



April 27, 2023

The Honorable Richard L. Revesz
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
1800 G Street, NW, 9th Floor
Washington, DC 20503

Submitted via e-mail: mbx.omb.oira.statistical_directives@omb.eop.gov and at
www.regulations.gov

Re: Initial Proposals For Updating OMB's Race and Ethnicity Statistical Standards (62 FR 58723)

Dear Administrator Revesz:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 230 national organizations to promote and protect the civil and human rights of all persons in the United States, and the undersigned organizations, we appreciate this opportunity to provide comments in response to *Initial Proposals For Updating OMB's Race and Ethnicity Statistical Standards* from the Federal Interagency Working Group on Race and Ethnicity Standards ("working group") published in the Federal Register on January 27, 2023 (the "notice"). The Office of Information and Regulatory Affairs (OIRA) has tasked the working group with developing recommendations for revising OMB Directive 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity ("standards"). The organizations submitting these comments commend OMB and OIRA for recognizing that continued racial and ethnic change in the United States requires an evolution in the statistical policy governing how we measure the demographic composition of our population.

The Leadership Conference is the nation's oldest, largest, and most diverse civil and human rights coalition and provides a powerful unified voice for the many constituencies we represent. Our coalition views an accurate and fair census, and the collection of useful, objective data about our nation's people, housing, economy, and communities generally, to be among the most important civil rights issues of our day.

To that end, The Leadership Conference has served as a Census Information Center for nearly two decades, a role that has allowed us to lift up within our broad civil rights coalition the fundamental importance of comprehensive, high-quality data about our population, communities, and economy. We also have a long history of first-hand experience working in support of previous censuses and in support of the Census Bureau's American Community Survey (ACS). Our Census Task Force meets regularly to keep stakeholders informed about

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key Census Bureau programs, policy developments, operational challenges, and opportunities to engage in decision-making. For the 2020 Census, we undertook the Census Counts campaign, the nation's most comprehensive, extensive, and inclusive stakeholder effort to promote participation in historically undercounted communities and to mobilize local advocates in support of the census by highlighting the civil rights and social justice implications and community benefits of an accurate count. Though the 2020 count is now over, Census Counts continues to engage and mobilize national, state, and local stakeholders throughout the decennial census cycle.

Overview and Context for Considering Revisions to OMB Directive 15

Since OMB first promulgated standards on the classification of race and ethnicity (for statistical purposes) 45 years ago, and even since OMB last revised the standards in a significant way 25 years ago, the United States has experienced enormous demographic change, an increase in hate crimes based on race and ethnicity, and dramatic changes in the scope and nature of discrimination in many societal institutions. Persons of Hispanic origin now comprise nearly one-fifth of the population. The Black/African American population grew by nearly 90 percent between 2010 and 2020 and now comprises, alone or in combination with another race, more than 14 percent of the nation's population. Asian Americans, reporting that race alone or in combination in the 2020 Census, remain one of the fastest-growing groups and now comprise more than 7 percent of the population. The American Indian and Alaska Native population (alone or in combination with other races) experienced a 160 percent increase between the 2000 and 2010 Censuses, while more than half of the Native Hawaiian and Pacific Islander (NHPI) population identified with more than one race in the 2020 Census.

As a threshold matter, we realize there are some observers who argue that collecting any data on race and ethnicity is an exercise that divides people in America and infringes on individual privacy. To the contrary, the standards allow *all residents* of our country to be *included* in the fabric of our society by choosing how they identify and see themselves. The resulting portrait of our nation and communities allows government agencies, businesses, nonprofits, health care professionals, and researchers to evaluate access and outcomes in the nation's social and economic institutions and to ensure equal opportunities that lift the quality of life for all. Equally important, the data are necessary to implement and enforce civil rights laws, including the U.S. Constitution's guarantee of equal representation. The 2014 Leadership Conference Education Fund report, "Race and Ethnicity in the 2020 Census: Improving Data to Capture a Multiethnic America," details the myriad of civil rights laws that depend on accurate census race and ethnicity data to achieve their full purpose.¹

With that backdrop, OMB's statistical policy must consider both the individual's interest in identifying oneself fully and society's interest in ensuring compliance with laws that uphold the civil and constitutional rights of all people and in addressing discrimination in opportunity, access, and outcomes in society's institutions, including the workplace and schools. In fact, OMB highlighted the historical basis for the standards during previous revision efforts: "Development of these Federal data standards stemmed in large measure from new responsibilities to enforce civil rights laws. Data were needed to monitor equal access to housing, education, employment opportunities, etc. for population

¹ <http://civilrightsdocs.info/pdf/reports/Census-Report-2014-WEB.pdf>.

groups that historically had experienced discrimination and differential treatment because of their race or ethnicity.”² At the same time, the principles governing the working group’s current review acknowledge the principle of “respondent self-identification” in the collection of race and ethnicity data, noting that “[r]espect for individual dignity should guide the processes and methods for collecting data on race and ethnicity.”

Since the last significant revisions to the OMB standards more than 25 years ago, data collection methods have evolved, offering respondents more options for providing race and ethnicity as well as subgroup or national origin data. Notably, digital response platforms — such as the 2020 Census Internet Self-Response portal — offer greater flexibility to federal agencies and federal grant recipients in eliciting detailed responses. Nevertheless, it is important to maintain consistency, to the extent operationally feasible, in the choices offered respondents using different modes of participation, including internet, telephone, and paper questionnaires or administrative forms. While the standards should recognize the promise of technological advances as more respondents move to online participation in surveys and censuses and survey staff use electronic devices to collect information, OMB must set high expectations for the collection and presentation of richer data for all federal agencies, regardless of the methods used to collect the information.

Finally, we understand that OMB, as a steward of federal dollars, must consider the cost of implementing revised standards across the federal government. However, any implementation costs must be weighed against the “cost” of discrimination in major social institutions such as the labor force, health care system, education, housing, and financial services — both to individuals who are denied equal access and opportunities and to society as a whole. Those consequences are significant, long term, and pervasive, and they outweigh the cost to federal agencies of adapting their statistical practices to reflect the nation’s demographic change and provide the tools for effective, rigorous administration of civil rights laws. OMB can take steps to mitigate the burden of complying with new standards by working with agencies to promote common, consistent data collection instruments and methods whenever practicable and setting reasonable timetables for compliance.

I. Issues for Comment in the Federal Register Notice

A. Combined race and ethnicity question format

We support revising the standards to favor the collection of race and ethnicity data through a combined question format instead of through separate questions for ethnicity and race. However, equally important to adopting such a change in collection methods, use of a combined question should not imply that there are no distinctions between race and ethnicity. The OMB standards should maintain categories for race and ethnicity, and instructions must make clear that respondents can select more than one race and/or ethnicity, as well as more than one subgroup for each race and ethnicity, even though some respondents might only identify with an ethnicity (that is, Hispanic and possibly MENA) and not with one of the distinct race categories.

² *Federal Register*, Vol. 82, No. 39, March 1, 2017, p. 12243.

Furthermore, guidance accompanying the standards should direct federal agencies to make clear to respondents that the categories offered reflect both races and ethnicities and that they can identify with as many of those categories as they wish. The Census Bureau’s research and testing of question wording and terminology associated with maximum, accurate responses in a combined question should be illustrative for other agencies and organizations. We urge the Census Bureau to continue testing optimal wording and terminology for a combined race and ethnicity question, including testing a question stem that instructs respondents to select all “race *and/or* ethnicities” that apply (emphasis added).

In supporting a combined question, we are mindful of concerns that such an approach could lead to a loss of data on race, especially in the Black/African American and American Indian and Alaska Native categories. OMB heard similar concerns during its listening sessions with a diverse set of community representatives. We are encouraged by findings from the 2015 National Content Test³ (NCT, the largest census content test ever conducted) that reporting in the Black/African American category for Hispanics was statistically higher in a combined question with a Middle Eastern/North African (MENA) category and multiple detailed checkboxes (along with space to write in other subgroups) than for the separate question format. The Census Bureau’s full analysis of the NCT results also showed that a greater proportion of respondents identified with one or more distinct race or ethnicity categories in a combined question than in separate questions, as evidenced by a significant drop in Some Other Race reporting to about 1 percent in a combined question with detailed checkboxes.⁴ There were no statistically meaningful differences in reporting for the Black/African American, Asian, and Native Hawaiian and Pacific Islander race categories in a combined question approach. (It is worth noting that the NCT, the largest census test ever conducted at 1.2 million homes, built on the findings of the 2010 Census Alternative Questionnaire Experiment — itself a 500,000 housing unit sample, which included quantitative and qualitative research.)

To be sure, some Hispanics do not identify with any of the minimum race categories; in the NCT, more than 70 percent of respondents identifying as Hispanic in a combined question format did not select another major race or ethnicity (i.e., MENA) category, suggesting that a significant segment of the Hispanic population identifies primarily with this designation. We emphasize again that data collection instruments should make clear that respondents can identify with and select more than one category when reporting their race and ethnicity to fully capture their identity. To advance that goal, we offer additional recommendations to help ensure that respondents fully “see” themselves in each of the minimum categories by offering checkboxes and examples that span the appropriate diaspora for each race and ethnicity.

Consistency is a primary goal. We also believe that federal agencies should use consistent methods of data collection to the fullest extent possible. In proposing a combined question for race and ethnicity data, the working group suggests “flexibilities” for agencies that depend on aggregate data, observer-reported

³ 2015 National Content Test: Race and Ethnicity Analysis Report, Version 1.0, U.S. Census Bureau, February 28, 2017.

⁴ Federal law requires the Census Bureau to offer a *Some Other Race* option when collecting data on race in the decennial census and American Community Survey.

data, or data from non-federal providers. We are concerned that inconsistent practices could lead to data that are not comparable in quality or measurement, and we encourage strong direction and oversight from OMB that clearly favors one format over another when data are self-reported.

Undoubtedly, compliance with a new set of standards will be more difficult and time-consuming for some entities than others. Feasibility of implementation is important, but we also must recognize that there always will be some resistance and barriers to change. Inconsistency in data collection protocols and data products, and gaps in the availability of comprehensive race and ethnicity data, already exist. Ensuring that the standards for maintaining, collecting, and presenting these data promote scientifically rigorous measurement of emerging demographic and social changes must be a paramount consideration as OMB finalizes revisions to the standards.

Terminology and instructions are important. We agree with the working group’s proposal that a single combined question to collect *race* and *ethnicity* data use both of those terms in the question stem. Further, we support the proposal to update the current instructions that would be used for a combined question to make it clear that respondents should “mark” or “select all categories that apply.” *However, we urge further testing to ensure a question stem that most effectively and clearly conveys to respondents that race and ethnicity are distinct concepts and that the question is not intended to conflate the two, including testing a modified reference to “race **and/or** ethnicity” (emphasis added).*

We also understand the concern of Tribal Nation leaders that American Indians may not view their identity through a lens of race or ethnicity, which might require additional research and testing of modified question stem wording that resonates more clearly with members of sovereign nations. OMB and the Census Bureau should consult with Tribal Nation leaders with the authority to speak for their tribe to determine if testing of additional language in the question stem is needed and if communications materials related to census participation and response can be developed to ensure that a combined race and ethnicity question conveys concepts that are relevant for Native people. While this concern is relevant for both separate and combined question formats, the inclusion of race and ethnicity categories in a single question could elevate confusion for tribal citizens.

B. Adding Middle Eastern or North African as a new minimum reporting category

We support the addition of a new *ethnicity* category for persons of Middle Eastern or North African (MENA) origin that is geographically based and separate from the White category. We urge OMB to include MENA as a minimum reporting category for all purposes for which federal agencies collect and publish race and ethnicity data. (Data should always be published, as long as the data are statistically reliable and can be reported in compliance with data confidentiality standards.)

We urge OMB to work closely with community advocates and leaders to achieve a consensus on: (1) the nationalities and transnational groups that should be included in the definition of a MENA category; (2) effective instructions to respondents to promote reporting in this category among all persons of MENA origin, whether native or foreign born; and (3) clear explanations in educational and communications

materials that MENA is an ethnicity and that respondents may select additional race and/or ethnicity categories with which they identify.

The Census Bureau’s 2015 NCT showed that when the Census Bureau offered a distinct MENA category in a combined race and ethnicity question, a significant percentage of respondents (79 percent) identifying with MENA origins selected that category. At the same time, reporting of detailed MENA responses in the other major categories declined significantly. Not surprisingly, the drop was most notable in the White category, where the percent of responses by people identifying with a detailed MENA origin fell from 85.5 percent when no distinct MENA category was offered, to 20 percent when a MENA checkbox was included in a combined question.

These results clearly indicate that respondents of MENA origin or ancestry preferred a MENA designation, as opposed to the “White” racial category exclusively (or, since multiple responses are allowed, only White), which the definitions in the current standards mandate. Because the standards favor self-identification in race and ethnicity reporting whenever feasible, it is important that the categories that define our country’s racial and ethnic composition are inclusive and reflect the way people see themselves to the fullest extent possible. This principle becomes more important when the ethnicity in question is associated with discrimination or is singled out in public policy for heightened scrutiny.

In fact, it is essential to have an accurate portrait of communities that have been targets of racial or ethnic discrimination and hate crimes and that often do not have equal access to social and economic institutions and activities. The first step toward addressing issues of inequality — whether in access to health care, job and contracting opportunities, lending, and affordable housing, in interactions with law enforcement, or in acceptance by the public generally — is to understand objectively the nature and scope of the challenges. To this end, we cannot know what we do not measure well. Collecting data that clearly and fully identify all people of MENA origin will help government, civic, faith, and private sector leaders meet the needs of these communities and ensure equality of opportunity in all aspects of American society.

C. Collection of more granular data for all minimum race and ethnicity categories

We believe OMB should *require*, rather than simply *encourage*, agencies to collect and publish more detailed data for all minimum race and ethnicity categories whenever possible, unless an agency demonstrates that publication would compromise data quality or respondent confidentiality. We note, however, that agencies should be encouraged to collect detailed data for all minimum categories — even if they cannot publish all of the data — for possible future research purposes or aggregation to higher geographic levels.

OMB recognizes in the notice that “The increasing demand for analysis that represents the diversity of the American public increases the need for race and ethnicity information disaggregated beyond—or more granular than—SPD 15’s minimum categories.”⁵ The standards should state more clearly and directly that the major race and ethnicity categories represent the *minimum* reporting categories agencies must use if

⁵ Federal Register/Vol. 88, No. 18/Friday, January 27, 2023, pg. 5382.

they collect information through self-reporting methods, whether on surveys or through administrative forms. Further, we believe the Census Bureau's previous research demonstrates that for all populations other than American Indians and Alaska Natives, a checkbox format supplemented by write-in boxes for subgroups not listed in the checkboxes yields more accurate and complete data. Therefore, the revised standards should require agencies to use this format unless they can demonstrate a compelling reason why such an approach is not feasible for a specific data collection activity.

Disaggregated data are necessary to understand the diversity of experiences within each major category and to address and reduce disparate outcomes based on those differences. Within the primary race and ethnicity categories, people of different national origins (or subgroups) often have vastly different experiences and outcomes in society, as evidenced by key socio-economic indicators published for detailed subgroups, including data on educational attainment, incidence of disease and access to health care, employment, income, and other important measures of well-being. Identifying and understanding these differences allows policymakers and civic leaders to fashion remedies for disparate outcomes that consider root causes and factors, such as racial bias, immigration status, language barriers, cultural behaviors, and geographic isolation.⁶ Collecting and reporting data only on broader race or ethnicity categories masks important differences within these population groups and hinders efforts to improve circumstances for all people in America.

The current standards suggest that agencies are *permitted* to collect more detailed information. However, an optional approach does not promote the availability of consistent and comparable data across federal agencies, and many agencies have not prioritized subgroup reporting. Without a stronger statement of federal goals that such a requirement for disaggregated data would represent, history has shown we will not see improvement in the scope of information available for important policy and programmatic purposes. The standards should establish a requirement for collection of subgroup or disaggregated data and require agencies to seek an exception to this directive from OMB and explain their rationale based on methodological, operational, or cost barriers. OMB should provide an opportunity for public comment on any such applications for an exception to the disaggregated data requirement. We also note that our support for stronger guidelines on the collection of detailed race and ethnicity data is fully compatible with the proposed change in preferred question format from separate questions for race and ethnicity to a combined question approach.

We do not believe that requiring the collection of detailed race and ethnicity data would impose an additional response burden on the public. Respondents are free to identify with as few or as many race and ethnicity categories as they wish, and many will welcome the opportunity to choose either a specific national origin or subgroup or more than one category. Some respondents, in fact, may not identify strongly with a major race or ethnicity category (such as Asian or Hispanic), but might instead “see” themselves more clearly as a member of a subgroup (such as Chinese, Mexican, or Nigerian) when filling out a survey or form.

⁶ The Leadership Conference Education Fund. “Information Nation: The Need for Improved Federal Civil Rights Data Collection.” April 2022. <https://civilrightsdocs.info/pdf/reports/Information-Nation-2022.pdf>.

Minimum categories for detailed (subgroup) data: With respect to setting minimum categories for the collection of detailed data, we believe the standards should suggest what those subgroups should be. That, in our view, is the most effective way to facilitate the collection and presentation of consistent, comparable data across the country and for all major social and economic institutions and programs.

However, in providing guidance on an optimal design for a combined question, the subgroups used for checkboxes and examples (for the write-in areas) for each primary race and ethnicity should capture the full range of origins included in the respective category to improve clarity for respondents seeking to identify with multiple categories, especially both a race and ethnicity. This could mean that the choices do not necessarily only represent the numerically largest countries of origin, but rather are indicative of the range of origins within each category in order to facilitate respondents' understanding of OMB's definition for each category.

Further, the checkboxes and examples should help guide large race and ethnicity combination groups in how best to describe their full identities. For example, the Census Bureau and OMB should consult with stakeholders about whether to include Afro-Latino or specific Afro-Latino national origins such as Dominican as checkboxes or examples under the Black or African American race category, and they should test those possibilities for resonance with respondents. We note that the checkboxes and examples suggested in the notice for this category include multiple African countries of origin but do not include any examples that might describe Afro-Latinos, such as Dominican or Honduran. Similarly, checkboxes and examples for collecting detailed MENA data should include not only the largest groups by population in the United States, but also a transnational group, Gulf population, and Arabic-speaking country, which would “signal” to respondents the entirety of the MENA region for purposes of self-identification. *For these reasons, we urge further consultation with community leaders, as well as focused research and testing, to determine the most inclusive checkboxes and examples for all minimum race and ethnicity categories.*

We also recommend that you consider the views of indigenous organizations and Tribal Nations in determining the proper format for responding to the American Indian and Alaska category.

At the same time, it is important to recognize that the composition of the population continues to change overall and that the prevalence of certain national origins or ancestries in some geographic areas, but not others, requires flexibility in determining the most useful combination of subgroups for which agencies might collect data (other than the decennial census and ACS), depending on the size and scope of the collection activity. If asked, OMB should advise federal, state, and local government agencies on alternative categories for detailed data collection based on local demography and in consultation with the Census Bureau and community representatives. Equally important and for the same reasons, periodic but ongoing review of the most appropriate minimum categories for the collection of detailed data is warranted and, indeed, necessary.

D. Publication of detailed data

We urge OMB to revise the standards to favor more clearly the presentation of data for *all* standard (major) race and ethnicity categories, as well as more detailed data, whenever statistically possible. We believe the designation of an “All Other Races” category is no longer appropriate, as it renders many people “invisible” for important policy and programmatic purposes. Instead, the standards should direct agencies that are unable to report data for specific race or ethnicity categories due to unacceptable quality or statistical reliability, confidentiality concerns, or absence of legal requirements, to note clearly (with the use of an asterisk or footnote, for example) the reason(s) why data are not included for those groups.

Further, and particularly important if a new combined question is used, the standards should require agencies to publish data for the largest race and/or ethnicity combinations, noting that those combinations might be different for different geographies. Those combinations could include, but are not limited to, Black/African American and Hispanic/Latino, White and Hispanic/Latino, Black/African American and MENA, American Indian and Alaska Native and Hispanic/Latino, Native Hawaiian or Pacific Islander and Asian, and White and Asian.

E. Additional revisions related to definitions, terminology, descriptions, and collection methods

We also support the following proposed revisions to the standards, which we believe are particularly important. Our failure to address all of the working group’s proposed revisions should *not* be interpreted to mean that we support or oppose those ideas. In addition, we offer one recommendation concerning the definition of the Black or African American race category, which we believe warrants further research, consultation, and consideration.

- 1. The revised standards should permit the reporting and tabulation of multiple ethnicities,** which the current standards do not allow. The discussion in section “II. C” of these comments about the extensive diversity *within* the major race and ethnicity categories applies to this recommendation as well.
- 2. In revising the standards, OMB should remove the terms “Negro” and “Far East” —** changes that are long overdue — as the working group recommends. Both terms are outdated, rarely used in current public discourse, and offensive to many people in these communities. **Revised standards should also remove the word “Other” from the Native Hawaiian and [Other] Pacific Islander category.**
- 3. OMB and the working group must continue frequent and meaningful consultation with representatives of Tribal Nations and Alaska Native populations, as well as other Indigenous communities in the United States, regarding the proposed definition for the American Indian and Alaska Native race category to ensure the collection and presentation of accurate, clear data.** We note that advocates for AIAN communities and South and Central American persons in the United States have, for some time, urged OMB to research and address

the most appropriate way to classify Indigenous persons in order to preserve and improve the quality of data collected on American Indians and Alaska Natives, while recognizing the need to measure other Indigenous population groups accurately. Of particular importance is ensuring the maintenance of data that are accurate and usable for programs based on the unique trust relationship between the federal government and sovereign Tribal Nations.

4. **The revised standards should no longer use the terms “majority” and “minority,” as the working group proposes.** The term “minority” as a descriptor of all race or ethnicity categories other than White is no longer accurate or relevant in many states and localities where non-White races or ethnicities — individually, collectively, or in some combination — comprise a majority of the population. Equally pertinent, some people believe that the term “minority” implies a less important or less equal status of persons within a non-White race or ethnicity category.
5. Finally, **we urge OMB and the working group to give further consideration to the definition of the Black or African American race category, including consultation with community stakeholders and leaders, in light of concerns that a combined question format would reduce race reporting among Afro-Latinos and Afro-MENA respondents.** The definition for this race group refers to individuals who have African ancestry identity. However, the examples listed only reflect national origin countries in Africa and English- and French-speaking Caribbean nations. The definition could appear too narrow to include people whose origins are in Central and South America, Spanish- or Portuguese-speaking nations, and nations in the Middle East and Persian Gulf, who self-identify as Black.

II. Additional Topics for Consideration

A. Guidance for comparing data over time (bridging)

With adoption of revised standards, we believe it is essential for OMB to develop clear guidance for federal agencies and all other data users on scientifically sound, consistent protocols for comparing race and ethnicity data across time and categories. Implementation, monitoring, and enforcement of many civil rights laws, in particular, require analysis of racial and ethnic trends with respect to access and opportunity. As it did after revising the standards in 1997, OMB should work with a wide range of stakeholders — but especially those involved in implementation, enforcement, and monitoring of civil rights laws, as well as with the redistricting process — to develop guidance for tabulation and “bridging” between data collected under different versions of the standards. The timeliness of this guidance is vital to ensuring that stakeholder organizations with varying levels of technical expertise can prepare to use data collected under the new standards well in advance of data publication.

Bridging data collected under the current standards and, in the future, under revised standards (if OMB chooses to update the standards) will be particularly challenging not only because the standards might include a new reporting category (i.e., MENA), but also because federal agencies might collect race and ethnicity data through a single question that combines these concepts and does not require the respondent to select both a race and ethnicity. Nevertheless, OMB must ensure that data collected in accordance with

the new standards will be useful in carrying out laws and programs, especially in the civil rights arena. The data must allow agencies to monitor compliance with and to enforce civil rights laws, which in many cases requires comparisons of past practices with current ones, as well as the establishment of benchmarks and identification of statistically significant changes in the data.

B. Guidance for reporting and using inclusive data

Equally important, the collection of race and ethnicity data in a combined question must not diminish the reporting of responses for any race, ethnicity, and national origin or Tribal Nation identity respondents might select. OMB should issue clear guidance on the tabulation and presentation of race and ethnicity data in ways that facilitate an accurate portrait of all communities and ease of data use. Data publication should favor reporting of inclusive responses to the greatest extent possible and in as much detail as possible — for example, “Black/African American, Hispanic, and Dominican,” when sample size is sufficient and confidentiality is protected. OMB also should advise agencies on the appropriate uses of data displaying responses “alone or in combination” for purposes of implementing federal programs or measuring equality of access, opportunity, and outcomes.

It will be especially important for OMB to work with the Census Bureau, other federal statistical agencies, data users, and civil rights stakeholders to establish clear protocols for tabulating and presenting responses that include both a race and an ethnicity, such as Black/African American and Hispanic/Latino. It is not yet clear whether or how the Census Bureau, for instance, will impute a race when respondents do not select a race or select Some Other Race, as has been done under a separate question approach. Resolution of this question should be a priority, along with subsequent guidance to all federal agencies and contractors on how to report or present race and ethnicity data in a way that fully captures the diversity of the population.

In closing, we urge you to continue reaching out to stakeholders as the working group considers feedback in response to the current notice, and as OMB works to finalize revisions to the standards no later than summer of 2024 — a goal we strongly support so that a new combined question with a MENA category can be offered as part of 2030 Census field tests starting in 2025. Continued opportunities for dialogue, as OMB and the working group review the comments submitted, will help OMB reach conclusions that have broad support from a wide range of stakeholders, including Congress, federal agencies, state and local civic leaders and institutions, civil rights advocates and experts, researchers, and business leaders.

We emphasize that the need for further research, testing, and consultation to ensure the optimal combined race and ethnicity question for the 2030 Census and related ACS should in no way delay adoption of revised standards in a timely manner. With that in mind, we encourage the Census Bureau to conduct focused, high quality additional research and testing, as necessary, to resolve outstanding issues related to the most effective terminology and formatting of a race and ethnicity question — for example, to determine which subgroup checkboxes and examples for each major race and ethnicity category will allow people to fully “see” themselves in all appropriate categories with which they identify.

We look forward to working with you and your colleagues in the coming months to ensure that the voices of the civil and human rights community continue to be heard in this important, ongoing national conversation. If you have any questions about these comments, please contact Meeta Anand, senior director of the census and data equity program at The Leadership Conference on Civil and Human Rights, at 202-466-1887 or anand@civilrights.org.

Sincerely,

The Leadership Conference on Civil and Human Rights
A Better Balance
AAPI Data
Abrazar, Inc.
Advancement Project
AltaMed Health Services
American Association of University Women
American Humanist Association
American Public Health Association
American-Arab Anti-Discrimination Committee (ADC)
The American, Arab, Middle Eastern, and North African Psychological Association (AMENA-Psy)
Americans for Financial Reform Education Fund
APIA Scholars
Arab American Institute (AAI)
Asian Americans Advancing Justice – AAJC
Asian and Pacific Islander American Health Forum
Asian and Pacific Islander American Vote (APIAVote)
Asian Health Services
Asian Resources, Inc.
Association of Asian Pacific Community Health Organizations (AAPCHO)
Association of People Supporting Employment First (APSE)
Association of Public Data Users (APDU)
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Bend the Arc: Jewish Action
Bhutanese Community Association of Pittsburgh
The Brennan Center for Justice at NYU School of Law
California Pan-Ethnic Health Network
Center for American Progress
Center for Asian Americans in Action
Center for Civic Policy
Center for Law and Social Policy (CLASP)
ChangeLab Solutions
The Children's Agenda
Children's HealthWatch

Citizens' Committee for Children of New York
Civic Health Alliance
Coalition for Asian American Children and Families (CACF)
Color Of Change
Common Cause
Demographic Analytics Advisors
Disability Rights Education and Defense Fund (DREDF)
Dominicanos USA (DUSA)
Dorothy A. Johnson Center for Philanthropy at Grand Valley State University
The Education Trust
Elevate Strategies
Empowering Pacific Islander Communities
Equality California
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Metrics Together
Michigan Nonprofit Association
Minnesota Council on Foundations
Missouri Asian American Youth Foundation
Movement Advancement Project
N.Y. Census & Redistricting Institute
NAACP
National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund
National Black Justice Coalition
National Center for Transgender Equality
National Community Action Partnership
National Consumer Law Center (on behalf of its low-income clients)

National Council of Asian Pacific Americans (NCAPA)
National Council of Jewish Women
National Disability Rights Network (NDRN)
National Employment Law Project
National Fair Housing Alliance
National Health Law Program
National Hispanic Medical Association
National Immigration Law Center
National Network for Arab American Communities (NNAAC)
National Network for Youth
National Partnership for Women & Families
National PTA
Nebraska Appleseed
NETWORK Lobby for Catholic Social Justice
Orange County Communities Organized for Responsible Development (OCCORD)
PACDC
Partnership for America's Children
Pennsylvania Partnerships for Children
Pennsylvania Voice
PolicyLink
Population Reference Bureau (PRB)
Prison Policy Initiative
Public Affairs Alliance of Iranian Americans (PAAIA)
Reviving the Islamic Sisterhood for Empowerment
ROC United
Services, Immigrant Rights and Education Network (SIREN)
Silver State Equality
SoCal Grantmakers
Sojourners
South Carolina Appleseed Legal Justice Center
Southeast Asia Resource Action Center (SEARAC)
Southeast Los Angeles (SELA) Collaborative
Southern Echo Inc.
The Southern Economic Advancement Project (SEAP)
Start Early
State Voices
Statewide Database
Twin Cities Research Group
UnidosUS
Voices for Racial Justice
Whitman-Walker
Women Employed
Working IDEAL



ZERO TO THREE