census without improving accuracy. NCAI opposes the Justice Department's request to add a citizenship question to the decennial census.

Conclusion

On behalf of the National Congress of American Indians, we thank you for holding this hearing to ensure Indian Country counts. The decennial census is a foundational tenet of American democracy and central to our representative form of government. A fair democracy requires an accurate population count, including throughout Indian Country. We urge the Committee to address the funding and policy concerns raised in this testimony, all issues that are critical to making sure American Indians and Alaska Natives are accurately counted.

¹ U.S. Census Bureau. (2012). "Census Bureau Releases Estimates of Undercount and Overcount in the 2010 Census" accessed at https://www.census.gov/newsroom/releases/archives/2010_census/cb12-95.html

² Leadership Conference Education Fund. (2018). Table 1a. States Ranked by Number of American Indian/Alaska Natives (race alone or in combination) living in Hard-to-Count (HTC) Census Tracts. Accessed at <http://civilrightsdocs.info/pdf/census/2020/Table1a-States-Number-AIAN-HTC.pdf>

³ O'Hare, William. (2017). 2020 Census Faces Challenges in Rural America. National Issue Brief #131. University of New Hampshire, Carsey Research

⁴ O'Hare, William. (2017). 2020 Census Faces Challenges in Rural America. National Issue Brief #131. University of New Hampshire, Carsey Research

⁵ Leadership Conference Education Fund. (2018). Table 1a. States Ranked by Number of American Indian/Alaska Natives (race alone or in combination) living in Hard-to-Count (HTC) Census Tracts. Accessed at <http://civilrightsdocs.info/pdf/census/2020/Table1a-States-Number-AIAN-HTC.pdf>

⁶ "Table B17001C: Selected Population Profile in the United States: 2015 American Community Survey 1-Year Estimates." U.S. Census Bureau, Retrieved 13 December 2017. Available at https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_1YR/B17001C/0100000US|0100089US.

⁷ The Native median age on reservations is 29.1 years compared to the U.S. median age of 37.8 years. "Median Age by Sex (American Indian and Alaska Native)." U.S. Census Bureau, Retrieved 2017. Available at: https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_1YR/B01002C/0100000US|0100089US

⁸ 2012-2016 5-year ACS estimates by land area

⁹ C2PO 2010 Census Integrated Communications Campaign Research Memoranda Series, No. 11, "Census Barriers, Attitudes and Motivators Survey Analytic Report" May 18, 2009

¹⁰ "Trends in Indian Health: 2014 Edition." Indian Health Service, March 2015. Available at <https://www.ihs.gov/dps/publications/trends2014/>

¹¹ MKE-17-050 "Support for Census Programs, Surveys, and Other Critical Preparations for Accurate Enumeration in the 2020 Census" accessed at <http://www.ncai.org/resources/resolutions/support-for-census-programs-surveys-and-other-critical-preparations-for-accurate-enumeration-in-the-2020-census>