

March 22, 2021

Kyra Linse
Acting Survey Director
Current Population Surveys
U.S. Department of Commerce
Submitted via *regulations.gov*

Re: Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Current Population Survey (CPS) Basic Demographic Items (Docket Number USBC–2020–0031).

This letter is submitted on behalf of 30 organizations and individuals Movement Advancement Project committed to advancing equality and opportunity for lesbian, gay, bisexual, transgender, and queer (LGBTQ) people in the United States. Integral to our vision of economic security for all is evidence-based policymaking rooted in understanding the disparities that exist for various communities in the United States and developing interventions to address those disparities. It is for this reason we are grateful for the opportunity to comment on the Current Population Survey and its Basic Demographic Items.

Research consistently shows that LGBTQ people in the United States, especially those who are people of color, are at increased risk for economic insecurity. Thus, it is vital that the U.S. Census Bureau add questions about sexual orientation and gender identity (SOGI) to Basic Demographics Items of the Current Population Survey. The Current Population Survey is a vital tool used by federal, state, and local governments, researchers, and advocates to understand the economic state of various communities and to inform policy decisions and interventions. Especially given the heightened impact COVID-19 has had on LGBTQ people and their families, it is critical that SOGI questions are added to the Current Population Survey.

The Current Population Survey is a Critical Tool in Increasing Understanding and Shaping Policy

Jointly sponsored by the U.S. Census Bureau and the U.S. Bureau of Labor Statistics, the Current Population Survey is the primary source of labor force statistics for the population of the United States.¹ Using a probability selected sample of approximately 60,000 occupied households from all 50 states and the District of Columbia, Census Bureau field representatives conduct the survey monthly through both in-person and telephone interviews.² Currently, while the Current Population Survey collects demographic information about race, sex, Hispanic or Latino ethnicity, and other items,³ it does not include questions

¹ U.S. Census Bureau, “Current Population Survey,” available at <https://www.census.gov/programs-surveys/cps.html> (last accessed February 2021).

² U.S. Census Bureau, “Methodology,” available at <https://www.census.gov/programs-surveys/cps/technical-documentation/methodology.html> (last accessed March 2021)

³ U.S. Census Bureau, “Basic CPS Items Booklet Demographic Items,” available at <https://www2.census.gov/programs-surveys/cps/techdocs/questionnaires/Demographics.pdf> (last accessed March 2021); U.S. Bureau of Labor Statistics, “Labor Force Statistics from the Current Population Survey Demographics,” available at <https://www.bls.gov/cps/demographics.htm> (last accessed March 2021).

about gender identity and allows only for the identification of same-sex couples, which is a valuable but flawed proxy measure for capturing information on sexual orientation.⁴

LGBTQ communities in the United States are diverse and growing, as evidenced by recent findings from Gallup showing that 5.6% of the U.S. population identify as LGBT, with 15.9% of young adults identifying as LGBT.⁵ Including SOGI questions in the Current Population Survey would allow policymakers to better understand the diversity among LGBTQ people, the economic challenges and opportunities they experience, and whether and how to tailor policy responses that would impact LGBTQ people. Data from the decennial census and the American Community Survey about same-sex couples, for example, have been instrumental in informing community-based responses to poverty among LGBTQ people, designing family recognition policy, and advocating for increased funding for LGBTQ older adults.

Economic Disparities Experienced by LGBTQ Communities

Time and again, research finds that LGBTQ people experience disproportionate unemployment rates, wage disparities, discrimination and harassment, overrepresentation in low-income jobs, and underrepresentation in high-wage, high-quality jobs.⁶ These problems adversely affect workforce experiences, serve as barriers to workforce entry, and narrow critical pathways to economic advancement for LGBTQ people, their families, and communities. For LGBTQ people living at the intersection of multiple identities, such as LGBTQ people of color, these challenges are even greater.⁷ While there is significant research to support the unique difficulties faced by these groups, the lack of federal data leads to

⁴ National Academies of Sciences, Engineering, and Medicine, “Understanding the Wellbeing of LGBTQI+ Populations” (Washington: 2020), available at <https://www.nap.edu/read/25877/chapter/1>.

⁵ Gallup, “LGBT Identification Rises to 5.6% in Latest U.S. Estimate” (Washington: 2021), available at <https://news.gallup.com/poll/329708/lgbt-identification-rises-latest-estimate.aspx>.

⁶ Movement Advancement Project and National LGBTQ Workers Center, “LGBT People in the Workplace: Demographics, Experiences and Pathways to Equity” (Washington: 2019), available at <https://www.lgbtmap.org/file/LGBT-Workers-3-Pager-FINAL.pdf>; Williams Institute, “Documented Evidence of Employment Discrimination and Its Effects on LGBT People” (Los Angeles: University of California Los Angeles School of Law, 2011), available at <https://williamsinstitute.law.ucla.edu/publications/employ-discrim-effect-lgbt-people/>; National Academies of Sciences, Engineering, and Medicine, “Understanding the Wellbeing of LGBTQI+ Populations” (Washington: 2020), available at <https://www.nap.edu/read/25877/chapter/1>.

⁷ The National LGBTQ Anti-Poverty Action Network, “Poverty at the End of the Rainbow” (Boston: December 18, 2020), available at <https://nclr.turtl.co/story/poverty-at-the-end-of-the-rainbow/page/2/1>; Sandy E. James, Jody L. Herman, Mara Keisling, Lisa Mottet, and Ma’ayan Anafi, “The Report of the 2015 U.S. Transgender Survey” (Washington: National Center for Transgender Equality, 2016), available at <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>; Jaime Grant, Lisa Mottet, and Justin Tanis, “Injustice at Every Turn: A Report of the National Transgender Discrimination Survey” (Washington: National Center for Transgender Equality, 2011), available at https://transequality.org/sites/default/files/docs/resources/NTDS_Exec_Summary.pdf; Adam P. Romero, Shoshana K. Goldberg, and Luis A. Vasquez, “LGBT People and Housing Affordability, Discrimination, and Homelessness” (Los Angeles: University of California School of Law, 2020), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Housing-Apr-2020.pdf>; Movement Advancement Project and National LGBTQ Workers Center, “LGBT People in the Workplace: Demographics, Experiences and Pathways to Equity” (Washington: 2019), available at <https://www.lgbtmap.org/file/LGBT-Workers-3-Pager-FINAL.pdf>; M.V. Lee Badgett, Soon Kyu Choi, Bianca D.M. Wilson, “LGBT Poverty in the United States” (Los Angeles: October 2019), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/National-LGBT-Poverty-Oct-2019.pdf>; Soon Kyu Choi, Bianca D.M. Wilson, “Black LGBT Adults” (Los Angeles: February 2021), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-Black-SES-Jan-2101.pdf>; Bianca D.M. Wilson and Kerith J. Conron, “National Estimates of Food Insecurity” (Los Angeles: April 2020), available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Food-Insecurity-COVID19-Apr-2020.pdf>

uncertainty regarding the full extent of these hardships, limiting the capacity for meaningful and targeted action.

During the past year of the COVID-19 pandemic, non-governmental entities have undertaken substantial efforts to survey LGBTQ people about their experiences. These research efforts reveal that LGBTQ people, particularly Black and Latino LGBTQ people, have experienced substantial economic, social, and health costs as a result of the pandemic.⁸ It is critical, especially during times of crisis, that federal surveys such as the Current Population Survey include SOGI questions so that responses to pandemics, natural disasters, and economic downturns are tailored based on the unique experiences and needs of communities. The pandemic has highlighted the extent to which the lack of federal surveys that ask questions about SOGI have hampered the nation’s understanding—and the federal, state, and local responses.

The Opportunity for the Current Population Survey to Include SOGI Questions

Now is the time for the Current Population Survey to add SOGI questions. Presently, only approximately 1 in 6 LGBTQ adults can be identified as LGBTQ from U.S. Census Bureau data.⁹ Some surveys, such as the Census, now count same-sex couples, but many other large, federally run surveys, including the Current Population Survey, do not collect any demographic data about LGBTQ people.¹⁰ The information gathered by these data collection tools shapes major policy decisions and allocations of critical resources related to health care, housing, employment, education, and other public benefits, thereby affecting the everyday lives of LGBTQ people and making the need for their inclusion even more urgent.

There are federal surveys that have included these questions, including the National Survey of Family Growth, the National Survey of Older Americans Act Participants, and the Behavior Risk Factor Surveillance System. Research specific to the Current Population Survey and adding SOGI questions, as well as other surveys, has been conducted and provide a clear picture of the path forward.¹¹

⁸ Caroline Medina and Lindsay Mahowald, “Lessening the Pandemic’s Burden on LGBTQ Workers and Families” (Washington: Center for American Progress, February 11, 2021), available at <https://www.americanprogress.org/issues/lgbtq-rights/news/2021/02/11/495675/lessening-pandemics-burden-lgbtq-workers-families/>; Sharita Gruberg, Lindsay Mahowald, and John Halpin, “The State of the LGBTQ Community in 2020: A National Public Opinion Study” (Washington: Center for American Progress, 2020), available at <https://www.americanprogress.org/issues/lgbtq-rights/reports/2020/10/06/491052/state-lgbtq-community-2020/>; Movement Advancement Project, “The Disproportionate Impact of COVID-19 on LGBTQ Households in the U.S.” (Washington: December 2020), available at <https://www.lgbtmap.org/file/2020-covid-lgbtq-households-report.pdf>; Williams Institute COVID Surge report available at: <https://williamsinstitute.law.ucla.edu/publications/covid-surge-lgbt/>

⁹ Caroline Medina, Sharita Gruberg, Lindsay Mahowald, and Theo Santos, “Improving the Lives and Rights of LGBTQ People in America” (Washington: Center for American Progress, 2020), available at <https://www.americanprogress.org/issues/lgbtq-rights/reports/2021/01/12/494500/improving-lives-rights-lgbtq-people-america/>.

¹⁰ Kellan Baker, Laura E. Durso, and Aaron Ridings, “How to Collect Data About LGBT Communities” (Washington: Center for American Progress, 2016), available at <https://www.americanprogress.org/issues/lgbtq-rights/reports/2016/03/15/133223/how-to-collect-data-about-lgbt-communities/>.

¹¹ Renee Ellis and others “Assessing the Feasibility of Asking about Sexual Orientation and Gender Identity in the Current Population Survey” (Washington: U.S. Census Bureau and Washington: Bureau of Labor Statistics, 2017), available at <https://www.bls.gov/osmr/research-papers/2017/pdf/st170210.pdf>; National Academies of Sciences, Engineering, and Medicine, “Understanding the Wellbeing of LGBTQ+ Populations” (Washington: 2020), available at

Conclusion

The Current Population Survey is an important survey that provides vital information about the labor force in the United States. Continuing to exclude questions about SOGI on this survey ignores an important aspect of our nation's population: LGBTQ people. The evidence is clear that LGBTQ people are at increased risk for economic insecurity and job losses, especially during the pandemic. In order for our country to rebuild and continue to provide opportunity to all, it is critical that federal surveys, including the Current Population Survey, include these questions. Researchers, advocates, agency staff, and policymakers rely on data from the Current Population Survey to understand the experiences of workers, to identify trends, and craft policy interventions to create a more just and equitable country.

Thank you for your time, and we look forward to continuing this discussion with you. Please be in touch with any questions to Naomi Goldberg, Deputy Director, Movement Advancement Project (naomi@lgbtmap.org) or if any of our organizations can be helpful as you move forward with including SOGI questions in the Basic Demographic Items on the Current Population Survey, we'd welcome the opportunity.

Signed in partnership:

AIDS Alabama

Center for LGBTQ Economic Advancement & Research (CLEAR)

CenterLink: The Community of LGBT Centers

Alison Cerezo, UC Santa Barbara

Chicago Foundation for Women

Susan Cochran, UCLA Fielding School of Public Health

Melany De La Cruz-Viesca, UCLA Asian American Studies Center

Bobbie Emetu, CSU Northridge

Equality California

Family Equality

Girls for Gender Equity

Iris Cantor, UCLA Women's Health Center (does not represent an official position of the University of California)

Allison Diamant, M.D., UCLA Center for Health Equity

<https://www.nap.edu/read/25877/chapter/1>; Renee Ellis and others "Can They and Will They? Exploring Proxy Response of Sexual Orientation and Gender Identity in the Current Population Survey" (Washington: U.S. Census Bureau and Washington: Bureau of Labor Statistics, 2017), available at <https://content.sciendo.com/view/journals/jos/35/4/article-p885.xml?language=en>; Office of Management and Budget Federal Interagency Working Group on Improving Measurement of Sexual Orientation and Gender Identity in Federal Surveys, "Toward a Research Agenda for Measuring Sexual Orientation and Gender Identity in Federal Surveys: Findings, Recommendations, and Next Steps" (Washington: 2016), available at https://nces.ed.gov/FCSM/pdf/SOGI_Research_Agenda_Final_Report_20161020.pdf; Kellan Baker, Laura E. Durso, and Aaron Ridings, "How to Collect Data about LGBT Communities" (Washington: Center for American Progress, 2016), available at <https://www.americanprogress.org/issues/lgbtq-rights/reports/2016/03/15/133223/how-to-collect-data-about-lgbt-communities/>.

Justice in Aging
L.A. Grit Media
LGBTQ Allyship
Los Angeles County Lesbian, Bisexual, and Queer Women's Health Collaborative
MAZON: A Jewish Response to Hunger
Movement Advancement Project
National Center for Transgender Equality
National Employment Law Project
National Equality Action Team (NEAT)
National LGBTQ Task Force
National Women's Law Center
Oasis Legal Services
Planned Parenthood Federation of America
Silver State Equality-Nevada
The Greenlining Institute
The New York Women's Foundation
University of California, Los Angeles
Amy Weimer, UCLA Gender Health Program