

FEDERAL INTERAGENCY WORKING GROUP FOR RESEARCH ON RACE AND ETHNICITY
2ND FEDERAL REGISTER NOTICE
FREQUENTLY ASKED QUESTIONS & ISSUES FOR PUBLIC CONSIDERATION
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FREQUENTLY ASKED QUESTIONS

Submission Frequently Asked Questions

1. Where can I find a copy of the Federal Register Notice (FRN)?

The Federal Register Notice is located on the following sites:

1. On the [White House's Related OMB Material](#) site, which contains:
 - a. The [second FRN](#)
 - b. The [Interim Report](#)
 - c. [Related materials](#), including the "living" FAQs/Talking Points document
2. On [regulations.gov](#), where the FRN exists along with the Interim Report and FAQs/Talking Points document (at the bottom of the page)
3. On the [Federal Register](#) site

2. How do I submit a comment?

Written comments on these issues may be addressed to **US Chief Statistician, Office of Management and Budget, 1800 G St., 9th Floor, Washington, DC 20503**. You may also send comments or questions via email to **Jennifer Park, Senior Advisor to the US Chief Statistician** at Race-Ethnicity@omb.eop.gov or to <https://www.regulations.gov/document?D=OMB-2017-0003-0001v> – a Federal E-Government Web site that allows the public to find, review, and submit comments on documents that agencies have published in the Federal Register and that are open for comment.

3. Is there a recommended format for comments?

We recommend that comments be concise. Where issues are identified, we particularly value proposed solutions. You may attach items to a comment by uploading the item on the comments page.

It may be helpful to review the purpose and use of the Federal standards when preparing your response. These appear at the end of the FRN. Remember, the standards apply to all Federal information collections that ask about race and ethnicity.

Please see https://www.regulations.gov/docs/Tips_For_Submitting_Effective_Comments.pdf for a tip sheet on submitting effective public comments.

4. What is the due date for comments to the March 1, 2017 notice?

Comments are due by **11:59 pm on April 30, 2017**

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5. *Will my comments, identity, and email address be disclosed on the public docket?*

All comments are made public in their entirety. If you wish to provide comments without disclosing your personal information, please do not include your name, email address, or other identifying information in your comment.

6. *Will I receive confirmation that my comment has been received?*

All comments received will be posted to regulations.gov on a flow basis.

7. *How do I find my comment on regulations.gov?*

You can find your comment on regulations.gov by clicking on the “View All” link in the Comments section, and using the search box on the top of the page to search by name, keyword, etc. If you wish to edit your comment after submitting, please resubmit your comment with the changes noted.

8. *Whom should I contact if I have additional questions, and how should I contact that individual or agency?*

For additional questions, please contact **Jennifer Park, Senior Advisor to the US Chief Statistician** via email at Race-Ethnicity@omb.eop.gov.

9. *Is this my final opportunity to comment on the notice of potential revisions?*

Yes, this will be the final opportunity for the public to officially comment on the current review of the standards. The IWG’s final report based on continued research and incorporating the public comments received during the current public comment period will be publicly released. A third FRN is anticipated to be published later this year to notify the public of OMB’s decision. At this time, additional public comment periods in response to the final report and OMB’s final decision cannot be accommodated in order to meet preparation schedules for the 2020 Census.

10. *What happens when OMB has concluded its review?*

OMB will review all public comments, input and final recommendations from the Federal Interagency Working Group for Research on Race and Ethnicity. OMB will then determine if the proposed revisions to the standards are warranted. OMB may concur with the recommendations of the Federal Interagency Working Group, disagree and choose another alternative, decide that not enough information is available to warrant a decision to revise at this time, or some combination of all of these. According to established practice, OMB plans to notify the public of its final decision, along with its rationale. After this final notice has been issued, OMB plans to reconvene the Federal Interagency Expert Group to recommend implementation guidance for revisions made to the See <https://www.gpo.gov/fdsys/pkg/FR-1997-10-30/pdf/97-28653.pdf> for a full description of the current standard.

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Content Frequently Asked Questions

11. What is the Office of Management and Budget (OMB)?

OMB is an office within the Executive Office of the President which assists the President in overseeing the preparation of the Federal budget and in supervising its administration in Federal agencies. The OMB also is charged by statute with several management/oversight responsibilities. One of these is coordinating the U.S. Federal statistical system. This includes the promotion of the quality of Federal statistical information, which facilitates evidence-based policies and programs. To learn more about the OMB and its oversight of statistical programs and standards, see *[insert when available]*.

12. What are the OMB Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity?

The OMB Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (referred to in the FRN as “the standard” and also known as the “OMB standards” or “Federal standards”) are used by Federal agencies that collect and report race and ethnicity data. The standard guides information collected and presented for the decennial census, household surveys, administrative forms, and numerous other statistical collections, as well as for civil rights enforcement and program administrative reporting. See <https://www.gpo.gov/fdsys/pkg/FR-1997-10-30/pdf/97-28653.pdf> for a full description of the current standard.

13. What is the purpose of the OMB standards?

The purpose of the OMB standards is to promote uniformity and comparability for collecting, maintaining and presenting data on race and ethnicity for the population groups specified in the standards. The standards were developed in cooperation with Federal agencies to provide consistent data on race and ethnicity throughout the Federal Government. Development of the standards originally stemmed in large measure from the responsibilities to enforce civil rights laws. Data were needed to monitor equal access in housing, education, employment, and other areas, for populations that historically had experienced discrimination and differential treatment because of their race or ethnicity. The standards are used not only in the decennial census (which provides the data for the "denominator" for many measures), but also in household surveys, on administrative forms (e.g., school registration and mortgage lending applications), and in medical and other research. The categories are not genetically, anthropologically, or scientifically based. Instead, the categories represent a social-political construct designed for data on the race and ethnicity of broad population groups in this country.

The OMB first issued the standard in 1977, and later revised the standard in 1997. The 1997 revised standard are still in effect today. See <https://www.gpo.gov/fdsys/pkg/FR-1997-10-30/pdf/97-28653.pdf> for a full description of the current standard.

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14. What are the general areas for which public comments are requested?

The FRN seeks public comment on four areas in the standard for potential revision:

1. Questionnaire format and nonresponse;
2. Classification of Middle Eastern or North African race/ethnicity;
3. Additional minimum reporting categories; and
4. Relevance of terminology.

15. How were these general areas for public comment selected?

These four areas were found as common themes in discussions had by the Federal Interagency Working Group for Research on Race and Ethnicity, which began meeting in 2014.

16. Why is OMB conducting this limited review of the 1997 standards, as opposed to a whole review like in the 1990s?

The 1990s review and revision were comprehensive; it seemed going into the current review that a limited revision, if anything, would be warranted.

17. Why is OMB currently reviewing the 1997 standards?

As is customary practice, OMB is currently conducting its periodic review of its Federal standards on the collection and reporting of race/ethnicity information. The timing of this review is guided by the preparation schedule for the decennial census and the identification of areas in the current standard which, if revised, could lead to improved information quality.

18. What are the “minimum” reporting categories?

The standard provides five categories for data on race: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White. It also presents two categories for data on ethnicity: “Hispanic or Latino,” and “Not Hispanic or Latino.” Federal agencies are required to use these race and ethnicity categories as the minimum categories for collecting and presenting data on race and ethnicity for all Federal reporting purposes. *See [insert link when available]* for definitions of each race and ethnicity category.

The goal of the standard is to yield detailed but comparable Federal information on race/ethnicity. The standard encourages Federal agencies to report detailed race/ethnicity categories. However, it is also important that information collected in one survey, set of administrative records, or census be comparable to another. To facilitate these comparisons, the standard says that if an agency collects race/ethnicity information, *at a minimum* it must at least collect and present such information using five categories for data on race (American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, and White) and at least two categories for data on ethnicity (“Hispanic or Latino” and “Not Hispanic or Latino”). If a more detailed information collection on race/ethnicity (ex. Decennial Census) is compared to a less detailed information collection on race/ethnicity (ex. a small survey on national park use) featuring the

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minimum reporting categories only, then the minimum reporting categories would be used to provide a common benchmark to compare estimates between the two surveys.

19. Should members of any specific categories be encouraged to submit comments?

All members of the general public, already participate in various Federal data collection and reporting surveys and forms. Individuals with an opinion about any or all of the four proposed areas for revision described in the FRN—such as the description of the intended use of the minimum categories in the current standard—are encouraged to submit comments.

20. What specific findings, reports, and data will OMB consider in evaluating the proposed revisions?

OMB welcomes evidence-based recommendations and findings. You may attach any findings, reports, and data that support your comment by uploading the item on the comments page. Comments that take into account specific policy issues—such as the costs and benefits of implementing suggested changes, or how a proposed revision can help improve response rates—are particularly helpful.

21. Can I review the work done by the Federal Interagency Working Group for Research on Race and Ethnicity regarding the proposed revisions?

This FRN's Interim Report includes a summary of the Interagency Working Group's findings to date regarding the proposed revisions. Additional data continue to be analyzed that may influence the Interagency Working Group's recommendations to OMB.

22. How will my comment impact OMB's decision on the proposed revisions?

OMB will review and consider all comments submitted in response to this FRN prior to making their final decision. Comments that take into account specific policy issues—such as the costs and benefits of implementing suggested changes, or how a proposed revision can help improve response rates—are particularly helpful.

23. What agencies comprise the Federal Interagency Working Group for Research on Race and Ethnicity?

Chaired by the Statistical and Science Policy Office at OMB, the Working Group includes representatives from ten cabinet departments and three other agencies engaged in the collection or use of Federal race and ethnicity statistics.

24. Why does the Federal government collect data on race and ethnicity?

Information on race and ethnicity is required for many Federal programs and is critical in making policy decisions, particularly for civil rights. States use these data to meet legislative redistricting principles. Race and ethnicity data are also used to promote equal employment opportunities to assess racial and ethnic disparities in health and environmental risks.

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ISSUES FOR PUBLIC CONSIDERATION

Background

1. Statistical standards help us understand information from many different sources. Just like other standard measures, statistical standards help us describe data from different sources. Without them, statistics (or other forms of data) from one source would be difficult to compare to statistics from another source. Rather than limiting data, statistical standards allow us to make use of all available data. In this way, Federal standards help us describe our entire Nation making use of data collected by all Federal agencies.

An example might be measuring cups. Recipes written using the US standard for 8 ounces to a cup of sugar help us understand how much sugar is in our meal overall—how much is in the tomato sauce and how much is in the cupcake for dessert.

2. Federal standards on race/ethnicity help us compare race/ethnicity information collected in hundreds of data sources. Federal standards on race/ethnicity allow Federal agencies to collect and report information describing the Nation in a consistent way. This means, for example, that race/ethnicity information collected by the Department of Housing and Urban Development (HUD) can be compared more easily to race/ethnicity information collected by the U.S. Census Bureau. In this example, race/ethnicity data about home ownership (HUD) and race/ethnicity data about family size (Census) can be more easily compared.

March 1, 2017 Federal Register Notice Talking Points

3. The March 1, 2017 Federal Register Notice provides an Interim Report of the Interagency Working Group for Research on Race and Ethnicity. Progress, initial proposals, and further questions to the public are provided. The Interim Report was not prepared by OMB, and OMB will not make a decision regarding any revision to the standards until the Working Group has completed its Final Report and OMB has reviewed it carefully.

Question Format and Nonresponse Talking Points

4. *What issues related to race/ethnicity nonresponse have been observed in federal data collections?*
The U.S. Census Bureau has experienced an increase over time in the proportion of respondents identifying as “Some Other Race”, rather than as one of the 5 designated OMB race categories. Hispanics/Latinos are the largest group identifying as “Some Other Race”
5. *Would a combined question for race/ethnicity reduce nonresponse to race questions (or the reporting of “some other race”) that is observed when the current standard of two separate questions are used?*

Few public comments were received on this issue. Those received favored a question that combined race and ethnicity, rather than the current standard of offering one question to measure ethnicity and then one question to measure race.

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In certain cases, a combined question may reduce nonresponse to race questions observed with the two separate questions approach, but this solution may not fit the majority of information collections. We are still analyzing if allowing both question forms would result in comparable data.

For example, in U.S. Census Bureau collections, a high rate of selecting “Some Other Race” as a race category is observed for persons who respond to ethnicity as Hispanic or Latino. This is expensive to address statistically, and may indicate that persons who identify as Hispanic do not see other race categories as salient to them; in other words, this may suggest that respondents see their "race and ethnicity" as "Hispanic or Latino." A combined question reduced the rate of respondents selecting a “Some Other Race” category when tested.

However, only the Census Bureau is allowed a “Some Other Race” (SOR) category, which is required by law. SOR is not a part of the Federal standard, and other Federal agencies may not use it. Several other Federal agencies do not observe persons who identify as Hispanic as not also identifying a specific race category. A combined question was not yet tested against a separate questions format when “Some Other Race” is not offered (the typical scenario for the majority of Federal agencies).

A further complication is the increasing use of administrative records to produce Federal statistics, particularly those from nonfederal sources, such as States. These collections are not required to conform to the Federal standards, and several offer response categories that cannot be mapped to the current standards (e.g., “other”); Federal agencies can only request for data to be sent in a specified format.

Further, the feasibility and cost of this change must be considered. On one hand, implications of any proposed revisions to the race and ethnicity questions will be considered for the entire Federal statistical system. On the other hand, one of the reasons a change to the standards is currently being considered is due to the cost of addressing SOR by the Census Bureau.

The Subgroup will test a combined question with “Some Other Race” versus separate questions when a “Some Other Race” category is not offered. Nonresponse to the race question will be examined.

The subgroup will also examine other possible solutions to reduce race category nonresponse, in particular nonresponse for OMB defined race categories due to reporting in the “Some Other Race” category.

The public is asked for their opinion on how to balance a potential improvement in information quality against public cost and burden. How much improvement is worth the cost and burden?

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Middle Eastern or North African Talking Points

6. *Can a classification for persons identifying as Middle Eastern or North African (MENA) be standardized? Should MENA be added as a new, additional minimum reporting category (and thus required) that is separate from the White minimum reporting category?*

About 1/3 of all public comments received (~1,000) on the 1st FRN were in reference to the MENA category and the vast majority favoring the classification of MENA.

The Census Bureau has conducted information collections to test a working definition of MENA, with good success. Further, the Census Bureau working definition of MENA resonated with the public in field tests. Persons within the working definition consistently selected MENA when it was offered to them via information collection testing. Some refinement of the detailed groups comprising the overall classification may be made based on test results. No recommendation about the addition of MENA as a separate reporting category has been made; comments received from the public in response to this notice, along with additional qualitative research, will directly influence recommendations made.

7. *Should MENA be considered an ethnicity or a race?*

We are posing this question to the public as part of the Interim Report's Federal Register Notice.

Detailed Groups and Reporting Categories Talking Points

8. *How can the Federal government encourage the use of detailed collection and reporting of race/ethnicity data?*

More than ½ of all public comments (~2,000) advocated for detail reporting categories—almost all of these for the detailed reporting of Asian and Native Hawaiian or Other Pacific Islander.

The fact that OMB received so many comments advocating for detailed reporting categories, especially from the Asian community, was not surprising to the Working Group. Research shows there are real differences in socioeconomic and health outcomes for different Asian groups as well as other detailed racial and ethnic groups. Similar efforts have been made by Pacific Islander community, Native Hawaiian community, Black/African American communities, and other communities advocating for detailed reporting categories.

The current standard encourages Federal agencies to use detailed reporting categories—but does not require them to do so. Moreover, the current standard doesn't tell Federal agencies what those detailed reporting categories should be. Some agencies, such as Census, CMS and HHS, have designed their own standard for detailed reporting categories and have been using their standard for some time. Most other agencies have not done so.

Based on feedback received from Federal agencies, the Working Group believes a principal reason Federal agencies don't use detailed reporting categories is because OMB does not provide a

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standard for the detailed reporting categories. As such, the Working Group believes the first step in encouraging the use of detailed reporting categories is to develop a standard.

9. *Are the detailed reporting categories described by the Subgroup appropriate? If they should be changed, what standard should be used?*

The Working Group understands there are numerous ways to develop a standard for detailed reporting categories. We are posing this question to the public as part of the Interim Report's Federal Register Notice.

10. *Should detail reporting categories be required? Should an agency who cannot REPORT data for a detailed category due to reliability and confidentiality concerns stemming from sample size be required to COLLECT data for that detailed category?*

The Working Group proposes that detailed reporting categories be standardized and encouraged for use. Beyond that, the Working Group is seeking public comment on and evaluating three additional issues. First, the Working Group is evaluating whether *requiring* the use of detailed reporting categories is necessary to improve reporting rates where possible. Second, if requiring the use of detailed reporting categories is necessary to improve reporting rates, what are the costs and burdens associated with the requirement. Third, the Working Group realizes the number of people in some detailed reporting categories is very small. Some Federal agencies may have serious concerns about publishing detailed data for small populations due to statistical reliability, respondent confidentiality, or other similar concerns. Because of this issue, the Working Group is evaluating whether exemptions to a requirement should be permitted if Federal agencies raise certain concerns.

11. *How should cost and public burden be considered against the resulting information quality if there are changes made to minimum or detailed reporting categories? And, if most Federal agencies could not REPORT statistics for MENA or for any detailed reporting category based on small sample sizes and associated reliability and confidentiality concerns, should these agencies COLLECT this data?*

We are posing these questions to the public as part of the Interim Report's Federal Register Notice.

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Terminology Talking Points

12. *Are the terms used in the current standard to describe race and/or ethnicity still relevant since the last revision to the standard?*

Few public comments were received in this area, but those that were received favored a review of terminology.

As an example of where terminology could be clarified, the current standard is unclear about how some detailed categories would map to minimum reporting categories. (For example, Brazilian is not mapped to any specific race or ethnicity.) Some terms are now out of favor (for example, "Negro" and "Far East"). Further, the concept of "principal minority race" may no longer be relevant or may have a different meaning in current times.

Using data from the Census' 2015 National Content Test data, the Subgroup examined how often the particular geographic groups of interest were included as write-in responses. Given the low prevalence of their appearance as write-in replies, the Subgroup recommends that no language be added to the standards to provide guidance as to how these specific geographic locations should be classified in terms of their race or ethnicity. This recommendation is also in accordance with public comments received on the first FRN which acknowledged the complexities of using geographic locations to determine race.

The Subgroup recommends removal of "Negro" and "Far East" terms from the current standard. The recommendation regarding "Negro" is in accordance with PL 114-157 and the Census Bureau's decision to remove the term in its information collections beginning in 2014. The recommendation regarding "Far East" is in accordance with the fact that the term has never been used by the Census Bureau when collecting data and that it appears to be out of date (specifically, it is not commonly used and it may be offensive to some groups).

It recommends that agencies make their coding, editing, and mapping lists public so that data comparability can be examined.

13. *Should the term "principal minority race" remain in the standard? And if so, should it be clarified to include ethnicity as well? How should this be decided?*

We are posing this question to the public as part of the Interim Report's Federal Register Notice.