



# AMERICAN ATHEISTS

---

July 6, 2021

Shalanda Young  
Acting Director, Office of Management and Budget  
Office of Management and Budget  
525 17th St. NW  
Washington, D.C. 20503

**Re: Comments Regarding Submission for OMB Review; Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government (Doc. No. 2021-09109)**

Dear Acting Director Young:

American Atheists writes in response to the Request for Information (“RFI”) by the Office of Management and Budget titled, “Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government,” published on May 5, 2021.<sup>1</sup> The RFI requests information about whether agencies are equitably serving and providing access to programs and operations to historically underserved individuals and communities, including religious minorities. American Atheists submits comments on behalf of nonreligious individuals and communities, including those who identify as atheists, agnostics, skeptics, humanists, freethinkers, whose beliefs continue to be marginalized across American society.

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 have clear boundaries and safeguards to protect the religious freedom and equality of every beneficiary of government-funded social services.

American Atheists joins with the comments submitted by the Leadership Conference on Civil and Human Rights and other organizations in response to this RFI. Additionally, we submit the following comments to discuss issues specific to nonreligious people and communities.

---

<sup>1</sup> Office of Management and Budget, Agency Information Collection Activities; Submission for OMB Review; Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government, 86 Fed. Reg. 24029, Doc. No. 2021-09109, Proposed May 5, 2021. Available at <https://www.federalregister.gov/d/2021-09109>.

## Nonreligious People in the United States Face Stigma and Significant Disparities

There has been substantial research showing that nonreligious people in the US face stigmatization and minority stress that leads to significantly worse psychosocial outcomes.<sup>2</sup> For example, members of other faiths consistently rank atheists as the group they feel least positively toward.<sup>3</sup> And atheists face clear bias in terms of government services.<sup>4</sup> Unfortunately, because there is insufficient data collection concerning religion in US population surveys, the full extent of disparities faced by this population is unknown (see below).

For this reason, 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 aspects of their lives.<sup>5</sup> 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 nonreligious 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.

---

<sup>2</sup> 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>.

<sup>3</sup> See, e.g., Burge, R.P. (2021). How Positive Do You Feel About These Groups. Data from General Social Survey, 2018.

<sup>4</sup> 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>.

<sup>5</sup> Frazer, S., El-Shafei, A., Gill, A.M. (2020). *Reality Check: Being Nonreligious in America*. Cranford, NJ: American Atheists. Available at [www.secularsurvey.org](http://www.secularsurvey.org).

Moreover, participants living in very religious communities experienced nearly 40% more stigma than those in not at all religious communities. Subpopulation of nonreligious people that face intersectional marginalization due to their age, race, gender identity, sexual orientation, or religious upbringing had additional disparities. For example, nonreligious young people ages 18-24 were three times as likely to be depressed and five times as likely to be physically assaulted because of their nonreligious beliefs than older participants. They also faced significant family rejection, with more than one third (37.5%) of participants ages 18-24 reporting that their parents were somewhat or very unsupportive of their nonreligious beliefs.<sup>6</sup>

Black nonreligious participants also faced significant disparities. For example, they were half as likely to have supportive parents and three times as likely to be physically assaulted because of their nonreligious beliefs than other participants. American Atheists intends to publish a more detailed analysis on this and other communities of nonreligious people that encounter intersectional marginalization.

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

Despite the stigma and inequities facing nonreligious people (as well as religious minorities) living in the US, there is very little 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."<sup>7</sup> However, this 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.

In fact, the National Survey of Family Growth has included questions on religion as part of its longitudinal analysis for decades.<sup>8</sup> Unfortunately these questions are quite dated and Christian-centric. Rather than recognizing the rich plurality 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

---

<sup>6</sup> Frazer, S., El-Shafei, A., Gill, A.M. (2020). *The Tipping Point Generation: America's Nonreligious Youth*. American Atheists and Secular Student Alliance. Available at [www.secularsurvey.org](http://www.secularsurvey.org).

<sup>7</sup> 13 U.S.C. § 221(c).

<sup>8</sup> 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](https://www.cdc.gov/nchs/nsfg/nsfg_questionnaires.htm).

other data collections.<sup>9</sup> Moreover, there were other misguided attempts made to collect religious data, often in ways that lack accuracy and confidentiality.<sup>10</sup>

We believe that the federal government can and should do better. Strong, population-based data about nonreligious people and religious minorities is desperately needed to understand the full scope of the disparities facing these 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 American Atheists and various organizations representing religious minorities communities, we believe that this data collection could be done respectfully and in a way that takes into account the entirely valid concerns these communities may have concerning confidentiality. We invite you to reach out to us so that we can discuss this matter in greater detail.

In the absence of population data from federal surveys, what data is available about religious and nonreligious populations in the US comes from community-specific surveys conducted by organizations such as American Atheists or larger population surveys conducted by organizations such as Pew Research Center.<sup>11</sup> Compared to the broad scope of federal surveys, these examples offered only limited insights regarding nonreligious and religious minority populations. Moreover, nonreligious people are typically lumped into a broader category of religiously unaffiliated people, often referred to as “Nones.”<sup>12</sup> While this is valuable to compare how religious adherence has changed over time in the United States, the category is less useful for truly understanding nonreligious people because it includes 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),<sup>13</sup> only approximately 9% of the US population identifies as atheist or agnostic.

The federal government needs better information about these populations to understand what disparities they face, how they are affected by policy change, and what services they need to prosper

---

<sup>9</sup> 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>.

<sup>10</sup> 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>.

<sup>11</sup> Pew Research Center (2015, May 12). *America’s Changing Religious Landscape*. Available at <https://www.pewforum.org/2015/05/12/americas-changing-religiouslandscape/>.

<sup>12</sup> 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/>.

<sup>13</sup> 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-continuesnones-gain-3-percent-in-one-year/>.

and thrive. We urge the administration to move forward in a considered way, in coordination with relevant communities, to collect this vital information and better understand the American public.

### **Government Funded Faith-Based Social Services Programs Too Often Fail to Meet the Needs of Nonreligious People and Religious Minorities**

During the Obama Administration, various agencies implemented protections for religious freedom concerning government-funded social services programs to ensure that nonreligious people, religious minorities, women, and LGBTQ people were able to access services without discrimination or religious coercion. These protections required, for example, that religious providers take reasonable steps to refer beneficiaries to alternative providers if requested, that funded religious providers give beneficiaries written notice of their right to religious freedom, and that safeguards be implemented to help prevent religious coercion in government-funded voucher programs or indirect aid.

However, the Trump Administration rescinded these protections for religious freedom, leading to more discrimination against nonreligious people and other communities when accessing government-funded social services. For this reason, American Atheists, along with other plaintiffs, brought suit to enjoin these rules.<sup>14</sup> Recently, the Biden Administration issued an executive order<sup>15</sup> and announced that it will take steps to revise the agency rules in question.<sup>16</sup> We thank the Administration for taking these steps and urge the affected agencies to work expeditiously to reinstate these important protections for religious freedom.

Moreover, we invite the Administration to work with American Atheists, which represents communities significantly impacted by these faith-based social services rules. We have learned much since the adoption of these rules by the Obama Administration, and based on our experiences with their implementation, there are various adjustments and improvements that should be included in any final rule.

In the meantime, American Atheists continues to serve individuals who have faced discrimination and religious coercion because of their nonreligious beliefs when accessing government-funded social services. For example, American Atheists recently had a client who was required to undergo substance abuse treatment by a state agency, which was a federal grantee. The agency required our nonreligious client to choose between two religious service providers (both federal subgrantees). As part of his treatment, he was required to attend a 12-step program, which he objected to as an atheist.<sup>17</sup> Moreover, he was required to attend mandatory religious worship where atheists were regularly

---

<sup>14</sup> American Atheists, American Atheists and Other Groups Sue Trump Admin for Gutting Religious Freedom Protections in Social Services Programs, Jan. 19, 2021. Available at <https://www.atheists.org/2021/01/religious-freedom-protections-lawsuit/>.

<sup>15</sup> Executive Order 14015 (2021). Available at <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/14/executive-order-on-the-establishment-of-the-white-house-office-of-faith-based-and-neighborhood-partnerships/>.

<sup>16</sup> HHS, Partnerships with Faith-Based and Neighborhood Organizations, NPRM scheduled for April 2022, RIN 0991-AC31. Available at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202104&RIN=0991-AC31>.

<sup>17</sup> This has long been recognized as unconstitutional and religiously coercive. See, e.g., *Inouye v. Kemna*, 504 F.3d 705, 712, 716 (9th Cir. 2007); see also *Hazle v. Crofoot*, 727 F.3d 983 (9th Cir. 2013).

ridiculed and told it was impossible for them to recover. When he complained about being subjected to these religious activities, the director of the program ranted at him for 45 minutes, saying he could never be sober because he was an atheist and that he would relapse. Shortly after, he did. He was never given notice of his rights, and his request for a secular alternative fell on deaf ears.

Sadly, this is not an uncommon occurrence. The US Secular Survey shows that 17.7% of participants faced discrimination when receiving mental health services because of their nonreligious identity, and 15.2% faced discrimination when receiving substance abuse treatment. These and other services are frequently supported with federal funding. This discrimination was markedly higher in very religious areas, but these are also the areas where there are least likely to be alternative secular providers for social services.

The federal government has a responsibility to ensure that its services are accessible to everyone, regardless of their religious beliefs or lack thereof. If it cannot offer social services equally and without discrimination through a public-private grants model, then it should identify alternative ways for doing so.

### **Conclusion**

Atheists and nonreligious people are an under-researched, underserved population in the United States, which continue to face stigma and discrimination because of their nonreligious beliefs. We urge the Administration to work with nonreligious and religious minority communities to identify ways to increase religious data collection so that we can better understand the disparities faced by these populations. Moreover, we urge the Administration to ensure that government-funded social services are provided in a way which is equal and nondiscriminatory regardless of the beneficiary's religious beliefs or lack thereof.

If you should have any questions regarding American Atheists' comments in response to this RFI, please contact me at 908.276.7300 x309 or by email at [agill@atheists.org](mailto:agill@atheists.org).

Very truly yours,



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