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09/21/20

Dr. Ben Carson, Secretary  
Department of Housing and Urban Development  
Office of General Counsel, Regulations Division  
451 7<sup>th</sup> Street SW  
Washington DC, 20410

**Re: Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs (FR-6152-P-01)**

*Submitted electronically via regulations.gov*

Dear Secretary Carson,

The Global Healthy Living Foundation (GHLF) writes to you in opposition to the proposed rule by the Housing and Urban Development Department limiting transgender Americans' ability to access social housing programs and facilities (**FR-6152-P-01**).

By way of background, GHLF is a 21-year-old non-profit patient organization reaching millions of chronically ill patients and their caregivers across the country through social media, community events, and online support and education. Our ArthritisPower® registry of more than 28,000 patient participants was developed as part of the National Patient-Centered Clinical Research Network (PCORnet) with data capture mapped to the PCORnet Common Data Model. GHLF works to improve the quality of life for patients living with chronic disease by making sure their voices are heard and advocating for improved access to care at the local and federal level. Our patients suffer from chronic conditions including arthritis, psoriasis, gastrointestinal disease, cardiovascular disease, and migraine.

In the United States, roughly 14 percent of the population experiences homelessness during their lifetime.<sup>1</sup> Despite less than 1 percent of the US population identified as transgender,<sup>2</sup> the 2015 U.S. Transgender Survey showed nearly 1 in 3 respondents experienced homelessness at some point in their lives.<sup>3</sup> One study that highlights the disparity in access to care found a stunning 55 percent of transgender adults who tried to access a shelter were harassed by shelter staff or residents, 22 percent were sexually assaulted by shelter staff or residents, and 29 percent were turned away from a shelter altogether.<sup>4</sup> The majority of transgender people using these social services have reported rejection, discrimination, harassment, and general mistreatment by service providers. We think you will agree that no one should be subject to these experiences when they

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<sup>1</sup> <https://endhomelessness.org/homelessness-in-america/homelessness-statistics/state-of-homelessness-2020/>

<sup>2</sup> <https://williamsinstitute.law.ucla.edu/publications/trans-adults-united-states/>

<sup>3</sup> <http://www.ustranssurvey.org/>

<sup>4</sup> <https://nationalhomeless.org/wp-content/uploads/2017/06/LGBTQ-Homelessness.pdf>

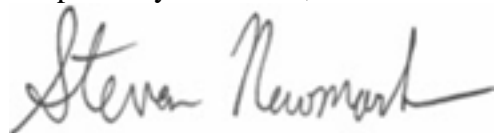
are at their most vulnerable and in need of help. The homeless community faces disproportionate health disparities and by ensuring everyone has access to safe, quality care and shelter in their most desperate hour, we can improve their overall health as well.

Studies have long recognized the affliction of chronic illness on people experiencing homelessness. One such study showed 85 percent of homeless individuals were living with a chronic health condition.<sup>5</sup> The combination of inadequate access to health care, severe poverty, lack of shelter, and these chronic illnesses, lead to high mortality rates for vulnerable homeless populations. As an organization focused on better health outcomes for those living with chronic disease, GHLF holds a direct stake in ensuring transgender individuals experiencing homelessness are appropriately and justly cared for.

We applaud your commitment, made in a hearing in May 2019,<sup>6</sup> when you personally assured Representative Jennifer Wexton (VA-10) that previously afforded protections would remain in place and you did not anticipate any changes to the current rules. Unfortunately, your assurance was not realized in this proposed rule. This rule omission now gives you the opportunity to prevent HUD from turning its back on transgender people in America experiencing homelessness by honoring your commitment to Congresswoman Wexton, and transgender Americans.<sup>7</sup>

Thank you for the opportunity to comment on this proposed rule. Please feel free to reach out to me at [snewmark@ghlf.org](mailto:snewmark@ghlf.org) for more information from the perspective of chronically ill patients, including those with psoriasis, inflammatory bowel disease and autoimmune arthritis.

Respectfully submitted,



Steven Newmark, JD, MPA  
Director of Policy and General Counsel  
Global Healthy Living Foundation

Cc: Representative Jennifer Wexton

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<sup>5</sup> St. Michael's Hospital. "85 percent of homeless people have chronic health conditions." ScienceDaily. ScienceDaily, 24 August 2011. <[www.sciencedaily.com/releases/2011/08/110824122906.htm](http://www.sciencedaily.com/releases/2011/08/110824122906.htm)>

<sup>6</sup> 21 May 2019, House Financial Services Committee.

<sup>7</sup> <https://twitter.com/RepWexton/status/1131276844022607874>