

March 22, 2021

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Acting Survey Director  
Current Population Surveys  
U.S. Census Bureau  
4600 Silver Hill Road  
Washington, DC 20233-8400

RE: Docket No. USBC-2020-0031. Current Population Survey (CPS) Basic Demographic Items.  
Submitted via email [dsd.cps@census.gov](mailto:dsd.cps@census.gov)

To Whom it May Concern,

Thank you for the opportunity to comment on the Current Population Survey (CPS) Basic Demographic Items. As scholars dedicated to conducting research on sexual orientation and gender identity, we are writing to communicate the importance of sexual orientation and gender identity (SOGI) data collection in the Current Population Survey (CPS). The Williams Institute has long analyzed governmental data, including CPS data [1], and has worked with federal agencies to improve data collection on the U.S. population. We have also produced widely cited best practices for the collection of sexual orientation and gender identity information on population-based surveys [2, 3].

The Current Population Survey is a vital source of information about employment and earnings, employment characteristics, job search activities, as well about student ages 15 and up, family composition, disability, insurance coverage, and citizenship. Currently, the CPS collects demographic data about same-sex married and cohabitating couples through a marital status question. While helpful in generating knowledge about 2 million LGBT adults, gaps remain for the nearly 11 million LGBT people who are not living in same-sex cohabitating couple households.

In light of considerable evidence of poverty [4-6], unemployment [7-9], and employment discrimination experiences [10-13] among LGBT adults compared to non-LGBT adults, gathering data about the employment characteristics of LGBT people is critical. Our recent research with the CDC's Behavioral Risk Factor Surveillance System data found that about one in three cisgender bisexual women (29.4%), transgender adults (29.4%), LGBT Black (30.8%), Latino/a (37.3%), and American Indian or Alaska Native (32.4%) adults were living in poverty prior to the pandemic [14]. Prior to the pandemic, unemployment was twice as high among LGBT adults surveyed nationally by Gallup at 9% as compared to 5% among non-LGBT adults [15]. Unemployment, assessed at about the same time period, was even higher (15%) among transgender adult respondents to the U.S. Transgender Survey [16]. Findings from a 2018 Williams Institute study indicate that LGBT adults are more likely to report ever being fired or denied a job than non-LGBT adults [17, 18]. More specifically, we found that 60% of LGB cisgender adults, 47% of transgender adults, and 40% of non-LGBT adults reported being fired or denied a job for any reason. LGBT adults are also more likely to report being denied a promotion or having received a negative job

evaluation than non-LGBT adults, including 48% of LGB cisgender adults, 42% of transgender adults, and 31% of non-LGBT adults.

Our recent research on the impact of COVID-19 on U.S. adults, found that the pandemic has had a particularly severe economic impact on LGBT adults, particularly LGBT people of color [19]. LGBT respondents were more likely than their non-LGBT counterparts to be laid off (12.4% v. 7.8%) or furloughed (14.1% v. 9.7%) from their jobs to report problems affording basic household goods (23.5% v. 16.8%) and to report problems paying their rent or mortgage (19.9% v. 11.7%). LGBT people of color were more than twice as likely to report that their ability to pay for household goods got worse (28.7% v. 14.2%) and were over three times as likely to report that their ability to pay their rent or mortgage (26.3% v. 8.8%) got worse as compared to non-LGBT White people. More than half (63%) of LGBT people of color were very concerned about their ability to pay their bills as compared to 42% of LGBT White and 33% of non-LGBT White people.

Adding sexual orientation, gender identity, and sex assigned at birth questions to the CPS will enable federal agencies to monitor the employment status and earnings of LGBT people. No other national survey gathers information about job search activities among the unemployed, nor about occupation, hours worked, and detailed earnings. Such data are needed to ensure that LGBT people are included in efforts to reduce unemployment through increased labor force participation, as well as to monitor compliance with anti-discrimination provisions.

We strongly recommend the inclusion of questions about respondent sexual orientation, gender identity, and sex assigned at birth (“SOGI”) on the CPS. Sexual orientation identity questions have been included on federal surveys for 20 years and questions used to identify transgender respondents have been included on state and investigator-led surveys for some time, with more common use of both SO and GI questions over the last decade. We also recommend the inclusion of these demographic items to the household roster as research on proxy reporters [20-22], including some of our own work in progress, finds that they can and do report on these characteristics for others.

We thank you for your consideration of our recommendations. Please do not hesitate to reach out if we can be of further assistance ([conron@law.ucla.edu](mailto:conron@law.ucla.edu)).

Sincerely,

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## References

1. Ash, M.A. and M.V.L. Badgett, *Separate and unequal: The effect of unequal access to employment-based health insurance on same-sex and unmarried different-sex couples*. . Contemporary Economic Policy, 2006. 24(4): p. 582-599.
2. *Best Practices for Asking Questions about Sexual Orientation on Surveys* L. Badgett and N. Goldberg, Editors. 2009, Sexual Minority Assessment Research Team (SMART), The Williams Project, UCLA: Los Angeles, CA.
3. *Best Practices for Asking Questions to Identify Transgender and Other Gender Minority Respondents on Population-Based Surveys*, J. Heyman, Editor. 2014, The GenIUSS Group, Williams Institute, UCLA: Los Angeles, CA.
4. Badgett, M.V., L.E. Durso, and S. A., *New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community*. 2013, UCLA, Williams Institute: CA.
5. Goldberg, S.K. and K.J. Conron, *Demographic characteristics of lesbian, gay, bisexual, and transgender adults in the United States: Evidence from the 2015-2017 Gallup Daily Tracking survey*, in *The Routledge Handbook of L.G.B.T.Q. Administration and Policy*, W. Swan, Editor. 2018, Routledge: New York. p. pp. 17-50.
6. Dilley, J.A., et al., *Demonstrating the importance and feasibility of including sexual orientation in public health surveys: health disparities in the Pacific Northwest*. Am J Public Health, 2010. 100(3): p. 460-7.
7. Conron, K.J., M.J. Mimiaga, and S.J. Landers, *A population-based study of sexual orientation identity and gender differences in adult health*. Am J Public Health, 2010. 100(10): p. 1953-60.
8. Conron, K.J., et al., *Transgender health in Massachusetts: Results from a household probability sample of adults*. Am J Public Health, 2012. 102: p. 118-122.
9. Conron, K.J., S.K. Goldberg, and C.T. Halpern, *Sexual orientation and sex differences in socioeconomic status: a population-based investigation in the National Longitudinal Study of Adolescent to Adult Health*. J Epidemiol Community Health, 2018. 72(11): p. 1016-1026.
10. Harvard T.H. Chan School of Public Health, National Public Radio, and R.W.J. Foundation, *Discrimination in America: Experiences and Views of LGBTQ Americans 2017*: <https://www.rwjf.org/en/library/research/2017/10/discrimination-in-america--experiences-and-views.html>.
11. Singh, S. and L.E. Durso. *Widespread Discrimination Continues to Shape LGBT People's Lives in Both Subtle and Significant Ways*. Center for American Progress 2017.
12. Sears, R.B. and C. Mallory, *Written testimony for the legislative record of H.R. 5, the Equality Act*, Subcommittee on Civil Rights and Human Services, Committee on Education and Labor, and U.S. House of Representatives, Editors. 2019, The Williams Institute, UCLA: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Williams-Institute-Equality-Act-Testimony.pdf>.
13. Herek, G.M., *Hate crimes and stigma-related experiences among sexual minority adults in the United States: prevalence estimates from a national probability sample*. J Interpers Violence, 2009. 24(1): p. 54-74.
14. Badgett, M.V.L., S.K. Choi, and B.D.M. Wilson, *LGBT poverty in the United States: A study of differences between sexual orientation and gender identity groups* 2019, The Williams Institute, UCLA: Los Angeles, CA.
15. Goldberg, S.K. and K.J. Conron, *LGBT Demographic Data Interactive*. 2019, The Williams Institute, UCLA: Los Angeles, CA. <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/#dens>.

16. James, S.E., et al., *The Report of the 2015 U.S. Transgender Survey*. 2016, National Center for Transgender Equality,,: Washington D.C.
17. Meyer, I.H., *Experiences of Discrimination among Lesbian, Gay and Bisexual People in the US*. 2019, The Williams Institute, UCLA: Los Angeles, CA.
18. Meyer, I.H., et al., *Findings from a U.S. Transgender Population Study*. 2019, The Williams Institute, UCLA: USPath Conference, Washington, DC.
19. Sears, R.B., K.J. Conron, and A.R. Flores, *The Impact of the Fall 2020 COVID-19 Surge on LGBT Adults in the US*. 2021, The Williams Institute, UCLA Los Angeles, CA.
20. Haas, A.P., A. Lane, and S.G. Working Group for Postmortem Identification of, *Collecting Sexual Orientation and Gender Identity Data in Suicide and Other Violent Deaths: A Step Towards Identifying and Addressing LGBT Mortality Disparities*. *LGBT Health*, 2015. 2(1): p. 84-7.
21. Holzberg, J., et al., *Can They and Will They? Exploring Proxy Response of Sexual Orientation and Gender Identity in the Current Population Survey*. *Journal of Official Statistics*, 2019. 35(4): p. 885–911.
22. Ortman, J.M., et al. *Optimizing Self and Proxy Response to Survey Questions on Sexual Orientation and Gender Identity*. in *Annual Meeting of the Population Association of America*. 2017. Chicago, IL.