

# PUBLIC COMMENT

in Support of Proposed Rule

## FR-6518-P-01

Equal Access to Housing in HUD Programs Revisions

*Docket No. FR-6518-P-01 | RIN 2501-AE12*

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### Submitted by:

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Dear HUD Officials,

I write in strong support of the proposed revisions in FR-6518-P-01, "Equal Access to Housing in HUD Programs Revisions," which would clarify that access to federally funded homeless shelters, domestic violence shelters, and other qualifying facilities with shared sleeping quarters or bathing facilities shall be provided according to an individual's biological sex. This policy correctly prioritizes the safety, privacy, dignity, and trauma-informed care needs of the most vulnerable populations—particularly women and children who are survivors of domestic violence, sexual assault, and homelessness.

### Biological Sex as the Objective and Necessary Standard

Biological sex (determined by immutable characteristics such as chromosomes, reproductive anatomy, and secondary sex characteristics) is the only reliable, objective basis for maintaining single-sex spaces in intimate settings like shelters. Self-identified "gender identity" is subjective, fluid, and unverifiable, which undermines the very purpose of sex-segregated facilities. The proposed rule appropriately allows providers to request reasonable assurances or evidence of sex, restoring common-sense protections that were eroded by prior expansions of the Equal Access Rule.

Women in domestic violence and homeless shelters are disproportionately victims of male-perpetrated violence. Many suffer from PTSD, hypervigilance, and deep-seated trauma responses triggered by the presence of biological males, regardless of how those males identify. Forcing traumatized women to share sleeping areas, bathrooms, showers, or changing facilities with intact biological males (or those who have undergone only partial medical transition) retraumatizes survivors and deters them from seeking life-saving shelter. This is not hypothetical; reports and survivor testimonies document increased risks of harassment, assault, and discomfort in mixed-sex environments.

### Safety and Privacy Concerns in Practice

**Domestic Violence Shelters:** These spaces exist precisely because women fleeing male abusers need environments free from male physical presence and potential threat. Biological males, even those identifying as women, retain physical advantages (strength, stature, genitalia) that can intimidate or endanger female residents. Privacy in states of undress is a fundamental dignity issue for trauma survivors.

**Homeless Shelters:** Vulnerable women and girls already face high rates of sexual victimization on the streets and in mixed facilities. Restoring sex-based boundaries protects them without denying services—alternative accommodations (e.g., single-occupancy, male facilities for biological males, or specialized programs) can and should be provided for individuals experiencing gender dysphoria.

Data on male-pattern violence does not disappear based on self-identification. Policies ignoring biological reality expose female residents to unnecessary risk while straining shelter resources and staff.

### **Broader Policy and Legal Alignment**

This revision aligns with the Trump Administration's Executive Order 14168 on Defending Women from Gender Ideology Extremism and restoring biological truth in federal policy. It respects the rights of religious and faith-based providers (many of whom operate shelters) to maintain sex-based standards consistent with their beliefs and the needs of their clientele. It also upholds Title IX principles and longstanding civil rights frameworks that recognize sex as a binary, biological category in protected spaces.

Opponents' claims of widespread discrimination or harm to transgender individuals lack compelling evidence of systemic abuse under sex-based policies and often overlook the creation of dedicated services or the option for non-sex-segregated alternatives. The safety and privacy of the majority of shelter users—biological females escaping violence—must take precedence. Compassion for all does not require erasing sex-based protections.

### **Recommendation**

I urge HUD to finalize this rule without weakening amendments. Clear, enforceable guidance on biological sex criteria, provider discretion, and referral protocols will improve outcomes for all vulnerable populations while safeguarding women's single-sex spaces.

Thank you for considering this public comment. I am available for further discussion as a licensed physical therapist, trauma-informed practitioner, and President of Wellness Society USA.

Respectfully submitted,

/s/ Sharon Fair

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