

FEDERAL INTERAGENCY TECHNICAL WORKING GROUP ON
RACE AND ETHNICITY STANDARDS

Annex 3. Implementation Team Final Report

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1. Executive Summary

The Federal Interagency Technical Working Group on Race and Ethnicity Standards' (Working Group) Implementation Guidance Team formulated recommended guidance to accompany the release of the upcoming Statistical Policy Directive No. 15 (SPD 15) revision. Also, the team developed additional requests for the U.S. Office of Management and Budget (OMB) to provide implementation guidance in the future.

The Implementation Guidance Team developed two recommendations on **implementation and timing** for adoption of the revised SPD 15:

- Within 12 months, the head of each Federal agency that collects race and ethnicity data shall submit to OMB an Action Plan on Race and Ethnicity, which shall detail how the agency plans to reach compliance with the SPD 15 revision and shall identify anticipated challenges.
- For Federal agency-conducted or -sponsored data collections that include racial/ethnic information, the provisions of the revised SPD 15 are effective immediately for all new record keeping or reporting. All existing Federal agency-conducted or -sponsored data collection efforts shall be made consistent with a revised SPD 15 no later than four years after the Federal Register Notice (FRN) issuing the revised SPD 15 is published.

The Implementation Guidance Team developed three recommendations for **improving the collection and reporting practices** for race and ethnicity data:

- When the collection of race and ethnicity is done through visual observation, the minimum reporting categories are required but the collection of detailed race and ethnicity categories is not required.
- When data are not self-reported, agencies are encouraged to transparently describe how the data were collected or generated, and how nonresponse or other missing data were assigned or allocated.
- With respect to tabulation, the seven minimum race and ethnicity reporting categories shall be treated co-equally. Additionally, the tabulation procedures used by Federal agencies shall result in the production of as much information on race and ethnicity as possible, including data on people reporting more than one race and/or ethnicity. However, Federal agencies shall not present data on detailed categories and specific Multiracial and Multiethnic populations if doing so would compromise data quality or respondent privacy.

The Implementation Guidance Team also developed several **additional requests to OMB** for implementation guidance. OMB should:

- Provide a central repository of guidance and SPD 15 background information on a public website that remains active across administrations and is updated as needed.
- Provide guidance on race and ethnicity data bridging and tabulation.
- Provide best practices to support agencies in adjusting to the new question format and collecting detailed race and ethnicity data.
- Release guidance on requesting an exemption from collecting detailed race and ethnicity information.
- Provide an expedited process for revising existing collections to meet the new SPD 15.

- Disseminate updated requirements for the Paperwork Reduction Act (PRA)¹ approval process and training to PRA officials, package creators, and reviewers.
- Address training for proxy and observer race and ethnicity identification.
- Work with agencies to help support their non-Federal data providers.
- Convene a new interagency technical working group as soon as possible to begin the next phase of work regarding implementing revisions to SPD 15.

2. Introduction

It is a large undertaking for Federal agencies to implement changes to censuses, surveys, and administrative forms that collect race and ethnicity data. Federal agencies need guidance to implement any potential SPD 15 revisions. In the January 2023 FRN², the Working Group proposed that SPD 15 and its related documents be placed online in a central location and include implementation guidance on the following:

- The dates Federal agencies must meet as they incorporate revisions to information collections.
- Procedures for collecting, processing, and reporting detailed racial and ethnicity categories.
- Approaches for collecting race and ethnicity information when self-identification is not possible, *i.e.*, data collected by a proxy or observation and/or by entities outside of SPD 15's purview.
- Approaches for reporting data for respondents who select more than one race or ethnicity.
- Guidance on obtaining approval under the PRA to revise existing race and ethnicity data collections.
- Best practices for Federal agencies to rely on when communicating SPD 15 revisions to stakeholders.

From this initial list of guidance needs, the team has developed recommended guidance to aid in the implementation of any SPD 15 revision. Some of this guidance should be published with or alongside the release of the updated SPD 15. Other guidance is specific for OMB on what it needs to do to aid Federal agencies as they adopt these revisions.

3. Background

In the FRN with which the 1997 SPD 15 revisions were announced, OMB stated it would issue additional guidance with respect to tabulating data on race and ethnicity.³ This guidance was intended for any Federal agency or organizational unit that maintains, collects, or presents data on race and ethnicity for Federal statistical purposes, program administrative reporting, or civil rights compliance reporting. This guidance explained why tabulation guidelines were needed, reviewed general guidance issued when SPD 15 was adopted, and provided information on the criteria used in developing the guidelines. The guidance also addressed a larger set of implementation questions that emerged during deliberations that occurred during the 1997 SPD 15's review. This includes the following:

- Collecting race and ethnicity data using the 1997 SPD 15;
- Tabulating data on race and ethnicity collected from the 2000 Census, surveys, and administrative records;

¹ <https://www.reginfo.gov/public/reginfo/prs.pdf>.

² U.S. Office of Management and Budget. (2023). Initial Proposals for Updating OMB's Race and Ethnicity Statistical Standards. *Federal Register*, Vol. 88 (18). Retrieved from: <https://www.federalregister.gov/documents/2023/01/27/2023-01635/initial-proposals-for-updating-ombs-race-and-ethnicity-statistical-standards>.

³ <https://www.federalregister.gov/documents/2001/01/16/01-1132/provisional-guidance-on-the-implementation-of-the-1997-standards-for-federal-data-on-race-and>

- Using data on race and ethnicity in applications such as legislative redistricting, civil rights monitoring and enforcement, and population estimates; and
- Comparing data under the 1997 and the 1977 SPD 15 when conducting trend analyses.

While this guidance is still relevant at the time of writing, the actual 2001 implementation guidance report is difficult to locate 25 years later. Hyperlinks to the document no longer work, as OMB's website changes between administrations, and FRNs are not easily accessible to those who do not know the Federal system around record and reporting data.

Beyond the guidance provided by OMB, Federal agencies and others created their own guidance relevant to the 1997 SPD 15, although many of the data needs and considerations were the same across Federal agencies. Such separate guidance helped Federal agencies ensure their data providers could smoothly implement SPD 15's changes. Much of the information in the guidance could be traced directly back to the work that went into updating the standards. This included information on why the changes were needed, terminology, and general bridging and tabulation guidance. Yet, there was no central repository for this information that Federal agencies could then point to or use.

Agencies also needed to create separate guidance for their non-Federal data providers (e.g., states, private employers, and school districts) who report race and ethnicity data to them. These non-Federal sources of race and ethnicity data use their own data collection forms and procedures. Any change in SPD 15 also entailed changes in how these non-Federal data providers collect race and ethnicity data. Thus, agencies, bureaus, and others often had to produce their own separate guidance documents following the 1997 SPD 15 revision for how to implement the new standards among their own data providers. As there was no unified department plan nor repository of OMB guidance, this disjointed set of agency and bureau plans resulted in guidance that was inconsistent across and within Federal agencies. Also, it often took these non-Federal agencies years if not decades to begin collecting and reporting race and ethnicity data up to the Federal agencies in a way that were consistent with 1997 SPD 15.

4. Methodology

The Implementation Guidance Team understands that it will take time to implement the revised SPD 15 across all Federal agencies. We also acknowledge that the guidance needs will be different from those provided in 1997. Further, guidance will need to be provided in a timelier manner to ensure earlier compliance and data comparability.

The team followed a multistep process to develop guidance for this upcoming revision. First, the team identified guidance needs by reviewing initial feedback from Working Group member agencies along with public comments from the 1997 SPD revision.⁴ Second, the team formulated recommended guidance based on public and agency comments from the January 2023 FRN with the help of subject matter experts in race and ethnicity data collection.

Definitions

The team relied on several existing terms and definitions to formulate its recommended guidance.

Conduct or Sponsor. A Federal agency is considered to “conduct or sponsor” a collection of information if the agency collects the information, causes another agency to collect the information, contracts or enters into a cooperative agreement with a person to collect the information, or requires a person to provide information to another person, or in similar ways causes another agency, contractor, partner in a

⁴ The 2014-2018 Federal Interagency Working Group for research on race and ethnicity did not have its own implementation guidance team. As such, implementation guidance was minimal and spread across different focus areas in its work.

cooperative agreement, or person to obtain, solicit, or require the disclosure to third parties or the public of information by or for an agency.⁵

Data Collection. The process of gathering and measuring information on variables of interest, in an established systematic fashion that enables one to answer stated research questions, test hypotheses, and evaluation outcomes. The data collection component of research is common to all fields of study including physical and social sciences, humanities, business, etc. While methods vary by discipline, the emphasis on ensuring accurate and honest collection remains the same.⁶

Federal Agency. The term “Federal agency” means a department, agency, or instrumentality of the Federal Government.⁷

The team needed to further classify different types of data collection efforts beyond this definition. This distinction is important as each needs its own type of guidance.

Federal Agency Conducted or Sponsored Data Collection. When a Federal agency records and reports data through means where it directly designs, independently or through collaboration, the instrument in which respondent data is recorded or reported. This includes, but it is not limited to, surveys and programmatic forms.

Non-Federal Agency Conducted Data Collection. When a non-Federal agency records and reports information, and the individual data or aggregated data are then delivered to a Federal agency at the individual or aggregate level. The Federal agency does not have direct or indirect control in designing the instrument in which data is recorded or reported by original respondents. Examples of these types of data collections include, but are not limited to, student data collected by school districts, local police crash reports, and health data collected by hospitals.

Identifying Guidance Needs

To prepare the guidance for the upcoming revision to SPD 15, the Implementation Guidance Team first had to identify the guidance needs. The team used two sources of information to compile its initial set of guidance needs.

The team was interested in learning about agency experiences in implementing changes to the collection of race and ethnicity data, in addition to their specific guidance needs. To achieve this, the team sent out a questionnaire to Working Group member agencies to understand implementation guidance needs to be a baseline understanding of Federal agencies’ guidance needs. The questionnaire included questions such as:

- What additional implementation guidance is needed for Federal agencies beyond bridging the current SPD 15 and a revised SPD 15?
- What are the comprehensive guidance needs beyond Federal agency requirements?
- Are there bureaucratic hurdles to implementing new guidance?
- What are the considerations of Federal and external stakeholders (i.e., non-profit, state agencies, independent groups, or public) to implement new guidance?

The team received 16 agency responses in time for the January 2023 FRN. After reviewing agency responses, several themes were uncovered regarding the challenges to meet an updated SPD 15 and the

⁵ [U.S. Code, Title 5, §1320.3](#)

⁶ [Data Collection \(hhs.gov\)](#)

⁷ [U.S. Code, Title 40, § 17901](#)

types of guidance Federal agencies need to implement changes to SPD 15. These themes fall under five broad groups: bridging and tabulation, terminology, background information, PRA clearance process, and funding/timeline concerns. The responses informed the January 2023 FRN and are summarized below.

Bridging and Tabulation

As expected, Federal agencies stated that they will need bridging information to help compare race and ethnicity data with past data collections. This was especially relevant and challenging with the 1997 SPD revision, where respondents were given the option to select more than one racial group. We expect the bridging challenges to be unique but equally challenging with the Working Group's recommended revisions to SPD 15.

Federal agencies described the need and desire to have a race and ethnicity style guide to help them bridge between race and ethnicity data that follow different standards and how to report new race and ethnicity data. This includes the following information:

- How to tabulate households' Hispanic or Latino responses from a combined question format, especially in conjunction with the selection of multiple race and ethnicity categories;
- How new minimum categories nest within the old categories, and whether a clear hierarchy exists for aggregation and disaggregation;
- How to handle situations where a new category will reasonably lead to a reduction in a previous category;
- How (or if) to publish data for the minimum race and ethnicity reporting categories when the population is small;
- How (or if) to make coding procedures regarding race and ethnicity data public; and,
- Information and examples to help external users understand and overcome the challenges of identifying the differences between old and new categories and making use of the new categories.

Terminology

The need to have clear, concise, and readily available guidance on terminology was a common theme in the responses. Federal agencies wanted terminology guidance that does the following:

- Provides information or a framework regarding how race and ethnicity data should be collected;
- Gives instructions to ensure that all persons (regardless of where they are from) are included and not left out;
- Gives clear definitions for data collected by proxy and for self-reported data; and
- Ensures consistency in guidance for data collection.

Background Information

Agencies expressed the desire to have more information available on the process and research behind updating SPD 15. This includes information on the following:

- Research on why SPD 15 was updated;
- Background on how new categories were selected; and
- Information and examples about how the revisions may impact program management, research and evaluation, and reporting results.

PRA Clearance Process and Timing

Agencies were concerned about how the PRA clearance process would impact them when attempting to implement revisions to SPD 15. Federal agencies highlighted the following areas in the PRA package where there might be a need for more information and guidance:

- Ensuring that race and ethnicity data collection is consistent with the purposes of the collection;
- Privacy issues with small data collections; and
- Issues with data collections that have PRA clearance expiration dates after the implementation of the revised SPD 15.

Funding/Timeline

There were concerns and questions regarding the time and resources it would take for Federal agencies and administrative respondents (e.g., prisons, schools, and private employers) to meet any new race and ethnicity standards in Federal collections.

- Due to the variety of ways that race and ethnicity data are collected, Federal agencies would need to allocate sizable funding sources to implement change. Depending on when the revised SPD 15 is released, Federal agencies may need new appropriations to enable the additional work that will be required to implement the revisions.
- Several Federal agencies mentioned they faced challenges in implementing new race categories following 1997 SPD 15 when it came to training employees on the revisions. Such training takes time and resources.
- Revisions in SPD 15 will have a downstream impact on non-Federal respondents to Federal administrative collections (e.g., states, prisons, schools, private employers) who collect individual-level data that is then, in turn, reported at the individual-level or aggregate-level to Federal agencies.
- The timeline to incorporate new race and ethnicity guidance is of concern to Federal agencies and any deadline should allow for some flexibility to implement the new standards over time.

5. High-level Summary of Relevant Themes from Public and Agency Comments

Once the initial list of guidance needs was identified, the team formulated recommended guidance based on public and agency comments from the January 2023 FRN and subject matter expertise in race and ethnicity data collection. The team also used this as an opportunity to ensure additional guidance needs that OMB could provide were not missing. This section provides a summary of the public comments by guidance need.

Timing considerations

Public comments flagged having a specific time that Federal agencies would need to be compliant to the revised SPD 15 as important. The delays following the 1997 SPD 15 revision were seen as too long and caused confusion. Conversely, Federal agencies recognized that there will be an adjustment period from the time SPD 15 is revised to when they can conduct their data collection efforts accordingly. Federal agencies noted that the time needed to comply with SPD revisions increases when there are multiple levels of implementation and many different jurisdictions are involved, which many Federal agencies have.

A specific timing consideration brought up by Federal agencies and the public was around ensuring data consistency. Population totals and controls are important to derive estimates from surveys and to calculate rates in subpopulations. Federal agencies and the public expressed concern around population controls and related population totals might follow a different standard than the data collection effort being used. While bridging factors can help mitigate this situation, data misalignment can risk limiting the ability to study race and ethnicity in the population of interest.

Agencies also were concerned about the timing of updating their administrative and programmatic forms and disseminating the new forms. In many cases, these forms are completed only once. For example, administrative personnel forms at the time of employment or enrollment into a program. If SPD 15 is revised, Federal agencies would not have race and ethnicity in the new standard for individuals who previously completed such form unless Federal agencies require a separate form to fill out—this would increase burden on those Federal agencies and respondents. Thus, in the gap between when SPD 15 is revised until the forms are updated, race and ethnicity data will still be collected under the 1997 standard but will need to be reported in the new standard.

Resource Concerns

Federal and non-Federal agencies raised concerns around resources, specifically around the funding required to make changes to existing data collection efforts. They expressed how they would need time to update their data collection instruments, databases, and processes. Afterwards, Federal agencies must then subsequently train data collectors in the new process. This is especially acute for Federal and non-Federal agency data collection efforts that rely on record management systems, which would need to be updated first by the software developer.

It is important to note that while resources were a broad concern, there were agency-specific comments about the resources it would take to update those specific systems and processes. Some Federal and non-Federal agencies are dealing with a disjointed systems of actors that use their own processes and systems; some are dealing with third party data collection systems; some are concerned about the level of training required at the local level. In other words, there is no single solution to address resource concerns.

Need for Information and Best Practices

There are agency-specific considerations when collecting and disseminating race and ethnicity data. Moreover, Federal agencies need to keep their stakeholders informed on when and how SPD 15 impacts their data collection efforts. As Federal agencies and their non-Federal partners adjust to the new question format and detailed race categories, OMB can best support them by providing best practices and other considerations.

Federal agencies, non-Federal agencies, stakeholders, and the public saw having easy access to information around any SPD 15 revision as very important. Information around definitions, question wording, data collection instructions, and best practices is needed to help Federal agencies update the data collection processes and to ensure data consistency within and across agencies. Public comments discussed how this information will also help them meet federal standards in their own data collection efforts who aren't bound by Federal standards but would benefit from maintaining similar standards.

Agencies and the public expressed how information on the justification behind revising SPD 15 and best practices on collecting and reporting race and ethnicity data can help external stakeholders and respondents understand why the revision was made and how this new data will be used.

PRA Clearance Process

Agency comments highlighted some needs for updates to and additional clarity within the PRA process to address the updated SPD 15. One focus of the comments was the need for a process for Federal agencies to request an exemption for collecting detailed data. The process to do this exception will need to balance the desire for a low-burden process with the value of collecting more detailed race and ethnicity data. Some Federal agencies specifically requested guidance on updating existing surveys. They commented how lack of an expedited process for data collections only updating the race and ethnicity questions to the new standard may delay these updates until they must go through the PRA renewal process.

Federal agencies responsible for generating and reviewing PRA packages have also highlighted the need for dissemination of the new guidance to those involved in the PRA process. Additionally, these Federal agencies proposed training for the reviewers of these PRA packages.

Proxy and Observer Reporting

Public comments about proxy and observer data collection and reporting were skewed toward prohibiting these methods for data collection in place of self-identification of race and ethnicity. Several expressed how these forms of data collection are inherently biased. However, there were a few that requested training, guidance, or technical assistance for knowing how and when to use these methods and how to analyze the data. Some public comments emphasized that observational data collection is not *lesser* than self-identification, but instead is *different from* self-identification methods and also provides answers to a different set of questions that may be of interest to the government (e.g., discrimination and bias).

Similar to those from the public, responses from Federal agencies about proxy and observer data collection and reporting was heavily skewed toward prohibition against using these methods for data collection in place of self-identification of race and ethnicity including potential issues with identifying Multiracial and Multiethnic individuals. Federal agencies expressed a need for training, guidance, and technical assistance.

From the public and agency comments, the following concerns were expressed:

- Agencies should not collect these kinds of data;
- Bias is a potential issue;
- In some cases, there is no option to flag unknowns or “I don’t know” cases;
- When an individual does not self-identify, then Federal agencies should have an option to mark race and ethnicity as “not identified” (or similar).

Commenters expressed how proxy and observational data may be useful in collecting data in some situations, but expressed the following considerations if such methods were employed:

- Training and clear instruction are needed;
- The method(s) used for data collection need to be identified;
- Guidance on reporting proxy and observer collected data is needed;
- Limitations on such data should be clearly acknowledged;
- Best practices and resources are needed for methods for collecting and reporting race and ethnicity data when self-reported race and/or ethnicity data are unavailable. Additionally, resources are needed for methods for collecting observed race (and potentially ethnicity) in a systematic and reliable way that reduces bias.

To aid in writing guidance for proxy and observer reported race and ethnicity, the Working Group conducted more research and discussion on what guidance is needed.

Non-Federal Sources Data Aggregation

Federal agencies and their data providers expressed the need for guidance around how data should be aggregated for race and ethnicity before reporting to a Federal agency. This is especially true regarding individuals who report multiple race and ethnicity categories. For example, if a respondent reports being both Hispanic or Latino **and** Black or African American, the data could be aggregated into a Multiracial and Multiethnic category or into more detailed categories that show the specific race and ethnicity combinations. Commenters in these non-Federal agencies said that they would need clear logic from the Federal government on how to aggregate to ensure that there is data consistency across the different data providers.

Tabulation

Comments regarding tabulation fell into three categories: (1) will those of Hispanic origin continue to be treated differently; (2) how will multiple race and ethnicity responses be tabulated; and, (3) the need for best practices and flexibilities around tabulating detailed race and ethnicity data.

Federal agencies stated that they would need guidance on how to tabulate Hispanic and non-Hispanic individuals with a single question. Federal agencies asked if Hispanic origin responses would continue to supersede race categories when tabulating data, but they did not provide statements of support for or against continuing this tabulation method.

Many comments were received from Federal agencies about what to do with multiple responses when tabulating race and ethnicity data. Comments expressed concern around individuals being grouped into a single multiple race or multiple ethnicity category. Such a grouping results in less information being released about the diversity of the population even though agencies are required to collect data on Multiracial and Multiethnic populations.

Agencies also expressed the importance of flexibility and best practices on how to tabulate detailed categories based on the population or geographic area being studied. Different data collection efforts will have different sample sizes that might need to be collapsed.

6. Final Recommendations and Requests to OMB for Implementation Guidance

The Implementation Guidance Team formulated recommendations that should be issued with the release of the revised SPD 15. Additionally, the working team developed additional requests for OMB to provide implementation guidance in the future.

Recommendations

The following recommendations were developed on implementation and timing for the adoption of the revised SPD 15 and to improve the collection and reporting practices for race and ethnicity data.

Recommendation 5: Within 12 months, the head of each agency that collects race and ethnicity data shall submit to OMB an Action Plan on Race and Ethnicity, which shall detail how the agency plans to reach compliance with the SPD 15 revision and shall identify anticipated challenges.

Federal agencies are encouraged to use these action plans to make a unified plan to comply with SPD 15, identify potential risks, and inform stakeholders of these plans. Action plans should include the following:

- Specific information on how the agency will comply with SPD 15;
- Specific challenges to implementing the revisions;
- Plans to work with any non-Federal data providers to help them meet the SPD 15 revision; and,
- Discussion of the impact of the SPD 15 revision on race and ethnicity tabulations and publications.

This action plan should be a unified plan at the agency level to support coordination and conversation within and across agencies. OMB should encourage agencies to share this information publicly. Statistical agencies may still create their own action plans alongside the unified plan to provide more detail on various data collection efforts and dissemination plans.

Recommendation 6: For Federal agency-conducted or -sponsored data collections that include racial/ethnic information, the provisions of the revised SPD 15 are effective immediately for all new record keeping or reporting. All existing Federal agency-conducted or -sponsored data collection efforts shall be made consistent with a revised SPD 15 no later than four years after the FRN issuing the revised SPD 15 is published.

This four-year timeline incorporates the one year to publish the action plan addressed above and an additional three years to implement that plan. The additional three years allows agencies until the next time the data collection effort must go through the Paperwork Reduction Act (PRA) renewal process to reach compliance with the revised standards. Agencies are encouraged to adopt the new SPD 15 as early as possible.

Many Federal collections depend upon racial and/or ethnic information that is collected, managed, and maintained by non-Federal agencies. Non-Federal agencies will need time to make modifications to their collection procedures and internal information systems before they are required to begin reporting information by race or ethnicity to Federal agencies. Agencies are encouraged to include discussion of these impacts within their action plans and to publish a clear timeline for non-Federal agencies to begin reporting in line with the new race and ethnicity standards.

Recommendation 7: When the collection of race and ethnicity is done through visual observation, the minimum reporting categories are required but the collection of detailed race and ethnicity is not required.

Respondent self-identification should be facilitated to the greatest extent possible. But in some data collections, it is necessary, more practical, or even the appropriate method for collecting race and ethnicity data through visual identification. However, it should be noted that when race and ethnicity data are collected through observation, several issues can arise, such as misidentification, oversimplification, observer bias, failure to correctly identify people who self-identify as Multiracial and/or Multiethnic, privacy invasion, and racial and/or ethnic heterogeneity. Federal agencies should use their discretion when collecting detailed race and ethnicity when relying on observer identification.

Recommendation 8: When data are not self-reported, agencies are encouraged to transparently describe how the data were collected or generated, and how nonresponse or other missing data were assigned or allocated.

Agencies and researchers should make it a practice to identify when data collections of race and ethnicity are intentionally designed to collect proxy responses, observational data, and employ a combination of self-identification, visual observation, and other collection methods. At the record level, this may require flagging or identifying the mechanism for generating race and ethnicity data—like imputation flags used by surveys—to aid in subsequent research-related activities.

Agencies are encouraged to adopt the correct wording or labels for describing data collection processes (e.g., self-reported, observed, perceived race, ascribed observation). For example, clarity in data collection

methods would discern whether data was collected for a household from a single respondent versus collecting data from individuals.

Recommendation 9: With respect to tabulation, the seven minimum race and ethnicity reporting categories shall be treated co-equally. Additionally, the tabulation procedures used by Federal agencies shall result in the production of as much information on race and ethnicity as possible, including data on people reporting more than one race and/or ethnicity. However, Federal agencies shall not present data on detailed categories and specific Multiracial and Multiethnic populations if doing so would compromise data quality or respondent privacy.

Agencies reporting race and ethnicity data should conform to the following principles. The seven minimum race and ethnicity categories should be treated as co-equal and no category should preempt any other. For example, existing tabulations sometimes present race and ethnicity data in a manner where the selection of Hispanic or Latino overrides any selected race category. This does not meet the principles laid out above. In other cases, race and ethnicity categories are suppressed or collapsed using separate rules (e.g., sample size) rather than using the same rules across the categories.

Additionally, the tabulation procedures used by agencies should result in the production of as much information on race and ethnicity as possible. Agencies need to balance presenting data on specific Multiracial and Multiethnic populations and data for detailed race and ethnicity groups while still ensuring data quality and adhering to confidentiality standards.

When data are presented, Federal agencies are encouraged to provide tabulations in one or more of the three sample approaches (shown below) while complying with the requirement to report as much information on race and ethnicity as possible including data for respondents who report more than one race and ethnicity categories.

In one approach, individuals belonging to a particular racial or ethnic group (whether alone or in combination with another racial or ethnic group) are combined. For example, a respondent who reported being both White *and* Black or African American would fall into both the “White alone or in combination” category and the “Black or African American alone or in combination” category. This practice has been in place since the 1997 revisions of SPD 15 and is useful if the goal is capturing all people who might face a given life experience (e.g., increased risk of a disease or discrimination). The percentages sum to greater than 100 percent because the response categories are not mutually exclusive. An example of this tabulation method is shown below.

- American Indian and Alaska Native alone or in combination
- Asian alone or in combination
- Black or African American alone or in combination
- Hispanic or Latino alone or in combination
- Middle Eastern and North African alone or in combination
- Native Hawaiian and Pacific Islander alone or in combination
- White alone or in combination

Another approach separates those reporting one race or ethnicity from those reporting multiple races and ethnicities and specifies the racial and ethnic make-up for some or all of those falling into the Multiracial and Multiethnic category.⁸ For example, an agency could report the following information: the

⁸ This approach most closely follows OMB's 2000 guidance for civil rights monitoring and enforcement. For additional information, see Office of Management and Budget, Executive Office of the President, OMB Bulletin No. 00-02 – Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring Enforcement, Section 3 (Mar. 9, 2000), https://www.whitehouse.gov/wp-content/uploads/2017/11/bulletins_b00-02.pdf.

seven minimum race and ethnicity categories alone; race and ethnicity combinations meeting a specific population threshold or combinations of particular interest; and, all additional combinations of multiple race and ethnicity groups. The percentages will sum to 100 percent as the response categories are mutually exclusive. An example of this tabulation method is shown below.

- American Indian and Alaska Native alone
- Asian alone
- Black or African American alone
- Hispanic or Latino alone
- Middle Eastern and North African alone
- Native Hawaiian and Pacific Islander alone
- White alone
- American Indian and Alaska Native **and** Hispanic or Latino
- American Indian and Alaska Native **and** White
- Asian and Native Hawaiian **and** Pacific Islander
- Asian **and** White
- Black or African American **and** Middle Eastern and North African
- Black or African American **and** White
- Hispanic or Latino **and** Black or African American
- Hispanic or Latino **and** White
- Middle Eastern and North African **and** Asian
- Middle Eastern and North African **and** White
- Native Hawaiian and Pacific Islander **and** Asian
- Native Hawaiian and Pacific Islander **and** White
- All Additional Multiracial and Multiethnic Groups

A third approach presents estimates for those reporting one of the seven race and ethnicity categories alone and then combines respondents reporting multiple race and ethnicity categories into an aggregated “Multiracial and Multiethnic” category. While this approach is easy to implement, it does not describe the specific racial and ethnic diversity of the population (e.g., over half of the population of those who identify as American Indian or Alaska Native and Native Hawaiian and Pacific Islander would be assigned to the Multiracial and Multiethnic group). Federal agencies should use this approach in conjunction with another approach to comply with the requirement to report as much information on race and ethnicity as possible including data for respondents who report more than one race and ethnicity category. The percentages will sum to 100 percent because the response categories are mutually exclusive. An example of this tabulation approach is shown below.

- American Indian and Alaska Native alone
- Asian alone
- Black or African American alone
- Hispanic or Latino alone
- Middle Eastern and North African alone
- Native Hawaiian and Pacific Islander alone
- White alone
- Multiracial and Multiethnic

Additional Requests to OMB for Implementation Guidance

The Implementation Guidance Team requests that OMB should:

Provide a central repository of guidance and SPD 15 background information on a public website that remains active across administrations and is updated as needed.

The information and guidance around the new SPD 15 standards should go beyond just the original FRN announcing the revisions. OMB should create a separate location to be a repository of all new guidance and additional information that is accessible to the public and readily found. Beyond related guidance documents, this location should include non-agency specific information on the following topics:

- Justification written in clear language behind the revisions;
- Definitions of new race and ethnicity categories and terminology;
- Terminology that needs to be updated;
- Reasons why an agency might need to opt out of collecting detailed race and ethnicity categories (and benefits of collecting it);
- Sample question formats with and without detailed race and ethnicity categories;
- Sample tabulations for disseminating race and ethnicity data with a discussion on the strengths and weaknesses of each option;

This repository should be made available at the same time as the final FRN is published announcing the SPD 15 revisions. This information will help Federal agencies develop their action plans and allow new data collection efforts to adapt quickly to the revisions. The information in this repository will also need to be continuously updated as new information and best practices arise when relevant.

Provide guidance on race and ethnicity data bridging and tabulation.

Bridging information will be needed by Federal agencies to compare race and ethnicity data collected under the revised SPD 15 with data collected under the 1997 SPD 15. This was especially relevant and challenging with the 1997 SPD 15 revision, where respondents were given the option to select more than one racial category. Bridging challenges are expected to be unique but equally challenging with the recommended revisions to SPD 15. Federal agencies described the need and desire to have a race and ethnicity style guide to help them bridge between race and ethnicity data that follow the current SPD 15 with data that follow the revised SPD 15 and on how to report new race and ethnicity data.

Provide best practices to support agencies in adjusting to the new question format and detailed race and ethnicity data.

As agencies adjust to the new question format and detailed race and ethnicity categories, OMB can best support them by providing best practices and other considerations. Some recommended topics of best practices include:

- How to handle potential re-coding for write-in responses for detailed race and ethnicities when aggregating to the seven minimum race and ethnicity categories,
- Stratifying and analyzing data by race and ethnicity,
- Recruitment plans that would reach people of all races and ethnicities,
- Methods to maximize response rates for harder to reach populations,
- Database practices for storing full race and ethnicity identifiers,
- Addressing and allocating missing responses, and
- Alternative methods to use when self-identification is not possible before relying on observer reporting (e.g., administrative data)

These best practices should be kept in a central repository and, although aimed at Federal agencies, be publicly available.

[Release guidance on requesting an exemption from collecting detailed race and ethnicity data.](#)

OMB should determine the criteria for receiving an exemption from collecting detailed race and ethnicity data. OMB should identify clear and objective criteria for requesting an exemption from collecting detailed data on race and ethnicity. In cases when an exemption is granted, Federal agencies will still be required to collect at least the seven minimum race and ethnicity categories.

This could take the form of a checklist accompanied by a narrative supporting an agency's justification for requesting an exemption, in addition to how their current information collection plan will inform their future efforts to move closer to the detailed standard or justification for why they will not move to the detailed data standard.

The team suggested starting point for a checklist that identifies reasons for justifying exemption from collecting detailed race and ethnicity data:

“Check as many apply as justification for exemption from collecting detailed race data:

- Small sample size
- Privacy concerns
- Overly burdensome
- Inconsistent with the purpose of the data collection/program
- Other

Explain the justification for exemption.”

The checklist should be accompanied by a narrative supporting an agency's justification for requesting an exemption, in addition to how their current information collection plan will inform their future efforts to move closer to the detailed standard or justification for why they will not move to the detailed data standard. In cases when an exemption is granted, Federal agencies will still be required to collect the minimum race and ethnicity categories.

[Provide an expedited process for revising existing collections to meet the new SPD 15.](#)

OMB should develop and provide guidance on an expedited PRA process for when an agency is revising only the race and ethnicity questions on existing data collections. This will allow agencies to update their race and ethnicity questions in a quick and low-burden way before their PRA renewal is up. Without a low burden means of updating these collections, agencies may delay complying with the revised SPD 15. Some ideas for expediting the process include having the change occur as a "non-substantive change" or bundling multiple collections into a single package.

[Disseminate updated requirements for the PRA approval process and training to PRA officials, package creators, and reviewers.](#)

OMB should have a plan to disseminate the updated guidance and offer training to PRA officials, package creators, and reviewers. The update should point to a centralized place where the standards will be kept across administrations and go out in a way that it can reach all involved in the PRA process.

[Address training for proxy and observer race and ethnicity identification.](#)

Where observer race and ethnicity identification is necessary, agencies will need to examine how they train data collectors to make observational determinations. Such training is needed to reduce bias, increase reliability, and increase appropriate use of these data collection methods. This training must also include data collection methods in cases when the observer does not know which race(s) and/or ethnicity(ies) to choose.

Work with agencies to help support their non-Federal data providers.

Revising SPD 15 creates new requirements beyond Federal agencies. Many non-Federal organizations are required to regularly report data by race and ethnicity as part of statistical or programmatic collections. Agencies will need to answer questions from their non-Federal data providers and provide support both within and external to Federal grant programs. Questions that will need to be addressed include:

- Must non-Federal data providers update all existing records of racial and/or ethnic identification to reflect identification using the revised SPD 15?
- If non-Federal data providers report aggregated or tabulated reports to Federal agencies, are there standardized aggregation routines or business rules that must be used?
- How can non-Federal data providers promote data transparency in how the data were collected?

In order to promote consistency, OMB should coordinate information and outreach across all Federal agencies to their non-Federal data providers.

Convene a new interagency technical working group as soon as possible to begin the next phase of work regarding implementing revisions to SPD 15.

While the team has developed recommendations for implementing a revised SPD 15, more work on implementation guidance for Federal agencies is needed. A new interagency technical working group should be convened that will focus on developing more specific implementation guidance to assist Federal agencies as they transition to complying with the revised SPD 15. A new working group should be launched as soon as possible to begin this next phase of work regarding implementing revisions to SPD 15.

7. Works Cited

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