

June 13, 2022

The Honorable Carolyn Maloney
House Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Raúl Grijalva
House of Representatives
1511 Longworth House Office Building
Washington, D.C. 20515

Dear Chairwoman Maloney and Congressman Grijalva:

As a group of 90 organizations committed to the equity and inclusion of all people, including lesbian, gay, bisexual, transgender, queer, intersex, and other sexual and gender minority individuals (LGBTQI+), in science, technology, engineering, and mathematics (STEM) fields, we are writing to express our strong support for the amendment in the nature of a substitute and passage of the LGBTQI+ Data Inclusion Act (H.R. 4176). This legislation will facilitate the collection of voluntary, self-disclosed demographic data on sex, gender identity, and sexual orientation across federal surveys. This, in turn, would have a transformative effect on advancing the equity of LGBTQI+ people in U.S. STEM fields, including those multiply marginalized by race, ethnicity, disability status, and economic background.

LGBTQI+ individuals are facing alarming disparities in U.S. STEM fields, which not only raise issues of equal opportunity but represent a waste of STEM talent. Our world faces complex and urgent scientific challenges, and all individuals wishing to contribute to science must be enabled to pursue their scientific potential. When groups of people are hindered from participating in STEM, we all lose as a society, and the competitiveness of the American science and technology enterprise is diminished. The welfare of LGBTQI+ scientists and engineers, who may go on to discover life-saving treatments or develop groundbreaking technologies, is not only a moral imperative but also in our national interest. As the U.S. continues to face urgent STEM talent gaps, Congress has recognized that “underrepresented populations are the largest untapped STEM talent pools” and that “the United States should encourage full participation of individuals from underrepresented populations in STEM fields” (42 U.S.C. § 1862). Yet Congress and the federal government currently lack the necessary demographic data to inform policies that can address LGBTQI+ inequities and facilitate LGBTQI+ participation in STEM.

While a lack of sexual orientation and gender identity data in federal surveys, such as those administered by federal STEM agencies, is preventing researchers’ and policymakers’ comprehensive understanding of the inequities faced by LGBTQI+ scientists, what data do exist point to serious issues. LGBTQI+ people are estimated to be approximately 20% less represented in STEM fields than statistically expected, and they are less likely than non-LGBTQI+ people to

major in STEM, persist in STEM, earn STEM degrees, and be in STEM occupations.¹ Harmful biases and unsupportive STEM environments appear to be partly at fault. LGBTQI+ scientists experience more career barriers and workplace harassment than non-LGBTQI+ scientists, even when controlling for other demographic and career-related factors.² From a prevalence standpoint, such career barriers can have an enormous impact on American science. LGBTQI+ people are estimated to currently comprise 7.1% of the U.S. population, and this number rises precipitously for younger generations who represent the future of American scientists, with 10.9% of Millennials and 22.8% of Gen-Z individuals identifying as LGBTQI+.³

Broader policy developments also bring into focus the need for passage of the LGBTQI+ Data Inclusion Act. The U.S. Supreme Court has ruled that the 1964 Civil Rights Act protects LGBTQI+ employees from employment discrimination,⁴ and President Biden's Executive Order 13988 strengthened these LGBTQI+ discrimination protections and extended them into the domains of education, housing, and immigration.⁵ Comprehensive federal collection of sex, gender identity, and sexual orientation data would facilitate the enforcement of these governmental protections. Moreover, the Equitable Data Working Group convened by President Biden's Executive Order 13985 recently released recommendations calling for the establishment of standardized practices in the collection of these data across federal agencies.⁶

We in the scientific community deeply understand the importance of empirical data. Federal agencies collect survey data on a broad spectrum of topics that inform national policy, and LGBTQI+ data inclusion is paramount both to continuing to develop a diverse and talented STEM workforce and to providing the data we need as scientists to improve the welfare of LGBTQI+ populations. Federal law already firmly protects the privacy and confidentiality of respondent data, and a recent pilot study by the National Science Foundation showed that respondents typical of federal STEM surveys overwhelmingly report feeling comfortable providing sexual orientation and gender identity data to federal agencies.⁷ Moreover, two recent National Academies consensus reports have made clear that the collection of these data in federal surveys is strongly beneficial, highly feasible, and urgently needed.^{8,9}

¹ Freeman, J. B. (2020). Measuring and resolving LGBTQ disparities in STEM. *Policy Insights from the Behavioral and Brain Sciences*, 7, 141-148. <https://journals.sagepub.com/doi/abs/10.1177/2372732220943232>

² Cech, E. A., & Waidunas, T. J. (2021). Systemic inequalities for LGBTQ professionals in STEM. *Science Advances*, 7, eabe0933. <https://advances.sciencemag.org/content/7/3/eabe0933>

³ Gallup (2022). LGBTQ Identification in U.S. Ticks Up to 7.1%. <https://news.gallup.com/poll/389792/lgbt-identification-ticks-up.aspx>

⁴ U.S. Supreme Court (2020). *Bostock v. Clayton County*. https://www.supremecourt.gov/opinions/19pdf/17-1618_hfci.pdf

⁵ White House (2021). Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation (2021). <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-preventing-and-combating-discrimination-on-basis-of-gender-identity-or-sexual-orientation/>

⁶ White House (2022). Release of the Equitable Data Working Group Report. <https://www.whitehouse.gov/ostp/news-updates/2022/04/22/the-release-of-the-equitable-data-working-group-report/>

⁷ Freeman, J. B. (2021). STEM disparities we must measure. *Science*, 374, 1333-1334. <https://www.science.org/doi/full/10.1126/science.abn1103>

⁸ National Academies of Sciences, Engineering, and Medicine (2021). *Understanding the Well-being of LGBTQI+ Populations*. <https://nap.nationalacademies.org/catalog/25877/understanding-the-well-being-of-lgbtqi-populations>

⁹ National Academies of Sciences, Engineering, and Medicine (2022). *Measuring Sex, Gender Identity, and Sexual Orientation*. <https://nap.nationalacademies.org/catalog/26424/measuring-sex-gender-identity-and-sexual-orientation>

In short, we unequivocally support the amendment in the nature of a substitute and the passage of the LGBTQI+ Data Inclusion Act (H.R. 4176), and we urge Congress to adopt it as quickly as possible. Thank you for your consideration. Please do not hesitate to contact Jon Freeman (jon.freeman@columbia.edu) with any questions.

Signed in partnership,

American Association for the Advancement of Science
American Association of University Professors
American Anthropological Association
American Educational Research Association
American Mathematical Society
American Psychological Association
American Society of Plant Biologists
American Sociological Association
Association for Science and Technology Centers
American Society for Engineering Education
Association for Women in Mathematics
Association for Women in Science
Consortium of Social Science Associations*
Council of Professional Associations on Federal Statistics*
Federation of Associations in Behavioral and Brain Sciences*
Inter-university Consortium for Political and Social Research
Linguistic Society of America
Social and Affective Neuroscience Society
Society of Experimental Social Psychology
Society for Personality and Social Psychology
Society for Research in Child Development
Society for the Study of Evolution
Society for Industrial and Applied Mathematics
Spectra
Out to Innovate
Out in STEM, Inc.

* These coalitions represent 64 additional organizations