Identity, Protections, and Data Coverage:
How LGBTQ-related language and content has changed under the Trump Administration

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The Web Integrity Project is a project of the Sunlight Foundation. Our mission is to monitor changes to government websites, holding our government accountable by revealing shifts in public information and access to web resources, as well as changes in stated policies and priorities. We work with journalists to make our findings public, and we produce policy analyses to evaluate and recommend changes to web governance practices and help ensure access to valuable web resources.

The Web Integrity Project. 2019. Identity, Protections, and Data Coverage: How LGBTQ-related language and content has changed under the Trump Administration (Sunlight Foundation’s Web Integrity Project Trend Report)

This report is available online at: https://sunlightfoundation.com/lgbtq-trend-report/

For more information go to https://sunlightfoundation.com/web-integrity-project/

Email: webintegrity@sunlightfoundation.com

November 2019

The Web Integrity Project would like to thank our team of volunteers:

- Anne Barraza
- Steven Gentry
- Emily Ward
- Sonja Williams

They are the frontline of our web monitoring research and this report would not have been possible without their thorough and patient work.

We would also like to thank our partners at the Internet Archive’s Wayback Machine — their tool and assistance made this analysis possible.

Image source: Shutterstock.
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How LGBTQ-related language and content has changed under the Trump Administration

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November 2019

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Contents

Executive Summary ................................................................. 6
Introduction: ........................................................................... 8
Chapter 1: Broad Trends in Language Use .............................. 11
Chapter 2: Trends in Content Change .................................. 23
Conclusion ............................................................................ 32
Appendix 1: Technical Documentation ................................. 34

Table A1: Index to Technical Documentation ......................... 35

DOL-1: Removal of LGBT workplace resources from the Department of Labor website .......................................................... 38

DOL-2: Alteration to the Department of Labor’s Office of Federal Contract Compliance Programs LGBT FAQ page ........................................ 41

ED: Removal of transgender student rights content from the Department of Education’s Office for Civil Rights website .................................. 44

HHS-1: Removal of sex discrimination language from HHS’s Office for Civil Rights webpages about Section 1557 of the Affordable Care Act .... 48

HHS-2: Removal of link to Office of Civil Rights Complaint page from Healthcare.gov’s “Transgender health care” page ............................ 51

HHS-3: Removal of LGBT content from SAMHSA website ............... 53

HHS-4: Removal of lesbian and bisexual health page from Office on Women’s Health Website ................................................................. 57

HHS-5: Alterations to the “Sexual assault and rape” page on the Office on Women’s Health website .......................................................... 59
Appendix 1: Technical Documentation (continued)

**HHS-6:** Removal of the “Same-sex relationship violence” page on the Office on Women’s Health Website ................................................................. 61

**HHS-7:** Addition of “Lesbian, Gay, Bisexual and Transgender Health” section to Indian Health Service website .............................................................. 63

**HHS-8:** Alteration to LGBT-related objective on Healthypeople.gov .......... 65

**HHS-9:** Alterations to CDC’s “LGBT Youth” pages ........................................ 68

**HUD-1:** Removal of homeless transgender training and guidance resources from the Department of Housing and Urban Development website ....... 71

**HUD-2:** Alterations to LGBT Fair Housing content on the Department of Housing and Urban Development website .................................................. 73

**OPM:** Removal of federal transgender employment guidance from Office of Personnel Management website ................................................................. 77

**SBA:** Removal of “LGBT Outreach” content from U.S. Small Business Administration website ....................................................................................... 79

**State-1:** Alteration of the State Department passport gender marker webpage .............................................................................................................. 81

**State-2:** Removal of “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues” Fact Sheet from State Department website ......................... 84

**Methodology** ........................................................................................................ 86
This report explores how language and access to resources related to or intended for LGBTQ users on federal government websites has changed since President Trump’s inauguration.

Language shifts:

In the aggregate, there have been significant but uneven shifts toward more inclusive identity language on federal webpages.

Our analysis of almost 150 federal government webpages on LGBTQ-related topics, all of which were created before President Trump took office and continue to be live on the web, reveals that, under the Trump administration, federal government webpages addressing LGBTQ-related topics use the terms “gender” and “transgender” more and the terms “sex” less.

However, there is considerable variation between departments and within departments (Chapter 1).

HHS.gov appears to have shifted away from identity language but toward “religious freedom” language.

Our analysis of 1,875 HHS.gov webpages on all topics for LGBTQ-related terms, showed that LGBTQ-related terms are used less often under the Trump administration with a 25% reduction in the use of the term “gender” and a 40% reduction in the use of “transgender.”

By contrast, the use of terms like “faith-based and community organizations,” “religious freedom,” and “conscience protection” all increased markedly (Chapter 1).

Changing access to resources:

When we concentrate on individual examples of changes to LGBTQ-related content on federal agency websites, the Web Integrity Project identified two key trends:

1. The removal of access to resources about discrimination protections and prevention, especially for transgender individuals.

2. The removal of resources containing LGBTQ community-specific information.
Significant unreported changes include:

**The Department of Labor scrubbed references to existing executive order adding “gender identity” as protected class**

The Department of Labor’s Office of Federal Contract Compliance Programs altered an FAQ page on sexual orientation and gender identity to remove references to Executive Order 13672. The EO was issued in 2014 around the same time as EO 13673, which was rescinded by the Trump administration in 2017. EO 13672 is still in force (\#DOL-2).

**The Department of Housing and Urban Development removed Fair Housing Act content**

The Office of Fair Housing and Equal Opportunity moved and reorganized its webpage on the LGBT community and fair housing. In the process, they removed a graphic affirming HUD’s commitment to ending housing discrimination against LGBT people and their families, an explanation about how the Fair Housing Act applies to LGBT populations, text affirming that discrimination based on HIV status is illegal, and links to resources including the final rule on equal access to housing for LGBTQ (\#HUD-2).

**The Department of Health and Human Services appeared to downgrade LGBT data improvement goal**

Two pages on Healthpeople.gov, the website of an interagency initiative that sets “science-based, 10-year national objectives for improving the health of all Americans,” were altered to reduce LGBT-community data coverage goals. Without notice or annotation as was done for past revisions, the 2020 coverage target for the “number of states, territories and the District of Columbia that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS)” objective was reduced from “Total coverage” to a “10 percent improvement” (\#HHS-8).

**The Centers for Disease Control and Prevention removed the term “LGBTQ” from webpage on LGBT youth, replacing it with “LGB”**

As part of this change, the agency removed statistics relating specifically to transgender respondents, updated statistics relating to LGB from the 2015 Youth Risk Behavior Surveys (YRBS), and added a notice that “historically” the YRBS did not include questions regarding transgender or “questioning/queer youth.” The 2017 YRBS, for which data are publicly available, does include data on transgender status, as do several other surveys (\#HHS-9).
Since President Trump’s inauguration, his administration has made numerous formal policy changes, as well as informal policy announcements, that affect the rights and lives of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) Americans.

In our regular weekly monitoring work, the Web Integrity Project frequently encounters LGBTQ-related changes on federal websites. One of our chief tasks is to assess whether each change reflects what is required by a formally announced policy or change. For those significant changes that do not reflect formal policy, we document and investigate the changes, contact the respective agency, and reach out to nongovernmental and academic experts to gain more perspective.

Our goals are to ensure the public is aware of the changes that are happening on websites and agencies are held accountable when they unduly alter or remove access to information that the public relies upon and which can seriously affect the rights and opportunities of Americans.

In this report, we present the fruits of almost two years of tracking and assessing LGBTQ-related changes, supplemented with quantitative term analysis techniques, to reveal how LGBTQ-related language and content on the federal web has changed since January 20, 2017.

Policy changes under the Trump administration

Since President Trump took office, formal policies that affect the LGBTQ populations have shifted in at least three key ways:

1. **An increased emphasis on religious freedom, which may result in the denial of services and opportunities to LGBTQ people**

Under the Trump administration, agencies have increased the emphasis on protecting religious freedom over protecting gender minority rights.

For example, the Department of Health and Human Services (HHS) issued the so called “conscience rule,” which would have allowed health care providers to refuse to perform procedures, including gender reassignment surgery, if they objected on religious or moral grounds. Due to go into effect on November 22, 2019, it was **struck down** by the federal courts in early November.

HHS also established a "Conscience and Religious Freedom Division" in its Office of Civil Rights. In a similar vein, the Department of Justice **established** the Religious Liberty Task Force.

In Chapter 1, we explore how language has changed on LGBTQ-related webpages and how LGBTQ- and religious freedom-related language has changed on HHS’s main website, HHS.gov.
2. A reversal of Obama-era extensions of antidiscrimination law to gender identity, affecting primarily transgender populations

Numerous agencies have issued new policies or rules that seek to reverse the expansion of the concept of sex discrimination to include, in particular, gender identity.

For example, the departments of Education and Justice, in a joint letter, rescinded Obama-era guidance that protected transgender students' use of bathrooms and locker rooms of their choice. Similarly, HHS has proposed a rule to overturn Obama-era healthcare protections based on gender identity. The Department of Housing and Urban Development (HUD), proposed a rule to overturn another Obama-era rule that required shelters receiving HUD funding to provide equal access to shelters regardless of one's gender identity.

In Chapter 2, we document how resources relating to discrimination protections, especially for transgender people, have been removed from the federal web under the Trump administration.

3. A rollback of efforts to extend data coverage to LGBTQ populations

One of the chief barriers to effective policies around LGBTQ people is a lack of population data that can help inform policies. According to a report by Fenway Health, the Obama administration placed considerable emphasis on reducing this barrier, encouraging the addition of “SOGI” (sexual orientation and gender identity) questions on federally mandated or funded population surveys. During the Obama administration, the number of surveys asking SOGI questions increased, especially for questions about gender identity or transgender status (increasing from one before 2009 to seven in 2016). For example, HHS’s Administration on Aging began asking about sexual orientation in its National Survey of Older Americans Act in 2015 and the CDC’s Behavioral Risk Factor Surveillance System first asked about gender identity in 2014.

Under the Trump administration, improving data collection on LGBTQ people has been deemphasized and rolled back. In March 2017, HHS announced that the SOGI questions would not be included in the 2017 National Survey of Older Americans Act Participants and abandoned plans to include SOGI questions in another Administration on Aging survey, the Annual Program Performance Report for Centers for Independent Living. These decisions were ultimately reversed in the face of widespread opposition.

Other proposed or announced rollbacks include:

- In March 2017, the Census Bureau retracted a proposal to collect information on LGBT people in the American Community Survey, the nation’s largest survey, and the 2020 Census.
- In April 2018, the Bureau of Justice Statistics proposed removing questions regarding sexual orientation from the National Crime Victimization Survey (NCVS) for 16- and 17-year old respondents.
- In April 2019, HHS issued a proposed rule to eliminate sexual orientation data collection from the Adoption and Foster Care Analysis & Reporting System. If finalized, the rule would replace a rule HHS issued in the final month of the Obama administration expanding data collection to include foster care youth sexual orientation.

In Chapter 2, we document three instances in which pages about LGBTQ data collection have been altered, revealing an unannounced policy change scaling back targets for LGBTQ data coverage improvements, and the removal and lack of updating of LGBTQ statistics.
Report overview

In Chapter 1, we explore how the use of LGBTQ–related language (and, in the case of HHS.gov, religious freedom-related language) has changed since President Trump’s inauguration.

We first examine a set of 142 LGBTQ-related webpages, maintained by a wide range of departments and agencies (including the Department of Defense, Centers for Disease Control and Prevention, State Department, National Parks Service, National Institutes of Health, and Department of Justice) using term analysis and captures from the Internet Archive’s Wayback Machine, to assess how frequently key LGBTQ-related terms are used today relative to before January 20, 2017.

We then dive deeper, showing divergent trends in the Department of Health and Human Services, Department of Veterans Affairs, Department of Justice, and the Department of the Interior.

In Chapter 2, we complement the aggregate analysis of LGBTQ-related language trends with detailed examples of changed, removed and added LGBTQ content. These changes tend to fall into three categories. The first one is the removal of resources that provide guidance or information about discrimination protections, especially for the protection of transgender people, The second category is the removal of resources that are intended to be used by members of the LGBTQ community and which contain community-specific information about government programs, health, and other issues. The third category of changes seems to reflect reduced effort on updating LGBTQ statistics and expanding data coverage for LGBTQ individuals.

Among the almost twenty changes documented in Chapter 2, several are relatively significant, and previously unreported, including:

- The Department of Labor scrubbing references to an existing executive order adding “gender identity” as a protected class (#DOL-2);
- The Department of Health and Human Services apparently reducing its LGBT data coverage goal (#HHS-8);
- The Department of Housing and Urban Development removing Fair Housing Act content (#HUD-2);
- The Centers for Disease Control and Prevention removing the term “LGBTQ” and transgender suicide statistics from a webpage (#HHS-9).

Each change discussed in Chapter 2 is documented in detail in the Technical Documentation section in the Appendix, followed by a detailed Methodology section describing the specifications and limitations of our analysis.
1. Broad trends in language use

Under the Trump administration, federal government webpages on LGBTQ-related topics use:

- the term “gender” more and “sex” less.
- the terms “HIV,” “transgender,” “gender minority,” and “cisgender” more.
- the terms “LGBT,” “lesbian”, “gay”, “bisexual”, “queer”, “questioning” and “LGBTQ” less.

The language used to describe LGBTQ populations or issues, especially the use of “gender” and “sex,” can be both contentious and revealing. For example, in September of 2018, the Department of State moved and altered webpages relating to gender designation on passports to replace the term “gender” with “sex” and to add the outdated term “sex change” (#State-1). As explained in the Daily Beast, the changes on the website did not reflect a changed policy and transgender people could still get the “M” or “F” marker on their passport changed without surgery. Instead, the changes were semantic, and according to Mara Keisling, executive director of the National Center for Transgender Equality, appeared to be “designed to frighten, confuse, and keep transgender people from exercising their full rights under the current policy.”

To investigate whether the language used by the federal government when presenting information on LGBTQ-related issues had systematically changed since President Trump’s inauguration, we performed a term analysis on all the federal webpages covering LGBTQ topics that we could identify, so long as they were first published before the Trump administration and are still live today. Using a program adapted from EDGI’s CTRL-F scripts, we examined the use of LGBTQ-related terms on 142 LGBTQ-related federal government webpages using a 57-word list sourced from the National Institutes of Health, the National LGBT Health Education Center, and the National Academies of Sciences. This list includes terms such as “LGBTQ,” “gender” and “transgender” as well as terms that could be considered less inclusive or identity-oriented like “LGBT,” “LGB,” “sex,” and “transsexual. The full list is provided in Table A.2.

We identified pages by searching the usa.gov search engine on eight key terms: “LGBTQ”, “LGBT”, “transgender”, “gay”, “lesbian”, “bisexual” and “queer,” and excluding state and local government webpages, pages that had been added or removed since January 20, 2017, and pages that were not fully or regularly captured by the Internet Archive’s Wayback Machine. Because our analysis excludes pages removed and added during the Trump administration, any observed change in terms is not due page removals or additions but alterations of content on existing pages. Most of the pages identified were webpages for agencies, offices, and initiatives that are part of the Department of Health and Human Services. See the Methodology section for detailed information.

We found that on 81 (57%) of the 142 pages analyzed, LGBTQ-related terms had been altered since the beginning of the Trump administration,
### Figure 1: Change in the Use of Terms, LGBTQ-related Federal Government Webpages, January 2017 - November 2019

<table>
<thead>
<tr>
<th>Term</th>
<th>Change in the number of times a term appeared</th>
<th>Number, pre-Inauguration</th>
<th>Number, August 2019</th>
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<td>lgb</td>
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<td>hormone therapy</td>
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<tr>
<td>ally</td>
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<td>gender dysphoria</td>
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<td>gender expression</td>
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<td>gender identity</td>
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<td>gender nonconforming</td>
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<td>homophobia</td>
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<tr>
<td>same-sex couples</td>
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<tr>
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<td>same-sex couple</td>
<td>-1</td>
<td></td>
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<tr>
<td>same-sex relationship</td>
<td>-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>queer</td>
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<td>gbt</td>
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<td>lgbtq</td>
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</tr>
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<td></td>
</tr>
<tr>
<td>queert</td>
<td>-34</td>
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with a total of 601 terms removed or substituted and 655 terms added. On a few pages, a large number LGBTQ-related terms were added or removed. For example, the “LGBT Youth Resources” page on the Centers for Disease Control and Prevention (CDC) website was updated to include descriptions of each resource listed on the page, adding 61 additional LGBTQ-related terms to the page. Similarly, the “Frequently Asked Questions EO 13672 Final Rule” page on the Department of Labor’s website was changed by the end of the first week of the Trump administration, which removed many LGBTQ-related terms. Today, the page uses LGBTQ-related terms 43 fewer times than it did before President Trump’s inauguration. However, on most pages with changes, the number of terms has changed by fewer than 10 terms.

Generally, since President Trump took office, on the LGBTQ-related federal government webpages included in this analysis, there has been a reduced use of “sex” in favor of “gender,” an increased use of the terms “transgender,” “gender minority,” and “cisgender,” as well as a large increase in the number of references to “HIV” (Figure 1).

Interestingly, the use of the terms “LGBTQ” and “LGBT,” as well as each of words represented in those acronyms other than “transgender” (i.e. “lesbian”, “gay”, “bisexual”, “queer”, and “questioning”), decreased.

In order to tease out any department-specific changes, we explore the changes on LGBTQ-related webpages from the four departments for which we identified more than 10 relevant webpages:

1. Department of Health and Human Services (HHS) (92 LGBTQ-related webpages)
2. Department of Veterans Affairs (VA) (13)
3. Department of Justice (DOJ) (14)
4. Department of the Interior (DOI) (11)

Under the Trump administration, LGBTQ-related webpages from the Department of Health and Human Services use:

- the terms “gender” and “transgender” more and “sex” less.
- the terms “LGBTQ,” LGBT,” and “LGB” more.
- the term “HIV” more.

But across HHS.gov, LGBTQ-related terms are less prominent, especially:

- the terms “gender,” “transgender,” “gender identity,” “LGBT,” and “sex.”

While religious freedom-related terms are more prominent, especially:

- the terms “faith-based and community organizations,” “religious freedom” and “religious liberty.”

Department of Health and Human Services

If we focus on only the 92 LGBTQ-related webpages on websites of offices and initiatives within the Department of Health and Human Services (HHS), including HHS.gov, HIV.gov, the Centers for Disease Control and Prevention, the Office on Women’s Health, and the Indian Health Service, we see different trends.

Overall, on pages within HHS, the use of “HIV”, “transgender”, “gender”, “LGBTQ,” “LGBT,” and “LGB” all increased substantially, with 41 more references to “transgender” and 29 more references to “gender” appearing on LGBTQ-related pages (Figure 2).

On two pages (the Centers for Disease Control and Prevention (CDC) “HIV and Transgender People” page and the Children Bureau’s “Resources for Families of LGBTQ Youth” page), the use of the term “gender” actually decreased; but on twelve other pages its use increased. Most of the increased use of the term “gender”
Figure 2

Change in use of LGBTQ-related terms, LGBTQ-related webpages of agencies within HHS, January 2017 - November 2019

<table>
<thead>
<tr>
<th>Term</th>
<th>Change in the number of times a term appeared</th>
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<th>Number, August 2019</th>
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A comparison of the CDC’s “LGBTQ Youth Programs-At-A-Glance” page, August 16 and December 9, 2017

The “Data Collection and Analysis” section of the “LGBTQ Youth Programs-At-A-Glance” page on August 16, 2017 (top) and the same section — renamed to “Youth Risk Behavior Survey (YRBS) - Data Collection Analysis.”— on December 9, 2017 (bottom), showing the substitution of “LGBT” for “LGBTQ.” (Webpages captured by the Internet Archive’s Wayback Machine).

**Figure 3**

The CDC provides funding for state, territorial, and local education and health agencies to conduct the Youth Risk Behavior Survey (YRBS), which monitors health behaviors among U.S. high school students. CDC has encouraged its sites to add optional questions about same-sex sexual contact and sexual identity to their YRBS questionnaires. Collecting such data enables those working with youth to better understand the health and safety risks among sexual minority youth and thus adjust prevention priorities accordingly.

In 2011, CDC analyzed data from YRBS to identify associations between sexual minority status and health-risk behaviors. The findings of this analysis are described in a CDC report, “Sexual Identity and Sexual Contacts and Health-Risk Behaviors Among Students in Grades 9–12: Selected Sites—Youth Risk Behavior Surveillance—United States, 2005–2008.” The report documents the disproportionate rates at which sexual minority students experience many health risks, including tobacco, alcohol, and other drug use; sexual risk behaviors and violence.

During the 2013 YRBS cycle (pertaining to optional questions about sex of students’ sexual contacts and students’ sexual identity):

- Three states and one large urban school district asked only about the sex of students’ sexual contacts.
- Three states, two large urban school districts, and one territory asked only about students’ sexual identity.
- Five states, 16 large urban school districts, and one territory asked about both the sex of students’ sexual contacts and about students’ sexual identity.

Starting in 2015, the national YRBS questionnaire and the state/local standard questionnaire will include questions about sexual identity and sex of sexual contacts.
Figure 4

Change in use of LGBTQ-related Terms, all HHS.gov webpages,* January 2017 - November 2019

* All webpages with URLs that were live before January 20, 2017 and remained live on November 1, 2019.
came from two pages, the CDC’s “Transgender Persons” page, onto which an introductory section using the term “gender” nine times was added, and the “Gender dysphoria” page on the National Institutes of Health’s MedlinePlus website, which was comprehensively overhauled between July 28, 2019 and February 9, 2019.

In many instances, pages were overhauled or sections changed without any direct substitution of terms. However, in some instances, new LGBTQ-related language was neatly substituted for old LGBTQ-related language. For example, on the CDC website, the terms “LGBTQ youth” and “LGBTQ-related” were replaced with “LGBT students” and “LGBT-related” on its “LGBTQ Youth Programs-At-A-Glance” page (Figure 3).

In order to get a better sense of changes within HHS, we did a deeper dive into HHS.gov, the department’s main website (but just one of many domains run by HHS agencies), analyzing the pages for our list of 57 LGBTQ-related terms as well as religious freedom-related language.

**HHS.gov**

Analyzing 1,875 HHS.gov webpages on all topics for LGBTQ-related terms, we found that on the 278 pages that included LGBTQ-terms, terms were changed on 71 pages. Overall, LGBTQ terms were 8% less prominent on HHS.gov than before the Trump administration, with large declines in the use of the terms “gender” (68 fewer uses; a 25% reduction) and “transgender” (46 fewer uses; a 40% reduction). The use of many other terms, including “LGBT,” “sex,” and “gender identity” also declined, and the only references to “gender dysphoria” and “hormone therapy” on the pages were removed (Figure 4).

On those same webpages, we see a markedly different pattern regarding religious freedom-related terms (Figure 5). The term “faith-based and community organizations” was used 35 more times than pre-inauguration, an 875% increase in usage. The term “religious freedom” was used 20 more times, a 667% increase from the end of the Obama administration. The use of “religious liberty” also increased, along with “conscience protection,” “faith,” and “faith-based organizations.”

**Department of Veterans Affairs**

On 10 of the 13 LGBTQ-related webpages within the Department of Veterans Affairs (VA), LGBTQ-related terms were changed. On those pages, the use of identity-related terms including “gender,” “transgender,” “gender identity,” “gender minority,” and “gender nonconforming” increased (Figure 6). The use of the term “LGBT” decreased, but this was largely due to the overhaul of the “Lesbian, Gay, Bisexual and Transgender (LGBT) Veteran Care” page, which had previously included “LGBT” around 30 times on the body of the page. In the live version of the page (now titled “Veterans with Les-
Change in use of religious freedom-related terms, all HHS.gov webpages,* January 2017 - November 2019

* All webpages with URLs that were live before January 20, 2017 and remained live on November 1, 2019.
Figure 6: Change in use of LGBTQ-related terms, LGBTQ-related webpages within VA, January 2017 - November 2019
bian, Gay, Bisexual and Transgender (LGBT) and Related Identities”), “LGBT” still appears eight times.

Department of Justice

On only two of the 14 LGBTQ-related webpages within the Department of Justice (DOJ) did the number of LGBTQ-related terms change: the “LGBTQ Victims” page and the “LGBT” page, both hosted by the Office for Victims of Crime. The number of times the terms “gay” and “LGBTQ” was used on the “LGBTQ Victims” page declined as a result of the removal of a box describing the story of Sam, a gay victim of human trafficking. All other changes shown in Figure 7, including increased use of the terms “gender” and “LGBT” and the decreased use of the terms “sex” and “LGBTQ,” were a consequence of changes to the list of resources and publications described on the “LGBTQ” page.

Department of the Interior

On three of the 11 LGBTQ-related webpages within the Department of the Interior (DOI), the number of LGBTQ-related terms has changed since President Trump’s inauguration. On the “Stonewall National Monument” page on the National Parks Service (NPS) website, the term “LGBT” was replaced with “LGBTQ,” leading to a decrease and an increase in the use of those terms, respectively (Figure 8). One use of the term “queer” was also added to the page. The reduction in the use of “lesbian,” “gay,” “bisexual,” and “transgender” resulted from a minor change to the description of the series on the “Series: LGBTQ America: A Theme Study of Lesbian, Gay, Bisexual, Transgender, and Queer History” page on the NPS website.

Conclusion

This analysis of federal webpages has shown that since President Trump took office, there has been an increased use of terms like “gender,” “transgender,” and “gender minority” on LGBTQ-related webpages.

These trends are not uniform, with significant diversity between departments. For example, our analysis showed that on LGBTQ-related webpages maintained by various agencies within HHS, the terms “transgender” and “LGBTQ” were used more than under the Obama administration. By contrast, on webpages within the Department of Justice those terms were used less often today.

There is also likely to be much diversity between the agencies, sub-agencies, offices, and domains within the same department.

The data suggest that, at least within the main offices of HHS, websites are being altered to reflect the Trump administration’s focus on freedom of religion or conscience.

Term analysis of almost 2,000 pages covering the full range of HHS topics on HHS.gov, HHS’s main domain, for the use of both LGBTQ-related and religious freedom-related language we saw the terms from our LGBTQ list had become less prominent, perhaps suggesting that LGBTQ issues feature less prominently on the website. By contrast, on those same webpages, terms related to religious freedom were significantly more prominent now than before January 20, 2017.

Our analysis likely understates these trends, as our methodology compares only pages that existed under the previous administration and continued to exist until the end date of the analysis. In order to ensure we have a comparable set of data, removed pages and added pages, the content of which is likely to be most revealing, were systematically excluded.

In order to complement this broad-brush review of changes to LGBTQ-related federal web content, in Chapter 2 we dissect and contextualize examples of changed, removed and added content.
Figure 7

Change in use of LGBTQ-related terms, LGBTQ-related webpages of agencies within DOJ, January 2017 - November 2019

- Change in the number of times a term appeared
- Number, pre-Inauguration
- Number, August 2019
Change in use of LGBTQ-related terms, LGBTQ-related webpages of agencies within DOI, January 2017 - November 2019

Figure 8
Chapter 1 revealed broad trends in LGBTQ language on federal webpages, like the increased use of the terms “gender” and “transgender”, as well as the very different trends we have seen in different departments.

In Chapter 2, we unpack and contextualize examples of the most significant federal web changes relating to LGBTQ communities. Sourced from our regular weekly monitoring, media and partner reporting, and searches of agency websites, the Web Integrity Project has identified almost 20 examples of significant changes highlighting two key themes we have seen on the federal web:

1. the removal of access to resources about discrimination protections and prevention, especially those aimed at protecting the rights of transgender people; and
2. the removal of resources containing LGBTQ community-specific information.

Additionally we observe an emergent theme of a lack of commitment to updating and expanding statistical data covering LGBTQ individuals.

It is important to note that change has not been in one direction. For example, the Indian Health Services added a new “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” section to its website (#HHS-7). Nonetheless, many of the changes the Web Integrity Project has seen have tended to reduce access to information.

Removal of discrimination protections and prevention resources
Access to resources relating to discrimination protections in healthcare, housing, the workplace, and education have been limited or removed in the Trump administration, especially those resources relating to the protection of transgender individuals.

HHS removed information about nondiscrimination in the provision of healthcare to the LGBTQ community from the websites of HHS’s Office of Civil Rights and Healthcare.gov:

- As WIP reported in July 2018, the Office for Civil Rights (OCR) removed language relating to sex discrimination and prohibitions on sex discrimination on several webpages about Section 1557 of the Affordable Care Act (ACA) between March 15, 2017 and August 18, 2017. Mentions of “sex stereotyping” and information about sex discrimination on the basis of gender identity and termination of pregnancy, health services and insurance for transgender individuals, and gender-coding were removed. A page with links to training materials for Section 1557 was also removed, with no replacement content restored to date.

In 2018, experts told the Web Integrity Project that these changes, first uncovered by the National Women’s Law Center, removed
The “Transgender health care” Page on CMS.gov

A comparison of May 31, 2017 and June 2, 2017 captures of the “Transgender health care” page highlighting the changed information on filing a complaint. (Webpages captured by the Internet Archive’s Wayback Machine).

**Figure 9**

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**Plans with transgender exclusions**

Many health plans are still using exclusions such as “services related to sex change” or “sex reassignment surgery” to deny coverage to transgender people for certain health care services. Coverage varies by state.

Before you enroll in a plan, you should always look at the complete terms of coverage that are included in the “Evidence of Coverage,” “Certificate of Coverage,” or contract of insurance. This contains the full explanation of which procedures and services are covered or excluded under each plan. Plans might use different language to describe these kinds of exclusions. Look for language like “All procedures related to being transgender are not covered.” Other terms to look for include “gender change,” “transsexualism,” “gender identity disorder,” and “gender identity dysphoria.”

You can access the full terms of coverage through a plan’s Summary of Benefits and Coverage. If you’re still not sure about how services would be covered or excluded, you should contact the plan’s issuer directly by phone.

These transgender health insurance exclusions may be unlawful sex discrimination. The health care law prohibits discrimination on the basis of sex, among other bases, in certain health programs and activities.

If you believe a plan unlawfully discriminates, you can file complaints of discrimination with your state’s Department of Insurance or the U.S. Department of Health & Human Services Office for Civil Rights.

Once you’ve enrolled in a plan, if your health insurance company refuses to pay a claim or ends your coverage, you also have the right to appeal the decision and have it reviewed by an independent third party.

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more content than necessary to reflect the December 2016 injunction enjoining OCR from enforcing provisions relating to gender identity and termination of pregnancy. They suggested that the changes seemed like a preview of things to come. In May 2019, HHS proposed new regulations rolling back protections for transgender and gender non-conforming patients in healthcare settings by reinterpreting Section 1557 of the Affordable Care Act to exclude “gender identity” as a prohibited basis for discrimination (#HHS-1).

- Between May 31, 2017 and June 3, 2017, the Centers for Medicare & Medicaid Services (CMS) removed a link to an OCR page containing information on making a civil rights complaint from a page titled “Transgender health care” on the national health insurance marketplace, HealthCare.gov (Figure 9). The link was replaced with the instruction to “report the issue to the Centers for Medicare & Medicaid Services by email to marketconduct@cms.hhs.gov,” with no further guidance on how to file a complaint. The OCR page formerly linked to is still live. The changes reflect an attempt by CMS to provide an outlet for complaints that OCR has signaled it will no longer investigate (#HHS-2).

The Department of Housing and Urban Development (HUD) removed resources about nondiscrimination of transgender individuals in housing from its website:

- Between December 23, 2016 and March 14, 2017, HUD altered the “LGBT Homelessness” page to remove links to and descrip-
tions of five training and guidance resources related to transgender individuals in homeless shelter systems. The resources, which described HUD policies on accommodating transgender individuals in shelter settings, have been removed and their URLs return “page not found” errors. In response to these removals, several groups filed a lawsuit against HUD (#HUD-1).

- Between November 10, 2018 and December 5, 2018, the Office of Fair Housing and Equal Opportunity removed a webpage with information on fair housing and LGBT individuals. A new reorganized webpage hosts much of the removed information, but excludes content including a graphic affirming HUD’s commitment to ending housing discrimination against LGBT people and their families, an explanation about how the Fair Housing Act applies to LGBT populations, text affirming that discrimination based on HIV status is illegal, and links to resources including the final rule “Equal Access to Housing in HUD ProgramsRegardless of Sexual Orientation or Gender Identity” (#HUD-2).

The Department of Labor (DOL) and the Office of Personnel Management (OPM) removed information about nondiscrimination of LGBTQ workers in employment from their websites:

- In late December 2016 or January 2017, the DOL made three changes to the “LGBT Policy” section of its website, removing pages, content, and links relating to LGBT rights in the workplace.

  1. Between January 20, 2017 and January 25, 2017, DOL altered the
LGBT Policy
At the U.S. Department of Labor, our mission is to promote and protect opportunity for all workers. Our nation and the workforce are stronger when we embrace diversity, and when workers can apply their unique skills and talents to jobs that provide fair wages, benefits, and working safe and healthy working condition, and ensure respectful inclusion.

Our Work
- Advancing LGBT Workplace Rights (PDF)

We have assessed how every aspect of our day-to-day work can incorporate concrete actions to advance LGBT workplace equality. From our worker protection agencies and regulations, to our grants and technical assistance programs, to our own responsibilities as an employer, we have taken actions large and small to ensure LGBT workers and their families can share in the benefits of a growing economy. Today we report on the progress we have made, and the work still in progress.

Further Resources
- Protections for LGBT Employees of Federal Contractors and Subcontractors Under Executive Order 13662
- OSHA Guide to Best Practices for Bathroom Access for Transgender Workers (PDF)
- Merit-Equity Bill: Under the Family and Medical Leave Act
- Ask Crimes Hate Crime Instruction Resource: Ensuring Equal Access for Transgender Applicants and Students
- The Workplace Development System: Training and Employment Guidance Letter on Gender Identity, Gender Expression, and Sex Stereotyping
- Family Equality for Parents and Children Under the Family and Medical Leave Act (the "In loco parentis" Standard)
- DOL Policies on Gender Identity: Rights and Responsibilities
- The Department’s Civil Rights Center Enforces Equal Opportunity for Participants in Programs Funded by the Department and DOL employees. Learn more.
- Resources for Employers on LGBT Workers and Inclusive Workplaces

The "LGBT Policy" page on DOL.gov

The January 20, 2017 capture of the "LGBT Policy" page highlighting content that was removed by January 25, 2017. (Webpages captured by the Internet Archive's Wayback Machine).


3. Between December 21, 2016 and February 7, 2017, DOL removed the “Resources for Employers on LGBT Workers and Inclusive Workplaces” page at the URL https://www.dol.gov/ofccp/LGBT/LGBT_resources.html. The URL for the page now leads to a 404 error. The page contained information and links for employers, including a directory of organizations “that offer resources and guidance to employers around issues related to creating an inclusive workplace” for LGBT employees. Links to live pages, including to an
Equal Employment Opportunity Commission decision, were removed (#DOL-1).

- Between December 21, 2016 and January 26, 2017, the Department of Labor’s Office of Federal Contract Compliance Programs overhauled an FAQ page to remove references to Executive Order 13672, which extended protections against discrimination in employment to gender identity for the federal workforce and both sexual orientation and gender identity for federal contractors (Figure 11; #DOL-2). Issued ten days before the now-rescinded Executive Order 13673, which required federal contractors to reveal any violations of labor laws (including LGBT protections), Executive Order 13672 is still in force.
• Between **October 8, 2018** and **November 28, 2018**, OPM removed its “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page from its website. The page now leads to a 404 (page not found) error. A new page titled “Guidance Regarding Non-Discriminatory Practices in Federal Employment” was added to the OPM website around the same time. The new guidance page does not pertain to transgender employees specifically, but workplace discrimination under the Civil Rights Act of 1964 generally (**#OPM**).

The Department of Education (ED) office removed resources and guidance for students and teachers:

• Between **February 21, 2017** and **April 19, 2017**, the ED’s Office for Civil Rights removed guidance for schools about nondiscrimination of transgender students. The guidance covered topics including providing a safe and nondiscriminatory environment, names and pronouns, restrooms, locker rooms, and athletics, single-sex schools, fraternities and sororities, overnight accommodations, and privacy (Figure 12; **#ED**).

• Between **November 14, 2017** and **February 19, 2018**, the ED’s Office for Civil Rights removed text affirming the responsibility of schools to treat transgender students in a manner consistent with their gender identity, including when participating in “sex-segregated activities or facilities,” as well as links to several resolution agreements to civil rights complaints and court filings on transgender issues. One of the removed links was to the Obama administration’s statement of interest in support of a transgender student suing for access to the correct bathroom in the U.S. District Court. (See: Politico’s report on these changes.)

As part of the overhaul of its website documented in our **October 2019 report**, SAMHSA removed several pages containing information on LGBTQ populations (**#HHS-3**). SAMHSA removed:

1. the “Age- and Gender-Based Populations” page, which included a section on mental health and substance use issues for LGBT individuals;

2. the “Specific Populations,” which detailed SAMHSA’s prevention efforts for the LGBT community, and;

3. the “Serving the Needs of Diverse Populations” page, which discussed cultural competence and included a section outlining and linking to training materials on LGBT cultural competency.

SAMHSA also removed a link to “Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, or Two-Spirit Learning Community” cultural competence resources hosted at the Technical Assistance Partnership for Child and Family Mental Health Archive from its “Lesbian, Gay, Bisexual, and Transgender (LGBT)” page (**#HHS-3**).

Resources for LGBTQ people

Resources for LGBTQ people with community-specific information about travel, health and safety, and small business have been limited or removed in the Trump administration.

The Department of State removed a page outlining the U.S. government’s commitment “to promote and protect the human rights of lesbian, gay, bisexual, and transgender (LGBT) persons” around the world:

• The page, published May 16, 2014, focused on discrimination faced by LGBT persons, including Refugees and Asylum Seekers,
The “Resources for Transgender and Gender-Nonconforming Students” Page on ED.gov

The top portion of the February 21, 2017 version of the “Resources for Transgender and Gender-Nonconforming Students” page. By April 19, 2017, the page was removed. (Webpages captured by the Internet Archive’s Wayback Machine).

abroad. The page is currently archived on the 2009-2017 State Department website, but no equivalent page about international discrimination against LGBT people exists on the State Department website (#State-2).

The Office on Women’s Health (OWH), within HHS, removed several health and safety resources for LGBTQ people from its website:

- As WIP reported in March 2018, OWH removed a webpage with extensive information about lesbian and bisexual health, and links that correspond to that webpage, from its website between September 19, 2017 and October 13, 2017. A PDF containing similar content to the removed page is live but is not linked from elsewhere on the OWH website, rendering it orphaned and inaccessible by navigating through the website (#HHS-4).
2018, OWH overhauled content related to sexual assault. In the process, it removed a section titled “Who is sexually assaulted?,” which included information on LGBT people and a link to the “Same-sex relationship violence” page (#HHS-5).

- After October 11, 2017, OWH removed the “Same-sex relationship violence” page, which included information specifically tailored to women in same-sex couples experiencing domestic violence. Some of the information was later returned to a general page on domestic violence, but that content does not include contacts and links to resources specific to same-sex relationships (#HHS-6).

The Small Business Administration moved resources and removed Information for small business owners in the LGBTQ-community:

- Between December 9, 2016, and January 31, 2017, information about the administration’s LGBT initiative that “aims to bring focus on economic empowerment in the LGBT business community providing access to SBA programs and services” posted on the “LGBT Outreach” page of the Small Business Administration’s (SBA) website was removed. The content reportedly remained inaccessible for more than a year. A few days after Pink News reported on the removed content on May 11, 2018, the URL for the page began redirecting to a new page, which contains content related to LGBT-owned small businesses. The content on the new page is less extensive and links lead to generic tools (#SBA).

Not all changes to LGBTQ resources on the federal web involved the removal of access to resources. In 2017, the Indian Health Service (IHS) added a set of pages about “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” to its website. These nine pages, intended for Native American members of the LGBTQ-community, their families, and service providers, covered topics including cultural competence, the LGBTQ-Two Spirit Workgroup, and media campaigns, and included several pages of resources (#HHS-7).

Statistics on LGBTQ Individuals

In line with announced policies, LGBTQ statistics have been deemphasized on the federal web. Our analysis of the changes since January 20, 2017 reveals:

- An unannounced policy change scaling back HHS targets for LGBTQ data coverage improvements.
- Examples of a lack of commitment to presenting newly-available statistics

An unannounced policy change scaling back HHS targets for LGBTQ data coverage improvements:

Healthy People is a decennial interagency initiative led by HHS’ Office of Disease Prevention and Health Promotion to set “science-based, 10-year national objectives for improving the health of all Americans.” Healthy People 2020 was launched in 2010 and included a “Lesbian, Gay, Bisexual, and Transgender Health” topic for the first time. As part of the topic, Healthy People 2020 includes two objectives and a series of sub-objectives, all relating to data collection and coverage for the LGBT community (#HHS-1).

Between January 9, 2018 and June 18, 2019, the goal (awkwardly phrased “Target Setting Method” on the page) for sub-objective LGBT-2.1 was altered on the “Lesbian, Gay, Bisexual, and Transgender Health” page. The goal was reduced from “total coverage” to a “10 percent improvement” for the “[i]ncrease the number of states, territories and the District of Columbia that include questions on sexual orientation and gender identity in the Behavioral Risk Factor Surveillance System (BRFSS)” objective.

No reason was provided; nor was the revision
**history** section updated like it had been for other revised sub-objectives.

The same change was made to the “Target-Setting Method” section on the “LGBT-2.1 Data Details” page between January 4, 2019 and June 24, 2019.

**Examples of a lack of commitment to presenting newly-available statistics:**

Notwithstanding the efforts to increase data collection under the Obama administration, in recent years agencies have often been slow to update data on LGBTQ populations and have sometimes removed statistics rather than update them.

One such example comes from the CDC website. Between June 21, 2017 and June 24, 2017, the CDC updated its “LGBT Youth” page. In addition to updating statistics from the Youth Risk Behavior Survey (YRBS) to reflect 2015 data, CDC removed statistics about transgender youth suicide rates from the page and made the page more narrowly focused on lesbian, gay, and bisexual youth. To explain this more limited focus, CDC added a note at the top of the page:

> “Historically, YRBS and other studies have gathered data on lesbian, gay, and bisexual youth but have not included questions about transgender and questioning/queer youth. As that changes and data becomes available, this content will be updated to include information regarding transgender and questioning/queer youth.”

Almost a year ago (January 25, 2019), the CDC publicly released the findings from the 2017 YRBS, which does for the first time contain data on transgender youth. The “LGBT Youth” page is yet to be updated and the note at the top of the page remains (#HHS-9).

We identified two additional pages on which severely outdated statistics are presented. The “LGBT School Experiences” page on youth.gov cites statistics from the 2011 GLSEN National School Climate Survey. GLSEN has published data from three more recent National School Climate Surveys. Also on youth.gov, the “LGBT Behavioral Health” page cites statistics from the 2009 Youth Risk Behavior Surveillance System (YRBS). Four YRBS iterations have been published since 2009.

**Conclusion**

This chapter contextualized some examples of the most significant federal web changes relating to LGBTQ communities, which tend to suggest that, under the Trump administration, agencies have removed resources that provide guidance or information about discrimination protections, especially for the protection of transgender people, as well as resources that are intended to be used by members of the LGBTQ community, with community-specific information about government programs, health, and other issues. A third theme we see emerging seems to reflect a reduced effort on updating LGBTQ statistics and expanding data coverage for LGBTQ individuals.

The more significant, and previously unreported, website changes revealed in this chapter include:

- The Department of Labor scrubbing references to existing executive order adding “gender identity” as protected class (#DOL-2);
- The Department of Health and Human Services apparently reducing its LGBT data coverage goal (#HHS-8);
- The Department of Housing and Urban Development removing Fair Housing Act content (#HUD-2);
- The Centers for Disease Control and Prevention removing the term “LGBTQ” and transgender suicide statistics from a webpage (#HHS-9).
In this report, we have examined changes in language use on LGBTQ-related webpages across the federal web, changes in LGBTQ- and religious freedom-related terms on HHS.gov, and numerous examples of changes to LGBTQ-related web content.

Our analysis shows:

Where LGBTQ-related topics are being discussed most concentratedly, on LGBTQ-related webpages, term analysis revealed an increased use of the terms like “gender,” “transgender,” and “gender minority” on LGBTQ-related webpages since President Trump took office.

But, these trends are far from consistent across departments, with some increasing their use of terms “transgender,” “gender minority,” and “LGBTQ,” and others decreasing the use of those terms. Nor are the trends likely to be consistent from one agency within a department to another.

When we examined significant changes of LGBTQ-related web content in detail, we saw two key themes. First, the removal of resources, like official directives, “Dear Colleague” letters, and other resources that provide public officials and grantees guidance or information about discrimination protections, especially for the protection of transgender people. Second, the removal of resources that are intended to be used by members of the LGBTQ community. A third emergent theme centers on what might be described as a lackluster commitment to updating and expanding coverage of LGBTQ statistics.

By contrast, on those same webpages, terms related to religious freedom-related terms like “faith-based and community organizations” and “religious freedom” became significantly more prominent (appearing as much as 875% more often). This tends to comport with the extra emphasis the Trump administration has placed on religious and conscience protections compared to the previous administration.

When we examined significant changes of LGBTQ-related web content, we saw two key themes. First, the removal of resources, like official directives, “Dear Colleague” letters, and other resources that provide public officials and grantees guidance or information about discrimination protections, especially for the protection of transgender people. Second, the removal of resources that are intended to be used by members of the LGBTQ community. A third emergent theme centers on what might be described as a lackluster commitment to updating and expanding coverage of LGBTQ statistics.

Conclusion
Among the most significant, and previously unreported, website changes uncovered in the report include:

- The Department of Labor scrubbed references to existing executive order adding “gender identity” as protected class (#DOL-2);
- The Department of Health and Human Services appears to have reduced its LGBT data coverage goal (#HHS-8);
- The Department of Housing and Urban Development removed Fair Housing Act content (#HUD-2);
- The Centers for Disease Control and Prevention removed the term “LGBTQ” and transgender suicide statistics from a webpage (#HHS-9).
Screen captures are taken from the Internet Archive’s Wayback Machine (IAWM). The Internet Archive’s Wayback Machine’s (IAWM) displays time in UTC/GMT. However, the dates and times referenced in this report are in EST/EDT.
# Index to Technical Documentation

<table>
<thead>
<tr>
<th>Link to Technical Documentation</th>
<th>Title</th>
<th>Agency</th>
<th>Link to detailed WIP reporting</th>
<th>Description</th>
<th>Status</th>
<th>Internet Archive’s Wayback Machine Capture</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOL-2</td>
<td>Alteration to the Department of Labor’s Office of Federal Contract Compliance Programs LGBT FAQ page</td>
<td>Department of Labor</td>
<td>N/A</td>
<td>Alteration of “Frequently Asked Questions Sexual Orientation and Gender Identity” to remove references to Executive Order 13672.</td>
<td>Altered</td>
<td>Before Change: December 21, 2016</td>
</tr>
<tr>
<td>ED</td>
<td>Removal of transgender student rights content from the Department of Education’s Office for Civil Rights website</td>
<td>Department of Education</td>
<td>Gov404 Tracker</td>
<td>Alteration of the “Resources for Transgender and Gender-Nonconforming Students” page to remove links to court documents, text referencing Title IX protections for transgender and gender nonconforming students, and the use of the terms “Transgender” and “Gender-Nonconforming” in the title of the page.</td>
<td>Altered</td>
<td>Before Change: February 21, 2017</td>
</tr>
<tr>
<td>HHS-1</td>
<td>Removal of sex discrimination language from HHS’s Office for Civil Rights webpages about Section 1557 of the Affordable Care Act</td>
<td>Department of Health and Human Services</td>
<td>Web Monitoring Report</td>
<td>Removal of language relating to sex discrimination and prohibitions on sex discrimination on at least five webpages about Section 1557 of the Affordable Care Act (ACA).</td>
<td>Altered</td>
<td>Before Change: March 15, 2017</td>
</tr>
<tr>
<td>HHS-2</td>
<td>Removal of link to Office of Civil Rights Complaint page from Healthcare.gov’s “Transgender health care” page</td>
<td>Centers for Medicare &amp; Medicaid, Department of Health and Human Services</td>
<td>N/A</td>
<td>Removal of a link to a page for filing complaints with the Office of Civil Rights from the “Transgender health care” page, which was replaced with an email address within the Centers for Medicare &amp; Medicaid Services.</td>
<td>Altered</td>
<td>Before Change: May 31, 2017</td>
</tr>
<tr>
<td>HHS-3</td>
<td>Removal of LGBTQ content from SAMHSA website</td>
<td>SAMHSA, Department of Health and Human Services</td>
<td>Trend Report</td>
<td>Removal of three pages containing information on LGBTQ populations and cultural competence.</td>
<td>Removed</td>
<td>Before Change: March 5, 2019</td>
</tr>
<tr>
<td>Link to Technical Documentation</td>
<td>Title</td>
<td>Agency</td>
<td>Link to detailed WIP reporting</td>
<td>Description</td>
<td>Status</td>
<td>Internet Archive’s Wayback Machine Capture</td>
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<td>------------------------------------------</td>
</tr>
<tr>
<td>HHS-4</td>
<td>Removal of lesbian and bisexual health page from Office on Women’s Health Website</td>
<td>Office on Women’s Health, Department of Health and Human Services</td>
<td>Web Monitoring Report</td>
<td>Removal of a webpage with extensive information about lesbian and bisexual health, and links that correspond to that webpage from the OWH website.</td>
<td>Removed</td>
<td>September 19, 2017</td>
</tr>
<tr>
<td></td>
<td>Alterations to the “Sexual assault and rape” page on the Office on Women’s Health website</td>
<td>Office on Women’s Health, Department of Health and Human Services</td>
<td>N/A</td>
<td>Removal of content relating to experience of sexual assault and violence in same-sex relationships from the “Sexual assault and rape” page on the OWH website.</td>
<td>Moved and altered</td>
<td>February 3, 2018</td>
</tr>
<tr>
<td>HHS-6</td>
<td>Removal of the “Same-sex relationship violence” page on the Office on Women’s Health Website</td>
<td>Office on Women’s Health, Department of Health and Human Services</td>
<td>N/A</td>
<td>Removal of a webpage titled “Same-sex relationship violence” from the OWH website.</td>
<td>Removed</td>
<td>October 11, 2017</td>
</tr>
<tr>
<td></td>
<td>Addition of “Lesbian, Gay, Bisexual and Transgender Health” section to Indian Health Service website</td>
<td>Indian Health Service, Department of Health and Human Services</td>
<td>N/A</td>
<td>Addition of a set of topical pages providing information and resources relating to “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” to the IHS website</td>
<td>Added</td>
<td>N/A</td>
</tr>
<tr>
<td>HHS-7</td>
<td>Alteration to LGBT-related objective on Healthypeople.gov</td>
<td>Health People 2020, Department of Health and Human Services</td>
<td>N/A</td>
<td>Alteration of Healthy People 2020 Objective LGBT-2.1, which sets data coverage targets for sexual orientation and gender identity questions in the Behavioral Risk Factor Surveillance System, on two webpages within its Healthy People 2020.</td>
<td>Altered</td>
<td>January 9, 2019</td>
</tr>
<tr>
<td></td>
<td>Alterations to CDC’s “LGBT Youth” pages</td>
<td>Centers for Disease Control and Prevention, Department of Health and Human Services</td>
<td>N/A</td>
<td>Alteration of two pages related to LGBTQ youth to change “LGBT” to “LGB” and to remove statistics relating specifically to transgender youth.</td>
<td>Altered</td>
<td>June 21, 2017</td>
</tr>
</tbody>
</table>

**Table A1**
<table>
<thead>
<tr>
<th>Link to Technical Documentation</th>
<th>Title</th>
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<th>Description</th>
<th>Status</th>
<th>Internet Archive’s Wayback Machine Capture</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HUD-1</strong></td>
<td>Removal of homeless transgender training and guidance resources from the Department of Housing and Urban Development website</td>
<td>Department of Housing and Urban Development</td>
<td>Gov404 Tracker</td>
<td>Alteration of the “LGBT Homelessness” page on the Department of Housing and Urban Development (HUD) Exchange website to remove links to and descriptions of five training and guidance resources related to transgender individuals in homeless shelter systems.</td>
<td>Altered</td>
<td>December 23, 2016</td>
</tr>
<tr>
<td><strong>HUD-2</strong></td>
<td>Alterations to LGBT Fair Housing content on the Department of Housing and Urban Development website</td>
<td>Department of Housing and Urban Development</td>
<td>N/A</td>
<td>Move and alteration of “FH_LGBT_PAGE” page, featuring information on the Fair Housing Act and how it relates to discrimination against LGBT populations.</td>
<td>Moved and altered</td>
<td>November 10, 2018</td>
</tr>
<tr>
<td><strong>SBA</strong></td>
<td>Removal of “LGBT Outreach” content from U.S. Small Business Administration website</td>
<td>Small Business Administration</td>
<td>Gov404 Tracker</td>
<td>Removal of content on the “LGBT Outreach” page, which remained unavailable for over a year.</td>
<td>Altered</td>
<td>December 9, 2016</td>
</tr>
<tr>
<td><strong>State-1</strong></td>
<td>Alteration of the State Department passport gender marker webpage</td>
<td>Department of State</td>
<td>Gov404 Tracker</td>
<td>Move and alteration of “Gender Designation” page to replace references to “gender” with “sex” and insert the term “sex change.”</td>
<td>Moved and altered</td>
<td>September 10, 2018</td>
</tr>
</tbody>
</table>
Removal of LGBT workplace resources from the Department of Labor website

Tag: #DOL-1

Summary of Findings

Between January 20, 2017 and January 25, 2017, the Department of Labor (DOL) removed LGBT resources from its website. DOL altered the “LGBT Policy” page (Webpage 1) on its website. A link and description of the “Advancing LGBT Workplace Rights” report (Webpage 2) and the “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” page (Webpage 3) were removed. At or around the same time, both Webpage 2 and Webpage 3 were removed from the Department of Labor website.

Change Classification

- (1) Altering or removing text and non-text content
- (5) Removing an entire webpage or document

Reporting

- Mashable: These important pages have already been deleted from the White House website (01/20/2017)
- NBC News: Trump Administration Removes LGBTQ Content From Federal Websites (01/24/2017)

Change Details

Webpage 1

Page title: LGBT Policy
Page status: Altered

- Before: January 20, 2017
- After: January 25, 2017

URL: https://www.dol.gov/asp/policy-development/lgbt-workers.htm

Known archives: A public web archive of this page from January 9, 2017, collected at the request of the Department of Labor, is available on Archive-It.

Description of change:
The following content was changed between January 20, 2017 and January 25, 2017:

1. Altered the “LGBT Policy” page:
   - Removed a link to the “Advancing LGBT Workplace Rights” report (Webpage 2)
We have assessed how every aspect of our day-to-day work can incorporate concrete actions to advance LGBT workplace equality. From our worker-protection agencies and regulations, to our grants and technical assistance programs, to our own responsibilities as an employer, we have taken actions large and small to ensure LGBT workers and their families can share in the benefits of a growing economy. Today we report on the progress we have made, and the work still in progress.

- Removed the text “Resources for Employers on LGBT Workers and Inclusive Workplaces,” which linked to the “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” (Webpage 3).

**Webpage 2**

**Page title:** Advancing LGBT Workplace Rights  
**Page status:** Removed

- Before: **January 10, 2017**  
- After: **January 20, 2017**


**Known archives:** A public web archive of this page from **January 10, 2017**, collected at the request of the Department of Labor, is available on [Archive-It](https://www.archive-it.org).

**Description of change:**

The following content was changed between **January 10, 2017** and **January 20, 2017**:

1. **Removed** the “Advancing LGBT Workplace Rights” page:
   - The page hosted a 2015 PDF report of the same name, which detailed key principles for protecting the rights of LGBT individuals in a workplace settings. The URL now leads to a 404 error.

**Webpage 3**

**Page title:** Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity  
**Page status:** Removed

- Before: **December 21, 2016**  
- After: **February 7, 2017**

**URL:** [https://www.dol.gov/ofccp/LGBT/LGBT_resources.html](https://www.dol.gov/ofccp/LGBT/LGBT_resources.html)

**Known archives:** A public web archive of this page from **December 21, 2016**, collected at the request of the Department of Labor, is available on [Archive-It](https://www.archive-it.org).

**Description of change:**

The following content was changed between **December 21, 2016** and **February 7, 2017**:

1. **Removed** the “Resources for Federal Contractors Executive Order 13672 — Sexual Orientation and Gender Identity” page:
The page contained information and links for employers relating to Executive Order 13672, including a directory of organizations “that offer resources and guidance to employers around issues related to creating an inclusive workplace” for LGBT employees. Links to live pages, including to an Equal Employment Opportunity Commission decision, were removed. The URL for the page now leads to a 404 error.

As of November 11, 2019, Executive Order 13672 is still in force.
Alteration to the Department of Labor’s Office of Federal Contract Compliance Programs LGBT FAQ page

Tag: #DOL-2

Summary of Findings

Between December 21, 2016 and September 21, 2018, the Department of Labor’s Office of Federal Contract Compliance Programs overhauled an FAQ page to remove references to Executive Order 13672.

Change Classification

- (1) Altering or removing text and non-text content
- (4) Altering or removing an entire pertinent section of a webpage or collection of webpages

Reporting

- N/A

Change Details

Page status: Altered

- Before: December 21, 2016
- After: September 21, 2018

URL: https://www.dol.gov/ofccp/LGBT/LGBT_FAQs.html

Known archives: A public web archive of this page, collected by the Library of Congress is available from May 29, 2017. Search for the archived version of the page at https://webarchive.loc.gov/.

Description of change:

The following changes occurred between December 21, 2016 and January 26, 2017:

1. Overhauled content of page to deemphasize from Executive Order 13672.

   - Altered the page heading from “Frequently Asked Questions EO 13672 Final Rule” to “Frequently Asked Questions Sexual Orientation and Gen-
Altered the introductory paragraph to remove mention of EO 13672 and add reference to EO 11246, an executive order signed by President Lyndon B. Johnson in 1965 to prohibit discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, or national origin:

From:

“On December 3, 2014, the U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) announced a Final Rule that will prohibit federal contractors from discriminating in employment on the basis of sexual orientation or gender identity. The Final Rule implements Executive Order (EO) 13672, signed by President Barack Obama on July 21, 2014, which adds sexual orientation and gender identity to the prohibited bases of discrimination in EO 11246. Additional information about the new Final Rule is provided in the below list of Frequently Asked Questions.”

To:

“The U.S. Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) enforces regulations that prohibit discrimination based on sexual orientation and gender identity, under Executive Order 11246, as amended.”

Overhauled the FAQs, removing many questions and answers, adding others, and editing questions and answers, especially by replacing references to “the final rule” and “Executive Order 13672” with the terms “Executive Order 11246,” “the regulations,” and “OFCCP’s regulations.” (See Screenshot).

The following changes occurred between March 8, 2018 and September 21, 2018:

1. Removed “Religious Employers and Religious Exemption” FAQ section, including the following questions and their answers:

   • How does Executive Order 11246 apply to religious organizations?
   • Do OFCCP’s regulations prohibiting discrimination based on sexual orientation and gender identity alter the religious exemption in EO 11246 in any way?
   • What kinds of organizations are covered by the religious exemption of Executive Order 11246?
   • How can contractors invoke the religious exemption under 41 CFR 60–1.5(a)(5)?
   • How does EO 11246’s exemption for religious organizations operate in light of the addition of the new protected categories?
   • How does the “ministerial exception” interact with Executive Order 11246?
Removal of transgender student rights content from the Department of Education’s Office for Civil Rights website

Tag: #ED

Summary of Findings

Between February 21, 2017, and February 19, 2018, the Department of Education altered the “Resources for Transgender and Gender-Nonconforming Students” page to remove links to some court documents, including resolutions to seven federal civil rights complaints and three federal court filings. These documents, which are still live, focus on transgender student rights, including equal access to bathrooms and other facilities. Text referencing Title IX protections for transgender and gender nonconforming students was removed from the introductory paragraph, and the title of the webpage was altered to remove mention of the terms “Transgender” and “Gender-Nonconforming.” An Education Department spokesperson told Politico that this change reflected the rescission of a transgender student rights directive from the Obama administration.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (4) Altering or removing an entire pertinent section of a webpage or collection of webpages

Reporting

- Politico, “Trump administration scraps resources for transgender students” (03/08/2018)

Change Details

Page title: Resources for Transgender and Gender-Nonconforming Students
Page status: Altered

- Before: February 21, 2017
- After: February 19, 2018

URL: https://www2.ed.gov/about/offices/list/ocr/lgbt.html

Known archives: A public web archive of this page, collected by the Library of Congress is available from March 28, 2017. Search for the archived version of the page at https://webarchive.loc.gov/
Description of change:

The following content was changed between February 21, 2017 and April 19, 2017:

1. **Replaced** a May 13, 2016 "Dear Colleague" letter titled “Transgender Students” with a February 22, 2017 letter providing notice that the Department of Education was withdrawing existing guidance on transgender students and nondiscrimination in education.

The following content was changed between November 14, 2017 and February 19, 2018:

1. **Altered** the heading of the page from “Resources for Transgender and Gender-Nonconforming Students” to “Resources for LGBTQ Students”

2. **Altered** the introductory paragraph on the page:

   From:
   
   “Title IX protects all students, including transgender and gender-nonconforming students, from sex discrimination. Title IX encompasses discrimination based on a student’s nonconformity with sex stereotypes and gender identity, including a student’s transgender status. Once a school is notified that a student will begin asserting a gender identity that differs from previous representations or records, the school must begin treating the student consistent with the student’s gender identity. When a school provides sex-segregated activities or facilities, transgender students must be allowed to participate in such activities and access such facilities consistent with their gender identity. Moreover, schools should be aware of their obligation under Title IX and the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of their students when maintaining education records."

   To:
   
   “Every school and every school leader has a responsibility to protect all students and ensure every child is respected and can learn in an accepting environment. Title IX protects all students, including LGBTQ students, from sex discrimination. Title IX encompasses discrimination based on a student’s failure to conform to stereotyped notions of masculinity and femininity. Schools should also be aware of their obligation under Title IX and the Family Educational Rights and Privacy Act (FERPA) to protect the privacy of their students when maintaining education records."

3. **Removed** seven “OCR Case Resolutions”
   - Dorchester County School District (SC) (11-15-1348): Resolution Agreement and Resolution Letter
   - Broadalbin-Perth Central School District (NY) (02-13-1220): Resolution Agreement and Resolution Letter
   - Township High School District 211 (IL) (05-14-1055): Resolution Agreement and Resolution Letter
   - Central Piedmont Community College (NC) (11-14-2265): Resolution Agreement and Resolution Letter
   - Jonesboro School District #43 (IL) (05-15-1033): Resolution Agreement and Resolution Letter
   - Downey Unified School District (CA) (09-12-1095): Resolution Agreement and Resolution Letter
   - Arcadia Unified School District (CA) (09-12-1020): Resolution Agreement and Resolution Letter

4. **Removed** three “Court Filings—Statements of Interest and Amicus Curiae Briefs”
Resources for Transgender and Gender-Nonconforming Students

Title IX protects all students, including transgender and gender-nonconforming students, from sex discrimination. Title IX encompasses discrimination based on a student’s nonconformity with sex stereotypes and gender identity, including a student’s physical appearance. When the Department receives a complaint that a student was treated in a manner inconsistent with their gender identity, it must promptly conduct an investigation to determine whether there was a Title IX violation.

Policy Guidance
Learn about different types of guidance documents, including how to submit an incident report.

- Dear Colleague letter: Transgender Students.pdf (171.3KiB) (May 13, 2016)
- Dear Colleague letter: Transgender Students.pdf (588.3KiB) (May 13, 2016)
- Dear Colleague letter: Title IX Coordinators (Apr. 24, 2015), accompanied by a letter to Title IX coordinators and a Title IX rights guide.
- Dear Colleague letter from Secretary of Education Arne Duncan on gay-straight alliances (Jun. 14, 2011), including legal guidance for complying with the Equal Access Act.
- Dear Colleague letter: Harassment and Bullying (Oct. 26, 2010)

OCR Case Resolutions

- Dorchester County School District (SC) (11-11-1341): Resolution Agreement and Resolution Letter
- Delaware Public Charter School District (DPCSD) (9-5-13): Resolution Agreement and Resolution Letter
- Springfield High School District 211-LA (10-16-1002): Resolution Agreement and Resolution Letter
- Central Piedmont Community College (NC) (11-14-2008): Resolution Agreement and Resolution Letter
- Inland Lake Unified School District (CA) (9-9-1981): Resolution Agreement and Resolution Letter

Counties—Statements of Interest and Ambush Curtesy Briefs

- Memorandum of Law in Support of the United States Motion to Intervene, J.L. v. Molson Central School District, No. 6:00-CV-543 (D.N.Y. Jan. 14, 2019)

Federal Government Resources

- School bullying
- Substance Abuse and Mental Health Services Administration LGBTQ resources
- Resources from the Department of Health and Human Services
- Equal Employment Opportunity Commission Enforcement Protections for LGBTQ Workers
- Resources for Community-Wide Prevention of LGBTQ Youth Homelessness from the Department of Housing and Urban Development
- Guidance from the Department of Labor’s Job Corps Program on ensuring equal access for transgender applicants and students

Our mission is to promote student achievement and preparation for global citizenship.
Screenshot: A comparison of the February 21, 2017 (left) and February 19, 2018 (below) versions of Department of Education’s “Resources for Transgender and Gender-Nonconforming Students” page showing the changes made. Captured by the Internet Archive’s Wayback Machine.
Removal of sex discrimination language from HHS’s Office for Civil Rights webpages about Section 1557 of the Affordable Care Act

Tag: #HHS-1

Summary of Findings

Between March and August 2017, the U.S. Department of Health and Human Services’ (HHS) Office for Civil Rights (OCR) removed language relating to sex discrimination and prohibitions on sex discrimination on at least five webpages about Section 1557 of the Affordable Care Act (ACA). Mentions of “sex stereotyping” and information about sex discrimination on the basis of gender identity and termination of pregnancy were removed. Information about what Section 1557 requires with regards to health services and insurance for transgender individuals, as well as information about gender-coding, was also removed. A page with links to training materials for Section 1557 was removed, with no replacement content restored to date. These changes occurred following the December 2016 issuance of a nationwide injunction that prohibits HHS’s OCR from enforcing Section 1557 provisions relating to gender identity and termination of pregnancy.

These changes were first discovered by the National Women’s Law Center. See: Web Integrity Project, "Language Removals Pertaining to Sex Discrimination from HHS’s Office for Civil Rights Webpages about Section 1557 of the Affordable Care Act" (July 17, 2018).

Change Classification

• (1) Altering or removing text and non-text content
• (2) Altering or removing links
• (4) Altering or removing an entire pertinent section of a webpage or collection of webpages
• (5) Removing an entire webpage or document

Reporting

• Washington Post, The Health 202: There's a Medicaid 'subsidy cliff' health-care officials are worried about (07/19/2018)
• Pacific Standard, Language about Sex Discrimination has Disappeared from Government Websites Concerning Obamacare (07/19/2018)

Change Details

Below we have provided a brief overview of alterations made to one of the five webpages (Webpage 1) on which OCR changed information related to Section 1557. For a full description of the changes, see: Web Integrity Project, "Language Removals Pertaining to Sex Discrimination from HHS’s Office for Civil Rights Webpages about Section 1557 of the Affordable Care Act" (July 17, 2018).
Description of change:

Between **March 15, 2017** and **April 27, 2017**, the following changes occurred:

1. **Altered** the “General Questions about Section 1557” section to remove the following text:

   “Areas of sex discrimination that HHS OCR may continue to enforce include: harassment based on sex and allegations related to sex stereotyping that do not involve gender identity claims, as well as other forms of discrimination based on sex other than gender identity or termination of pregnancy.”

Between **May 14, 2017** and **June 9, 2017**, the following changes occurred:

1. **Added** the following text to the answers of eight questions:

   “Pursuant to court order, OCR is enjoined from enforcing the Section 1557 regulation’s [sic] prohibitions against discrimination on the basis of gender identity and termination of pregnancy on a nationwide basis. For information about the court order, please see above,”

Between **June 29, 2017** and **August 18, 2017**, the following changes occurred:

1. **Altered** the “General Questions about Section 1557” section, including removing:
   i. the following text from the answer to the question, “What types of discrimination constitute discrimination on the basis of sex?”:

   “More than 25 years ago, the U.S. Supreme Court held that discrimination based on stereotypical ideas about gender is unlawful sex discrimination.”

   and

   “While the final rule does not resolve whether discrimination on the basis of an individual’s sexual orientation status alone is a form of sex discrimination under Section 1557, the rule makes clear that OCR will evaluate complaints that allege sex discrimination related to an individual’s sexual orientation to determine if they involve the sorts of stereotyping that can be addressed under 1557. HHS supports prohibiting sexual orientation discrimination as a matter of policy and will continue to monitor legal developments on this issue.”

   ii. the section titled “Effective Date for Addressing Gender-Coding.”

   iii. the following questions and answers:

   - “By what date are covered entities required to make changes to address gender-coding issues?”
   - “What does Section 1557 require with regard to general medical care for transgender individuals?”
• “What does Section 1557 require with regard to the provision of, or coverage for, sex-specific health services for transgender individuals?”
• “Does Section 1557 prohibit harassment based on sex, including on the basis of sex stereotyping?”
• “What is a gender-coding mismatch?”
• “How can a covered entity address gender-coding mismatch issues?”

Removal of link to Office of Civil Rights Complaint page from Healthcare.gov’s “Transgender health care” page

Tag: #HHS-2

Summary of Findings
Between May 31, 2017 and June 3, 2017, the Centers for Medicare & Medicaid removed a link to a page for filing complaints with the Office of Civil Rights from the “Transgender health care” page. The link was replaced with an email address within the Centers for Medicare & Medicaid Services.

Change Classification
- (1) Altering or removing text and non-text content
- (2) Altering or removing links

Reporting
- N/A

Change Details
Page title: Transgender health care
Page status: Altered
- Before: May 31, 2017
- After: June 3, 2017

URL: https://www.healthcare.gov/transgender-health-care/

Known archives: A public web archive of this page, collected by the Library of Congress is available from May 5, 2017. Search for the archived version of the page at https://webarchive.loc.gov/.

Description of change:
The following content was changed between May 31, 2017 and June 3, 2017:

1. Removed and Replaced text and a link to the Office of Civil Right’s page for filing a complaint with text and an email address for the Centers for Medicare & Medicaid Services in the “Plans with transgender exclusions” section of the page.

   From:

   If you believe a plan unlawfully discriminates, you can file complaints of
discrimination with your state’s Department of Insurance or the U.S. Department of Health & Human Services Office for Civil Rights.

To:

If you believe a plan unlawfully discriminates, you can file complaints of discrimination with your state’s Department of Insurance, or report the issue to the Centers for Medicare & Medicaid Services by email to marketconduct@cms.hhs.gov.

Removal of LGBT content from SAMHSA website

Tag: #HHS-3

Summary of Findings

In early 2019, as part of a larger overhaul of its website documented in a Web Integrity Project report, SAMHSA removed three pages containing information on LGBT populations: the “Age- and Gender-Based Populations” page (Webpage 1); the “Specific Populations” page (Webpage 2); and the “Serving the Needs of Diverse Populations” page (Webpage 3). SAMHSA also removed a link to “Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, or Two-Spirit Learning Community cultural competence resources” hosted at the Technical Assistance Partnership for Child and Family Mental Health Archive from its “Lesbian, Gay, Bisexual, and Transgender (LGBT)” page (Webpage 4) (#HHS-3).

See: Web Integrity Project, “Web Governance in Times of Changing Priorities: The Substance Abuse and Mental Health Services Administration Overhauls its Website” (October 22, 2019)

Change Classification

- (2) Altering or removing links
- (5) Removing an entire webpage or document

Reporting

- Web Integrity Project: Recent SAMHSA website overhaul likely left users confused, frustrated, and irritated (10/22/2019).

Change Details

Webpage 1

Page title: Age- and Gender-Based Populations
Page status: Removed
- Before: March 5, 2019
- After: March 19, 2019


Known archives: A public web archive of this page from August 24, 2017, collected at the request of the Federal Depository Library Program Web Archive, is available on Archive-It.
Description of change:
The following content was changed between March 5, 2019 and March 19, 2019:

1. **Removed** the “Age- and Gender-Based Populations” page and established a redirect to https://www.samhsa.gov/programs.
   - The page included a section on mental health and substance use issues for LGBT individuals as well as sections on "children, youth, and families," "men and women," "pregnant women and infants," and "older adults."

**Webpage 2**

Page title: Specific Populations
Page status: Removed
- Before: January 8, 2019
- After: June 26, 2019


Known archives: A public web archive of this page from March 26, 2015, collected at the request of the Department of Health and Human Services, is available on Archive-It.

Description of change:
The following content was changed between January 8, 2019 and June 26, 2019:

1. **Removed** the “Specific Populations” page:
   - The page detailed SAMHSA’s prevention efforts for the LGBT community, among other communities and populations.

**Webpage 3**

Page title: Serving the Needs of Diverse Populations
Page status: Removed
- Before: January 8, 2019
- After: February 7, 2019

URL: https://www.samhsa.gov/workforce/serving-needs-diverse-populations (now redirects to https://www.samhsa.gov/workforce)

Known archives: A public web archive of this page from March 26, 2015, collected at the request of the Department of Health and Human Services, is available on Archive-It.

Description of change:
The following content was changed between January 8, 2019 and February 7, 2019:

1. **Removed** the “Serving the Needs of Diverse Populations” page:
   - The page discussed cultural competence and included a section outlining and linking to training materials on LGBTQ cultural competency.
Webpage 4
Page title: Lesbian, Gay, Bisexual, and Transgender (LGBT)
Page status: Altered

- Before: March 2, 2019
- After: April 8, 2019

URL: https://www.samhsa.gov/behavioral-health-equity/lgbt

Known archives: A public web archive of this page from January 17, 2017, collected at the request of the White House, is available on Archive-It.

Description of change:
The following content was changed between March 2, 2019 and April 8, 2019:

1. **Altered** the “Lesbian, Gay, Bisexual, and Transgender (LGBT)” page:
   - From the “Data and Reports” section of the page, SAMHSA removed a link to “Office of Applied Studies (OAS) Data Spotlight: Substance Abuse Treatment Programs for Gays and Lesbians – 2010 (PDF | 117 KB)”. The link led to http://archive.samhsa.gov/data/spotlight/Spotlight004GayLesbians.pdf, which hosted a short fact sheet presenting National Survey of Substance Abuse Treatment Services data on substance abuse among the LGBTQ community. The link is no longer live, having been removed as part of the decommissioning of the archive.samhsa.gov domain (for more information, refer to our report into the SAMHSA website overhaul).

   - On the “Federal Initiatives and Resources” section of the page, SAMHSA renamed a link from the name of the publication linked to (“The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding from the Institute of Medicine – 2011”) to the name of the author of the publication linked to (“The National Academies of Sciences, Engineering, and Medicine (the National Academies”)).

   - From the “Additional Resources” section of the page, SAMHSA:
     - Altered the text “Association of Gay and Lesbian Psychiatrists” to reflect the association’s current name (“Association of LGBTQ Psychiatrists”).
     - Removed a link to “Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex, or Two-Spirit Learning Community” cultural competence resources hosted at the Technical Assistance Partnership for Child and Family Mental Health Archive. The page is still live.
Screenshot: The top portion and “Lesbian, Gay, Bisexual, and Transgender Populations” section of the January 8, 2019 version of the “Serving the Needs of Diverse Populations” page. By February 7, 2019 the page was removed from the SAMHSA website. Captured by the Internet Archive’s Wayback Machine.

Lesbian, Gay, Bisexual, and Transgender Populations

SAMHSA has developed a number of training curricula for behavioral health and primary care practitioners to help them assess, treat, and refer LGBT clients in a culturally sensitive manner. A resource kit (Top Health Issues for LGBT Populations – 2012) provides prevention professionals, health care providers, and educators with information on current health issues among LGBT populations. A Practitioner’s Resource Guide: Helping Families to Support Their LGBT Children – 2014 also offers information and resources to help practitioners throughout health and social service systems. Learn more about SAMHSA’s LGBT resources and behavioral health workforce development initiatives.

More needs to be done to develop this sector of the behavioral health workforce. According to SAMHSA’s report Behavioral Health, United States, 2012:

- Just over half of middle and high schools in the United States provide mental health services tailored to gay, lesbian, or bisexual students.

Learn more about LGBT populations at the Specific Populations topic.
Removal of lesbian and bisexual health page from Office on Women’s Health Website

Tag: HHS-4

Summary of Findings

As part of a larger website overhaul reported on by the Web Integrity Project in March 2018, the Office on Women’s Health (OWH) removed a webpage with extensive information about lesbian and bisexual health, and links that correspond to that webpage, from its website. A PDF containing very similar content to the removed page is live, but is not linked from elsewhere in the OWH website, rendering it inaccessible by navigating through the website. The removals are part of a broader pattern of changes to the OWH website in which access to other informational resources, such as those pertaining to breast cancer, men’s health, healthy aging, and other health topics, in addition to lesbian and bisexual health, have also been reduced.


Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- Politico, HHS strips lesbian, bisexual health content from women’s health website (03/21/2018)
- NBC News, Lesbian and bisexual resources are dropped from HHS website (3/23/2018)

Change Details

Page title: Lesbian and bisexual health
Page status: Removed

- Before: September 19, 2017
- After: October 13, 2017

URL: https://www.womenshealth.gov/a-z-topics/lesbian-and-bisexual-health

Known archives: A public web archive of this page, collected by the Library of Congress is available from August 29, 2017. Search for the archived version of the page at https://webarchive.loc.gov/
Description of change:
The following content was changed September 19, 2017 and October 13, 2017:

1. **Removed** the “Lesbian and bisexual health” page:
   - The “Lesbian and bisexual health” page contained information about the health needs of lesbian and bisexual women, including:
     - Extensive answers to seven questions about lesbian and bisexual health, including: “What factors put lesbians' and bisexual women's health at risk?” and “What challenges do lesbian and bisexual women face in the health care system?”
     - A list of contact information and links to the websites of other federal offices and non-profit organizations that have relevant lesbian and bisexual health resources.
     - A “Related information” section linking to other OWH fact sheets about specific health conditions and diseases relevant to lesbian and bisexual women.
   - The URL [https://www.womenshealth.gov/a-z-topics/lesbian-and-bisexual-health](https://www.womenshealth.gov/a-z-topics/lesbian-and-bisexual-health) currently leads to an “Error 404 Page not found” notice.
   - A PDF containing similar content to the removed page is live but is not linked from elsewhere in the OWH website, rendering it inaccessible by navigating through the website.

**Screenshot:** The top portion of the September 19, 2017 version of the “Lesbian and bisexual health” page. By October 13, 2017 the page was removed from the OWH website. Captured by the Internet Archive’s Wayback Machine.
Alterations to the “Sexual assault and rape” page on the Office on Women’s Health website

Tag: #HHS-5

Summary of Findings

Between February 3, 2018 and February 19, 2018, the Office on Women’s Health (OWH) moved and overhauled content about sexual assault and rape. During this overhaul, OWH removed a question, “Who is sexually assaulted?,” which contained a reference to “Lesbians, gays, and bisexual and transgender (LGBT) people” and included a link the “Violence in same-sex relationships” page. Additionally, three footnotes in the page’s “Sources” section related to the “Lesbians, gays, and bisexual and transgender (LGBT) people” text were removed.

Change Classification

• (1) Altering or removing text and non-text content
• (2) Altering or removing links
• (3) Moving an entire webpage or collection of webpages or establishing redirects
• (5) Removing an entire webpage or document

Reporting

• N/A

Change Details

Page title: Sexual assault and rape
Page status: Moved

• Before: February 3, 2018
• After: February 19, 2018


Known archives: A public web archive of this page, collected by the Library of Congress is available from November 12, 2017. Search for the archived version of the page at https://webarchive.loc.gov/

Description of change:

The following content was changed between February 3, 2018 and February 19, 2018:

   - The old URL redirected to the new URL (The content at the new URL has since been moved to another URL, so that the old URL now redirects to [https://www.womenshealth.gov/relationships-and-safety/sexual-assault-and-rape](https://www.womenshealth.gov/relationships-and-safety/sexual-assault-and-rape).)

2. **Overhauled** the content on the page, including:

   - Removing a question, “Who is sexually assaulted?,” which contained a reference to “Lesbians, gays, and bisexual and transgender (LGBT) people” and linked to the “Violence in same-sex relationships” page.

   - Removing the “Sources” section, which contained references for the footnotes in the above mentioned “Who is sexually assaulted?” section. Three footnotes related to the “Lesbians, gays, and bisexual and transgender (LGBT) people” text were removed, including:

     - National Center for Lesbian Rights. (2014). *Sexual Assault in the LGBT Community*.

**Screenshot:** A portion of the February 3, 2018 version of the “Sexual assault and rape” page. By February 19, 2018 the page was moved and overhauled and the highlighted content removed. Captured by the Internet Archive’s Wayback Machine.
Removal of the “Same-sex relationship violence” page on the Office on Women's Health Website

Tag: #HHS-6

Summary of Findings

After October 11, 2017, the Office on Women’s Health (OWH) removed a webpage titled “Same-sex relationship violence” from their website. The page included information relating to domestic violence issues in the specific context of female same-sex relationships, references to where individuals can get help on these issues, and links to other resources and organizations that deal with domestic violence. By April 12, 2018, some similar content had been added on another page about domestic violence generally; however, that content did not include contacts and links to resources specific to same-sex relationships from the original page.

Change Classification

- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- N/A

Change Details

Page title: Same-sex relationship violence
Page status: Removed

- Before: October 11, 2017
- After: October 23, 2019


Known archives: A public web archive of this page, collected by the Library of Congress is available from September 2, 2017. Search for the archived version of the page at https://webarchive.loc.gov/

Description of change:

The following content was changed after October 11, 2017:

1. Removed the “Same-sex relationship violence” webpage:
• The page included information about domestic violence in the context of female same-sex relationships, information and contacts for getting help with domestic violence, and links to other resources and organizations that deal with domestic violence.

• The page redirects to the URL https://www.womenshealth.gov/relationships-and-safety.

• By April 12, 2018, one of the question and answers on the “Signs of domestic violence or abuse” page included some similar, but less expansive, content. Notably, no contact information or additional resources were included in the answer.

Screenshot: The October 11, 2017 version of the “Same-sex relationship violence” page. The page was later removed. Captured by the Internet Archive’s Wayback Machine.
Addition of “Lesbian, Gay, Bisexual and Transgender Health” section to Indian Health Service website

Tag: #HHS-7

Summary of Findings

By December 9, 2017, the Indian Health Service (IHS) added a set of topical pages providing information and resources relating to “Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health” to its website.

Change Classification

- (9) Adding content, sections, pages, or websites.

Reporting

- N/A

Change Details

Page title: Lesbian, Gay, Bisexual, and Transgender Health
Page status: Added

- Before: N/A
- After: December 9, 2017

URL: https://www.ihs.gov/lgbt/

Known archives: No known public archive.

Description of change:

The following changes occurred before December 9, 2017:

1. Added a landing page titled “Lesbian, Gay, Bisexual, and Transgender Health.”

   - The landing page linked to 8 subpages, including:
     i. Health Resources
     ii. Family and Friends of LGBTQ
     iii. LGBTQ-Two Spirit Workgroup
     iv. Trainings, Webinars, and Presentations
     v. Cultural Competence
     vi. Media Campaigns
     vii. Contact Us
     viii. Provider Resources
• The nine pages are intended to help "ensure that Lesbian, Gay, Bisexual, Transgender, Questioning and Two Spirit (LGBTQ-2S) American Indian and Alaska Native (AI/AN) individuals and their families receive equal access to health services in the communities where they live."

Note: Between June 16, 2017 and July 10, 2017, a link for the "Lesbian, Gay, Bisexual, Transgender, Questioning, (LGBTQ) and Two Spirit Health" page was added to IHS’s "Health Topics" page.

Alteration to LGBT-related objective on Healthypeople.gov

Tag: #HHS-8

Summary of Findings

In the first half of 2019, the HHS’ Office of Disease Prevention and Health Promotion updated Objective LGBT-2.1, which sets data coverage targets for sexual orientation and gender identity questions in the Behavioral Risk Factor Surveillance System, on two webpages within its Healthy People 2020 website. On both the “Lesbian, Gay, Bisexual, and Transgender Health” page (Webpage 1) and the “LGBT-2.1 Data Details” page (Webpage 2), the “Target-Setting Method” row was updated to reflect a less ambitious goal, downgraded from “Total coverage” to a “10 percent improvement.” Whereas past revisions to objectives were noted on the “revision history” section of the page and identified with an orange “Revised” icon to the right of the objective, no changes were made to those sections of Webpage 1 and Webpage 2.

Change Classification

- (1) Altering or removing text and non-text content

Reporting

- N/A

Change Details

Webpage 1

Page title: Lesbian, Gay, Bisexual, and Transgender Health
Page status: Altered

- Before: January 9, 2019
- After: June 18, 2019


Known archives: A public web archive of this page, collected by the Library of Congress is available from May 11, 2017. Search for the archived version of the page at https://webarchive.loc.gov/
Description of change:
The following content was changed between January 9, 2019 and June 18, 2019:

1. **Altered** the “Target-Setting Method” row in the “Objective LGBT-2.1” section of the page:

   **From:**
   “Total coverage”
   
   **To:**
   “10 percent improvement.”
   
   Unlike previously revised objectives, the Office of Disease Prevention and Health Promotion neither added an orange tag noting that a revision had been made nor updated the “Revision History” row on the page.

**Screenshot:** A comparison of the January 4, 2019 (below) and June 24, 2019 (next page) versions of the “LGBT-2.1 Data Details” page. Captured by the Internet Archive’s Wayback Machine.
Webpage 2

Page title: LGBT-2.1 Data Details
Page status: Altered

- Before: January 4, 2019
- After: June 24, 2019

URL: https://www.healthypeople.gov/node/11511/data_details

Known archives: No known public archive.

Description of change:
The following content was changed between January 4, 2019 and June 24, 2019:

1. Altered the “Target-Setting Method” row in the “About the Data” section.
   
   From:
   “Total coverage”
   
   To:
   “10 percent improvement.”

2. The Office of Disease Prevention and Health Promotion did not update the “Revision History” section of the page, which still reads “This objective is new in 2015.”
Alterations to CDC's “LGBT Youth” pages

Tag: #HHS-9

Summary of Findings

In 2017, the Centers for Disease Control and Prevention (CDC) changed two pages relating to LGBTQ youth.

Between June 21, 2017 and June 24, 2017, CDC altered the “LGBT Youth” page (Webpage 1) to remove references to transgender populations. A notice was added to the page that stated, “Historically, [the Youth Risk Behavior Survey] and other studies have gathered data on lesbian, gay, and bisexual youth but have not included questions about transgender and questioning/queer youth.” As part of this change, references to “LGBTQ” were changed to “LGB” and statistics and references on transgender populations were removed.

Between August 16, 2017 and December 9, 2017, CDC overhauled its “LGBTQ Youth Programs -At-A-Glance” page (Webpage 2), including replacing the term “LGBTQ” with “LGB” in many instances.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links

Reporting

- N/A

Change Details

Webpage 1

- Page title: LGBT Youth
- Page status: Altered
- Before: June 21, 2017
- After: June 24, 2017

URL: https://www.cdc.gov/lgbthealth/youth.htm

Known archives: A public web archive of this page, collected by the Library of Congress is available from June 1, 2017. Search for the archived version of the page at https://webarchive.loc.gov/
Description of change:
The following changes occurred between June 21, 2017 and June 24, 2017:

1. Overhauled the page, including:
   - Adding the following notice:
     
     “Historically, YRBS and other studies have gathered data on lesbian, gay, and bisexual youth but have not included questions about transgender and questioning/queer youth. As that changes and data becomes available, this content will be updated to include information regarding transgender and questioning/queer youth.”
   
   - Removing a note about the acronym “LGBTQ”:
     
     “* Variations of this acronym are used throughout the Web page to reflect relevant populations. Many studies consider lesbian, gay, and bisexual youth but do not include transgender and questioning youth.”
   
   - Replacing the term “LGBTQ” with “LGB” in many instances throughout.
   
   - Updating and rewriting sections presenting data on experiences with violence and effects on education and health.
   
   - Altering footnotes and references, including the removal of a reference to transgender suicide statistics.

Webpage 2
Page title: LGBTQ Youth Programs-At-A-Glance
Page status: Altered

- Before: August 16, 2017
- After: December 9, 2017

URL: https://www.cdc.gov/lgbthealth/youth-programs.htm

Known archives: A public web archive of this page, collected by the Library of Congress is available from July 17, 2016. Search for the archived version of the page at https://webarchive.loc.gov/

Description of change:
The following changes occurred between August 16, 2017 and December 9, 2017:

1. Altered the “Data Collection and Analysis” section:
   - Renamed the section “Youth Risk Behavior Survey (YRBS) - Data Collection Analysis.”
   - Updated statistics and re-wrote the description of the YRBS.
   - Altered the description of measures the CDC uses to assess school health policies and practices relevant to LGBTQ students by replacing “LGBTQ” with “LGBT.”

2. Altered the “State and Local Prevention Programs” section to provide newer examples.

3. Altered the “Young Men Who Have Sex with Men (YMSM) Project,” making minor grammatical changes.

4. Altered the “Collaboration with National Nongovernmental Organizations (NGOs)” to remove detail about which NGOs CDC collaborates with and their “approach areas.”
**Screenshot:** The June 21, 2017 and June 24, 2017 versions of the “What Schools Can Do” section of the “LGBT Youth” page, highlighting changed content. Captured by the Internet Archive’s Wayback Machine.

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### What Schools Can Do

For youth to thrive in their schools and communities, they need to feel socially, emotionally, and physically safe and supported. A positive school climate has been associated with decreased depression, suicidal feelings, substance use, and unexcused school absences among LGTBQ students.9

Schools can implement clear policies, procedures, and activities designed to promote a healthy environment for all youth. For example, research has shown that in schools with LGTBQ support groups (such as gay-straight alliances), LGTBQ students were less likely to experience threats of violence, miss school because they felt unsafe, or attempt suicide than those students in schools without LGTBQ support groups.10 A recent study found that LGTBQ students had fewer suicidal thoughts and attempts when schools had gay-straight alliances and policies prohibiting expression of homophobia in place for 3 or more years.11

To help promote health and safety among LGTBQ youth, schools can implement the following policies and practices:

- Encourage respect for all students and prohibit bullying, harassment, and violence against all students.
- Identify “safe spaces,” such as counselors’ offices, designated classrooms, or student organizations, where LGTBQ youth can receive support from administrators, teachers, or other school staff.
- Encourage student-led and student-organized school clubs that promote a safe, welcoming, and accepting school environment (e.g., gay-straight alliances, which are school clubs open to youth of all sexual orientations).
- Ensure that health curricula or educational materials include HIV other STD, pregnancy prevention information that is relevant to LGTBQ youth (such as, ensuring that curricula or materials include inclusive language or terminology).
- Encourage school district and school staff to develop and publicize trainings on how to create safe and supportive school environments for all students, regardless of sexual orientation or gender identity, and encourage staff to attend these trainings.
- Facilitate access to community-based providers who have experience providing health services, including HIV/STD testing and counseling, to LGTBQ youth.
- Facilitate access to community-based providers who have experience in providing social and psychological services to LGTBQ youth.

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More Resources for Educators and School Administrators  

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Removal of homeless transgender training and guidance resources from the Department of Housing and Urban Development website

Tag: #HUD-1

Summary of Findings

Between December 23, 2016 and March 14, 2017, the “LGBT Homelessness” page on the Department of Housing and Urban Development (HUD) Exchange website was altered to remove links to and descriptions of five training and guidance resources related to transgender individuals in homeless shelter systems. The resources, which described HUD policies on accommodating transgender individuals in shelter settings, have been removed and their URLs return “page not found” errors. In response to these removals, several groups filed a lawsuit against HUD.

Change Classification

- (1) Altering or removing text and non-text content
- (5) Removing an entire webpage or document

Reporting

- Newsweek: HUD Accused of Systematically Removing LGBT People from Homeless and Housing Decisions: Lawsuit (3/1/2018)

Change Details

Page title: LGBT Homelessness
Page status: Altered

- Before: December 23, 2016
- After: March 14, 2017

URL: https://www.hudexchange.info/homelessness-assistance/resources-for-lgbt-homelessness/

Known archives: None.
Description of change:
The following changes occurred December 23, 2016 and March 14, 2017:

1. **Altered** the “LGBT Homelessness” page:

   - Links to and descriptions of five training resources were removed from the “Find by Topic” section of the page.
   - The sidebar menu on the page was altered to reflect the removals.
   - Five resources, listed below, were removed from the www.hudexchange.info domain. The URLs for the documents now lead to “page not found” errors.
      
     i. Webinar on the HUD LGBT Rule
     ii. Equal Access for Transgender People: Supporting Inclusive Housing and Shelters
     iii. Equal Access Self-Assessment for Shelters and Projects
     iv. Equal Access Decision Tree
     v. Training Scenarios for Use with Project Staff

**Note:** No captures of the five removed resources are available on the Internet Archive’s Wayback Machine.

**Screenshot:** The bottom portion of the December 23, 2016 version of the “LGBT Homelessness” page. Content that was removed by March 14, 2017 is highlighted. Captured by the Internet Archive’s Wayback Machine.
Alterations to LGBT Fair Housing content on the Department of Housing and Urban Development website

Tag: #HUD-2

Summary of Findings

Between November 10, 2018 and December 5, 2018 HUD removed the "FH_LGBT_PAGE" page from its website. The page featured information on the Fair Housing Act and how it relates to discrimination against LGBT populations. In addition to federal regulations, the page also featured a chart with a state-by-state listing of bans on discrimination. By September 14, 2018, a page with similar content was available, but some content that was previously available on the original "FH_LGBT_PAGE" page was missing.

These changes were first discovered by the Center for American Progress.

Change Classification

- (1) Altering or removing text and non-text content
- (2) Altering or removing links
- (3) Moving an entire webpage or collection of webpages or establishing redirects

Reporting

- N/A

Change Details

Page title: FH_LGBT_PAGE
Page status: Removed

- Before: November 10, 2018
- After: December 5, 2018

URL: https://www.hud.gov/program_offices/fair_housing_equal_opp/LGBT_Housing_Discrimination

Known archives: A public web archive of this page, collected by the Library of Congress is available from October 4, 2018. Search for the archived version of the page at https://webarchive.loc.gov/
Description of change:

The following changes occurred between **November 10, 2018** and **December 5, 2018**:

1. **Removed** the “FH_LGBT_PAGE” page from HUD’s website.
   - The page featured information on the Fair Housing Act and how it relates to discrimination against LGBT populations. In addition to federal regulations, the page also featured a chart with a state-by-state listing of bans on discrimination.

The following changes occurred by **September 14, 2018**:

1. **Added** the “Housing Discrimination and Persons Identifying as LGBTQ” page
   - The page included content similar to “FH_LGBT_PAGE” page, but was missing:
     - A graphic with the rainbow flag declaring:
       
       “ENDING HOUSING DISCRIMINATION AGAINST LESBIAN, GAY, BISEXUAL AND TRANSGENDER INDIVIDUALS AND THEIR FAMILIES
       Enriching and Strengthening Our Nation”

     - The detailed justification for why the Fair Housing Act applies to LGBT populations and a definition of “LGBT”:
       
       “The federal Fair Housing Act prohibits housing discrimination based on race, color, national origin, religion, sex, disability, and familial status (i.e., presence of children under the age of 18 in the household or pregnancy). The Fair Housing Act does not specifically include sexual orientation and gender identity as prohibited bases. However, discrimination against a lesbian, gay, bisexual, or transgender (LGBT) person may be covered by the Fair Housing Act if it is based on non-conformity with gender stereotypes.”

     - The text:
       
       “Housing discrimination against people with HIV/AIDS and people perceived to have HIV/AIDS is also illegal under the Fair Housing Act’s prohibition of disability discrimination. See Housing Discrimination because of HIV/AIDS is Illegal.”

     - A link to the final HUD Equal Access Rule in the Federal Register (including responses to public comments)

     - Links that were previously available in the side panel of the page, such as two “FHEO News” items:
       - An Estimate of Housing Discrimination Against Same-Sex Couples
       - Proudly Opening the Doors to Fair Housing: HUD Addresses LGBT Housing Discrimination – article from New Jersey Lawyer Magazine
**Screenshot:** A comparison of the November 10, 2018 version of the “FH_LGBT_PAGE” page (below) and the September 14, 2018 version of the “Housing Discrimination and Persons Identifying as LGBTQ” page (next page). Captured by the Internet Archive’s Wayback Machine.

The Federal Housing Authority (FHA) is responsible for ensuring that all housing is safe, sanitary, and suitable for the occupants. The FHA requires that housing discrimination is prohibited on the basis of race, color, religion, sex, national origin, family status, and age. This includes discrimination based on sexual orientation and gender identity. However, the FHA does not specifically mention “LGBTQ” discrimination in its regulations. Therefore, it can be inferred that discrimination against individuals based on sexual orientation and gender identity is a violation of the FHA’s anti-discrimination policies.

In housing discrimination cases, the FHA typically investigates complaints of discrimination and can issue orders requiring改正 actions. These actions may include providing equal housing opportunities and compensating victims for damages sustained.

**EXAMPLES:**

- A landlord did not lease a unit to a lesbian couple because the landlord believed it would affect the property values. The couple filed a complaint with the FHA, and the landlord was ordered to lease the unit to them.

- A homeowner association refused to lease a unit to a same-sex couple because the association believed that same-sex couples could damage the property. The couple filed a complaint with the FHA, and the association was ordered to lease the unit to them.

- A real estate agent refused to show a unit to a gay couple because the agent believed that the unit would not be rented if it was known that the couple was gay. The couple filed a complaint with the FHA, and the agent was ordered to show the unit to them.

- A landlord refused to lease a unit to a transgender person because the landlord believed that the unit would not be rented if it was known that the person was transgender. The person filed a complaint with the FHA, and the landlord was ordered to lease the unit to them.

- A property manager refused to lease a unit to a lesbian couple because the manager believed that the unit would not be rented if it was known that the couple was lesbian. The couple filed a complaint with the FHA, and the property manager was ordered to lease the unit to them.

- A landlord refused to lease a unit to a transwoman because the landlord believed that the unit would not be rented if it was known that the person was transwoman. The transwoman filed a complaint with the FHA, and the landlord was ordered to lease the unit to them.

- A real estate agent refused to show a unit to a gay couple because the agent believed that the unit would not be rented if it was known that the couple was gay. The couple filed a complaint with the FHA, and the agent was ordered to show the unit to them.

- A landlord refused to lease a unit to a transgender person because the landlord believed that the unit would not be rented if it was known that the person was transgender. The person filed a complaint with the FHA, and the landlord was ordered to lease the unit to them.

- A property manager refused to lease a unit to a transwoman because the manager believed that the unit would not be rented if it was known that the person was transwoman. The transwoman filed a complaint with the FHA, and the property manager was ordered to lease the unit to them.

- A real estate agent refused to show a unit to a gay couple because the agent believed that the unit would not be rented if it was known that the couple was gay. The couple filed a complaint with the FHA, and the agent was ordered to show the unit to them.

- A landlord refused to lease a unit to a transgender person because the landlord believed that the unit would not be rented if it was known that the person was transgender. The person filed a complaint with the FHA, and the landlord was ordered to lease the unit to them.

- A property manager refused to lease a unit to a transwoman because the manager believed that the unit would not be rented if it was known that the person was transwoman. The transwoman filed a complaint with the FHA, and the property manager was ordered to lease the unit to them.

- A real estate agent refused to show a unit to a gay couple because the agent believed that the unit would not be rented if it was known that the couple was gay. The couple filed a complaint with the FHA, and the agent was ordered to show the unit to them.

- A landlord refused to lease a unit to a transgender person because the landlord believed that the unit would not be rented if it was known that the person was transgender. The person filed a complaint with the FHA, and the landlord was ordered to lease the unit to them.

- A property manager refused to lease a unit to a transwoman because the manager believed that the unit would not be rented if it was known that the person was transwoman. The transwoman filed a complaint with the FHA, and the property manager was ordered to lease the unit to them.
Housing Discrimination and Persons Identifying as LGBTQ

Persons who identify as LGBTQ who believe they have experienced housing discrimination may be able to pursue a claim under any of the following:

- **The Fair Housing Act**: If they have experienced discrimination under one of the Act’s seven protected classes, such as race or disability.

- **HUD’s Equal Access Rule**: or

- **State and Local anti-discrimination laws** that specifically include sexual orientation or gender identity as protected classes.

**Fair Housing Act**

The Fair Housing Act prohibits housing discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability. A person who believes that they have experienced discrimination under any of these bases may file a complaint with HUD. HUD is committed to investigating violations of the Fair Housing Act against all individuals regardless of their sexual orientation or gender identity.

Examples:

- A transgender woman is asked by the owner of her apartment building not to dress in women’s clothing in the common areas of the property. This violates the Fair Housing Act’s prohibition against sex discrimination, which includes discrimination based on sex, gender identity, or gender expression.

- A gay man is harassed by the landlord because he believes he will offend others with his gayness. This violation of the Fair Housing Act’s prohibition against discrimination on the basis of sexual orientation.

**HUD’s Equal Access Rule**

HUD’s Equal Access Rule includes equal access to HUD programs without regard to a person’s actual or perceived sexual orientation, gender identity, or marital status. Housing providers that receive HUD funding or have HUD-insured loans are subject to the Rules. A person who identifies as LGBTQ who has experienced discrimination by a HUD-funded or FHA-insured housing provider or lender may report it to HUD by either filing a complaint or by contacting a local HUD office.

Examples:

- An underwater for a FHA-insured lender is reviewing a loan application by two males. The officers are being sworn as the basis for the execution of the loan contract. The lender assumes the applicants are a gay couple and, as a result, Andrews the application despite the fact that the applicants need the funds for the home. This may violate HUD’s Equal Access Rule, which prohibits discrimination based on actual or perceived sexual orientation or gender identity.

**State and Local Laws Prohibiting Discrimination on the Basis of Sexual Orientation or Gender Identity**

Many state and local laws prohibit housing discrimination specifically on the basis of sexual orientation or gender identity. Other states or local human rights agencies may be able to assist with enforcement of local laws through civil rights investigations.

<table>
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<tr>
<th>State</th>
<th>Bins sexual orientation housing discrimination</th>
<th>Bins gender identity/expression housing discrimination</th>
<th>Enforcement Agency</th>
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<tr>
<td>California</td>
<td>X</td>
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<td>California Department of Fair Employment &amp; Housing - (213) 429-0703</td>
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<tr>
<td>Connecticut</td>
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<td>X</td>
<td>Connecticut Commission on Human Rights &amp; Opportunities - (860) 541-3490</td>
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<td>Colorado</td>
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<td>Colorado Civil Rights Division - (303) 684-5007</td>
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<td>Delaware</td>
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<td>Delaware Division of Human Rights - (302) 799-2207</td>
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<td>District of Columbia</td>
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<td>District of Columbia Office of Human Rights - (202) 727-4519</td>
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<td>Hawaii Civil Rights Commission - (808) 588-6510</td>
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<td>Massachusetts Commission Against Discrimination - (617) 375-3880</td>
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<td>Minnesota Department of Human Rights - (651) 367-0744</td>
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<td>Nevada Equal Rights Commission - (775) 568-3849</td>
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<td>New Jersey Department of Civil Rights - (609) 984-3150</td>
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<td>New Hampshire Commission for Human Rights - (603) 271-2787</td>
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<td>New Mexico Human Rights Bureau - (505) 566-9471</td>
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<td>New York State Department of Human Rights - (212) 741-0640</td>
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<td>Oregon Bureau of Labor &amp; Industries - (503) 873-0783</td>
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<td>Rhode Island Commission for Human Rights - (401) 222-2881</td>
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<td>Washington State Human Rights Commission - (360) 789-6770</td>
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<tr>
<td>Wisconsin</td>
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<td>X</td>
<td>Wisconsin Equal Rights Division - (608) 266-0600</td>
</tr>
</tbody>
</table>

Additional Resources

- HUD/LGBTQ Resources
- Equal Housing Poster
- Gender Stereotypes Poster
Removal of federal transgender employment guidance from Office of Personnel Management website

Tag: #OPM

Summary of Findings

In late 2018, the U.S. Office of Personnel Management (OPM) removed its “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page from its website. The page now leads to a 404 (page not found) error. A new page titled “Guidance Regarding Non-Discriminatory Practices in Federal Employment” was added to the OPM website around the same time. The new guidance page is completely different from the removed page, as it does not pertain to transgender employees specifically, but workplace discrimination under the Civil Rights Act of 1964 generally.

Change Classification

- (5) Removing an entire webpage or document

Reporting

- Government Executive, Trump Administration Removes Guidance Supporting Transgender Feds (12/7/2018)

Change Details

**Page title:** Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace  
**Page status:** Removed

- **Before:** October 8, 2018  
- **After:** November 28, 2018


**Known archives:** None.

**Description of change:**

The following changes occurred between October 8, 2018 and November 28, 2018:

1. **Removed** the “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page from the OPM website.
   - The page contained detailed guidance for managers and employees, cover-
ing “the common questions that agencies have raised with the U.S. Office of Personnel Management (OPM) regarding the employment of transgender individuals in the Federal workplace.”

- The URL leads to a 404 (page not found) error.

The following changes occurred by **November 28, 2018**:

1. **Added** the “Guidance Regarding Non-Discriminatory Practices in Federal Employment” page to OPM’s website.

- The webpage is completely different to the removed “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page and does not pertain to transgender employees specifically, but discrimination under the Civil Rights Act of 1964.

**Note:** Between **November 28, 2018** and **December 8, 2018** a link to the “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page was removed from the “Diversity & Inclusion Reference Material” page of OPM’s website.

**Screenshot:** The top portion of the **October 8, 2018** version of the “Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace” page on OPM’s website. By **November 28, 2018** the page was removed. Captured by the Internet Archive’s Wayback Machine.
Removal of “LGBT Outreach” content from U.S. Small Business Administration website

Tag: #SBA

Summary of Findings

Between December 9, 2016, and January 31, 2017, content on the “LGBT Outreach” page of the Small Business Administration’s (SBA) website was removed. The content reportedly remained inaccessible for more than a year. Until May 2018, the content was replaced with a disclaimer: “SBA is currently updating programmatic information on SBA.Gov. During the update, some pages are not available. The process is expected to be complete in the near future.” The page contained information on the administration’s LGBT initiative that “aims to bring focus on economic empowerment in the LGBT business community providing access to SBA programs and services.”

In response to media enquiries, officials claimed that “guidance was simply being re-written.” A few days after Pink News reported on the removed content, between May 16, 2018 and May 17, 2018, the page began redirecting from the original URL to a new URL, https://www.sba.gov/business-guide/grow-your-business/lgbt-owned-businesses, which contains content related to LGBT-owned small businesses.

Change Classification

- (3) Moving an entire webpage or collection of webpages or establishing redirects
- (5) Removing an entire webpage or document

Reporting

- PinkNews: Another Trump administration department has been quietly erasing LGBT resources (05/11/18)

Change Details

Page title: LGBT Outreach
Page status: Removed

- Before: December 9, 2016
- After: May 17, 2018

URL: https://www.sba.gov/about-sba-navigation-structure/lgbt-outreach

Known archives: A public web archive of this page, collected by the Library of Congress is available from December 9, 2016. Search for the archived version of the page at https://webarchive.loc.gov/
Description of change:
The following changes occurred between December 9, 2016 and January 31, 2017:

1. **Altered** the “LGBT Outreach” page.
   - Removed all content and replaced it with a disclaimer that read:
     
     “SBA is currently updating programmatic information on SBA.Gov. During the update, some pages are not available. The process is expected to be complete in the near future.”
   
   - The page previously contained information on SBA’s “LGBT inclusion and outreach initiative,” which “aims to bring focus on economic empowerment in the LGBT business community providing access to SBA programs and services” as well as the “LGBT Business Builder,” a partnership between the SBA and the National Gay and Lesbian Chamber of Commerce.

The following changes occurred between May 16, 2018 and May 17, 2018

   
   - The page contains information on “SBA’s Network for LGBT Businesses,” which “aims to bring focus on economic empowerment in the LGBT business community by providing access to the SBA’s programs and services.” The content is less extensive than that formerly on the “LGBT Outreach” page and links leads to generic tools.

**Screenshot:** The January 31, 2017 version of the “LGBT Outreach” page on SBA’s website. This notice remained until May 17, 2018, when a redirect to the “LGBT-owned businesses” page was established. Captured by the Internet Archive’s Wayback Machine.
Alteration of the State Department passport gender marker webpage

Tag: #State-1

Summary of Findings

In September 2018, the Department of State moved and altered content relating to gender designation on passports. By September 11, 2018, the Department of State had moved content from the “Gender Designation” page to a new page titled “Sex Designation Change” at a new URL.

After the media highlighted the use of the outdated term “sex change” on the “Sex Designation Change” page, the content was moved again, to a new URL and page called “Change of Sex Marker.” Some of the content from the original “Gender Designation” page was changed, including that references to “gender” were changed to “sex”.

Change Classification

- (1) Altering or removing text and non-text content
- (3) Moving an entire webpage or collection of webpages or establishing redirects

Reporting

- National Center for Transgender Equality: State Department Alters Passport Gender Marker Website (9/13/2018).
- Daily Beast: Trump State Department Just Made an Ominous Passport Change for Transgender Americans (9/13/2018).

Change Details

Page title: Gender Designation Change
Page status: Altered and Moved (twice)

- Before: September 10, 2018
- After: September 13, 2018


Known archives: No known public archive.
Description of change:

The following changes occurred between September 10, 2018 and September 11, 2018:

1. **Moved and altered** the “Gender Designation Change” page on the U.S. Passports section of its website.

   - The “Gender Designation Change” page detailed requirements for changing the “M” and “F” marker on passports.
   - Content from the page was moved to a new page titled “Sex Designation Change” at the URL [https://travel.state.gov/content/travel/en/passports/apply-renew-passport/sex-designation-change.html](https://travel.state.gov/content/travel/en/passports/apply-renew-passport/sex-designation-change.html) by September 11, 2018.
   - Key alterations to content include:
     - Most references to “gender” replaced with “sex,” including changing the heading of a table from “Status of Gender Transition” to “Status of Sex Change or Transition.”
     - Alteration of the answer to the FAQ “If I identify neither as male or female, can I have a passport issued with a different gender?”

The following changes occurred between September 11, 2018 and September 13, 2018:

1. **Moved and altered** the “Sex Designation Change” page on the U.S. Passports section of its website.

   - Content from the page was moved to a new page titled “Change of Sex Marker” at the URL [https://travel.state.gov/content/travel/en/passports/apply-renew-passport/change-of-sex-marker.html](https://travel.state.gov/content/travel/en/passports/apply-renew-passport/change-of-sex-marker.html) by September 13, 2018.
   - The “Change of Sex Marker” page contained almost all the content from the “Sex Designation Change” page, with the most notable edit being the removal of the term “sex change” from the title of a prominent table on the page.
Screenshot: A comparison of the top portion of the September 10, 2018 version of the "Gender Designation Change" page (top) and the September 11, 2018 version of the "Sex Designation Change" page (bottom). Captured by the Internet Archive’s Wayback Machine.

Gender Designation Change

Status of Gender Transition | Validity of Passport
--- | ---
You have had appropriate clinical treatment* | 10 years (Adult)
You are in the process of getting appropriate clinical treatment | 5 years (Child under 18)

*Your physician determines what appropriate clinical treatment is.

Requirements:
1. Relevant medical documentation.
2. Evidence of sex reassignment surgery (where applicable).
3. Evidence of hormone treatment for at least one year (where applicable).
4. Evidence of legal name change if applicable.

Sex Designation Change

Status of Gender Change or Transition | Validity of Passport
--- | ---
You have had appropriate clinical treatment | 10 years (Adult)
You are in the process of getting appropriate clinical treatment for sex change | 5 years (Child under 18)

*Your physician determines what appropriate clinical treatment is.

Requirements:
1. Relevant medical documentation.
2. Evidence of sex reassignment surgery (where applicable).
3. Evidence of hormone treatment for at least one year (where applicable).
4. Evidence of legal name change if applicable.
Removal of “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues” Fact Sheet from State Department website

Tag: #State-2

Summary of Findings

As part of the transition from the Obama to Trump administrations websites, the State Department removed a page titled, “Lesbian, Gay, Bisexual, and Transgender Human Rights Issues.” The fact sheet is currently archived on the 2009-2017 State Department website. There currently is no equivalent page about international discrimination against LGBTQ on the State Department website.

Change Classification

- (5) Removing an entire webpage or document

Reporting

- N/A

Change Details

Page title: Lesbian, Gay, Bisexual, and Transgender Human Rights Issues
Page status: Removed

- Before: January 21, 2017
- After: January 25, 2017

URL: https://www.state.gov/r/pa/prs/ps/2014/05/226253.htm

Known archives: A public web archive of this page is available on the archived 2009-2017 State Department website.

Description of change:

The following changes occurred between January 21, 2017 and January 25, 2017:

   - The fact sheet, published May 16, 2014, focused on discrimination faced by LGBT persons, including Refugees and Asylum Seekers, abroad.

Lesbian, Gay, Bisexual, and Transgender Human Rights Issues

Fact Sheet
Office of the Spokesman
Washington, DC
May 16, 2014

“People everywhere longing for the freedom to determine their destiny, the dignity that comes with work the comfort that comes with faith, and the justice that insists when governments serve their people—and not the other way around. The United States of America will always stand up for these aspirations, for our own people and for people all across the world. That was our founding purpose.”

President Barack Obama, September 25, 2012

“Three are few areas where failure on our part is no small issue, and what we need to do is make sure that we are working for that better future for all people, and for the rights and the dignity of LGBT persons around the world.”

Secretary John Kerry, September 26, 2013

The U.S. Department of State has significantly expanded its efforts to promote and protect the human rights of lesbian, gay, bisexual, and transgender (LGBT) persons over the past year. Through our private engagement with governments and civil society, public diplomacy, foreign assistance, and work in multilateral fora, we have conducted activities in the following five areas of focus under the Presidential Memorandum on International Efforts to Advance the Human Rights of LGBT Persons. We have also institutionalized these efforts throughout the Department.

Combating Criminalization of LGBT Status or Conduct Alone

Our embassies around the world regularly engage with civil society and host governments on laws that criminalize consensual same-sex conduct between adults. We have developed diplomatic action strategies in regions where LGBT conduct is criminalized. Even in countries where we do not have a formal diplomatic mission in place, we are working to support decriminalization efforts and to ensure greater legal protections for LGBT persons. We have also focused on raising awareness of countries that continue to criminalize consensual same-sex conduct through the annual Country Reports on Human Rights Practices and the Bureau of Consular Affairs’ Country Specific Information (CSI) sheets.

Protecting Vulnerable LGBT Refugees and Asylum Seekers

Through the Bureau of Population, Refugees, and Migration (PRM), the Department has focused on identifying protection gaps for LGBT refugees and asylum seekers and developing targeted interventions to address these gaps.

• Training and Capacity-Building. All new PRM employees are trained on LGBT issues. The Department also funds the United Nations High Commissioner for Refugees (UNHCR) and other nongovernmental and international organizations to develop training materials focused on LGBT refugees and asylum seekers and strengthens institutional capacity to address their unique needs. In one example, PRM supported the International Organization for Migration (IOM) to conduct a regional workshop for LGBT advocacy organizations from six countries on the protection needs of LGBT refugees and asylum seekers.

• Programming: PRM has supported nongovernmental organizations to conduct research and pilot new programs to support LGBT refugees and asylum seekers in urban areas, and has also provided targeted assistance to partners working to provide safe shelter and services for LGBT survivors of gender-based violence.

• Humanitarian Diplomacy: Department leadership is continually engaging, both privately and publicly, on behalf of LGBT refugees and asylum seekers. PRM annually communicates information to all embassies about the U.S. refugee resettlement process, including an online LGBT application.

Foreign Assistance to Promote Human Rights and Advance Non-discrimination

The Global Equality Fund is a multilateral initiative including governments, private foundations, and corporations that works to advance the human rights of LGBT persons globally. The Fund supports local civil society organizations with short-term projects to undertake short-term projects, builds institutional capacity through long-term programs providing technical assistance to local and national civil society organizations, and provides emergency support for advocates, civil society organizations, and LGBT people under threat because of their work. Since the Fund was launched in December 2011, more than $3 million has been provided to support activism and individuals working to promote and protect the human rights of LGBT persons in over 50 countries worldwide.

The Department continues to pursue new partnerships with foreign governments, foundations, and corporations in this important effort.

U.S. Responses to Human Rights Abuses of LGBT Persons Abroad

Responding quickly and effectively to violence and discrimination against LGBT persons is a priority for the State Department. To that end, we have developed a rapid response mechanism to address negative developments around the world. Elements of that response include:

• Rapid and prompt reporting from post on negative developments;

• Convening of a task force representing relevant Department and interagency stakeholders;

• Coordinating with NGOs on the ground and in Washington;
This report documents changes made to LGBTQ-related pages and content across the federal web using two key divergent methods: quantitative text analysis and qualitative mass web monitoring. We detail the methods, their scope, and their limitations, below.

**Methodology**

**Text analysis**

In Chapter 1, we provide estimates of how the use of LGBTQ-related key terms has changed between the second term of the Obama administration (“pre-inauguration”) and November 2019 (“post-inauguration”) on two sets of federal websites, to describe broad trends that might reflect changing policy stances or attitudes on LGBTQ rights.

Central to this analysis are scripts developed by the team at Environmental Data and Governance Initiative (EDGI) as part of their targeted effort to document changes to environment-related web content and the Internet Archive’s Wayback Machine, which provides extensive archiving of webpages including government domains.

**Identifying URLs of LGBTQ-related webpages**

In order to explore broad trends across federal government domains, we pooled together a set of WIP-identified URLs with a set of URLs coming from a search of specific terms on the usa.gov search engine. The first comes from WIP’s web tracking activities, through which we have identified particular URLs containing LGBTQ-related content. To supplement and broaden the scope of our analysis, we collected all federal URLs returned in the first five pages from a usa.gov search of eight key terms: “LGBTQ,” “LGBT,” “transgender,” “gay,” “lesbian,” “bisexual,” and “queer.”

The rules for selection in the set were:

1. URLs must be from federal .gov domains. State or local government URLs were systematically excluded.
2. Non-HTML formats (pdf, doc, docx, rtf) were excluded, as our program does not yet support text analysis of them.
3. Webpages that are likely to be regularly updated, such as blog and news release landing pages or RSS feeds, were excluded.
4. Webpages in languages other than English were excluded from the analysis.

In total, we developed a set of 282 webpages to analyze using our custom text analysis program.

Our second set of webpages come from HHS.gov, the Department of Health and Human Services’ main website. These URLs were identified by crawling the Wayback Machine’s Internet Archive for pages that existed both before President Trump’s inauguration and on the date of the crawl. In total, we identified 1,889 HHS.gov webpages to analyze.
Text analysis program

To analyze the text from our sets of webpages, we created a program adapted from EDGI’s CTRL-F scripts. Using an API developed by EDGI, we first archived each webpage at the moment of analysis, and then accessed historical “snapshots” of each URL through the Internet Archive’s Wayback Machine. Since not all URLs are systematically archived, we chose the latest available snapshot between President Obama’s second inauguration up to the day before President Trump’s inauguration as the “pre” snapshot. For the “post” snapshot we chose the most recent snapshot between President Trump’s inauguration and the date the program was run. We adopted this approach as this analysis aims to report on observed trends from the start of this administration to the present day.

To assess changes in language, we used a list of 57 terms (Table A2). We counted the number of times each of the terms on our list appeared on each webpage.

Our custom program, written in Python and building on EDGI’s CTRL-F scripts, returns the most recent “viable” Wayback Machine snapshot within the two provided timeframes (pre- and post- inauguration).

Our program stores a “snapshot object” with attributes for the “pre” and “post” states of the URL. One of these attributes is the “visible text” of the web page (ie. the text that a user can see while navigating the web page). We excluded anything outside the main body of the text of the webpage, including footers, navigation menus, and headers using variations of their HTML tags.

Federal websites do not follow a standard naming conventions, and tag naming conventions sometimes vary between subdomains. To account for the variations, we inspected all involved subdomains to try to ensure that only visible text was being retained. Most menus within the main body of pages were also removed, although this was a task with more imperfect results.

Our program counts the number of instances in which each of the eight terms appeared in the visible text of the page. Each term is counted exactly as it appears; and so the term "gender," for example, is counted separately from the term "genders," or any other variation.

<table>
<thead>
<tr>
<th>LGBTQ-relate term list used in text analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>agender</td>
</tr>
<tr>
<td>ally</td>
</tr>
<tr>
<td>aromantic</td>
</tr>
<tr>
<td>asexual</td>
</tr>
<tr>
<td>assigned sex</td>
</tr>
<tr>
<td>biphobia</td>
</tr>
<tr>
<td>bisexual</td>
</tr>
<tr>
<td>cisgender</td>
</tr>
<tr>
<td>drag king</td>
</tr>
<tr>
<td>drag queen</td>
</tr>
<tr>
<td>gay</td>
</tr>
<tr>
<td>gender</td>
</tr>
</tbody>
</table>
Finally, our program outputs counts for only “complete” snapshots, ie. snapshots that have both “pre” and “post” attributes.

List of terms
To identify changes in the use of LGBTQ-related content, we defined a list of 75 terms relating to the broader LGBTQ community. We amassed these terms using lists developed by the National Institutes of Health, the National LGBT Health Education Center and The National Academies of Sciences. As such, our list is comprehensive but is by no means exhaustive.

Limitations
It is important to note two key limitations of the quantitative method:

First, we are only able to compare webpages stored by the Wayback Machine for both time periods in the analysis. This means removed pages, added pages, and pages which lack a pre-inauguration capture on the Wayback Machine are excluded from the analysis. We expect this to mean our analysis underestimates the degree to which language has changed between administrations. The content on both pages from a previous administration and pages added by the current administration are likely to vary more than the surviving pages.

Second, HTML standards vary significantly even within departments, which makes it more difficult to accurately extract only the “visible text” from the web pages of different domains in one function. Menu and other non-body content may be included in the results. To account for this, we checked the output against the Wayback Machine captures of each page.
Web Monitoring

Many of the changes documented in Chapter 2 of this report were discovered as part of the Web Integrity Project’s routine weekly monitoring. WIP uses software that automatically crawls close to 30,000 federal government webpages every 3 to 7 days and captures the HTML code of a page each time it detects a change. A team of analysts reviews the HTML renders of each changed webpage one-by-one, in meticulous detail, making decisions about whether the change is substantial enough for further vetting. At the web monitoring team’s weekly meeting, changes are discussed and decisions made about whether to further vet and fully document the change. Any documented change is reviewed by at least three analysts before it is published in any technical documentation or report.

For more information on WIP’s web monitoring process, see analyst Aaron Lemelin’s “The Web Integrity Project’s monitoring processes reveal an increasing disparity in Spanish-language HIV/AIDS content.”

Since the Web Integrity Project began regularly monitoring the federal web in February 2017, we have reviewed many thousands of changes, hundreds of which touch on LGBTQ-related content. Many of these changes were routine or minor — updates to source code, RSS feeds, and statistics, or the addition of a news release; a small proportion of the changes required further vetting; and an even smaller proportion are reported here.

This report is not exhaustive of all significant or meaningful changes to LGBTQ-related language or content since January 2017.

To read our other web monitoring publications, please visit: https://sunlightfoundation.com/web-integrity-project/publications/.

Unofficial deputy spokesdog in charge of napping, Reno, loves reading our reports. He hopes you will too. https://sunlightfoundation.com/web-integrity-