



The Colorado Health Foundation™

December 19, 2023

Honorable Shalanda Delores Young  
Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
9th Floor  
1800 G Street, NW  
Washington, DC 20503

*Submitted electronically via [Regulations.gov](https://www.regulations.gov)*

**RE: Comments on American Community Survey and Puerto Rico Community Survey, Docket Number USBC–2023–0009**

Dear Administrator Young,

Thank you for the opportunity to provide comments on the proposed change regarding the American Community Survey (ACS) and the Puerto Rico Community Survey. The Colorado Health Foundation is the state's largest private foundation and the third largest health foundation in the nation. We work closely with partners in the private, public, and nonprofit sectors to bring health within reach for all Coloradans. **We strongly urge the Department of Commerce to reconsider the proposed changes to the disability questions to the ACS and Puerto Rico Community Survey. Changes to the survey that are not done in consultation with the disability community would jeopardize the integrity and validity of the U.S. Census's use for the following decade. Ensuring that the disabled community is accurately represented in the ACS and Puerto Rico Community Survey is key to health equity.**


We are encouraged that the Census Bureau is exploring new options to better capture the diversity of the disabled community but urge additional community engagement and consideration before changes are made. Experts estimate that the ACS as written undercounts approximately [20 percent](#) of disabled people. However, the proposed threshold to only count an individual as living with a disability if they indicate “a lot of difficulty” or “cannot do at all” in executing a task does not achieve the goal of better capturing this population. Concerningly, this effort is likely to harm underrepresented populations including those with chronic illness, mental health conditions, and women, who experience [higher rates](#) of many of these [conditions](#).

As noted by the National Partnership, "these are more than just numbers in a report – the American Community Survey is used to distribute trillions of dollars in funding and to help agencies enforce civil rights laws. Reducing the number of people who are categorized as disabled is likely to have [significant impacts](#) on programs related to housing, transportation, health care, [education](#) and more – many of which use [American Community Survey](#) data to assess their needs, and some of which are required to do so by law. It will also hamper federal agency enforcement of [civil rights laws](#), which prohibit discrimination against disabled people in employment, public accommodations, education, health care and more. Civil

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rights enforcement bodies rely on these data to help identify discriminatory patterns and practices impacting groups of individuals. Many claims that address the ways that “neutral” policies impact protected classes, including disability, use statistical analysis. For disabled women, particularly disabled women of color, who may rely on federally-funded disability supports and services, and who face unique forms of discrimination based on the intersection of their identities, these losses would be devastating. "

As articulated in research from the [Urban Institute](#), even the ACS functional assessment does not capture many disabilities such as ADHD and autism, intellectual or developmental disabilities, psychiatric disabilities, and chronic illnesses like autoimmune diseases. Additionally, in the post-pandemic world, long-COVID is an emerging disability, and how it affects people and the number of people impacted are still unclear. According to the Urban Institute’s Well-Being and Basic Needs Survey, only 60 percent of adults under age 65 who self-identify as being severely affected by Long COVID reported a disability using the ACS questions. This means that using those questions alone will undercount this group just as it does other persons with disabilities. Although change is undoubtedly needed, there is still much to consider and crucial stakeholder input to solicit before the right changes can be identified and made.

Many public, private, and nonprofit partners in Colorado rely on the statistical accuracy of the U.S. Census for their data needs and to ensure an equitable share of Federal funding is allocated to states every year based on population. Without accurate data to inform federal policies and programs, we risk further marginalizing the disabled community.


The Colorado Health Foundation and many of our community partners rely on U.S. Census data as a means to track, research, analyze, and ultimately exhibit progress in areas like health status, educational attainment, housing affordability, food access, and income disparities across our state. The Foundation believes that all data produced by the Census bureau must accurately describe the complex identities and lived experiences of the people living in this country because it is so broadly used in both funding and policy decisions. We have a long history of commenting on efforts that impact the accuracy and effectiveness of the census and other data collection efforts. Such efforts impact the health equity of all Coloradans. Most recently, in April 2023 we submitted a comment letter in support of the Office of Management and Budget (OMB) Statistical Policy Directive 15 including adding Middle Eastern and North African (MENA) as a category to ensure that community is accurately represented, allowing all persons to select multiple races/ethnicities to accurately capture the full details of their identity, and integrating race and ethnicity into one question with clear, thoroughly researched instructions. In 2018, [we submitted comments to the U.S. Department of Commerce](#), urging them to remove the proposed citizenship question from the 2020 U.S. Census. We also added our name to another comment letter [signed by over 300 other philanthropic organizations from across the country](#) who shared our concern about the negative impact the inclusion of this question could have on an accurate count in 2020. In addition, we have provided support to community-based organizations across Colorado working to ensure the Census data is representative of the people.

Given the importance of accurate data and the complexity of ensuring its collection, a wide range of organizations are calling for additional stakeholder engagement before changes are made. The [Robert Wood Johnson Foundation \(RWJF\)](#) is urging the Bureau to apply the “nothing about us, without us” principle

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regarding people with disabilities. The Census Bureau National Advisory Committee has asked the Bureau to postpone the proposed changes to engage with disability advocacy organizations. These are just two of a multitude of voices asking for the same approach to making these important decisions that impact the quality and accuracy of the Census Bureau's data. The Colorado Health Foundation joins these voices and urges additional community engagement before changes are determined.

Thank you again for the opportunity to provide input to this proposed rule change. If you have any questions, please contact Kyle Legleiter, The Colorado Health Foundation Senior Director of Policy, at [klegleiter@coloradohealth.org](mailto:klegleiter@coloradohealth.org) or (303.953.3618).

Sincerely,



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Colorado Health Foundation