

March 23, 2022

Dear Members of Congress:

The National LGBTQ Anti-Poverty Action Network, and the 40 undersigned organizations committed to advancing equity for LGBTQI+ communities, are grateful for the critical provisions the House passed to lift individuals and families out of poverty in proposed Build Back Better legislation. Measures to secure access to inclusive paid leave, services to support LGBTQI+ older Americans, expand access to Medicaid, expand child care assistance and raise child care worker wages, expand housing assistance for low-income renters and aspiring homeowners, enact and enforce progressive tax policies to make the wealthy and big corporations pay their fair share, and extend the expanded refundable tax credits are key to supporting the recovery of low-income LGBTQI+ people and families. As negotiations on an economic recovery budget reconciliation bill continue, we urge Congress to retain these measures so we can have an equitable recovery for LGBTQI+ people.

LGBTQI+ people disproportionately experienced poverty before March 2020, and the pandemic has exacerbated this. According to the Williams Institute, 1 in 5 LGBTQI+ people and nearly 3 in 10 transgender people in the United States lived in poverty before the pandemic. Black and Brown LGBTQI+ people were even more likely to live in poverty: 3 in 10 Black LGBTQI+ people lived in poverty, including nearly 4 in 10 Black transgender people, as did more than 1 in 3 Latinx LGBTQI+ people, including nearly half of Latinx transgender people. Since the start of the pandemic, two-thirds of LGBTQI+ households have experienced a loss of employment—and two-thirds have suffered one or more serious financial problems. Research demonstrates that programs must explicitly target and include LGBTQI+ people in order to ensure the community is not left behind. Therefore, we urge you to support bold solutions in this budget reconciliation bill and ensure these policies and funding explicitly address the needs of, and explicitly set aside funding for data collection on, outreach to, direct services for, and research to assess equity in program participation of low- and middle-income LGBTQI+ people and families.

We urge you to further support the recovery of low-income LGBTQI+ people by including the following measures in the reconciliation bill:

- Investing in LGBTQI+ owned businesses in funding and programs to support small businesses. Congress should direct the Small Business Administration to create an office dedicated to identifying and supporting the needs of LGBTQI+-owned small businesses—particularly those whose owners are also members of other communities that are typically underinvested in, including women, people of color, transgender people, people with disabilities, and formerly incarcerated people.
- Investing in home and community-based services to support disabled and elderly LGBTQI+ individuals so they can get in-home aid and nutrition services to help them stay healthy in their homes, and ensuring that disabled and elderly LGBTQI+ have equitable access to these services and benefits. LGBTQI+ elder and disabled individuals are far more likely than straight and cisgender individuals to be unpartnered, have no children, and be estranged from family of origin. In such cases, they can have little to no informal support system when they become unable to perform their activities of daily living independently. As a result, Home and Community-Based Services have a proportionally greater impact on the LGBTQI+ community by making it possible for its socially

isolated elders and disabled individuals to remain living in their own homes and avoid nursing home placement.

- Provisions to make healthcare more affordable under the ACA, especially for disabled and low income individuals, of whom the LGBTQI+ community has a disproportionately high number. The legislation should retain the provisions to: (a) temporarily close the Medicaid coverage gap in states that did not expand Medicaid; (b) extend the increased financial assistance instituted in the American Rescue Plan for people who buy individual coverage on the marketplaces; (c) limit seniors' out-of-pocket drug spending; (d) allow Medicare to negotiate prices for high-cost drugs; (e) and cap cost-sharing for insulin at \$35.
- Invest in free preschool for all three- and four-year-olds that is high-quality, with low student-to-teacher ratios, developmentally appropriate curriculum, and supportive classroom environments that are inclusive for all students. Expand access to high-quality childcare for low- and moderate-income families by ensuring families are only required to pay a portion of their income that is based on a sliding scale for children under five years old. These programs must be made accessible to all children and families by prohibiting discrimination based on children's or their families' race, color, national origin, religion, sex (including sexual orientation, gender identity, and variations in sex characteristics), disability, or marital status.
- Making it easier for LGBTQI+ households to apply for and redeem nutrition assistance programs like the Supplemental Nutrition Assistance Program (formerly known as Food Stamps). Many food banks and pantries are religiously affiliated and may operate out of synagogues, mosques, and churches; therefore these programs might not feel fully welcoming to many LGBTQI+ people. A lack of LGBTQI+ cultural competency among government employees and difficulty completing a complicated in-person process accounts for low participation in programs like SNAP and the Special Program; 24% of low-income LGBTQ people reported having difficulty applying for benefits. Of those, 23% classified their issues as "LGBT-related," such as encountering difficulty changing a name or updating a gender marker. Half of transgender people in the United States are food insecure, a rate double that of cisgender people. LGBTQI+ adults are 1.6 times more likely to report food insecurity in the past year than non-LGBTQ adults and 42% of Black LGBTQ people and 33% of Latinx LGBTQ people experience food insecurity. Simplifying the application process for all social programs will increase participation among LGBTQI+ populations, reducing disparities and leading to better health outcomes.
- Investing in refundable tax credits. 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 (ARPA) 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. Congress should extend these credit expansions 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-passed BBBA.

- Investing in LGBTQI+ workers by promoting LGBTQI+ competent and affirming training, policies, and procedures in workforce development programs, ensuring enforcement of employment nondiscrimination laws and other laws protecting the rights of LGBTQI+ people to collectively organize and stay safe at work, including by robustly funding the Equal Employment Opportunity Commission, Department of Labor, and National Labor Relations Board, to rebuild enforcement capacity after years of flat funding and reductions that have too often left LGBTQI+ working people on their own to enforce their rights; and by strengthening unions, worker centers, and worker cooperatives, and investing in a subsidized jobs program. Congress should direct the Labor Department, Education Department, and other appropriate executive agencies to dedicate parts of this funding to provide technical assistance to evaluate and scale up LGBTQI+-focused workforce development programs, and promote LGBTQI+-competent and affirming training, policies, and procedures, with a special focus on voluntary workforce development programs that serve economically marginalized LGBTQI+ people. In a survey by the Center for American Progress, over half of transgender people report being out of work during the COVID-19 pandemic, and 68% report being discriminated against in employment over the past year. Congress should set aside funding for voluntary workforce development services that address the particular barriers that transgender people experience in entering, remaining in, and advancing in the workforce, including employment discrimination, and should fund research into promising workforce program models for transgender individuals and their outcomes.
- Passing into law the LGBTQI+-inclusive language included in the House-passed Build Back Better Act to guarantee universal access to paid family and medical leave for working families. LGBTQI+ workers often face additional hurdles when accessing paid family and medical leave, making it critical to enact measures that are fully inclusive and prioritize equity and access. Key pieces of the paid family and medical leave proposal include: promoting equity based on sex, sexual orientation and gender identity (Subtitle A Sec. 130001 Title XII Sec. 2206 (a)); an inclusive family definition that covers all of a worker's closest loved ones (Sec. 2202(c)(2)); training to prevent discrimination including based on sexual orientation and gender identity (Sec. 2207 (b)(9)); research to ensure access to and detect and prevent disparities in benefit access including based on sex, sexual orientation and gender identity (Sec. 2208 (b)(1)) and reporting on disparities in accessing benefits and actions to prevent these disparities, including based on sex, sexual orientation and gender identity (Sec. 2208(b)(2)(D) and (E)).
- Expanding fair access to accessible and affordable housing for people with the lowest incomes, including national Housing Trust Fund investments to build housing affordable to families with extremely low incomes, funding to address the public housing capital repairs backlog, and rental assistance and homeownership down payment assistance for LGBTQI+ people and other underserved communities, including formerly incarcerated individuals and those impacted by the criminal legal system.
- Ensuring every program funded under the bill that is collecting demographic data to promote equity and access to services must invest in expanding and enhancing data collection on sexual orientation and gender identity. Funding should also be allocated to test and implement intersex and nonbinary status data collection in federally funded surveys.

Sincerely,

National LGBTQ Anti-Poverty Action Network and the following organizations:

National Organizations:

A Better Balance
Advocating Opportunity
Center for Law and Social Policy (CLASP)
Center for LGBTQ Economic Advancement & Research (CLEAR)
Center for Science in the Public Interest
CenterLink: The Community of LGBT Centers
COVID Survivors for Change
Equality Federation
Family Equality
Family Values @ Work
FORGE, Inc.
GLMA: Health Professionals Advancing LGBTQ Equality
Health Care Voices
MAZON: A Jewish Response to Hunger
MomsRising
Movement Advancement Project (MAP)
mRelief
National Association of Social Workers
National Center for Lesbian Rights
National Council of Jewish Women

National Employment Law Project
National LGBTQ Task Force Action Fund
National NeighborWorks Association
National Women's Law Center
NETWORK Lobby for Catholic Social Justice
Reframe Health and Justice
RESULTS
Union for Reform Judaism
United Church of Christ Justice and Local Church Ministries
URGE: Unite for Reproductive & Gender Equity

State and Local Organizations:

AIDS Alabama (AL)
Empire Justice Center (NY)
Equality California (CA)
FreeState Justice (MD)
Greater Boston Legal Services (MA)
Legal Aid at Work (CA)
Lexington Pride Center (KY)
Los Angeles LGBT Center (CA)
Mazzoni Center (PA)
Oasis Legal Services (CA)