



NATIONAL INDIAN EDUCATION ASSOCIATION

NIEA RESOLUTION 2026 - #E-05

TITLE: OPPOSITION TO THE U.S. CENSUS BUREAU PROPOSED RULE TITLED *DECENNIAL CENSUS OF THE POPULATION OF AMERICANS; PROPOSED RESIDENCE CRITERIA AND PROPOSED REGULATIONS FOR DEMOGRAPHIC QUESTIONS* (15 CFR PARTS 60 AND 70; DOCKET NO. 260903-0005; RIN 0607-AA75)

WHEREAS, the National Indian Education Association (NIEA) was founded in 1969 and incorporated in 1970 for the purpose of advocating, planning, and promoting the unique and special educational needs of American Indians, Alaska Natives, and Native Hawaiians; and

WHEREAS, NIEA as the largest national Native organization of American Indian, Alaska Native, and Native Hawaiian educators, administrators, parents, and students in the United States, provides a forum to discuss and act upon issues affecting the education of Indian and Native people; and

WHEREAS, Tribal Nations are sovereign governments with inherent authority over their lands and citizens, possessing the exclusive right to determine their own citizenship under their own laws, and maintaining a unique political status that predates the establishment of the United States; and

WHEREAS, the Constitution of the United States requires a full enumeration of the U.S. population every 10 years; and

WHEREAS, the U.S. Census Bureau has issued a proposed rule titled *Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions* (15 CFR Parts 60 and 70; Docket No. 260903-0005; RIN 0607-AA75; hereinafter referred to as the *Proposed Rule on Residence Criteria & Demographic Questions*), which seeks to formally amend the Code of Federal Regulations to alter the criteria for determining a person's "usual residence" for congressional apportionment while removing race, ethnicity, and sexual orientation queries from the short-form decennial census questionnaire; and

WHEREAS, the 2030 Census will provide data used to calculate vital federal funding streams for Native education, including Title VI Indian Education formula grants, Impact Aid, and Head Start allocations, and;

WHEREAS, removing the Race/Ethnicity questions and narrowing the "usual residence"

criteria in the 2030 Census would compromise data about American Indians, Alaska Natives, and Native Hawaiian populations in the country, significantly undermining federal funding formulas, annual congressional appropriations, and the ability of Native communities to accurately monitor education disparities; and

WHEREAS, the federal government has Tribal consultation obligations under Executive Order 13175 and the Department of Commerce's own consultation policy to conduct meaningful and timely consultation, which includes that Tribal consultation must occur before decisions are made, not after the proposal is developed.

THEREFORE BE IT RESOLVED, that National Indian Education Association (NIEA) opposes the U.S. Census Bureau *Proposed Rule Residence Criteria & Demographic Questions*; and

BE IT FURTHER RESOLVED, NIEA calls upon the U.S. Census Bureau to conduct a comprehensive analysis to address the consequences the proposed rule would have on Tribal governments that operate federally funded Tribal programs that utilize decennial census data:

BE IT FURTHER RESOLVED, NIEA calls upon the U.S. Census Bureau to meet its Tribal consultation obligations for the proposed rule titled *Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions* (15 CFR Parts 60 and 70; Docket No. 260903-0005; RIN 0607-AA75) by providing additional Tribal consultations; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NIEA until it is withdrawn or modified by subsequent resolutions.

CERTIFICATION

I do hereby certify that the following resolution was duly considered and passed by the National Indian Education Association on [insert date] at which a quorum of the membership was present.

Kerry Bird, President