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FOR RELEASE

Wednesday

July 1, 2020

HUD Updates Equal Access Rule, Returns Decision Making to Local Shelter Providers
Rule upholds Department's commitment to fair treatment of all individuals while allowing shelter providers to establish an admissions policy that best serves their unique communities

WASHINGTON - U.S. Department of Housing and Urban Development (HUD) Secretary Ben Carson today announced a proposed modification to the 2016 portion of the Equal Access rule. The Equal Access rule requires all HUD funded housing services to be provided without discrimination based on sexual orientation or gender identity. The new rule allows shelter providers that lawfully operate as single-sex or sex-segregated facilities to voluntarily establish a policy that will govern admissions determinations for situations when an individual's gender identity does not match their biological sex. Each shelter's policy is required to be consistent with state and local law, must not discriminate based on sexual orientation or transgender status, and may incorporate practical considerations of shelter providers that often operate in difficult conditions. The proposed rule modifications also better accommodate religious beliefs of shelter providers. For example, such policies could be based on biological sex, sex as identified on official government identification, or the current rule's mandate of self-identified gender identity.

"This important update will empower shelter providers to set policies that align with their missions, like safeguarding victims of domestic violence or human trafficking," said Secretary Carson. "Mission-focused shelter operators play a vital and compassionate role in communities across America. The Federal Government should empower them, not mandate a single approach that overrides local law and concerns. HUD also wants to encourage their participation in HUD programs. That's exactly what we are doing with this rule change."

All shelters serving a specific sex must provide people who they do not accommodate with information about other shelters in the area that can meet their needs. Similarly, if a shelter elects in its policy to accommodate persons whose gender identity is different from their sex, persons who have concerns with being housed with persons of a different biological sex, such

concerned persons must be provided a referral to a facility whose policy is based on biological sex. The Department will continue to maintain the 2012 portion of the Equal Access Rule which prohibits discrimination based on sexual orientation or gender identity.

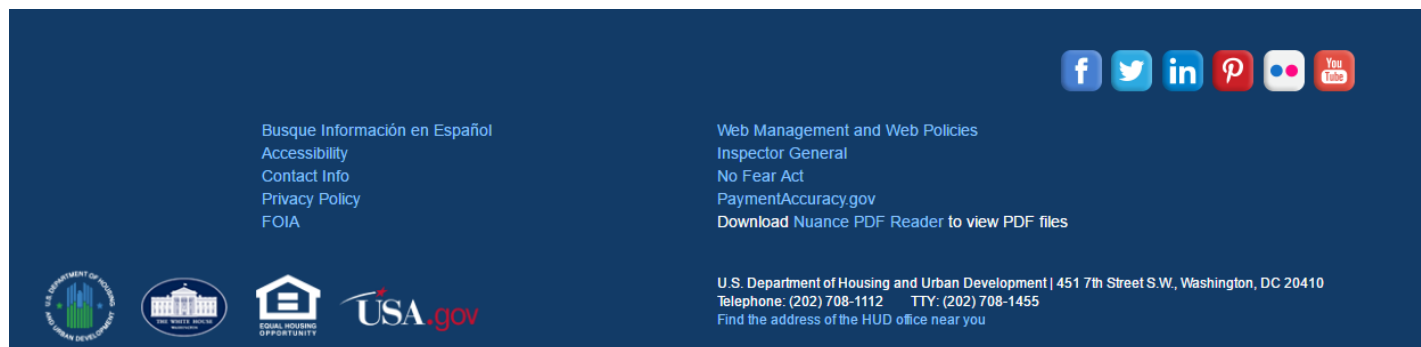
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*HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all.
More information about HUD and its programs is available at www.hud.gov and <https://espanol.hud.gov>.*

For information about Opportunity Zones visit: <https://opportunityzones.hud.gov/>

You can also connect with HUD on social media and follow Secretary Carson on Twitter and Facebook or sign up for news alerts on HUD's Email List.

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