



October 21, 2021

Dear White House and Congressional leadership:

The National LGBTQ Anti-Poverty Action Network writes to express our concerns regarding recent news about Build Back Better (BBB) negotiations. LGBTQI+ people disproportionately experienced poverty before March 2020, and the pandemic has exacerbated this. Yet, reports are circulating that several of the strongest anti-poverty programs in BBB are facing further cuts of two-thirds or more from the consolidated bill that passed out of the House Budget Committee.

As organizations focused on addressing the needs of low-income LGBTQI+ people and families, we urge the following:

- 1) **Do not add harmful means testing and work requirements.** Work requirements are harmful for LGBTQI+ low-income people, because they effectively punish LGBTQI+ people for workplace discrimination. Means testing can be harmful in certain programs, such as paid leave and refundable tax credits, and lead to more people falling into poverty.
- 2) **Keep paid leave, including inclusive family definitions.** Universal, comprehensive paid family and medical leave is vital to support working families' economic security. Despite the well-documented benefits of paid leave, millions of working people still do not have access to this basic protection. The Build Back Better package must provide a meaningful number of weeks of paid leave and replace most wages during leave to ensure that working people—especially those in low-paid jobs—can meaningfully access the benefit. It is particularly important for LGBTQI+ families that a national paid family and medical leave policy recognize the full range of caregiving relationships through an inclusive family definition, using the definition proposed by the House Ways and Means Committee and based on the definition of family that has been used for more than 50 years by the federal government for its own workforce's right to workplace leave. We also urge you to retain legislative components addressing existing disparities in access to leave promoting equity for LGBTQI+ people, including strong enforcement, data collection and reporting on participation rates, robust outreach and education, and adequate reimbursement and support to the existing 10 paid family and medical leave programs.
- 3) **Make real investments in housing.** Long-term rental assistance (Section 8 housing choice vouchers and project-based assistance), public housing, the National Housing Trust Fund, and first-time, first-generation down payment assistance are programs targeted to people with the greatest needs and provide the strongest opportunity to create and maintain housing that LGBTQI+ people with extremely low incomes can afford. Strong investments in these programs provide the greatest opportunity to

drastically reduce housing insecurity and homelessness for LGBTQI+ people. The investments the House Financial Services and Budget Committees passed have already been scaled back from previous proposals, and further reducing these programs would drastically limit the ability to reduce LGBTQI+ homelessness and housing instability. We cannot build back better if people do not have homes, and the emergency rental assistance Congress passed is insufficient to address our affordable housing crisis.

- 4) **Invest in cash assistance.** Addressing childhood poverty is critical for the LGBTQI+ community, because it is a primary pathway into poverty for LGBTQ+ adults and many same-sex couples with children are living in poverty. Furthermore, LGBTQI+ adults without children are struggling to get enough food and find housing. The American Rescue Plan Act expanded the Earned Income Tax Credit (EITC), the Child Tax Credit (CTC), and the Child and Dependent Care Tax Credit (CDCTC) for one year. This expansion will provide more cash assistance to millions of LGBTQI+ people with and without children. These credits need to be permanently expanded so that LGBTQI+ families are not deprived of critical cash assistance for their basic needs when the expansions expire next year. It is especially critical that lawmakers make the CTC full refundability permanent and restore CTC eligibility to children who have Individual Taxpayer Identification Numbers (ITINs), as was included in the House Ways and Means Committee proposal.
- 5) **Ensure equitable access by LGBTQI+ people and families to BBB programs.** Every program funded under Build Back Better which is collecting demographic data to promote equity and access to services should include data collection on sexual orientation and gender identity. Agencies should also test and implement intersex status data collection in federally funded surveys.
- 6) **Ensure that workforce development and small business programs serve the most economically marginalized, including transgender people.** Workforce and small business development programs should include LGBTQI+-competent and affirming training, policies, and procedures, and address the particular barriers that the most economically marginalized communities experience in entering, remaining in, and advancing in the workforce, including women, people of color, transgender people, people with disabilities, and formerly incarcerated people.

These latter two priorities will not add significant programmatic costs but rather will impact how agencies implement Build Back Better programs. Including these priorities will help ensure that federal anti-poverty programs better address the disproportionate impact of poverty on LGBTQI+ people and our community's need for economic equity.

Finally, we ask that you not pay for any programs by cutting any programs/services for low-income people. Instead, we ask that you ensure that the wealthy and corporations pay their fair share of taxes. Not only is it the right thing to do, it is supported by significant majorities of people across the country, from both parties.

For any questions, please contact National Center for Lesbian Rights Senior Policy Counsel Tyrone Hanley at [thanley@nclrights.org](mailto:thanley@nclrights.org) or 202.236.4397.

Sincerely,

The National LGBTQ Anti-Poverty Action Network