

April 27, 2023

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

Dear Mr. Revesz:

The undersigned organizations and individuals are writing to provide comments on the Federal Interagency Technical Working Group on Race and Ethnicity Standards' initial proposal for updating the Office of Management and Budget's (OMB) 1997 Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity. We are a group of community-based organizations, advocates, Latino elected and appointed officials, and other Latino civic leaders, and many of us worked closely with the Latino community to promote participation in Census 2020 as well as prior decennials. These comments are in response to the proposed information collection published by the OMB on January 27, 2023, at 88 FR 5375 (the "FRN"). We believe that the following comments and recommendations are critical to ensure that the federal government can collect and produce accurate data on the Latino community and on all our nation's population.

I. Introduction

Accurate and complete data about race and ethnicity help make our democracy stronger and are essential to safeguard the nation's prosperity and well-being. Federal agencies, states, local governments, and community-based organizations currently rely on these data for a variety of critical purposes, such as fair redistricting, the enforcement of civil rights laws, combatting discrimination, and promoting greater racial and ethnic equality in key areas of our civic, social, and economic lives. Accurate data on race and ethnicity are also critical to inform a wide variety of sound public and private sector decisions on policy matters including education, health, housing, economic opportunities, and infrastructure.

For the federal government to compile the most accurate data possible about the U.S. population, it must obtain and disseminate accurate and complete data about the Latino community. Latinos are the nation's second largest population group; according to Census 2020 data, Latinos comprise nearly one of every five of our nation's residents (18.7 percent), and an even larger share (25.7 percent) of the under 18 population. Federal agencies like the Census Bureau and many state and local agencies must follow the OMB standards for data collection on race and ethnicity. Thus, for Census data to present an accurate portrait of our nation's population, the OMB standards must accurately reflect the way Latinos express their identity, including the full diversity of the Latino community. This is fundamental for respecting the individual dignity and personal experience of Latinos and all our country's residents, and for addressing racial disparities and inequalities in communities throughout our nation.

II. The evolution of a growing mismatch between Latino self-identification and the minimum OMB ethnicity and race categories

Over the nearly 25 years since the OMB standards were last revised there have been substantial societal, political, economic, and demographic shifts in the United States throughout this period, including an on-going evolution of how Latinos and all Americans see their racial and ethnic identity. However, the OMB standards for the collection of federal data on race and ethnicity have not kept pace with these changes, and ultimately they have ceased to align with how many residents of our nation report their identity. This phenomenon is a substantial barrier to obtaining an accurate picture of the Latino population in our country.

The most salient research on this mismatch has been conducted by the U.S. Census Bureau, which has documented how the 1997 OMB standards' "two separate question" approach for collecting data on Hispanic origin and race has led to incomplete and inaccurate Census data on the Latino community. The findings of two of the Bureau's most extensive research studies highlight the problems with this approach. In the 2010 Alternative Questionnaire Experiment, the Bureau mailed out Census 2010 questionnaires with different experimental designs for the Hispanic origin and race questions, and conducted interviews and focus groups. The Bureau's 2015 National Content Test (NCT), the largest field study conducted by the agency, also greatly illuminated the problems found in the AQE. The NCT was a comprehensive survey of 1.2 million households with an oversample of census tracts with Latinos to explore improvement to format and wording of Hispanic origin and race questions. The NCT compared a two-question approach to several design options for a single question that combined racial and ethnic categories.

The major findings of these studies illuminated how the two-separate question approach collected incomplete and inaccurate data about Latinos:

- Latinos struggled to answer a separate race question, and in some cases indicated that their race was "White," because they did not see themselves in the other racial categories. Many Latinos believed they had fully expressed their identification when answering whether or not they are Latino.
- A significant number of Latinos did not embrace any identity other than Latino or a specific national origin or sub-group heritage.
- A large number of Latinos either indicated that they were of "Some Other Race," or did not answer the race question at all. In many cases, Latinos wrote in an answer under "Some Other Race" that indicated their Latino identification.

Census 2010 and Census 2020 data on Latinos also demonstrate these problems. In both decennial Censuses, nearly half (44 percent) of Latinos indicated they were of "Some Other Race," or skipped the race question entirely. In Census 2020, nearly all of those who were classified as Some Other Race alone (94 percent) were Latino. In Census 2020, "Some Other Race alone or in combination" became the country's second-largest racial group after "White."

III. The “two separate question” approach creates significant challenges for the completeness and accuracy of data on the Latino community and our nation’s population

The relatively high number of Latinos who do not identify with the specific OMB racial categories set forth in the Census race question presents several challenges which have contributed to creating an inaccurate picture of the Latino community and the nation’s population. First, by Congressional mandate, the Census race question includes the “Some Other Race” category, but the OMB’s minimum standards do not. Thus, to ensure consistency among other federal datasets (including the Bureau’s Population Estimates), the Bureau has developed a procedure to assign or “impute” an OMB race to those checking “Some Other Race” in response to the Census question. The procedure relies on assessment of the demographic characteristics of these respondents and their family members and neighbors, as well as data from other sources, such as administrative records. As a result, the Census Bureau assigns “White” as the race to many Latinos who indicate “Some Other Race” or do not answer the race question at all. Thus, an increasing number of Latinos are unknowingly placed in a race category with which they do not identify.

Moreover, federal data collected using the current standards likely overstate the size and share of the White population. This phenomenon is due to both imputation and the fact that when using the two separate questions format for collecting data on race and ethnicity, some Latinos feel that they must indicate some response to the race question of the Census form, and in the absence of a racial category that fully fits how they see themselves, they select “White.”

The current OMB standards’ two-separate questions approach also presents significant challenges by not permitting the Census Bureau to accommodate the reporting of multiple national origins or sub-groups by Latinos. The inability to record and report multiple Hispanic national origins results in the loss of detailed information about the full diversity and nuances of Latino identities.

IV. The combined race and ethnicity question format is the best approach for collecting accurate and complete data about our nation’s population

Based on the extensive evidence from the Census Bureau’s research, we urge the OMB to revise its data standards for a combined question approach to collect race and ethnicity data, as indicated in the FRN’s initial proposal, because it would result in more complete and accurate data about Latinos and all our nation’s population groups. The Bureau’s research, including its testing of an optimal question design in the NCT, found the following:

- Far fewer Latinos did not respond to the combined question than those who did not respond to the separate race question in the two separate question approach.
- Far fewer Latinos chose “White” as their race, with a majority of Latinos identifying solely as Latino.
- Less than one percent of Latinos identified as “Some Other Race.”
- The optimal combined question design increased proportion of Hispanics who also identified as Black, and did not diminish the proportion who also identified as Native American.

Moreover, we urge the OMB to adopt the “combined question” approach set forth in its initial proposal which provides Latinos with the option to choose multiple national origin or sub-group identifications. This approach would enable the Bureau to report data on Latinos with such multiple identifications, thereby permitting the dissemination of more accurate and complete data which reflect the full diversity of the Latino community.

Finally, we fully support the addition of the new minimum ethnicity category for the “Middle Eastern or North African” (MENA) population in the OMB standards. There is a significant need for data specific to this population for civil rights enforcement, combatting hate crimes, and for obtaining more relevant and consistent information about the social and economic needs of MENA residents. The Bureau’s research indicates that its optimal combined question design would well accommodate this addition.

V. Addressing the sound implementation of the revised data standards

We believe that while updating the OMB standards with the adoption of a combined question for collecting data on race and ethnicity would be a major step forward, additional work will be needed before the combined question approach is made final for use in the 2030 Census, other Census surveys, and for other federal, state and local government agency data products. We are also aware that important and serious concerns about the combined question approach have been raised by Afro-Latino researchers, and civic and community leaders, several of whom do not support the approach. The following recommendations about the implementation of the standards have been guided in part by the concerns raised by Afro-Latino researchers and leaders:

- The OMB and the Bureau must make clear in the standards and in questionnaires that ethnicity and race are separate concepts. We agree that Latino is an ethnic identification and not a racial one, and the language used for these concepts should not create any confusion about this point. For example, the Bureau should consider carefully what is conveyed in the introductory language of the combined question and the instructions that follow.
- The checkboxes and examples under the “Black” category in the combined question should clearly signal that Afro-Latinos should check this box.
- There must be approaches to tabulating data using the combined question approach which provide easy access to data about Afro-Latinos and other Latinos who identify with more than one racial or ethnic group.
- The Bureau must work with a broad and diverse group of stakeholders to conduct robust outreach to ensure community members check all racial and ethnic boxes in the combined question which apply.
- The OMB and the Bureau should conduct comprehensive education for all government agencies to ensure nuanced analysis of disparities and outcomes for Latinos which take into account full diversity of Latino community.

In carrying out the foregoing, the OMB and the Bureau should consult closely with diverse stakeholders in the Latino community, and should provide several opportunities for meaningful input throughout this process. The Bureau should also ensure that any future research it conducts on the foregoing issues – for example, research on the best messages and messengers for Census outreach – should include representative samples of respondents who represent the full ethnic, racial and geographic diversity of the Latino community. This includes oversampling smaller population groups within the Latino community to obtain a meaningful analysis from the research, and to include members of those groups in qualitative research such as focus groups and interviews.

In addition, we urge the OMB and the Bureau to ensure that data on race and ethnicity collected through a combined question approach is adequate for redistricting and other enforcement of civil rights laws. Moreover, data users and all relevant stakeholders must clearly understand how to make comparisons between or “bridge” data collected with the two separate question and combined question approaches.

Conclusion

We greatly appreciate the OMB’s commitment to obtaining input that could help improve how our government collects data on the demographic characteristics of our country’s population. We share the OMB’s vision for the development of data collection standards that allow for a more accurate portrayal of the full diversity of the Latino community and all of our country’s population. We look forward to continuing our work together to achieve this important goal.

Thank you for your attention to these comments, and please contact Rosalind Gold, Chief Public Policy Officer of the NALEO Educational Fund, at rgold@naleo.org, if you have any questions.

Sincerely,

Organizations:

Alliance for a Better Community
AltaMed Health Services
Asian and Pacific Islander American Vote (APIAVote)
ASPIRA of the Mid-Atlantic
Brooklyn Voters Alliance
Carolina Association for Bilingual Education
Central Valley Immigrant Integration Collaborative
Centro Cultural Mexicano
Civic Health Alliance
Clergy and Laity United for Economic Justice (CLUE)
Coalition for Asian American Children and Families (CACF)
Coconino County Health and Human Services
Crystal Stairs, Inc.
Detroit Change Initiative
Diocese of San Angelo Immigration Services
Dominicanos USA (DUSA)

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Families On The Move of NYC, Inc
Fayetteville Police Accountability Community Taskforce
First 5 Sacramento
GALEO Impact Fund
Gang Free, Inc.
Hermanos Unidos
Hispanic Advocacy and Community Empowerment through Research (HACER)
Hispanic Association of Colleges and Universities
HISPANIC CHAMBER CINCINNATI USA
Houston in Action
Illinois Legislative Latino Caucus
LA Latino Equity and Diversity Initiative
Labor Council for Latin American Advancement
Latino Community Foundation
Latino Educational Issues Roundtable
Latino Heritage
Latino Outdoors
Latino Outreach Committee
Latino Texas Policy Center
League of California Cities Latino Caucus
League of United Latin American Citizens
League of Women Voters of the United States
Legacy LA
MANA, A National Latina Organization
Mi Familia Vota
MILPA
Minkwon Center
Minnesota Council On Latino Affairs
Mujerxs Organizando Oportunidades Notables
NALEO Educational Fund
National Association for Latino Community Asset Builders
National Association of Hispanic Federal Executives
National Hispanic Council on Aging
National Hispanic Medical Association
National Immigration Forum
National Latino Research Center at CSU San Marcos
National Network for Arab American Communities (NNAAC)
National Partnership for Women & Families
NHCSL - The National Hispanic Caucus of State Legislators
Orange County Communities Organized for Responsible Development (OCCORD)
P.S. 5 Ellen Lurie
Palm Desert Greens Democratic Club
Prison Policy Initiative
RESTECHNOLOGY©
San Joaquin Delta Community College District
Santa Ana (Calif.) LULAC Council #147

Santa Ana LULAC #147 - League of United Latin American Citizens
SEE (Social Eco Education)
SER Jobs for Progress National Inc.
Services, Immigrant Rights and Education Network (SIREN)
Texans Against Gerrymandering
UnidosUS
United States Hispanic Chamber of Commerce
United States Hispanic Leadership Institute
Voto Latino
YMCA of Greater New York

Individuals:

Abigail Medina, School Board Member, San Bernardino City Unified School District
Adele Andrade-Stadler, Mayor, City of Alhambra
Alejandra Labrado, Program Planner, First 5 Sacramento
Alicia Rico , Board Trustee, SUSD
Amanda Gonzalez, Clerk and Recorder, Jefferson County, Colorado, Jefferson County, CO
Ana Cortez, School board Trustee/Masba President, MASBA (Mexican American School Board Association)
Amelia Arambula, Attorney at Law
Ana M. Araujo, Executive Director, East LA Rising Youth Foundation
Andrea Alarcon, Mayor Pro Tem, City of Palmdale, California
Ana Skelton, Cobb Latin COMMUNITY's Advocate
Anisia Ayon, CB6 BPCEC FINY
Annette Chavez y De La Cruz, Governing Board Vice Chair/Member, Central New Mexico Community College
Anthony Medina, Board of Directors, Woodburn School Board
Catherine Cuellar, Director of Communication, Outreach & Marketing, City of Dallas
Ariana Sahagun, MPH Graduate Student @ USC
Brenda Porter
Carol Schwyzer
Carolyn Dueñas, Hospital Department Administrator
Christy Martinez-Garcia, Publisher/Founder, Christy Martinez-Garcia
Catherine Miranda, Senator
Cecilia Chavez, Division Director DEI
Cecilia McCollough, Vice Mayor
Celina Villanueva, State Senator
Celia Castellanos, Educator
Charlotte Macaluso, Superintendent
Chelsea Baytemur, Director Policy and Advocacy
Cheri Runge
Colin Maclay, Research Professor of Communication, University of Southern California
Clara Solis, Senior Director,
Cristina Castro, State Senator, 22nd District, State of Illinois
Daniel Aguado Ornelas, Deputy Counsel, Consulate of Mexico in Indianapolis

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Daniel Loera, Ed.D., Director of Multicultural Affairs, Center for Multicultural Services, University of La Verne

Daniel Carrillo, School Board Member

Denise Nepveux, Associate Professor of Occupational Therapy, Duke University School of Medicine

Domingo Dominguez, City Councilor At Large, Salem, MA

Edgar Santoyo, Interpreter, Unidos En La Ayuda (U.E.L.A.)

Eileen Miranda Jimenez, Trustee, Board of Education, West Covina USD

Elena Langworthy, Deputy Director of Policy, State Voices

Elsie Mercado

Elena Santa Cruz, City Council Member

Enot Rubio, President, Comité Salvadoreño El Piche

Enrique Olivares

Esteban Montes, Program Supervisor, One Step A La Vez

Erik Servellon, Community Member

Erlinda Aguiar

Fernando Sandoval, President Governing Board of Trustees, Contra Costa Community College District

Eva Bonilla

Gabriel Medina, Executive Director, La Raza Community Resource Center

Griselda Garibay, Owner, Bayville Inc.

Gretchen Craig

Gustavo Rivera, New York State Senator, 33rd District, The Bronx

Irma Avila, CD Tech

Henry Fernandez, Education Consultant

Ingrid Bayas

Janet Estrada, School Board Vice President, Adams 14 School District

Jamie Sarahi Cabrera, Graduate Student

Janet Diaz, Councilwoman

Jennifer Cantu, Texans Against Gerrymandering TAG

Jennifer Torres-O'Callaghan, Councilwoman, City of Lathrop

Jesse Tafalla, Jr., President, LULAC #4871 - Dallas Rainbow Council

Jose A Moran, Mayor, City of Livingston

Juan Avila, Chief Operating Officer, Garden Pathways

Jose M Limon, Board member

Juan Arambula, Former Assemblymember, former Fresno County Supervisor

Karina Quintanilla, Mayor ProTem, City of Palm Desert

Juanita Waits, Past Trustee

Kevidaryán Luján, Orange County Legislator, Orange County Legislature

Kathleen Boehm

Lair Marin-Marcum, Chair & President, The Latina Mentoring Academy

Lennin Caro, Lead Community Researcher, Camino Research Institute

Manny Santapau, Professor, Mercy College

Linda S. Mahan

Luz Molina, Research Administrator

Lydia Ozuna, President

Manuela Chaidez

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Marco A. Davis, President & CEO, Congressional Hispanic Caucus Institute (CHCI)

Margarita Rios, Mayor Pro Tem, City of Norwalk CA

Margo Juarez

Maria Rivera, Mayor, City of Central Falls

Maria Berrios

Maria de la luz Garcia

Maria E Cruz, CHW/Housing Specialist, La Familia Counseling Center, Inc

Maria Polanco

Mark A. Wheatley, Representative, Utah State Legislature

Monica Gallardo Pimentel, School Board Member

Nellie Gorbea, Former Rhode Island Secretary of State (2015-2023)

Norma Alcala, City Council Member, West Sacramento City Council

Olga Rios, Board Member, ABC Unified

Patricia Perez, CEO, VPE Communications

Patricia Ramirez, ESC19 Board Member

Priscilla, MSW Student & Intern, California State University, Monterey Bay & Alianza for Youth Justice

Raymond G. Sanchez, Attorney, Sanchez, Mowrer & Desiderio PC

Robert Montoya, Medical Consultant

Rodrigo Espinosa, Supervisor District 1, Merced County

Roger Garcia, Douglas County Commissioner

Sally Ann Gonzales, Senator, State of Arizona

Sergio Hernandez, Jr., Board President, Evanston/Skokie School District 65

Steve Martinez, Councilman

Sylvia Gonzalez-Gorman, Associate Professor

Tanya Makany Rivera, Director of External and Legislative Affairs

Virginia Trujillo, Secretary of Governing Board, Central, New, Mexico, Community, College

Yovette Roldan Montelongo, ACSW

Yvonne Campos

Zeke Hernandez, College Board Trustee, Rancho Santiago Community College District