



Women's Human Rights Campaign

March 17, 2021

Marcia Fudge, Secretary

Dept of Housing & Urban Development

451 7th St SW

Washington, DC 20410

RE: Executive Order 13988: Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation

Dear Secretary Fudge:

I wrote to you previously, on March 8th, in my capacity as Chair of the US Chapter of the international Women's Human Rights Campaign. I would like to follow up with additional information that highlights the tangible harms posed to women and girls who might be sheltered with men and urge you, as you conduct your review ordered by President Biden, to pause any proposed changes to regulations, policies, and guidances pending a thorough impact assessment.

Women made homeless by poverty and violence should not be sheltered with men who "identify" as women. President Biden has called for science-based and anti-discriminatory public policies. Shelter placement based on someone's subjective sense of himself, rather than biology, is unscientific, places women at unnecessary risk of sexual harassment and assault, and therefore discriminates against women.

Research shows that better than 85% of men who identify as women retain their male genitalia and the 2015 US Transgender Survey indicates that a majority retain their sexual interest in women.

Communal sleeping and bathing facilities common in many shelters put women who are housed with men claiming "female identity" at risk of voyeurism, sexual harassment, and sexual assault. Already a lawsuit has been filed by nine women

who were sheltered at Poverello House in California, alleging sexual harassment by a man housed with them who claimed to be a woman. The women report that the man made lewd comments about their bodies in communal dressing areas outside showers, and that he spied on them through cracks in shower and toilet stalls.

The extent of these problems is greater than generally known. An anonymous volunteer at a Maine homeless shelter for women recently published an article in *Feminist Current* describing the behavior of men claiming “female identity” at the shelter:

One man leered at women and trailed them through the shelter, his shorts manifesting the tangible proof of his interest... Another man would wait in the bathroom to be alone with a woman and then proposition her, on the off chance that she might be willing to give him a blowjob...

In another case, women complained that a man was watching pornography on his cell phone and visibly masturbating in the bed area at night.

On at least three occasions, men staying at the women’s shelter threatened to kill women with guns. Once, a man, enraged at female staff for insisting that he adhere to shelter rules, stormed into the kitchen during dinner, grabbed a tray of food, and began hurling handfuls of scalloped potatoes around the room while yelling that we were all “bitches” and “cunts.”

The volunteer reported that complaints from women at the shelter are not recorded, the men are not confronted, and those making the complaints often chided for “transphobia.” The women’s shelter was established due to the problem of rape and assault at the mixed sex shelter.

Many women are made homeless when escaping male violence. Studies find that for between 22 and 57% of all homeless women, domestic violence was the immediate cause of their homelessness. More than 80% of homeless mothers with children report experiencing domestic violence. Male presence in shelters is detrimental to the recovery of these women.

The United Nations *Declaration on the Elimination of Violence Against Women* (1993) calls on states to take all “appropriate measures” to promote the “safety and physical and psychological rehabilitation” of women who have been subjected to male violence. The *Declaration on Women’s Sex-Based Rights* (2019) defines these measures to include “provision of single-sex services and physical spaces.” Sex is defined by the United Nations as the “physical and biological characteristics that distinguish males from females” (Gender Equality Glossary, UN Women).

Women seeking shelter require privacy, safety, and dignity separate from men,

including those who claim female identity. The WHRC-USA therefore urges you to 1) mandate sex-segregated shelters; and 2) pause any proposed policy and regulation changes based on the Executive Order that would house males identifying as female in women's shelters pending an impact assessment.

WHRC USA appreciates the opportunity to share with you our concerns, and I would be happy to answer any questions you might have about the necessity of protecting the sex-based rights of women and girls. Please contact me at info@womensdeclaration-usa.com if I can be of further assistance.

To learn more about our organization, visit www.womensdeclaration.com

Best regards,

A handwritten signature in black ink, appearing to read "Vajra Ma". The signature is fluid and cursive, with the first name "Vajra" being more prominent than the last name "Ma".

Vajra Ma
Chair, Women's Human Rights Campaign USA

Women's Human Rights Campaign-USA is the US chapter of an international organization dedicated to protecting women's sex-based rights. Our founding document, the *Declaration on Women's Sex-Based Rights*, re-affirms women and girls' sex-based rights as enumerated in the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and subsequent international agreements, and challenges the discrimination we experience from the replacement of the category of sex with that of 'gender identity'. The *Declaration* is a clear call to law and policy makers to retain the sex-based biological definition of woman. WHRC is a nonpartisan organization.