

Why the American Community Survey Matters for LGBTQI+ People

WHAT IS THE AMERICAN COMMUNITY SURVEY?

The American Community Survey (ACS) is a nationwide survey conducted by the U.S. Census Bureau. It collects information about the social, economic, housing, and demographic characteristics of our nation's population.

Unlike the decennial census, which is a short survey conducted every 10 years that is used to get an official count of the entire U.S. population, the ACS produces data annually and asks many more questions that shed light on the populations' needs and experiences across key areas of life, such as health, education, housing, employment, and economic security. The Census Bureau contacts over 3.5 million households each year from across the country to participate in the ACS.

How is data from the ACS used?

Each year, the ACS provides reliable and timely data about the social, demographic and economic needs of communities across the country. When people fill out the ACS, they are helping to ensure that decisions about the future of their community can be made using the best data available.

Federal, state, and local government agencies use ACS data to inform public policy decisions, distribute trillions of dollars in funds for programs like Medicaid, Section 8 housing vouchers, public schools, and food assistance, as well as to assess whether programs are meeting the needs of our communities.

ACS data are used to make decisions

about where to put new schools, hospitals, and fire stations. Government agencies also rely on ACS data to enforce civil rights laws.

- **Researchers** use ACS data to understand the health, economic, education, and housing needs of the population and how changes in policies and other major events like COVID-19 impact communities in different ways.
- **Nonprofits and community organizations** use ACS data to shape their programs to improve people's lives and to share accurate demographic information about the communities they service in order to apply for funding.
- **Businesses** utilize ACS data to inform where they may put new stores and how to better serve consumers. ACS data provide important tools for communities to see how they are changing.

For more about how the ACS could be used to advance LGBTQI+ equity, [read this](#) or [click below](#).



Are LGBTQI+ people currently counted in the ACS?

The ACS is a household-based survey. That means that the primary resident or 'head of household' responds for all people living in the home. Since 1990, the ACS has allowed household respo-

ndents to indicate that they are in a same-sex couple. This data has been useful in understanding the racial and ethnic diversity of people in same-sex couples, including how many are raising children, how many are living in poverty, and how many are experiencing food insecurity.

Although lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) people complete the ACS every year, the survey does not currently ask questions about sexual orientation, gender identity, or variations in sex characteristics. This means we don't have ACS data about single LGBTQ+ adults, LGBTQI+ youth, transgender people, or intersex people.

Without questions about sexual orientation, gender identity, and variations in sex characteristics, we cannot use the ACS to better enforce civil rights laws and better understand the specific health, housing, and economic needs of LGBTQI+ people. That may be changing:

In September 2023, the Census Bureau announced that it will conduct the 2024 ACS Sexual Orientation and Gender Identity Test to evaluate how to ask questions about sexual orientation and gender identity on the ACS.

It is important to note that these tests will not, yet, include measures that can identify intersex people. Engaging in rigorous research and testing will help determine whether and how sexual orientation, gender identity, and variations in sex characteristics measures can be added in the future.

Is it safe for LGBTQI+ people to take the ACS?

It is understandable that some people may worry about identifying themselves or their family members as LGBTQI+ on a survey conducted by the federal government. Across the country, policymakers have been increasingly targeting LGBTQI+ people and our families, rolling back protections, enacting bans on our ability to access lifesaving medical care, and removing us and our stories from the public sphere. Given this backdrop, it is important to know that ACS data are protected by the strongest federal laws of any government survey and disclosure of ACS data is subject to stiff penalties.

The U.S. Census Bureau, its employees, and the data it collects are governed by the Census Act. The Census Act outlines the strongest confidentiality protections in federal law. For example, it prohibits any Census Bureau employee—even after they stop working for the Census Bureau—from using the information collected for any purpose other than producing statistical datasets. Violations of the Census Act carry up to five years of prison time, \$250,000 in fines, or both. This means that the Census Bureau is prohibited from sharing individual responses or unpublished information with anyone, including immigration enforcement, police, or any other federal, state, or local government agency.

There are added privacy protections in place to make sure that no individual person can be identified in the datasets that are made available and that no information about an individual person is shared.

Of course, each person must make a decision about how best to answer the questions on the ACS. The Census Bureau respects how people self-identify on the ACS. It doesn't cross-check the information an individual provides on the survey with any other source. Transgender, non-binary, and many other LGBTQI+ people navigate

disclosure every day of their lives. The ACS is no different; respondents can self-identify in a way that feels most comfortable. For more about the privacy and confidentiality of the ACS, [see here](#).



Why is the Census Bureau testing how to add sexual orientation & gender identity questions to the ACS?

For decades, LGBTQI+ advocates have called for sexual orientation, gender identity, and variations in sex characteristics measures on the ACS, the decennial census, and other government surveys. Gathering accurate data helps us to better understand the needs of our communities, how policies impact them, and how best to advance equality.

To add questions to the ACS, there is a deliberative, legal and scientific process that the Census Bureau and federal agencies must undertake.

In 2022, the U.S. Department of Justice (DOJ) sent a request to the Census Bureau to add sexual orientation and gender identity questions to the ACS so the DOJ could have the data it needs to ensure equal opportunity and enforce existing civil rights laws that protect LGBTQI+ people from discrimination. This could include enforcing laws against employment discrimination, housing discrimination, hate crimes, and more.

Now that the DOJ and other federal agencies have articulated the need for data about LGBTQI+ communities, the Census Bureau will begin its multi-year process to test, review, and evaluate how to collect this information on the ACS. It is essential that the Census Bureau conduct this rigorous qualitative and quantitative research to test how these new measures perform in the field and evaluate whether these questions can be added to the ACS in the future. Similar testing would be required in the future in order to add a measure that can identify intersex people.

This process to evaluate how best to collect quality, accurate data reflective of our communities begins with the 2024 ACS Sexual Orientation & Gender Identity Test. For more about the process by which questions can be added to the ACS, [see here](#) or click below.



The 2024 ACS SOGI Test is just the beginning of the work to ensure that LGBTQI+ people are counted, that community leaders and advocates have the data they need to drive change to advance equity, and that federal, state, and local governments as well as nonprofits have the necessary data to inform programs and support our communities.

Still have questions? Want to know more?

If you have questions about LGBTQI+ data inclusion or the ACS and Census Bureau work specifically, please [visit this hub](#) for more information or contact:

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