

Before the
DEPARTMENT OF COMMERCE
CENSUS BUREAU
Washington, DC 20230

In the Matter of)
)
Agency Information Collection Activities;)
Submission to the Office of Management)
and Budget for Review and Approval;) Docket No. USBC-2026-0034
Comment Request; 2026 Operational Test)
in Support of the 2030 Census)

COMMENTS OF ACCESSIBILITY ORGANIZATIONS

Deaf Equality, TDIforAccess, Inc. (TDI), Global Alliance for Speech-to-Text Captioning, Communication Service for the Deaf (CSD), ADARA, Cerebral Palsy and Deaf Organization (CPADO), The Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD), Association of Late-Deafened Adults (ALDA), National Association of State Agencies for the Deaf and Hard of Hearing (NASADHH), Gallaudet University Alumni Association (GUAA), Hearing Loss Association of America (HLAA), National Hispanic Latino Association of the Deaf (NHLAD), accesSOS, and American Council of the Blind (collectively, the “Accessibility Organizations”) respectfully submit these comments regarding the Census Bureau’s Information Collection Request¹ for review and clearance by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995. These comments address accessibility considerations for Deaf,

¹ *Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request – 2026 Operational Test in Support of the 2030 Census*, 91 Fed. Reg. 6618 (Feb. 3, 2026).

DeafBlind, DeafDisabled, Hard of Hearing, Late Deafened, blind, and low-vision individuals and recommend specific refinements to ensure inclusive design, implementation, and evaluation of the proposed 2026 Operational Test in preparation for the 2030 Census.

Deaf, DeafBlind, DeafDisabled, Hard of Hearing, Late Deafened, blind, and low-vision communities rely on accessibility to participate meaningfully in civic processes, including the decennial census. The Census Bureau should explicitly ensure that Internet Self-Response (ISR) forms and interfaces are compatible with screen readers, braille displays, and assistive technologies used by respondents who are DeafBlind, blind, or low-vision, and also include American Sign Language (ASL) versions of the content for respondents who rely on sign language to understand content.

The Census Bureau's notice states that ISR "will be available in English." Limiting ISR to written English alone presents a significant accessibility barrier for many Deaf, DeafBlind, and DeafDisabled² respondents whose primary language is ASL. ASL is a distinct language with its own grammar and syntax, and for many Deaf individuals, written English is a second language. An English-only ISR interface therefore does not provide meaningful access for all Deaf respondents. The absence of ASL-accessible content, such as ASL video explanations of questions and response options, undermines effective communication and risks excluding Deaf respondents from full and equitable participation in the 2026 Operational Test, and also risks missing real-world issues that can arise during the actual census-taking due to the failure to conduct effective testing beforehand. This

² All references hereafter to "Deaf respondents" also include DeafBlind and DeafDisabled respondents unless otherwise specified. DeafBlind individuals have diverse communication preferences and abilities; some DeafBlind people with residual vision access ASL visually, while others use tactile or protactile forms of ASL in which linguistic and environmental information is conveyed through touch.

approach raises serious concerns under Section 504 of the Rehabilitation Act,³ which requires federal agencies to ensure that individuals with disabilities are afforded equal access to federally funded programs, services, and activities. Providing ISR solely in written English, without ASL-based alternatives, will not satisfy this nondiscrimination statute because it will not ensure effective communication for Deaf individuals who rely on ASL. To ensure compliance, the Census Bureau should incorporate ASL-accessible ISR options as part of the 2026 Operational Test, including ASL video translations of census questions and instructions. To further ensure effective communication under Section 504, the Bureau should implement redundant communication modalities within ISR. This includes pairing ASL video translations with human-edited captions and transcripts conforming to Section 508/WCAG 2.1 AA standards. Redundant modes ensure that if one format is inaccessible to a respondent, another format remains fully available so that the respondent is still able to participate in the Test.

The Census Bureau should further ensure that online forms do not include inaccessible features such as non-textual labels without alternative descriptions, inaccessible CAPTCHA, or unlabelled controls for blind, low-vision, and DeafBlind people. In addition, audio-only prompts should be accompanied by accessible visual or text alternatives that can be navigated regardless of hearing status. Telephone follow-up systems used in the 2026 Operational Test also should include other accessible pathways, such providing Deaf individuals with an option to use Direct Video Calling (DVC) in their communications with ASL-fluent enumerators. The Census Bureau already has had some experience with DVC, having utilized this communication technology for a period of time

³ 29 U.S.C. § 794.

approximately ten years ago.⁴ While the Bureau appears to have ceased offering DVC, we appreciate the Bureau's responsiveness to the communication needs of ASL users in the past, and are requesting that this feature be restored. DVC allows Deaf individuals to communicate directly via video with ASL-fluent enumerators, without needing to go through telecommunications relay services, which use third party intermediaries to facilitate communication on calls between Deaf individuals and hearing persons who do not know sign language. In the context of Census enumerators and respondents, access to DVC provides an option for clear, direct communication with Deaf respondents who use ASL, supporting privacy, accuracy, and efficiency for the Bureau's enumeration. We further urge the Census Bureau to clearly publicize its DVC offering once it is again offered, so that Deaf respondents are aware it is an option for them.

All communication pathways offered during the Test, including DVC, TRS, SMS/text, and email, should be designed with functional redundancy so that respondents can switch modalities seamlessly if one channel fails or is temporarily unavailable. The Bureau should publish clear guidance describing all communication pathway options. Without accessible design and awareness at the outset, effective participation by these populations will be impeded, reducing parity with other respondents.

Field enumeration presents heightened accessibility considerations. Enumerators should be trained to identify and accommodate communication needs, including offering ASL-fluent census takers where appropriate and available and at the very least offering qualified ASL interpreters, accurate captions, and assistive listening devices. While every

⁴ Federal Communications Commission, *FCC to Provide Open Source Accessibility Platform to Help Federal Agencies, Businesses Increase Direct Communication with People with Disabilities* (Aug. 20, 2015).

effort should be taken to provide ASL-fluent enumerators, in the event ASL-fluent enumerators are not available, enumerators should be provided with tools and protocols to request and schedule ASL interpreters without delay when encountering Deaf test-takers. In addition, test materials for field enumeration such as PDFs should include accessible QR codes with ASL versions of the test. Enumerators also should be provided with readily accessible guidance on how to achieve effective communication, as well as the need to avoid using ineffective proxies (e.g., untrained “ad hoc” interpreters, family members, or lipreading alone). To ensure consistency across operations, supervisors should be trained to document when accommodations are requested and what qualified services (e.g., certified interpreters and CART) were provided. Failing to equip enumerators with accessibility training and protocols will result in inconsistent and inequitable enumeration outcomes.

The notice also references *“a new online job application and onboarding solution for recruiting, a virtual hiring process and revised supervisory assessment for selecting and hiring applicants.”* While modernization of hiring systems may improve efficiency, the Census Bureau must ensure that these tools do not introduce or exacerbate bias against applicants with disabilities, particularly given the importance of hiring ASL-fluent enumerators. AI-assisted hiring tools, including resume screening systems, have been shown to disadvantage candidates with disabilities where their experiences and

credentials⁵ and/or communication styles may differ from normative expectations. Specifically, Deaf and ASL-fluent applicants may be unfairly screened out if systems rely on ableist perceptions, language analysis, speech recognition, audio-only prompts, or behavioral metrics that implicitly penalize atypical communication and disability-specific experiences on resumes.

If such tools are used to recruit, assess, or onboard enumerators or supervisory staff, they might unlawfully exclude qualified candidates with disabilities and reduce workforce effectiveness, particularly at a time when the Census Bureau should be strengthening its capacity to engage communities with a wide range of linguistic and cultural backgrounds. This risk is especially concerning given the critical role ASL-fluent enumerators need to play in communicating with Deaf households and ensuring accurate enumeration. The Census Bureau should ensure that all online hiring, onboarding, and assessment tools used in the 2026 Operational Test are accessible and are audited for algorithmic bias affecting applicants with disabilities. If AI-enabled tools are used for any stage of recruiting, screening, onboarding, or supervisory assessment for Test operations, the Bureau should disclose such use and conduct documented bias evaluations consistent with OMB Memorandum M-24-10 guidance⁶ on algorithmic fairness in employment and

⁵ Stefan Milne, *ChatGPT Is Biased Against Resumes with Credentials That Imply a Disability – But It Can Improve*, Univ. of Wash. News (June 21, 2024), <https://www.washington.edu/news/2024/06/21/chatgpt-ai-bias-ableism-disability-resume-cv/> (“In a new study, UW researchers found that ChatGPT consistently ranked resumes with disability-related honors and credentials, such as the ‘Tom Wilson Disability Leadership Award,’ lower than the same resumes without those honors and credentials. When asked to explain the rankings, the system spat out biased perceptions of disabled people.”). See also *Disability, Bias, and AI*. AI Now Institute, 2019. Available at: <https://ainowinstitute.org/wp-content/uploads/2023/04/disabilitybiasai-2019.pdf>.

⁶ Office of Management and Budget, *Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence*, Memorandum M-24-10 (Mar. 28, 2024), Executive Office of the President, available at: [OMB Memorandum M-24-10: Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence](#)

federal nondiscrimination duties under the Rehabilitation Act. These evaluations must include disability-specific bias testing, accessibility checks for interface interactions, and accommodation alternatives for any automated assessment.

The 2026 Operational Test should measure accessibility performance, including but not limited to: the availability of braille displays, DVC, relay services, and ASL video translations; completion rates for respondents using screen readers; error and abandonment rates attributable to inaccessible design barriers; and user feedback from respondents with disabilities. Redundancy performance should be included as a metric, such as tracking whether and how often respondents switch from one communication modality to another due to accessibility barriers, to inform system design for 2030. These metrics will enable the Census Bureau to identify and remediate barriers before the 2030 Census.

The Census Bureau also should provide a public accessibility performance report following the 2026 Operational Test, including: disaggregated findings for respondents with disabilities, identified barriers and remediation plans, and timelines for addressing accessibility gaps in advance of the 2030 Census.

Currently, the Census Bureau does not recognize ASL as a language and will incorrectly code the use of ASL within any household as English in response to the "language used at home" question. In prior public comments, we have urged the Bureau to appropriately code ASL separately, as ASL is a distinct natural language and not a visual representation of English. We have been informed that, due to statutory requirements, implementing a separate ASL code would require a formal request from a federal agency that can demonstrate a clear programmatic need for ASL data. While we recognize that

there is likely insufficient time to pursue this change ahead of the Operational Test, we are actively engaged in discussions with potential federal partners in hopes that such a request can be made in advance of the 2030 Census.

The Accessibility Organizations appreciate the Census Bureau's efforts to prepare for the 2030 Census through the 2026 Operational Test. We urge the Census Bureau to ensure that accessibility is fully integrated into each step of the process: design; implementation; and evaluation of information collection instruments and procedures. Ensuring that each communication channel offers a redundant, accessible format, consistent with the Rehabilitation Act, not only reduces barriers during the 2026 Test but also generates data critical to designing fully inclusive operations for the 2030 Census. Doing so will improve participation, enhance data quality, and uphold the fundamental principle that every person, including people who are Deaf, DeafBlind, DeafDisabled, Hard of Hearing, Late Deafened, blind, and low-vision must be counted fairly and equally. The Accessibility Organizations thank the Census Bureau for its consideration.

Respectfully submitted,

/s/

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