



April 19, 2023

Shalanda D. Young, Director
Office of Management and Budget
New Executive Office Building
Washington, DC 20503

Re: Comment on Document ID: OMB-2023-0001-0001

Dear Director Young:

The Foundation Against Intolerance & Racism (FAIR) is a nonpartisan, nonprofit organization dedicated to advancing civil rights and liberties for all Americans, and promoting a common culture based on fairness, understanding, and humanity.

We submit this comment in response to the Office of Management and Budget's (OMB) [proposed update](#) to the standards that U.S. government agencies use to collect and publish data on race and ethnicity. The update would consist of three significant changes:

1. U.S. agencies would begin to collect race and ethnicity data with one combined question, rather than separate questions asking for race and ethnicity.
2. Add "Middle Eastern or North African (MENA)" as a new racial category and edit the "white" category to remove MENA from its definition.
3. Redefine "Hispanic" as a racial category

FAIR strongly opposes each of these changes, and we urge the OMB to reconsider them. Our primary suggestion is that OMB fully and completely cease collecting data on individuals' race and ethnicity. If race and ethnicity data is no longer collected, the OMB will not be able to implement initiatives that are based on race and ethnicity, which often serve as a crude proxy for the actual problems that need to be comprehensively addressed. Ideally, the federal government would aspire to implement programs based on the actual needs of individual citizens that are determined based on a wide ranging set of criteria rather than based on immutable characteristics. This would be in keeping with the spirit and substance of the Civil Rights Act of 1964. If OMB refuses to dispense with the collection of such data, we request that an alternative check box be added to forms that simply states "Human" so that those who do not wish to categorize themselves based on skin color or ethnicity have an opportunity to express that. If that suggestion is similarly not adopted, we have the following suggestions that address the proposed changes:

The first proposed change is problematic because race and ethnicity are distinct concepts with different levels of legitimacy and utility. FAIR disagrees in general with the practice of dividing people into racial

or ethnic groups, but we still recognize the significant difference between the two. Ethnicity can be used as a shorthand for determining an individual's country of origin, ancestry, cultural characteristics, and other important traits. Race, on the other hand, is a socially constructed category that explains nothing or very little about a given individual, and in fact harms relationships between individuals by reinforcing racial prejudices.

The OMB states that its reason for combining race and ethnicity into a single question is because many people think of these terms as practically synonymous. However, just because many people *think* these terms are synonymous does not mean that they *are* synonymous—but what is most revealing is the supporting example given by OMB:

For example, a large and increasing percentage of Hispanic or Latino respondents on the decennial census and American Community Survey (ACS) over the past several decades are either not reporting a race or are selecting Some Other Race (SOR); this is after responding to the ethnicity question, which SPD 15 requires to be collected first and separately. Decennial census and ACS research found that a combined race and ethnicity question reduces confusion and reduces SOR reporting by Hispanic or Latino respondents.

The OMB cites this example to show that “Hispanic or Latino respondents” are confused by separate race and ethnicity questions. Though what’s more likely is that these respondents simply do not identify with a racial group, but do identify with a specific ethnic group. We have evidence to support this presumption: [polls](#) have shown that a plurality of Hispanic Americans identify with their country of origin instead of “Hispanic” or “Latino.” Many see these over-broad categories as doing a poor job of representing their identity. If the OMB combines the race and ethnicity questions, it will be preventing these individuals from identifying themselves accurately. It is also possible that these individuals simply do not ascribe to the notion that it is proper for their government to categorize them in either of these ways, and therefore they instead check the SOR box to avoid this practice.

The second proposed change might appear uncontroversial, but in truth it just reveals the incoherence and divisiveness of the existing framework of racial categorization. The OMB might be correct in observing that it doesn’t make sense for Americans of Middle Eastern or North African descent to be in the same group as “white” Americans, but then it would also be just as inexplicable to group together Italian Americans and Norwegian Americans under “white”; or Chinese Americans and Indian Americans under “Asian”; or Cuban Americans and Chilean Americans under “Hispanic or Latino”. Ultimately, these racial categories contain within them so many vastly different groups of people that they obscure more than they reveal.

The third proposed change, to redefine “Hispanic” from an ethnic subclassification to a racial category, encounters the same issues as the second change. Since these racial categorizations are so ill-defined, we should be reducing (or eliminating) our use of them, not adding more of them to the government’s official data collection guidelines.

As a nation, we should be striving to do away with the racial classifications that are based in pseudoscience and have created so much harm throughout our history. Unfortunately, the OMB's proposed directive will only further entrench this system of racial classification. We urge the OMB will recognize this proposal as a mistake and rescind it immediately or amend it in order to cease collecting data on individuals' race and ethnicity.

Respectfully submitted,

The Foundation Against Intolerance & Racism