

## PROGRAMS THAT SUPPORT BASIC LIVING STANDARDS FOR LGBTQ WOMEN SHOULD BE STRENGTHENED - NOT CUT

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The higher risk of economic insecurity lesbian, gay, bisexual, transgender, and queer (LGBTQ) women face makes health, nutrition, and housing assistance programs critical for helping LGBTQ women and their families meet their basic needs. According to a nationally representative survey conducted by the Center for American Progress (CAP) in 2017, many LGBTQ women and their families participate in Medicaid, the Supplemental Nutrition Assistance Program (SNAP, formerly known as food stamps), and public housing assistance.<sup>1</sup> Despite their vital role in increasing economic security, these programs have been under attack. In 2019, state and federal governments should shift to proactive policies that support LGBTQ women's economic security.

### ***LGBTQ Women Face an Increased Risk of Economic Insecurity***

Women, including LGBTQ women, are more likely than men to face economic insecurity.<sup>2</sup> Discrimination, low-wage work conditions, and caregiving duties are some of the barriers LGBTQ women face in attaining and maintaining economic security.

#### ***Discrimination, particularly in employment, contributes to economic insecurity***

Women, particularly those in low-wage jobs, are more likely than men to face discrimination and sexual harassment at work, which can lead to reduced hours or

job loss.<sup>3</sup> LGBTQ people also face discrimination at work, including being fired just for being who they are.<sup>4</sup> Nearly one in five transgender women report having lost a job due to their gender identity or expression at some point, according to the national 2015 U.S. Transgender Survey.<sup>5</sup> LGBTQ women also face pervasive discrimination in hiring,<sup>6</sup> which can be a barrier to finding a job. For example, a 2014 study found that employers were 30% less likely to offer an interview to an LGBTQ female applicant than a non-LGBTQ female applicant.<sup>7</sup> LGBTQ women who are also members of other marginalized communities, such as people of color and people with disabilities, may experience discrimination based on their multiple identities.

In addition, discrimination in housing,<sup>8</sup> health care,<sup>9</sup> education,<sup>10</sup> and other areas also impacts LGBTQ women's economic security.<sup>11</sup>

#### ***Low-wage work contributes to economic insecurity***

Women are overrepresented in the low-wage workforce,<sup>12</sup> which is plagued by unstable and unpredictable work schedules,<sup>13</sup> nonstandard hours,<sup>14</sup> part-time work,<sup>15</sup> and few benefits like paid sick leave.<sup>16</sup> These factors contribute to economic insecurity.

While there are limited data on LGBTQ women's wages, given employment barriers they experience, many LGBTQ women are likely working in low-wage jobs.<sup>17</sup> In addition, transgender people in particular have low household incomes: 47% of transgender respondents to the 2015 U.S. Transgender Survey reported making under \$25,000 a year, compared to 39% in the U.S. adult population.<sup>18</sup> Furthermore, 15% of transgender respondents to the 2015 U.S. Transgender Survey reported working part-time.<sup>19</sup>

#### ***Caregiving contributes to economic insecurity***

Twenty-one percent of bi+ women, 14% of transgender respondents to the 2015 U.S. Transgender Survey, and six

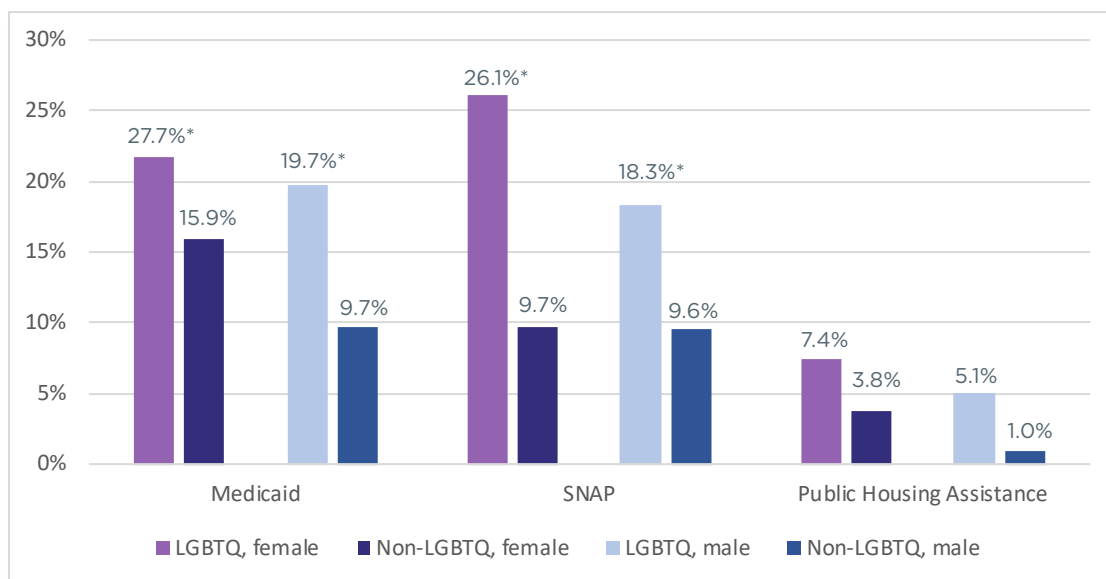
percent of lesbians are caregivers for minor children.<sup>20</sup> Ten percent of bi+ women and lesbians are caregivers for an adult family member or friend.<sup>21</sup> Families with low incomes face barriers to accessing affordable, high-quality child care,<sup>22</sup> presenting another barrier for LGBTQ women's economic security.

## New Data Indicate Health, Nutrition, and Housing Programs Are Particularly Important for LGBTQ Women

Because of these and other barriers to LGBTQ women's economic security, key programs like Medicaid, SNAP, and

housing assistance provide vital assistance to economically insecure LGBTQ women to help them meet their basic needs. While federal agency datasets on participation in Medicaid, SNAP, and housing assistance do not include data on sexual orientation or gender identity (SOGI),<sup>23</sup> surveys collecting SOGI data can provide useful information about LGBTQ people's needs. According to CAP's nationally representative survey, many LGBTQ women and their families participate in Medicaid, SNAP, and public housing assistance.<sup>24</sup> These survey results are disaggregated by sexual orientation when possible, but due to small sample sizes, this survey's data on transgender women and nonbinary people cannot be reported separately.

### Respondents Reporting That They or Their Family Participated in Programs That Support Basic Living Standards



Source: [2017 CAP Nationally Representative Survey](#)

\* Indicates a statistically significant difference between the LGBTQ and non-LGBTQ demographics within the same gender at the  $p < .05$  level.

#### Medicaid

Medicaid provides vital preventive care, mental health treatment, treatment for chronic conditions, and more to those who need it.<sup>25</sup> The health care provided through Medicaid coverage helps people search for work or continue working.<sup>26</sup>

Women comprise the majority of adult Medicaid recipients.<sup>27</sup> According to the CAP survey, one in five LGBTQ women reported that they or their family participated in Medicaid, and bi+ women<sup>28</sup> were more likely than lesbians to report participating.<sup>29</sup>

Between 2013 and 2016, 4.4 million non-elderly adult women gained Medicaid coverage.<sup>30</sup> Between 2013 and 2014, the uninsurance rate among low- and middle-income LGBT people (under 400% of the federal poverty line) fell

from 34% to 26%.<sup>31</sup> Some of these gains are a result of the Affordable Care Act (ACA), including expanded Medicaid eligibility.<sup>32</sup>

#### SNAP

Women represent 63% of adult recipients of SNAP,<sup>33</sup> one of the main programs that helps low-income people put food on their tables. In the CAP survey, one in four LGBTQ women reported that they or their family received SNAP, making them 2.7 times more likely to report receiving non-LGBTQ women.<sup>35</sup> This disparity is most pronounced for bi+ women, who are more likely than both lesbians and straight women<sup>36</sup> to report that they or their family received SNAP.

## *Housing assistance programs*

Housing assistance programs help millions of women and families,<sup>36</sup> including LGBTQ women and families,<sup>37</sup> keep a roof over their heads. LGBTQ people face higher rates of homelessness and housing insecurity compared to non-LGBTQ people,<sup>38</sup> making housing assistance even more critical. The CAP survey found that over seven percent of LGBTQ women reported they or their families received public housing assistance.<sup>39</sup> Unfortunately, the availability of housing assistance, including federal rental assistance, is not enough to fill needs. For example, only about one in four eligible low-income renters receives federal rental assistance.<sup>40</sup>

## ***Proposals to Undermine Health, Nutrition, and Housing Programs Would Be Harmful to LGBTQ Women***

Despite the vital role programs like Medicaid, SNAP, and housing assistance play in helping families meet their basic needs, these programs are under attack by the Trump Administration, some Members of Congress, and some state governments.

Many of these attacks to key programs have come on the heels of Congress passing the Tax Cuts and Jobs Act of 2017 (TCJA), which overwhelmingly benefits the wealthy and big corporations<sup>41</sup> and will increase inequality.<sup>42</sup> These attacks on key programs disproportionately impact marginalized groups, including LGBTQ women. Programs such as Medicaid, SNAP, and housing assistance are particularly important for LGBTQ women's economic security, so the program cuts some government leaders are proposing and implementing at the state and federal level are likely to disproportionately harm LGBTQ women.

- **Despite Medicaid's contributions to important health care coverage for LGBTQ women, Medicaid is at risk.** Some in Congress and the Trump Administration continue to push forward radical changes to the program that would end Medicaid expansion and/or drastically restructure Medicaid.<sup>43</sup> These proposals would have devastating consequences for LGBTQ women's health care and coverage. At the same time, states are proposing – and the Trump Administration has started approving – harmful new “demonstration projects” that would take coverage away from people who don't meet certain punitive requirements.<sup>44</sup>
- **The next Trump Budget threatens severe cuts to**

**SNAP.** The Trump Fiscal Year (FY) 2019 Budget proposed slashing SNAP funding by more than \$200 billion over 10 years,<sup>45</sup> and the upcoming FY 2020 budget proposal could similarly include cuts to SNAP. LGBTQ women struggling to put food on the table for their families need more funding for SNAP instead of more proposals to cut SNAP to pay for tax cuts Trump and Congress gave to the wealthy.

- **Housing assistance is also under attack.** Proposals from the Trump Administration and Representative Dennis Ross would, among other things, increase rent for families struggling to afford medical care or child care and make it harder for people experiencing homelessness to gain access to housing.<sup>46</sup> LGBTQ women and their families struggling to put a roof over their heads cannot afford these cuts to housing assistance to pay for tax cuts for the wealthy.

### *Taking vital assistance away from LGBTQ women who do not meet punitive so-called work requirements will not help them or their families*

The Trump Administration, some Members of Congress, and some state governments are introducing or expanding so-called “work requirements” for programs such as Medicaid, SNAP, and housing assistance.<sup>47</sup> These policies act as punitive time limits, taking vital health, nutrition, or housing assistance away from people who cannot find a job or do not get enough hours at work within a certain reporting period.<sup>48</sup>

Medicaid work requirements are contrary to the program's purpose and take vital health care coverage away from people.<sup>49</sup> Just last year, a federal judge struck down these punitive requirements for Medicaid in Kentucky, indicating that they are contrary to the program's purpose of providing access to health care.<sup>50</sup> Nevertheless, several states have sought the Trump Administration's approval to implement these illegal and punitive requirements for Medicaid recipients, and the Administration has already approved some requests.<sup>51</sup> If multiple states implemented such illegal requirements, they could cost millions of people their health care.<sup>52</sup> In fact, over 18,000 Medicaid enrollees in Arkansas lost their coverage during the first seven months of the state implementing its harsh policy.<sup>53</sup>

In addition, while the last Congress ultimately rejected the House's proposal to expand the already harsh time limits in SNAP in the 2018 Farm Bill,<sup>54</sup> the Trump Administration recently proposed a rule that, if it becomes final, would limit states' ability to provide SNAP to their unemployed

and underemployed residents.<sup>55</sup> This proposed rule could threaten SNAP access for at least 755,000 people.<sup>56</sup> Furthermore, the Trump Administration's housing proposal would also implement similar punitive time limits for housing assistance.<sup>57</sup>

Proponents of these punitive policies often invoke racialized stereotypes of who participates in these health, nutrition, and housing programs and a false narrative that program participants do not work.<sup>58</sup> The facts show that most participants who can work, do work.<sup>59</sup> Having health care,<sup>60</sup> food,<sup>61</sup> and housing<sup>62</sup> helps people work and also helps them meet their basic needs while working in low-wage jobs or while in between jobs.<sup>63</sup>

On the other hand, taking health coverage, food, or housing assistance away from people who struggle to secure a job or do not get enough hours at work does not help them find a quality job.<sup>64</sup> These policies are particularly harmful for LGBTQ women because of the heightened employment challenges they already face, including discrimination, caregiving duties, and low-wage working conditions, including unpredictable schedules and a lack of access to paid leave.

## **LGBTQ women need policies that ensure they have the basic supports they need, not cuts to vital programs**

2019 presents an opportunity for state and federal governments to stop the program attacks undertaken in 2018 and shift to proactive policies that support LGBTQ women's economic security, such as the following:

- Expanding Medicaid in more states;<sup>65</sup>
- Increasing access to SNAP, housing assistance, and other key programs;<sup>66</sup>
- Supporting better jobs with fair schedules, higher wages, and access to critical benefits, including paid sick leave and inclusive paid family and medical leave;<sup>67</sup>
- Increasing child care assistance;<sup>68</sup>
- Collecting data on sexual orientation and gender identity to better illuminate LGBTQ people's need for and participation in these programs to ensure they can be better served;<sup>69</sup> and
- Ensuring protection from harassment and discrimination on the basis of sex – including sexual orientation and gender identity.<sup>70</sup>

- 1 CAITLIN ROONEY, CHARLIE WHITTINGTON & LAURA E. DURSO, CTR. FOR AM. PROGRESS, PROTECTING BASIC LIVING STANDARDS FOR LGBTQ PEOPLE (Aug. 2018), available at <https://cdn.americanprogress.org/content/uploads/2018/08/10095627/LGBT-BenefitCuts-report.pdf>.
- 2 MEIKA BERLAN & MORGAN HARWOOD, NAT'L WOMEN'S LAW CTR., NATIONAL SNAPSHOT: POVERTY AMONG WOMEN & FAMILIES, 2018, at 1, available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/09/National-Snapshot.pdf>; CTR. FOR AM. PROGRESS & MOVEMENT ADVANCEMENT PROJECT, PAYING AN UNFAIR PRICE: THE FINANCIAL PENALTY FOR LGBT WOMEN IN AMERICA 4-5 (Mar. 2015), available at <http://www.lgbtmap.org/file/paying-an-unfair-price-lgbt-women.pdf>.
- 3 NAT'L WOMEN'S LAW CTR., SEXUAL HARASSMENT IN THE WORKPLACE (Nov. 2016), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2016/11/Sexual-Harassment-Fact-Sheet.pdf>.
- 4 S.E. JAMES ET AL., NAT'L CTR. FOR TRANSGENDER EQUALITY, THE REPORT OF THE 2015 U.S. TRANSGENDER SURVEY 12, 147-155 (Dec. 2016), available at <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>; SARAH MCBRIDE ET AL., CTR. FOR AM. PROGRESS, WE THE PEOPLE: WHY CONGRESS AND U.S. STATES MUST PASS COMPREHENSIVE LGBT NONDISCRIMINATION PROTECTIONS 7-8 (Dec. 2014), available at <https://cdn.americanprogress.org/content/uploads/2014/12/24121649/LGBT-WeThePeople-report1.pdf> (hereinafter "WE THE PEOPLE"); KULSUM EBRAHIM, SARAH MCBRIDE & CLAIRE MARKHAM, CTR. FOR AM. PROGRESS, FIRED FOR BEING WHO I AM: THE FIGHT FOR LGBT EQUALITY CONTINUES (Feb. 16, 2016), <https://www.americanprogress.org/issues/lgbt/news/2016/02/16/130721/fired-for-being-who-i-am-the-fight-for-lgbt-equality-continues/>. Twenty-six states lack explicit protections against employment discrimination based on sexual orientation and 28 state lack those protections based on gender identity. MOVEMENT ADVANCEMENT PROJECT, EQUALITY MAPS: STATE NON-DISCRIMINATION LAWS, [http://www.lgbtmap.org/equality-maps/non\\_discrimination\\_laws](http://www.lgbtmap.org/equality-maps/non_discrimination_laws) (last accessed on Nov. 1, 2018).
- 5 THE 2015 U.S. Transgender Survey had 27,715 transgender respondents. JAMES ET AL., *supra* note 4, at 150.
- 6 NAT'L PUBLIC RADIO, THE ROBERT WOOD JOHNSON FOUND. & HARVARD T.H. CHAN SCHOOL OF PUBLIC HEALTH, DISCRIMINATION IN AMERICA: EXPERIENCES AND VIEWS OF LGBTQ AMERICANS 9-11 (Nov. 2017), available at <https://www.npr.org/documents/2017/nov/npr-discrimination-lgbtq-final.pdf>; EMMA MISHTEL, DISCRIMINATION AGAINST QUEER WOMEN IN THE U.S. WORKFORCE: A RESUME AUDIT STUDY, SOCIUS, 2016, at 1-13, available at <http://journals.sagepub.com/doi/pdf/10.1177/2378023115621316>. See also JAMES ET AL., *supra* note 4, at 151 (providing data on hiring discrimination against transgender people as a whole, not transgender women specifically).
- 7 MISHTEL, *supra* note 6, at 1, 11.
- 8 THE U.S. Department of Housing and Urban Development (HUD) promulgated the Equal Access Rule in 2012 to prohibit HUD-funded providers from discriminating on the basis of sexual orientation or gender identity. Housing and Urban Dev. Dep't, Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, 77 Fed. Reg. 5,661 (Feb. 3, 2012). Despite this rule, housing discrimination is pervasive. LOURDES ASHLEY HUNTER, ASHE MCGOVERN & CARLA SUTHERLAND, EDs., INTERSECTING INJUSTICE: ADDRESSING LGBTQ POVERTY AND ECONOMIC JUSTICE FOR ALL: A NATIONAL CALL TO ACTION 46 (2018), available at [https://static1.squarespace.com/static/5a00c5f2a803bbe2eb0ff14e/t/5aca6f45758d46742a5b8f78/1523216213447/FINAL+PovertyReport\\_HighRes.pdf](https://static1.squarespace.com/static/5a00c5f2a803bbe2eb0ff14e/t/5aca6f45758d46742a5b8f78/1523216213447/FINAL+PovertyReport_HighRes.pdf).



- 9 High rates of discrimination in health care, including outright denials of care, prevent many LGBTQ people from receiving the health care they need. Transgender and gender non-conforming people often report higher rates of discrimination. See, e.g., SHABAB AHMED MIRZA & CAITLIN ROONEY, CTR. FOR AM. PROGRESS, DISCRIMINATION PREVENTS LGBTQ PEOPLE FROM ACCESSING HEALTH CARE (Jan. 18, 2018), <https://www.americanprogress.org/issues/lgbt/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care/>; JAMES ET AL., *supra* note 4, at 70, 93-95, 98; LAMBDA LEGAL, WHEN HEALTH CARE ISN'T CARING: LAMBDA LEGAL'S SURVEY OF DISCRIMINATION AGAINST LGBT PEOPLE AND PEOPLE WITH HIV 5 (2010), available at [www.lambdalegal.org/health-care-report](http://www.lambdalegal.org/health-care-report). The Affordable Care Act (ACA)'s Health Care Rights Law, also called Section 1557, prohibits health care providers from discriminating against someone because of their gender identity or because they do not conform to sex stereotypes, providing key protections for LGBTQ individuals that have helped curb these forms of discrimination. SHARITA GRUBERG & FRANK J. BEWKES, CTR. FOR AM. PROGRESS, THE ACA'S LGBTQ NONDISCRIMINATION REGULATIONS PROVE CRUCIAL 5 (Mar. 7, 2018), available at <https://cdn.americanprogress.org/content/uploads/2018/03/06122027/ACAnondiscrimination-brief2.pdf>; NAT'L WOMEN'S LAW CTR., PROHIBITING SEX DISCRIMINATION IN HEALTH CARE: WHAT YOU NEED TO KNOW ABOUT THE AFFORDABLE CARE ACT'S HEALTH CARE RIGHTS LAW (May 2018), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/05/1557-KYR.pdf>.
- 10 HUNTER, MCGOVERN & SUTHERLAND, *supra* note 8, at 57, 59.
- 11 CTR. FOR AM. PROGRESS & MOVEMENT ADVANCEMENT PROJECT, *supra* note 2.
- 12 NAT'L WOMEN'S LAW CTR., INTERACTIVE MAP: WOMEN AND MEN IN THE LOW-WAGE WORKFORCE (July 20, 2018), <https://nwlc.org/resources/interactive-map-women-and-men-low-wage-workforce/>.
- 13 See generally JULIE VOGTMAN & JASMINE TUCKER, NAT'L WOMEN'S LAW CTR., COLLATERAL DAMAGE: SCHEDULING CHALLENGES FOR WORKERS IN LOW-WAGE JOBS AND THEIR CONSEQUENCES (Apr. 2017), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/04/Collateral-Damage.pdf>.
- 14 JULIE VOGTMAN & KAREN SCHULMAN, NAT'L WOMEN'S LAW CTR., SET UP TO FAIL: WHEN LOW-WAGE WORK JEOPARDIZES PARENTS' AND CHILDREN'S SUCCESS 6 (2016), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2016/01/FINAL-Set-Up-To-Fail-When-Low-Wage-Work-Jeopardizes-Parents%E2%80%99-and-Children%E2%80%99s-Success.pdf>.
- 15 See, e.g., ANNE MORRISON & KATHERINE GALLAGHER ROBBINS, NAT'L WOMEN'S LAW CTR., PART-TIME WORKERS ARE PAID LESS, HAVE LESS ACCESS TO BENEFITS—AND TWO-THIRDS ARE WOMEN (Sept. 2015), available at [https://www.nwlc.org/wp-content/uploads/2015/08/part-time\\_workers\\_fact\\_sheet\\_8.21.1513.pdf](https://www.nwlc.org/wp-content/uploads/2015/08/part-time_workers_fact_sheet_8.21.1513.pdf). In March 2018, 11.5% of women working part-time did so involuntarily. NAT'L WOMEN'S LAW CTR. CALCULATIONS BASED ON U.S. DEP'T OF LABOR, BUREAU OF LABOR STAT., CURRENT POPULATION SURVEY, TABLE A-18 EMPLOYED AND UNEMPLOYED FULL- AND PART-TIME WORKERS BY AGE, SEX, RACE, AND HISPANIC OR LATINO ETHNICITY, available at <https://www.bls.gov/web/empsit/cpseea18.htm>. Involuntary part-time work is especially common in some low-wage sectors, such as retail work. See, e.g., DANIEL SCHNEIDER & KRISTEN HARKNETT, WASH. CTR. FOR EQUITABLE GROWTH, SCHEDULE INSTABILITY AND UNPREDICTABILITY AND WORKER AND FAMILY HEALTH AND WELLBEING 16 (Sept. 2016), available at <http://equitablegrowth.org/working-papers/schedule-instability-and-unpredictability/>. In addition, many who work part-time “voluntarily,” especially women, find their employment choices constrained by factors like caregiving responsibilities and challenges securing child care. See MORRISON & GALLAGHER ROBBINS, at 2-3.
- 16 KAYLA PATRICK, MEIKA BERLAN & MORGAN HARWOOD, LOW-WAGE JOBS HELD PRIMARILY BY WOMEN WILL GROW THE MOST OVER THE NEXT DECADE 2 (Aug 2018), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2016/04/Low-Wage-Jobs-Held-Primarily-by-Women-Will-Grow-the-Most-Over-the-Next-Decade-2018.pdf>; VOGTMAN & SCHULMAN, *supra* note 14.
- 17 CTR. FOR AM. PROGRESS & MOVEMENT ADVANCEMENT PROJECT, *supra* note 2.
- 18 NAT'L WOMEN'S LAW CTR. calculations of transgender respondents reporting individual incomes between \$1 and \$24,999 a year on the 2015 U.S. Transgender Survey, which had 27,715 transgender respondents, compared to income data from the U.S. Census Current Population Survey (CPS). JAMES ET AL., *supra* note 4, at 56. JASMINE TUCKER & KAYLA PATRICK, NAT'L WOMEN'S LAW CTR., LOW-WAGE JOBS ARE WOMEN'S JOBS: THE OVERREPRESENTATION OF WOMEN IN LOW-WAGE WORK 2 (Aug. 2017), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/08/Low-Wage-Jobs-are-Womens-Jobs.pdf>. While the U.S. Transgender Survey provides valuable information, there is no set of government data on representation in the low-wage workforce based on sexual orientation or gender identity like there is on sex. The LGBT Data Inclusion Act, if enacted, would provide more data about LGBTQ women's representation in the low-wage workforce and illuminate a host of issues facing LGBTQ women, making it easier to ensure programs better serve them.
- 19 JAMES ET AL., *supra* note 4, at 56.
- 20 SHABAB AHMED MIRZA, CTR. FOR AM. PROGRESS, DISAGGREGATING THE DATA FOR BISEXUAL PEOPLE 2 (Sept. 2018), available at <https://cdn.americanprogress.org/content/uploads/2018/09/21133117/BiCommunityStats-factsheet1.pdf>; JAMES ET AL., *supra* note 4, at 69. Note that the question wording in these surveys differed. In the Center for American Progress survey reported in MIRZA, respondents were asked whether they were a caregiver for one or more child under the age of 18. In the National Center for Transgender Equality survey reported in JAMES, respondents were asked whether they had a child related to them by blood or adoption in their household under the age of 18.
- 21 MIRZA, *supra* note 20, at 2.
- 22 NAT'L WOMEN'S LAW CTR., CHILD CARE IS FUNDAMENTAL TO AMERICA'S CHILDREN, FAMILIES, AND ECONOMY (Jan. 2019), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2019/01/Child-Care-Fundamental-1-2019.pdf> (hereinafter “CHILD CARE IS FUNDAMENTAL”).
- 23 ROONEY, WHITTINGTON & DURSO, *supra* note 1, at 6; MIRZA, *supra* note 20, at 2.
- 24 ROONEY, WHITTINGTON & DURSO, *supra* note 1.
- 25 *Id.* at 3. Federal law withholds insurance coverage of abortion from people qualified and eligible for the Medicaid program, except in the extremely limited circumstances where a person is pregnant as a result of rape or incest or when their life is in danger. See, e.g., Consolidated Appropriations Act, 2016, Pub. L. No. 114-113, § 202, 129 Stat. 2242, 2311 (2015).
- 26 NAT'L WOMEN'S LAW CTR., MEDICAID IS VITAL FOR WOMEN'S JOBS IN EVERY COMMUNITY 1 (June 2017), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/06/Medicaid-Jobs-Report.pdf>.
- 27 KAYLA PATRICK, JASMINE TUCKER & AMY MATSUI, NAT'L WOMEN'S LAW CTR., BY THE NUMBERS: DATA ON KEY PROGRAMS FOR THE WELL-BEING OF WOMEN & THEIR FAMILIES 2 (June 2018), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/06/FINAL-By-The-Numbers.pdf>.
- 28 Bi+ women in this context refers to respondents who identified as female or as a trans woman and who also identified as bisexual or queer.
- 29 ROONEY, WHITTINGTON & DURSO, *supra* note 1, at 6; MIRZA, *supra* note 20, at 3.
- 30 PATRICK, TUCKER & MATSUI, *supra* note 27, at 2.
- 31 KELLAN BAKER ET AL., CTR. FOR AM. PROGRESS, THE MEDICAID PROGRAM AND LGBT COMMUNITIES: OVERVIEW AND POLICY RECOMMENDATIONS 5 (Aug. 9, 2016), available at <https://cdn.americanprogress.org/wp-content/uploads/2016/08/08125221/2LGBTMedicaidExpansion-brief.pdf>.
- 32 *Id.*
- 33 PATRICK, TUCKER & MATSUI, *supra* note 27, at 2.
- 34 ROONEY, WHITTINGTON & DURSO, *supra* note 1, at 4.

- 35 Straight women includes cisgender and transgender women who identified as heterosexual in the survey. This category does not include nonbinary people.
- 36 NAT'L LOW INCOME HOUSING COAL. & NAT'L WOMEN'S LAW CTR., CUTTING HOUSING ASSISTANCE IS A BAD DEAL FOR WOMEN AND FAMILIES (Aug. 2018), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/08/Cutting-Housing-Bad-for-Women.pdf>.
- 37 ROONEY, WHITTINGTON & DURSO, *supra* note 1, at 10-11.
- 38 JAMES ET AL., *supra* note 4, at 177; CHAPIN HALL AT THE U. OF CHI., MISSED OPPORTUNITIES: LGBTQ YOUTH HOMELESSNESS IN AMERICA 7 (Apr. 2018), available at <https://voicesofyouthcount.org/wp-content/uploads/2018/04/VoYC-LGBTQ-Brief-FINAL.pdf>; JOHN ECKER, TIM AUBRY & JOHN SYLVESTRE, A REVIEW OF THE LITERATURE ON LGBTQ ADULTS WHO EXPERIENCE HOMELESSNESS, JOURNAL OF HOMOSEXUALITY, Jan 3, 2018, at 1-27, available at <https://doi.org/10.1080/00918369.2017.1413277>.
- 39 The CAP survey inquired about "public housing assistance" rather than a specific type of housing benefit, such as public housing or rental vouchers, for several reasons. For more information, see ROONEY, WHITTINGTON & DURSO, *supra* note 1, at 10, 16.
- 40 CTR. ON BUDGET & POL'Y PRIORITIES, THREE OUT OF FOUR LOW-INCOME AT-RISK RENTERS DO NOT RECEIVE FEDERAL RENTAL ASSISTANCE, [http://apps.cbpp.org/shareables\\_housing\\_unmet/chart.html](http://apps.cbpp.org/shareables_housing_unmet/chart.html).
- 41 NAT'L WOMEN'S LAW CTR., WHAT'S IN THE TAX CUTS AND JOBS ACT OF 2017: PROVISIONS THAT IMPACT WOMEN AND FAMILIES (Apr. 2018), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/07/Tax-Cuts-and-Job-Act-2017.pdf>; ANDREW SCHWARTZ & GALEN HENDRICKS, CTR. FOR AM. PROGRESS, ONE YEAR LATER, THE TCJA FAILS TO LIVE UP TO ITS PROponents' PROMISES (Dec. 20, 2018), <https://www.americanprogress.org/issues/economy/reports/2018/12/20/464534/one-year-later-tcja-fails-live-proponents-promises/>.
- 42 INST. ON TAXATION AND ECON. POL'Y, INSULT TO INJURY: WHY TAX CUTS 2.0 MAKES NO SENSE (Aug. 9, 2018), <https://itep.org/insult-to-injury-why-tax-cuts-2-0-makes-no-sense/>.
- 43 See, e.g., NAT'L WOMEN'S LAW CTR., THE MANY WAYS THE AMERICAN HEALTH CARE ACT WOULD JEOPARDIZE WOMEN'S HEALTH AND ECONOMIC SECURITY (May 2017), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2017/05/AHCA-Harm-FS.pdf>; MATT BROADDUS & EDWIN PARK, CTR. ON BUDGET & POL'Y PRIORITIES, HOUSE REPUBLICAN HEALTH BILL WOULD EFFECTIVELY END ACA MEDICAID EXPANSION (June 6, 2017), <https://www.cbpp.org/research/health/house-republican-health-bill-would-effectively-end-aca-medicaid-expansion>; SARAH HASSMER & JULIE VOGTMAN, NAT'L WOMEN'S LAW CTR., THE TRUMP BUDGET: INEFFECTIVE, INEFFICIENT, AND JUST PLAIN TERRIBLE FOR WOMEN AND FAMILIES (Feb. 14, 2018), <https://nwlc.org/blog/the-trump-budget-ineffective-inefficient-and-just-plain-terrible-for-women-and-families/>; H.R. Con. Res. 128, 115th Cong. § 404 (2018).
- 44 ELIZABETH HINTON ET AL., KAISER FAMILY FOUND., SECTION 1115 MEDICAID DEMONSTRATION WAIVERS: THE CURRENT LANDSCAPE OF APPROVED AND PENDING WAIVERS (Feb. 12, 2019), <https://www.kff.org/medicaid/issue-brief/section-1115-medicaid-demonstration-waivers-the-current-landscape-of-approved-and-pending-waivers/>.
- 45 HASSMER & VOGTMAN, *supra* note 43; SETH HANLON ET AL., CTR. FOR AM. PROGRESS, TRUMP'S BUDGET REVEALS THAT HE WANTS EVERYDAY AMERICANS TO PAY FOR HIS TAX CUTS FOR THE WEALTHY (Feb. 12, 2018), <https://www.americanprogress.org/issues/economy/news/2018/02/12/446453/trumps-budget-reveals-wants-everyday-americans-pay-tax-cuts-wealthy/>.
- 46 HEIDI SCHULTHEIS, MICHELA ZONTA, & REJANE FREDERICK, CTR. FOR AM. PROGRESS, THE LATEST HUD PROPOSAL WOULD EXACERBATE THE HOUSING INSECURITY CRISIS (June 4, 2018), <https://www.americanprogress.org/issues/poverty/news/2018/06/04/451543/latest-hud-proposal-exacerbate-housing-insecurity-crisis/>; NAT'L LOW INCOME HOUSING COAL. & NAT'L WOMEN'S LAW CTR., *supra* note 36; CTR. ON BUDGET & POL'Y PRIORITIES, TRUMP AND ROSS PROPOSALS TO RAISE RENTS WOULD HURT EFFORTS TO PREVENT AND END HOMELESSNESS (Oct. 11, 2018), <https://www.cbpp.org/research/housing/trump-and-ross-proposals-to-raise-rents-would-hurt-efforts-to-prevent-and-end>.
- 47 See, e.g., Exec. Order No. 13828, 83 Fed. Reg. 72,15941 (Apr. 13, 2018); KATHERINE GALLAGHER ROBBINS & RACHEL WEST, CTR. FOR AM. PROGRESS, TRUMP'S MEDICAID WORK REQUIREMENTS COULD PUT AT LEAST 6.3 MILLION AMERICANS AT RISK OF LOSING HEALTH CARE (Jan. 12, 2018), <https://www.americanprogress.org/issues/poverty/news/2018/01/12/444953/trumps-medicaid-work-requirements-put-least-6-3-million-americans-risk-losing-health-care/>; NAT'L WOMEN'S LAW CTR. & FOOD RES. & ACTION CTR., CUTTING FOOD ASSISTANCE IS A BAD DEAL FOR WOMEN AND FAMILIES (May 2018), available at <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/05/FINALNWLCFRAC-SNAP-FS.pdf>; RACHEL WEST & ELIZA SCHULTZ, CTR. FOR AM. PROGRESS, HOUSE REPUBLICAN FARM BILL PROPOSAL LAUNCHES A DANGEROUS ATTACK ON NUTRITION ASSISTANCE (Apr. 13, 2018), <https://www.americanprogress.org/issues/poverty/news/2018/04/13/449613/house-republican-farm-bill-proposal-launches-dangerous-attack-nutrition-assistance/>; SCHULTHEIS, ZONTA, & FREDERICK, *supra* note 46; NAT'L LOW INCOME HOUSING COAL. & NAT'L WOMEN'S LAW CTR., *supra* note 36, at 3.
- 48 ELIZA SCHULTZ, ANUSHA RAVI & REBECCA VALLAS, CTR. FOR AM. PROGRESS, WORK REQUIREMENT PROPOSALS WOULD KICK STRUGGLING WORKERS WHEN THEY'RE DOWN (Nov. 2, 2017), <https://www.americanprogress.org/issues/poverty/reports/2017/11/02/442052/work-requirement-proposals-kick-struggling-workers-theyre/>.
- 49 NAT'L WOMEN'S LAW CTR., THE STEALTH ATTACK ON WOMEN'S HEALTH: MEDICAID WORK REQUIREMENTS WOULD REDUCE ACCESS TO CARE FOR WOMEN WITHOUT INCREASING EMPLOYMENT 1 (Apr. 2017), available at <https://nwlc.org/wp-content/uploads/2017/04/Medicaid-Work-Requirements-1.pdf> (hereinafter "THE STEALTH ATTACK ON WOMEN'S HEALTH").
- 50 Stewart v. Azar, No. 18-152 (D.D.C. 2018).
- 51 KAISER FAMILY FOUND., MEDICAID WAIVER TRACKER: APPROVED AND PENDING SECTION 1115 WAIVERS BY STATE (Jan. 23, 2019), <https://www.kff.org/medicaid/issue-brief/medicaid-waiver-tracker-approved-and-pending-section-1115-waivers-by-state/>.
- 52 ROBBINS & WEST, *supra* note 47.
- 53 ROBIN FUDOWITZ, MARYBETH MUSUMECI & CORNELIA HALL, KAISER FAMILY FOUND., YEAR END REVIEW: DECEMBER STATE DATA FOR MEDICAID WORK REQUIREMENTS IN ARKANSAS (Jan. 17, 2019), <https://www.kff.org/medicaid/issue-brief/state-data-for-medicaid-work-requirements-in-arkansas/>.
- 54 FOOD RES. & ACTION CTR., FOOD RESEARCH & ACTION CENTER'S ANALYSIS OF THE FINAL FARM BILL CONFERENCE REPORT, <http://frac.org/wp-content/uploads/2018-farm-bill-conference-report-analysis.pdf>.
- 55 Press Release, Food Res. & Action Ctr., USDA'S PROPOSED SNAP RULE WILL ARBITRARILY LIMIT STATES' ABILITY TO PROVIDE BENEFITS, INCREASING HUNGER AND POVERTY (Dec. 201, 2018), available at <http://frac.org/news/usda-proposed-snap-rule>.
- 56 Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents, 84 Fed. Reg. 980, 989 (proposed Feb. 1, 2019) (to be codified at 7 C.F.R. pt. 273).
- 57 SCHULTHEIS, ZONTA, & FREDERICK, *supra* note 46.
- 58 THE STEALTH ATTACK ON WOMEN'S HEALTH, *supra* note 49, at 1; VANITA GUPTA & FATIMA GOSS GRAVES, MEDICAID WORK REQUIREMENTS ARE A THROWBACK TO REJECTED RACIAL STEREOTYPES, USA TODAY (Jan. 12, 2018), <https://www.usatoday.com/story/opinion/2018/01/11/medicaid-work-requirements-throwback-rejected-racial-stereotypes-gupta-graves-column/1024134001/>; REBECCA VALLAS, CTR. FOR AM. PROGRESS, TRUMP'S EXECUTIVE ORDER ON 'WELFARE' IS DESIGNED TO PIT WORKERS AGAINST ONE ANOTHER (Apr. 12, 2018), <https://talkpoverty.org/2018/04/12/trumps-executive-order-welfare-designed-pit-workers-one-another>.

- 59 CTR. ON BUDGET & POL'Y PRIORITIES, MOST ADULTS RECEIVING MEDICAID, SNAP, OR HOUSING ASSISTANCE WHO CAN WORK, DO WORK, <https://www.cbpp.org/most-adults-receiving-medicaid-snap-or-housing-assistance-who-can-work-do-work>.
- 60 THE STEALTH ATTACK ON WOMEN'S HEALTH, *supra* note 49, at 2.
- 61 BRYNNE KEITH-JENNINGS & RAHEEM CHAUDHRY, CTR. ON BUDGET & POL'Y PRIORITIES, MOST WORKING-AGE SNAP PARTICIPANTS WORK, BUT OFTEN IN UNSTABLE JOBS 1 (Mar. 15, 2018), available at <https://www.cbpp.org/sites/default/files/atoms/files/3-15-18fa.pdf>.
- 62 WILL FISCHER, CTR. ON BUDGET & POL'Y PRIORITIES, HOUSING WORK REQUIREMENTS WOULD HARM FAMILIES, INCLUDING MANY WORKERS (May 3, 2018), <https://www.cbpp.org/research/housing/housing-work-requirements-would-harm-families-including-many-workers>.
- 63 SCHULTZ, RAVI & VALLAS, *supra* note 48.
- 64 SCHULTZ, RAVI & VALLAS, *supra* note 48; CTR. ON BUDGET & POL'Y PRIORITIES, WORK REQUIREMENTS DON'T WORK (Jan. 10, 2018), <https://www.cbpp.org/blog/work-requirements-dont-work>.
- 65 HUNTER, MCGOVERN & SUTHERLAND, *supra* note 8, at 71; NAT'L WOMEN'S LAW CTR., STATES MUST CLOSE THE GAP: LOW-INCOME WOMEN NEED HEALTH INSURANCE (Oct. 2014), available at [https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2015/08/new\\_nwlc\\_mindthegap\\_updateoct2014.pdf](https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2015/08/new_nwlc_mindthegap_updateoct2014.pdf); OSUB AHMED, KELLAN BAKER ET AL., CTR. FOR AM. PROGRESS, THE MEDICAID PROGRAM AND LGBT COMMUNITIES: OVERVIEW AND POLICY RECOMMENDATIONS (Aug. 9, 2016), <https://www.americanprogress.org/issues/lgbt/reports/2016/08/09/142424/the-medicaid-program-and-lgbt-communities-overview-and-policy-recommendations>.
- 66 HUNTER, MCGOVERN & SUTHERLAND, *supra* note 8, at 48, 51-52, 83.
- 67 See, e.g., NAT'L WOMEN'S LAW CTR., THE SCHEDULES THAT WORK ACT: GIVING WORKERS THE TOOLS THEY NEED TO SUCCEED (June 2017), <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2015/06/Schedules-that-Work-Act-Giving-Workers-the-Tools.pdf>; NAT'L WOMEN'S LAW CTR., STATE AND LOCAL LAWS ADVANCING FAIR WORK SCHEDULES (April 2018), <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2018/04/state-and-local-fair-scheduling-1.pdf>; KATHERINE GALLAGHER ROBBINS & SHIRIN ARSLAN, CTR. FOR AM. PROGRESS, SCHEDULES THAT WORK FOR WORKING FAMILIES (Dec. 18, 2017), <https://www.americanprogress.org/issues/poverty/news/2017/12/18/444245/schedules-work-working-families/>; HUNTER, MCGOVERN & SUTHERLAND, *supra* note 8, at 35; NAT'L WOMEN'S LAW CTR., THE RAISE THE WAGE ACT: BOOSTING WOMEN'S PAYCHECKS AND ADVANCING EQUAL PAY (Feb. 2019), <https://nwlc-ciw49tixgw5lbab.stackpathdns.com/wp-content/uploads/2019/02/Raise-the-Wage-Act.pdf>; MOIRA BOWMAN ET AL., CTR. FOR AM. PROGRESS, MAKING PAID LEAVE WORK FOR EVERY FAMILY (Dec. 1, 2016), <https://www.americanprogress.org/issues/lgbt/reports/2016/12/01/292886/making-paid-leave-work-for-every-family/>; KATHERINE GALLAGHER ROBBINS ET AL., CTR. FOR AM. PROGRESS, PEOPLE NEED PAID LEAVE POLICIES THAT COVER CHOSEN FAMILY (Oct. 30, 2017), <https://www.americanprogress.org/issues/poverty/reports/2017/10/30/441392/people-need-paid-leave-policies-that-cover-chosen-family/>.
- 68 CHILD CARE IS FUNDAMENTAL, *supra* note 22, at 2.
- 69 KELLAN BAKER & LAURA DURSO, CTR. FOR AM. PROGRESS, FILLING IN THE MAP: THE NEED FOR LGBT DATA COLLECTION (Sept. 16, 2015), <https://www.americanprogress.org/issues/lgbt/news/2015/09/16/121128/filling-in-the-map-the-need-for-lgbt-data-collection/>.
- 70 HUNTER, MCGOVERN & SUTHERLAND, *supra* note 8, at 30-31, 34; SARAH MCBRIDE, CTR. FOR AM. PROGRESS, INFOGRAPHIC: THE EQUALITY ACT EXPLAINED (Nov. 23, 2015), <https://www.americanprogress.org/issues/lgbt/news/2015/11/23/125357/infographic-the-equality-act-explained/>; WE THE PEOPLE, *supra* note 4.