
CHAPTER 11:
EQUAL ACCESS TO PUBLIC PROGRAMS



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All people should be able to access government services and publicly funded programs without fear that they will be turned away or mistreated because of who they are. Yet transgender and gender nonconforming people still face untenable levels of disrespect, discrimination, and even violence accessing public programs and social services.

In fact, the National Transgender Discrimination Survey showed that 32% of trans people reported experiencing harassment, discrimination, or violence when trying to access a government service or program.¹ This kind of publicly supported discrimination is unacceptable, and contrary to the goals of programs designed to serve public needs. For these reasons, federal agencies have the power to ban anti-LGBT bias in programs and activities they fund or conduct. While some have done so most have not, or have done so only for some programs but not all. Broad action across the government is needed to ensure that transgender people are not unfairly denied access to a public program or service.

Policy Advances

- US Department of Agriculture (USDA) banned gender identity bias in USDA-run programs. (2014)
- HHS requires domestic violence programs to adopt LGBT anti-bias policy. (2013)*
- HHS began requiring LGBT-inclusive nondiscrimination provisions in all public service contracts. (2012)
- Social Security Administration banned gender identity bias in its programs and issues cultural competence guidelines to employees. (2013)
- Congress explicitly banned anti-LGBT bias in Violence Against Women Act Programs. (2013)*
- HUD regulation banned anti-LGBT bias in federally-funded housing program. (2012)*
- Federal Protective Service adopted guidance to ensure equal access to gender-appropriate restrooms in federal buildings. (2012)
- The Veterans Health Administration issued a directive on nondiscriminatory health care for transgender veterans. (2011)*

*- Notes Policy Advances also listed in other chapters of this Blueprint

Needed Policy Changes

- Each federal department and independent agency should adopt a formal regulation or policy prohibiting discrimination based on gender identity and sexual orientation in all programs it conducts or funds, and requiring appropriate staff training, including the following key agencies and departments:
 - Department of Agriculture (USDA)
 - Department of Commerce
 - Department of Education
 - Department of Health and Human Services
 - Department of Homeland Security
 - Department of Justice
 - Department of Labor

¹Injustice at Every Turn: A Report of the National Transgender Discrimination Survey, at 133.