Congress of the United States
Washington, DC 20510

September 23, 2024

The Honorable Shalanda Young
Director
Office of Management and Budget
725 17th St NW
Washington, DC 20503

Dear Director Young:

Thank you for your continued commitment to advancing racial equity and supporting underserved communities in the United States. Under the Biden-Harris Administration, our country has taken important steps toward promoting an inclusive society where everyone has opportunities to succeed.[1] We write today regarding OMB's recent revisions to "Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity" (SPD 15) – dated March 28, 2024.[2] We commend OMB for revising these standards, which will help to expand demographic reporting requirements and ensure that diverse communities are better reflected in federal datasets, and thank the Office of Information and Regulatory Affairs (OIRA) and other OMB officials for discussing the revisions with Members of the Congressional Asian Pacific American Caucus (CAPAC), on July 31, 2024. In order to ensure that these standards are fully implemented in a manner that supports our communities, we strongly urge OMB to comply with statutory mandates and take additional action to assist federal agencies in effectively and efficiently incorporating the revised standards.

Federal data on race and ethnicity is a crucial resource for identifying and addressing inequity. However, since SPD 15 was last updated in 1997, Asian American, Native Hawaiian, and Pacific Islander (AANHPI) advocacy groups have raised concerns over SPD 15's overly-broad minimum reporting categories, which obfuscate the diverse experiences of over 70 ethnic groups under the AANHPI umbrella. Due to distinct histories and particular experiences with violence and persecution, for example, only 14% of Bhutanese Americans, 19% of Laotian Americans, and 22% of Burmese Americans have obtained a bachelor's degree—half the rate of all Asian Americans and lower than the overall population.

[1] https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/
[2] https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and

Accurate and comprehensive data on race and ethnicity is necessary for ensuring the health, safety, and well-being of our communities. We applaud the 2024 SPD 15 for requiring federal agencies to collect new and more detailed racial and ethnic information, such as "Chinese," "Nigerian," and "Native Hawaiian," by default. This will help illuminate areas of need within particular ethnic and racial communities and allow policymakers to allocate resources appropriately.

While SPD 15 could be a tremendous asset to our communities, we are concerned with how federal agencies will implement the revised standards. A recent report from AAPI Data, National Council of Asian Pacific Americans (NCAPA), Southeast Asia Resource Action Center (SEARAC), and Empowering Pacific Islander Communities (EPIC) detailed concerning gaps in the updated SPD 15's rollout, including the absence of an existing inventory of all federal agency data collections—a requirement of The OPEN Government Data Act of 2018 (P.L. 115-411)—to assist federal agencies in implementing the revised standards.[3] SPD 15 also allows federal agencies to apply for an exception to its new detailed demographic reporting requirements, but does not set a clear standard for what OIRA should consider a "sufficient justification" to grant an exception. In all, greater transparency and stronger guidance will help federal agencies fulfill the ideals of SPD 15 while providing greater opportunity for community accountability.

OMB plays a critical role in ensuring both the quality and consistency of federal datasets, and the updated SPD 15 is a significant step in improving federal data collection processes. In order to ensure SPD 15 is implemented in an effective way, we urge OMB to work directly with federal agencies to ensure they have the necessary resources and guidance to produce detailed inventories on their data collections, and to share these data inventories in a centralized manner, as recommended by over 100 AANHPI advocacy groups that have weighed in on the issue.[4] Without such inventories, there is no reasonable way to account for all the data collections taking place within the federal government, and to fully understand whether these collections are in compliance with SPD 15.

Thank you for your consideration on this important matter. We look forward to receiving your response.

Sincerely,

[3] https://aapidata.com/action/spd15-report/
[4] https://aapidata.com/campaigns/sign-on-letter-federal-data-disaggregation-now

Judy Chu
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