

**Flexibilities and Best Practices for Implementing the Office of Management and Budget’s
1997 Standards for Maintaining, Collecting, And Presenting
Federal Data on Race and Ethnicity (Statistical Policy Directive No. 15)**

July 2022

On June 15, 2022, the Chief Statistician of the United States (Chief Statistician) announced¹ the launch of a formal review to revise the Office of Management and Budget (OMB) Statistical Policy Directive No. 15: *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*. This Directive provides minimum standards that ensure our ability to compare information and data across Federal agencies, and also to understand how well Federal programs serve a diverse America.

The announcement highlights the commitment “to a full, transparent process for updating the Standards,” and acknowledges that it will take time to evaluate relevant research, engage in a meaningful way with the American public and all impacted agencies, and develop recommendations. The Chief Statistician also announced the goal of completing the revision no later than Summer 2024.

As part of the discussion and preparation for this update, the Chief Statistician also recognizes that agencies may benefit from this plain language discussion of the current flexibilities of and best practices for Statistical Policy Directive No. 15 for collecting and reporting detailed race and ethnicity data.

Purpose and Background

The purpose of this Memorandum is to spotlight certain flexibilities of and best practices for Statistical Policy Directive No. 15, *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, commonly referred to as SPD 15.² Specifically, Federal agencies may rely on this document to implement SPD 15 for information collections which include measurements of race and ethnicity.

SPD 15 provides a minimum set of categories that Federal agencies must use if they intend to collect information on race and ethnicity. A *minimum* set of categories is necessary to facilitate comparisons of data generated by different sources (*e.g.*, surveys conducted by different Federal agencies), through different mechanisms (*e.g.*, Federal surveys versus program benefit applications), and through collections with varying levels of detail. However, the collection of more detailed race and ethnicity data beyond the minimum categories is encouraged as long as the additional categories can be aggregated into the minimum categories (see “Disaggregated Racial and Ethnic Categories” below).

¹ Karin Orvis, *Reviewing and Revising Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, The White House (June 15, 2022), <https://www.whitehouse.gov/omb/briefing-room/2022/06/15/reviewing-and-revising-standards-for-maintaining-collecting-and-presenting-federal-data-on-race-and-ethnicity/>.

² Office of Mgm’t & Budget, Exec. Office of the President, *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, 62 Fed. Reg. 58,782 (Oct. 30, 1997), <https://www.govinfo.gov/content/pkg/FR-1997-10-30/pdf/97-28653.pdf>.

Federal race and ethnicity standards are inherently complex because they seek to capture dynamic and fluid social, political, and economic constructs.³ Thus, many respondents have long been dissatisfied with the identity options compared to their lived experiences. This has been accelerated in the nearly 25 years since the standards were revised, as there have been large societal, political, economic, and demographic shifts in the United States throughout this period, for example:

- Increasing racial and ethnic diversity,⁴
- A growing number of people who identify as more than one race and/or ethnicity,⁵ and
- Changing immigration and migration patterns.⁶

Despite limitations of the existing minimum category set in reflecting the full diversity of the population, all Federal agencies and their information collections must adhere to SPD 15 as a means of providing uniform and comparable data on race and ethnicity when collecting this information.

Much research has been undertaken in the past decade toward updating SPD 15, *e.g.*, the 2010 Census Race and Hispanic Origin Alternative Questionnaire Experiment,⁷ 2015 National Content Test,⁸ and cognitive interviews from the National Center for Health Statistics,⁹ all of which were considered by a Federal Interagency Working Group (IWG) for Research on Race and Ethnicity.¹⁰

³ The 1997 Federal Register notice finalizing the current SPD 15 stated that “[t]he racial and ethnic categories set forth in the standards should not be interpreted as being primarily biological or genetic in reference.” *Id.* at 58,782.

⁴ For additional information, see Nicholas Jones et al., *2020 Census Illuminates Racial and Ethnic Composition of the Country*, U.S. Census Bureau (Aug. 12, 2021), <https://www.census.gov/library/stories/2021/08/improved-race-ethnicity-measures-reveal-united-states-population-much-more-multiracial.html>.

⁵ *Id.*

⁶ For additional information, see Jason Schachter et al., *New Population Estimates Show COVID-19 Pandemic Significantly Disrupted Migration Across Borders*, U.S. Census Bureau (Dec. 21, 2021), <https://www.census.gov/library/stories/2021/12/net-international-migration-at-lowest-levels-in-decades.html>, and *CPS Historical Migration/Geographic Mobility Tables*, U.S. Census Bureau (November 2021), <https://www.census.gov/data/tables/time-series/demo/geographic-mobility/historic.html>.

⁷ For additional information, see Elizabeth Compton et al., *2010 Census Race and Hispanic Origin Alternative Questionnaire Experiment*, U.S. Census Bureau (Feb. 28, 2013), <https://www2.census.gov/programs-surveys/decennial/2010/program-management/5-review/cpex/2010-cpex-211.pdf>.

⁸ For additional information, see Kelly Matthews et al., *2015 National Content Test Race and Ethnicity Analysis Report*, U.S. Census Bureau (Feb. 28, 2017), <https://www2.census.gov/programs-surveys/decennial/2020/program-management/final-analysis-reports/2015nct-race-ethnicity-analysis.pdf>.

⁹ For additional information, see Stephanie Willson & Sheba K. Dunston, *Cognitive Interview Evaluation of the Revised Race Question, with Special Emphasis on the Newly Proposed Middle Eastern/North African Response Option*, Nat’l Ctr. for Health Stat., Ctrs. for Disease Control & Prevention, https://wwwn.cdc.gov/qbank/report/Willson_2017_NCHS_MENA.pdf (last visited June 6, 2022).

¹⁰ For additional information, see Office of Mgmt. & Budget, Exec. Office of the President, *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, 81 Fed. Reg. 67,398 (Sept. 30, 2016), <https://www.federalregister.gov/documents/2016/09/30/2016-23672/standards-for-maintaining-collecting-and-presenting-federal-data-on-race-and-ethnicity>, and Office of Mgmt. & Budget, Exec. Office of the President, *Proposals From the Federal Interagency Working Group for Revision of the Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, 82 Fed. Reg. 12,242 (Mar. 1, 2017),

As OMB considers this research and public comments, it also recognizes that any revision to SPD 15 will take time to develop and implement across all Federal agencies. Therefore, **the purpose of this document is to promote broader understanding of the existing flexibilities and best practices related to SPD 15's 1997 standards.**

What is the Purpose of SPD 15 for Federal Race and Ethnicity Data?

SPD 15 was initially developed by OMB in 1977, in cooperation with Federal agencies, to provide consistent data on race and ethnicity (when aggregated to the minimum reporting categories) throughout the Federal government, including the decennial census, household surveys, and Federal administrative forms. Development of the data standards stemmed in large part from 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.

What is SPD 15's 1997 Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity?

Under the 1997 standards, the minimum ethnicity categories for the question "Are you Hispanic or Latino?" are now the following:

- (1) Hispanic or Latino,¹¹ and
- (2) Not Hispanic or Latino.

Note that Hispanic or Latino respondents may be of any race, and multiple responses to the ethnicity question are not permitted.

The five minimum race categories for the question and instructions "What is your race? < "Mark" or "Select" > one or more"¹² are:

- (1) American Indian or Alaska Native,
- (2) Asian,
- (3) Black or African American,
- (4) Native Hawaiian or Other Pacific Islander,¹³ and
- (5) White.

Note that respondents may report multiple races, which was a result of the revision from the 1977 directive.

<https://www.federalregister.gov/documents/2017/03/01/2017-03973/proposals-from-the-federal-interagency-working-group-for-revision-of-the-standards-for-maintaining>.

¹¹ This directive changed the term "Hispanic origin" to "Hispanic or Latino," while the term "Spanish Origin" may be added if desired, *i.e.*, "Hispanic, Latino, or Spanish origin."

¹² While SPD 15 specifies use of "Mark one or more" or "Select one or more" to instruct respondents that more than one race may be selected, OMB has approved forms that use "Mark all that apply" or "Select all that apply."

¹³ The 1997 standards separated the previous "Asian or Pacific Islander" category into "Asian" and "Native Hawaiian or Other Pacific Islander." SPD 15 requires separate response options for "Asian" and "Native Hawaiian or Other Pacific Islander."

SPD 15 emphasizes that self-identification using separate race and ethnicity questions is the preferred means of obtaining information about an individual's race and ethnicity, and SPD 15 specifies that ethnicity should be collected first.

FLEXIBILITIES AND BEST PRACTICES UNDER SPD 15

Disaggregated Racial and Ethnic Categories

It is important for some uses of data to have race and ethnicity information disaggregated beyond – or more detailed than – the minimum categories provided in SPD 15. For example, there are a wide variety of detailed groups that fall under the Asian category (*e.g.*, Chinese, Asian Indian) and Hispanic or Latino category (*e.g.*, Mexican, Cuban).

Additionally, research shows differences in many outcomes of interest for detailed groups within the minimum race

and ethnicity categories.¹⁴ Accordingly, SPD 15 states that “[t]he collection of greater detail is encouraged” when “any additional categories can be aggregated into the minimum standards.”¹⁵

Furthermore, there are questions that cannot be directly addressed by the minimum categories in SPD 15. Agencies have flexibility to explore those questions by defining multiple (exhaustive) detailed groups under a minimum category in SPD 15, or by adding questions in addition to, but separate from, questions about a person's race and ethnicity.¹⁶

Examples. Many surveys, including, but not limited to the National Health Interview Survey (NHIS);¹⁷ the Early Childhood Longitudinal Study, Kindergarten Class of 2010-11 (ECLS-K:2011);¹⁸ and the

Can agencies use more disaggregated racial and ethnic categories?

Yes, agencies can use more detailed racial and ethnic categories if they can be aggregated (*i.e.*, rolled up) into the minimum categories.

¹⁴ See, for example, José J. Escarce et al., *The Health Status and Health Behaviors of Hispanics, in Hispanics and the Future of America*, ch. 9 (Marta Tienda & Faith Mitchell eds. 2006),

<https://www.ncbi.nlm.nih.gov/books/NBK19899/>, and Abby Budiman & Neil G. Ruiz, *Key Facts about Asian Origin Groups in the U.S.*, Pew Research Ctr. (Apr. 29, 2021), <https://www.pewresearch.org/fact-tank/2021/04/29/key-facts-about-asian-origin-groups-in-the-u-s/>.

¹⁵ While the collection of more detailed groups beyond the minimum categories is encouraged, it is not required. SPD 15 does not provide specific guidance on how to collect such disaggregated data. Many information collections rely on detailed checkboxes and/or write-in fields to collect detailed race and ethnicity data.

¹⁶For instance, to collect data about those of Middle Eastern or North African (MENA) heritage, an agency may offer MENA as one of multiple detailed groups under the SPD 15 minimum category of "White" or by adding a question in addition to, but separate from, questions about a person's race and ethnicity. For example, the American Community Survey has a separate question about ancestry. As such, an agency might ask "Are you of Middle Eastern or North African ancestry or heritage?"

¹⁷ For additional information, see *2021 National Health Interview Survey (NHIS) Questionnaire*, Nat'l Ctr. for Health Stat., https://ftp.cdc.gov/pub/Health_Statistics/NCHS/Survey_Questionnaires/NHIS/2021/EnglishQuest.pdf (last visited June 7, 2022).

¹⁸ For additional information, see *Early Childhood Longitudinal Study: Kindergarten Class of 2010–2011*, Nat'l Ctr. for Educ. Stat., (June 11, 2015), https://nces.ed.gov/ecls/pdf/fifthgrade/Spring_2016_Parent_Interview.pdf.

Consumer Expenditures Survey (CE),¹⁹ collect data on detailed race and ethnicity group membership that allow aggregation to SPD 15's minimum racial and ethnic categories. In 2011, the U.S. Department of Health and Human Services (HHS) adopted the detailed groups used in the American Community Survey (ACS), Census 2000, and the 2010 Census as the minimum standard for use in HHS population studies.²⁰ For example, respondents that identify as Asian may select one or more from Asian Indian, Chinese, Filipino, Japanese, Korean, Vietnamese, and Other Asian, all of which roll up to the minimum category of Asian.²¹ This level of detail is allowable because the detailed group options can be aggregated to their corresponding minimum race or ethnicity category to be consistent with SPD 15 requirements.

The 2020 Census race and ethnicity questions design was similar to the 2010 Census.²² However, improvements were made, including the following:

- The ethnicity question revised example groups to represent the largest Hispanic origin population groups and the geographic diversity of the Hispanic or Latino category, as defined by SPD 15.
- The race question added dedicated write-in response areas for the White and Black or African American categories; added six example groups for the White, Black or African American, and American Indian or Alaska Native categories; and re-ordered the Asian and Native Hawaiian or Other Pacific Islander checkboxes by population size.

Through a combination of detailed checkboxes and additional write-in response fields for responses not shown through the checkboxes, respondents were able to provide detailed information for each of the race and ethnicity categories. While the 2020 Census collected very detailed race and ethnicity data, its coding operation was extensive.²³

Considerations of Collecting Detailed Data. When deciding whether to incorporate more detailed racial and ethnic response options in surveys or on administrative forms, it is important to consider the number of expected responses for each population group of interest. A low response rate may lead to

¹⁹ For additional information, see *Consumer Expenditure Surveys Interview Questionnaire (CEQ) – 2021*, Bureau of Labor Stat., <https://www.bls.gov/cex/capi/2021/2021-CEQ-CAPI-instrument-specifications.pdf> (last visited June 7, 2022).

²⁰ For additional information, see Office of the Asst. Sec'y for Planning & Eval., *HHS Implementation Guidance on Data Collection Standards for Race, Ethnicity, Sex, Primary Language, and Disability Status*, Dep't of Health & Human Servs. (Oct. 30, 2011), <https://aspe.hhs.gov/reports/hhs-implementation-guidance-data-collection-standards-race-ethnicity-sex-primary-language-disability-0>.

²¹ Note that these are examples of detailed response categories. Response options may be added, removed, or modified based upon data needs. If an agency wants to add additional disaggregated categories under the minimum categories, cognitive testing is recommended to maximize the quality of data collected and promote compatibility of data. It is recognized that there may be variation in the ways that agencies disaggregate under the minimum categories.

²² For additional information, see Rachel Marks & Merarys Ríos-Vargas, *Improvements to the 2020 Census race and Hispanic origin question designs, data processing, and coding procedures*, U.S. Census Bureau (Aug. 1, 2021), <https://www.census.gov/newsroom/blogs/random-samplings/2021/08/improvements-to-2020-census-race-hispanic-origin-question-designs.html>.

²³ The 2010 Census processed about 55 million write-in responses, while the 2020 Census processed 350 million write-in responses. Of these 350 million write-ins, approximately 97 percent were captured through the agency's auto-coding process. The additional 3 percent of write-ins were successfully manually coded.

non-representative data. Small sample sizes can make estimates about disaggregated groups statistically unreliable, and small cell sizes in data analyses and publications can create privacy risks.

The Federal Committee on Statistical Methodology’s Data Protection Toolkit provides useful guidance on how to plan a data collection to maximize its usefulness while protecting privacy and confidentiality.²⁴ In addition, your agency’s Statistical Official, Senior Agency Official for Privacy, and Paperwork Reduction Act staff can help you consider these issues.

Ordering of Minimum Categories for Data Collection

SPD 15 does not dictate the order in which racial categories should be displayed. Agencies generally order alphabetically or by population size.

For example, the 2020 Census largely ordered the race categories by population size, although the Asian category was presented out of order to keep it with Native Hawaiian and Other Pacific Islander, both of which included detailed checkboxes. Within the Asian and Native Hawaiian and Other Pacific Islander groupings, response options were listed by population size.

Is there a required order in which the racial categories must be displayed?

No. It is left up to agencies to decide.

Presentation of Multiracial Data

SPD 15 makes clear that respondents “should be permitted to report more than one race.” As recently as the 2020 Census, about 10 percent of the U.S. population identified as being two or more races (*i.e.*, Multiracial), which was a large increase from the 2010 Census.²⁵

There are three common approaches to presenting results that include Multiracial respondents. The one that is best in a given situation depends upon the purpose of the analysis and whether there is a need to maintain consistency with past approaches in order to show temporal trends.

How should agencies present Multiracial data?

There are multiple ways to present Multiracial data. Factors such as data needs and sample size should be considered when deciding on an approach.

Approach #1. The first approach presents estimates for those reporting one of the five racial categories alone and combines respondents reporting two or more races into an aggregate two or more races category. An example of this method is shown on the left-hand side in Figure 1 (below). While this approach is easy to implement, it does not describe the specific racial diversity of the Multiracial population (*e.g.*, over half of the population of those who identify as American Indian or Alaska Native and Native Hawaiian and Other Pacific Islander would be assigned to the multiracial group).

²⁴ For additional information, see: <https://nces.ed.gov/fcsmdpt>.

²⁵ For additional information, see Nicholas Jones et al., *supra* note 3.

Approach #2. A second approach, which most closely follows OMB’s 2000 guidance for civil rights monitoring enforcement,²⁶ separates those reporting one race from those reporting two or more races and specifies the racial make-up for some or all of those falling into the two or more races category. For example, an agency could use the following categories:

- One Race²⁷
 - White
 - Black or African American
 - Asian
 - American Indian or Alaska Native
 - Native Hawaiian or Other Pacific Islander
- Two or More Races²⁸
 - White **and** American Indian or Alaska Native
 - Black or African American **and** American Indian or Alaska Native
 - White **and** Black or African American
 - White **and** Black or African American **and** American Indian or Alaska Native
 - White **and** Asian
 - All other combinations of multiple race groups

While this approach provides the most meaningful categories, it can make analyses cumbersome, and it requires that a sufficient number of cases fall into each group. Though a growing percentage of the U.S. population identifies as two or more races,²⁹ many Federally administered surveys lack the sample size to present the detailed race categories used in this approach. It is worth noting, however, that 2020 Census results show that in select cases the number of people who report belonging to specific two or more races groups (e.g., White and Black or African American) was greater than the number belonging to specific one race groups (e.g., Native Hawaiian or Other Pacific Islander alone), thus this approach may not be optimal in some contexts.

Approach #3. A third approach for classifying people who report two or more races is to combine all of those who report identifying with a racial group whether alone or in combination with one or more other races. In this approach, 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).

²⁶ For additional information, see Office of Mgm’t & Budget, Exec. 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.

²⁷ Due to small sample sizes, the Asian and Native Hawaiian or Other Pacific Islander categories are sometimes combined for reporting purposes.

²⁸ To see an example of where Federal data is reported like this, see *ACS Demographic and Housing Estimates*, U.S. Census Bureau, <https://data.census.gov/cedsci/table?q=DP05&tid=ACSDP1Y2019.DP05> (last visited June 7, 2022).

²⁹ The size of the population reporting two or more races increased 276 percent between the 2010 and 2020 Decennial Censuses. For additional information, see Nicholas Jones et al., *supra* note 3.

Results from the 2020 Census³⁰ show that these concepts are increasingly important for understanding the population’s complex racial and ethnic composition and changing demographics. To demonstrate, Figure 1 presents 2019 ACS estimates on race. On the left are the number and percentage reporting each racial group alone and those reporting two or more races, *i.e.*, Multiracial. In this example, notice that the percentages sum to 100. The number and percentage reporting each racial group alone or in combination are shown on the right. Unlike the example on the left, the percentages sum to 103.6 because the response categories are not mutually exclusive.

Figure 1. ACS 1-Year Estimates, Demographic and Housing Estimates, 2019³¹

One Race	Number	%	Alone or in combination	Number	%
White	236,475,401	72.0	White	246,234,076	75.0
Black or African American	41,989,671	12.8	Black or African American	46,713,850	14.2
Asian	18,636,984	5.7	Asian	22,371,683	6.8
American Indian and Alaska Native	2,847,336	0.9	American Indian and Alaska Native	5,665,200	1.7
Native Hawaiian and Other Pacific Islander	628,683	0.2	Native Hawaiian and Other Pacific Islander	1,438,818	0.4
Some Other Race	16,352,553	5.0	Some Other Race	18,214,244	5.5
Two or More Races	11,308,895	3.4			

When presenting estimates alone or in combination, the total number in each category will almost always sum to more than the total population and percentages will sum to over 100 because response categories are not mutually exclusive.

As discussed below, the decennial census and the ACS are required by law to include a “Some Other Race” response category. All other data collection efforts should not include a “Some Other Race” response category.

As described in Approach #1

Statutorily Required Use of “Some Other Race” Category

Unless required by statute, data collection efforts by Federal agencies should **not** include a “Some Other Race” (SOR) response category. SPD 15 does not include an SOR category because it makes the data less useful and more cumbersome to analyze. The only places the SOR option is allowable are the decennial census and the ACS. These two data collections are required by law to include a SOR category, thereby adding a sixth minimum category for these collections.³²

In the decennial census and the ACS only, responses provided in the SOR write-in area are coded to one of the five OMB race categories if

When should agencies use a “Some Other Race” response category?

Only the decennial census and the American Community Survey are allowed to use a “Some Other Race” response category.

³⁰ For additional information, see Nicholas Jones et al., *supra* note 3.

³¹ The total population estimates for this table is 328,239,523. For additional information, see *ACS Demographic and Housing Estimates, supra* note 27.

³² For additional information, see Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006, Pub. L. No. 109-108, tit. II, 119 Stat. 2289, 2308–09 (Nov. 22, 2005), <https://www.congress.gov/109/plaws/publ108/PLAW-109publ108.pdf>.

they meet corresponding category definitions.³³ For example, if a respondent wrote in Egyptian, Filipino, or Samoan in the SOR write-in field, then they would be classified as White, Asian, and Native Hawaiian or Other Pacific Islander, respectively, as defined in SPD 15.

Only responses that cannot be reassigned remain categorized as SOR in the decennial census and the ACS. Respondents who write in Brazilian or Australian on any write-in line on the decennial census or ACS, for example, would be classified as “Some Other Race,” because the 1997 standards do not specify the race for these nationalities.³⁴ The 2020 Decennial Census show that 15 percent of the U.S. population identified as Some Other Race alone or in combination—most of whom were of Hispanic or Latino origin—making it the second-largest racial group.³⁵

³³ For additional information, see Rachel Marks & Merarys Ríos-Vargas, *supra* note 21.

³⁴ For additional information, see Rachel Marks & Nicholas Jones, *Collecting and Tabulating Ethnicity and Race Responses in the 2020 Census*, U.S. Census Bureau (Feb. 2020), <https://www2.census.gov/about/training-workshops/2020/2020-02-19-pop-presentation.pdf>.

³⁵ For additional information, see Nicholas Jones et al., *supra* note 3.

APPENDIX A. Example of Detailed Hispanic Origin Question

Is this person of Hispanic, Latina/o, or Spanish origin? (Mark one or more boxes)

- No, not of Hispanic, Latina/o, or Spanish Origin
- Yes, Mexican, Mexican American, Chicana/o
- Yes, Puerto Rican
- Yes, Cuban
- Yes, another Hispanic, Latina/o, or Spanish origin

APPENDIX B. Example of Detailed Race Question

What is this person's race? (Mark one or more boxes)

- White
- Black or African American
- American Indian or Alaska Native
- Asian Indian
- Chinese
- Filipino
- Japanese
- Korean
- Vietnamese
- Other Asian
- Native Hawaiian
- Chamorro
- Samoan
- Other Pacific Islander