



AMERICAN ATHEISTS

August 9, 2021

Jeffrey M. Zirger
Lead, Information Collection Review Office
Office of Scientific Integrity, Office of Science
Centers for Disease Control and Prevention (CDC),
Department of Health and Human Services (HHS)
395 E St SW
Washington, DC 20024

Re: Comments on “Proposed Data Collections Submitted for Public Comment and Recommendations” (Dkt No. CDC-2021-0056; Doc. No. 2021-12210)

Dear Mr. Zirger:

American Atheists writes in response to the Notice and Comment submission by the Center for Disease Control and Prevention (CDC) titled: “Proposed Data Collections Submitted for Public Comment and Recommendations,” published June 10, 2021.¹ CDC requested comments on the National Survey of Family Growth (NSFG), specifically how the survey can be streamlined to collect more effective and useful data and to minimize the burden on those who are responding to the survey. We submit comments pertaining to the interests of nonreligious people and religious minorities, who are poorly served by the Christian-oriented questions used to identify religious belief used in the survey. We ask you to consider revising and updating these outdated religious questions in collaboration with nonreligious and religious minority stakeholders.

American Atheists is a national civil rights organization that strives to achieve religious equality for Americans by protecting what Thomas Jefferson called the “wall of separation” between the government and religion created by the First Amendment. We work to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. As advocates for religious equality, American Atheists believes that government programs should be inclusive and accessible to people regardless of their religious beliefs or lack thereof.

¹ Center for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS); Notice with Comment Period; Proposed Data Collections Submitted for Public Comment and Recommendations 86 Fed. Reg. 30937, Dkt No. CDC-2021-0056, Doc. No. 2021-12210, Proposed Jun 10, 2021. Available at <https://www.federalregister.gov/documents/2021/06/10/2021-12210/proposed-data-collections-submitted-for-public-comment-and-recommendations>.

Improved Data Collection Regarding Religion is Essential for Nonreligious People and Religious Minorities

Despite the stigma and inequities facing nonreligious people and religious minorities living in the US, there is very little federal data collection pertaining to these populations. Questions about religious belief are not asked on any major federal population survey, such as the YRBS, BRFSS, NSDUH, or NHIS. This results in part from a 1976 law that prohibits the collection of mandatory religious data on the Census, providing that “(c) Notwithstanding any other provision of this title, no person shall be compelled to disclose information relative to his religious beliefs or to membership in a religious body.”² However, this limitation pertains only to mandatory data collection on the Census; the federal government is fully capable of offering voluntary data collection on religion through population surveys and cohort surveys such as the NSFG.

There has been substantial research showing that nonreligious people and religious minorities in the US face stigmatization and minority stress that leads to significantly worse psychosocial outcomes.³ For example, members of other faiths consistently rank atheists as the group they feel least positively toward.⁴ And atheists and Muslims face clear bias in terms of government services.⁵ Despite comprising of only 2.4% of the population,⁶ Jewish people were subject to about 63% of religious-based hate crimes in the U.S. in 2019.⁷ Similarly, Muslims, despite making up only 1.1% of the population,⁸ were subject to 12% of religious-based hate crimes. Unfortunately, because there is insufficient data collection concerning religion in US population surveys, the full extent of disparities faced by these populations is unknown.

Nonreligious Americans

Because of this lack of data, American Atheists conducted the US Secular Survey, a 2019 survey of nearly 34,000 nonreligious people living in the United States. Data from this survey shows unequivocally that nonreligious people in the US encounter stigma and discrimination in various

² 13 U.S.C. § 221(c).

³ See, e.g., Brewster, M. E., Velez, B. L., Geiger, E. F., & Sawyer, J. S. (2020). It’s like herding cats: Atheist minority stress, group involvement, and psychological outcomes. *Journal of Counseling Psychology*, 67(1), 1–13. Available at <https://doi.org/10.1037/cou0000392>.

⁴ See, e.g., Burge, R.P. (2021). How Positive Do You Feel About These Groups. Data from General Social Survey, 2018.

⁵ See, e.g., Pfaff, S., Crabtree, C., Kern, H.L., & Holbein, J.B. (2020). Do Street-Level Bureaucrats Discriminate Based on Religion? A Large-Scale Correspondence Experiment among American Public School Principals. *Public Administration Review*, Aug. 30, 2020. Available at <https://doi.org/10.1111/puar.13235>.

⁶ Pew Research Center (2021, May 11). The Size of the U.S. Jewish Population. Available at <https://www.pewforum.org/2021/05/11/the-size-of-the-u-s-jewish-population/>

⁷ FBI 2019 Hate Crime Statistics. Incidents, Offenses, Victims, and Known Offenders. (2019). Available at <https://ucr.fbi.gov/hate-crime/2019/topic-pages/tables/table-1.xls>

⁸ Pew Research Center. (2018, Jan. 3). New estimates show U.S. Muslim population continues to grow. Available at <https://www.pewresearch.org/fact-tank/2018/01/03/new-estimates-show-u-s-muslim-population-continues-to-grow/>.

aspects of their lives.⁹ Nearly one third (29.4%) of survey participants experienced discrimination in education due to their nonreligious identity, and one in five (21.7%) experienced discrimination at work.

Given this treatment, it is no surprise that nonreligious people frequently feel the need to conceal their beliefs. Nearly one third (31.4%) of participants mostly or always concealed their nonreligious identity from members of their immediate family. More than two in five participants mostly or always concealed their nonreligious identity among people at work (44.3%) and people at school (42.8%). Perhaps contributing to the frequent concealment of their nonreligious identities, nearly half (47.5%) of survey participants were sometimes, frequently, or almost always asked or felt pressure to pretend that they are religious.

Because of the discrimination and stigmatization nonreligious people face in our society, they experience heightened rates of loneliness and depression. Our research shows that one in six (17.2%) of survey participants are likely to be depressed and about one quarter (25.6%) of participants often experience one or more indicators of loneliness and social isolation.

Notably, the level of discrimination and stigmatization was dramatically higher for participants living in very religious areas. Nonreligious participants living in very religious communities were nearly 2.5 times more likely to experience negative events in education than in not at all religious communities, nearly 2.5 times more likely to experience negative events in public services (for example, voting, jury duty, poll work), more than 3 times more likely in employment, and more than 2 times more likely when dealing with private businesses. Moreover, participants living in very religious communities experienced nearly 40% more stigma than those in not at all religious communities.

Jewish Americans

ADL's *Audit of Antisemitic Incidents* in the United States for 2020 showed a significant amount of discrimination against Jewish Americans, the third-highest year on record since ADL began recording in 1979.¹⁰ This report saw more than 2,000 acts of assault, vandalism, and harassment incidents against the Jewish Community in 2020. While total number of incidents decreased 4% from 2019, the highest year on record, incidents of harassment increased 10% from the previous year. Furthermore, Jewish institutions such as synagogues, Jewish community centers, and Jewish schools, recorded 327 incidents, a 40% increase from 2019. Of the 327 incidents, 264 were harassment, and 114 of those were "Zoombombings," a form of online harassment targeting the Jewish community.¹¹ However, ADL's *Audit of Antisemitic Incidents* cannot assess the full scope of hate incidents and hate crimes against Jewish Americans, as such data is grossly underreported.

⁹ Frazer, S., El-Shafei, A., Gill, A.M. (2020). *Reality Check: Being Nonreligious in America*. Cranford, NJ: American Atheists. Available at www.secularsurvey.org.

¹⁰ ADL. *Audit of Antisemitic Incidents 2020*. (2020). Available at <https://www.adl.org/audit2020#executive-summary>.

¹¹ ADL. "What is 'Zoombombing' and Who is Behind It?" (2020, May 4). Available at <https://www.adl.org/blog/what-is-zoombombing-and-who-is-behind-it>.

Muslim Americans

Although Muslims in America comprise an underrepresented and underserved population that faces significant disparities, there is limited data available about this population except for hate crime data. In 2019 the FBI released their annual report on hate crime statistics and, even though hate crimes are severely underreported for a variety of factors, 2019 saw more hate crimes than any year other than 2008.¹² However, due to lack of data and reporting it is unclear exactly how many hate crimes take place in this country as law enforcement agencies do not have to report hate crimes and many victims refrain from reporting hate crime incidents. Moreover, since the 2016 election, attacks on mosques are at an all-time high. Vandalism, threats, arson, and bombings occur too often, with little to no media coverage and investigation into the perpetrators.¹³

Unfortunately, hate crime data alone cannot provide a full assessment of the needs and disparities facing religious minority populations. With additional data from better federal data collection concerning religion, both organizations and the federal government will be better able to assess the challenges facing these populations and target programs to address the disparities resulting from discrimination and stigmatization.

The National Survey of Family Growth Uses Antiquated Religious Questions that Fail to Collect Appropriate Data on Nonreligious and Religious Minority Populations

The NSFG has included questions on religion as part of its longitudinal analysis for decades.¹⁴ Unfortunately these questions are quite outdated and Christian-oriented. Rather than reflecting the wide diversity of religious belief and nonbelief in the US, they assume predominant Christianity and focus on identifying members of particular Christian denominations. Despite the flaws in this methodology, the Trump Administration sought to expand this approach to other data collections.¹⁵ Moreover, there were other misguided attempts made to collect religious data, often in ways that lack accuracy and confidentiality.¹⁶

¹² Muslim Advocates "2019 FBI Data Undercounts Hate Crimes" (2020, Nov. 17). Available at <https://muslimadvocates.org/2020/11/muslim-advocates-2019-fbi-data-undercounts-hate-crimes>.

¹³ Muslim Advocates Threats and Violence Against Mosques. Available at <https://muslimadvocates.org/advocacy/threats-and-violence-against-mosques/>.

¹⁴ CDC, National Center for Health Statistics. National Survey of Family Growth Questionnaires, Datasets, and Related Documentation. Available at https://www.cdc.gov/nchs/nsfg/nsfg_questionnaires.htm.

¹⁵ See, e.g., Administration for Children and Families, Submission for OMB Review; Youth Empowerment Information, Data Collection Exploration on Avoidance of Sex (IDEAS) (New Collection), 85 Fed. Reg. 49376, Doc. No. 2020-17680, proposed Aug. 13, 2020. Available at: <https://www.federalregister.gov/documents/2020/08/13/2020-17680/submission-for-omb-review-youth-empowerment-information-data-collection-and-exploration-on-avoidance>.

¹⁶ See, e.g., Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Mandatory Civil Rights Data Collection, 85 Fed. Reg. 40628, Docket No. ED-2019-SCC-0119, Doc. No. 2020-14486, proposed July 7, 2020. Available at <https://www.federalregister.gov/documents/2020/07/07/2020-14486/agency-information-collection-activities-submission-to-the-office-of-management-and-budget-for>.

The NSFG’s approach to religious data collection is exclusionary, out of date, and in serious need of revision. The religious questions focus on a large number of small Christian sects, which is confusing, vague, and does not represent the full scope of American Christianity. Because of the large number of these Christian sects,¹⁷ the questions are likely to fail to produce sufficient sample sizes to provide reportable data. Further, there is no reason to collect data on the “type” of Christianity (“born again,” charismatic, evangelical, fundamental, and none of the above), as these descriptions are extremely subjective, and the data serves no governmental function. Finally, the current NSFG religious questions fail to collect information on various religious beliefs or relegates them to a dismissive “other” category.¹⁸

The manner in which these questions apply to nonreligious people reflects some of the flaws in the NSFG’s approach to religious data collection. Surveys of religious belief conducted by the Pew Research Center have shown that there has been a significant growth in religiously unaffiliated people, often referred to as “Nones,” over the last several decades.¹⁹ However, research has shown that this category is comprised of people of widely varying beliefs, from devoutly religious people who have a belief system that is not easily characterized, to people who lack well-defined religious beliefs but consider themselves “spiritual,” to agnostics, humanists, and atheists. And while Nones are currently the fastest growing religious category (with 46.7% of youth ages 18-25 falling in this category),²⁰ only approximately 9% of the US population identifies as atheist or agnostic.

Despite significant differences between religiously unaffiliated and nonreligious (atheist, agnostic, etc.) people and the significant size of these populations, they are grouped together for analysis on the NSFG. This not only fails to take into account the important differences between these groups, it obscures data about these widely varying populations.

The Trump Administration proposed rule changes involving mandatory civil rights data collection and data collection in public schools requiring third party reporting of religious data would be highly problematic nonreligious and religious minority communities.²¹ The rule essentially forced administrators to routinely make assumptions and record what they believed the religion of the students bullied to be and whether they thought there was a religious motivation for the bullying. This reporting process would likely result in inaccurate data for nonreligious and religious minority students.

¹⁷ The relevant questions allow individuals to select one of 22 Christian denominations.

¹⁸ The relevant questions relegate Muslims, Buddhists, and Hindus to the “other” category and fail to collect data on groups such as Sikhs.

¹⁹ See, e.g., Pew Research Center (2015). Religious Landscape Study: The Unaffiliated. Available at <https://www.pewforum.org/religious-landscape-study/religious-tradition/unaffiliated-religious-nones/>.

²⁰ Djupe, P. A. & Burge, R. P. (2020). “The Decline of Religion Continues – Nones Gain 3 Percent in One Year.” Religion in Public Blog. Available at <https://religioninpublic.blog/2020/10/07/the-decline-of-religion-continues-nones-gain-3-percent-in-one-year/>.

²¹ See, e.g., Administration for Children and Families, Submission for OMB Review; Youth Empowerment Information, Data Collection Exploration on Avoidance of Sex (IDEAS) (New Collection), 85 Fed. Reg. 49376, Doc. No. 2020-17680, proposed Aug. 13, 2020. Available at: <https://www.federalregister.gov/documents/2020/08/13/2020-17680/submission-for-omb-review-youth-empowerment-information-data-collection-and-exploration-on-avoidance>.

Furthermore, it would negatively affect such students' well-being, as they would be unable to report their own religion and they would be disseminated into a religion based on what the administrators believe their religion to be.

Religious Data Collection Must Be Inclusive, Voluntary, and Confidential

The NSFG is one of the few examples of federal data collection pertaining to religion, and as discussed, the questions are outdated, exclusionary, and imprecise. We recommend that CDC and other relevant agencies allocate resources to create updated survey questions regarding religion for use on appropriate surveys.

A primary consideration for many religious minority populations is confidentiality of data. Concerns about the confidentiality of data arose recently when the Trump Administration proposed to update the Dept. of Education's Civil Rights Data Collection (CRDC) to disaggregate bullying based on various religions.²² The proposal essentially would force school administrators to routinely question students (or make assumptions) about their religious beliefs and to create and maintain records about the religious beliefs of students. Because of the lack of confidentiality inherent in this manner of data collection, it likely would have contributed to increased stigmatization and discrimination against religious minority and nonreligious students.

For example, even if students are not named in reports, faculty may know or easily determine the identity of the student or students in a report. In schools with a small number of students, data collected on religious harassment and bullying may not be anonymous because few students may fit the demographic information reported about the victim or victims. As the statistics above demonstrate, nonreligious and religious minority students already experience discrimination in school, and this rate of discrimination is significantly higher in highly religious communities that are predominantly of one religion.

This example helps illustrate why questions that collect religious data should only be self-report data on voluntary surveys where data is not personally identifiable. Third-party reports of religious data tend to be inaccurate and lack confidentiality, and so they should be avoided to the extent possible, outside of necessary contexts such as hate crime reporting. Instead, broad, anonymous, population surveys, such as YRBS and BRFSS, would be ideal for this type of data collection and provide essential data on disparate risk factors facing religious minority and nonreligious populations.

The federal government has the resources and the technical expertise to develop suitable questions for religious data collection on population surveys. By working with various organizations representing nonreligious and religious minority communities, we believe that this data collection could be done respectfully and in a way that takes into account the entirely valid concerns that religious minority and nonreligious communities may have regarding confidentiality. We invite you to reach out to us so that we can discuss this matter in greater detail.

²² Because of the delay and disruption caused by the pandemic and further revision to the CRDC, it is our understanding that this proposed rule has not been implemented.

Conclusion

The NSSFG is unique among federal surveys in that it captures data relating to religious beliefs. Unfortunately, however, the relevant questions about religion are outdated and exclusionary. Because of this inadequate data collection, the federal government is failing to identify and address significant disparities faced by nonreligious people and religious minorities. We urge the CDC to update its NSFG questions pertaining to religion and invite the agency to work with organizations that serve nonreligious and religious minority communities as part of this process. If you have any questions regarding these comments, please contact me at agill@atheists.org.

Sincerely,



Alison Gill, Esq.
Vice President, Legal & Policy
American Atheists