

United States Senate

WASHINGTON, DC 20510

July 5, 2017

The Honorable Ben Carson
Secretary
U.S. Department of Housing & Urban Development
451 7th Street S.W.
Washington, D.C. 20410

Dear Secretary Carson:

It has come to our attention that the Department of Housing and Urban Development (HUD, or the Department) has, in recent months, either withdrawn or removed from its website at least six resources that were designed to help housing providers comply with HUD nondiscrimination rules that protect LGBTQ people. These resources were developed in consultation with direct service providers and subject matter experts to assist HUD's community partners.

These changes are concerning given the unique housing challenges facing LGBTQ people across America. For example, LGBTQ youth represent 40 percent of all youth experiencing homelessness,¹ meaning that efforts to undermine LGBTQ protections have a disproportionate impact on some of the most vulnerable young people in the country. Among adults, nearly 1 in 3 transgender people report having experienced homelessness at some point in their lives, yet a study found only 30 percent of shelters were willing to properly accommodate transgender women.²

Namely, as we understand it, HUD has withdrawn:

- A proposed policy that would have required emergency shelters funded by HUD to hang a poster alerting residents of their right to be free from anti-LGBTQ discrimination; and
- A proposed survey designed to evaluate the impact of the LGBTQ Youth Homelessness Prevention Initiative.

Further, as we understand it, HUD has removed from its website:

- A guide instructing HUD grantees on how to ensure equal access for transgender people;
- A self-assessment tool that allows shelters to evaluate how well they are doing in ensuring compliance with anti-discrimination regulations and best practices;

¹ Durso, L.E., & Gates, G.J. (2012). "Serving Our Youth: Findings from a National Survey of Service Providers Working with Lesbian, Gay, Bisexual, and Transgender Youth who are Homeless or At Risk of Becoming Homeless." Los Angeles: The Williams Institute with True Colors Fund and The Palette Fund.

² 2015 U.S. Transgender Survey Report. (Washington, D.C.: 2016), pp. 180-82, available at <http://www.ustranssurvey.org/report>; Rooney, C., Durso, L.E., Gruberg, S. (2016). "Discrimination Against Transgender Women Seeking Access to Homeless Shelters." Washington, D.C.: The Center for American Progress.

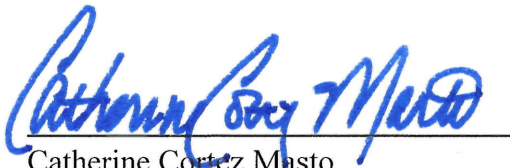
- A “decision tree” guiding shelters on how well their outreach/engagement, assessment, referral, enrollment, unit/bed assignment and ongoing service provision practices were providing equal access to LGBTQ people; and
- Training scenarios that help instruct providers on how best to deal with real-life situations that may arise in a manner that ensures equal protection.

It is concerning that HUD apparently removed these tools from its website, which are meant to assist grantees in meeting their underlying obligations under the law. Without these training resources, housing service providers will face additional challenges in trying to understand how best to meet the needs of their clients. The guidance resources that were withdrawn or removed are critical to ensuring nondiscrimination rules are fully and faithfully implemented.

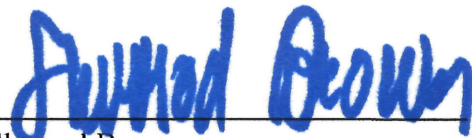
When asked about this topic at House and Senate hearings, you noted that “the only reason that [HUD] would remove anything is to look at it and determine whether it is effective”³ and that HUD “want[s] to make decisions based on real evidence and facts.”⁴ We ask that you review these actions, describe precisely what evidence and facts justify these actions, and act promptly to restore resources to HUD’s website guiding providers on how to fulfill their nondiscrimination requirements under law.

Thank you for your attention to this matter.

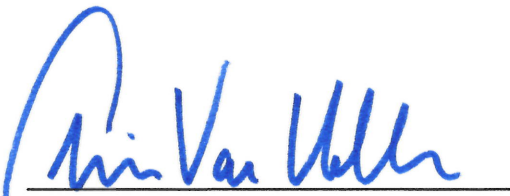
Sincerely,



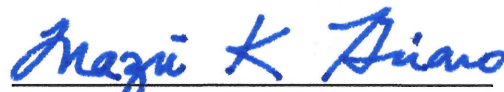
Catherine Cortez Masto
United States Senator



Sherrod Brown
United States Senator



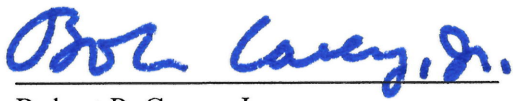
Chris Van Hollen
United States Senator



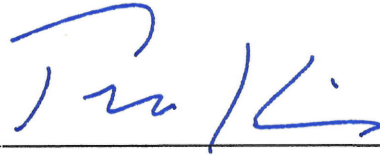
Mazie K. Hirono
United States Senator

³ Hearing of the U.S. House of Representatives Committee on Appropriations, Subcommittee on Transportation, Housing and Urban Development and Related Agencies. (June 8, 2017). “Department of Housing and Urban Development – Budget Hearing.”

⁴ Hearing of the U.S. Senate Committee on Appropriations, Subcommittee on Transportation, Housing and Urban Development and Related Agencies. (June 7, 2017). “Review of the FY2018 Budget Request for the U.S. Department of Housing & Urban Development.”



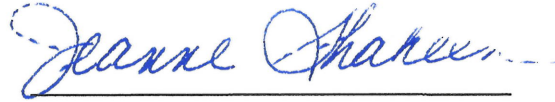
Robert P. Casey, Jr
United States Senator



Tim Kaine
United States Senator



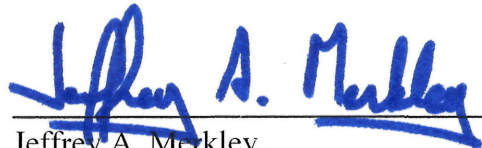
Thomas R. Carper
United States Senator



Jeanne Shaheen
United States Senator



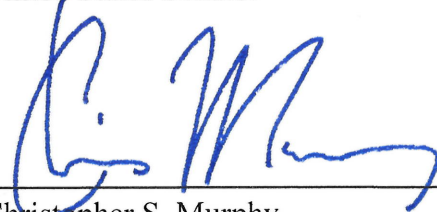
Michael F. Bennet
United States Senator



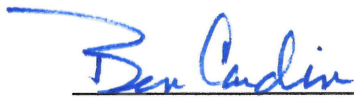
Jeffrey A. Merkley
United States Senator



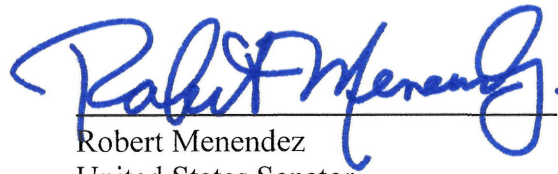
Cory A. Booker
United States Senator



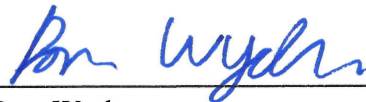
Christopher S. Murphy
United States Senator



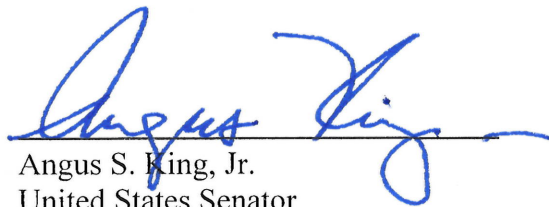
Benjamin L. Cardin
United States Senator



Robert Menendez
United States Senator



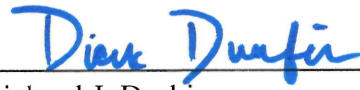
Ron Wyden
United States Senator



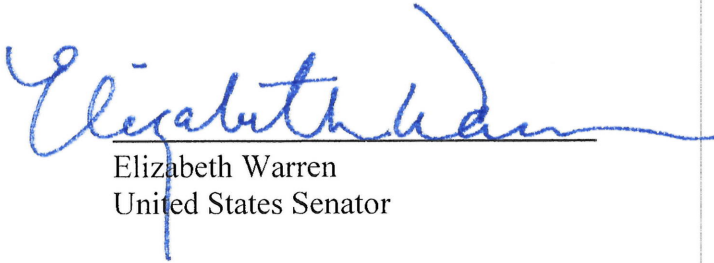
Angus S. King, Jr.
United States Senator



Al Franken
United States Senator



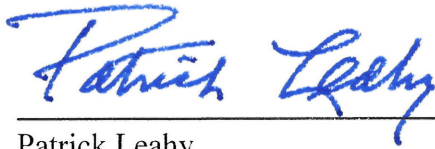
Richard J. Durbin
United States Senator



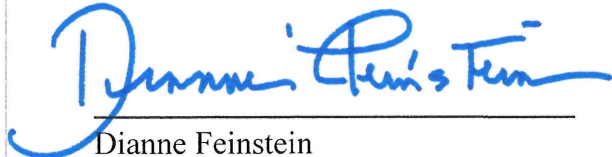
Elizabeth Warren
United States Senator



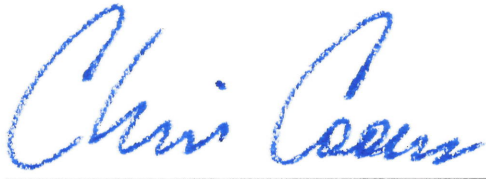
Kirsten Gillibrand
United States Senator



Patrick Leahy
United States Senator



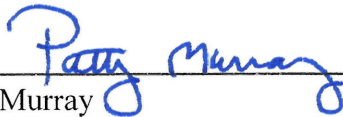
Dianne Feinstein
United States Senator



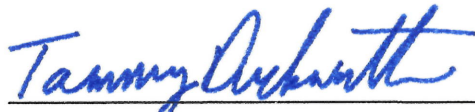
Christopher A. Coons
United States Senator



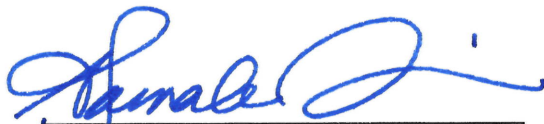
Sheldon Whitehouse
United States Senator



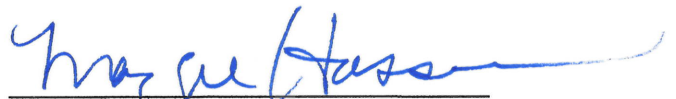
Patty Murray
United States Senator



Tammy Duckworth
United States Senator



Kamala D. Harris
United States Senator



Margaret Wood Hassan
United States Senator

Richard Blumenthal

Richard Blumenthal
United States Senator