

Andrew Hughes, Chief of Staff  
Regulations Division  
Office of the General Counsel  
Department of Housing and Urban Development  
451 7<sup>th</sup> Street, SW  
Room 10276  
Washington, DC 20410-0500

September 22, 2020



*Re: Docket No. FR-6152-P-01, Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs*

Dear Mr. Hughes:

The American Civil Liberties Union (“ACLU”) submits these comments on the proposed rule published at FR-6152-P-01 with the title “Making Admission or Placement Determinations Based on Sex Under Community Planning and Development Housing Programs” (the “Proposed Rule”).

For 100 years, the ACLU has been our nation’s guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee to everyone in this country. With more than 4 million members, activists, and supporters, the ACLU is a nationwide organization that fights tirelessly in all 50 states, Puerto Rico, and Washington, D.C. for the principle that every individual’s rights must be protected equally under the law, regardless of race, religion, national origin, record of arrest or conviction, disability, sex, sexual orientation, or gender identity or expression.

The Proposed Rule is yet another attempt by the Trump Administration to authorize, fund, and embolden discrimination against transgender, non-binary, gender nonconforming, and intersex people. This attack on some of the most vulnerable people in our country has no legitimate basis. The proposed Rule disregards the impact it would have on transgender, non-binary,

National Political  
Advocacy Department  
915 15th St. NW, 6th FL  
Washington, D.C. 20005  
aclu.org

Susan Herman  
President

Anthony Romero  
Executive Director

Ronald Newman  
National Political  
Director

gender nonconforming, and intersex houseless people, and it is contrary to law.

Temporary shelter plays a crucial role in protecting the health and safety of houseless people and connecting them to further resources. Housing is the most humane and effective response to homelessness, but federal housing programs have been underfunded for decades, leaving many eligible people without access to an affordable home.<sup>1</sup> Because of this policy failure, people who cannot afford market-rate rent must often rely on shelters as their only source of the critical resources an affordable home would provide, such as protection from the elements, hygiene, and water. In these circumstances, shelter can be a life-saving alternative to sleeping on the street—or staying in an abusive home. By eviscerating the existing rule prohibiting shelters from discriminating against transgender people, the proposed rule will deprive transgender people and many others of access to resources all people need to stay alive.

Particularly during COVID-19 and a major economic downturn, HUD’s priorities should focus on keeping people from losing housing they already have, helping people without housing to obtain it, and ensuring that everyone at least has access to shelter that is as safe and sanitary as possible for as long as they need it. Because transgender, non-binary, and gender nonconforming people are particularly likely to experience homelessness, and also particularly likely to be vulnerable to discrimination and violence in homeless shelters and on the streets, HUD should prioritize expanding housing opportunities for these groups. Instead, HUD has proposed rolling back one of the few protections houseless transgender, non-binary, and gender nonconforming people have when seeking shelter, and it has gone about it in a way that will also harm many who do not match sex stereotypes, including intersex people. HUD should not adopt the Proposed Rule.

### **I. Background on Homelessness in Transgender, Non-Binary, and Gender Nonconforming.**

Transgender, non-binary, and gender nonconforming are more likely than cisgender people to experience homelessness,<sup>2</sup> and this disparity is increasing. In a large 2015 survey of transgender people in the United States, 30% of respondents reported

---

<sup>1</sup> Douglas Rice & Barbara Sard, *Decade of Neglect Has Weakened Federal Low-Income Housing Programs*, Ctr. on Budget and Pol’y Priorities (Feb. 24, 2009), <https://www.cbpp.org/sites/default/files/atoms/files/2-24-09hous.pdf>.

<sup>2</sup> Stephanie Begun & Shanna K. Kattari, *Conforming for Survival: Associations between Transgender Visual Conformity/Passing and Homelessness Experiences*, 28 J. of Gay & Lesbian Soc. Svcs. 54 (2016), <https://doi.org/10.1080/10538720.2016.1125821>.

having experienced homelessness.<sup>3</sup> At the time of the survey, 0.53% of transgender respondents were homeless (compared to 0.18% of the general adult population).<sup>4</sup>

Among transgender people, transgender women of color are especially likely to experience homelessness in their lifetimes, including Indigenous (59%), Black (51%), multiracial (51%), and Middle Eastern (49%) women.<sup>5</sup> Transgender people with disabilities—particularly mental disabilities like post-traumatic stress disorder<sup>6</sup> and chronic illnesses like HIV<sup>7</sup>—are also especially likely to be homeless. So are trans youth.<sup>8</sup> Although only around 0.7% of youth identify as transgender,<sup>9</sup> roughly 4% of homeless youth identify as transgender.<sup>10</sup> Additionally, transgender youth “tend to spend a longer period of time being homeless” than cisgender people.<sup>11</sup>

Family rejection, employment discrimination, and housing discrimination drive these high rates of homelessness.<sup>12</sup> One transgender person explained, “When I was 20, I slipped up and accidentally outed myself to my parents. It was the worst mistake of my life. They spoke with a pastor who convinced them that I was possessed by a demon. A couple of days later, they told me to leave and not come back. I spent the next six months homeless.”<sup>13</sup>

Recently, the National Alliance to End Homelessness found that the population of transgender people experiencing homelessness has increased by 57% from 2017 to 2019, and the population of non-binary and gender non-conforming people

---

<sup>3</sup> Sandy E. James et al., *The Report of the 2015 U.S. Transgender Survey* 178 (2016), <https://www.transequality.org/sites/default/files/docs/USTS-Full-Report-FINAL.PDF> (“USTS Report”).

<sup>4</sup> *Id.* at 177.

<sup>5</sup> *Id.* at 178.

<sup>6</sup> Brodie Fraser et al., *LGBTIQ+ Homelessness: A Review of the Literature*, 16 Int'l. J. of Env'tl. Res. & Pub. Health 2677, 2680-2681 (2019), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6695950/>.

<sup>7</sup> USTS Report at 178.

<sup>8</sup> S.K. Choi et al., *Serving Our Youth 2015: The Needs and Experiences of Lesbian, Gay, Bisexual, Transgender, and Questioning Youth Experiencing Homelessness*, The Williams Inst. 4, 12-13 (2015), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Serving-Our-Youth-Update-Jun-2015.pdf>.

<sup>9</sup> Jody L. Herman et al., *Age of Individuals Who Identify as Transgender in the United States*, The Williams Inst. 2 (2017), <https://williamsinstitute.law.ucla.edu/publications/age-trans-individuals-us/>.

<sup>10</sup> Choi et al., *supra* note 8 at 4.

<sup>11</sup> Nat'l Coalition for the Homeless, *LGBTQ Homelessness* 1 (2017), <https://www.nationalhomeless.org/wp-content/uploads/2017/06/LGBTQ-Homelessness.pdf>.

<sup>12</sup> Nat'l All. To End Homelessness, *Supporting Homeless Transgender and Gender Nonconforming Youth* (Sept. 19, 2012), <https://endhomelessness.org/resource/supporting-homeless-transgender-and-gender-nonconforming-youth/>; Fraser et al., *supra* note 6 at 2679-2680, 2682, 2683-2684.

<sup>13</sup> USTS Report at 68.

experiencing homelessness has increased by 80% in this same time.<sup>14</sup> COVID-19 has only worsened the situation. According to recent data, 22% of LGBT people of color in the U.S. have become unemployed since the onset of COVID-19, compared to 13% of people in the U.S. overall.

## II. The Current Rule Works and Is Required by Law

Congress has expressly affirmed that national housing policy is meant “to ensure that *every* resident of the United States has access to decent shelter or assistance in avoiding homelessness” and “to improve housing opportunities for all residents of the United States, particularly members of disadvantaged minorities, on a nondiscriminatory basis.”<sup>15</sup> To fulfil this objective, Congress has allocated federal funds to programs to help service providers “meet the basic human needs of *all the homeless* and . . . protect the lives and safety of *all the homeless* in need of assistance.”<sup>16</sup>

The current rule prohibits anti-transgender discrimination in shelters funded<sup>17</sup> through community development block grants,<sup>18</sup> emergency solutions grants,<sup>19</sup> HOPWA,<sup>20</sup> continuum of care,<sup>21</sup> HOME investment partnerships,<sup>22</sup> housing trust fund,<sup>23</sup>

---

<sup>14</sup> Nat’l All. To End Homelessness, *Trans and Gender Non-Conforming Homelessness*, <https://endhomelessness.org/trans-and-gender-non-conforming-homelessness/> (last visited Aug. 7, 2020).

<sup>15</sup> 42 U.S.C. § 12702(1)(3) (emphasis added).

<sup>16</sup> 42 U.S.C. § 11301(a)(5).

<sup>17</sup> 24 C.F.R. § 5.106.

<sup>18</sup> 42 U.S.C.A. § 5301(c) (“The primary objective of this chapter and of the community development program of each grantee under this chapter is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.”); 42 U.S.C.A. § 5309(a) (“No person in the United States shall on the ground of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this chapter.”).

<sup>19</sup> 42 U.S.C.A. § 11364a(c)(1) (purpose “to address the needs of homeless individuals or families or individuals or families at risk of homelessness in areas affected by a major disaster”).

<sup>20</sup> 42 U.S.C.A. § 12901 (purpose to “meet[] the housing needs of persons with acquired immunodeficiency syndrome and families of such persons.”).

<sup>21</sup> 42 U.S.C.A. § 11381(1)(2) (purposes “to promote community-wide commitment to the goal of ending homelessness” and “quickly rehouse homeless individuals and families while minimizing the trauma and dislocation caused to individuals, families, and communities by homelessness”).

<sup>22</sup> 42 U.S.C.A. § 12741 (purpose “to increase the number of families served with decent, safe, sanitary, and affordable housing”); 42 U.S.C.A. § 12754(a)(1) (funds may not be used to “pay fines, penalties, or costs associated with” violating fair housing laws).

<sup>23</sup> 12 U.S.C.A. § 4568(1)(A) (purpose “to increase and preserve the supply of rental housing for extremely low- and very low-income families, including homeless families”).

and rural housing stability assistance.<sup>24</sup> In the statutory scheme for each of these programs, Congress made clear that HUD must use these funds to increase access to housing or shelter to low-income people, including people from marginalized groups—a mandate the current rule helps to fulfil.

The current rule requires HUD-funded shelter providers with single-sex shelters to make placement decisions based on gender identity, and take nondiscriminatory steps to address any privacy concerns. The current rule responded to a genuine, well-documented problem: Homeless transgender people were being turned away from shelters. One study showed that only 30% of shelter providers were willing to accept transgender women and place them with other women, while 13% offered to place them with men or in isolation, 21% refused service altogether, and the rest didn't know if they could offer shelter to transgender women.<sup>25</sup> Shelter staff often made harassing and discriminatory remarks toward transgender women seeking assistance. “[G]iven the choice between a shelter designated for assigned birth sex or sleeping on the streets, many transgender shelter-seekers would choose the streets.”<sup>26</sup> The current rule responded to that problem by creating a clear, practical rule that removed a barrier to shelter for homeless transgender people, without interfering with anyone else's access to shelter.

### III. The Proposed Rule Violates the Statutory and Constitutional Law

The Proposed Rule contravenes the purpose and statutory mandate of HUD and violates the Fair Housing Act, Equal Protection Clause, and Establishment Clause.

#### **A. The Proposed Rule Violates HUD's Statutory Mandate to Ensure all U.S. Residents Have Housing or at Least Shelter.**

Rather than protecting people from discrimination and maximizing access to shelter as the current rule does, the Proposed Rule empowers shelter providers to discriminate against transgender people and others who do not match sex stereotypes, and it restricts access to shelter. The Proposed Rule no longer requires funding recipients to accommodate people based on their gender identity. Instead, the Proposed Rule purports to allow shelter providers to turn people away from single-sex shelters

---

<sup>24</sup> 42 U.S.C.A. § 11408(a)(1) (purpose to “rehaus[e] or improv[e] the housing situations of individuals and families who are homeless or in the worst housing situations in the geographic area”).

<sup>25</sup> Equal Access in Accordance With an Individual's Gender Identity in Cmty. Plan. and Dev. Programs, 81 Fed. Reg. 64763, 64765 (Sept. 21, 2016).

<sup>26</sup> *Id.* at 64772.

based on a “good faith belief” that shelter seekers are not of the sex the shelter accommodates, so long as providers offer a transfer recommendation. HUD explicitly authorizes policies based on “biological sex,” a term with no fixed meaning<sup>27</sup> that is only invoked as a means to discriminate against transgender people.

HUD points to no statutory authority for the Proposed Rule. In fact, the Proposed Rule runs counter to Congress’s mandate that HUD ensure all U.S. residents have access to housing, or at least shelter.

## **B. The Proposed Rule Violates the Fair Housing Act.**

In its explanation of the proposed rule change, HUD both states 1) that the Fair Housing Act does not apply to temporary, emergency shelters or shelters with shared sleeping or restroom facilities; and 2) that the proposed new rule does not discriminate based on sex or gender identity. Both assertions are wrong.

The Fair Housing Act applies to “dwellings,” which include “any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families.”<sup>28</sup> Courts have repeatedly interpreted the Fair Housing Act to apply to homeless shelters because “[a]lthough [shelters are] not designed to be a place of permanent residence, it cannot be said that the people who live there do not intend to return—they have nowhere else to go.”<sup>29</sup> In the unusual situation where a court has found that shelters are not covered, it has limited the findings to shelters that only allow very short-term stays *and* only allow very limited access to facilities.<sup>30</sup>

By authorizing shelters to turn away women who are transgender, the proposed rule explicitly permits and encourages sex discrimination. “[I]t is impossible to discriminate against a person for being ... transgender without discriminating against

---

<sup>27</sup> Because “biological sex” is an imprecise term that is frequently misused, experts recommend avoiding it. See, e.g., Wylie C. Hembree et al., *Endocrine Treatment of Gender-Dysphoric/Gender-Incongruent Persons: An Endocrine Society Clinical Practice Guideline*, 102 *The J. of Clinical Endocrinology & Metabolism* 3869, 3875 (2017).

<sup>28</sup> 42 U.S.C.A. § 3602 (b).

<sup>29</sup> *Woods v. Foster*, 884 F. Supp. 1169, 1173 (N.D. Ill. 1995); see also *Jenkins v. New York City Dep’t of Homeless Servs.*, 643 F. Supp. 2d 507, 518 (S.D.N.Y. 2009), *aff’d*, 391 F. App’x 81 (2d Cir. 2010).

<sup>30</sup> *Intermountain Fair Hous. Council v. Boise Rescue Mission Ministries*, 717 F. Supp. 2d 1101, 1111 (D. Idaho 2010), *aff’d on other grounds*, 657 F.3d 988 (9th Cir. 2011) (concluding shelter was not a dwelling because residents were not allowed to stay for more than seventeen nights, could not stay in the shelter during the day, could not make calls or have guests, and could not personalize their sleeping areas).

that individual based on sex.”<sup>31</sup> The Department suggests that because a women’s shelter that rejects transgender women would be required to admit transgender men, and because a women’s shelter would be required to offer a transfer recommendation to the transgender women it turns away, the shelter’s action would not constitute discrimination. That is wrong.

First, discrimination cannot be cured by telling the person who was discriminated against that they can go elsewhere. Nor can refusing services to one person for a discriminatory reason be made right by offering services to another person.<sup>32</sup>

Second, using the procedure HUD has laid out, it is likely that a women’s shelter committed to turning away transgender women would also turn away transgender men. Consider this example. A shelter has decided it wishes to serve only people it considers to be “biologically female,” and determines that it will use the criteria HUD has indicated will be acceptable to make this determination. One transgender woman and one transgender man, both of whom take hormones, go to the shelter.<sup>33</sup> The transgender woman arrives and says she is a woman. Shelter staff decide that she is probably not a “real” woman under their definition, because she has what shelter staff consider to be a deep voice and too much facial hair, and her height is 5’10”. They ask if she has any “documentary evidence” that can verify she is a woman, but—like many houseless people—she has no ID or other documents, so they tell her to leave. Then the transgender man arrives at the shelter and says he is a man but was assigned female at birth. They decide that he is probably not “really” a woman either, because he also has facial hair and a deep voice, and his height is also 5’10”. They ask him if he has any “documentary evidence” that can verify he was assigned female at birth, but he also has no ID or other documents, so they tell him to leave.

Third, there is no guarantee that a transfer recommendation will result in someone actually obtaining shelter. In many situations, it would not. There may be no shelters at all in the area that do not discriminate against transgender people and others

---

<sup>31</sup> *Bostock v. Clayton Cty., Georgia*, 140 S. Ct. 1731, 1741 (2020).

<sup>32</sup> *Id.*

<sup>33</sup> Hormones cause facial hair growth and a deeper voice in transgender men, but do not stop facial hair growth or lead to a higher voice in transgender women. As a basic form of necessary primary care, even some houseless transgender people can obtain hormone treatment. But it is vanishingly rare for houseless people to be able to afford electrolysis, laser hair removal, or voice coaching, and it is often difficult for houseless people to even maintain basic hygiene (such as shaving)—especially if they are not staying in a shelter.

who do not match sex stereotypes. There may be other shelters that do not discriminate, but their beds may all be full. There may be other shelters that do not discriminate with open beds, but the person may have no way to travel from the discriminating shelter to the available shelter.

In fact, shelter options are already inadequate for houseless people across the board. Almost half of cisgender adults experiencing homelessness lack shelter nationally. Those numbers are even worse for transgender, non-binary, and gender nonconforming people: 63% of houseless transgender adults are unsheltered, and 80% of houseless non-binary and gender nonconforming adults are unsheltered.<sup>34</sup> In a recent survey, 79% of transgender women and 88% of non-binary and gender nonconforming people said that it would be difficult or impossible to find an alternative shelter. Sixty-seven percent of transgender women and 49% of non-binary and gender nonconforming people said that they would need to travel 10 to 20 miles to find an alternative shelter, and 28% of transgender women and 48% of non-binary and gender nonconforming people said they would need to travel more than 20 miles.<sup>35</sup> Turning people away from shelters because they are transgender, non-binary, or gender nonconforming is always discrimination, and it will frequently result in depriving them of access to any shelter at all.

### **C. The Proposed Rule Would Violate the Equal Protection Clause and the Establishment Clause.**

By design and intent, the Proposed Rule would discriminate against transgender, non-binary, and gender nonconforming people, including all those who do not match sex stereotypes in appearance. Discrimination based on sex and transgender status triggers heightened scrutiny under the Equal Protection clause,<sup>36</sup> and HUD has offered no important governmental interests substantially related to the Proposed Rule.

---

<sup>34</sup> Nat'l All. to End Homelessness, *Trans and Gender Non-Conforming Homelessness*, <https://endhomelessness.org/trans-and-gender-non-conforming-homelessness/> (last visited Sept. 22, 2020).

<sup>35</sup> Theo Santos et al., *The Trump Administration's Latest Attack on Transgender People Facing Homelessness*, Ctr. for Am. Progress (Sept. 3, 2020), <https://www.americanprogress.org/issues/lgbtq-rights/reports/2020/09/03/490004/trump-administrations-latest-attack-transgender-people-facing-homelessness/>.

<sup>36</sup> See *United States v. Virginia*, 518 U.S. 515, 533 (1996); *Karnoski v. Trump*, 926 F.3d 1180, 1201 (9th Cir. 2019).

By creating an absolute right of religious shelter providers to turn transgender, non-binary, and gender nonconforming, people away from homeless shelters to facilitate providers adhering to faith traditions that have particular views about sex, HUD has also weighted this form of religious observance over the interests of others in violation of the Establishment Clause.<sup>37</sup>

#### IV. The Proposed Rule Will Harm Transgender, Non-Binary, Gender Nonconforming, and Intersex People, and All Homeless People Who Do Not Match Sex Stereotypes.

##### **A. It is not a meaningful option for transgender, non-binary, gender nonconforming, and intersex people to be placed against their will in facilities that do not align with their gender identity.**

It is exceptionally dangerous to place women—including trans or intersex women—in a men’s congregate residential facility against their will.<sup>38</sup> It can also be very dangerous to place men—including trans or intersex men—in a women’s facility against their will. Many transgender people will avoid using homeless shelters at all if their only option is placement based on their assigned sex at birth. Those who do stay in shelters under those terms will experience greater violence, discrimination, and other harm. Those who remain unsheltered will also be more vulnerable to violence, exploitation, and health problems.

Because of sexism, cis men are more likely to target those they perceive as female, feminine, transgender, or gender nonconforming for sexual violence and anti-LGBT hate violence.<sup>39</sup> Staff sometimes blame women and non-binary people for the

---

<sup>37</sup> See *Estate of Thornton v. Caldor, Inc.*, 472 U.S. 703, 710 (1985).

<sup>38</sup> See e.g. *Farmer v. Brennan*, 511 U.S. 825, 848 (1994) (noting the high risk of rape for a transgender woman placed in a men’s prison).

<sup>39</sup> Valerie Jenness et al., *Violence in California Correctional Facilities: An Empirical Examination of Sexual Assault* (2007) (59% of transgender women in men’s prisons had been sexually assaulted while there, compared with 4% of people in men’s prisons overall); U.S. Dep’t of Just., *PREA Data Collection Activities, 2015*, Bureau of Just. Stats. 2 (2015), <https://www.bjs.gov/content/pub/pdf/pdca15.pdf> (35% of incarcerated transgender people had been sexually assaulted while incarcerated within the last year); Fraser et al., *supra* note 6 at 2684 (“When transgender and gender-diverse people are admitted into shelters and assigned placement based on their anatomic sex, they are vulnerable to aggression and sexual assault.”); TRANScending Barriers Atlanta, Inc., *Living in a State of Despair: A Comprehensive Report Publicizing the Current Issues in the Transgender and Non-Binary Community in Metro Atlanta and Throughout the State of Georgia* 12 (2018), [https://ecf021d0-b722-4523-94c4-79afe9a85cac.filesusr.com/ugd/e5f054\\_370e5b6fe0da425cb590c129a5456094.pdf](https://ecf021d0-b722-4523-94c4-79afe9a85cac.filesusr.com/ugd/e5f054_370e5b6fe0da425cb590c129a5456094.pdf) (“Housing transgender and non-binary people in facilities under their sex at birth is dangerous and ignores the legitimacy of

violence they experience in men's shelters. For example, Dr. Lourdes Hunter, founder of the Trans Women of Color Collective, is one of the many transgender women turned away from women's homeless shelters in New York before New York had a policy prohibiting such discriminatory treatment. She entered a men's homeless shelter, where a man threatened her with a razor blade and raped her in the shower. When she reported the rape, the shelter staff blamed her.<sup>40</sup>

Men placed in women's facilities against their will also face serious risks. In a space designated for women, cisgender women residents and staff of all genders may target men and non-binary people for harassment, discrimination, or violence.<sup>41</sup> They may perceive them as a threat, as always available for sex, or just as an easy target.

What is more, nonconsensual placement in contradiction to one's gender identity causes great harm.<sup>42</sup> It sends a signal to staff and residents that discrimination against transgender, non-binary, gender nonconforming, and intersex people is permissible, and that their consent for what happens to them need not be elicited or honored. The invalidation of their gender identities in and of itself is incredibly harmful, and increases risk of suicide.<sup>43</sup> Beyond the placement decision itself, shelter staff sometimes insist that transgender, non-binary, gender nonconforming, and intersex people modify

---

their gender identity"); The Welfare Warriors Research Collaborative, *A Fabulous Attitude: Low Income LGBTGNC People Surviving and Thriving on Love, Shelter and Knowledge*, Queers for Econ. Just. 23 (2010), <http://theaidgroup.com/wp-content/uploads/2015/10/afabulousattitudedefinalreport.pdf> ("For years, transgender shelter residents had been reporting regular violence as well as inappropriate and discriminatory treatment by shelter staff, especially when placed in the wrong shelter for their gender.").

<sup>40</sup> Clyde Haberman, *Beyond Caitlyn Jenner Lies a Long Struggle by Transgender People*, N.Y. Times (June 14, 2015), <https://www.nytimes.com/2015/06/15/us/beyond-caitlyn-jenner-lies-a-long-struggle-by-transgender-people.html>.

<sup>41</sup> J.M. Grant et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, Nat'l Ctr. for Transgender Equal. and Nat'l Gay & Lesbian Task Force 117-118 (2011), [https://www.transequality.org/sites/default/files/docs/resources/NTDS\\_Report.pdf](https://www.transequality.org/sites/default/files/docs/resources/NTDS_Report.pdf) (51% of trans men who had stayed in homeless shelters were harassed while there, 15% were physically assaulted, 15% were sexually assaulted; 42% of transgender people had been forced to live as the wrong gender to be allowed to stay in a shelter).

<sup>42</sup> *Whitaker by Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034, 1046 (7th Cir. 2017); *Evancho v. Pine-Richland Sch. Dist.*, 237 F. Supp. 3d 267, 294 (W.D. Pa. 2017).

<sup>43</sup> Greta R. Bauer et al., *Intervenable factors associated with suicide risk in transgender persons: a respondent driven sampling study in Ontario, Canada*, 15 BMC Pub. Health 525 (2015), <https://bmcpubhealth.biomedcentral.com/articles/10.1186/s12889-015-1867-2>; Halley Sutton, *Transgender college students more at risk for suicide when denied bathroom, housing rights*, 13 Campus Sec. Rep. (2016), <https://doi.org/10.1002/casr.30167>.

their appearance and behavior to something more stereotypically associated with the sex the shelter serves.<sup>44</sup> Thus, transgender men in women’s shelters have been told that they have to eliminate their facial hair, and transgender women in men’s shelters have been told that they may not wear makeup or dresses. One homeless transgender man explained of being in a women’s shelter, “I can’t imagine changing my outward appearance, you know?.... I would be so uncomfortable, I would probably kill myself.”<sup>45</sup>

A rule permitting shelters to impose their own views about sex on residents will lead to far fewer transgender people having shelter. Before the 2016 rule, a large U.S. survey found that 26% of houseless transgender people did not seek shelter because of fear about how they would be treated there.<sup>46</sup> A survey of houseless transgender men in Toronto found that “despite the obvious dangers in sleeping in public outdoor spaces, 39% of participants reported that they chose to sleep outside to avoid the confrontation, humiliation and violence they feared in the shelter system.”<sup>47</sup> A report from the HHS Substance Abuse and Mental Health Services Administration noted that placement based on assigned sex at birth in sex-segregated settings could lead “transgender youth to stay in spaces that may be inappropriate or unsafe,” and that “hostile shelter situations lead many LGBT youth to life on the streets.”<sup>48</sup>

When houseless transgender, non-binary, and gender nonconforming people lack options for shelter, they sleep on the street, trade sex for shelter,<sup>49</sup> or stay in or

---

<sup>44</sup> Grant et al., *supra* note 41 (42% of transgender people in homeless shelters were forced to live as the wrong gender to be permitted to stay).

<sup>45</sup> Spy Dénomme-Welch et al., *Invisible Men: FTMs and Homelessness in Toronto*, The Wellesley Inst. 30 (2008), <https://www.homelesshub.ca/resource/invisible-men-ftms-and-homelessness-toronto>.

<sup>46</sup> USTS Report at 180.

<sup>47</sup> Dénomme-Welch et al., *supra* note 45 at 16.

<sup>48</sup> U.S. Dep’t of Health and Human Svcs., *Learning from the Field: Programs Serving Youth Who are LGBTQI2-S and Experiencing Homelessness*, Substance Abuse and Mental Health Svcs. Admin. 7, 21-22 (2010), [www.samhsa.gov/sites/default/files/programs\\_campaigns/homelessness\\_programs\\_resources/learning-field-programs-serving-youth-lgbtqi2s-experiencing-homelessness.pdf&usg=AOvVaw17ppo5gtdNLra8LTiTiSD](http://www.samhsa.gov/sites/default/files/programs_campaigns/homelessness_programs_resources/learning-field-programs-serving-youth-lgbtqi2s-experiencing-homelessness.pdf&usg=AOvVaw17ppo5gtdNLra8LTiTiSD).

<sup>49</sup> Meredith Dank et al., *Surviving the Streets of New York: Experiences of LGBTQ Youth, YMSM, and YWSW Engaged in Survival Sex* 19 (2015), <https://www.urban.org/sites/default/files/publication/42186/2000119-Surviving-the-Streets-of-New-York.pdf> (“Past research located in a large shelter in New York City found that almost 50 percent of youth had traded sex because they had no place to stay and would not have done so if they had alternative options for shelter.”) (citing Jayne Bigelsen and Stefanie Vuotto, *Homelessness, Survival Sex and Human Trafficking: As Experienced by the Youth of Covenant House New York* (2013),

return to abusive relationships to have shelter. Unsheltered transgender, non-binary, and gender nonconforming people are more likely to have ambulance rides, emergency room stays, police contact, and jail stays than sheltered transgender, non-binary, and gender nonconforming people.<sup>50</sup> Unsheltered transgender, non-binary and gender nonconforming people are also more likely to engage in risky behavior and have health issues than those who are sheltered.<sup>51</sup> The risks to people in these situations are not small; in 2019 alone, at least four homeless Black transgender women were murdered, including Ashanti Carmon,<sup>52</sup> Brooklyn Lindsey,<sup>53</sup> Tracy Williams,<sup>54</sup> and TeTe Gulley.<sup>55</sup>

If, as a result of the Proposed Rule, shelters change their policies, more transgender, non-binary, and gender nonconforming people will die.

## **B. The Rule Will Also Harm Others Who Do Not Match Sex Stereotypes**

The regime of gender policing HUD recommends would harm all those whose appearances do not align with societal expectations, whether or not they are transgender.<sup>56</sup> The rule encourages shelters to admit individuals who “identify themselves as the sex that is served by the shelter . . . unless the shelter has a good faith basis to doubt the consistency of the sex asserted with the sex served by the shelter.”

---

<https://humantraffickinghotline.org/sites/default/files/Homelessness%2C%20Survival%20Sex%2C%20and%20Human%20Trafficking%20-%20Covenant%20House%20NY.pdf>.

<sup>50</sup> Nat’l All. To End Homelessness, *Transgender Homeless Adults & Unsheltered Homelessness: What the Data Tell Us* 1 (July 2020), <https://endhomelessness.org/wp-content/uploads/2020/07/Trans-Homelessness-Brief-July-2020.pdf>.

<sup>51</sup>*Id.*

<sup>52</sup> Equal Eyes, *US: As a homeless transgender woman, she had turned to sex work to survive. Then she was killed.*, (Apr. 8, 2019), <https://equal-eyes.org/database/2019/4/14/us-as-a-homeless-transgender-woman>.

<sup>53</sup> Nathan Vickers & Maggie Holmes, *Community Mourns Loss of Slain Transgender Independence Woman*, KCTV News 5 (June 27, 2019), [https://www.kctv5.com/news/community-mourns-loss-of-slain-transgender-independence-woman/article\\_8d30be5a-988c-11e9-9b95-67334f4d7215.html](https://www.kctv5.com/news/community-mourns-loss-of-slain-transgender-independence-woman/article_8d30be5a-988c-11e9-9b95-67334f4d7215.html).

<sup>54</sup> Hannah Dellinger, *Community Mourns Loss of Third Trans Woman murdered in Texas this Year*, Houston Chronicle (Aug. 22, 2019), <https://www.houstonchronicle.com/news/houston-texas/houston/article/Community-mourns-loss-of-third-trans-woman-14369186.php>.

<sup>55</sup> Erica Morrison, *Portland Police Open Investigation in Death of Black Transgender Woman*, OPB (June 12, 2019), <https://www.opb.org/news/article/portland-police-investigation-otis-michael-gulley-jr-black-trans-woman/>.

<sup>56</sup> See *Price Waterhouse v. Hopkins*, 490 U.S. 228, 251 (1989) (discrimination against someone for not matching sex stereotypes is unlawful sex discrimination); *Hexco v. Little*, No. 1:20-CV-00184-DCN, 2020 WL 4760138, at \*20 (D. Idaho Aug. 17, 2020) (noting cisgender girl has reasonable fear of her sex being challenged under rule designed to exclude transgender girls from girls’ sports).

HUD proposes any number of actions a shelter could take to supposedly confirm an individual's sex – mercifully, stopping short of a strip search.

The methods HUD suggests for ascertaining “sex” are offensive, arbitrary, and designed to discriminate. The proposed rule suggests, “a combination of factors such as height, the presence (but not the absence) of facial hair, the presence of an Adam’s apple, and other physical characteristics which, when considered together, are indicative of a person’s biological sex.” In other words, although HUD does not offer a definition of “biological sex,” the proposed rule makes clear that by “biological sex,” it narrowly means the physical appearance of a person, based on sex stereotypes and judged by the shelter.

The selection of these characteristics appears designed to prevent transgender women and many non-binary people from gaining access to women’s shelters, and to prevent transgender men and many non-binary people from gaining access to men’s shelters. These characteristics would also prevent many cisgender people from gaining access to appropriate shelters, especially those who are intersex. Intersex people have physical traits not considered “typical” for male or female. While these traits vary widely, some cis intersex women are taller than is considered typical for women, have more facial hair than is considered typical for women, or have a deeper voice and larger laryngeal prominence (Adam’s apple) than is considered typical for women.<sup>57</sup> Some cis intersex men are shorter than is considered typical for men or do not have as much facial hair as is considered typical for men.<sup>58</sup> Some cisgender people who are not

---

<sup>57</sup> T.S. Han et al., *Height and body proportions of women with complete androgen insensitivity syndrome and women with gonadal dysgenesis*, 15 *Endocrine Abstracts* 199 (2008), <https://www.endocrine-abstracts.org/ea/0015/ea0015p199> (height); Ulrika Nygren et al., *Voice dissatisfaction in individuals with a disorder of sex development*, 91 *Clinical Endocrinology* 219 (2019), <https://onlinelibrary.wiley.com/doi/pdf/10.1111/cen.14000> (voice and laryngeal prominence); Mita Majumdar, *Hormonal Causes of Facial Hair in Women*, *The Health Site* (Jan. 18, 2017), <https://www.thehealthsite.com/diseases-conditions/hormonal-causes-of-facial-hair-in-women-f0117-463783/> (facial hair).

<sup>58</sup> Karen Lin-Su et al., *Final Adult Height in Children with Congenital Adrenal Hyperplasia Treated with Growth Hormone*, 96 *The J. of Clinical Endocrinology & Metabolism* 1710 (2011), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3206397/> (height); Organization Intersex International, *Intersex and 5-alpha reductase deficiency* (Jan. 25, 2012), <http://oiiinternational.com/2571/5alpha-reductase/> (facial hair).

intersex would also be affected, particularly those who are elderly,<sup>59</sup> people of color,<sup>60</sup> or chronically ill.<sup>61</sup>

Any other physical attribute associated with sex that HUD might choose instead of or in addition to height, facial hair, and Adam's apple, such as breast size, voice pitch, or shoulder breadth, would have similar problems: 1) it would, by design, exclude most transgender from the shelters most consistent with their gender identity and health and safety needs; 2) it would also exclude some cisgender people who do not match sex stereotypes in appearance, disparately impacting intersex, elderly, and chronically ill people, as well as people of color; and 3) it would also be humiliating for any person seeking shelter to be measured based on any of these arbitrary physical characteristics, instead of simply believed when they identify their own sex.

---

<sup>59</sup> See, e.g., *De Veloz v. Miami-Dade Cty.*, 756 F. App'x 869, 872 (11th Cir. 2018), *cert. denied sub nom. Rodriguez-Garcia v. De Veloz*, 140 S. Ct. 127 (2019) (cisgender woman past menopause classified as male and placed in men's jail because, like many transgender women, she took prescription estrogen); Macarena Alpañés et al., *Management of Postmenopausal Virilization*, 97 *The J. of Clinical Endocrinology & Metabolism* 2584 (2012), <https://academic.oup.com/jcem/article/97/8/2584/2823216> (noting that increased facial and body hair growth is common during menopause).

<sup>60</sup> Hannah Eko, *As A Black Woman, I'm Tired Of Having To Prove My Womanhood*, BuzzFeed News (Feb. 27, 2018), <https://www.buzzfeednews.com/article/hannaheko/aint-i-a-woman> (describing stereotyped misperceptions of Black women as nonfeminine, emasculating, or male, with heightened vulnerability among Black women who are tall, dark-skinned, fat, butch, or trans); Matthew Van Atta, *Lesbian Sues NYC Restaurant Over Bathroom Incident*, *The Advocate* (Oct. 10, 2007), <https://www.advocate.com/news/2007/10/10/lesbian-sues-nyc-restaurant-over-bathroom-incident> (Black cisgender woman with short hair ejected from restaurant for using women's restroom); Lindsay Gibbs, *A gender nonconforming WNBA star is pushing the league forward on LGBTQ inclusion*, *Think Progress* (June 30, 2017), <https://archive.thinkprogress.org/layshia-clarendon-wnba-lgbtq-pride-1bfc376f4273/> (Latina cisgender girl with short hair banned from girls' soccer tournament and Black cisgender woman with short hair yelled at by other women when using women's restroom); Michael Park, *Asian American Masculinity Eclipsed: A Legal and Historical Perspective of Emasculation Through U.S. Immigration Practice*, 8 *The Modern American* 5 (2013), <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1164&context=tma> (describing pervasive stereotypes of Asian men as feminine, passive, and asexual).

<sup>61</sup> See Mayo Clinic, *Hirsutism* (Dec. 14, 2019), [https://www.mayoclinic.org/diseases-conditions/hirsutism/symptoms-causes/syc-20354935#:~:text=Hirsutism%20\(HUR%2Dsoot%2Diz,\(androgens\)%2C%20primarily%20testosterone](https://www.mayoclinic.org/diseases-conditions/hirsutism/symptoms-causes/syc-20354935#:~:text=Hirsutism%20(HUR%2Dsoot%2Diz,(androgens)%2C%20primarily%20testosterone) (noting that, in addition to intersex traits, certain types of tumors and medications for treating endometriosis and other conditions can cause increased facial hair growth in cisgender women).

#### IV. HUD Has No Genuine, Nondiscriminatory Justification for its Proposed Rule.

As explained above, in promulgating the current rule, HUD acted well within its statutory authority, and the proposed rule violates federal statutes and the Constitution. Additionally, as explained below, the proposed rule lacks any nondiscriminatory justification, as the current rule does not interfere with local control, does not compromise the privacy of cisgender women, and does not interfere with religious liberty.

##### **A. This Current Rule Does Not Create Confusion or Interfere with Local Control, But the Proposed Rule Would.**

Currently, the vast majority of states explicitly prohibit discrimination on the basis of sex in housing, and many have laws or policies that more specifically prohibit discrimination against transgender people in homeless shelters. To our knowledge, no state or locality has a law or written policy authorizing, much less recommending or requiring, the type of policy set out in the Proposed Rule. And indeed, the Proposed Rule is so vague and riddled with contradictions that it would be difficult for shelter providers to even understand whether they were complying with or violating it. This lack of clarity may make it more difficult for states and localities to determine whether and how to create more protective policies, and may embolden discrimination among shelter providers even where such discrimination is prohibited under state or local law.

The current rule provides clear, workable guidance. Shelter providers can read the rule and understand that if they offer single-sex shelters, they must accommodate transgender people based on their actual gender identity. They can further read the rule and understand that they can respond to privacy concerns in non-discriminatory ways, such as through enhancing privacy protections for all residents or providing more private accommodations to individuals who request them. States and localities can read the rule and understand how state and local law may interact with it, and whether any changes to state or local law are warranted as a result.

In contrast, the Proposed Rule will only sow confusion. At the most basic level, it purports to prohibit shelter providers from turning people away because they are transgender while also explicitly authorizing them to turn people away because they are transgender.

But beyond that, it says that shelter providers can make their own policies for determining sex—whether based on a person’s actual gender identity, the gender identity a third party perceives them to have, a person’s “biological sex,” a person’s “active hormone therapy,” a person’s “medical transition status,” or a person’s “state

recognized gender status.” It is not clear whether this list is meant to be exclusive, illustrative of the type of policies that would be acceptable, or illustrative of the wide range of possible policies that could be acceptable with no implied limit.

The suggested criteria for a good-faith basis to believe that someone is not of the sex accommodated by the shelter’s policy add further confusion. If it is truly up to shelter providers to classify sex based on gender identity, hormone therapy, or state-recognized sex if they wish, it is unclear why height, Adam’s apple, or facial hair would be particularly salient criteria. These criteria suggest that the Department prefers and expects that shelter providers will classify people based on sex stereotypes related to appearance that are designed to weed out transgender women and many non-binary, gender nonconforming, and intersex people from women’s shelters.

The information about documentary evidence will create further confusion. The Proposed Rule notes that the shelter “may request information or documentary evidence of the person’s sex, except that the shelter may not request evidence which is unduly invasive of privacy.” The Proposed Rule does not explain what would be unduly invasive of privacy, a particular concern since HUD lists “a birth certificate, other identification, or medical records” as evidence a shelter may request. Medical records raise significant privacy concerns.<sup>62</sup> Also, almost all medical providers charge a fee for producing copies of medical records, a fee that houseless people will not be able to pay. Houseless people also typically have poor access to healthcare.<sup>63</sup> Many houseless people will simply be unable to comply with a request for medical records.

Any requirement that houseless people provide a birth certificate or other identification would also be unworkable and harmful, since many houseless people do not have identification.<sup>64</sup> While HUD states that “lack of government identification alone cannot be the sole basis for denying admittance on the basis of sex,” HUD does not clarify how this statement aligns with HUD’s explicit approval of classification

---

<sup>62</sup> See *Whalen v. Roe*, 429 U.S. 589 (1977). Identification can also violate the privacy of transgender people if it compels disclosure of transgender status. See *Love v. Johnson*, 146 F. Supp. 3d 848, 856 (E.D. Mich. 2015).

<sup>63</sup> Brandi White & Susan Newman, *Access to Primary Care Services Among the Homeless: A Synthesis of the Literature Using the Equity Access to Medical Care Framework*, 6 J. of Primary Care & Cmty. Health 77, 77 (2015), <https://journals.sagepub.com/doi/full/10.1177/2150131914556122>.

<sup>64</sup> See Brennan Ctr. for Just., *Citizens Without Proof: A Survey of Americans’ Possession of Documentary Proof of Citizenship and Photo Identification* 3 (2006), [https://www.brennancenter.org/sites/default/files/2020-09/download\\_file\\_39242.pdf](https://www.brennancenter.org/sites/default/files/2020-09/download_file_39242.pdf) (“At least 15 percent of voting-age American citizens earning less than \$35,000 per year do not have a valid government-issued photo ID.”).

schemes based on “state recognized gender status” and the Proposed Rule’s explicit language authorizing requests for “documentary evidence.”

The confusion likely to result from the Proposed Rule, and the inconsistency it creates with most states’ laws, would undermine local control, rather than support it.

### **B. Trans Women Do Not Pose a Threat to Other Women.**

As HUD itself acknowledges, there is no evidence that transgender women are any more likely than other women to commit acts of violence. HUD expresses concern that even though transgender women present no special threat to cisgender women, cisgender women may be uncomfortable being near transgender women. HUD suggests this concern may be particularly likely for cisgender women who have experienced sexual or intimate partner violence in the past, because transgender women may remind them of the men who have committed that violence. But hypothetical discomfort of some cisgender women does not justify exposing transgender, non-binary, gender nonconforming, and intersex people to actual violence and discrimination.

First, while it is true that many houseless cisgender women have experienced sexual and intimate partner violence, it is also unfortunately true that many houseless transgender and non-binary people have had these experiences.<sup>65</sup> There is no legitimate basis for concern only about the fears of cisgender women to the exclusion of transgender people. HUD also disregards the reality that many women’s shelters employ men as staff. Further, some houseless cisgender women survivors of intimate partner violence experienced this violence from another woman, or from a non-binary partner. LGBT people are disproportionately likely to experience homelessness, and intimate partner violence is not limited to relationships between a man and a woman.<sup>66</sup> HUD’s Proposed Rule and reasoning sends an unfounded and dangerous message about which women most deserve protection from violence or fear of violence (heterosexual, cisgender women only), and which people are most likely to cause fear of violence or actual violence (houseless transgender women only).

---

<sup>65</sup> USTS at 205-206 (72% of houseless transgender and non-binary people have experienced intimate partner violence, and 47% have experienced sexual assault).

<sup>66</sup> See generally Nat’l Coalition of Anti-Violence Programs (NCAVP), *Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Intimate Partner Violence in 2016* (2017), <http://avp.org/wp-content/uploads/2017/11/NCAVP-IPV-Report-2016.pdf>.

Second, HUD does not consider the possibility that cisgender women may be even less likely to be comfortable if housed with transgender men than transgender women. When transgender men use women’s facilities, women sometimes yell at them, call security, or drive them out,<sup>67</sup> yet the Proposed Rule authorizes exclusion of transgender men from men’s shelters and placement of transgender men in women’s shelters. This disparity suggests that HUD’s motivation is not to increase the comfort of houseless people generally, or even of cisgender women shelter residents specifically, but to discriminate against transgender people.

Third, while more privacy in homeless shelters across the board may well be desirable, the presence of transgender, non-binary, gender nonconforming, and intersex people pose no greater risk to privacy than others do.<sup>68</sup>

### **C. Anti-Discrimination Protections and Efforts to Expand Shelter Access to Marginalized Groups Do Not Infringe on Religious Liberty.**

HUD also asserts as a basis for the Proposed Rule a desire to accommodate faith-based shelter providers who have a religious objection to serving transgender people consistent with their gender identity. This rationale fails because taxpayer-funded shelter providers do not have a right to discriminate in providing services to the public, even if they have a religious motivation for discriminatory conduct.

First, it is well established that the government may enforce anti-discrimination laws, even when an entity has religious objections to following them.<sup>69</sup> The government has a compelling interest in eliminating all forms of sex discrimination.<sup>70</sup>

Second, HUD’s statement that some faith-based providers may be deterred from seeking HUD funding because of the 2016 rule appears to be pure conjecture. HUD has

---

<sup>67</sup> Matthew P. Callahan and Kyle T. Zukowski, *Reactions to Transgender Women and Men in Public Restrooms: Correlates and Gender Differences*, 66 J. of Homosexuality 117 (2019), <https://www.tandfonline.com/doi/full/10.1080/00918369.2017.1395661>.

<sup>68</sup> See, e.g., *Parents for Privacy v. Barr*, 949 F.3d 1210, 1225 (9th Cir. 2020); *Doe by & through Doe v. Boyertown Area Sch. Dist.*, 897 F.3d 518, 531 (3d Cir. 2018), cert. denied 139 S. Ct. 2636 (2019); *Whitaker by Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034, 1052 (7th Cir. 2017).

<sup>69</sup> See *Bob Jones Univ. v. United States*, 461 U.S. 574, 579 (1983); *Newman v. Piggie Park Enterprises, Inc.*, 390 U.S. 400, 402 n.5 (1968).

<sup>70</sup> *Bd. of Directors of Rotary Int’l v. Rotary Club of Duarte*, 481 U.S. 537, 549 (1987) (finding compelling interest in eliminating discrimination against women); *Romer v. Evans*, 517 U.S. 620, 631 (1996) (“[T]hese are protections against exclusion from an almost limitless number of transactions and endeavors that constitute ordinary civic life in a free society.”); *Roberts v. U.S. Jaycees*, 468 U.S. 609, 625 (1984).

not identified any faith-based shelter provider that opted out of federal funding in or after 2016 for that reason. HUD asserts that faith-based providers may seek waivers, but does not mention whether any actually have sought such a waiver. It identifies only one shelter that has ever objected to providing non-discriminatory services to transgender people for a religious reason. Even if there were multiple shelter providers with religious objections to providing equal access to shelters, that would be no reason to gut important protections against discrimination.

Third, this change sets a dangerous precedent. It indicates that the federal government may permit any of a wide range of discrimination, just in case some entity has a religious belief that conflicts with anti-discrimination law. Some faith-based shelter providers, for example, may believe they should only serve those who share their religious beliefs, which could enable sweeping, extremely harmful discrimination against members of minority faiths.

### **Conclusion**

For the foregoing reasons, the ACLU opposes the Department's proposed rule, Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs, and urges the Department to withdraw the proposal.

Sincerely,

Gabriel Arkles

Senior Staff Attorney

A handwritten signature in black ink, appearing to read "Ronald Newman". The signature is written in a cursive, flowing style.

Ronald Newman

National Political Director