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**TO THE UNITED STATES SENATE  
COMMITTEE ON INDIAN AFFAIRS**

OVERSIGHT HEARING

“Making Indian Country Count: Native Americans and the 2020 Census”

February 14, 2018

Good afternoon Chairman Hoeven, Vice-Chairman Udall, Senator Murkowski, and distinguished members of the Senate Committee on Indian Affairs. Thank you for the opportunity to appear today as the Committee discusses counting all of Indian Country in the 2020 Decennial Census.

My name is Carol Gore. I am a proud Alaskan of Aleut descent. For more than seventeen years, I have served as the President and CEO of Cook Inlet Housing Authority, the Tribally Designated Housing Entity for Alaska's Cook Inlet Region. Since 2014, I have also served as the Vice-Chair of the National Advisory Committee of the U.S. Census Bureau.

As an Alaska Native, a member of the National Advisory Committee, and the President of a Native organization that relies heavily upon Census data, I understand firsthand the importance of an accurate Census count in 2020, especially when it comes to counting Native populations. My statement today is intended to help explain how Census data impacts Indian Country, why it is so difficult to accurately count Native populations, and how Congress and the U.S. Census Bureau can ensure an accurate count of all Native people in 2020 and beyond.

### **Census Data Matter to Indian Country**

The work done by the Census Bureau impacts tribes in a variety of ways. It promotes their fair representation in our democracy, provides data that are used for research and planning purposes, enables government agencies to enforce federal nondiscrimination laws, and drives fair and equitable allocations of federal funding.

#### **The Democratic Process**

Census data determine state and local legislative boundaries and the apportionment of seats in the U.S. House of Representatives. The ability of Native people to participate equally in our democracy depends upon the fairness of redistricting processes at the federal, state, and local levels. Those processes, in turn, rest on the accuracy of Census Bureau data. When Native peoples are undercounted, they are denied a full voice in policy decision making and the needs of tribal communities may not be prioritized according to their true proportion of the population.

#### **Research and Planning**

Census data are vital for tribal planning purposes. Tribes and tribal organizations rely on accurate Census data to make informed decisions for the futures of their people, including identifying housing and healthcare needs and determining the most appropriate strategies to deploy scarce resources to meet those needs. Tribal businesses utilize Census data to make decisions about their workforce and to measure the risk of capital investments.

#### **Enforcement of Federal Non-Discrimination Laws**

For historically marginalized populations like Alaska Natives and American Indians, Census data also serve the function of ensuring that federal civil rights and voting rights laws are properly enforced. Census data are also used to ensure that financial institutions comply with federally-imposed obligations to serve minority populations, including Native Americans.

## Equitable Allocation of Federal Funding

Census data play a central role in the determining how federal resources are allocated to tribes and tribal organizations. Following are some of the numerous programs that impact Native communities and are funded, in whole or in part, based upon Census data:

- *Title I Grants to Local Education Agencies* – Provides financial assistance to local educational agencies and schools with high numbers or percentages of low-income children. About 90 percent of Native students attend Title I public schools.<sup>1</sup>
- *Head Start Program* – Provides grants to local agencies to provide child development services to economically disadvantaged children and families, with a special focus on helping preschoolers develop early reading and math skills. Approximately 10 percent of Native children and pregnant women participated in Head Start or Early Head Start during the 2015-16 school year.<sup>2</sup>
- *Native American Employment and Training* – Provides Native peoples with employment training and skills, as well as support for daycare and transportation services to enable Native peoples to thrive in the workplace. There were 313 grant recipients in Native communities in 2013.
- *Indian Health Service* – Provides access to comprehensive and culturally acceptable healthcare to Native people, a critical program to fulfill the federal treaty and trust obligations to tribal people. IHS serves 2.2 million Native people nationwide<sup>3</sup> and uses Census data for planning and program implementation.<sup>4</sup>
- *Medicaid* – In 2015, 42.8 percent of American Indians and Alaska Natives were enrolled in Medicaid or some other public insurance program.<sup>5</sup> Medicaid also provides critical supplemental revenue for the chronically under-funded IHS.<sup>6</sup>
- *Urban Indian Health Program* – Reaches Native people who are not able to access the hospitals, health care centers, or contract health services managed by the IHS and tribal health programs. Approximately 25 percent of Native peoples live in urban areas located in counties served by these programs.<sup>7</sup>
- *Supplemental Nutrition Assistance Program* – The most important tool to prevent hunger and malnutrition among families in the U.S. More than one-fourth of Native households nationally and 31.8 percent on reservations received SNAP benefits in 2015.<sup>8</sup>

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<sup>1</sup> "Table: Children in Title I Schools by Race and Ethnicity." Kids Count Data Center, Retrieved 13 December 2017.

<sup>2</sup> "Factsheet: Will You Count? American Indians and Alaska Natives in the 2020 Census." Georgetown Law Center on Poverty and Inequality and the Leadership Conference Education Fund, Updated January 15, 2018 (Citing Data from "Head Start Program Facts Fiscal Year 2016," Early Childhood Learning & Knowledge Center, June 2017).

<sup>3</sup> "IHS 2016 Profile." Indian Health Service, April 2017.

<sup>4</sup> "Trends in Indian Health: 2014 Edition." Indian Health Service, March 2015. Available at

<sup>5</sup> "Policy Basics: Introduction to Medicaid." Center on Budget and Policy Priorities, 16 August 2016.

<sup>6</sup> "Indian Health and Medicaid." Medicaid, Retrieved 13 December 2017; "Health Care: Implementing Our Values in the Federal Health Care Budget." National Congress of American Indians, Retrieved 13 December 2017.

<sup>7</sup> "Urban Health Program Fact Sheet." Indian Health Service, U.S. Department of Health and Human Services, October 2015.

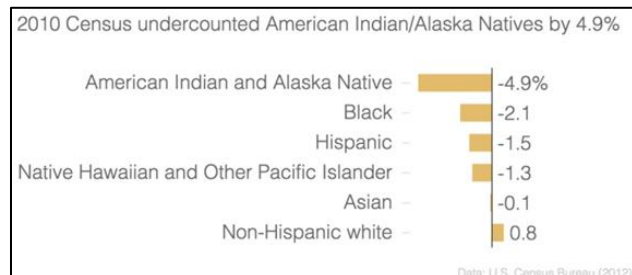
<sup>8</sup> "Table B22005C: Selected Population Profile in the United States: 2015 American Community Survey 1-Year Estimates." U.S. Census Bureau, 2015; "Receipt of Food Stamps/SNAP in the Past 12 Months by Race of Householder (American Indian/Alaska Native Alone)". U. S. Census Bureau, Retrieved 13 December 2017.

- *Special Programs for the Aging (Title VI, Part A)* – Provides grants to Tribal organizations that deliver home and community-based services to Native elders.
- *Indian Housing Block Grant* – Funded the construction or rehabilitation of more than 5,000 homes in 2015.<sup>9</sup> The Census data used to determine IHBG allocations are also used to allocate funding for the Tribal Transportation Programs administered by the Bureau of Indian Affairs.
- *Indian Community Development Block Grants* – Assists low-to-moderate income tribal communities to improve housing conditions, develop community resources, and promote economic development.

Census data are central to ensuring that tribes receive fair allocations of funding for vital federal programs. In fact, when American Indian and Alaska Native (AIAN) populations are undercounted, states with higher AIAN populations, the very States represented by the members of this Committee, receive less than their fair share of federal resources.

### **The Difficulty of Accurately Counting Native Populations**

Counting the AIAN population accurately, in Alaska and throughout Indian Country, is no simple task. Native communities have been undercounted for decades.<sup>10</sup> The Census Bureau's coverage measurement evaluation for the 2010 Decennial Census show that an estimated 4.9% of the AI/AN on-reservation AIAN population was undercounted.<sup>11</sup> The undercount of the AIAN population was potentially higher in parts of my home state, Alaska, where the Census Bureau estimated an 8% undercount of what it calls “special-enumeration tracts”– the very places with the highest percentage of Alaska Native people.



The historical undercount of AIAN persons has occurred largely because so many Alaska Native and American Indian people live in what the Census Bureau calls “hard-to-count” geographies. Hard-to-count geographies are characterized by high levels of poverty and unemployment, housing insecurity and homelessness, households lacking telephone and internet access, households with young children, and lower than average rates of educational attainment. These tracts require special outreach, additional resources, and specific enumeration methods to ensure an accurate count.

The states represented by members of this committee are home to over 900,000 American Indians and Alaska Natives living in hard-to-count Census tracts. Nationally, more than 30% of the AIAN population lives in hard-to-count areas.<sup>12</sup> In Alaska, this number jumps to

<sup>9</sup> “PIH Native American Housing Block Grants.” U.S. Department of Housing and Urban Development, Retrieved 13 December 2017. Available at <https://archives.hud.gov/news/2015/pr15-013-14-FY16CJ-NAHBGRANTS.pdf>.

<sup>10</sup> Brownrigg, Leslie and Manuel de la Puente. “Sociocultural Behaviors Correlated with Census Undercount.” Paper prepared for presentation in Special Session 2 15 to the American Sociological Association, 22 August 2003.

<sup>11</sup> US Census Bureau, American Community Survey, 5-year Estimates for 2012-2016.

<sup>12</sup> “TABLE 1b: States Ranked by Percent of American Indian/Alaska Natives (race alone or in combination\*) living in Hard-to-Count (HTC) Census Tracts\*\*.” The Leadership Conference Education Fund, Retrieved 9 February 2018. Available at <http://civilrightsdocs.info/pdf/census/2020/Table1b-States-Percent-AIAN-HTC.pdf>.

over 65%, and in New Mexico, nearly four out of five of American Indians live in hard-to-count communities.<sup>13</sup>

What makes the AIAN population so difficult to count? Geography plays a significant role. American Indians and Alaska Natives disproportionately live in rural environments that are harder for the Census Bureau to reach. This is true in my home state of Alaska, where homes in many Alaska Native Villages do not have traditional mailing addresses and where door-to-door counting requires Census enumerators to take small “bush” planes to and from extremely remote areas of the state.

The manner in which homelessness manifests in Native communities also contributes to the difficulty of obtaining an accurate count. In 2017, the Department of Housing and Urban Development released its Assessment of American Indian, Alaska Native, and Native Hawaiian Housing Needs. HUD recognized that incidents of literal homelessness are rare in many Native communities because of a cultural inclination to take in friends and family members who have no other housing options, even when the result is extreme overcrowding. HUD found that there are up to 85,000 homeless Native Americans living in tribal areas. These individuals lack a permanent, traditional mailing address and are at significant risk of going uncounted in the Decennial Census.

In 2020, the Census Bureau will, for the first time, offer people the option to complete the Decennial Census online. States from New Mexico to Montana to North Dakota are home to remote Census tracts where less than 60% of households met the FCC’s minimum threshold of internet connectivity in 2016. Like disproportionate rates of homelessness, limited internet connectivity could threaten the Census Bureau’s ability to accurately count Indian Country in 2020, particularly if the Bureau lacks the resources necessary to test the efficacy of internet response in communities with sizeable AIAN populations. While we believe it is critical for the Bureau to carefully plan and test the use of internet response in Indian Country, we must note, regrettably, that delayed and insufficient funding for the Census Bureau in Fiscal Years 2017 and 2018 forced the Census Bureau to cancel all planned tests of census operations in Indian Country and rural areas – a concern discussed later in my testimony.

Cultural differences also present a challenge for the Bureau when it counts AIAN populations. Native communities have unique customs, and in many, English is not the primary language spoken. Without proper education and training, enumerators may have difficulty communicating effectively with people living in some Native communities. We must also acknowledge that many American Indian and Alaska Native households remain deeply distrustful of the federal government due to historical trauma, which can impact their willingness to cooperate with the Bureau’s enumeration efforts.

The 2020 Decennial Census will be unlike any Census ever conducted in the United States. It will rely largely on households responding online, rather than by submitting a paper questionnaire. It will require a large and complex system of computer hardware and software, which has encountered serious problems during development. Outreach and communications efforts, which are of critical importance to Indian Country, are likely to be scaled back due to funding shortfalls. In my home state of Alaska, where 92,000 Native people live in hard-to-count

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<sup>13</sup> “TABLE 1b: States Ranked by Percent of American Indian/Alaska Natives (race alone or in combination\*) living in Hard-to-Count (HTC) Census Tracts\*\*.” The Leadership Conference Education Fund, Retrieved 9 February 2018. Available at <http://civilrightsdocs.info/pdf/census/2020/Table1b-States-Percent-AIAN-HTC.pdf>.

communities, we are extremely concerned about the potential for a significant undercount of the AIAN population during the next Decennial Census. However, it is not too late for Congress to influence a better and more equitable outcome for Indian Country in 2020.

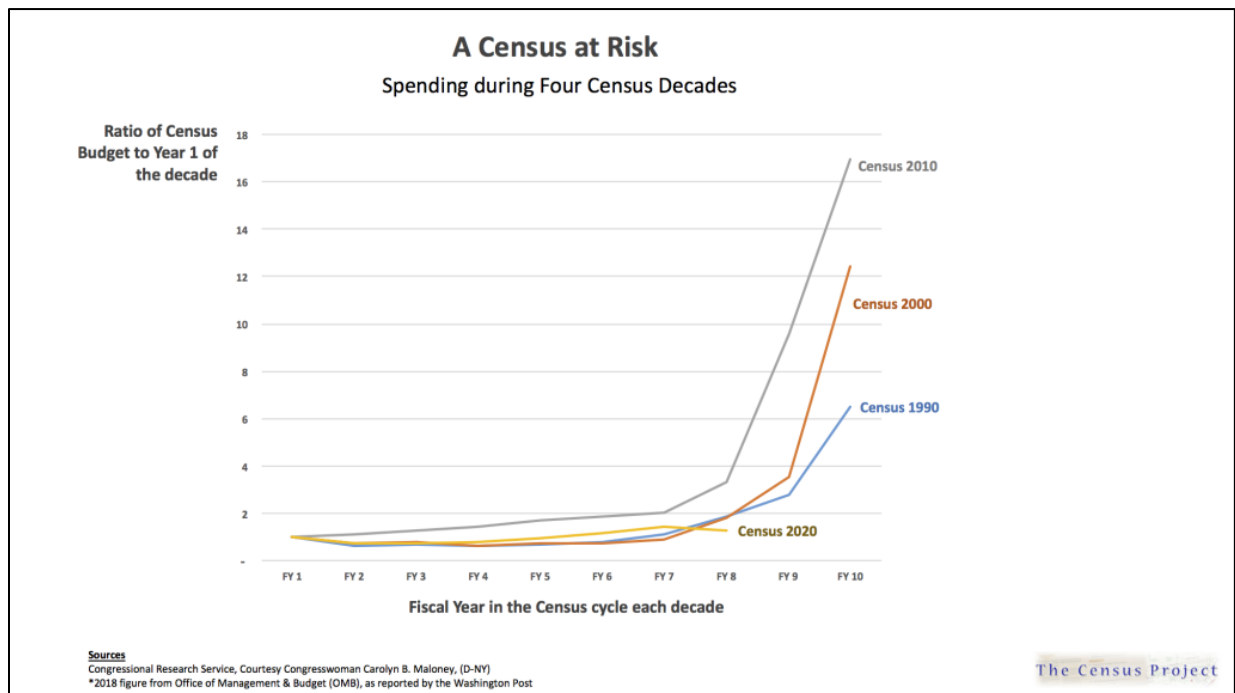
### **Promoting an Accurate Count of American Indian and Alaska Native People**

What can Congress and the Census Bureau do to ensure an accurate count of Indian Country in 2020? While there are certain revenue-neutral measures that Congress and the Administration can take, including appointing qualified, professional, and nonpartisan leadership to oversee Census Bureau operations, the reality is that conducting a fair and accurate Census will require additional resources.

#### **Census Bureau Funding**

Appropriators have significantly restricted the Census Bureau's funding in recent years, directing that the 2020 Census should cost no more than the 2010 Census did.<sup>14</sup> This mandate was issued despite the decline in purchasing power due to inflation, the need to count approximately 30 million more Americans, and the increasing complexity of ensuring the security and confidentiality of the data collected.

The significance of recent Census Bureau funding shortfalls is illustrated in the graph below, which compares the funding trend for the upcoming 2020 Decennial Census to the funding trends for the three previous decennial censuses. As the graph shows, Census Bureau funding usually ramps up in the few years preceding the decennial census, but this has not been the case so far for the 2020 Decennial.



<sup>14</sup> US Senate, Committee on Appropriations, "Report on Departments of Commerce and Justice, and Science, and Related Agencies Appropriations Bill, 2015," June 5, 2014, Page 20.

Census Bureau funding shortfalls have already significantly impacted Indian Country. Prior to each of the last several decennials, the Bureau tested its enumeration procedures in reservation areas. Tests were planned for April 2017 on the Standing Rock reservation in North and South Dakota and the Colville reservation in north-central Washington. These tests were intended to refine the Bureau's methods for enumerating areas with unique location characteristics, where it could not mail a Census form to a street address. The tests were also intended to evaluate the integration of Census Bureau systems for the specific type of enumeration most frequently used in remote and rural tribal communities.<sup>15</sup>

The Census Bureau abruptly cancelled the tests on the Standing Rock and Colville Reservations in October of 2016. The Bureau memo describing the cancellation stated:

*"The proposed funding levels in both the House and Senate from the spring of 2016 require us to prioritize other activities in 2017 rather than expend the resources necessary to conduct two planned 2020 Census field tests in 2017. Given the current uncertainty about 2017 funding, the Census Bureau will not continue expending resources to prepare for the FY 2017 field tests, only to receive insufficient resources to conduct them."<sup>16</sup>*

Underfunding of Census Bureau operations indisputably caused the cancellation of testing on the Standing Rock and Colville Reservations. An insufficient budget request for the Census Bureau in FY 2018 also caused the cancellation of two of three planned "dress rehearsal" sites in 2018. The Census Bureau originally planned to conduct the 2018 End-to-End Census Test for Providence County, Rhode Island; Pierce County, Washington; and the Bluefield-Beckley-Oak Hill area of West Virginia. Testing was cancelled for all sites except Providence County, leaving the Bureau without any experience as to how the Census process may work in 2020 in rural areas, on reservations, and in many other tribal communities. Without testing, the Bureau will be forced to use unproven methods and operations in Indian Country in 2020. That's like flying a prototype airliner for the first time with a full complement of 300 passengers on board. It is imperative that Congress fund additional focused testing in 2018 or 2019 to compensate for the canceled tests on reservations and in rural areas.

Insufficient funding has also damaged the Bureau's ability to engage with tribes and tribal organizations through its Partnership Program. Obtaining an accurate count in Native communities requires significant outreach efforts that individually target each tribal community, engaging persons and organizations the local community trusts and vigorously promoting participation in the Decennial Census. The Census Bureau undertakes this crucial work through its Partnership Program.

In 2010, the Census Bureau employed approximately 3,800 partnership staff during peak operations. By comparison, the Bureau plans to hire just 1,000 partnership staff for the 2020 Census, according to congressional testimony provided by Commerce Secretary Ross last October. Even more concerning is the fact that the Bureau has hired only 43 Partnership Specialists to date. Back home in Alaska, a single Partnership Specialist conducts the Bureau's outreach to all 229 federally recognized tribes in our state. Our Partnership Specialist must also handle all of the Bureau's outreach efforts with each and every municipality, city, borough, and

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<sup>15</sup> US Census Bureau, "2017 Census Test; Preparing for the 2020 Census, Colville Indian Reservation and Off-Reservation Trust Land, WA," undated.

<sup>16</sup> US Census Bureau, 2020 Census Program Memorandum Series, "Adjustment of FY 2017 Test Scope," by Lisa M. Blumerman dated October 18, 2016.

other unit of local government across Alaska. As if that charge were not unreasonable enough, our Partnership Specialist does not just cover Alaska; she is expected to serve a four-state region. It is an impossible task.

Forty-three Partnership Specialists nationwide would be an entirely insufficient number to engage trusted community members and mobilize local education and outreach efforts in Indian Country alone. Expecting those few dozen people to complete that work for every single community throughout United States of America is patently absurd. We call upon Congress to provide sufficient funding for the Bureau to immediately hire another 157 Partnership Specialists, bringing the total number of Partnership Specialists to 200 in 2018, just 5.3% of the number hired for the 2010 Decennial Census. Further, we urge Congress to provide funding for roughly 2,000 Partnership Specialists and assistants during peak preparations and operations in 2019 and 2020. Given the growing challenges to a fair and accurate 2020 Census, a greater outreach effort will help overcome fear and distrust of the federal government in Native communities and help keep overall census costs in check.

Like its Partnership Program, the Bureau's communications campaign is a vital investment to ensure a cost-effective and accurate census. The Commerce Department recently concluded that public cooperation in 2020 will be lower than originally projected, which will increase costs substantially. A robust advertising and outreach campaign could help ease public concerns about cyber-security, confidentiality, and the safety of responding to the Census. It is also critical to determine the targeted messaging that will be most effective in specific hard-to-count communities, like those throughout Indian Country. Unfortunately, campaign planning, messaging research, and testing is already many months behind schedule because of insufficient funding. Congress should provide increased funding in FY 2018-2020 to put the Bureau's communications campaign back on track.

Underfunding the Bureau's Partnership Program and communications campaign is penny wise and pound foolish. The Census Bureau has estimated that its costs increased by approximately \$85 million for each one percent of households that did not mail back their census form in 2010. A reasonably staffed Partnership Program and an effective communications campaign can significantly reduce the rate of non-responding households, making them sound investments in an accurate and cost-efficient census.

To ensure that the 2020 Decennial Census does not exacerbate the undercount of American Indian and Alaska Native persons that occurred in 2010, appropriators should fund the Census Bureau's Periodic Censuses and Programs budget at \$1.578 billion for 2018, for a total Census Budget of \$1.848 billion. This figure includes the administration's adjusted budget request (+\$187 million more than its original budget proposal), plus \$164 million more to expand the partnership and communications programs and to begin to increase the number of local census offices.

### Census Bureau Leadership

Leadership of the Census Bureau, particularly at the Director level, will greatly influence the success or failure of the 2020 Decennial Census in accurately counting American Indian and Alaska Native people. The immediate past Director of the Census Bureau demonstrated a willingness to listen to tribal perspectives and the ability to carefully reflect upon the opinions and information provided before making decisions that would affect tribes and AIAN people. He listened alertly during numerous day-long consultation sessions with tribal leaders and



representatives of tribal organizations. He also strengthened the role of the Tribal Affairs Coordinator within the Bureau's Office of Congressional and Intergovernmental Affairs.

Currently, the position of Census Bureau Director is vacant. The President has not advanced a nominee, who will be subject to Senate confirmation. Whoever is chosen to lead the Census Bureau will be in a position to greatly influence the future of Indian Country. We ask that the Senate help ensure that the role is filled by a principled individual with relevant professional expertise, substantial management experience, and a willingness to work with the diverse populations impacted by Census Bureau data collections.

### Tribal Enrollment Question

The Census Bureau spent considerable time researching and evaluating the risks and potential benefits of including a tribal enrollment question in the 2020 Decennial Census. After careful study and more than a dozen full-day consultation sessions with tribes and tribal organizations from across the country, the Bureau determined that it would not recommend the inclusion of a question on tribal enrollment. I urge the members of this committee to stand by the Bureau's well-informed decision.

It is my understanding that in nearly all of the Bureau's consultation sessions, the significant majority of tribal representatives expressed disapproval of the possible inclusion of a tribal enrollment question. This position was reinforced by the National Congress of American Indians, which passed a resolution explicitly opposing the inclusion of a tribal enrollment question.

Tribes oppose the inclusion of a tribal enrollment question for several reasons. Some tribes have concerns about the implications to tribal sovereignty. Because the Decennial Census is based upon self-identification, the only way for the Bureau to confirm enrollment would involve tribes disclosing their roles for purposes of verification. Tribes were also concerned that the question would produce flawed and inaccurate data. Because there is no universal definition of "tribe" across federal tribal programs, it would be impossible for a single enrollment question to accurately measure "tribal members" for the purposes of federal Native American programs. Additionally, in places like Alaska, many tribal members identify their tribe based upon their racial or ethnic identity. A tribal enrollment question would fail to capture this distinction and would lead to inaccurate data. For these reasons, a tribal enrollment question does not belong on the Decennial Census or any other Census Bureau data collection.

### The American Community Survey

While the focus of this hearing is the 2020 Decennial Census, I am compelled to also stress the importance of the Census Bureau's annual American Community Survey (ACS). The ACS is the best available source of uniform data on Native communities across the country. It is utilized in numerous federal funding formulas, including for the Indian Housing Block Grant.

Unlike the Decennial Census, which seeks to count every person in the country, the ACS is a survey. It is sent to a sample of households within any given community. Although the Census Bureau has instituted procedures that increase the sampling rates for American Indian and Alaska Native areas, a measure for which it should be applauded, it remains critical to Indian Country that Congress adequately funds the ACS.

I also urge Congress to ensure that the ACS remains a mandatory data collection. Recent years have seen efforts by some organizations and Members of Congress to make ACS response voluntary. Studies suggest that making the ACS voluntary would lower the national response rate by over 20%. To account for this drop in responses the Bureau would need to increase the sample size, which would translate to significantly more federal dollars spent conducting the ACS without any guarantee of improved data reliability or usefulness. In fact, a short-lived “experiment” with a voluntary census form in Canada resulted in the loss of data for about 25 percent of the country’s communities, most notably the rural and sparsely populated areas that are home to many of Canada’s Native peoples. The Canadian government reversed course when the next census took place, restoring the mandatory response requirement for its survey on household social and economic characteristics.

While there have been limited discussions about creating a new federally-administered tribal survey, the costs of doing so are prohibitive. Various estimates suggest that it would cost between \$20 and \$140 million to conduct such a survey just once every five years. Considering the substantial unmet needs throughout Indian Country, from health care to housing, we in Alaska prefer to avoid duplicating data collection efforts and instead focus on working with the Census Bureau to enhance the accuracy of the ACS.

## **Conclusion**

I would like to briefly recognize Norm DeWeaver, Terri Ann Lowenthal, and the Leadership Conference on Civil and Human Rights for their distinguished and ongoing work to educate stakeholders across the country about how Census data collections affect Alaska Native and American Indian populations. Their engagement has informed my participation on the Census Bureau’s National Advisory Committee and has been deeply appreciated.

Acting Census Bureau Director Ron Jarmin and Commerce Department Under Secretary Karen Dunn Kelley also deserve recognition for stepping into a leadership void at the Census Bureau and acting in good faith in their efforts to conduct an accurate 2020 Census.

Most of all, I would also like to recognize the talented and dedicated employees of the U.S. Census Bureau for their authentic engagement on tribal issues. I have had the pleasure to work with so many of them over the past half-decade, including Tim Olson, Associate Director for Field Operations, who is deeply passionate about the work the Bureau does. There’s James Christy, who heads the Los Angeles Regional Office but now finds himself helping to fill capacity gaps in Bureau Headquarters in Maryland. Jamey has always made time to listen to tribes in Alaska, despite the enormity of his role for the Census Bureau. And of course, there is Dee Alexander, who has brought new accountability to tribes and Native peoples through her role as the Bureau’s Tribal Affairs Coordinator. We appreciate and value the work they do every single day.

Please understand that I am here today to tell you that these incredible people and their many colleagues at the Census Bureau are NOT the reason I fear that American Indian and Alaska Native people will be undercounted in 2020. I fear we will be undercounted because there are too few of them and because they are not being given the resources they need to do their jobs thoroughly. I am asking you today, in no uncertain terms, to help change that.

I appreciate the opportunity to appear before the Senate Committee on Indian Affairs, and I hope the information I have provided today has reinforced the vital importance of the 2020 Census for Indian Country.