



**WEB INTEGRITY
PROJECT**

A project of the Sunlight Foundation

Identity, Protections, and Data Coverage: How LGBTQ-related language and content has changed under the Trump Administration



**Web Integrity Project Trend Report
November 2019**



WEB INTEGRITY PROJECT

The **Web Integrity Project** is a project of the Sunlight Foundation.

Our mission is to monitor changes to government websites, holding our government accountable by revealing shifts in public information and access to web resources, as well as changes in stated policies and priorities. We work with journalists to make our findings public, and we produce policy analyses to evaluate and recommend changes to web governance practices and help ensure access to valuable web resources.

The Web Integrity Project. 2019. Identity, Protections, and Data Coverage: How LGBTQ-related language and content has changed under the Trump Administration (Sunlight Foundation's Web Integrity Project Trend Report)

This report is available online at: <https://sunlightfoundation.com/lgbtq-trend-report/>

For more information go to <https://sunlightfoundation.com/web-integrity-project/>

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They are the frontline of our web monitoring research and this report would not have been possible without their thorough and patient work.

We would also like to thank our partners at the [Internet Archive's Wayback Machine](#) — their tool and assistance made this analysis possible.

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Identity, Protections, and Data Coverage:

How LGBTQ-related language and content has changed under the Trump Administration

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Contents

Executive Summary	6
Introduction:	8
Chapter 1: Broad Trends in Language Use	11
Chapter 2 : Trends in Content Change	23
Conclusion	32
Appendix 1: Technical Documentation	34
Table A1: Index to Technical Documentation	35
DOL-1: Removal of LGBT workplace resources from the Department of Labor website	38
DOL-2: Alteration to the Department of Labor’s Office of Federal Contract Compliance Programs LGBT FAQ page	41
ED: Removal of transgender student rights content from the Department of Education’s Office for Civil Rights website	44
HHS-1: Removal of sex discrimination language from HHS’s Office for Civil Rights webpages about Section 1557 of the Affordable Care Act	48
HHS-2: Removal of link to Office of Civil Rights Complaint page from Healthcare.gov’s “Transgender health care” page	51
HHS-3: Removal of LGBT content from SAMHSA website	53
HHS-4: Removal of lesbian and bisexual health page from Office on Women’s Health Website	57
HHS-5: Alterations to the “Sexual assault and rape” page on the Office on Women’s Health website	59





Appendix 1: Technical Documentation (continued)

<u>HHS-6: Removal of the “Same-sex relationship violence” page on the Office on Women's Health Website</u>	<u>61</u>
<u>HHS-7: Addition of “Lesbian, Gay, Bisexual and Transgender Health” section to Indian Health Service website</u>	<u>63</u>
<u>HHS-8: Alteration to LGBT-related objective on Healthypeople.gov</u>	<u>65</u>
<u>HHS-9: Alterations to CDC’s “LGBT Youth” pages</u>	<u>68</u>
<u>HUD-1: Removal of homeless transgender training and guidance resources from the Department of Housing and Urban Development website</u>	<u>71</u>
<u>HUD-2: Alterations to LGBT Fair Housing content on the Department of Housing and Urban Development website</u>	<u>73</u>
<u>OPM: Removal of federal transgender employment guidance from Office of Personnel Management website</u>	<u>77</u>
<u>SBA: Removal of “LGBT Outreach” content from U.S. Small Business Administration website</u>	<u>79</u>
<u>State-1: Alteration of the State Department passport gender marker webpage</u>	<u>81</u>
<u>State-2: Removal of “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues” Fact Sheet from State Department website</u>	<u>84</u>
<u>Methodology</u>	<u>86</u>



Executive Summary

This report explores how language and access to resources related to or intended for LGBTQ users on federal government websites has changed since President Trump's inauguration.

Language shifts:

In the aggregate, there have been significant but uneven shifts toward more inclusive identity language on federal webpages

Our analysis of almost 150 federal government webpages on LGBTQ-related topics, all of which were created before President Trump took office and continue to be live on the web, reveals that, under the Trump administration, federal government webpages addressing LGBTQ-related topics use the terms "gender" and "transgender" more and the terms "sex" less.

However, there is considerable variation between departments and within departments ([Chapter 1](#)).

HHS.gov appears to have shifted away from identity language but toward "religious freedom" language

Our analysis of 1,875 HHS.gov webpages on all topics, showed that LGBTQ-related terms

are used less often under the Trump administration with a 25% reduction in the use of the term "gender" and a 40% reduction in the use of "transgender."

By contrast, the use of terms like "faith-based and community organizations," "religious freedom," and "conscience protection" all increased markedly ([Chapter 1](#)).

Changing access to resources:

When we concentrate on individual examples of changes to LGBTQ-related content on federal agency websites, the Web Integrity Project identified two key trends:

- 1. The removal of access to resources about discrimination protections and prevention, especially for transgender individuals**
- 2. The removal of resources containing LGBTQ community-specific information**

Significant unreported changes include:

The Department of Labor scrubbed references to existing executive order adding “gender identity” as protected class

The Department of Labor’s Office of Federal Contract Compliance Programs altered an FAQ page on sexual orientation and gender identity to remove references to Executive Order 13672. The EO was issued in 2014 around the same time as EO 13673, which was rescinded by the Trump administration in 2017. EO 13672 is still in force ([#DOL-2](#)).

The Department of Health and Human Services appeared to downgrade LGBT data improvement goal

Two pages on Healthypeople.gov, the website of an interagency initiative that sets “[science-based, 10-year national objectives for improving the health of all Americans](#),” were altered to reduce LGBT-community data coverage goals. Without notice or annotation as was done for past revisions, the 2020 coverage target for the “number of states, territories and the District of Columbia that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS)” objective was reduced from “Total coverage” to a “10 percent improvement” ([#HHS-8](#)).

The Department of Housing and Urban Development removed Fair Housing Act content

The Office of Fair Housing and Equal Opportunity moved and reorganized its webpage on the LGBT community and fair housing. In the process, they removed a graphic affirming HUD’s commitment to ending housing discrimination against LGBT people and their families, an explanation about how the Fair Housing Act applies to LGBT populations, text affirming that discrimination based on HIV status is illegal, and links to resources including the final rule on equal access to housing for LGBTQ ([#HUD-2](#)).

The Centers for Disease Control and Prevention removed the term “LGBTQ” from webpage on LGBT youth, replacing it with “LGB”

As part of this change, the agency removed statistics relating specifically to transgender respondents, updated statistics relating to LGB from the 2015 Youth Risk Behavior Surveys (YRBS), and added a notice that “historically” the YRBS did not include questions regarding transgender or “questioning/queer youth.” The 2017 YRBS, for which data are publicly available, does include data on transgender status, as do several other surveys ([#HHS-9](#)).

Introduction:

Since President Trump's inauguration, his administration has made numerous formal policy changes, as well as informal policy announcements, that affect the rights and lives of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) Americans.

In our regular weekly monitoring work, the Web Integrity Project frequently encounters LGBTQ-related changes on federal websites. One of our chief tasks is to assess whether each change reflects what is required by a formally announced policy or change. For those significant changes that do not reflect formal policy, we document and investigate the changes, contact the respective agency, and reach out to nongovernmental and academic experts to gain more perspective.

Our goals are to ensure the public is aware of the changes that are happening on websites and agencies are held accountable when they unduly alter or remove access to information that the public relies upon and which can seriously affect the rights and opportunities of Americans.

In this report, we present the fruits of almost two years of tracking and assessing LGBTQ-related changes, supplemented with quantitative term analysis techniques, to reveal how LGBTQ-related language and content on the federal web has changed since January 20, 2017.

Policy changes under the Trump administration

Since President Trump took office, formal policies that affect the LGBTQ populations have shifted in at least three key ways:

- 1. An increased emphasis on religious freedom, which may result in the denial of services and opportunities to LGBTQ people**

Under the Trump administration, agencies have increased the emphasis on protecting religious freedom over protecting gender minority rights.

For example, the Department of Health and Human Services (HHS) issued the so called "[conscience rule](#)," which would have allowed health care providers to refuse to perform procedures, including gender reassignment surgery, if they objected on religious or moral grounds. Due to go into effect on November 22, 2019, it was [struck down](#) by the federal courts in early November.

HHS also established a "[Conscience and Religious Freedom Division](#)" in its Office of Civil Rights. In a similar vein, the Department of Justice [established](#) the Religious Liberty Task Force.

In Chapter 1, we explore how language has changed on LGBTQ-related webpages and how LGBTQ- and religious freedom- related language has changed on HHS's main website, HHS.gov.



2. A reversal of Obama-era extensions of anti-discrimination law to gender identity, affecting primarily transgender populations

Numerous agencies have issued new policies or rules that seek to reverse the expansion of the concept of sex discrimination to include, in particular, gender identity.

For example, the departments of Education and Justice, in a [joint letter](#), rescinded [Obama-era guidance](#) that protected transgender students' use of bathrooms and locker rooms of their choice. Similarly, HHS has [proposed a rule](#) to overturn Obama-era healthcare protections based on gender identity. The Department of Housing and Urban Development (HUD), [proposed a rule](#) to overturn another [Obama-era rule](#) that required shelters receiving HUD funding to provide equal access to shelters regardless of one's gender identity.

In Chapter 2, we document how resources relating to discrimination protections, especially for transgender people, have been removed from the federal web under the Trump administration.

3. A rollback of efforts to extend data coverage to LGBTQ populations.

One of the chief barriers to effective policies around LGBTQ people is a lack of population data that can help inform policies. According to [a report by Fenway Health](#), the Obama administration placed considerable emphasis on reducing this barrier, encouraging the addition of "SOGI" (sexual orientation and gender identity) questions on federally mandated or funded population surveys. During the Obama administration, the number of surveys asking SOGI question increased, especially for questions about gender identity or transgender status ([increasing from one before 2009 to seven in 2016](#)). For example, HHS's Administration on Aging began asking about sexual orientation in its National Survey of Older Americans Act in 2015 and the CDC's Behavioral Risk Factor Sur-

veillance System first asked about gender identity in 2014.

Under the Trump administration, improving data collection on LGBTQ people has been deemphasized and rolled back. In March 2017, HHS announced that [the SOGI questions would not be included](#) in the 2017 National Survey of Older Americans Act Participants and abandoned plans to include SOGI questions in another Administration on Aging survey, the Annual Program Performance Report for Centers for Independent Living. These decisions were [ultimately reversed](#) in the face of widespread opposition.

Other proposed or announced rollbacks include:

- In March 2017, the Census Bureau [retracted](#) a proposal to collect information on LGBT people in the American Community Survey, [the nation's largest survey](#), and the 2020 Census.
- In April 2018, the Bureau of Justice Statistics [proposed](#) removing questions regarding sexual orientation from the National Crime Victimization Survey (NCVS) for 16- and 17-year old respondents.
- In April 2019, HHS issued a [proposed rule](#) to eliminate sexual orientation data collection from the Adoption and Foster Care Analysis & Reporting System. If finalized, the rule would replace a rule HHS issued [in the final month](#) of the Obama administration expanding data collection to include foster care youth sexual orientation.

In Chapter 2, we document three instances in which pages about LGBTQ data collection have been altered, revealing an unannounced policy change scaling back targets for LGBTQ data coverage improvements, and the removal and lack of updating of LGBTQ statistics.



Report overview

In [Chapter 1](#), we explore how the use of LGBTQ-related language (and, in the case of HHS.gov, religious freedom-related language) has changed since President Trump's inauguration.

We first examine a set of 142 LGBTQ-related webpages, maintained by a wide range of departments and agencies (including the Department of Defense, Centers for Disease Control and Prevention, State Department, National Parks Service, National Institutes of Health, and Department of Justice) using term analysis and captures from the Internet Archive's Wayback Machine, to assess how frequently key LGBTQ-related terms are used today relative to before January 20, 2017.

We then dive deeper, showing divergent trends in the Department of Health and Human Services, Department of Veterans Affairs, Department of Justice, and the Department of the Interior.

In [Chapter 2](#), we complement the aggregate analysis of LGBTQ-related language trends with detailed examples of changed, removed and added LGBTQ content. These changes tend to fall into three categories. The first one is the removal of resources that provide guidance or information about discrimination protections, especially for the protection of transgender people. The second category is the removal of resources that are intended to be used by members of the LGBTQ community and which contain community-specific information about government programs, health, and other issues. The third category of changes seems to reflect reduced effort on updating LGBTQ statistics and expanding data coverage for LGBTQ individuals.

Among the almost twenty changes documented in Chapter 2, several are relatively significant, and previously unreported, including:

- The Department of Labor scrubbing references to an existing executive order adding “gender identity” as a protected class ([#DOL-2](#));
- The Department of Health and Human Ser-

vices apparently reducing its LGBT data coverage goal ([#HHS-8](#));

- The Department of Housing and Urban Development removing Fair Housing Act content ([#HUD-2](#));
- The Centers for Disease Control and Prevention removing the term “LGBTQ” and transgender suicide statistics from a webpage ([#HHS-9](#)).

Each change discussed in Chapter 2 is documented in detail in the [Technical Documentation](#) section in the Appendix, followed by a detailed [Methodology](#) section describing the specifications and limitations of our analysis.



1. Broad trends in language use

Under the Trump administration, federal government webpages on LGBTQ-related topics use:

- the term “gender” more and “sex” less.
- the terms “HIV,” “transgender,” “gender minority,” and “cisgender” more.
- the terms “LGBT,” “lesbian,” “gay,” “bisexual,” “queer,” “questioning” and “LGBTQ” less.

The language used to describe LGBTQ populations or issues, especially the use of “gender” and “sex,” can be both contentious and revealing. For example, in September of 2018, the Department of State moved and altered webpages relating to gender designation on passports to replace the term “gender” with “sex” and to add the outdated term “sex change” ([#State-1](#)). As explained in the Daily Beast, [the changes on the website did not reflect a changed policy](#) and transgender people could still get the “M” or “F” marker on their passport changed without surgery. Instead, the changes were semantic, and according to Mara Keisling, executive director of the National Center for Transgender Equality, appeared to be [“designed to frighten, confuse, and keep transgender people from exercising their full rights under the current policy.”](#)

To investigate whether the language used by the federal government when presenting information on LGBTQ-related issues had systematically

changed since President Trump’s inauguration, we performed a term analysis on all the federal webpages covering LGBTQ topics that we could identify, so long as they were first published before the Trump administration and are still live today. Using a program adapted from [EDGI’s CTRL-F scripts](#), we examined the use of LGBTQ-related terms on 142 LGBTQ-related federal government webpages using a 57-word list sourced from the National Institutes of Health, the National LGBT Health Education Center, and the National Academies of Sciences. This list includes terms such as “LGBTQ,” “gender” and “transgender” as well as terms that could be considered less inclusive or identity-oriented like “LGBT,” “LGB,” “sex,” and “transsexual.” The full list is provided in [Table A.2](#).

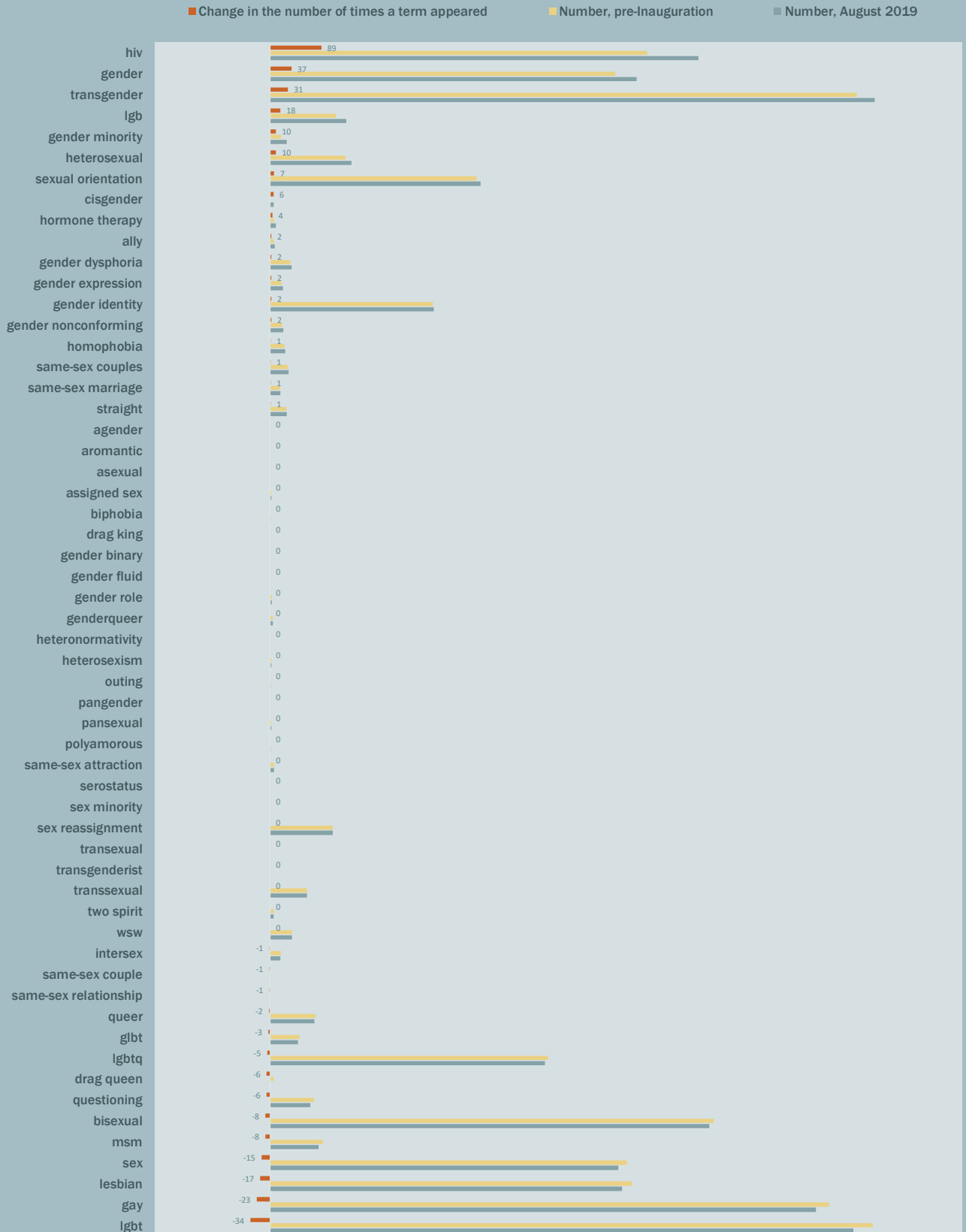
We identified pages by searching the usa.gov search engine on eight key terms: “LGBTQ,” “LGBT,” “transgender,” “gay,” “lesbian,” “bisexual” and “queer,” and excluding state and local government webpages, pages that had been added or removed since January 20, 2017, and pages that were not fully or regularly captured by the [Internet Archive’s Wayback Machine](#). Because our analysis excludes pages removed and added during the Trump administration, any observed change in terms is not due to page removals or additions but alterations of content on existing pages. Most of the pages identified were webpages for agencies, offices, and initiatives that are part of the Department of Health and Human Services. See the [Methodology](#) section for detailed information.

We found that on 81 (57%) of the 142 pages analyzed, LGBTQ-related terms had been altered since the beginning of the Trump administration,



Figure 1

Change in use of LGBTQ-related terms, LGBTQ-related federal government webpages, January 2017 - November 2019



with a total of 601 terms removed or substituted and 655 terms added. On a few pages, a large number LGBTQ-related terms were added or removed. For example, the “[LGBT Youth Resources](#)” page on the Centers for Disease Control and Prevention (CDC) website was [updated](#) to include descriptions of each resource listed on the page, adding 61 additional LGBTQ-related terms to the page. Similarly, the “[Frequently Asked Questions EO 13672 Final Rule](#)” page on the Department of Labor’s website was [changed by the end of the first week](#) of the Trump administration, which removed many LGBTQ-related terms. Today, the page uses LGBTQ-related terms 43 fewer times than it did before President Trump’s inauguration. However, on most pages with changes, the number of terms has changed by fewer than 10 terms.

Generally, since President Trump took office, on the LGBTQ-related federal government webpages included in this analysis, there has been a reduced use of “sex” in favor of “gender,” an increased use of the terms “transgender,” “gender minority,” and “cisgender,” as well as a large increase in the number of references to “HIV” (Figure 1).

Interestingly, the use of the terms “LGBTQ” and “LGBT,” as well as each of words represented in those acronyms other than “transgender” (i.e. “lesbian”, “gay”, “bisexual”, “queer”, and “questioning”), decreased.

In order to tease out any department-specific changes, we explore the changes on LGBTQ-related webpages from the four departments for which we identified more the 10 relevant webpages:

1. Department of Health and Human Services (HHS) (92 LGBTQ-related webpages)
2. Department of Veterans Affairs (VA) (13)
3. Department of Justice (DOJ) (14)
4. Department of the Interior (DOI) (11)

Under the Trump administration, LGBTQ-related webpages from the Department of Health and Human Services use:

- the terms “gender” and “transgender” more and “sex” less.
- the terms “LGBTQ,” “LGBT,” and “LGB” more.
- the term “HIV” more.

But across HHS.gov, LGBTQ-related terms are less prominent, especially :

- the terms “gender,” “transgender,” “gender identity,” “LGBT,” and “sex.”

While religious freedom-related terms are more prominent, especially:

- the terms “faith-based and community organizations,” “religious freedom” and “religious liberty.”

Department of Health and Human Services

If we focus on only the 92 LGBTQ-related webpages on websites of offices and initiatives within the Department of Health and Human Services (HHS), including HHS.gov, HIV.gov, the Centers for Disease Control and Prevention, the Office on Women’s Health, and the Indian Health Service, we see different trends.

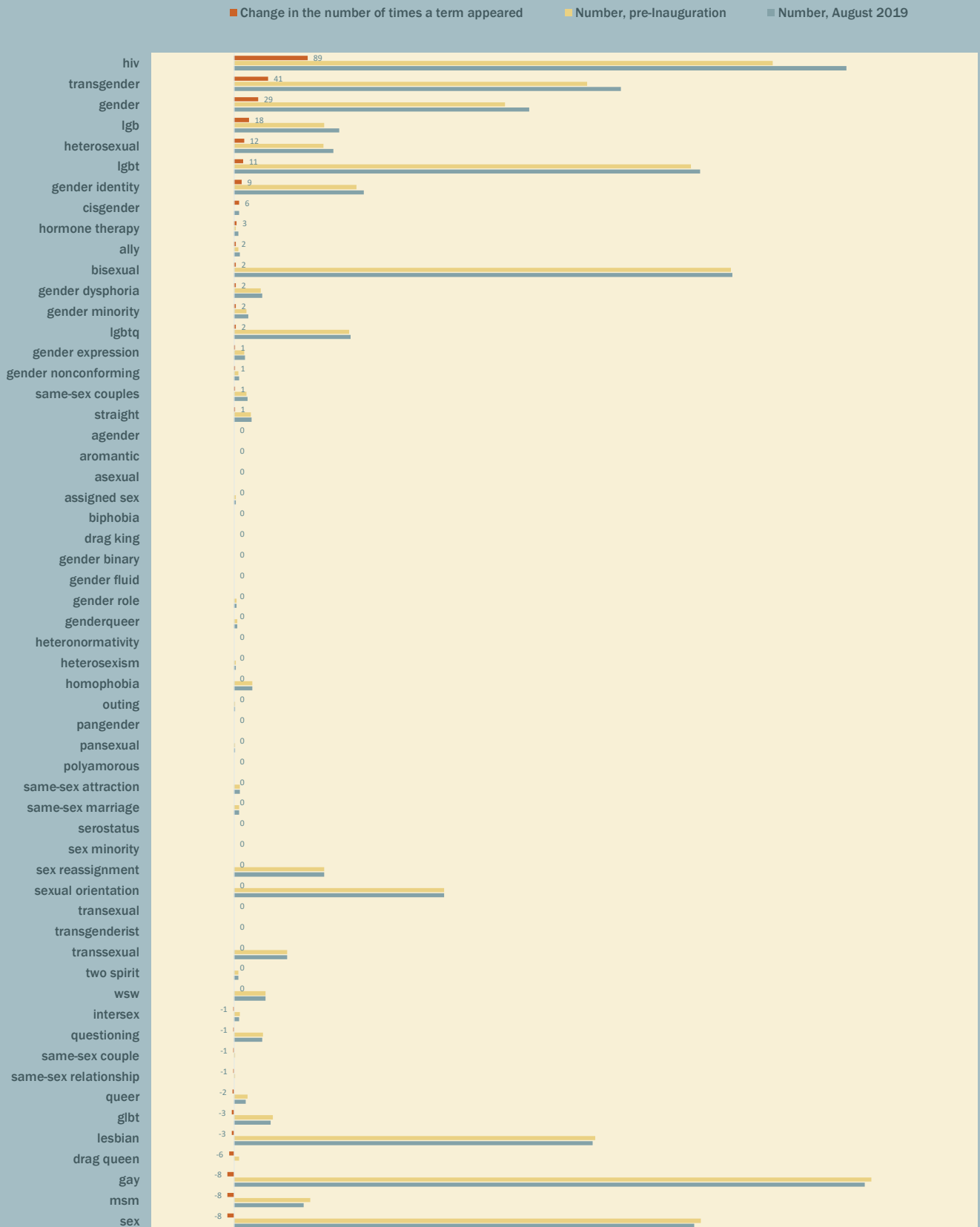
Overall, on pages within HHS, the use of “HIV”, “transgender”, “gender”, “LGBTQ”, “LGBT”, and “LGB” all increased substantially, with 41 more references to “transgender” and 29 more references to “gender” appearing on LGBTQ-related pages (Figure 2).

On two pages (the Centers for Disease Control and Prevention (CDC) “[HIV and Transgender People](#)” page and the Children Bureau’s “[Resources for Families of LGBTQ Youth](#)” page), the use of the term “gender” actually decreased; but on twelve other pages its use increased. Most of the increased use of the term “gender”



Figure 2

Change in use of LGBTQ-related terms, LGBTQ-related webpages of agencies within HHS, January 2017 - November 2019



A comparison of the CDC's "LGBTQ Youth Programs-At-A-Glance" page, August 16 and December 9, 2017

Figure 3

The "Data Collection and Analysis" section of the "LGBTQ Youth Programs-At-A-Glance" page on [August 16, 2017](#) (top) and the same section — renamed to "Youth Risk Behavior Survey (YRBS) - Data Collection Analysis." — on [December 9, 2017](#) (bottom), showing the substitution of "LGBT" for "LGBTQ." (Webpages captured by the [Internet Archive's Wayback Machine](#)).

INTERNET ARCHIVE <https://www.cdc.gov/lgbthealth/youth-programs.htm> Go JUN AUG OCT
 122 captures 20 May 2011 - 8 Nov 2019 2016 16 2017 2018

Data Collection and Analysis

CDC provides funding for state, territorial, and local education and health agencies to conduct the [Youth Risk Behavior Survey \(YRBS\)](#), which monitors health risk behaviors among U.S. high school students. CDC has encouraged its sites to add optional questions about same-sex sexual contact and sexual identity to their YRBS questionnaires. Collecting such data enables those working with youth to better understand the health and safety risks among sexual minority youth¹ and then adjust prevention priorities accordingly.

In 2011, CDC analyzed data from YRBS to identify [associations between sexual minority status and health risk behaviors](#). The findings of this analysis are described in a CDC report, "[Sexual Identity, Sex of Sexual Contacts, and Health-Risk Behaviors Among Students in Grades 9–12 in Selected Sites—Youth Risk Behavior Surveillance, United States, 2001–2009](#)" (PDF - 1.74 MB). The report documents the disproportionate rates at which sexual minority students experience many health risks, including tobacco, alcohol, and other drug use; sexual risk behaviors; and violence.


During the 2013 YRBS cycle (pertaining to optional questions about sex of students' sexual contacts and students' sexual identity):

- Three states and one large urban school district asked only about the sex of students' sexual contacts
- Three states, two large urban school districts, and one territory asked only about students' sexual identity
- Fifteen states, 16 large urban school districts, and one territory asked about both the sex of students' sexual contacts and about students' sexual identity

Starting in 2015, the national YRBS questionnaire and the state/local standard questionnaire will include questions about sexual identity and sex of sexual contacts.

[School Health Profiles](#) and the [School Health Policies and Practices Study](#), CDC's two large surveillance systems measuring school health policies and practices, assess school health policies and practices relevant to **LGBTQ youth**, such as:

- Existence of gay-straight alliances (GSAs) or similar student organizations in schools
- Identification of safe spaces for **LGBTQ youth**
- Prohibition of harassment and bullying
- Provision of health and mental health services to **LGBTQ youth**
- Professional development and training for school staff about the needs of **LGBTQ youth**
- Inclusion of **LGBTQ-related** topics in sex education curricula
- Classroom teaching about sexual orientation
- Referrals to health and mental health service providers experienced in serving **LGBTQ youth**



INTERNET ARCHIVE <https://www.cdc.gov/lgbthealth/youth-programs.htm> Go OCT DEC JUN
 122 captures 20 May 2011 - 8 Nov 2019 2016 09 2017 2019

Youth Risk Behavior (YRBS) - Data Collection Analysis

CDC funds education and health agencies in states, territories, and large urban school districts to conduct the [Youth Risk Behavior Survey](#). The YRBS monitors health behaviors of U.S. high school students. Starting in 2015, the national YRBS questionnaire and the standard YRBS questionnaire (the starting point for the state, territorial, and large urban school district questionnaires) included questions about sexual identity and gender of sexual contacts. These questions generate data that enable those working with youth to better understand the health and safety risks among sexual minority youth¹; specifically data were collected about gay, lesbian, and bisexual (LGB) youth. These data inform changes to prevention priorities. The [Morbidity and Mortality Weekly Report](#), "[Sexual Identity, Sex of Sexual Contacts, and Health-related Behaviors Among Students in Grades 9–12—United States and Selected Sites, 2015](#)" includes results from the 2015 national survey (conducted among more than 15,000 students in grades 9–12) plus results from 25 state surveys and 19 large urban school district surveys. The report documents the higher rates at which LGB students reported experiencing many health risks, substantially higher levels of physical and sexual violence, and bullying than other students.

[School Health Profiles](#) and the [School Health Policies and Practices Study](#), CDC's two largest surveillance systems that measure school health policies and practices, assess school health policies and practices relevant to **LGBT students**, including:

- Existence of genders & sexualities alliance networks (GSAs) or similar student organizations in schools
- Identification of safe spaces for **LGBT students**
- Prohibition of harassment and bullying
- Provision of health and mental health services to **LGBT students**
- Professional development and training for school staff about the needs of **LGBT students**
- Inclusion of **LGBT-related** topics in sex education curricula
- Classroom teaching about sexual orientation
- Referrals to health and mental health service providers experienced in serving **LGBT students**



came from two pages, the CDC's "[Transgender Persons](#)" page, onto which an introductory section using the term "gender" nine times [was added](#), and the "[Gender dysphoria](#)" page on the National Institutes of Health's MedlinePlus website, which was [comprehensively overhauled](#) between July 28, 2019 and February 9, 2019.

In many instances, pages were overhauled or sections changed without any direct substitution of terms. However, in some instances, new LGBTQ-related language was neatly substituted for old LGBTQ-related language. For example, on the CDC website, the terms "LGBTQ youth" and "LGBTQ-related" were replaced with "LGBT students" and "LGBT-related" on its "[LGBTQ Youth Programs-At-A-Glance](#)" page (Figure 3).

In order to get a better sense of changes within HHS, we did a deeper dive into HHS.gov, the department's main website (but just one of many domains run by HHS agencies), analyzing the pages for our list of 57 LGBTQ-related terms as well as religious freedom-related language.

HHS.gov

Analyzing 1,875 HHS.gov webpages on all topics for LGBTQ-related terms, we found that on the 278 pages that included LGBTQ-terms, terms were changed on 71 pages. Overall, LGBTQ terms were 8% less prominent on HHS.gov than before the Trump administration, with large declines in the use of the terms "gender" (68 fewer uses; a 25% reduction) and "transgender" (46 fewer uses; a 40% reduction). The use of many other terms, including "LGBT," "sex," and "gender identity" also declined, and the only references to "gender dysphoria" and "hormone therapy" on the pages were removed (Figure 4).

On those same webpages, we see a markedly different pattern regarding religious freedom-related terms (Figure 5). The term "faith-based and community organizations" was used 35 more times than pre-inauguration, an 875% increase in usage. The term "religious freedom" was used 20 more times, a 667% increase from the end of the Obama administration. The use

Within the Department of Veterans Affairs, webpages on LGBTQ-related topics use:

- the terms "gender," "transgender," "gender identity," "gender minority," and "gender nonconforming" more.

Within the Department of Justice, webpages on LGBTQ-related topics use:

- the term "gender" more and the term "sex" less.
- the terms "gender minority," "sexual orientation," "LGBT," and "gender identity" more.
- the terms "LGBTQ," "gay", "transgender", "bisexual" and "lesbian" less.

Within the Department of the Interior, webpages on LGBTQ-related topics use:

- the term "LGBTQ" more and "LGBT" less.

of "religious liberty" also increased, along with "conscience protection," "faith," and "faith-based organizations."

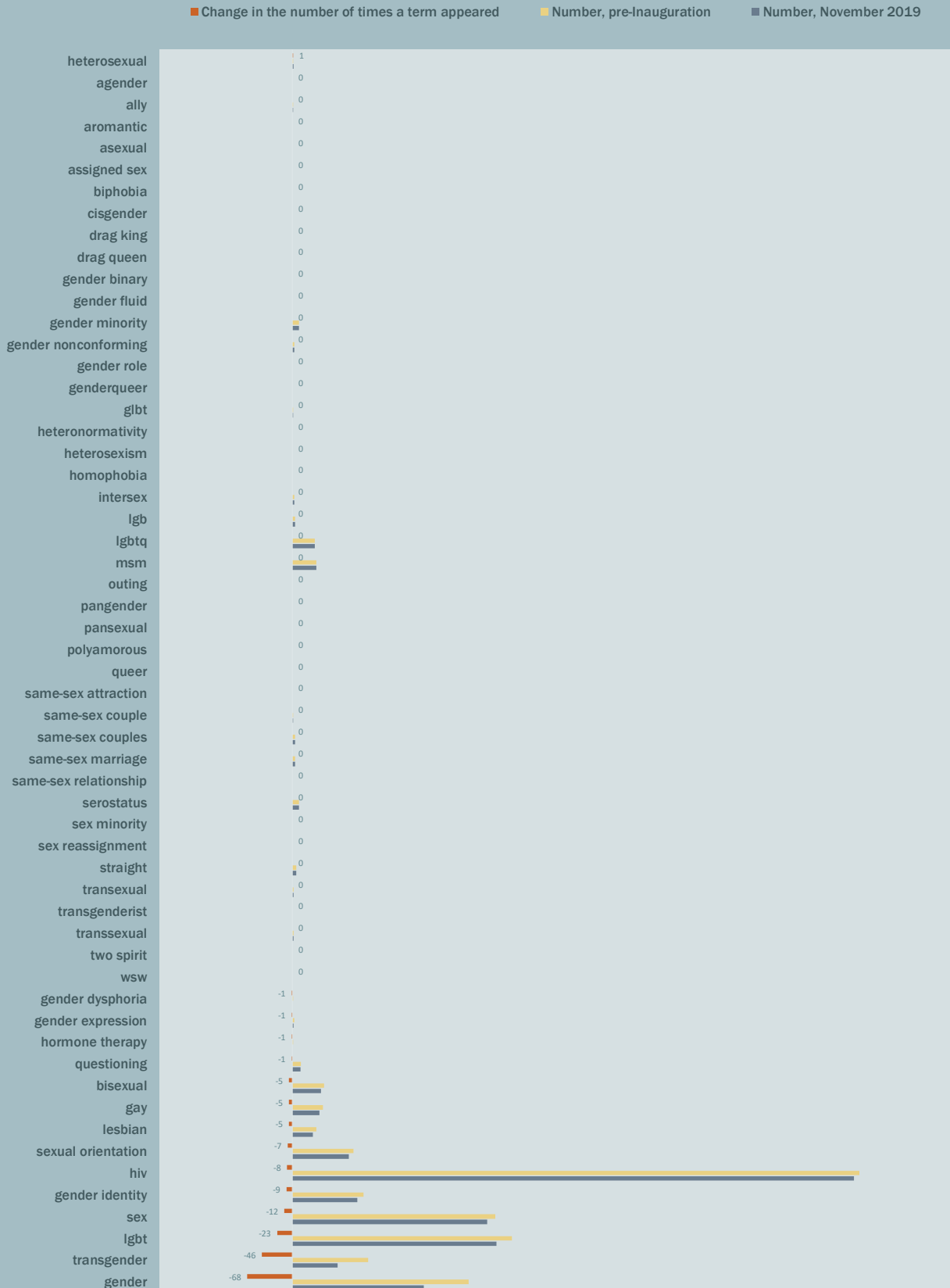
Department of Veterans Affairs

On 10 of the 13 LGBTQ-related webpages within the Department of Veterans Affairs (VA), LGBTQ-related terms were changed. On those pages, the use of identity-related terms including "gender," "transgender," "gender identity," "gender minority," and "gender nonconforming" increased (Figure 6). The use of the term "LGBT" decreased, but this was largely due to the overhaul of the "[Lesbian, Gay, Bisexual and Transgender \(LGBT\) Veteran Care](#)" page, which had previously included "LGBT" around 30 times on the body of the page. In [the live version of the page](#) (now titled "Veterans with Les-



Figure 4

Change in use of LGBTQ-related Terms, all HHS.gov webpages,* January 2017 - November 2019

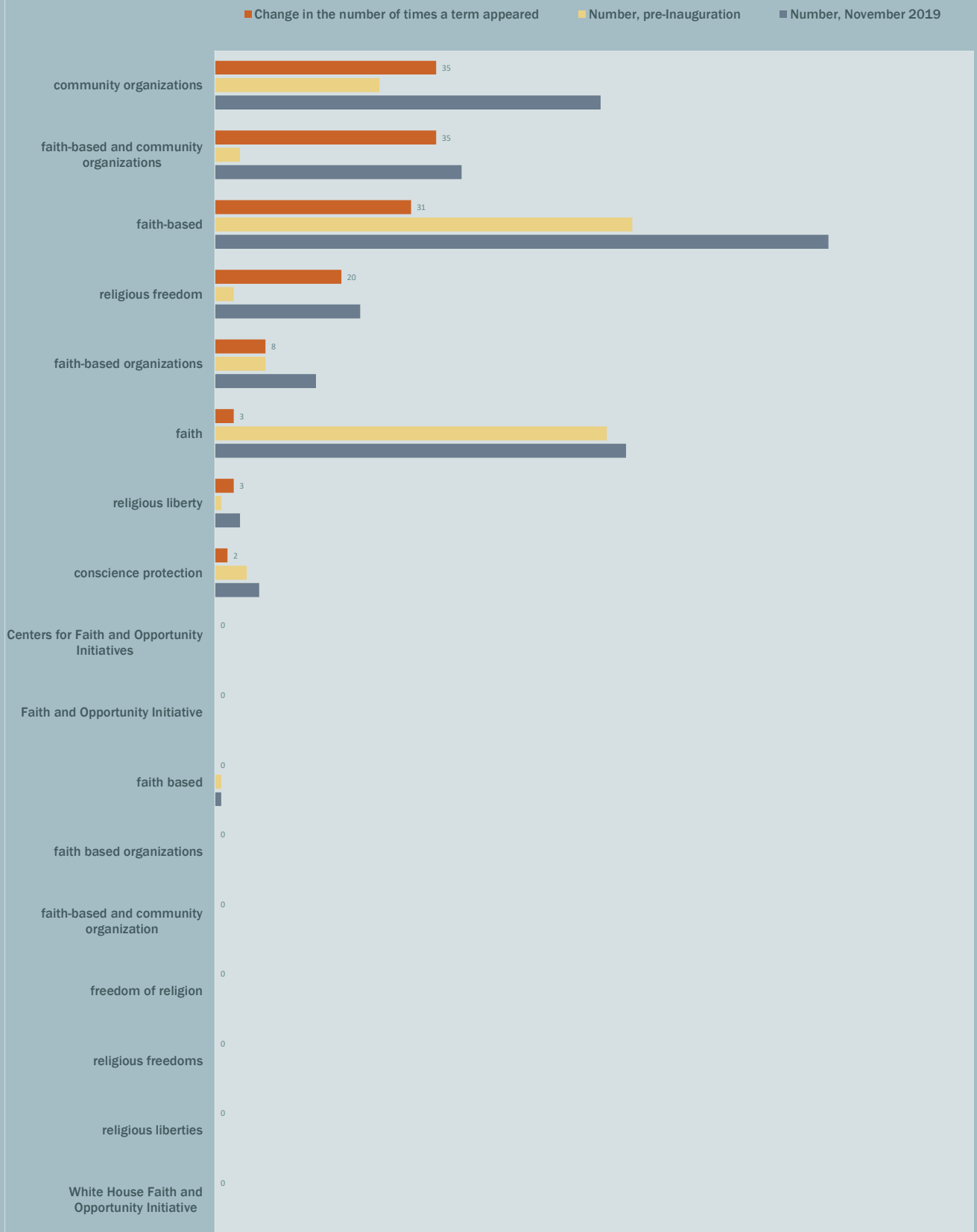


* All webpages with URLs that were live before January 20, 2017 and remained live on November 1, 2019.



Figure 5

Change in use of religious freedom-related terms, all HHS.gov webpages,* January 2017 - November 2019



* All webpages with URLs that were live before January 20, 2017 and remained live on November 1, 2019.



bian, Gay, Bisexual and Transgender (LGBT) and Related Identities”), “LGBT” still appears eight times.

Department of Justice

On only two of the 14 LGBTQ-related webpages within the Department of Justice (DOJ) did the number of LGBTQ-related terms change: the “[LGBTQ Victims](#)” page and the “[LGBTQ](#)” page, both hosted by the Office for Victims of Crime. The number of times the terms “gay” and “LGBTQ” was used on the “[LGBTQ Victims](#)” page declined as a result of [the removal of a box](#) describing the story of Sam, a gay victim of human trafficking. All other changes shown in Figure 7, including increased use of the terms “gender” and “LGBT” and the decreased use of the terms “sex” and “LGBTQ,” were a consequence of [changes](#) to the list of resources and publications described on the “[LGBTQ](#)” page

Department of the Interior

On three of the 11 LGBTQ-related webpages within the Department of the Interior (DOI), the number of LGBTQ-related terms has changed since President Trump’s inauguration. On the the “[Stonewall National Monument](#)” page on the National Parks Service (NPS) website, the term “LGBT” was replaced with “LGBTQ,” leading to a decrease and an increase in the use of those terms, respectively (Figure 8). One use of the term “queer” was also added to the page. The reduction in the use of “lesbian,” “gay,” “bisexual,” and “transgender” resulted from a minor change to the description of the series on the “[Series: LGBTQ America: A Theme Study of Lesbian, Gay, Bisexual, Transgender, and Queer History](#)” page on the NPS website.

Conclusion

This analysis of federal webpages has shown that since President Trump took office, there has been an increased use of terms like “gender,” “transgender,” and “gender minority”

on LGBTQ-related webpages.

These trends are not uniform, with significant diversity between departments. For example, our analysis showed that on LGBTQ-related webpages maintained by various agencies within HHS, the terms “transgender” and “LGBTQ” were used more than under the Obama administration. By contrast, on webpages within the Department of Justice those terms were used less often today.

There is also likely to be much diversity between the agencies, sub-agencies, offices, and domains within the same department.

The data suggest that, at least within the main offices of HHS, websites are being altered to reflect the Trump administration’s focus on freedom of religion or conscience.

Term analysis of almost 2,000 pages covering the full range of HHS topics on HHS.gov, HHS’s main domain, for the use of both LGBTQ-related and religious freedom-related language we saw the terms from our LGBTQ list had become less prominent, perhaps suggesting that LGBTQ issues feature less prominently on the website. By contrast, on those same webpages, terms related to religious freedom were significantly more prominent now than before January 20, 2017.

Our analysis likely understates these trends, as our methodology compares only pages that existed under the previous administration and continued to exist until the end date of the analysis. In order to ensure we have a comparable set of data, removed pages and added pages, the content of which is likely to be most revealing, were systematically excluded.

In order to complement this broad-brush review of changes to LGBTQ-related federal web content, in Chapter 2 we dissect and contextualize examples of changed, removed and added content.



Figure 6

Change in use of LGBTQ-related terms, LGBTQ-related webpages within VA, January 2017 - November 2019

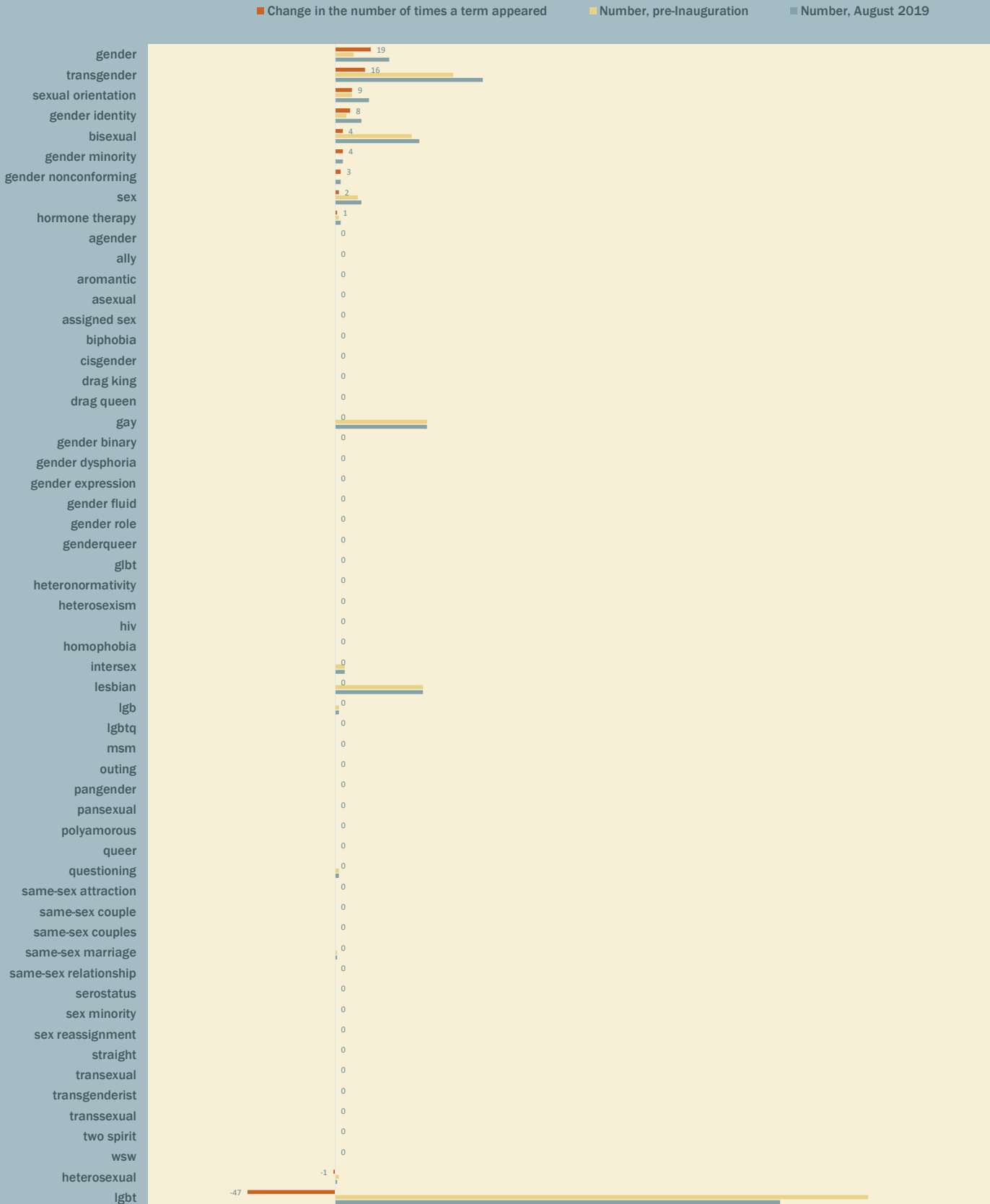
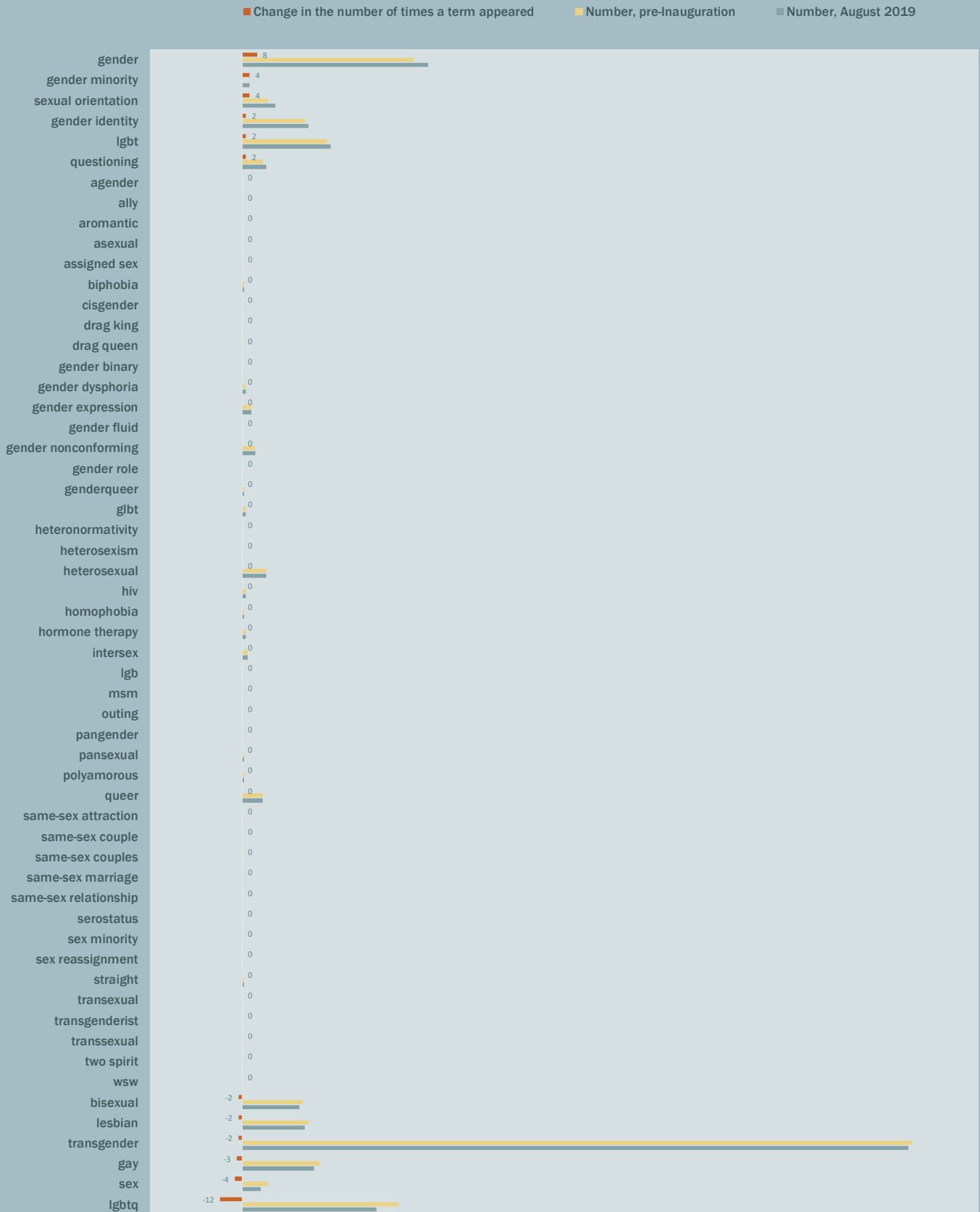


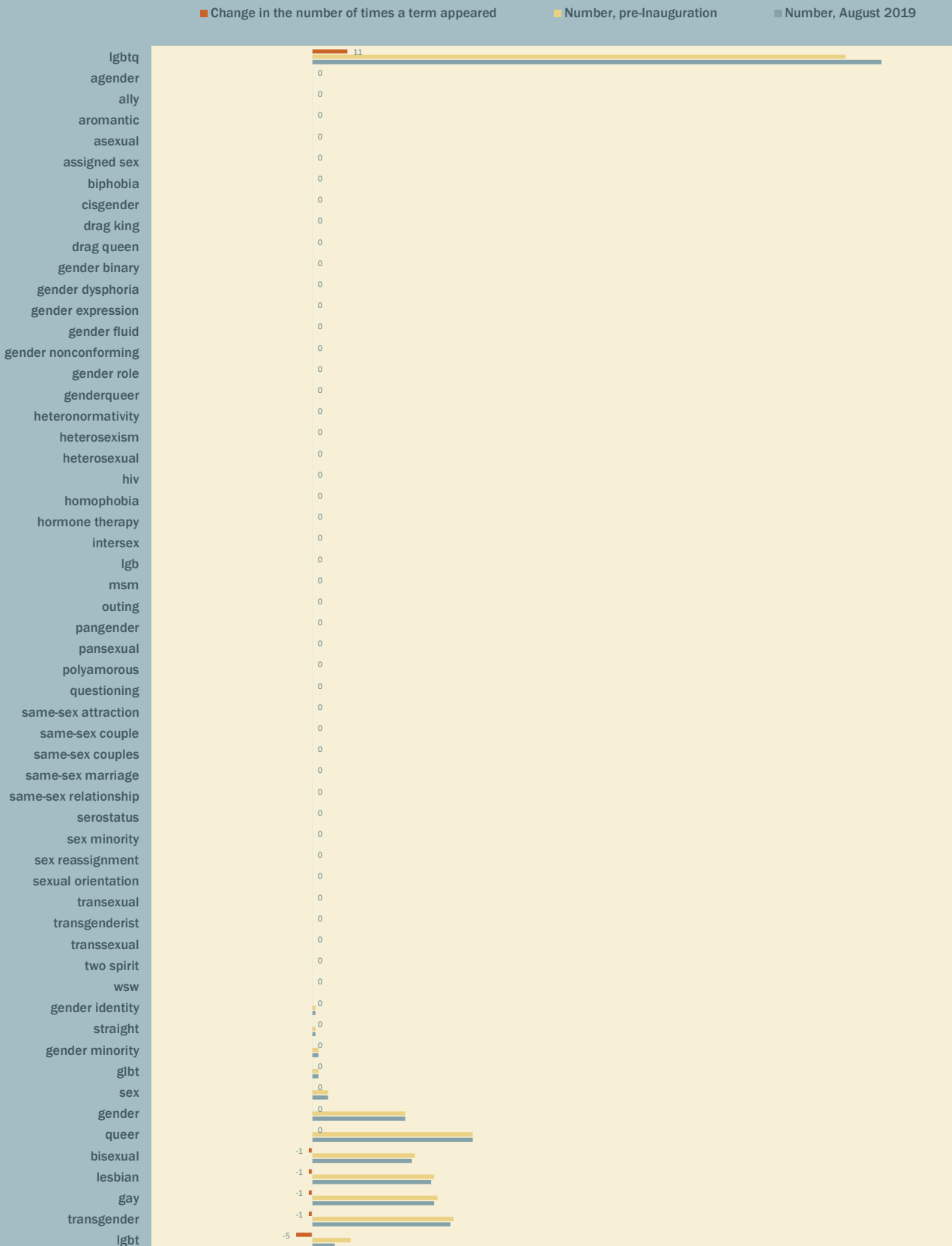
Figure 7

Change in use of LGBTQ-related terms, LGBTQ-related webpages of agencies within DOJ, January 2017 - November 2019



Change in use of LGBTQ-related terms, LGBTQ-related webpages of agencies within DOI, January 2017 - November 2019

Figure 8



2. Trends in Content Change

Chapter 1 revealed broad trends in LGBTQ language on federal webpages, like the increased use of the terms “gender” and “transgender”, as well as the very different trends we have seen in different departments.

In Chapter 2, we unpack and contextualize examples of the most significant federal web changes relating to LGBTQ communities. Sourced from our regular weekly monitoring, media and partner reporting, and searches of agency websites, the Web Integrity Project has identified almost 20 examples of significant changes highlighting two key themes we have seen on the federal web:

1. the removal of access to resources about discrimination protections and prevention, especially those aimed at protecting the rights of transgender people; and
2. the removal of resources containing LGBTQ community-specific information.

Additionally we observe an emergent theme of a lack of commitment to updating and expanding statistical data covering LGBTQ individuals.

It is important to note that change has not been in one direction. For example, the Indian Health Services added a new “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” section to its website ([#HHS-7](#)). Nonetheless, many of the changes the Web Integrity Project has seen have tended to reduce access to information

Removal of discrimination protections and prevention resources

Access to resources relating to discrimination protections in healthcare, housing, the workplace, and education have been limited or removed in the Trump administration, especially those resources relating to the protection of transgender individuals.

HHS removed information about nondiscrimination in the provision of healthcare to the LGBTQ community from the websites of HHS’s Office of Civil Rights and Healthcare.gov:

- As [WIP reported in July 2018](#), the Office for Civil Rights (OCR) removed language relating to sex discrimination and prohibitions on sex discrimination on several webpages about Section 1557 of the Affordable Care Act (ACA) between [March 15, 2017](#) and [August 18, 2017](#). Mentions of “sex stereotyping” and information about sex discrimination on the basis of gender identity and termination of pregnancy, health services and insurance for transgender individuals, and gender-coding were removed. A page with links to training materials for Section 1557 was also removed, with no replacement content restored to date.

In 2018, [experts told the Web Integrity Project](#) that these changes, first uncovered by the [National Women’s Law Center](#), removed



The “Transgender health care” Page on CMS.gov

Figure 9

A comparison of [May 31, 2017](#) and [June 2, 2017](#) captures of the “Transgender health care” page highlighting the changed information on filing a complaint. (Webpages captured by the [Internet Archive's Wayback Machine](#)).

INTERNET ARCHIVE
waybackmachine

https://www.healthcare.gov/transgender-health-care/ Go APR MAY JUL
31
2016 2017 2018

527 captures
2 Jan 2016 - 9 Nov 2019

Plans with transgender exclusions

Many health plans are still using exclusions such as “services related to sex change” or “sex reassignment surgery” to deny coverage to transgender people for certain health care services. Coverage varies by state.

Before you enroll in a plan, you should always look at the complete terms of coverage that are included in the “Evidence of Coverage,” “Certificate of Coverage,” or contract of insurance. This contains the full explanation of which procedures and services are covered or excluded under each plan. Plans might use different language to describe these kinds of exclusions. Look for language like “All procedures related to being transgender are not covered.” Other terms to look for include “gender change,” “transsexualism,” “gender identity disorder,” and “gender identity dysphoria.”

You can access the full terms of coverage through a plan’s [Summary of Benefits and Coverage](#). If you’re still not sure about how services would be covered or excluded, you should contact the plan’s issuer directly by phone.

These transgender health insurance exclusions may be unlawful sex discrimination. The health care law prohibits discrimination on the basis of sex, among other bases, in certain health programs and activities.

If you believe a plan unlawfully discriminates, you can file complaints of discrimination with your state’s Department of Insurance or [the U.S. Department of Health & Human Services Office for Civil Rights](#).

Once you’re enrolled in a plan, if your health insurance company refuses to pay a claim or ends your coverage, you also have the [right to appeal the decision](#) and have it reviewed by an independent third party.

more content than necessary to reflect the December 2016 injunction enjoining OCR from enforcing provisions relating to gender identity and termination of pregnancy. They suggested that the changes seemed like a preview of things to come. In [May 2019](#), HHS proposed new regulations rolling back protections for transgender and gender non-conforming patients in healthcare settings by reinterpreting Section 1557 of the Affordable Care Act to exclude “gender identity” as a prohibited basis for discrimination ([#HHS-1](#)).

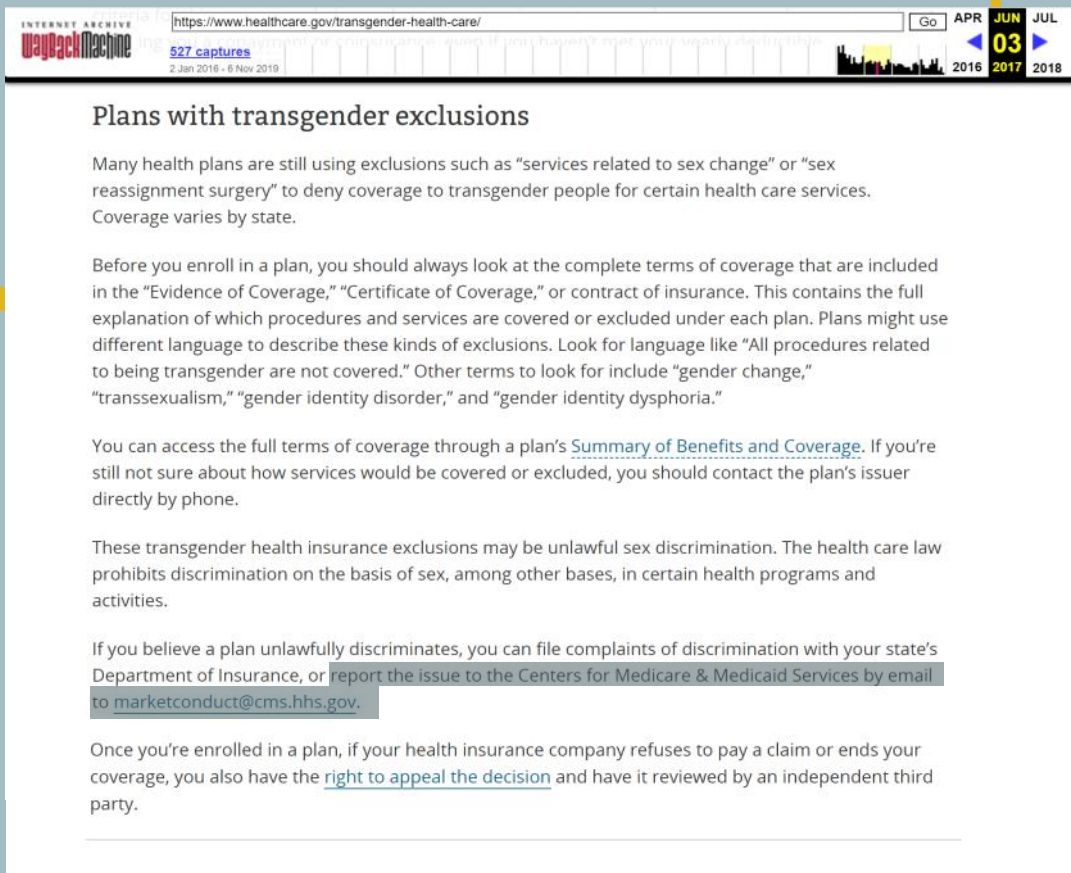
- Between [May 31, 2017](#) and [June 3, 2017](#), the Centers for Medicare & Medicaid Services (CMS) removed a [link to an OCR page containing information on making a civil rights complaint](#) from a page titled “Transgender health care” on the national health insurance marketplace,

HealthCare.gov (Figure 9). The link was replaced with the instruction to “report the issue to the Centers for Medicare & Medicaid Services by email to marketconduct@cms.hhs.gov,” with no further guidance on how to file a complaint. The OCR page formerly linked to is still live. The changes reflect an attempt by CMS to provide an outlet for complaints that OCR has signaled it will no longer investigate ([#HHS-2](#)).

The Department of Housing and Urban Development (HUD) removed resources about nondiscrimination of transgender individuals in housing from its website:

- Between [December 23, 2016](#) and [March 14, 2017](#), HUD altered the “LGBT Homelessness” page to remove links to and descrip-





tions of five training and guidance resources related to transgender individuals in homeless shelter systems. The resources, which described HUD policies on accommodating transgender individuals in shelter settings, have been removed and their URLs return “page not found” errors. In response to these removals, several groups [filed a lawsuit](#) against HUD ([#HUD-1](#)).

- Between [November 10, 2018](#) and [December 5, 2018](#), the Office of Fair Housing and Equal Opportunity removed a webpage with information on fair housing and LGBT individuals. A new reorganized [webpage](#) hosts much of the removed information, but excludes content including a graphic affirming HUD’s commitment to ending housing discrimination against LGBT people and their families, an explanation about how the Fair Housing Act applies to LGBT populations,

text affirming that discrimination based on HIV status is illegal, and links to resources including the final rule [“Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity”](#) ([#HUD-2](#)).

The Department of Labor (DOL) and the Office of Personnel Management (OPM) removed information about nondiscrimination of LGBTQ workers in employment from their websites:

- In late December 2016 or January 2017, the DOL made three changes to the “LGBT Policy” section of its website, removing pages, content, and links relating to LGBT rights in the workplace.
 1. Between [January 20, 2017](#) and [January 25, 2017](#), DOL altered the



The “LGBT Policy” Page on DOL.gov

The [January 20, 2017](#) capture of the “LGBT Policy” page highlighting content that was removed by [January 25, 2017](#). (Webpages captured by the [Internet Archive's Wayback Machine](#)).

The screenshot shows the "LGBT Policy" page on the DOL.gov website. The page is titled "LGBT Policy" and is part of the "Office of the Assistant Secretary for Policy". The main content area includes a mission statement, an "Our Work" section with a link to "Advancing LGBT Workplace Rights (PDF)", and a "Further Resources" section with several links to related documents and reports. A "Featured" section on the right highlights Frank Kameny's induction into the Labor Hall of Honor. The footer contains contact information and links to Freedom of Information Act, Privacy & Security Statement, Disclaimers, and Important Web Site Notices.

- “LGBT Policy” page. Text about LGBT rights and links to two pages, “Advancing LGBT Workplace Rights” and “Resources for Employers on LGBT Workers and Inclusive Workplaces,” were removed (Figure 10; [#DOL-1](#)).
- Between [January 10, 2017](#), and [January 20, 2017](#), DOL removed the “Advancing LGBT Workplace Rights” page at the URL <https://www.dol.gov/asp/policy-development/lgbt-report.pdf>. The page contained a 2015 report, “Advancing LGBT Workplace Rights”, which detailed key principles for protecting the rights of LGBT individuals in a workplace setting in PDF format. The URL now leads to a 404 error ([#DOL-1](#)).
 - Between [December 21, 2016](#) and [February 7, 2017](#), DOL removed the “Resources for Employers on LGBT Workers and Inclusive Workplaces” page at the URL https://www.dol.gov/ofccp/LGBT/LGBT_resources.html. The URL for the page now leads to a 404 error. The page contained information and links for employers, including a directory of organizations “that offer resources and guidance to employers around issues related to creating an inclusive workplace” for LGBT employees. Links to live pages, including to an



The “Frequently Asked Questions Sexual Orientation and Gender Identity” Page on DOL.gov

Figure 11

The introductory paragraph of the [December 21, 2016](#) and [January 26, 2017](#) versions of the “Frequently Asked Questions Sexual Orientation and Gender Identity” page highlighting references to executive orders. (Webpages captured by the [Internet Archive's Wayback Machine](#)).

The screenshot shows the Wayback Machine interface for the URL https://www.dol.gov/ofccp/LGBT/LGBT_FAQs.html as of December 21, 2016. The page is titled "Office of Federal Contract Compliance Programs (OFCCP) Frequently Asked Questions EO 13672 Final Rule". The main text states: "On December 3, 2014, the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) announced a Final Rule that will prohibit federal contractors from discriminating in employment on the basis of sexual orientation or gender identity. The Final Rule implements Executive Order (EO) 13672, signed by President Barack Obama on July 21, 2014, which adds sexual orientation and gender identity to the prohibited bases of discrimination in EO 11246. Additional information about the new Final Rule is provided in the below list of Frequently Asked Questions." Under the "General Information" section, the first question is: "1. You say the Final Rule applies to contracts entered into or modified on or after the effective date of the Final Rule. What are

The screenshot shows the Wayback Machine interface for the URL https://www.dol.gov/ofccp/LGBT/LGBT_FAQs.html as of January 26, 2017. The page is titled "Office of Federal Contract Compliance Programs (OFCCP) Frequently Asked Questions Sexual Orientation and Gender Identity". The main text states: "The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces regulations that prohibit discrimination based on sexual orientation and gender identity, under Executive Order 11246, as amended." Under the "Overview of the Regulations" section, the first question is: "1. Do federal contracting agencies have to alter the Equal Opportunity Clause as a result of the changes to Executive Order 11246?"

Equal Employment Opportunity Commission decision, were removed ([#DOL-1](#)).

- Between [December 21, 2016](#) and [January 26, 2017](#), the Department of Labor's Office of Federal Contract Compliance Programs overhauled an FAQ page to remove references to Executive Order 13672, which ex-

tended protections against discrimination in employment to gender identity for the federal workforce and both sexual orientation and gender identity for federal contractors (Figure 11; [#DOL-2](#)). Issued ten days before the now-rescinded Executive Order 13673, which required federal contractors to reveal any violations of labor laws (including LGBT protections), Executive Order 13672 is still in force.



- Between [October 8, 2018](#) and [November 28, 2018](#), OPM removed its “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page from its website. The page now leads to a 404 (page not found) error. A new page titled “Guidance Regarding Non-Discriminatory Practices in Federal Employment” was added to the OPM website around the same time. The new guidance page does not pertain to transgender employees specifically, but workplace discrimination under the Civil Rights Act of 1964 generally ([#OPM](#)).

The Department of Education (ED) office removed resources and guidance for students and teachers:

- Between [February 21, 2017](#) and [April 19, 2017](#), the ED’s Office for Civil Rights removed guidance for schools about nondiscrimination of transgender students. The guidance covered topics including providing a safe and nondiscriminatory environment, names and pronouns, restrooms, locker rooms, and athletics, single-sex schools, fraternities and sororities, overnight accommodations, and privacy (Figure 12; [#ED](#)).
- Between [November 14, 2017](#) and [February 19, 2018](#), the ED’s Office for Civil Rights removed text affirming the responsibility of schools to treat transgender students in a manner consistent with their gender identity, including when participating in “sex-segregated activities or facilities,” as well as links to several resolution agreements to civil rights complaints and court filings on transgender issues. One of the removed links was to the [Obama administration’s statement of interest](#) in support of a transgender student suing for access to the correct bathroom in the U.S. District Court. (See: [Politico’s report](#) on these changes.)

The Substance Abuse and Mental Health Services Administration (SAMHSA) removed resources about cultural competence, as they relate to LGBTQ communities:

- As part of the overhaul of its website documented in [our October 2019 report](#), SAMHSA removed several pages containing information on LGBTQ populations ([#HHS-3](#)). SAMHSA removed:
 1. the “[Age- and Gender-Based Populations](#)” page, which included a section on mental health and substance use issues for LGBT individuals;
 2. the “[Specific Populations](#),” which detailed SAMHSA’s prevention efforts for the LGBT community, and;
 3. the “[Serving the Needs of Diverse Populations](#)” page, which discussed cultural competence and included a section outlining and linking to training materials on LGBT cultural competency.
- SAMHSA also removed a link to “[Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, or Two-Spirit Learning Community](#)” [cultural competence resources](#) hosted at the Technical Assistance Partnership for Child and Family Mental Health Archive from its “[Lesbian, Gay, Bisexual, and Transgender \(LGBT\)](#)” page ([#HHS-3](#)).

Resources for LGBTQ people

Resources for LGBTQ people with community-specific information about travel, health and safety, and small business have been limited or removed in the Trump administration.

The Department of State removed a page outlining the U.S. government’s commitment “to promote and protect the human rights of lesbian, gay, bisexual, and transgender (LGBT) persons” around the world:

- The page, published May 16, 2014, focused on discrimination faced by LGBT persons, including Refugees and Asylum Seekers,



The “Resources for Transgender and Gender-Nonconforming Students” Page on ED.gov

The top portion of the [February 21, 2017](#) version of the “Resources for Transgender and Gender-Nonconforming Students” page. By [April 19, 2017](#), the page was removed. (Webpages captured by the [Internet Archive’s Wayback Machine](#)).

The screenshot shows the top portion of the U.S. Department of Education website. At the top, there is a navigation bar with links for "Student Loans", "Grants", "Laws", and "Data". Below this is a search bar and a "Language Assistance" dropdown. The main content area is titled "Resources for Transgender and Gender-Nonconforming Students". It includes a section for "Resources for Transgender and Gender-Nonconforming Students" with a brief description of Title IX protections. Below that is a "Policy Guidance" section with several links to PDF documents, including "Dear Colleague" letters and guidance documents. A sidebar on the right contains "How Do I Find..." with links to various resources, "Information About..." with links to teaching and engagement topics, and "Related Topics" with links to complaint filing and other civil rights agencies.

abroad. The page is currently archived on the [2009-2017 State Department website](#), but no equivalent page about international discrimination against LGBT people exists on the State Department website ([#State-2](#)).

The Office on Women’s Health (OWH), within HHS, removed several health and safety resources for LGBTQ people from its website:

- As [WIP reported in March 2018](#), OWH re-

moved a webpage with extensive information about lesbian and bisexual health, and links that correspond to that webpage, from its website between [September 19, 2017](#) and [October 13, 2017](#). A [PDF containing similar content](#) to the removed page is live but is not linked from elsewhere on the OWH website, rendering it orphaned and inaccessible by navigating through the website ([#HHS-4](#)).

- Between [February 3, 2018](#) and [February 19,](#)



[2018](#), OWH overhauled content related to sexual assault. In the process, it removed a section titled “Who is sexually assaulted?,” which included information on LGBT people and a link to the “[Same-sex relationship violence](#)” page ([#HHS-5](#)).

- After [October 11, 2017](#), OWH removed the “Same-sex relationship violence” page, which included information specifically tailored to women in same-sex couples experiencing domestic violence. Some of the information was later returned to a general page on domestic violence, but that content does not include contacts and links to resources specific to same-sex relationships ([#HHS-6](#)).

The Small Business Administration moved resources and removed information for small business owners in the LGBTQ-community:

- Between [December 9, 2016](#), and [January 31, 2017](#), information about the administration’s LGBT initiative that “aims to bring focus on economic empowerment in the LGBT business community providing access to SBA programs and services” posted on the “LGBT Outreach” page of the Small Business Administration’s (SBA) website was removed. The content [reportedly](#) remained inaccessible for more than a year. [A few days after Pink News reported on the removed content](#) on May 11, 2018, the URL for the page began redirecting to a [new page](#), which contains content related to LGBT-owned small businesses. The content on the new page is less extensive and links lead to generic tools ([#SBA](#)).

Not all changes to LGBTQ resources on the federal web involved the removal of access to resources. In 2017, the Indian Health Service (IHS) added a set of pages about “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” to its website. These nine pages, intended for Native American members of the LGBTQ-community, their families, and ser-

vice providers, covered topics including cultural competence, the LGBTQ-Two Spirit Workgroup, and media campaigns, and included several pages of resources ([#HHS-7](#)).

Statistics on LGBTQ Individuals

In line with announced policies, LGBTQ statistics have been deemphasized on the federal web. Our analysis of the changes since January 20, 2017 reveals:

- An unannounced policy change scaling back HHS targets for LGBTQ data coverage improvements.
- Examples of a lack of commitment to presenting newly-available statistics

An unannounced policy change scaling back HHS targets for LGBTQ data coverage improvements:

Healthy People is a decennial interagency initiative led by HHS’ Office of Disease Prevention and Health Promotion to set “[science-based, 10-year national objectives for improving the health of all Americans](#).” Healthy People 2020 was launched in 2010 and included a “Lesbian, Gay, Bisexual, and Transgender Health” topic [for the first time](#). As part of the topic, Healthy People 2020 includes two objectives and a series of sub-objectives, all relating to data collection and coverage for the LGBT community ([#HHS-1](#)).

Between [January 9, 2018](#) and [June 18, 2019](#), the goal (awkwardly phrased “Target Setting-Method” on the page) for sub-objective LGBT-2.1 was altered on the “Lesbian, Gay, Bisexual, and Transgender Health” page. The goal was reduced from “total coverage” to a “10 percent improvement” for the “[i]ncrease the number of states, territories and the District of Columbia that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS)” objective.

No reason was provided; nor was the [revision](#)



[history](#) section updated like it had been for other revised sub-objectives.

The same change was made to the “Target-Setting Method” section on the “LGBT-2.1 Data Details” page between [January 4, 2019](#) and [June 24, 2019](#).

Examples of a lack of commitment to presenting newly-available statistics:

Notwithstanding the efforts to increase data collection under the Obama administration, in recent years agencies have often been slow to update data on LGBTQ populations and have sometimes removed statistics rather than update them.

One such example comes from the CDC website. Between [June 21, 2017](#) and [June 24, 2017](#), the CDC updated its “[LGBT Youth](#)” page. In addition to updating statistics from the Youth Risk Behavior Survey (YRBS) to reflect 2015 data, CDC removed statistics about transgender youth suicide rates from the page and made the page more narrowly focused on lesbian, gay, and bisexual youth. To explain this more limited focus, CDC added a note at the top of the page:

“Historically, YRBS and other studies have gathered data on lesbian, gay, and bisexual youth but have not included questions about transgender and questioning/queer youth. As that changes and data becomes available, this content will be updated to include information regarding transgender and questioning/queer youth.”

Almost a year ago ([January 25, 2019](#)), the CDC publicly released the findings from the 2017 YRBS, which does for the first time contain data on transgender youth. The “LGBT Youth” page is yet to be updated and the note at the top of the page remains ([#HHS-9](#)).

We identified two additional pages on which severely outdated statistics are presented. The “[LGBT School Experiences](#)” page on [youth.gov](#) cites statistics from the 2011 GLSEN National School Climate Survey. GLSEN has published

data from [three more recent National School Climate Surveys](#). Also on [youth.gov](#), the “[LGBT Behavioral Health](#)” page cites statistics from the 2009 Youth Risk Behavior Surveillance System (YRBS). Four [YRBS iterations have been published since 2009](#).

Conclusion

This chapter contextualized some examples of the most significant federal web changes relating to LGBTQ communities, which tend to suggest that, under the Trump administration, agencies have removed resources that provide guidance or information about discrimination protections, especially for the protection of transgender people, as well as resources that are intended to be used by members of the LGBTQ community, with community-specific information about government programs, health, and other issues. A third theme we see emerging seems to reflect a reduced effort on updating LGBTQ statistics and expanding data coverage for LGBTQ individuals.

The more significant, and previously unreported, website changes revealed in this chapter include:

- The Department of Labor scrubbing references to existing executive order adding “gender identity” as protected class ([#DOL-2](#));
- The Department of Health and Human Services apparently reducing its LGBT data coverage goal ([#HHS-8](#));
- The Department of Housing and Urban Development removing Fair Housing Act content ([#HUD-2](#));
- The Centers for Disease Control and Prevention removing the term “LGBTQ” and transgender suicide statistics from a webpage ([#HHS-9](#)).



Conclusion

In this report, we have examined changes in language use on LGBTQ-related webpages across the federal web, changes in LGBTQ- and religious freedom-related terms on HHS.gov, and numerous examples of changes to LGBTQ-related web content.

Our analysis shows:

Where LGBTQ-related topics are being discussed most concentratedly, on **LGBTQ-related webpages**, term analysis revealed an increased use of the terms like “gender,” “transgender,” and “gender minority” on LGBTQ-related webpages since President Trump took office.

But, these trends are far from consistent across departments, with some increasing their use of terms “transgender,” “gender minority,” and “LGBTQ,” and others decreasing the use of those terms. Nor are the trends likely to be consistent from one agency within a department to another.

When we examined almost 2,000 webpages for the use of both **LGBTQ-related and religious freedom-related language on HHS.gov**, we saw LGBTQ-related terms had become less promi-

nent, perhaps suggesting that LGBTQ issues feature less prominently on the website. This trend was especially apparent for the terms “gender,” “transgender” and “gender identity.”

By contrast, on those same webpages, terms related to religious freedom-related terms like “faith-based and community organizations” and “religious freedom” became significantly more prominent (appearing as much as 875% more often). This tends to comport with the extra emphasis the Trump administration has placed on religious and conscience protections compared to the previous administration.

When we examined **significant changes of LGBTQ-related web content** in detail, we saw two key themes. First, the removal of resources, like official directives, “Dear Colleague” letters, and other resources that provide public officials and grantees guidance or information about discrimination protections, especially for the protection of transgender people. Second, the removal of resources that are intended to be used by members of the LGBTQ community. A third emergent theme centers on what might be described as a lackluster commitment to updating and expanding coverage of LGBTQ statistics.





Among the most significant, and previously unreported, website changes uncovered in the report include:

- The Department of Labor scrubbed references to existing executive order adding “gender identity” as protected class ([#DOL-2](#));
- The Department of Health and Human Services appears to have reduced its LGBT data coverage goal ([#HHS-8](#));
- The Department of Housing and Urban Development removed Fair Housing Act content ([#HUD-2](#));
- The Centers for Disease Control and Prevention removed the term “LGBTQ” and transgender suicide statistics from a webpage ([#HHS-9](#)).



Technical Documentation

The background of the page is a photograph of a grassy field. A solid yellow horizontal line runs across the middle of the image. In the foreground, there is a large, circular object with vertical stripes in shades of red, green, blue, and purple. The overall image has a soft, slightly blurred quality.

Screen captures are taken from the Internet Archive's Wayback Machine (IAWM). The Internet Archive's Wayback Machine's (IAWM) displays time in UTC/GMT. However, the dates and times referenced in this report are in EST/EDT.

Index to Technical Documentation

Link to Technical Documentation	Title	Agency	Link to detailed WIP reporting	Description	Status	Internet Archive's Wayback Machine Capture	
						Before Change	After Change
DOL-1	Removal of LGBT workplace resources from the Department of Labor website	Department of Labor	Gov404 Tracker	Removal of two pages, the "Advancing LGBT Workplace Rights" report and the "Resources for Federal Contractors Executive Order 13672 – Sexual Orientation and Gender Identity" page from the DOL website.	Entire webpage removed	January 20, 2017	January 25, 2017
DOL-2	Alteration to the Department of Labor's Office of Federal Contract Compliance Programs LGBT FAQ page	Department of Labor	N/A	Alteration of "Frequently Asked Questions Sexual Orientation and Gender Identity" to remove references to Executive Order 13672.	Altered	December 21, 2016	September 21, 2018
ED	Removal of transgender student rights content from the Department of Education's Office for Civil Rights website	Department of Education	Gov404 Tracker	Alteration of the "Resources for Transgender and Gender-Nonconforming Students" page to remove links to court documents, text referencing Title IX protections for transgender and gender nonconforming students, and the use of the terms "Transgender" and "Gender-Nonconforming" in the title of the page.	Altered	February 21, 2017	February 19, 2018
HHS-1	Removal of sex discrimination language from HHS's Office for Civil Rights webpages about Section 1557 of the Affordable Care Act	Department of Health and Human Services	Web Monitoring Report	Removal of language relating to sex discrimination and prohibitions on sex discrimination on at least five webpages about Section 1557 of the Affordable Care Act (ACA).	Altered	March 15, 2017	August 18, 2017
HHS-2	Removal of link to Office of Civil Rights Complaint page from Healthcare.gov's "Transgender health care" page	Centers for Medicare & Medicaid, Department of Health and Human Services	N/A	Removal of a link to a page for filing complaints with the Office of Civil Rights from the "Transgender health care" page, which was replaced with an email address within the Centers for Medicare & Medicaid Services.	Altered	May 31, 2017	June 3, 2017
HHS-3	Removal of LGBTQ content from SAMHSA website	SAMHSA, Department of Health and Human Services	Trend Report	Removal of three pages containing information on LGBTQ populations and cultural competence.	Removed	March 5, 2019	March 19, 2019

Index to Technical Documentation (continued)

Link to Technical Documentation	Title	Agency	Link to detailed WIP reporting	Description	Status	Internet Archive's Wayback Machine Capture	
						Before Change	After Change
HHS-4	Removal of lesbian and bisexual health page from Office on Women's Health Website	Office on Women's Health, Department of Health and Human Services	Web Monitoring Report	Removal of a webpage with extensive information about lesbian and bisexual health, and links that correspond to that webpage from the OWH website.	Removed	September 19, 2017	October 13, 2017
HHS-5	Alterations to the "Sexual assault and rape" page on the Office on Women's Health website	Office on Women's Health, Department of Health and Human Services	N/A	Removal of content relating to experience of sexual assault and violence in same-sex relationships from the "Sexual assault and rape" page on the OWH website.	Moved and altered	February 3, 2018	February 19, 2018
HHS-6	Removal of the "Same-sex relationship violence" page on the Office on Women's Health Website	Office on Women's Health, Department of Health and Human Services	N/A	Removal of a webpage titled "Same-sex relationship violence" from the OWH website.	Removed	October 11, 2017	October 23, 2019
HHS-7	Addition of "Lesbian, Gay, Bisexual and Transgender Health" section to Indian Health Service website	Indian Health Service, Department of Health and Human Services	N/A	Addition of a set of topical pages providing information and resources relating to "Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health" to the IHS website	Added	N/A	December 9, 2017
HHS-8	Alteration to LGBT-related objective on Healthypeople.gov	Health People 2020, Department of Health and Human Services	N/A	Alteration of Healthy People 2020 Objective LGBT-2.1, which sets data coverage targets for sexual orientation and gender identity questions in the Behavioral Risk Factor Surveillance System, on two webpages within its	Altered	January 9, 2019	June 18, 2019
HHS-9	Alterations to CDC's "LGBT Youth" pages	Centers for Disease Control and Prevention, Department of Health and Human Services	N/A	Alteration of two pages related to LGBTQ youth to change "LGBT" to "LGB" and to remove statistics relating specifically to transgender youth.	Altered	June 21, 2017	June 24, 2017

Index to Technical Documentation (continued)

Link to Technical Documentation	Title	Agency	Link to detailed WIP reporting	Description	Status	Internet Archive's Wayback Machine Capture	
						Before Change	After Change
HUD-1	Removal of homeless transgender training and guidance resources from the Department of Housing and Urban Development website	Department of Housing and Urban Development	Gov404 Tracker	Alteration of the "LGBT Homelessness" page on the Department of Housing and Urban Development (HUD) Exchange website to remove links to and descriptions of five training and guidance resources related to transgender individuals in homeless shelter systems.	Altered	December 23, 2016	March 14, 2017
HUD-2	Alterations to LGBT Fair Housing content on the Department of Housing and Urban Development website	Department of Housing and Urban Development	N/A	Move and alteration of "FH_LGBT_PAGE" page, featuring information on the Fair Housing Act and how it relates to discrimination against LGBT populations.	Moved and altered	November 10, 2018	September 14, 2018
OPM	Removal of federal transgender employment guidance from Office of Personnel Management website	Office of Personnel Management	Gov404 Tracker	Removal of "Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace" page.	Removed	October 8, 2018	November 28, 2018
SBA	Removal of "LGBT Outreach" content from U.S. Small Business Administration website	Small Business Administration	Gov404 Tracker	Removal of content on the "LGBT Outreach" page, which remained unavailable for over a year.	Altered	December 9, 2016	January 31, 2017
State-1	Alteration of the State Department passport gender marker webpage	Department of State	Gov404 Tracker	Move and alteration of "Gender Designation" page to replace references to "gender" with "sex" and insert the term "sex change."	Moved and altered	September 10, 2018	September 13, 2018
State-2	Removal of "Lesbian, Gay, Bisexual, and Transgender Human Rights Issues" Fact Sheet from State Department website	Department of State	N/A	Removal of the "Lesbian, Gay, Bisexual, and Transgender Human Rights Issues" page from the State Department website.	Removed	January 21, 2017	January 25, 2017

Removal of LGBT workplace resources from the Department of Labor website

Tag: #DOL-1

Summary of Findings

Between [January 20, 2017](#) and [January 25, 2017](#), the Department of Labor (DOL) removed LGBT resources from its website. DOL altered the “LGBT Policy” page (Webpage 1) on its website. A link and description of the “Advancing LGBT Workplace Rights” report (Webpage 2) and the “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” page (Webpage 3) were removed. At or around the same time, both Webpage 2 and Webpage 3 were removed from the Department of Labor website.

Change Classification

- (1) Altering or removing text and non-text content
- (5) Removing an entire webpage or document

Reporting

- Mashable: [These important pages have already been deleted from the White House website](#) (01/20/2017)
- NBC News: [Trump Administration Removes LGBTQ Content From Federal Websites](#) (01/24/2017)

Change Details

Webpage 1

Page title: LGBT Policy

Page status: Altered

- **Before:** [January 20, 2017](#)
- **After:** [January 25, 2017](#)

URL: <https://www.dol.gov/asp/policy-development/lgbt-workers.htm>

Known archives: A public web archive of this page from [January 9, 2017](#), collected at the request of the Department of Labor, is available on [Archive-It](#).

Description of change:

The following content was changed between [January 20, 2017](#) and [January 25, 2017](#):

1. **Altered** the “LGBT Policy” page:
 - Removed a link to the “Advancing LGBT Workplace Rights” report (Webpage 2)

and accompanying text describing the report :

We have assessed how every aspect of our day-to-day work can incorporate concrete actions to advance LGBT workplace equality. From our worker-protection agencies and regulations, to our grants and technical assistance programs, to our own responsibilities as an employer, we have taken actions large and small to ensure LGBT workers and their families can share in the benefits of a growing economy. Today we report on the progress we have made, and the work still in progress

- Removed the text “Resources for Employers on LGBT Workers and Inclusive Workplaces,” which linked to the “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” (Webpage 3).

Webpage 2

Page title: Advancing LGBT Workplace Rights

Page status: Removed

- **Before:** [January 10, 2017](#)
- **After:** [January 20, 2017](#)

URL: <https://www.dol.gov/asp/policy-development/lgbt-report.pdf>

Known archives: A public web archive of this page from [January 10, 2017](#), collected at the request of the Department of Labor, is available on [Archive-It](#).

Description of change:

The following content was changed between [January 10, 2017](#) and [January 20, 2017](#):

1. **Removed** the “Advancing LGBT Workplace Rights” page:
 - The page hosted a 2015 PDF report of the same name, which detailed key principles for protecting the rights of LGBT individuals in a workplace settings. The URL now leads to a 404 error.

Webpage 3

Page title: Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity

Page status: Removed

- **Before:** [December 21, 2016](#)
- **After:** [February 7, 2017](#)

URL: https://www.dol.gov/ofccp/LGBT/LGBT_resources.html

Known archives: A public web archive of this page from [December 21, 2016](#), collected at the request of the Department of Labor, is available on [Archive-It](#).

Description of change:

The following content was changed between [December 21, 2016](#) and [February 7, 2017](#):

1. **Removed** the “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” page:

- The page contained information and links for employers relating to Executive Order 13672, including a directory of organizations “that offer resources and guidance to employers around issues related to creating an inclusive workplace” for LGBT employees. Links to live pages, including to an Equal Employment Opportunity Commission decision, were removed. The URL for the page now leads to a 404 error.
- As of November 11, 2019, Executive Order 13672 is still in force.

Screenshot: A capture of the top portion of the [December 21, 2016](#) version of the main “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” page. The page was removed by [February 7, 2017](#). Captured by the Internet Archive’s [Wayback Machine](#).

The screenshot shows the top portion of a webpage from the Wayback Machine. The URL is https://www.dol.gov/ofccp/LGBT/LGBT_resources.html. The page is titled "Office of Federal Contract Compliance Programs (OFCCP) Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity". The page content includes a navigation menu, a sidebar with links to "OFCCP Home", "About OFCCP", "Compliance Assistance", "Regulatory Library", "About OFCCP", "Contact Us", and "Subscribe to E-mail Updates". The main content area features several sections with hyperlinks and brief descriptions:

- American Civil Liberties Union Non-Discrimination State Map**: The American Civil Liberties Union, a public interest advocacy organization, created an interactive map that allows users to view information about statewide employment non-discrimination laws related to sexual orientation and/or gender identity.
- Center for American Progress**: The Center for American Progress, a public policy research and advocacy organization, released a report in December 2014 entitled "We the People: Why Congress and U.S. States Must Pass Comprehensive LGBT Nondiscrimination Protections." This report provides information on issues affecting LGBT individuals in the workplace, such as hiring and firing, wages, and benefits.
- Equal Employment Opportunity Commission (EEOC): Facts about Discrimination based on Sexual Orientation, or Transgender (Gender Identity) Status**: The Equal Employment Opportunity Commission is a federal agency charged with enforcing laws prohibiting workplace discrimination under the authority of Title VII of the Civil Rights Act of 1964 (Title VII), among other civil rights laws. In 2012, the EEOC held, in *Macy v. Holder*, that discrimination against a transgender individual is considered sex discrimination. The decision highlighted that Title VII prohibits discrimination not only on the basis of biological sex, but also prohibits discrimination based on gender stereotyping. [Macy decision](#).
- Equality Federation's Equality Maps**: Equality Federation is an organization dedicated to promoting equality for LGBT individuals. The Equality Federation created an interactive map called the Movement Advancement Project (MAP). The MAP website provides users with a snapshot of LGBT information that includes, but is not limited to, state LGBT population demographics, state LGBT laws, and listings of local municipalities and counties with non-discrimination ordinances.
- Human Rights Campaign's Corporate Equality Index**: The Human Rights Campaign is a LGBT civil rights organization that releases an annual report called the Corporate Equality Index (CEI.) The CEI uses methodologies to rate U.S. companies on their policies and practices related to LGBT employees. The criteria used to compile the CEI report can provide businesses with best practices for adopting inclusive policies for LGBT employees.
- Lambda Legal Defense & Education Fund Tool Kit**: Lambda Legal Defense & Education Fund is an organization that advocates on behalf of LGBT individuals. The organization's website provides users with a "Tool Kit for Workplace Equality." The tool kit includes information on laws and legal protections for LGBT people, answers to common questions about LGBT people and the workplace, a resource guide, and worksheets that provide a

Alteration to the Department of Labor's Office of Federal Contract Compliance Programs LGBT FAQ page

Tag: #DOL-2

Summary of Findings

Between [December 21, 2016](#) and [September 21, 2018](#), the Department of Labor's Office of Federal Contract Compliance Programs overhauled an FAQ page to remove references to Executive Order 13672.

Change Classification

- (1) Altering or removing text and non-text content
- (4) Altering or removing an entire pertinent section of a webpage or collection of webpages

Reporting

- N/A

Change Details

Page title: Frequently Asked Questions Sexual Orientation and Gender Identity (Previously titled Frequently Asked Questions: LGBT)

Page status: Altered

- **Before:** [December 21, 2016](#)
- **After:** [September 21, 2018](#)

URL: https://www.dol.gov/ofccp/LGBT/LGBT_FAQs.html

Known archives: A public web archive of this page, collected by the Library of Congress is available from [May 29, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>.

Description of change:

The following changes occurred between [December 21, 2016](#) and [January 26, 2017](#):

1. **Overhauled** content of page to deemphasize from Executive Order 13672.
 - Altered the page heading from "Frequently Asked Questions EO 13672 Final Rule" to "Frequently Asked Questions Sexual Orientation and Gen-

der Identity.”

- Altered the introductory paragraph to remove mention of EO 13672 and add reference to EO 11246, an executive order signed by President Lyndon B. Johnson in 1965 to prohibit discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, or national origin:

From:

“On December 3, 2014, the U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) announced a Final Rule that will prohibit federal contractors from discriminating in employment on the basis of sexual orientation or gender identity. The Final Rule implements Executive Order (EO) 13672, signed by President Barack Obama on July 21, 2014, which adds sexual orientation and gender identity to the prohibited bases of discrimination in EO 11246. Additional information about the new Final Rule is provided in the below list of Frequently Asked Questions.”

To:

“The U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) enforces regulations that prohibit discrimination based on sexual orientation and gender identity, under Executive Order 11246, as amended.”

- Overhauled the FAQs, removing many questions and answers, adding others, and editing questions and answers, especially by replacing references to “the final rule” and “Executive Order 13672” with the terms “Executive Order 11246,” “the regulations,” and “OFCCP’s regulations.” (See Screenshot).

The following changes occurred between [March 8, 2018](#) and [September 21, 2018](#):

1. **Removed** “Religious Employers and Religious Exemption” FAQ section, including the following questions and their answers:
 - How does Executive Order 11246 apply to religious organizations?
 - Do OFCCP’s regulations prohibiting discrimination based on sexual orientation and gender identity alter the religious exemption in EO 11246 in any way?
 - What kinds of organizations are covered by the religious exemption of Executive Order 11246?
 - How can contractors invoke the religious exemption under 41 CFR 60–1.5(a) (5)?
 - How does EO 11246’s exemption for religious organizations operate in light of the addition of the new protected categories?
 - How does the “ministerial exception” interact with Executive Order 11246?

Screenshot: A comparison of the [December 21, 2016](#) and [September 21, 2018](#) versions of the “Frequently Asked Questions Sexual Orientation and Gender Identity” page. Captured by the Internet Archive’s [Wayback Machine](#).

Office of Federal Contract Compliance Programs (OFCCP)

Frequently Asked Questions
ED 13672 Final Rule

On December 3, 2014, the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) announced a Final Rule that will prohibit federal contractors from discriminating in employment on the basis of sexual orientation or gender identity. The Final Rule implements Executive Order (EO) 13672, signed by President Barack Obama on July 21, 2014, which adds sexual orientation and gender identity to the prohibited bases of discrimination in EO 11246. Additional information about the new Final Rule is provided in the below list of Frequently Asked Questions.

General Information

1. You say the Final Rule applies to contracts entered into or modified on or after the effective date of the Final Rule. What are some examples of modifications to existing contracts?
2. Will the new nondiscrimination requirements be added as new terms and conditions to all existing contracts (and thus serve as modifications to those contracts)?
3. Under the Final Rule, what changes do federal contracting agencies have to make to the Equal Opportunity Clause?
4. How does the Final Rule relate to OFCCP's report directive implementing the EEOC's decision in *Macy v. Holder* regarding discrimination based on gender identity or transgender status?
5. Does the Final Rule require contractors to conduct any data analysis relative to compensation or other practices as they relate to sexual orientation or gender identity?
6. Does the Final Rule require contractors to ask applicants and employees to voluntarily self-identify their sexual orientation or gender identity? Does the Final Rule require contractors to make such voluntary disclosure if they choose to do so?

Effective Date

1. When did the Final Rule take effect?
2. If I am already a federal contractor, did I have to make any changes before April 8, 2015?

Religious Employers and Religious Exemption

1. How does Executive Order 11246 apply to religious organizations?
2. Does the Final Rule after the existing religious exemption in EO 11246 in any way?
3. What kinds of organizations are covered by the religious exemption of Executive Order 11246?
4. How can contractors invoke the religious exemption under 41 CFR 60-1.10(a)(5)?
5. How does EO 11246's exemption for religious organizations operate in light of the addition of the new protected categories?
6. How does the "ministerial exception" interact with Executive Order 11246?

Overview of the Final Rule

Rulemaking Process

1. Why did the Department implement Executive Order 13672 with a Final Rule without prior notice and comment?

Equal Opportunity Contract Clause Incorporation

1. Under the Final Rule, what changes do federal contracting agencies have to make to the Equal Opportunity Clause?
2. Do the Final Rule require the revised equal opportunity clause to refer to both Executive Order 11246 and Executive Order 13672?
3. Does the Final Rule change the way in which the equal opportunity clause may be incorporated into contracts and subcontracts by reference?

Job Advertisement Tag Line

1. How does the Final Rule change the requirements for solicitations and advertisements for employees?

AAP and Policy Statement

1. Must a federal contractor update its Affirmative Action Program (AAP) or any of its policy statements or handbooks to indicate that it does not discriminate based on sexual orientation or gender identity?

Outreach and Recruitment

1. Does the Final Rule require outreach activities?

Technical Assistance and Public Education

1. Will OFCCP's Employment Referral Resource Directory be updated to include organizations specializing in issues related to sexual orientation and gender identity?
2. What steps has OFCCP taken to implement EO 13672's goals, workshops, seminars, and the issuance of other guidance materials?
3. How can I sign on to participate in these events and opportunities?
4. What should I do if I have a question that is not answered by OFCCP's Final Rule or other materials?

Implementation Questions

In General

Covered Contractors

1. How do I know whether an employer is a federal contractor subject to the Final Rule?
2. If I am only a federal grant recipient, and not a contractor, am I subject to Executive Order 11246 as amended by this Final Rule?

Definitions

1. What does "gender identity" mean?
2. What does "sexual orientation" mean?

Job Advertisement Tag Line

1. If I include all of the bases instead of the phrase "sexual orientation and gender identity" can I abbreviate "sexual orientation" and "gender identity" in job solicitations and advertisements?

Data Collection, Self-Identification, and Supporting Documentation

1. May a contractor ask a transgender applicant or employee for documentation to prove his or her gender identity?
2. What kinds of documents may an employer require a transgender applicant or employee to provide about the employee's transition?
3. If a contractor voluntarily collects data on the sexual orientation and gender identity of employees and applicants, will OFCCP request the data during a complaint investigation or compliance evaluation?

EEO Poster

1. Will the "EEO is the Law" poster be revised in light of the Final Rule? If so, should contractors stop using the current poster when the Final Rule takes effect?

Restrooms

1. How is restroom access affected by the Final Rule?

Types of Discrimination

1. Will OFCCP accept complaints of "disparate impact" discrimination on the basis of sexual orientation and gender identity?

Intersection of State and Local Nondiscrimination Laws

1. How does the Final Rule affect employers in jurisdictions that already prohibit discrimination on the basis of sexual orientation and/or gender identity?

Relation to Title IX

1. There are many colleges and universities that are federal contractors. How does the Final Rule apply to those educational institutions that are federal contractors?

Office of Federal Contract Compliance Programs (OFCCP)

Frequently Asked Questions
Sexual Orientation and Gender Identity

The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) enforces regulations that prohibit discrimination based on sexual orientation and gender identity, under Executive Order 11246, as amended.

Overview of the Regulations

Equal Opportunity Contract Clause Incorporation

1. Do federal contracting agencies have to alter the Equal Opportunity Clause as a result of the changes to Executive Order 11246?
2. How should contractors incorporate the equal opportunity clause into contracts and subcontracts "by reference"?

Job Advertisement Tag Line

1. How should "sexual orientation" and "gender identity" be included in contractor solicitations and advertisements for employees?
2. If I include all of the bases instead of the phrase "sexual orientation and gender identity" can I abbreviate "sexual orientation" and "gender identity" in job solicitations and advertisements?

AAP and Policy Statement

1. Must a federal contractor indicate that it does not discriminate based on sexual orientation or gender identity in its Affirmative Action Program (AAP) or any of its policy statements or handbooks?

Outreach and Recruitment

1. Do the regulations require outreach activities directed toward LGBT applicants and employees?

Technical Assistance and Public Education

1. What steps has OFCCP taken to educate the public on the sexual orientation and gender identity protections in Executive Order 11246 (e.g., workshops, seminars, and the issuance of other guidance materials)?
2. How can I sign on to participate in educational events and opportunities?
3. What should I do if I have a question that is not answered by OFCCP's regulations or other materials?

Implementation Questions

In General

Covered Contractors

1. How do I know whether an employer is a federal contractor subject to sexual orientation and gender identity requirements enforced by OFCCP?
2. If I am only a federal grant recipient, and not a contractor, am I subject to Executive Order 11246 as amended to include sexual orientation and gender identity?

Definitions

1. What does "gender identity" mean?
2. What does "sexual orientation" mean?

Data Collection, Self-Identification, and Supporting Documentation

1. May a contractor ask a transgender applicant or employee for documentation to prove his or her gender identity?
2. What kinds of documents may an employer require a transgender applicant or employee to provide about the employee's transition?
3. If a contractor voluntarily collects data on the sexual orientation and gender identity of employees and applicants, will OFCCP request the data during a complaint investigation or compliance evaluation?

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Relation to Title IX

1. There are many colleges and universities that are federal contractors. How does the Executive Order apply to those educational institutions that are federal contractors?

Employee Benefits

1. Is a contractor required to provide fringe benefits to an employee's same-sex spouse? What about employees in civil unions or domestic partnerships?
2. How do OFCCP's EO 11246 regulations address transition-related health benefits?

Visa Denials and Related Issues

1. OFCCP's regulations result, in part, that contractors inform both OFCCP and the U.S. State Department when a country in which a contractor does business denies a visa of entry to an employee or potential employee, and the contractor believes that that denial is based on sexual orientation or gender identity. If any country receives such a visa denial, you should we contact at OFCCP, and how do we contact the State Department?

Removal of transgender student rights content from the Department of Education's Office for Civil Rights website

Tag: #ED

Summary of Findings

Between [February 21, 2017](#), and [February 19, 2018](#), the Department of Education altered the "Resources for Transgender and Gender-Nonconforming Students" page to remove links to some court documents, including resolutions to seven federal civil rights complaints and three federal court filings. These documents, which are still live, focus on transgender student rights, including equal access to bathrooms and other facilities. Text referencing Title IX protections for transgender and gender nonconforming students was removed from the introductory paragraph, and the title of the webpage was altered to remove mention of the terms "Transgender" and "Gender-Nonconforming." An Education Department spokesperson told [Politico](#) that this change reflected the [rescission](#) of a transgender student rights directive from the Obama administration.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (4) Altering or removing an entire pertinent section of a webpage or collection of webpages

Reporting

- Politico, "[Trump administration scraps resources for transgender students](#)" (03/08/2018)

Change Details

Page title: Resources for Transgender and Gender-Nonconforming Students

Page status: Altered

- **Before:** [February 21, 2017](#)
- **After:** [February 19, 2018](#)

URL: <https://www2.ed.gov/about/offices/list/ocr/lgbt.html>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [March 28, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>.

Description of change:

The following content was changed between [February 21, 2017](#) and [April 19, 2017](#):

1. **Replaced** a May 13, 2016 "Dear Colleague" letter titled "[Transgender Students](#)" with a February 22, 2017 [letter providing notice](#) that the Department of Education was withdrawing existing guidance on transgender students and nondiscrimination in education.

The following content was changed between [November 14, 2017](#) and [February 19, 2018](#):

1. **Altered** the heading of the page from "Resources for Transgender and Gender-Nonconforming Students" to "Resources for LGBTQ Students"
2. **Altered** the introductory paragraph on the page:

From:

"Title IX protects all students, including transgender and gender-nonconforming students, from sex discrimination. Title IX encompasses discrimination based on a student's nonconformity with sex stereotypes and gender identity, including a student's transgender status. Once a school is notified that a student will begin asserting a gender identity that differs from previous representations or records, the school must begin treating the student consistent with the student's gender identity. When a school provides sex-segregated activities or facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. Moreover, schools should be aware of their obligation under Title IX and the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of their students when maintaining education records."

To:

"Every school and every school leader has a responsibility to protect all students and ensure every child is respected and can learn in an accepting environment. Title IX protects all students, including LGBTQ students, from sex discrimination. Title IX encompasses discrimination based on a student's failure to conform to stereotyped notions of masculinity and femininity. Schools should also be aware of their obligation under Title IX and the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of their students when maintaining education records."

3. **Removed** seven "OCR Case Resolutions"

- Dorchester County School District (SC) (11-15-1348): Resolution Agreement and Resolution Letter
- Broadalbin-Perth Central School District (NY) (02-13-1220): Resolution Agreement and Resolution Letter
- Township High School District 211 (IL) (05-14-1055): Resolution Agreement and Resolution Letter
- Central Piedmont Community College (NC) (11-14-2265): Resolution Agreement and Resolution Letter
- Jonesboro School District #43 (IL) (05-15-1033): Resolution Agreement and Resolution Letter
- Downey Unified School District (CA) (09-12-1095): Resolution Agreement and Resolution Letter
- Arcadia Unified School District (CA) (09-12-1020): Resolution Agreement and Resolution Letter

4. **Removed** three "Court Filings—Statements of Interest and Amicus Curiae Briefs"

- Brief for the United States as Amicus Curiae Supporting Plaintiff-Appellant and Urging Reversal, *G.G. v. Gloucester County School Board*, No. 15-2056 (4th Cir. Oct. 28, 2015).
- Statement of Interest of the United States, *G.G. v. Gloucester County School Board*, No. 4:15cv54 (E.D. Va., June 29, 2015).
- Statement of Interest of the United States, *Tooley v. Van Buren Public Schools*, No. 2:14-cv-13466 (E.D. Mich. Feb. 24, 2015).



U.S. Department of Education

- Student Loans
- Grants
- Laws
- Data

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- Home
- Programs/Initiatives
- Office Contacts
- Reports & Resources
- News
- About OCR
- Reading Room
- Frequently Asked Questions
- Careers/Internships

Resources for Transgender and Gender-Nonconforming Students

Resources for Transgender and Gender-Nonconforming Students

Title IX protects all students, including transgender and gender-nonconforming students, from sex discrimination. Title IX encompasses discrimination based on a student's nonconformity with sex stereotypes and gender identity, including a student's transgender status. Once a school is notified that a student will begin asserting a gender identity that differs from previous representations or records, the school must begin treating the student consistent with the student's gender identity. When a school provides sex-segregated activities or facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. Moreover, schools should be aware of their obligation under Title IX and the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of their students when maintaining education records.

Policy Guidance

Learn about different types of guidance documents, including how to comment on significant guidance.

- "Dear Colleague" letter: Transgender Students PDF (717.33K) (May 13, 2016)
- Carta a los Estimados Colegas: Los Estudiantes Transgénero (Spanish) PDF (583.90K) (13 de mayo de 2016)
- 致親愛的同仁的信：跨性別學生 (Chinese Traditional) PDF (899.97K)
- 致亲爱的同仁的信：跨性别学生 (Chinese Simplified) PDF (912.51K)
- Examples of Policies and Emerging Practices for Supporting Transgender Students PDF (636.35K) (May 13, 2016)
- Dear Colleague Letter: Title IX Coordinators (Apr. 24, 2015), accompanied by a letter to Title IX coordinators and a Title IX resource guide.
- Dear Colleague Letter from Secretary of Education Arne Duncan on gay-straight alliances (Jun. 14, 2011), including legal guidelines for complying with the Equal Access Act.
- Dear Colleague Letter: Harassment and Bullying (Oct. 26, 2010)

OCR Case Resolutions

- Dorchester County School District (SC) (11-15-1348): Resolution Agreement and Resolution Letter
- Broadalbin-Perth Central School District (NY) (02-13-1220): Resolution Agreement and Resolution Letter
- Township High School District 211 (IL) (05-14-1055): Resolution Agreement and Resolution Letter
- Central Piedmont Community College (NC) (11-14-2265): Resolution Agreement and Resolution Letter
- Jonesboro School District #43 (IL) (05-15-1033): Resolution Agreement and Resolution Letter
- Downey Unified School District (CA) (09-12-1095): Resolution Agreement and Resolution Letter
- Arcadia Unified School District (CA) (09-12-1020): Resolution Agreement and Resolution Letter
- Anoka-Hennepin School District (MN) (05-11-5901): Consent Decree and Resolution Letter
- Teahachapi Unified School District (CA) (09-11-1031): Resolution Agreement and Resolution Letter

Court Filings—Statements of Interest and Amicus Curiae Briefs

- Brief for the United States as Amicus Curiae Supporting Plaintiff-Appellant and Urging Reversal, *G.G. v. Gloucester County School Board*, No. 15-2056 (4th Cir. Oct. 28, 2015).
- Statement of Interest of the United States, *G.G. v. Gloucester County School Board*, No. 4:15cv54 (E.D. Va., June 29, 2015).
- Statement of Interest of the United States, *Tooley v. Van Buren Public Schools*, No. 2:14-cv-13466 (E.D. Mich. Feb. 24, 2015).
- Brief for the United States as Amicus Curiae Supporting Plaintiffs-Appellants and Urging Reversal, *Carmichael v. Galbraith*, No. 12-11074 (5th Cir. April 1, 2013).
- United States Memorandum as Amicus Curiae in Response to Defendants' Motion to Dismiss/Summary Judgment, *Pratt v. Indian River Central School District*, No. 7:09-cv-00411 (N.D.N.Y. Aug. 13, 2010).
- Memorandum of Law in Support of the United States' Motion to Intervene, *J.L. v. Mohawk Central School District*, No. 6:09 Cv. 943 (N.D.N.Y. Jan. 14, 2010).

Federal Government Resources

- Stopbullying.gov
- Substance Abuse and Mental Health Services Administration LGBT resources
- Resources from the Department of Health and Human Services
- Equal Employment Opportunity Commission Enforcement Protections for LGBT Workers
- Resources for Community-Wide Prevention of LGBTQ Youth Homelessness from the Department of Housing and Urban Development
- Guidance from the Department of Labor's Job Corps Program on ensuring equal access for transgender applicants and students

How Do I Find...

- Student loans, forgiveness
 - College accreditation
 - Every Student Succeeds Act (ESSA)
 - FERPA
 - FAFSA
 - 1098-E Tax Form
- More >

Information About...

- Transforming Teaching
- Family and Community Engagement
- Early Learning
- K-12 Reforms

Related Topics

- How to File a Complaint
- Topics A-Z
- Civil Rights Data Collection (CRDC)
- Other Civil Rights Agencies
- Recursos de la Oficina Para Derechos Civiles en Español
- Resources Available in Other Languages

Printable view

Last Modified: 07/08/2016



Our mission is to promote student achievement and preparation for global

- Student Loans
- Repaying Loans
 - Defaulted Loans
 - Loan Forgiveness
 - Loan Servicers

- Laws & Guidance
- Every Student Succeeds Act (ESSA)
 - FERPA
 - Civil Rights
- Data & Research

- About Us
- Contact Us
 - ED Offices
 - Jobs
 - Press Releases
 - FAQs

Screenshot: A comparison of the [February 21, 2017](#) (left) and [February 19, 2018](#) (below) versions of Department of Education’s “Resources for Transgender and Gender-Nonconforming Students” page showing the changes made. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE Wayback Machine <https://www2.ed.gov/about/offices/list/ocr/lgbt.html> Go NOV FEB 19 MAY 64 captures 16 May 2016 - 5 Nov 2019

U.S. Department of Education Search...
 Student Loans Grants Laws Data

ABOUT ED / OFFICES

OCR

Office for Civil Rights

- Home
- Programs/Initiatives
- Office Contacts
- Reports & Resources
- News
- About OCR
- Reading Room
- Frequently Asked Questions
- Careers/Internships

Resources for **LGBTQ** Students

Every school and every school leader has a responsibility to protect all students and ensure every child is respected and can learn in an accepting environment. Title IX protects all students, including LGBTQ students, from sex discrimination. Title IX encompasses discrimination based on a student’s failure to conform to stereotypical notions of masculinity and femininity. Schools should also be aware of their obligation under Title IX and the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of their students when maintaining education records.

Policy Guidance

Learn about different types of guidance documents, including how to comment on significant guidance.

- Dear Colleague Letter Withdrawing Previous Guidance on Transgender Students PDF (387.47K) (Feb. 22, 2017)
- Examples of Policies and Emerging Practices for Supporting Transgender Students PDF (636.35K) (May 13, 2016)
- Dear Colleague Letter: Title IX Coordinators (Apr. 24, 2015), accompanied by a letter to Title IX coordinators and a Title IX resource guide.
- Dear Colleague Letter from Secretary of Education Arne Duncan on gay-straight alliances (Jun. 14, 2011), including legal guidelines for complying with the Equal Access Act.
- Dear Colleague Letter: Harassment and Bullying (Oct. 26, 2010)

OCR Case Resolutions

- Anoka-Hennepin School District (MN) (05-11-5901): Consent Decree and Resolution Letter
- Tehachapi Unified School District (CA) (09-11-1031): Resolution Agreement and Resolution Letter

Court Filings—Statements of Interest and Amicus Curiae Briefs

- Brief for the United States as Amicus Curiae Supporting Plaintiffs-Appellants and Urging Reversal, *Carmichael v. Galbraith*, No. 12-11074 (5th Cir. April 1, 2013).
- United States Memorandum as Amicus Curiae in Response to Defendants’ Motion to Dismiss/Summary Judgment, *Pratt v. Indian River Central School District*, No. 7-09-cv-00411 (N.D.N.Y. Aug. 13, 2010)."
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- Recursos de la Oficina Para Derechos Civiles en Español
- Resources Available in Other Languages

Printable view

Last Modified: 11/17/2017

Our mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Student Loans
 Repaying Loans
 Defaulted Loans
 Loan Forgiveness
 Loan Services

Grants & Programs
 Apply for Pell Grants
 Grants Forecast
 Apply for a Grant
 Eligibility for Grants

Laws & Guidance
 Every Student Succeeds Act (ESSA)
 FERPA
 Civil Rights
 New IDEA Website

Data & Research
 Education Statistics
 Postsecondary Education Data
 ED Data Express
 Nation’s Report Card
 What Works Clearinghouse

About Us
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 Jobs
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 Recursos en español
 Budget, Performance
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Removal of sex discrimination language from HHS's Office for Civil Rights webpages about Section 1557 of the Affordable Care Act

Tag: #HHS-1

Summary of Findings

Between March and August 2017, the U.S. Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) removed language relating to sex discrimination and prohibitions on sex discrimination on at least five webpages about Section 1557 of the Affordable Care Act (ACA). Mentions of "sex stereotyping" and information about sex discrimination on the basis of gender identity and termination of pregnancy were removed. Information about what Section 1557 requires with regards to health services and insurance for transgender individuals, as well as information about gender-coding, was also removed. A page with links to training materials for Section 1557 was removed, with no replacement content restored to date. These changes occurred following the December 2016 issuance of a nationwide injunction that prohibits HHS's OCR from enforcing Section 1557 provisions relating to gender identity and termination of pregnancy.

These changes were first discovered by the [National Women's Law Center](#). See: Web Integrity Project, "[Language Removals Pertaining to Sex Discrimination from HHS's Office for Civil Rights Webpages about Section 1557 of the Affordable Care Act](#)" (July 17, 2018).

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (4) Altering or removing an entire pertinent section of a webpage or collection of webpages
- (5) Removing an entire webpage or document

Reporting

- Washington Post, [The Health 202: There's a Medicaid 'subsidy cliff' health-care officials are worried about](#) (07/19/2018)
- Pacific Standard, [Language about Sex Discrimination has Disappeared from Government Websites Concerning Obamacare](#) (07/19/2018)

Change Details

Below we have provided a brief overview of alterations made to one of the five webpages (Webpage 1) on which OCR changed information related to Section 1557. For a full description of the changes, see: Web Integrity Project, "[Language Removals Pertaining to Sex Discrimination from HHS's Office for Civil Rights Webpages about Section 1557 of the Affordable Care Act](#)" (July 17, 2018).

Webpage 1

Page title: Section 1557: Frequently Asked Questions

Page status: Altered

- **Before:** [March 15, 2017](#)
- **After:** [August 18, 2017](#)

URL: <https://www.hhs.gov/civil-rights/for-individuals/section-1557/1557faqs/index.html>

Known archives: No known public archive.

Description of change:

Between [March 15, 2017](#) and [April 27, 2017](#), the following changes occurred:

1. **Altered** the “General Questions about Section 1557” section to remove the following text:

“Areas of sex discrimination that HHS OCR may continue to enforce include: harassment based on sex and allegations related to sex stereotyping that do not involve gender identity claims, as well as other forms of discrimination based on sex other than gender identity or termination of pregnancy.”

Between [May 14, 2017](#) and [June 9, 2017](#), the following changes occurred:

1. **Added** the following text to the answers of eight questions:

“Pursuant to court order, OCR is enjoined from enforcing the Section 1557 regulation’s [sic] prohibitions against discrimination on the basis of gender identity and termination of pregnancy on a nationwide basis. For information about the court order, please see above,”

Between [June 29, 2017](#) and [August 18, 2017](#), the following changes occurred:

1. **Altered** the “General Questions about Section 1557” section, including removing:

- i. the following text from the answer to the question, “What types of discrimination constitute discrimination on the basis of sex?”:

“More than 25 years ago, the U.S. Supreme Court held that discrimination based on stereotypical ideas about gender is unlawful sex discrimination.”

and

“While the final rule does not resolve whether discrimination on the basis of an individual’s sexual orientation status alone is a form of sex discrimination under Section 1557, the rule makes clear that OCR will evaluate complaints that allege sex discrimination related to an individual’s sexual orientation to determine if they involve the sorts of stereotyping that can be addressed under 1557. HHS supports prohibiting sexual orientation discrimination as a matter of policy and will continue to monitor legal developments on this issue.”

- ii. the section titled “Effective Date for Addressing Gender-Coding.”
- iii. the following questions and answers:
 - “By what date are covered entities required to make changes to address gender-coding issues?”
 - “What does Section 1557 require with regard to general medical care for transgender individuals?”

- “What does Section 1557 require with regard to the provision of, or coverage for, sex-specific health services for transgender individuals?”
- “Does Section 1557 prohibit harassment based on sex, including on the basis of sex stereotyping?”
- “What is a gender-coding mismatch?”
- “How can a covered entity address gender-coding mismatch issues?”

Screenshot: A comparison of the answer to “13. What types of discrimination constitute discrimination on the basis of sex?” on the [June 29, 2017](#) (top) and [August 18, 2017](#) (bottom) versions of the “Section 1557: Frequently Asked Questions” page showing the removed text. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE Go MAY JUN AUG
 WayBackMachine 29 captures 3 Sep 2016 - 11 Jun 2018 2016 2017 2018

13. What types of discrimination constitute discrimination on the basis of sex?

Under the final rule, sex discrimination includes, but is not limited to, discrimination on the basis of pregnancy, gender identity and sex stereotyping. More than 25 years ago, the U.S. Supreme Court held that discrimination based on stereotypical ideas about gender is unlawful sex discrimination.

While the final rule does not resolve whether discrimination on the basis of an individual’s sexual orientation status alone is a form of sex discrimination under Section 1557, the rule makes clear that OCR will evaluate complaints that allege sex discrimination related to an individual’s sexual orientation to determine if they involve the sorts of stereotyping that can be addressed under 1557. HHS supports prohibiting sexual orientation discrimination as a matter of policy and will continue to monitor legal developments on this issue.

Pursuant to court order, OCR is enjoined from enforcing the Section 1557 regulation’s prohibitions against discrimination on the basis of gender identity and termination of pregnancy on a nationwide basis. For information about the court order, [please see above](#).

INTERNET ARCHIVE Go JUN AUG NOV
 WayBackMachine 29 captures 3 Sep 2016 - 11 Jun 2018 2016 2017 2018

13. What types of discrimination constitute discrimination on the basis of sex?

Under the final rule, sex discrimination includes, but is not limited to, discrimination on the basis of pregnancy.

Pursuant to court order, OCR is enjoined from enforcing the Section 1557 regulation’s prohibitions against discrimination on the basis of gender identity and termination of pregnancy on a nationwide basis. For information about the court order, [please see above](#).

Removal of link to Office of Civil Rights Complaint page from Healthcare.gov’s “Transgender health care” page

Tag: #HHS-2

Summary of Findings

Between [May 31, 2017](#) and [June 3, 2017](#), the Centers for Medicare & Medicaid removed a link to a page for filing complaints with the Office of Civil Rights from the “Transgender health care” page. The link was replaced with an email address within the Centers for Medicare & Medicaid Services.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links

Reporting

- N/A

Change Details

Page title: Transgender health care

Page status: Altered

- **Before:** [May 31, 2017](#)
- **After:** [June 3, 2017](#)

URL: <https://www.healthcare.gov/transgender-health-care/>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [May 5, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>.

Description of change:

The following content was changed between [May 31, 2017](#) and [June 3, 2017](#):

1. **Removed and Replaced** text and a link to the Office of Civil Right’s page for filing a complaint with text and an email address for the Centers for Medicare & Medicaid Services in the “Plans with transgender exclusions” section of the page.

From:

If you believe a plan unlawfully discriminates, you can file complaints of

discrimination with your state's Department of Insurance or the [U.S. Department of Health & Human Services Office for Civil Rights](#).

To:

If you believe a plan unlawfully discriminates, you can file complaints of discrimination with your state's Department of Insurance, or report the issue to the Centers for Medicare & Medicaid Services by email to marketconduct@cms.hhs.gov.

Screenshot: A comparison of the [May 31, 2017](#) and [June 3, 2017](#) versions of the "Transgender health care" page showing the changed content. Captured by the Internet Archive's [Wayback Machine](#).

The image displays two screenshots of a webpage titled "Plans with transgender exclusions" from the Internet Archive's Wayback Machine. The top screenshot is dated May 31, 2017, and the bottom screenshot is dated June 3, 2017. The page content is identical in both, but the bottom screenshot highlights several changes in yellow. The highlighted text in the bottom screenshot includes: "or the U.S. Department of Health & Human Services Office for Civil Rights." and "to marketconduct@cms.hhs.gov." The rest of the page content, including the title, introductory paragraph, and several paragraphs of text, remains unchanged between the two versions.

Plans with transgender exclusions

Many health plans are still using exclusions such as "services related to sex change" or "sex reassignment surgery" to deny coverage to transgender people for certain health care services. Coverage varies by state.

Before you enroll in a plan, you should always look at the complete terms of coverage that are included in the "Evidence of Coverage," "Certificate of Coverage," or contract of insurance. This contains the full explanation of which procedures and services are covered or excluded under each plan. Plans might use different language to describe these kinds of exclusions. Look for language like "All procedures related to being transgender are not covered." Other terms to look for include "gender change," "transsexualism," "gender identity disorder," and "gender identity dysphoria."

You can access the full terms of coverage through a plan's [Summary of Benefits and Coverage](#). If you're still not sure about how services would be covered or excluded, you should contact the plan's issuer directly by phone.

These transgender health insurance exclusions may be unlawful sex discrimination. The health care law prohibits discrimination on the basis of sex, among other bases, in certain health programs and activities.

If you believe a plan unlawfully discriminates, you can file complaints of discrimination with your state's Department of Insurance **or the U.S. Department of Health & Human Services Office for Civil Rights.**

Once you're enrolled in a plan, if your health insurance company refuses to pay a claim or ends your coverage, you also have the [right to appeal the decision](#) and have it reviewed by an independent third party.

Plans with transgender exclusions

Many health plans are still using exclusions such as "services related to sex change" or "sex reassignment surgery" to deny coverage to transgender people for certain health care services. Coverage varies by state.

Before you enroll in a plan, you should always look at the complete terms of coverage that are included in the "Evidence of Coverage," "Certificate of Coverage," or contract of insurance. This contains the full explanation of which procedures and services are covered or excluded under each plan. Plans might use different language to describe these kinds of exclusions. Look for language like "All procedures related to being transgender are not covered." Other terms to look for include "gender change," "transsexualism," "gender identity disorder," and "gender identity dysphoria."

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These transgender health insurance exclusions may be unlawful sex discrimination. The health care law prohibits discrimination on the basis of sex, among other bases, in certain health programs and activities.

If you believe a plan unlawfully discriminates, you can file complaints of discrimination with your state's Department of Insurance, **or report the issue to the Centers for Medicare & Medicaid Services by email to marketconduct@cms.hhs.gov.**

Once you're enrolled in a plan, if your health insurance company refuses to pay a claim or ends your coverage, you also have the [right to appeal the decision](#) and have it reviewed by an independent third party.

Removal of LGBT content from SAMHSA website

Tag: #HHS-3

Summary of Findings

In early 2019, as part of a larger overhaul of its website documented in a [Web Integrity Project report](#), SAMHSA removed three pages containing information on LGBT populations: the “[Age- and Gender-Based Populations](#)” page (Webpage 1); the “[Specific Populations](#)” page (Webpage 2); and the “[Serving the Needs of Diverse Populations](#)” page (Webpage 3). SAMHSA also removed a link to “[Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, or Two-Spirit Learning Community](#)” cultural competence resources hosted at the Technical Assistance Partnership for Child and Family Mental Health Archive from its “[Lesbian, Gay, Bisexual, and Transgender \(LGBT\)](#)” page (Webpage 4) (#HHS-3).

See: Web Integrity Project, “[Web Governance in Times of Changing Priorities: The Substance Abuse and Mental Health Services Administration Overhauls its Website](#)” (October 22, 2019)

Change Classification

- (2) Altering or removing links
- (5) Removing an entire webpage or document

Reporting

- Web Integrity Project: [Recent SAMHSA website overhaul likely left users confused, frustrated, and irritated](#) (10/22/2019).

Change Details

Webpage 1

Page title: Age- and Gender-Based Populations
Page status: Removed

- **Before:** [March 5, 2019](#)
- **After:** [March 19, 2019](#)

URL: <https://www.samhsa.gov/specific-populations/age-gender-based> (redirects to <https://www.samhsa.gov/programs>)

Known archives: A public web archive of this page from [August 24, 2017](#), collected at the request of the Federal Depository Library Program Web Archive, is available on Archive-It.

Description of change:

The following content was changed between [March 5, 2019](#) and [March 19, 2019](#):

1. **Removed** the “Age- and Gender-Based Populations” page and established a redirect to <https://www.samhsa.gov/programs>.
 - The page included a section on mental health and substance use issues for LGBT individuals as well as sections on “children, youth, and families,” “men and women,” “pregnant women and infants,” and “older adults.”

Webpage 2

Page title: Specific Populations

Page status: Removed

- **Before:** [January 8, 2019](#)
- **After:** [June 26, 2019](#)

URL: <https://www.samhsa.gov/prevention/specific-populations> (redirects to <https://www.samhsa.gov/find-help/prevention>)

Known archives: A public web archive of this page from [March 26, 2015](#), collected at the request of the Department of Health and Human Services, is available on [Archive-It](#).

Description of change:

The following content was changed between [January 8, 2019](#) and [June 26, 2019](#):

1. **Removed** the “Specific Populations” page:
 - The page detailed SAMHSA’s prevention efforts for the LGBT community, among other communities and populations.

Webpage 3

Page title: Serving the Needs of Diverse Populations

Page status: Removed

- **Before:** [January 8, 2019](#)
- **After:** [February 7, 2019](#)

URL: <https://www.samhsa.gov/workforce/serving-needs-diverse-populations> (now redirects to <https://www.samhsa.gov/workforce>)

Known archives: A public web archive of this page from [March 26, 2015](#), collected at the request of the Department of Health and Human Services, is available on [Archive-It](#).

Description of change:

The following content was changed between [January 8, 2019](#) and [February 7, 2019](#):

1. **Removed** the “Serving the Needs of Diverse Populations” page:
 - The page discussed cultural competence and included a section outlining and linking to training materials on LGBTQ cultural competency.

Webpage 4

Page title: Lesbian, Gay, Bisexual, and Transgender (LGBT)

Page status: Altered

- **Before:** [March 2, 2019](#)
- **After:** [April 8, 2019](#)

URL: <https://www.samhsa.gov/behavioral-health-equity/lgbt>

Known archives: A public web archive of this page from [January 17, 2017](#), collected at the request of the White House, is available on [Archive-It](#).

Description of change:

The following content was changed between [March 2, 2019](#) and [April 8, 2019](#):

1. **Altered** the “Lesbian, Gay, Bisexual, and Transgender (LGBT)” page:
 - From the “Data and Reports” section of the page, SAMHSA removed a link to “[Office of Applied Studies \(OAS\) Data Spotlight: Substance Abuse Treatment Programs for Gays and Lesbians – 2010 \(PDF | 117 KB\)](#)”. The link led to <http://archive.samhsa.gov/data/spotlight/Spotlight004GayLesbians.pdf>, which hosted a short fact sheet presenting National Survey of Substance Abuse Treatment Services data on substance abuse among the LGBTQ community. The link is no longer live, having been removed as part of the decommissioning of the archive.samhsa.gov domain (for more information, refer to our [report into the SAMHSA website overhaul](#)).
 - On the “Federal Initiatives and Resources” section of the page, SAMHSA renamed a link from the name of the publication linked to (“The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding from the Institute of Medicine – 2011”) to the name of the author of the publication linked to (“The National Academies of Sciences, Engineering, and Medicine (the National Academies)”).
 - From the “Additional Resources” section of the page, SAMHSA:
 - Altered the text “Association of Gay and Lesbian Psychiatrists” to reflect the association’s current name (“Association of LGBTQ Psychiatrists”).
 - Removed a link to “[Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, or Two-Spirit Learning Community](#)” [cultural competence resources](#) hosted at the Technical Assistance Partnership for Child and Family Mental Health Archive. The page is still live.

Screenshot: The top portion and “Lesbian, Gay, Bisexual, and Transgender Populations” section of the [January 8, 2019](#) version of the “Serving the Needs of Diverse Populations” page. By [February 7, 2019](#) the page was removed from the SAMHSA website. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE
waybackMachine

21 captures
12 Mar 2015 - 6 Aug 2019

https://www.samhsa.gov/workforce/serving-needs-diverse-populations

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U.S. Department of Health & Human Services

SAMHSA
Substance Abuse and Mental Health
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Topics » Workforce » Serving the Needs of Diverse Populations

Workforce

- Competencies and Capacities
- Changing Environment
- Diverse Populations**
- Grants
- Publications and Resources

Serving the Needs of Diverse Populations

SAMHSA helps address disparities and the unique needs of diverse population groups across the nation.

Behavioral Health Disparities and Cultural Awareness

Being culturally competent and aware is to be respectful and inclusive of the health beliefs and attitudes, healing practices, and cultural and linguistic needs of different population groups. Behavioral health practitioners can bring about positive change by better understanding the differing cultural context among various communities, and being willing and able to work within that context. For more information on this important issue, refer to the SAMHSA [Office of Behavioral Health Equity](#). In addition, SAMHSA’s Strategic Prevention Framework offers good guidance on [culturally appropriate practices](#).

SAMHSA-affiliated organizations focusing on cultural awareness and competency include:

Moving Prevention Knowledge to Practice

KNOWLEDGE APPLICATION PROGRAM
Moving Science and Service to Support Workforce Development and Expand Treatment Capacity

Data and Statistics

- » [Report to Congress on the Nation’s Substance Abuse and Mental Health Workforce Issues – 2013](#) is an overview of the facts and issues affecting the behavioral health workforce, including workforce demographic data.
- » [Vital Signs: Taking the Pulse of the Addiction Treatment Profession – 2012](#) provides an overview of the characteristics and development needs of the substance use disorders treatment workforce.

Lesbian, Gay, Bisexual, and Transgender Populations

SAMHSA has developed a number of [training curricula](#) for behavioral health and primary care practitioners to help them assess, treat, and refer LGBT clients in a culturally sensitive manner. A resource kit ([Top Health Issues for LGBT Populations – 2012](#)) provides prevention professionals, health care providers, and educators with information on current health issues among LGBT populations. [A Practitioner’s Resource Guide: Helping Families to Support Their LGBT Children – 2014](#) also offers information and resources to help practitioners throughout health and social service systems. [Learn more about SAMHSA’s LGBT resources and behavioral health workforce development initiatives](#).

More needs to be done to develop this sector of the behavioral health workforce. According to SAMHSA’s report [Behavioral Health, United States, 2012](#):

- Just over half of middle and high schools in the United States provide mental health services tailored to gay, lesbian, or bisexual students.

[Learn more about LGBT populations at the Specific Populations topic.](#)

Removal of lesbian and bisexual health page from Office on Women's Health Website

Tag: HHS-4

Summary of Findings

As part of a larger website overhaul [reported on by the Web Integrity Project in March 2018](#), the Office on Women's Health (OWH) removed a webpage with extensive information about lesbian and bisexual health, and links that correspond to that webpage, from its website. A PDF containing very similar content to the removed page is live, but is not linked from elsewhere in the OWH website, rendering it inaccessible by navigating through the website. The removals are part of a broader pattern of changes to the OWH website in which access to other informational resources, such as those pertaining to breast cancer, men's health, healthy aging, and other health topics, in addition to lesbian and bisexual health, have also been reduced.

See: Web Integrity Project: "[Overview of HHS's Office on Women's Health Website Overhaul](#)" (3/28/2018).

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- Politico, [HHS strips lesbian, bisexual health content from women's health website](#) (03/21/2018)
- NBC News, [Lesbian and bisexual resources are dropped from HHS website](#) (3/23/2018)

Change Details

Page title: Lesbian and bisexual health

Page status: Removed

- **Before:** [September 19, 2017](#)
- **After:** [October 13, 2017](#)

URL: <https://www.womenshealth.gov/a-z-topics/lesbian-and-bisexual-health>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [August 29, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following content was changed [September 19, 2017](#) and [October 13, 2017](#):

1. Removed the “Lesbian and bisexual health” page:

- The “Lesbian and bisexual health” page contained information about the health needs of lesbian and bisexual women, including:
 - Extensive answers to seven questions about lesbian and bisexual health, including: “What factors put lesbians' and bisexual women's health at risk?” and “What challenges do lesbian and bisexual women face in the health care system?”
 - A list of contact information and links to the websites of other federal offices and non-profit organizations that have relevant lesbian and bisexual health resources.
 - A “Related information” section linking to other OWH fact sheets about specific health conditions and diseases relevant to lesbian and bisexual women.
- The URL <https://www.womenshealth.gov/a-z-topics/lesbian-and-bisexual-health> currently leads to an “Error 404 Page not found” notice.
- A [PDF](#) containing similar content to the removed page is live but is not linked from elsewhere in the OWH website, rendering it inaccessible by navigating through the website.

Screenshot: The top portion of the [September 19, 2017](#) version of the “Lesbian and bisexual health” page. By [October 13, 2017](#) the page was removed from the OWH website. Captured by the Internet Archive's [Wayback Machine](#).

The screenshot shows a web browser window with the URL <https://www.womenshealth.gov/a-z-topics/lesbian-and-bisexual-health>. The page is from the Internet Archive's Wayback Machine, dated September 19, 2017. The website header includes the Womenshealth.gov logo and the Office on Women's Health (OWH) logo. The navigation menu includes Home, A-Z Health Topics, Printables and Shareables, Blog, About Us, and Contact Us. The main content area is titled "Lesbian and bisexual health" and contains the following text:

All women have specific health risks, and can take steps to improve their health through regular medical care and healthy living. Research tells us that lesbian and bisexual women are at a higher risk for certain problems than other women are, though. It is important for lesbian and bisexual women to talk to their doctors about their health concerns.

Below the text is a list of seven questions, each with a plus sign icon to expand the answer:

- What does it mean to be a lesbian?
- What does it mean to be bisexual?
- What are important health issues that lesbians and bisexual women should discuss with their health care professionals?
- What factors put lesbians' and bisexual women's health at risk?
- Are lesbian and bisexual women at risk of getting sexually transmitted infections (STIs)?
- What challenges do lesbian and bisexual women face in the health care system?
- What can lesbian and bisexual women do to protect their health?
- Did we answer your question about lesbian and bisexual health?
- Related information from womenshealth.gov

Alterations to the “Sexual assault and rape” page on the Office on Women’s Health website

Tag: #HHS-5

Summary of Findings

Between [February 3, 2018](#) and [February 19, 2018](#), the Office on Women’s Health (OWH) moved and overhauled content about sexual assault and rape. During this overhaul, OWH removed a question, “Who is sexually assaulted?,” which contained a reference to “Lesbians, gays, and bisexual and transgender (LGBT) people” and included a link the “Violence in same-sex relationships” page. Additionally, three footnotes in the page’s “Sources” section related to the “Lesbians, gays, and bisexual and transgender (LGBT) people” text were removed.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- N/A

Change Details

Page title: Sexual assault and rape

Page status: Moved

- **Before:** [February 3, 2018](#)
- **After:** [February 19, 2018](#)

URL: <https://www.womenshealth.gov/a-z-topics/sexual-assault> (redirects to <https://www.womenshealth.gov/relationships-and-safety/sexual-assault-and-rape>)

Known archives: A public web archive of this page, collected by the Library of Congress is available from [November 12, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following content was changed between [February 3, 2018](#) and [February 19, 2018](#):

1. **Moved** the “Sexual assault and rape page” from the URL <https://www.womenshealth.gov/a-z-topics/sexual-assault> to <https://www.womenshealth.gov/relationships-and-safety/sexual-assault-and-rape/sexual-assault>.
 - The old URL redirected to the new URL (The content at the new URL has since been moved to another URL, so that the old URL now redirects to <https://www.womenshealth.gov/relationships-and-safety/sexual-assault-and-rape>.)
2. **Overhauled** the content on the page, including:
 - Removing a question, “Who is sexually assaulted?,” which contained a reference to “Lesbians, gays, and bisexual and transgender (LGBT) people” and linked to the [“Violence in same-sex relationships”](#) page.
 - Removing the “Sources” section, which contained references for the footnotes in the above mentioned “Who is sexually assaulted?” section. Three footnotes related to the “Lesbians, gays, and bisexual and transgender (LGBT) people” text were removed, including:
 - Walters, M.L., Chen, J., Breiding, M.J. (2013). [The National Intimate Partner and Sexual Violence Survey \(NISVS\): 2010 Findings on Victimization by Sexual Orientation](#) (PDF, 1.7 MB). Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.
 - Grant, J.M., Mottet, L.A., Tanis, J., Harrison, J., Herman, J.L., Kiesling, M. (2011). [Injustice at Every Turn: A Report of the National Transgender Discrimination Survey](#) (PDF, 25 MB).
 - National Center for Lesbian Rights. (2014). [Sexual Assault in the LGBT Community](#).

Screenshot: A portion of the [February 3, 2018](#) version of the “Sexual assault and rape” page. By [February 19, 2018](#) the page was moved and overhauled and the highlighted content removed. Captured by the Internet Archive’s [Wayback Machine](#).

The screenshot shows a web browser window with the URL <https://www.womenshealth.gov/a-z-topics/sexual-assault>. The Wayback Machine interface is visible, showing 19 captures from May 2017 to June 2019. The page content includes a 'Subscribe' form on the left and a list of questions on the right. The question 'Who is sexually assaulted?' is highlighted in yellow, and its answer is visible below it. The answer text reads: 'Sexual assault can happen to anyone of any age, race or ethnicity, religion, ability, appearance, sexual orientation, or gender identity. However, women have higher rates of sexual assault than men.' It then lists statistics for women, young women, men, and LGBT people.

Removal of the “Same-sex relationship violence” page on the Office on Women's Health Website

Tag: #HHS-6

Summary of Findings

After [October 11, 2017](#), the Office on Women's Health (OWH) removed a webpage titled “Same-sex relationship violence” from their website. The page included information relating to domestic violence issues in the specific context of female same-sex relationships, references to where individuals can get help on these issues, and links to other resources and organizations that deal with domestic violence. By [April 12, 2018](#), some similar content had been added on another page about domestic violence generally; however, that content did not include contacts and links to resources specific to same-sex relationships from the original page.

Change Classification

- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- N/A

Change Details

Page title: Same-sex relationship violence

Page status: Removed

- **Before:** [October 11, 2017](#)
- **After:** [October 23, 2019](#)

URL: <https://www.womenshealth.gov/violence-against-women/types-of-violence/same-sex-relationship-violence.html>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [September 2, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following content was changed after [October 11, 2017](#):

1. **Removed** the “Same-sex relationship violence” webpage:

- The page included information about domestic violence in the context of female same-sex relationships, information and contacts for getting help with domestic violence, and links to other resources and organizations that deal with domestic violence.
 - The page redirects to the URL <https://www.womenshealth.gov/relationships-and-safety>.
 - By [April 12, 2018](#), one of the question and answers on the “[Signs of domestic violence or abuse](#)” page included some similar, but less expansive, content. Notably, no contact information or additional resources were included in the answer.

Screenshot: The [October 11, 2017](#) version of the “Same-sex relationship violence” page. The page was later removed. Captured by the Internet Archive’s [Wayback Machine](#).

The screenshot shows the Wayback Machine interface for the URL <https://www.womenshealth.gov/violence-against-women/types-of-violence/same-sex-relationship-violence.html>. The page is dated October 11, 2017. The website header includes the Womenshealth.gov logo and the Office on Women's Health (OWH) logo. A navigation menu contains links for Home, A-Z Health Topics, Printables and Shareables, Blog, About Us, and Contact Us. The main content area is titled "Violence Against Women" and "Same-sex relationship violence". It includes an "ESCAPE" button and a list of resources such as "Call a domestic violence shelter", "Call a hotline designed to help LGBT victims of violence", and "Get legal help if you need it". A sidebar on the left lists various categories of violence against women, including "Same-sex relationship violence".

Addition of “Lesbian, Gay, Bisexual and Transgender Health” section to Indian Health Service website

Tag: #HHS-7

Summary of Findings

By [December 9, 2017](#), the Indian Health Service (IHS) added a set of topical pages providing information and resources relating to “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” to its website.

Change Classification

- (9) Adding content, sections, pages, or websites.

Reporting

- N/A

Change Details

Page title: Lesbian, Gay, Bisexual, and Transgender Health

Page status: Added

- **Before:** N/A
- **After:** [December 9, 2017](#)

URL: <https://www.ihs.gov/lgbt/>

Known archives: No known public archive.

Description of change:

The following changes occurred before [December 9, 2017](#):

1. **Added** a landing page titled “Lesbian, Gay, Bisexual, and Transgender Health.”
 - The landing page linked to 8 subpages, including:
 - i. Health Resources
 - ii. Family and Friends of LGBTQ
 - iii. LGBTQ-Two Spirit Workgroup
 - iv. Trainings, Webinars, and Presentations
 - v. Cultural Competence
 - vi. Media Campaigns
 - vii. Contact Us
 - viii. Provider Resources

- The nine pages are intended to help “[ensure that Lesbian, Gay, Bisexual, Transgender, Questioning and Two Spirit \(LGBTQ-2S\) American Indian and Alaska Native \(AI/AN\) individuals and their families receive equal access to health services in the communities where they live.](#)”

Note: Between [June 16, 2017](#) and [July 10, 2017](#), a link for the “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” page was added to IHS’s “Health Topics” page.

Screenshot: The [December 9, 2017](#) version of the “Lesbian, Gay, Bisexual and Transgender Health” landing page. Captured by the Internet Archive’s [Wayback Machine](#).

The screenshot shows the Internet Archive Wayback Machine interface at the top, with the URL <https://www.ihs.gov/lgbt/> and a date of December 9, 2017. Below the browser interface is the Indian Health Service website header, which includes the IHS logo, the text "Indian Health Service - The Federal Health Program for American Indians and Alaska Natives", and a search bar. The main navigation menu contains links for "About IHS", "Locations", "for Patients", "for Providers", "Community Health", "Career Opportunities", and "Newsroom".

The page content is titled "Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health". On the left is a sidebar with the following categories: "Health Resources", "Family and Friends of LGBTQ", "LGBTQ-Two Spirit Workgroup", "Trainings, Webinars, and Presentations", "Cultural Competence", "Media Campaigns", "Contact Us", and "Provider Resources".

The main content area features a grid of four images: a person holding a rainbow flag, a man in a tuxedo, a couple embracing, and a hand holding a dreamcatcher. Below the images is a paragraph: "The Indian Health Service (IHS) works to ensure that Lesbian, Gay, Bisexual, Transgender, Questioning and Two Spirit (LGBTQ-2S) American Indian and Alaska Native (AI/AN) individuals and their families receive equal access to health services in the communities where they live. IHS carries out this work by providing enhanced resources for health issues, developing better information regarding health needs, and working to close the health disparities gap that currently exist for our Native LGBTQ-Two Spirit people."

At the bottom of the page, a footer contains the text: "IHS Headquarters, Indian Health Service, 5600 Fishers Lane, Rockville, MD 20857 - [Find a Mail Stop](#)".

Alteration to LGBT-related objective on Healthypeople.gov

Tag: #HHS-8

Summary of Findings

In the first half of 2019, the HHS' Office of Disease Prevention and Health Promotion updated Objective LGBT-2.1, which sets data coverage targets for sexual orientation and gender identity questions in the Behavioral Risk Factor Surveillance System, on two webpages within its Healthy People 2020 website. On both the "Lesbian, Gay, Bisexual, and Transgender Health" page (Webpage 1) and the "LGBT-2.1 Data Details" page (Webpage 2), the "Target-Setting Method" row was updated to reflect a less ambitious goal, downgraded from "Total coverage" to a "10 percent improvement." Whereas past revisions to objectives were noted on the "revision history" section of the page and identified with an orange "Revised" icon to the right of the objective, no changes were made to those sections of Webpage 1 and Webpage 2.

Change Classification

- (1) Altering or removing text and non-text content

Reporting

- N/A

Change Details

Webpage 1

Page title: Lesbian, Gay, Bisexual, and Transgender Health

Page status: Altered

- **Before:** [January 9, 2019](#)
- **After:** [June 18, 2019](#)

URL: <https://www.healthypeople.gov/2020/topics-objectives/topic/lesbian-gay-bisexual-and-transgender-health/objectives>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [May 11, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following content was changed between [January 9, 2019](#) and [June 18, 2019](#):

1. **Altered** the “Target-Setting Method” row in the “Objective LGBT-2.1” section of the page:

From:
“Total coverage”

To:
“10 percent improvement.”

- Unlike previously revised objectives, the Office of Disease Prevention and Health Promotion neither added an orange tag noting that a revision had been made nor updated the “Revision History” row on the page.

Screenshot: A comparison of the [January 4, 2019](#) (below) and [June 24, 2019](#) (next page) versions of the “LGBT-2.1 Data Details” page. Captured by the Internet Archive’s [Wayback Machine](#).

The screenshot shows the 'LGBT-2.1' objective details on the HealthyPeople.gov website. The page title is 'LGBT-2.1 Increase the number of states, territories and the District of Columbia that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS)'. The 'About the Data' section provides details on the data source, measurement, and methodology. The 'Target-Setting Method' is listed as 'Total coverage'. The 'Revision History' section indicates that this objective is new in 2015.

Field	Value
Data Source:	Behavioral Risk Factor Surveillance System (BRFSS); Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion (CDC/NCCDPHP)
Changed Since the Healthy People 2020 Launch:	Yes
Measure:	number
Baseline (Year):	31 (2014)
Target:	54
Target-Setting Method:	Total coverage
Numerator:	Number of states, territories, and the District of Columbia, that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS).
Methodology Notes:	All 50 states, the District of Columbia, and the territories of Guam, The Virgin Islands, and Puerto Rico are included in the BRFSS. A state or territory is not required to have incorporated the questions in the survey core.

Webpage 2

Page title: LGBT-2.1 Data Details

Page status: Altered

- Before: [January 4, 2019](#)
- After: [June 24, 2019](#)

URL: https://www.healthypeople.gov/node/11511/data_details

Known archives: No known public archive.

Description of change:

The following content was changed between [January 4, 2019](#) and [June 24, 2019](#):

1. Altered the “Target-Setting Method” row in the “About the Data” section.

From:

“Total coverage”

To:

“10 percent improvement.”

- The Office of Disease Prevention and Health Promotion did not update the “Revision History” section of the page, which still reads “This objective is new in 2015.”

The screenshot shows the HealthyPeople.gov website interface. At the top, there is a navigation bar with the Healthy People 2020 logo and a search bar. Below the navigation bar, the breadcrumb trail reads: Home » 2020 Topics & Objectives » Lesbian, Gay, Bisexual, and Transgender Health » LGBT-2.1 Data Details. The main content area is titled 'LGBT-2.1 Increase the number of states, territories and the District of Columbia that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS)'. Under the 'About the Data' section, the 'Target-Setting Method' is highlighted in a grey box and reads '10 percent improvement'. The 'Revision History' section below it states 'This objective is new in 2015.' The page also includes a 'Print' button and a 'Share' button.

Alterations to CDC's "LGBT Youth" pages

Tag: #HHS-9

Summary of Findings

In 2017, the Centers for Disease Control and Prevention (CDC) changed two pages relating to LGBTQ youth.

Between [June 21, 2017](#) and [June 24, 2017](#), CDC altered the "LGBT Youth" page (Webpage 1) to remove references to transgender populations. A notice was added to the page that stated, "Historically, [the Youth Risk Behavior Survey] and other studies have gathered data on lesbian, gay, and bisexual youth but have not included questions about transgender and questioning/queer youth." As part of this change, references to "LGBTQ" were changed to "LGB" and statistics and references on transgender populations were removed.

Between [August 16, 2017](#) and [December 9, 2017](#), CDC overhauled its "LGBTQ Youth Programs -At-A-Glance" page (Webpage 2), including replacing the term "LGBTQ" with "LGB" in many instances.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links

Reporting

- N/A

Change Details

Webpage 1

Page title: LGBT Youth

Page status: Altered

- **Before:** [June 21, 2017](#)
- **After:** [June 24, 2017](#)

URL: <https://www.cdc.gov/lgbthealth/youth.htm>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [June 1, 2017](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following changes occurred between [June 21, 2017](#) and [June 24, 2017](#):

1. **Overhauled** the page, including:
 - Adding the following notice:

“Historically, YRBS and other studies have gathered data on lesbian, gay, and bisexual youth but have not included questions about transgender and questioning/queer youth. As that changes and data becomes available, this content will be updated to include information regarding transgender and questioning/queer youth.”
 - Removing a note about the acronym “LGBTQ”:

“* Variations of this acronym are used throughout the Web page to reflect relevant populations. Many studies consider lesbian, gay, and bisexual youth but do not include transgender and questioning youth.”
 - Replacing the term “LGBTQ” with “LGB” in many instances throughout.
 - Updating and rewriting sections presenting data on experiences with violence and effects on education and health.
 - Altering footnotes and references, including the removal of a reference to transgender suicide statistics.

Webpage 2

Page title: LGBTQ Youth Programs-At-A-Glance

Page status: Altered

- **Before:** [August 16, 2017](#)
- **After:** [December 9, 2017](#)

URL: <https://www.cdc.gov/lgbthealth/youth-programs.htm>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [July 17, 2016](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following changes occurred between [August 16, 2017](#) and [December 9, 2017](#):

1. **Altered** the “Data Collection and Analysis” section:
 - Renamed the section “Youth Risk Behavior Survey (YRBS) - Data Collection Analysis.”
 - Updated statistics and re-wrote the description of the YRBS.
 - Altered the description of measures the CDC uses to assess school health policies and practices relevant to LGBTQ students by replacing “LGBTQ” with “LGBT.”
2. **Altered** the “State and Local Prevention Programs” section to provide newer examples.
3. **Altered** the “Young Men Who Have Sex with Men (YMSM) Project,” making minor grammatical changes.
4. **Altered** the “Collaboration with National Nongovernmental Organizations (NGOs)” to remove detail about which NGOs CDC collaborates with and their “approach areas.”

Screenshot: The [June 21, 2017](#) and [June 24, 2017](#) versions of the “What Schools Can Do” section of the “LGBT Youth” page, highlighting changed content. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE <https://www.cdc.gov/lgbthealth/youth.htm> Go MAY JUN JUL
 waybackmachine 864 captures 28 Jul 2010 - 6 Nov 2019 2016 2017 2018

What Schools Can Do

For youth to thrive in their schools and communities, they need to feel socially, emotionally, and physically safe and supported. A positive school climate has been associated with decreased depression, suicidal feelings, substance use, and unexcused school absences among LGBQ students.⁹

Schools can implement clear policies, procedures, and activities designed to promote a healthy environment for all youth. For example, research has shown that in schools with LGB support groups (such as gay-straight alliances), LGB students were less likely to experience threats of violence, miss school because they felt unsafe, or attempt suicide than those students in schools without LGB support groups.¹⁰ A recent study found that LGB students had fewer suicidal thoughts and attempts when schools had gay-straight alliances and policies prohibiting expression of homophobia in place for 3 or more years.¹¹

To help promote health and safety among LGB/TQ youth, schools can implement the following policies and practices:

- Encourage respect for all students and prohibit bullying, harassment, and violence against all students.
- Identify “safe spaces,” such as counselors’ offices, designated classrooms, or student organizations, where LGB/TQ youth can receive support from administrators, teachers, or other school staff.
- Encourage student-led and student-organized school clubs that promote a safe, welcoming, and accepting school environment (e.g., gay-straight alliances, which are school clubs open to youth of all sexual orientations).
- Ensure that health curricula or educational materials include HIV, other STD, or pregnancy prevention information that is relevant to LGB/TQ youth (such as, ensuring that curricula or materials use inclusive language or terminology).
- Encourage school district and school staff to develop and publicize trainings on how to create safe and supportive school environments for all students, regardless of sexual orientation or gender identity, and encourage staff to attend these trainings.
- Facilitate access to community-based providers who have experience providing health services, including HIV/STD testing and counseling, to LGB/TQ youth.
- Facilitate access to community-based providers who have experience in providing social and psychological services to LGBTQ youth.

[More Resources for Educators and School Administrators](#)

[Top of Page](#)

INTERNET ARCHIVE <http://www.cdc.gov/lgbthealth/youth.htm> Go MAY JUN JUL
 waybackmachine 864 captures 28 Jul 2010 - 6 Nov 2019 2016 2017 2018

What Schools Can Do

Schools can implement evidence-based policies, procedures, and activities designed to promote a healthy environment for all youth, including LGB students. For example, research has shown that in schools with LGB support groups (such as gay-straight alliances), LGB students were less likely to experience threats of violence, miss school because they felt unsafe, or attempt suicide than those students in schools without LGB support groups.⁸ A recent study found that LGB students had fewer suicidal thoughts and attempts when schools had gay-straight alliances and policies prohibiting expression of homophobia in place for 3 or more years.⁹

To help promote health and safety among LGB youth, schools can implement the following policies and practices (with accompanying citations)

- Encourage respect for all students and prohibit bullying, harassment, and violence against all students.¹⁰
- Identify “safe spaces,” such as counselors’ offices or designated classrooms, where LGB youth can receive support from administrators, teachers, or other school staff.¹¹
- Encourage student-led and student-organized school clubs that promote a safe, welcoming, and accepting school environment (e.g., gay-straight alliances or gender and sexuality alliances, which are school clubs open to youth of all sexual orientations and genders).¹¹⁻¹³
- Ensure that health curricula or educational materials include HIV, other STD, and pregnancy prevention information that is relevant to LGB youth (such as ensuring that curricula or materials use language and terminology).^{11,14}
- Provide trainings to school staff on how to create safe and supportive school environments for all students, regardless of sexual orientation or gender identity, and encourage staff to attend these trainings.^{11,15}
- Facilitate access to community-based providers who have experience providing health services, including HIV/STD testing and counseling, social, and psychological services to LGBTQ youth.^{11,16}

[More Resources for Educators and School Administrators](#)

[Top of Page](#)

Removal of homeless transgender training and guidance resources from the Department of Housing and Urban Development website

Tag: #HUD-1

Summary of Findings

Between [December 23, 2016](#) and [March 14, 2017](#), the “LGBT Homelessness” page on the Department of Housing and Urban Development (HUD) Exchange website was altered to remove links to and descriptions of five training and guidance resources related to transgender individuals in homeless shelter systems. The resources, which described HUD policies on accommodating transgender individuals in shelter settings, have been removed and their URLs return “page not found” errors. In response to these removals, several groups [filed a lawsuit](#) against HUD.

Change Classification

- (1) Altering or removing text and non-text content
- (5) Removing an entire webpage or document

Reporting

- New York Magazine: [Is Anybody Home at HUD?](#) (8/21/2017)
- Newsweek: [HUD Accused of Systematically Removing LGBT People from Homeless and Housing Decisions: Lawsuit](#) (3/1/2018)

Change Details

Page title: LGBT Homelessness
Page status: Altered

- **Before:** [December 23, 2016](#)
- **After:** [March 14, 2017](#)

URL: <https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/>

Known archives: None.

Description of change:

The following changes occurred [December 23, 2016](#) and [March 14, 2017](#):

1. Altered the “LGBT Homelessness” page:

- Links to and descriptions of five training resources were removed from the “Find by Topic” section of the page.
- The sidebar menu on the page was altered to reflect the removals.
- Five resources, listed below, were removed from the www.hudexchange.info domain. The URLs for the documents now lead to “page not found” errors.
 - i. [Webinar on the HUD LGBT Rule](#)
 - ii. [Equal Access for Transgender People: Supporting Inclusive Housing and Shelters](#)
 - iii. [Equal Access Self-Assessment for Shelters and Projects](#)
 - iv. [Equal Access Decision Tree](#)
 - v. [Training Scenarios for Use with Project Staff](#)

Note: No captures of the five removed resources are available on the Internet Archive’s Wayback Machine.

Screenshot: The bottom portion of the [December 23, 2016](#) version of the “LGBT Homelessness” page. Content that was removed by March 14, 2017 is highlighted. Captured by the Internet Archive’s [Wayback Machine](#).

The screenshot shows a web browser window with the URL <https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/>. The page title is "Find by Topic". The sidebar on the left lists several resources, with the following items highlighted in yellow:

- Program Guidance and Equal Access Rule
- Guide to Support Equal Access in Shelters and Projects
- Self-Assessment for Shelters and Projects
- Equal Access Decision Tree
- Training Scenarios for Use with Project Staff

The main content area is titled "Program Guidance and Equal Access Rule". It contains several sections, with the following text highlighted in yellow:

Final Rule: Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs

On September 21, 2016, HUD published a final rule in the Federal Register entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs." Through this final rule, HUD ensures equal access to individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD's Office of Community Planning and Development (CPD). This rule builds upon HUD's February 2012 final rule entitled "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity" (2012 Equal Access Rule), which aimed to ensure that HUD's housing programs would be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. The final rule requires that recipients and subrecipients of CPD funding, as well as owners, operators, and managers of shelters, and other buildings and facilities and providers of services funded in whole or in part by any CPD program to grant equal access to such facilities, and other buildings and facilities, benefits, accommodations and services to individuals in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family.

Date Published: September 2016

Notice on Equal Access Regardless of Sexual Orientation, Gender Identity, or Marital Status for HUD's CPD Programs

HUD is providing a notice that projects can use to notify clients and residents of the new Equal Access rule requirements. The document helps providers ensure that individuals seeking placement or accommodation in a shelter or other building or facility and housing funded under a program administered by the Office of Community Planning and Development (CPD) are aware of HUD's equal access policy, as established in HUD's 2012 Equal Access Rule, and elaborated upon in the Equal Access in Accordance with Gender Identity Final Rule published in the Federal Register on September 21, 2016.

Date Published: September 2016

SNAPS in Focus: Equal Access for Transgender People

This message discusses the challenges transgender people face in accessing community services and HUD's commitment to ensuring that all persons experiencing homelessness have access to inclusive and nondiscriminatory housing.

Date Published: December 2015

Webinar on the HUD LGBT Rule

This webinar, HUD LGBT Rule: Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, discusses the Equal Access to Housing Final Rule.

Date Published: May 2012

The footer of the page includes navigation links (Home, About, Accessibility, Browser Compatibility, Privacy Policies), contact information (HUD.gov, HUDUser.gov, RHEQ, FOIA, No FEAR Act Data, The White House, USA.gov), and social media icons (YouTube, Twitter, Facebook). It also features a "Toggle High Contrast" button set to "off".

Alterations to LGBT Fair Housing content on the Department of Housing and Urban Development website

Tag: #HUD-2

Summary of Findings

Between [November 10, 2018](#) and [December 5, 2018](#) HUD removed the “FH_LGBT_PAGE” page from its website. The page featured information on the Fair Housing Act and how it relates to discrimination against LGBT populations. In addition to federal regulations, the page also featured a chart with a state-by-state listing of bans on discrimination. By [September 14, 2018](#), a page with similar content was available, but some content that was previously available on the original “FH_LGBT_PAGE” page was missing.

These changes were first discovered by the [Center for American Progress](#).

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (3) Moving an entire webpage or collection of webpages or establishing redirects

Reporting

- N/A

Change Details

Page title: FH_LGBT_PAGE
Page status: Removed

- **Before:** [November 10, 2018](#)
- **After:** [December 5, 2018](#)

URL: https://www.hud.gov/program_offices/fair_housing_equal_opp/LGBT_Housing_Discrimination

Known archives: A public web archive of this page, collected by the Library of Congress is available from [October 4, 2018](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following changes occurred between [November 10, 2018](#) and [December 5, 2018](#):

1. **Removed** the “FH_LGBT_PAGE” page from HUD’s website.
 - The page featured information on the Fair Housing Act and how it relates to discrimination against LGBT populations. In addition to federal regulations, the page also featured a chart with a state-by-state listing of bans on discrimination.

The following changes occurred by [September 14, 2018](#):

1. **Added** the “Housing Discrimination and Persons Identifying as LGBTQ” page”
 - The page included content similar to “FH_LGBT_PAGE” page, but was missing:
 - A graphic with the rainbow flag declaring:

“ENDING HOUSING DISCRIMINATION AGAINST
LESBIAN, GAY, BISEXUAL AND TRANSGENDER INDIVIDUALS
AND THEIR FAMILIES
Enriching and Strengthening Our Nation”
 - The detailed justification for why the Fair Housing Act applies to LGBT populations and a definition of “LGBT”:

“The federal Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children under the age of 18 in the household or pregnancy). The Fair Housing Act does not specifically include sexual orientation and gender identity as prohibited bases. However, discrimination against a lesbian, gay, bisexual, or transgender (LGBT) person may be covered by the Fair Housing Act if it is based on non-conformity with gender stereotypes.”
 - The text:

“Housing discrimination against people with HIV/AIDS and people perceived to have HIV/AIDS is also illegal under the Fair Housing Act’s prohibition of disability discrimination. [See Housing Discrimination because of HIV/AIDS is Illegal.](#)”
 - A link to the final HUD [Equal Access Rule](#) in the Federal Register (including responses to public comments)
 - Links that were previously available in the side panel of the page, such as two “FHEO News” items:
 - [An Estimate of Housing Discrimination Against Same-Sex Couples](#)
 - [Proudly Opening the Doors to Fair Housing: HUD Addresses LGBT Housing Discrimination – article from New Jersey Lawyer Magazine](#)

Screenshot: A comparison of the [November 10, 2018](#) version of the “FH_LGBT_PAGE” page (below) and the [September 14, 2018](#) version of the “Housing Discrimination and Persons Identifying as LGBTQ” page (next page). Captured by the Internet Archive’s [Wayback Machine](#).

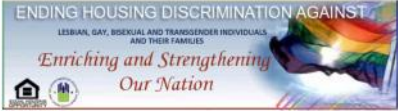
Wayback Machine: https://www.hud.gov/program_offices/fair_housing_equal_oppl/LGBT_Housing_Discrimination

HUD.GOV

SECRETARY OF HUD WHAT WE DO PRESS ROOM HUMANS OF HUD

FHEO HOME ABOUT FHEO FILE A COMPLAINT RIGHTS & RESPONSIBILITIES RESOURCES FHEO PROGRAMS AND INITIATIVES

Home / Program Offices / FHEO Home / FH_LGBT_PAGE



The federal Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children under the age of 18 in the household or pregnancy). The Fair Housing Act does not specifically include sexual orientation and gender identity as prohibited bases. However, discrimination against a lesbian, gay, bisexual, or transgender (LGBT) person may be covered by the Fair Housing Act if it is based on non-conformity with gender stereotypes. For example, if a housing provider refuses to rent to an LGBT person because he believes the person acts in a manner that does not conform to his notion of how a person of a particular sex should act, the person may pursue the matter as a violation of the Fair Housing Act's prohibition of sex.

Housing discrimination against people with HIV/AIDS and people perceived to have HIV/AIDS is also illegal under the Fair Housing Act's prohibition of disability discrimination. See [Housing Discrimination because of HIV/AIDS is Illegal](#).

In addition, housing providers that receive HUD funding or have loans insured by the Federal Housing Administration (FHA), as well as lenders insured by FHA, are subject to HUD's [Equal Access Rule](#), which requires equal access to HUD programs without regard to a person's actual or perceived sexual orientation, gender identity, or marital status.

EXAMPLES:

- A gay man is evicted because his landlord believes he will infect other tenants with HIV/AIDS. This situation constitutes illegal disability discrimination under the Fair Housing Act because the man is perceived to have a disability, HIV/AIDS.
- A transgender woman is asked by the owner of her apartment building not to dress in women's clothing in the common areas of the property. This is a violation of the Fair Housing Act's prohibition of sex discrimination.
- A property manager refuses to rent an apartment to a prospective tenant who is transgender. If the housing denial is because of the prospective tenant's non-conformity with gender stereotypes, it constitutes illegal discrimination on the basis of sex under the Fair Housing Act.
- A female prospective tenant alleges that a landlord refused to rent to her because she wears masculine clothes and engages in other physical expressions that are stereotypically male. If true, this may violate the Fair Housing Act's prohibition of discrimination based on sex.
- An underwriter for an FHA-insured lender is reviewing a loan application by two males; both incomes are being used as the basis for the applicants' credit worthiness. The underwriter assumes the applicants are a gay couple and, as a result, denies the application despite the fact that the applicants meet all requirements for the loan. This violates HUD's Equal Access Rule, which prohibits FHA-insured lenders from taking actual or perceived sexual orientation into consideration in determining adequacy of an applicant's income.

If you believe you have experienced (or are about to experience) housing discrimination because of race, color, religion, national origin, sex, familial status or disability, you may contact HUD's Office of Fair Housing and Equal Opportunity for help at (800) 669-9777. You may also file a [housing discrimination complaint online](#).

Additionally you may contact your local HUD office for assistance with alleged violations of HUD's Equal Access Rule and other program regulations.

Finally, many state, city, and county laws specifically include sexual orientation and gender identity as protected classes. You may wish to contact your state or local human rights agency to determine coverage under those laws.

State	Bans sexual orientation housing discrimination	Bans gender identity/expression housing discrimination	Enforcement Agency
California	X	X	California Department of Fair Employment & Housing - (213) 439-6783
Connecticut	X	X	Connecticut Commission on Human Rights & Opportunities - (860) 541-3400
Colorado	X	X	Colorado Civil Rights Division - (303) 894-2997
Delaware	X		Delaware Division of Human Relations - (302)739-2287
District of Columbia	X	X	District of Columbia Office of Human Rights - (202) 727-4559
Hawaii	X	X	Hawaii Civil Rights Commission - (808)586-8636
Illinois	X	X	Illinois Department of Human Rights - (312) 814-6200
Iowa	X	X	Iowa Civil Rights Commission - (515) 281-4121
Maine	X	X	Maine Human Rights Commission - (207) 624-6050
Maryland	X		Maryland Commission on Human Relations - (410) 767-8563
Massachusetts	X	X	Massachusetts Commission Against Discrimination - (617) 727-3990
Minnesota	X	X	Minnesota Department of Human Rights - (800) 657-3704
Nevada	X	X	Nevada Equal Rights Commission - (775) 684-3849
New Jersey	X	X	New Jersey Division on Civil Rights - (609) 984-3100
New Hampshire	X		New Hampshire Commission for Human Rights - (603) 271-2767
New Mexico	X	X	New Mexico Human Rights Bureau - (800) 566-9471
New York	X		New York State Division of Human Rights - (716) 741-8440
Oregon	X	X	Oregon Bureau of Labor & Industries - (971) 673-0792
Rhode Island	X	X	Rhode Island Commission for Human Rights - (401) 222-2661
Washington	X	X	Washington State Human Rights Commission - (360) 753-6770
Vermont	X	X	Vermont Human Rights Commission - (802) 828-2480
Wisconsin	X		Wisconsin Equal Rights Division - (608) 266-6860

LGBT Resources

- HUD and LGBT
- HUD's LGBT Equal Access Rule
- LGBT Live-Free Flyer 1
- LGBT Live-Free Flyer 2
- Outreach Materials

FHEO NEWS

- An Estimate of Housing Discrimination Against Same-Sex Couples
- Proudly Opening the Doors to Fair Housing: HUD Addresses LGBT Housing Discrimination - article from New Jersey Lawyer Magazine

Home / Program Offices / FHEO Home / Housing Discrimination and Persons Identifying as LGBTQ

Housing Discrimination and Persons Identifying as LGBTQ

Resources on housing discrimination and persons identifying as LGBTQ

Persons who identify as LGBTQ who believe they have experienced housing discrimination may be able to pursue a claim under all or some of the following:

- **The Fair Housing Act**, if they have experienced discrimination under one of the Act's seven protected classes, such as sex or disability;
- **HUD's Equal Access Rule**; or
- **State and local anti-discrimination laws** that specifically include sexual orientation and/or gender identity as protected classes.

- [Fair Housing Act](#)
- [HUD's Equal Access Rule](#)
- [State and Local Laws](#)
- [Additional Resources](#)

Fair Housing Act

The Fair Housing Act prohibits housing discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability. A person who identifies as LGBTQ who has experienced (or is about to experience) discrimination under any of these bases may [file a complaint](#) with HUD. HUD is committed to investigating violations of the Fair Housing Act against all individuals regardless of their sexual orientation or gender identity.

Examples:

- A transgender woman is asked by the owner of her apartment building not to dress in women's clothing in the common areas of the property. This may violate the Fair Housing Act's prohibition against sex discrimination, which includes discrimination based on non-conformity with gender stereotypes.
- A gay man is evicted because his landlord believes he will infect other tenants with HIV/AIDS. This may violate the Fair Housing Act's prohibition against disability discrimination, which includes discrimination against people who have or are perceived to have HIV/AIDS.

HUD's Equal Access Rule

HUD's Equal Access Rule requires equal access to HUD programs without regard to a person's actual or perceived sexual orientation, gender identity, or marital status. Housing providers that receive HUD funding or have HUD-insured loans are subject to the Rules. A person who identifies as LGBTQ who has experienced (or is about to experience) discrimination by a HUD-funded or FHA-insured housing provider or lender may report it to HUD by either [filing a complaint](#) or by [contacting a local FHEO office](#).

Example:

- An underwriter for an FHA-insured lender is reviewing a loan application by two males; both incomes are being used as the basis for the applicants' credit worthiness. The underwriter assumes the applicants are a gay couple and, as a result, denies the application despite the fact that the applicants meet all requirements for the loan. This may violate HUD's Equal Access Rule, which prohibits FHA-insured lenders from taking actual or perceived sexual orientation into consideration in determining adequacy of an applicant's income.

State and Local Laws Prohibiting Discrimination on the Basis of Sexual Orientation and/or Gender Identity

Many state and local laws prohibiting housing discrimination specifically include sexual orientation and/or gender identity as protected classes. A state or local human rights agency may be able to assist with determining coverage under those laws.

State	Bans sexual orientation housing discrimination	Bans gender identity/expression housing discrimination	Enforcement Agency
California	X	X	California Department of Fair Employment & Housing - (213) 439-6703
Connecticut	X	X	Connecticut Commission on Human Rights & Opportunities - (860) 541-3400
Colorado	X	X	Colorado Civil Rights Division - (303) 894-2997
Delaware	X	X	Delaware Division of Human Relations - (302)739-2207
District of Columbia	X	X	District of Columbia Office of Human Rights - (202) 727-4559
Hawaii	X	X	Hawaii Civil Rights Commission - (808)586-8636
Illinois	X	X	Illinois Department of Human Rights - (312) 814-6200
Iowa	X	X	Iowa Civil Rights Commission - (512) 281-4121
Maine	X	X	Maine Human Rights Commission - (207) 624-6050
Maryland	X	X	Maryland Commission on Human Relations - (410) 767-8563
Massachusetts	X	X	Massachusetts Commission Against Discrimination - (617) 727-3990
Minnesota	X	X	Minnesota Department of Human Rights - (800) 657-3704
Nevada	X	X	Nevada Equal Rights Commission - (775) 684-3849
New Jersey	X	X	New Jersey Division on Civil Rights - (609) 984-3100
New Hampshire	X		New Hampshire Commission for Human Rights - (603) 271-2767
New Mexico	X	X	New Mexico Human Rights Bureau - (800) 566-9471
New York	X	X	New York State Division of Human Rights - (718) 741-8440
Oregon	X	X	Oregon Bureau of Labor & Industries - (971) 673-0792
Rhode Island	X	X	Rhode Island Commission for Human Rights - (401) 222-2661
Utah	X	X	Utah Antidiscrimination and Labor Division - (801) 530-6801
Vermont	X	X	Vermont Human Rights Commission - (802) 828-2480
Washington	X	X	Washington State Human Rights Commission - (360) 753-6770
Wisconsin	X		Wisconsin Equal Rights Division - (608) 266-6860

Additional Resources

- [HUD LGBTQ Resources](#)
- [Equal Access Poster](#)
- [Gender Stereotypes Poster](#)

Removal of federal transgender employment guidance from Office of Personnel Management website

Tag: #OPM

Summary of Findings

In late 2018, the U.S. Office of Personnel Management (OPM) removed its “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page from its website. The page now leads to a 404 (page not found) error. A new page titled “Guidance Regarding Non-Discriminatory Practices in Federal Employment” was added to the OPM website around the same time. The new guidance page is completely different from the removed page, as it does not pertain to transgender employees specifically, but workplace discrimination under the Civil Rights Act of 1964 generally.

Change Classification

- (5) Removing an entire webpage or document

Reporting

- Government Executive, [Trump Administration Removes Guidance Supporting Transgender Feds](#) (12/7/2018)

Change Details

Page title: Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace

Page status: Removed

- **Before:** [October 8, 2018](#)
- **After:** [November 28, 2018](#)

URL: <https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reference-materials/gender-identity-guidance/>

Known archives: None.

Description of change:

The following changes occurred between [October 8, 2018](#) and [November 28, 2018](#):

1. **Removed** the “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page from the OPM website.
 - The page contained detailed guidance for managers and employees, cover-

ing “the common questions that agencies have raised with the U.S. Office of Personnel Management (OPM) regarding the employment of transgender individuals in the Federal workplace.”

- The URL leads to a 404 (page not found) error.

The following changes occurred by [November 28, 2018](#):

1. Added the “[Guidance Regarding Non-Discriminatory Practices in Federal Employment](#)” page to OPM’s website.
 - The webpage is completely different to the removed “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page and does not pertain to transgender employees specifically, but discrimination under the Civil Rights Act of 1964.

Note: Between [November 28, 2018](#) and [December 8, 2018](#) a link to the “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page was removed from the “Diversity & Inclusion Reference Material” page of OPM’s website.

Screenshot: The top portion of the [October 8, 2018](#) version of the “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page on OPM’s website. By [November 28, 2018](#) the page was removed. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE
Wayback Machine

505 captures
3 Mar 2013 - 1 Aug 2019

https://www.opm.gov/policy-data-oversight/diversity-and-inclusion/reference-materials/gender-identity-guidance/ Go

AUG OCT NOV
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2017 2018 2019

A-Z Index | Contact Us | Forms | FAQs | OPERATING STATUS: Search All of OPM...

OPM.GOV ABOUT POLICY INSURANCE RETIREMENT SUITABILITY AGENCY SERVICES NEWS

OPM.gov Main > Policy > Diversity & Inclusion > Reference Materials

IN THIS SECTION

- Assessment & Selection
- Classification & Qualifications
- Data, Analysis & Documentation
- Disability Employment
- Diversity & Inclusion
 - About Us
 - People
 - Reports
 - Workforce at a Glance
 - Diversity & Inclusion FAQs
 - Reference Materials
- Employee Relations
- Hiring Information
- Human Capital Management
- Labor-Management Relations
- Oversight Activities
- Pandemic Information
- Pay & Leave
- Performance Management

Diversity & Inclusion

REFERENCE MATERIALS

Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace

Policy and Purposes

It is the policy of the Federal Government to treat all of its employees with dignity and respect and to provide a workplace that is free from discrimination whether that discrimination is based on race, color, religion, sex (including gender identity or pregnancy), national origin, disability, political affiliation, marital status, membership in an employee organization, age, sexual orientation, or other non-merit factors. Agencies should review their anti-discrimination policies to ensure that they afford a non-discriminatory working environment to employees irrespective of their gender identity or perceived gender non-conformity.

The purpose of this memorandum is to provide guidance to address some of the common questions that agencies have raised with the U.S. Office of Personnel Management (OPM) regarding the employment of transgender individuals in the Federal workplace. Some of these questions pertain to areas for which OPM has responsibility and others pertain to areas over which other agencies have responsibility. Because the guidance is of necessity general in nature, managers, supervisors, and employees should consult with their human resources offices and their counsel as to individual situations. They are also free to consult with OPM more generally.

Core Concepts

Gender identity is the individual's internal sense of being male or female or an identity other than the traditional definitions of male or female. The way an individual expresses his or her gender identity is frequently called “gender expression,” and may or may not conform to social stereotypes associated with a particular gender. Gender identity, which is an individual's internal sense of being male, female or something else, is distinct from sexual orientation, which describes to whom a person is romantically attracted. Most people have a fixed identity as male or female; those who do not may describe themselves as “non-binary” or “gender queer.”

Transgender. Transgender individuals are people with a gender identity that is different from the sex assigned to them at birth. Someone who was assigned the male sex at birth but who identifies as female is a *transgender woman*. Likewise, a person assigned the female

Removal of “LGBT Outreach” content from U.S. Small Business Administration website

Tag: #SBA

Summary of Findings

Between [December 9, 2016](#), and [January 31, 2017](#), content on the “LGBT Outreach” page of the Small Business Administration’s (SBA) website was removed. The content reportedly remained inaccessible for more than a year. Until May 2018, the content was replaced with a disclaimer: “SBA is currently updating programmatic information on SBA.Gov. During the update, some pages are not available. The process is expected to be complete in the near future.” The page contained information on the administration’s LGBT initiative that “aims to bring focus on economic empowerment in the LGBT business community providing access to SBA programs and services.”

In response to media enquiries, [officials claimed](#) that “guidance was simply being re-written.” [A few days after Pink News reported on the removed content](#), between [May 16, 2018](#) and [May 17, 2018](#), the page began redirecting from the original URL to a new URL, <https://www.sba.gov/business-guide/grow-your-business/lgbt-owned-businesses>, which contains content related to LGBT-owned small businesses.

Change Classification

- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- PinkNews: [Another Trump administration department has been quietly erasing LGBT resources](#) (05/11/18)

Change Details

Page title: LGBT Outreach
Page status: Removed

- **Before:** [December 9, 2016](#)
- **After:** [May 17, 2018](#)

URL: <https://www.sba.gov/about-sba-navigation-structure/lgbt-outreach>

Known archives: A public web archive of this page, collected by the Library of Congress is available from [December 9, 2016](#). Search for the archived version of the page at <https://webarchive.loc.gov/>

Description of change:

The following changes occurred between [December 9, 2016](#) and [January 31, 2017](#):

1. **Altered** the “LGBT Outreach” page.

- Removed all content and replaced it with a disclaimer that read:

“SBA is currently updating programmatic information on SBA.Gov. During the update, some pages are not available. The process is expected to be complete in the near future.”
- The page previously contained information on SBA’s “LGBT inclusion and outreach initiative,” which “aims to bring focus on economic empowerment in the LGBT business community providing access to SBA programs and services” as well as the “LGBT Business Builder,” a partnership between the SBA and the National Gay and Lesbian Chamber of Commerce.

The following changes occurred between [May 16, 2018](#) and [May 17, 2018](#)

1. **Established** a redirect from the “LGBT Outreach” page URL to the “LGBT-owned businesses” page URL (<https://www.sba.gov/business-guide/grow-your-business/lgbt-owned-businesses>).

- The page contains information on “SBA’s Network for LGBT Businesses,” which “aims to bring focus on economic empowerment in the LGBT business community by providing access to the SBA’s programs and services.” The content is less extensive than that formerly on the “LGBT Outreach” page and links leads to generic tools.

Screenshot: The [January 31, 2017](#) version of the “LGBT Outreach” page on SBA’s website. This notice remained until [May 17, 2018](#), when a redirect to the “LGBT-owned businesses” page was established. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE
waybackmachine

https://www.sba.gov/about-sba-navigation-structure/lgbt-outreach

80 captures
10 Mar 2015 - 3 May 2019

Go DEC JAN MAY
31
2016 2017 2018

TRANSLATE • LOGIN • REGISTER • CONTACT US • FOR LENDERS • NEWSROOM

SBA
U.S. Small Business Administration

Starting & Managing Loans & Grants Contracting Learning Center Local Assistance About SBA

SBA.gov » LGBT Outreach

About SBA Section

- ▶ What We Do
- ▶ SBA Team
- ▶ SBA Locations
- ▶ SBA Performance
- ▶ Oversight & Advocacy
- ▶ SBA Initiatives
- ▶ SBA Newsroom

LGBT Outreach

SBA is currently updating programmatic information on SBA.Gov. During the update, some pages are not available. The process is expected to be complete in the near future.

TRANSLATE • LOGIN • REGISTER • EMAIL UPDATES • CONTACT US • FOR LENDERS • NEWSROOM • SBA EN ESPAÑOL

Alteration of the State Department passport gender marker webpage

Tag: #State-1

Summary of Findings

In September 2018, the Department of State moved and altered content relating to gender designation on passports. By September 11, 2018, the Department of State had moved content from the “Gender Designation” page to a new page titled “Sex Designation Change” at a new URL.

After the media highlighted the use of the outdated term “sex change” on the “Sex Designation Change” page, the content was moved again, to a new URL and page called “Change of Sex Marker.” Some of the content from the original “Gender Designation” page was changed, including that references to “gender” were changed to “sex”.

Change Classification

- (1) Altering or removing text and non-text content
- (3) Moving an entire webpage or collection of webpages or establishing redirects

Reporting

- National Center for Transgender Equality: [State Department Alters Passport Gender Marker Website](#) (9/13/2018).
- Daily Beast: [Trump State Department Just Made an Ominous Passport Change for Transgender Americans](#) (9/13/2018).

Change Details

Page title: Gender Designation Change

Page status: Altered and Moved (twice)

- **Before:** [September 10, 2018](#)
- **After:** [September 13, 2018](#)

URL: <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/gender.html> (redirects to <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/change-of-sex-marker.html>)

Known archives: No known public archive.

Description of change:**The following changes occurred between [September 10, 2018](#) and [September 11, 2018](#):**

1. **Moved and altered** the “Gender Designation Change” page on the U.S. Passports section of its website.
 - The “Gender Designation Change” page detailed requirements for changing the “M” and “F” marker on passports.
 - Content from the page was moved to a new page titled “[Sex Designation Change](#)” at the URL <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/sex-designation-change.html> by [September 11, 2018](#).
 - Key alterations to content include:
 - i. Most references to “gender” replaced with “sex,” including changing the heading of a table from “Status of Gender Transition” to “Status of Sex Change or Transition.”
 - ii. Alteration of the answer to the FAQ “If I identify neither as male or female, can I have a passport issued with a different gender?”

The following changes occurred between [September 11, 2018](#) and [September 13, 2018](#):

1. **Moved and altered** the “Sex Designation Change” page on the U.S. Passports section of its website.
 - Content from the page was moved to a new page titled “Change of Sex Marker” at the URL <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/change-of-sex-marker.html> by [September 13, 2018](#)
 - The “Change of Sex Marker” page contained almost all the content from the “Sex Designation Change” page, with the most notable edit being the removal of the term “sex change” from the title of a prominent table on the page.

Screenshot: A comparison of the top portion of the [September 10, 2018](#) version of the “Gender Designation Change” page (top) and the [September 11, 2018](#) version of the “Sex Designation Change” page (bottom). Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE Wayback Machine <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/gender.html> Go AUG SEP OCT 2017 10 2018 2019 203 captures 3 Dec 2017 - 31 Oct 2019

Home | Travel Advisories | Newsroom | About Us | Contact Us | Careers | Find U.S. Embassies & Consulates

Travel.State.Gov
U.S. DEPARTMENT OF STATE — BUREAU OF CONSULAR AFFAIRS

U.S. Passports International Travel U.S. Visas Intercountry Adoption International Parental Child Abduction

Apply For or Renew My Passport After I Apply Passport Requirements Legal Matters

Travel.State.Gov > U.S. Passports > Apply For or Renew My Passport > Gender Designation Change

Gender Designation Change

Passports are valid for different lengths of time depending on where you are in your gender transition.

Status of Gender Transition	Validity of Passport
You have had appropriate clinical treatment*	10 years (Adult) 5 years (Child under 16)
You are in the process of getting appropriate clinical treatment	2 years

*Your physician determines what appropriate clinical treatment is.

Requirements

You must apply using [Form DS-11](#), unless you are replacing a limited-validity passport in your correct gender (see below). In addition to the regularly-required documents*, submit the following:

1. ID that resembles your current appearance
2. Passport photo that resembles your current appearance
3. A medical certification that indicates you are in the process of or have had appropriate clinical treatment for gender transition
4. Proof of legal name change (if applicable)

Helpful Links for Gender Designation Change

- [Apply In Person](#)
- [Passport Forms](#)
- [Passport Photos](#)
- [LGBTI Travel Information](#)

WHERE TO APPLY

Enroll in STEP

INTERNET ARCHIVE Wayback Machine <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/sex-designation-change.html> Go AUG SEP DEC 2017 11 2018 2019 12 captures 11 Sep 2018 - 31 Jul 2019

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Travel.State.Gov
U.S. DEPARTMENT OF STATE — BUREAU OF CONSULAR AFFAIRS

U.S. Passports International Travel U.S. Visas Intercountry Adoption International Parental Child Abduction

Apply For or Renew My Passport After I Apply Passport Requirements Legal Matters

Travel.State.Gov > U.S. Passports > Apply For or Renew My Passport > Sex Designation Change

Sex Designation Change

Passports are valid for different lengths of time depending on whether you have completed your sex change or are still in the process of sex transition.

Status of Sex Change or Transition	Validity of Passport
You have had appropriate clinical treatment for sex change to male or female*	10 years (Adult) 5 years (Child under 16)
You are in the process of getting appropriate clinical treatment for sex transition to male or female	2 years

*Your physician determines what appropriate clinical treatment.

Requirements

You must apply using [Form DS-11](#), unless you are replacing a limited-validity passport in your new sex within two years of its issuance date (see below). In addition to the regularly-required documents*, submit the following:

Helpful Links for Sex Designation Change

- [Apply In Person](#)
- [Passport Forms](#)
- [Passport Photos](#)
- [LGBTI Travel Information](#)

WHERE TO APPLY

Enroll in STEP

Removal of “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues” Fact Sheet from State Department website

Tag: #State-2

Summary of Findings

As part of the transition from the Obama to Trump administrations websites, the State Department removed a page titled, “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues.” The fact sheet is currently archived on the [2009-2017 State Department website](#). There currently is no equivalent page about international discrimination against LGBTQ on the State Department website.

Change Classification

- (5) Removing an entire webpage or document

Reporting

- N/A

Change Details

Page title: Lesbian, Gay, Bisexual, and Transgender Human Rights Issues
Page status: Removed

- **Before:** [January 21, 2017](#)
- **After:** [January 25, 2017](#)

URL: <https://www.state.gov/r/pa/prs/ps/2014/05/226253.htm>

Known archives: A public web archive of this page is available on the archived [2009-2017 State Department website](#).

Description of change:

The following changes occurred between [January 21, 2017](#) and [January 25, 2017](#):

1. **Removed** a fact sheet titled “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues.”
 - The fact sheet, published May 16, 2014, focused on discrimination faced by LGBT persons, including Refugees and Asylum Seekers, abroad.

Screenshot: The top portion of [January 21, 2017](#) version of the “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues” page. By [January 25, 2017](#), the page had been removed. Captured by the Internet Archive’s [Wayback Machine](#).

INTERNET ARCHIVE
Wayback Machine

1,957 captures
18 May 2014 - 2 Dec 2018

https://www.state.gov/ripa/prs/ps/2014/05/226253.htm

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Search Site

In This Section:
<Go Back

Home > Under Secretary for Public Diplomacy and Public Affairs > Bureau of Public Affairs > Bureau of Public Affairs: Office of Press Relations > Press Releases
> Press Releases: 2014 > Press Releases: May 2014

Lesbian, Gay, Bisexual, and Transgender Human Rights Issues

Fact Sheet
Office of the Spokesman
Washington, DC
May 16, 2014

“People everywhere long for the freedom to determine their destiny, the dignity that comes with work; the comfort that comes with faith, and the justice that exists when governments serve their people – and not the other way around. The United States of America will always stand up for these aspirations, for our own people and for people all across the world. That was our founding purpose.”

President Barack Obama, September 25, 2012

“There are few areas where I think our task is so clear, and what we need to do is make sure that we are working for that larger freedom for all people, and for the rights and the dignity of LGBT persons around the world.”

Secretary John Kerry, September 26, 2013

The U.S. Department of State has significantly expanded efforts to promote and protect the human rights of lesbian, gay, bisexual, and transgender (LGBT) persons over the past year. Through our private engagement with governments and civil society, public diplomacy, foreign assistance, and work in multilateral fora we have conducted activities in the following five areas of focus under the Presidential Memorandum on International Initiatives to Advance the Human Rights of LGBT Persons. We have also institutionalized these efforts throughout the Department.

Combating Criminalization of LGBT Status or Conduct Abroad

Our Embassies around the world regularly engage with civil society and host governments on laws that criminalize consensual same-sex conduct between adults. We have developed decriminalization strategies in regions where LGBT conduct is criminalized. Even in countries where we do not have a formal decriminalization strategy in place, we are working to support decriminalization efforts and to ensure greater legal protections for LGBT persons. We have also focused on raising awareness of countries that criminalize same-sex conduct through the annual Country Reports on Human Rights Practices and the Bureau of Consular Affairs’ Country Specific Information (CSI) sheets.

Protecting Vulnerable LGBT Refugees and Asylum Seekers

Through the Bureau of Population, Refugees, and Migration (PRM), the Department has focused on identifying protection gaps for LGBT refugees and asylum seekers and developing targeted interventions to address those gaps.

- **Training and Capacity-Building:** All new PRM employees are trained on LGBT issues. The Department also funds the United Nations High Commissioner for Refugees (UNHCR) and other nongovernmental and international organization partners to develop training materials focused on LGBT refugees and asylum seekers and strengthen institutional capacity to address their unique needs. In one example, PRM supported the International Organization for Migration (IOM) to conduct a regional workshop for LGBT advocacy organizations from six countries on the protection needs of LGBT migrants and asylum seekers.
- **Programming:** PRM has supported nongovernmental partners to conduct research and pilot new programs to support LGBT refugees and asylum seekers in urban areas, and has also provided targeted assistance to partners working to provide safe shelter and services for LGBT survivors of gender-based violence.
- **Humanitarian Diplomacy:** Department leadership is continually engaging, both privately and publicly, on behalf of LGBT refugees and asylum seekers. PRM annually communicates information to all embassies about the U.S. refugee resettlement process, including as it relates to LGBT applicants.

Foreign Assistance to Protect Human Rights and Advance Nondiscrimination

The Global Equality Fund is a multi-stakeholder initiative including governments, private foundations, and corporations that works to advance the human rights of LGBT persons globally. The Fund supports local civil society organizations with direct small grants to undertake short term projects, builds institutional capacity through long-term programs providing technical assistance to local and national civil society organizations and provides emergency support for advocates, civil society organizations and LGBT people under threat because of their work. Since the Fund was launched in December 2011, more than \$9 million has been provided to support activists and individuals working to promote and protect the human rights of LGBT persons in over 50 countries worldwide. The Department continues to pursue new partnerships with foreign governments, foundations, and corporations in this important effort.

U.S. Responses to Human Rights Abuses of LGBT Persons Abroad

Responding quickly and effectively to violence and discrimination against LGBT persons is a priority for the State Department. To that end, we have developed a rapid response mechanism to address negative developments around the world. Elements of that response include:

- regular and prompt reporting from post on negative developments;
- convening of a task force representing relevant Department and interagency stakeholders;
- coordinating with NGOs on the ground and in Washington;

Methodology

This report documents changes made to LGBTQ-related pages and content across the federal web using two key divergent methods: quantitative text analysis and qualitative mass web monitoring. We detail the methods, their scope, and their limitations, below.

Text analysis

In Chapter 1, we provide estimates of how the use of LGBTQ-related key terms has changed between the second term of the Obama administration (“pre-inauguration”) and November 2019 (“post-inauguration”) on two sets of federal websites, to describe broad trends that might reflect changing policy stances or attitudes on LGBTQ rights.

Central to this analysis are scripts developed by the team at [Environmental Data and Governance Initiative](#) (EDGI) as part of their targeted effort to document changes to environment-related web content and the [Internet Archive’s Wayback Machine](#), which provides extensive archiving of webpages including government domains.

Identifying URLs of LGBTQ-related webpages

In order to explore broad trends across federal government domains, we pooled together a set of WIP-identified URLs with a set of URLs coming from a search of specific terms on the [usa.gov](#) search engine. The first comes from WIP’s web

tracking activities, through which we have identified particular URLs containing LGBTQ-related content. To supplement and broaden the scope of our analysis, we collected all federal URLs returned in the first five pages from a [usa.gov](#) search of eight key terms: “LGBTQ,” “LGBT,” “transgender,” “gay,” “lesbian,” “bisexual,” and “queer.”

The rules for selection in the set were:

1. URLs must be from federal [.gov](#) domains. State or local government URLs were systematically excluded.
2. Non-HTML formats (pdf, doc, docx, rtf) were excluded, as our program does not yet support text analysis of them.
3. Webpages that are likely to be regularly updated, such as blog and news release landing pages or RSS feeds, were excluded.
4. Webpages in languages other than English were excluded from the analysis.

In total, we developed a set of 282 webpages to analyze using our custom [text analysis program](#).

Our second set of webpages come from [HHS.gov](#), the Department of Health and Human Services’ main website. These URLs were identified by crawling the Wayback Machine’s Internet Archive for pages that existed both before President Trump’s inauguration and on the date of the crawl. In total, we identified 1,889 [HHS.gov](#) webpages to analyze.



LGBTQ-relate term list used in text analysis

agender	gender binary	heterosexual	pansexual	sex reassignment
ally	gender dysphoria	hiv	polyamorous	sexual orientation
aromantic	gender expression	homophobia	queer	straight
asexual	gender fluid	hormone therapy	questioning	transsexual
assigned sex	gender identity	intersex	same-sex attraction	transgender
biphobia	gender minority	lesbian	same-sex couple	transgenderist
bisexual	gender nonconforming	lgb	same-sex couples	transsexual
cisgender	gender role	lgbt	same-sex marriage	two spirit
drag king	genderqueer	lgbtq	same-sex relationship	wsw
drag queen	glbt	msm	serostatus	
gay	heteronormativity	outing	sex	
gender	heterosexism	pangender	sex minority	

Text analysis program

To analyze the text from our sets of webpages, we created a program adapted from [EDGI's CTRL-F scripts](#). Using an API developed by EDGI, we first archived each webpage at the moment of analysis, and then accessed historical "snapshots" of each URL through the Internet Archive's Wayback Machine. Since not all URLs are systematically archived, we chose the latest available snapshot between President Obama's second inauguration up to the day before President Trump's inauguration as the "pre" snapshot. For the "post" snapshot we chose the most recent snapshot between President Trump's inauguration and the date the program was run. We adopted this approach as this analysis aims to report on observed trends from the start of this administration to the present day.

To assess changes in language, we used a list of 57 terms (Table A2). We counted the number of times each of the terms on our list appeared on each webpage.

Our custom program, written in Python and building on EDGI's CTRL-F scripts, returns the most recent "viable" Wayback Machine snap-

shot within the two provided timeframes (pre- and post- inauguration).

Our program stores a "snapshot object" with attributes for the "pre" and "post" states of the URL. One of these attributes is the "visible text" of the web page (ie. the text that a user can see while navigating the web page). We excluded anything outside the main body of the text of the webpage, including footers, navigation menus, and headers using variations of their HTML tags.

Federal websites do not follow a standard naming conventions, and tag naming conventions sometimes vary between subdomains. To account for the variations, we inspected all involved subdomains to try to ensure that only visible text was being retained. Most menus within the main body of pages were also removed, although this was a task with more imperfect results.

Our program counts the number of instances in which each of the eight terms appeared in the visible text of the page. Each term is counted exactly as it appears; and so the term "gender," for example, is counted separately from the term "genders," or any other variation.



Finally, our program outputs counts for only “complete” snapshots, ie. snapshots that have both “pre” and “post” attributes.

List of terms

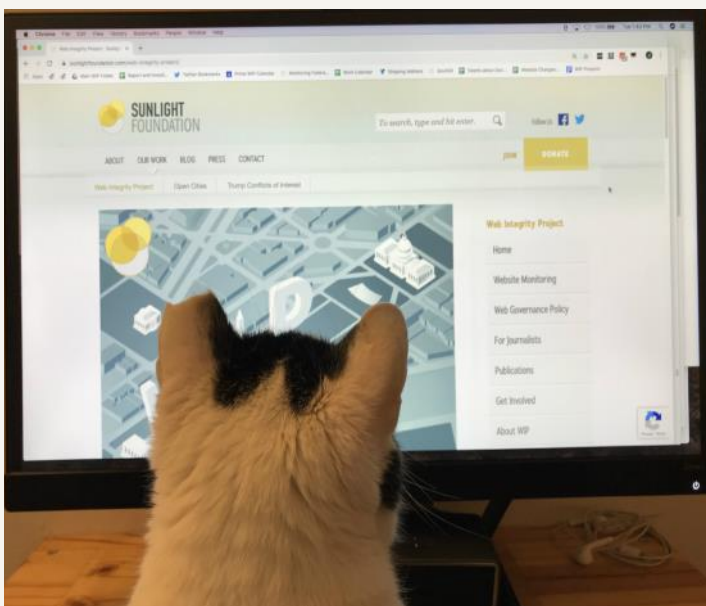
To identify changes in the use of LGBTQ-related content, we defined a list of 75 terms relating to the broader LGBTQ community. We amassed these terms using lists developed by the National Institutes of Health, the National LGBT Health Education Center and The National Academies of Sciences. As such, our list is comprehensive but is by no means exhaustive.

Limitations

It is important to note two key limitations of the quantitative method:

First, we are only able to compare webpages stored by the Wayback Machine for both time periods in the analysis. This means removed pages, added pages, and pages which lack a pre-inauguration capture on the Wayback Machine are excluded from the analysis. We expect this to mean our analysis underestimates the degree to which language has changed between administrations. The content on both pages from a previous administration and pages added by the current administration are likely to vary more than the surviving pages.

Second, HTML standards vary significantly even within departments, which makes it more difficult to accurately extract only the “visible text” from the web pages of different domains in one function. Menu and other non-body content may be included in the results. To account for this, we checked the output against the Wayback Machine captures of each page.



Unofficial spokescat, Walter, visits the Sunlight Foundation’s website regularly. Be like Walter!
<https://sunlightfoundation.com/web-integrity-project/>

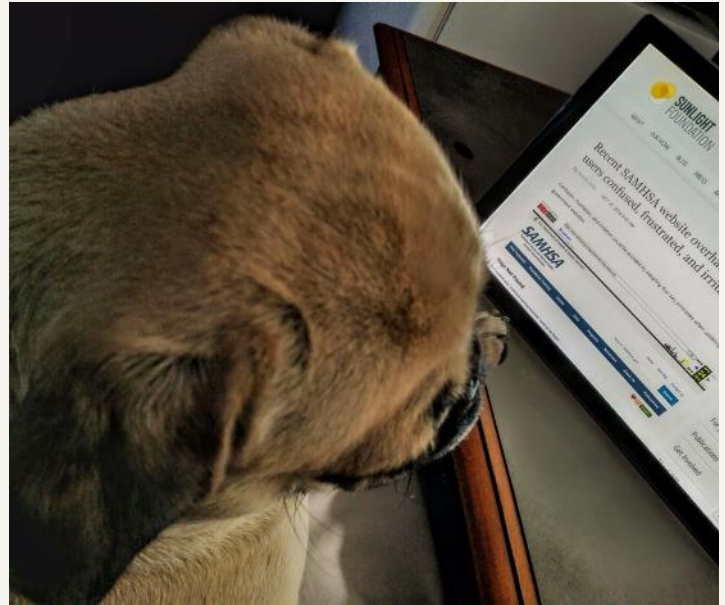


Web Monitoring

Many of the changes documented in Chapter 2 of this report were discovered as part of the Web Integrity Project's routine weekly monitoring. WIP uses software that automatically crawls close to 30,000 federal government webpages every 3 to 7 days and captures the HTML code of a page each time it detects a change. A team of analysts reviews the HTML renders of each changed webpage one-by-one, in meticulous detail, making decisions about whether the change is substantial enough for further vetting. At the web monitoring team's weekly meeting, changes are discussed and decisions made about whether to further vet and fully document the change. Any documented change is reviewed by at least three analysts before it is published in any technical documentation or report.

For more information on WIP's web monitoring process, see analyst Aaron Lemelin's "[The Web Integrity Project's monitoring processes reveal an increasing disparity in Spanish-language HIV/AIDS content.](#)"

Since the Web Integrity Project began regularly monitoring the federal web in February 2017, we have reviewed many thousands of changes, hundreds of which touch on LGBTQ-related content. Many of these changes were routine or minor – updates to source code, RSS feeds, and statistics, or the addition of a news release; a small proportion of the changes required further vetting; and an even smaller proportion are reported here.



Unofficial deputy spokesdog in charge of napping, Reno, loves reading our reports. He hopes you will too. <https://sunlightfoundation.com/web-integrity->

This report is not exhaustive of all significant or meaningful changes to LGBTQ-related language or content since January 2017.

To read our other web monitoring publications, please visit: <https://sunlightfoundation.com/web-integrity-project/publications/>.





A project of the Sunlight Foundation

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