

# Black American Lineage and Ancestry Data Accuracy Act of 2026

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## Public discussion draft disclaimer

This proposal is published for public review and coalition-building. It has not been introduced in Congress and should not be read as endorsed, accepted, or reviewed by any office, agency, organization, political party, or elected official unless expressly stated. This draft is provided to support public review, expert feedback, and legislative discussion.

## A BILL

To require Federal agencies to collect, maintain, and report voluntary disaggregated data concerning Black ancestry, lineage, and ethnic origin in employment, health, education, housing, lending, and civil-rights reporting systems, and for other purposes.

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Black American Lineage and Ancestry Data Accuracy Act of 2026."

## SECTION 2. FINDINGS.

Accurate demographic data is necessary for fair, effective, and accountable public policy.

Federal race and ethnicity standards are used across statistical, administrative, employment, education, housing, health, lending, and civil-rights reporting systems.

The Office of Management and Budget Statistical Policy Directive No. 15 establishes federal standards for maintaining, collecting, and presenting race and ethnicity data.

The 2024 revisions to Statistical Policy Directive No. 15 move federal race and ethnicity data collection toward greater detail, including detailed race and ethnicity reporting where appropriate.

The current federal minimum category of Black or African American includes persons with diverse lineages, ethnic origins, and migration histories, including Black Americans whose lineage is historically rooted in the United States, African-origin Black persons, Caribbean-origin Black persons, Afro-Latino persons, and other Black populations.

OMB received public comments supporting a category or question to identify descendants of persons enslaved in the United States, including terms such as American Descendant of Slavery, American Freedman, and Black American.

OMB did not adopt a required federal category for descendants of persons enslaved in the United States in the 2024 revisions, but identified high-quality data collection concerning such descent as an area for future research.

A federal statutory framework should ensure that any such data collection is voluntary, self-reported, privacy-protected, and designed for statistical, research, policy-planning, and civil-rights monitoring purposes.

### **SECTION 3. PURPOSES.**

To improve the accuracy, consistency, and usefulness of federal demographic data concerning Black populations in the United States.

To create a voluntary federal data standard for identifying Black Americans whose lineage is historically rooted in the United States, including American Freedmen and descendants of persons enslaved in the United States.

To distinguish, for statistical and civil-rights reporting purposes, between Black American lineage, African-origin Black identity, Caribbean-origin Black identity, Afro-Latino Black identity, and other Black identities.

To ensure that all such data collection is voluntary, self-reported, privacy-protected, and not used as the sole determinant of eligibility for federal programs.

To support better public policy in employment, health, education, housing, lending, and civil-rights enforcement.

### **SECTION 4. DEFINITIONS.**

Black ancestry and lineage data means voluntary, self-reported data that identifies a person's Black racial, ethnic, ancestral, national-origin, or lineage identity at a level of detail below the federal minimum category of Black or African American.

Black American means an individual who self-identifies as Black and whose ancestral lineage is historically rooted in the United States, including American Freedmen, descendants of persons enslaved in the United States, descendants of Free People of Color, and descendants of Black communities whose lineage was established in the United States before modern voluntary Black immigration.

American Freedmen means persons who were enslaved in the United States and later emancipated, together with their descendants.

Descendant of persons enslaved in the United States means an individual who self-identifies as having ancestral descent from one or more persons subjected to chattel slavery under the laws, customs, or practices of the United States or its predecessor colonies.

African-origin Black means an individual who self-identifies as Black and whose ancestry, ethnicity, nationality, or recent family origin is tied to a country, people, or ethnic group of Africa.

Caribbean-origin Black means an individual who self-identifies as Black and whose ancestry, ethnicity, nationality, or recent family origin is tied to a Caribbean country, people, or ethnic group.

Afro-Latino Black means an individual who self-identifies as Black and Hispanic or Latino, or who identifies as having African descent connected to Latin America or the Spanish-speaking Caribbean.

Covered agency means any executive agency as defined in section 105 of title 5, United States Code, and any additional federal agency designated by the Director of the Office of Management and Budget.

Covered information collection means any federal information collection, administrative reporting system, statistical survey, civil-rights compliance report, or federally sponsored data collection that collects race or ethnicity data, includes the category Black or African American or its successor category, and is used in employment, health, education, housing, lending, or civil-rights compliance.

## **SECTION 5. REQUIRED FEDERAL DATA STANDARD.**

Not later than 180 days after enactment, the Director of the Office of Management and Budget, acting through the Chief Statistician of the United States and in consultation with covered agencies, shall issue a federal standard for the voluntary collection of disaggregated Black ancestry and lineage data.

The standard shall require that covered information collections include, at minimum, detailed response options for Black American / American Freedmen / Descendant of persons enslaved in the United States; African-origin Black; Caribbean-origin Black; Afro-Latino Black; and other Black ancestry, lineage, ethnic, national-origin, or community identity with a write-in option.

Covered agencies may include non-exhaustive examples under each detailed response option to improve data quality, provided that such examples do not restrict self-identification.

Each covered information collection shall allow respondents to select more than one Black ancestry or lineage response option.

No covered agency may require genealogical, genetic, documentary, or historical proof in order to select a Black ancestry or lineage response option under this Act.

## **SECTION 6. VOLUNTARY SELF-IDENTIFICATION.**

All Black ancestry and lineage data collected under this Act shall be voluntary and self-reported.

No person may be denied access to a program, service, benefit, employment opportunity, educational opportunity, housing opportunity, loan application process, complaint process, or civil-rights remedy for declining to provide Black ancestry or lineage data.

A covered agency, recipient, employer, contractor, lender, school, healthcare entity, or other reporting entity may not assign a detailed Black ancestry or lineage classification to an individual by visual observation, surname, proxy inference, algorithmic inference, or record matching unless the individual has directly self-reported that detailed identity.

OMB shall establish a uniform nonresponse code for instances in which an individual does not provide Black ancestry or lineage data.

## **SECTION 7. COVERED DOMAINS.**

The requirements of this Act shall apply to federal race and ethnicity data collections in employment, health, education, housing, lending, and civil-rights compliance systems where race and ethnicity data is already collected.

Covered systems may include workforce reporting, public-health surveys, health disparities reporting, Civil Rights Data Collection, higher education reporting, fair-housing complaint data, Home Mortgage Disclosure Act demographic reporting, fair-lending monitoring, and federal civil-rights compliance systems.

## **SECTION 8. PRIVACY, CONFIDENTIALITY, AND DATA PROTECTION.**

Black ancestry and lineage data collected under this Act shall be treated as sensitive demographic information.

Public reports issued under this Act shall use aggregated data only.

Covered agencies shall apply small-cell suppression, complementary suppression, differential privacy, or other statistical disclosure limitation methods where necessary to protect confidentiality.

No covered agency may publicly release individual-level Black ancestry or lineage data.

Covered agencies shall collect only the Black ancestry and lineage data reasonably necessary to carry out the purposes of this Act.

## **SECTION 9. NO PROGRAM ELIGIBILITY DETERMINATION.**

Data collected under this Act shall not, by itself, determine eligibility for any federal program, benefit, contract, grant, loan, employment opportunity, educational opportunity, housing opportunity, or civil-rights remedy.

Nothing in this Act shall be construed to create, deny, expand, or limit eligibility for any reparative justice program, civil-rights remedy, minority business program, public benefit, or targeted policy intervention unless such eligibility is separately authorized by federal law.

## **SECTION 10. IMPLEMENTATION PLAN.**

OMB shall issue implementation guidance for covered agencies.

Each covered agency shall submit an implementation plan describing which data collections will be updated, which collections require Paperwork Reduction Act review, which collections require system changes, how voluntary self-identification will be protected, how respondent testing will be conducted, and how misuse will be prevented.

Implementation under this Act shall be aligned with applicable OMB guidance for the 2024 revisions to Statistical Policy Directive No. 15.

## **SECTION 11. FEDERAL INTERAGENCY WORKING GROUP.**

OMB shall establish an Interagency Working Group on Black Ancestry and Lineage Data.

The working group shall include representatives from relevant statistical, civil-rights, education, health, housing, labor, lending, and enforcement agencies.

The working group shall develop model question wording, test terminology, conduct cognitive testing across Black communities, evaluate response rates and data quality, assess privacy risk, develop coding standards for write-in responses, recommend publication standards, identify implementation barriers, and submit recommendations to Congress.

The working group shall consult with historians, demographers, civil-rights organizations, genealogists, public-health researchers, education researchers, labor economists, fair-housing experts, Black immigrant community organizations, Afro-Latino organizations, Caribbean-American organizations, African immigrant organizations, American Freedmen organizations, and Black American civic organizations.

## **SECTION 12. REPORTS TO CONGRESS.**

OMB shall submit an initial implementation progress report to Congress.

For five years after enactment, OMB shall submit annual reports describing agency implementation, response rates, nonresponse rates, privacy protections, public feedback, civil-rights monitoring uses, data-quality issues, and recommendations for statutory or regulatory changes.

The Comptroller General shall evaluate implementation, data quality, privacy protections, administrative burden, and policy usefulness.

## **SECTION 13. GRANTS AND TECHNICAL ASSISTANCE.**

OMB, in consultation with covered agencies, shall provide technical assistance to federal grant recipients, state agencies, local agencies, educational institutions, healthcare entities, housing entities, lenders, and employers required to report covered data.

Congress authorizes grants for the modernization of data systems necessary to implement this Act, including form redesign, database modernization, privacy safeguards, staff training, community outreach, translation and accessibility, and secure reporting systems.

## **SECTION 14. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed to require any individual to identify as Black, Black American, African American, American Freedmen, African-origin Black, Caribbean-origin Black, Afro-Latino Black, or any other identity.

Nothing in this Act shall prevent any individual from self-identifying using more than one racial, ethnic, ancestral, national-origin, or lineage identity.

Nothing in this Act shall authorize genetic testing, documentary verification, or genealogical proof as a condition of self-identification.

Nothing in this Act shall diminish the legal protection of any person under federal civil-rights law.

Nothing in this Act shall alter the definition of United States citizenship, alter any treaty, tribal status, immigration status, or nationality status, or make demographic identity the sole determinant of eligibility for any federal benefit.

## **SECTION 15. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act.

## Attachment - Model Response Language for Public Review

This model language is implementation support for public review. It is not a separate benefits test, citizenship category, or proof requirement.

### Model question

What is your race and/or ethnicity? Select all that apply and enter additional details where applicable.

Under Black or African American, include:

- Black American / American Freedmen / Descendant of persons enslaved in the United States
- African-origin Black - for example, Nigerian, Ethiopian, Ghanaian, Somali, Kenyan, Liberian
- Caribbean-origin Black - for example, Jamaican, Haitian, Trinidadian and Tobagonian, Barbadian, Bahamian
- Afro-Latino Black - for example, Afro-Dominican, Afro-Puerto Rican, Afro-Cuban, Afro-Panamanian, Afro-Colombian
- Another Black ancestry, lineage, ethnic, national-origin, or community identity: write in

### Instruction

Providing this information is voluntary. Select all that apply. No documentation, genetic test, genealogical proof, or historical proof is required. Responses would be used for statistical, research, civil-rights monitoring, and policy-planning purposes, subject to applicable privacy protections.

### Source notes

This public review package relies on official federal source materials and the discussion draft text. Readers should verify official standards against authoritative government sources.

- OMB 2024 Statistical Policy Directive No. 15: <https://spd15revision.gov/content/spd15revision/en/2024-spd15.html>
- Federal Register: Revisions to OMB Statistical Policy Directive No. 15: <https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and>
- KelvinForGeorgia.org: <https://kelvinforgeorgia.org>