

November 20, 2023

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Department PRA Clearance Officer  
Office of the Under Secretary for Economic Affairs  
U.S. Department of Commerce  
*Submitted via regulations.gov*

**RE: Public Comment in Response to Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; American Community Survey Methods Panel: 2024 Sexual Orientation and Gender Identity Test [Docket No. USBC–2023–0007]**

On behalf of the undersigned five businesses, we write to express our support for the proposal issued by the U.S. Census Bureau to conduct a test of sexual orientation and gender identity (SOGI) measures on the American Community Survey (the “ACS”).<sup>1</sup>

The ACS is the most comprehensive, robust, and current source of information about America's changing population, including our workforce. It provides vital data about our nation for communities large and small.

Retailers, advertisers, real estate professionals, manufacturers, entrepreneurs, major corporations, and financial analysts use ACS data to better understand the workforce, set strategies for growth, select sites for their businesses, identify new opportunities, forecast performance, and optimize consumer pricing and strategies. Without accurate data on the U.S. population and households, economic activity suffers and investment stays on the sidelines.

The ACS currently collects information on same-sex couples who are cohabitating.<sup>2</sup> This measure captures only about one in six of all LGBTQI+ people in the U.S.,<sup>3</sup> since single LGBTQ people, transgender, and intersex people cannot be identified using the existing relationship question.

The results of this proposed test could advance the inclusion of SOGI measures on the ACS that would allow respondents to self-identify as LGBTQ+ and help address gaps in knowledge about these communities. Doing so is critical to improving the comprehensiveness of the data available to entities such as ours. Enhancing ACS data collection on LGBTQI+ communities would support producing more accurate population estimates and enable data disaggregation by SOGI in addition to race, ethnicity, disability, age, and other variables.

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<sup>1</sup> Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; American Community Survey Methods Panel: 2024 Sexual Orientation and Gender Identity Test, 88 Fed. Reg. 64,404 (Sept. 19, 2023).

<sup>2</sup> Zachary Scherer, *Number of Same-Sex Couple Households Exceeded 1 Million in 2021*, CENSUS.GOV (Nov. 22, 2022), <https://www.census.gov/library/stories/2022/11/same-sex-couple-households-exceeded-one-million.html>.

<sup>3</sup> Caroline Medina & Lindsay Mahowald, *Collecting Data About LGBTQI+ and Other Sexual and Gender-Diverse Communities*, CTR. FOR AM. PROGRESS (May 24, 2022), <https://www.americanprogress.org/article/collecting-data-about-lgbtqi-and-other-sexual-and-gender-diverse-communities/>.

Thank you for the opportunity to comment on the proposed test and to express our commitment to the ACS and its high quality data that businesses rely on for decision-making.

Sincerely,

American Eagle Outfitters  
Nielsen  
Replacements, Ltd.  
Target 10  
Xperi Inc.