



NATIONAL CONGRESS OF AMERICAN INDIANS

February 2, 2015

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Submitted via e-mail

Re: Proposed Information Collection; Comment Request; 2015 National Content Test (Document Citation: 79FR 71377)

Dear Ms. Jessup,

The National Congress of Americans (NCAI), the oldest and largest representative tribal organization, commends the Census Bureau for soliciting comments from federally-recognized tribes, state-recognized tribes, and tribal and national Indian organizations. The Census provides critical national, regional, and local data for the United States and Indian Country. American Indians and Alaska Natives have a significant stake in the accuracy and outcome of the 2020 census and the American Community Survey (ACS), as segments of the Indian population experience the highest rates of poverty, unemployment, and lack of infrastructure. Moreover, tribal leaders and decision-makers need accurate data for the American Indian/Alaska Native population, one of the most undercounted populations in the history of the decennial census.¹ NCAI supports the Census Bureau's effort to conduct an accurate count of the American Indian and Alaska Native population in the decennial census and ACS. The support and participation of all tribal leaders and Native people is critical to the ultimate success of the 2020 census. In addition, ongoing consultation with tribal leaders is essential to Census outreach and enumeration efforts and reflects the federal trust responsibility to a government-to-government relationship. Our comments are summarized below and are organized by the requested sections:

a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility.

Any new question wording or formatting warrants extensive field-testing; such a change pertaining to race, ethnicity, and Hispanic origin demands even further testing given the extensive variation and complexity of responses that stem from these questions. Such field-testing should be conducted with all populations and oversampling conducted for the hard to reach, hard to count, and small populations and subpopulations, including American Indian tribes and Alaska Native villages. Regarding the practical utility of the proposed collection of information for

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¹ U.S. Census Monitoring Board (2001). Presidential Members Report to Congress

American Indian tribes, it is not only necessary, but an obligation of the Bureau as mandated in Executive Order 13175—Consultation and Coordination With Indian Tribal Governments—to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications. Changes to the collection and classification of racial and ethnic responses in the decennial have the potential for significant positive or negative tribal implications and thus tribes must be formally consulted, as should American Indian and Alaska Native national advocacy organizations and the American Indian and Alaska Native representatives appointed to serve on the Census Bureau’s National Advisory Committee on Racial, Ethnic and Other Populations who not only have subject matter expertise, but also significant stakeholder relationships in Indian Country. A letter sent to tribal leaders does not qualify as meaningful consultation with tribes. Tribal consultations should take place before the 2015 National Content Test goes live in order to ensure that tribes have input into any changes, especially relating to wording or format, in the proposed enumeration process of American Indian and Alaska Native populations. This is particularly important given the high, significant levels of inconsistency for American Indian and Alaska Native populations in the Alternative Questionnaire Experiment Program. To this end, the proposed collection of information in the 2015 Content Test is absolutely necessary, as is formal consultation with tribes and stakeholders prior to national testing.

b) The accuracy of the agency’s estimate of the burden (including hours and cost) of the proposed collection of information.

It is reasonable to expect that a combined race and Hispanic origin question could reduce both confusion and burden amongst those who struggled with these questions in previous censuses. However, there is a significant, unintended consequence of this proposed combination that severely impacts American Indian and Alaska Native communities. When federal agencies develop guidance on how they plan to maintain, collect, and report racial and ethnic data following changes by OMB that are reflected in this Census effort, some have opted to merge categories, which prevents the disaggregation that communities rely on for planning. In addition, this can impact federal allocation of resources to tribes as many formula and other appropriations rely on agency data to inform population measures and need. Without disaggregated data, some agencies may not be delivering on their trust responsibility. Notably, when the US Department of Education released its [2007 Final Guidance on Maintaining, Collecting and Reporting Racial and Ethnic Data](#), the impacts across Indian Country were felt almost immediately. While the USDOE will continue to collect data on American Indian and Alaska Native (AI/AN) students whether or not they report a racial/ethnic status that is in combination with other racial/ethnic groups (e.g., Hispanic/Latino, White), the USDOE will only report AI/AN specific data for students who indicate they are not Hispanic/Latino ethnically and select only American Indian and Alaska Native as their race. American Indian/Alaska Native students who indicate that they are also Hispanic/Latino ethnically will only be reported in the Hispanic/Latino category. Regardless of whether they indicate Hispanic/Latino ethnicity, American Indian/Alaska Native students selecting an additional racial category will only be reported as multiracial. The effect is major and detrimental at local, state, and national levels as AI/AN communities have historically relied on USDOE data as a quality source of information for planning and development efforts.

The USDOE has data that it can disaggregate for AI/AN alone, AI/AN in combination with other ethnicities and races, and AI/AN alone and in combination as the Census does, but it has opted not to do so.

While combining these questions may not have a statistical impact on populations being enumerated, it has had a detrimental impact on reporting policy of federal agencies. It is imperative that the Census Bureau and OMB offer guidance on the importance of disaggregation in federal agency reporting and differentiating between race and ethnicity in these reports.

c) Ways to enhance the quality, utility, and clarity of the information to be collected.

1. Race and Origin Content

The Federal Register Notice is vague about any proposed changes to the sub question of American Indian and Alaska Native tribe that will be included in the 2015 National Content Test. The importance of the wording of the tribal sub question cannot be understated for the quality, utility, and relevance of the resulting tribal data collected. The current wording “Print name of enrolled or principal tribe” does not provide an estimate of an enrolled count of a tribal or village population though it can offer a loose approximation of those who self-affiliate. While all responses are of course collected via self-identification, self-identified enrolment status is still valuable data for tribes. Given the extensive financial burden of conducting a census, few tribes have the resources to conduct large-scale demographic surveys of their tribal populations on a routine basis. The US Census is the most robust and updated data source of our nation’s population. In this light, it should endeavor to do the same for tribal-level enumeration. Further, the Department of the Interior is increasingly relying on Census data as part of its biannual report to Congress of the American Indian Population and Labor Force Report, which suggests that National Content Test should report on the quality of tribal-level aggregation.

2. Relationship Content

NCAI is encouraged by the re-introduction of the foster child category in enumerated households due to the high rates of foster placements of American Indian and Alaska Native children.

3. Coverage Content

The "Question-Based Response" has the potential to improve data collection on American Indian and Alaska Native households given some of the complex and unique household compositions present in our communities as noted by the results of the AQE. However, without further information and more extensive consultation with tribal and community leaders, it is difficult to provide insight on the appropriateness of the instructions and questions being tested for American Indian and Alaska Native communities. NCAI suggests further consultation with tribal leaders on this component.

4. Optimizing Self-Response

NCAI previously submitted comments on the use of internet enumeration of American Indian and Alaska Native populations (see attachment). There, we explained that American Indian and Alaska Native lands are some of the most unserved and underserved areas of the United States. When referring to Internet, broadband and wireless capability, the difference between Indian Country and the rest of the United States has commonly been referred to as the 'Digital Divide'. The Federal Communications Commission's National Broadband Plan states that Internet penetration on tribal lands is estimated at less than ten percent, while basic analog telephone service reaches about 68 percent of Indian Country². This proposed testing is essential to understand the impact of a shift away from hard copy, mail outreach to more internet enumeration on American Indian and Alaska Native populations, who typically have lower rates of access to internet and computer technology. As such, it is important that sub samples and re-interview respondents include a significant number of American Indian and Alaska Native people.

5. Language

NCAI is encouraged that there are continued efforts to explore language supports for non-English speaking community members as these individuals make up a significant proportion of the American Indian and Alaska Native population. However, without further information and more extensive consultation with tribal and community leaders, it is difficult to provide insight on the appropriateness of the methods and languages being tested for American Indian and Alaska Native communities. NCAI suggests further consultation with tribal leaders on this component.

6. Content Reinterview

Various components of this proposed testing are essential to understand the impact on American Indian and Alaska Native populations. As such, it is important that sub samples and re-interview respondents include a significant number of American Indian and Alaska Native people. As NCAI is often told this can be cost-prohibitive, it is critical that tribal leaders be consulted more comprehensively on the National Content Test and information about the results of consultations be made public.

d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Utilizing the Internet and other automated techniques is practical for the general collection of information from respondents across the country. It should be noted that while some American Indian reservations and Alaska Native villages are incredibly remote with limited connectivity, others have quite sophisticated IT infrastructure. This spectrum of connectivity presents both a challenge and an opportunity for data collection. The Bureau should focus on extensive outreach in American Indian and Alaska Native communities to ensure that all reservation and village residents have access to the same instrument modes as the rest of the

² See Connecting America: The National Broadband Plan, p. 23 and p. 152. Published 2009. Federal Communications Commission. Available at <http://download.broadband.gov/plan/national-broadband-plan.pdf>

country. Differences in instrument modes could inject bias into the data. This is especially relevant to reservation residents given their disproportionate undercount.

Additionally, one benefit identified in this Notice for the online response mode is allowing more functionality and greater flexibility in designing questions compared to the space constrained paper versions. Currently there is only one response box available for an American Indian or Alaska Native respondent to write their tribal affiliation. If one has multiple tribal affiliations, then one is expected to fit all of those tribal names into the one response box. This has been a constraining practice that has plagued previous censuses and inhibited accurate tribal counts. The testing of multiple response spaces for tribal affiliation is recommended.

Attachments:

- 1) NCAI Comments and Recommendations on the 2010 Census and American Community Survey (Submitted July 24, 2008)
- 2) NCAI Comments on the American Community Survey 2013 Content Changes (Submitted February 27, 2012)
- 3) NCAI Comments on the Preparation of the 2013 American Indian Population and Labor Force Report (Submitted November 12, 2012)