

August 29, 2023

Charles Barber  
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CC: Sethuraman Panchanathan, Director, National Science Foundation  
Emilda Rivers, Director, NSF National Center for Science & Engineering Statistics  
Christina Freyman, Deputy Director, NSF National Center for Science & Engineering Statistics  
John Finamore, Chief Statistician, NSF National Center for Science & Engineering Statistics

Dear Dr. Barber,

We have greatly appreciated our many exchanges since your appointment earlier this year regarding our shared desire to ensure the success of the National Science Foundation's (NSF) National Center for Science & Engineering Statistics' (NCSES) efforts to collect voluntary sexual orientation and gender identity (SOGI) data on its national surveys of the scientific workforce.

As you know, SOGI data are critical to addressing the alarming [disparities](#) that LGBTQI+ people are facing in STEM, including increasingly documented [career barriers](#), [underrepresentation](#), [retention failure](#), and [some of the highest levels of harassment in STEM](#). As described in a [letter](#) sent from Senators Tammy Baldwin, Dianne Feinstein, and 16 other U.S. senators, SOGI data in NCSES surveys are crucial for implementing federal policy, such as diversity-related funding provided by the CHIPS and Science Act, and for fulfilling the directives of Executive Order 14075 to advance the use of SOGI data to address LGBTQI+ disparities and Executive Order 13985 to improve the equity of underserved communities.

Despite the delays and challenges in NCSES' efforts over the past five years, Director Panchanathan made clear in a February 24 letter that NSF is committed to do better and maintain transparency with the public as it endeavors to find solutions to SOGI questions as soon as possible. As researchers conducting the nation's first comprehensive SOGI data [study](#) across institutions of higher education, we believe we can speak on behalf of many in the scientific community, as well as the stakeholders who have joined us in urging these efforts over the years, to say that we are heartened by NCSES moving forward with large-scale piloting of SOGI questions across the Survey of Earned Doctorates (SED), National Survey of College Graduates (NSCG), and Survey of Doctorate Recipients (SDR). We are similarly heartened by NCSES' recently revised practice of providing sufficient details regarding its proposed SOGI pilot studies to the public prior to approval from the Office of Management & Budget (OMB), as [advocated](#) in the March 3 response to the Director and as is intended by 5 CFR 1320.8(d). This has very valuably allowed NCSES to incorporate external scientific feedback and correct and revise its SOGI pilot methodologies in a manner that can better guarantee their success.

Given the significant public interest in NCSES adopting SOGI data collection in its national surveys of the scientific workforce, and in the spirit of the transparency that NSF has committed to as well as the NSTC's [Guidance on Federal Scientific Integrity Policy and Practice](#), we are writing to kindly encourage NSF to consider making the following information available to the public:

- NSF's SOGI Data Action Plan submitted to the White House, as required by Executive Order 14075, Section 11(c).

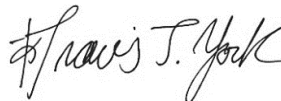
- NSF's written statements to the Senate Appropriations Committee in response to questions about SOGI data and LGBTQI+ equity, as part of the April 18 hearing on NSF's FY 2024 budget request (Appropriations Committee questions for the record have the unique feature of not being posted publicly). As NCSES has consistently indicated over the years that its resources are severely limited to undertake SOGI measurement research, the public would benefit from understanding how NSF has budgeted for necessary SOGI research and for NCSES to be sufficiently agile if it encounters methodological roadblocks that require additional experimentation.
- NCSES' planned releases regarding the results of its SOGI pilot research to date, whose dissemination appears to have been repeatedly delayed (Director Panchanathan initially estimated these would be publicly available by March 2023). As advocated in multiple [public comments](#) and consistent with the approaches of NCSES' [peer statistical agencies](#) and OMB's [Best Practices for the Collection of SOGI Data](#), NCSES should provide direct comparisons in these releases between SOGI questions and other sensitive demographic items, namely race, ethnicity, disability status, salary, and earned income, on any metrics that contribute to its decision-making. This approach is necessary to correctly evaluate SOGI questions for federal surveys and avoid the use, or [public appearance](#) of the use, of a double standard in its scrutiny of these questions.
- Information on how and when NCSES plans to communicate the findings of its current round of SOGI pilot studies to the public. Most immediately, as NCSES recently [informed](#) the media, NCSES' next major decision point will be whether to include SOGI questions in the 2024-2025 SED. However, while NCSES' request for OMB clearance of the 2024-2025 SED is expected around March 2024, data collection for the current SOGI pilot in the 2023-2024 SED will not [conclude](#) until later in the year, in December 2024. Moreover, OMB's [approval](#) of the 2023-2024 SED was made contingent on "the NCSES commitment to brief OMB on the results [of the SOGI pilot study] and their implications before submitting its request for clearance for the subsequent cycle of data collection". Should the public therefore assume that NCSES plans to use whatever partial SOGI pilot data it has collected through approximately March 2024 so that it has sufficient time to confer with OMB colleagues and request clearance for the 2024-2025 SED? If not, the public would benefit from knowing on what empirical basis NCSES plans to engage in decision-making regarding SOGI questions for the 2024-2025 SED.

We hope you agree that publicly releasing the above information would better allow NSF and the public to work together to ensure the success of NCSES' efforts to collect SOGI data and advance our shared mission to achieve a more diverse and equitable scientific workforce. We look forward to continued discussions on these important issues and kindly ask for a virtual meeting to discuss this request and the opportunity to support NSF's goals in this area. Thank you for your time and consideration.

Yours sincerely,



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