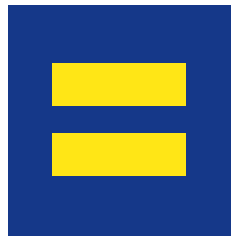


2015

B L U E P R I N T F O R

**POSITIVE
CHANGE**



HUMAN
RIGHTS
CAMPAIGN®

* indicates proposals that were included in Blueprint for Positive Change 2008

WHITE HOUSE/EXECUTIVE

- **Eliminate Discrimination in Charitable Choice and Faith-Based Initiatives***

In recent years, the federal government has increasingly turned to religious organizations to provide vital services to vulnerable populations. These include substance abuse treatment, early childhood education, food and nutrition assistance, job training, and homeless shelters. Faith-based groups often have expertise in these areas as well as strong ties to the communities they serve. Making use of their skills and commitment can have remarkable benefits.

Yet in order to ensure that federal dollars do not finance discrimination, the Administration must issue clarifying regulations that ensure that the government does not discriminate on the basis of religion, religious affiliation, or lack of religious affiliation in making government grants or contracts and that grants and contracts continue to be issued based solely on merit. The Administration should also affirmatively clarify that the statutes containing charitable choice provisions in no way preempt federal, state, or local laws preventing discrimination on the basis of sexual orientation or gender identity.

- **Appoint Openly-LGBT Justices, Judges, and Executive Officials**

The federal judiciary and executive offices should reflect the diversity of the country. The appointment of openly-LGBT individuals sends a vitally important message to the LGBT community, including youth, about their equal ability to serve their country at the highest levels of government. The Administration should continue to appoint qualified LGBT judges and executive officials. If an opportunity arises, the Administration should consider the appointment of an openly-LGBT Supreme Court Justice and should strive to appoint the first-ever openly-LGBT cabinet secretary.

- **Appoint Fair-Minded Justices, Judges, and Executive Officials***

A president's power to appoint judges and officials has far-reaching consequences. Judges' decisions can affect our lives for generations. Executive branch officials shape the policies enumerated throughout this document, ranging from civil rights enforcement to public health to protections for families. The Administration should ensure that only fair-minded individuals, committed to impartial judgments and policies based upon fact rather than ideology, serve our nation in these key posts.

- **Amend the Manual for Courts Martial to Add Gender Identity as a Biased Crimes Protected Category**

The Manual for Courts Martial is the official guide that governs courts martial in the United States military. In 1999, through an executive order, President Bill Clinton amended the Manual for Courts Martial to allow certain biases to serve as an aggravating factor in sentencing, including sexual orientation. President Obama should amend the executive order to add gender identity motivated bias to the list of biased based crimes to conform with the categories adopted by Congress in the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

THE APPOINTMENT OF OPENLY-LGBT INDIVIDUALS SENDS A VITALLY IMPORTANT MESSAGE TO THE LGBT COMMUNITY, INCLUDING YOUTH, ABOUT THEIR EQUAL ABILITY TO SERVE THEIR COUNTRY AT THE HIGHEST LEVELS OF GOVERNMENT.

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DEPARTMENT OF AGRICULTURE

- **Prohibit Discrimination Against LGBT Participants in Assisted USDA Programs and Services Including Nutrition Support Programs**

Federal programs serve millions of people nation-wide and across the economic-spectrum. Non-discrimination provisions are crucial to ensuring equal access to federally funded services. The Department of Agriculture (USDA) assists in critical programs such as the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the Supplemental Nutrition Assistance Program (SNAP), commonly known as “food stamps.”

The Department of Agriculture should implement rules and provide guidance to ensure that discrimination against LGBT participants is prohibited in programs and services that receive assistance from USDA.

DEPARTMENT OF DEFENSE

- **Revise Restrictions on Transgender Individuals Serving in the Military**

There are approximately 15,500 actively serving transgender members of the U.S. military, making the Department of Defense (DOD) the largest employer of transgender people in America. These courageous service members are forced to serve in silence by DOD medical regulations prohibiting their service and requiring their separation from the military if discovered. These regulations are outdated and out of step with current medical practice.

Unlike the statutory ban that interfered with lesbian, gay, and bisexual service members from serving (known as “Don’t Ask, Don’t Tell”) the ban on transgender military service is regulatory and only requires action by the Department of Defense to update. The Secretary of Defense should immediately direct the chief medical personnel in each service branch to update their medical regulations, which would pave the way for transgender military service. In addition, the Secretary of Defense should issue regulations that extend non-discrimination protections to transgender service members.

- **Include Non-Discrimination Protections to Service Members Based on Sexual Orientation**

Civilian Department of Defense employees may file a complaint for discrimination based on their sexual orientation. The regulations also prohibit retaliation of any kind for filing a complaint. Unfortunately, this same protection has not been extended to the uniform services, leaving many LGB service members with limited options for addressing incidents of discrimination and harassment for themselves and actions against their families. Service members also deserve these core protections. The Secretary of Defense should issue regulations that extend non-discrimination protections to LGB service members.

DEPARTMENT OF EDUCATION

- **Ensure Non-Discrimination Policies and Science Based Curricula Are Not Undermined by Religious Exemptions to Accreditation Standards***

Language regarding accreditation of religious institutions of higher education in the Higher Education Opportunity Act could be interpreted to require accrediting bodies to accredit religious institutions that discriminate or that do not meet science based curricula standards. The Department of Education should issue a regulation clarifying that this amendment, which requires accreditation agencies to “respect the stated mission” of religious institutions, does not require the accreditation of religious institutions that do not meet neutral accreditation standards including non-discrimination policies and scientific curriculum requirements.

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- **Ensure That Transgender Students Are Treated Respectfully in Schools**

Transgender youth frequently experience discriminatory behavior in schools ranging from the refusal of teachers to use appropriate names and pronouns to punitive enforcement of dress codes. As a result of discrimination, transgender youth are more likely than their counterparts to be pushed out of school. The Department of Education should release further guidance pertaining to transgender and gender non-conforming students ensuring full protection under Title IX of the Education Amendments of 1972.

- **Mandate Public Notice for Receipt of Title IX Religious Exemptions by Colleges and Universities**

Title IX of the Education Amendments of 1972 allows religious colleges and universities to be exempted from non-discrimination requirements on the basis of sex provided that the college or university affirmatively seeks an exemption from the Department of Education. Recently, some religious colleges and universities have requested an exemption from Title IX with regards to transgender students. Students should have the ability to know which schools have claimed a right to discriminate against them in advance of applying for admission. The Department of Education should issue a regulation mandating that religious colleges and universities provide public notice of their receipt of a religious exemption.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- **End Discrimination Against LGBT Beneficiaries of HHS Grants and Programs**

Federal programs serve millions of people nation-wide and across the economic spectrum. Non-discrimination provisions are crucial to ensuring equal access to federally funded services. The Department of Health and Human Services (HHS) oversees a wide range of programs from the Low Income Home Energy Assistance Program to the Public Health Preparedness and Response Program. The Department of Health and Human Services should implement rules and provide guidance to ensure that discrimination against LGBT participants is prohibited in all HHS programs and by all HHS grant recipients.

- **End Discrimination Against LGBT People in Insurance and Health Care**

LGBT Americans are at increased risk for discrimination in health care, and yet most states do not provide insurance and health care non-discrimination protections based on sexual orientation or gender identity. While the federal Affordable Care Act offers critical non-discrimination protections in insurance and health care, the Department of Health and Human Services Office for Civil Rights has not yet released regulations to implement these protections.

In order to protect LGBT people from discrimination in health care and ensure that transgender people receive full insurance coverage, the Office for Civil Rights should offer broad and inclusive non-discrimination regulations under the Affordable Care Act.

- **End Discrimination Against Gay and Bisexual Blood and Tissue Donors***

The Department of Health and Human Services is in the process of taking the step of moving from a lifetime ban on blood and tissue donation for gay and bisexual men to a one-year deferral. This change, however, continues to effectively bar the vast majority of gay and bisexual men from becoming blood and tissue donors irrespective of their risk for HIV. Neither the current nor pending policy treats persons with like risks in a similar way. Rather, donors are deferred based on their membership in a group — in this case, all men who have sex with men — rather than engagement in risky behavior, such as unprotected sex.

The Department of Health and Human Services should adopt a policy, based in sound science, that assesses all potential donors based on their engagement in risky behavior, not on sexual orientation.

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- **Revise Conditions of Participation (CoPs) to Include Non-Discrimination Requirements for All Hospitals, Nursing Homes, and Assisted Living Facilities Participating in Medicaid**

Currently, there are limited federal requirements prohibiting discrimination on the basis of sexual orientation or gender identity by health care organizations participating in Medicare and Medicaid. This lack of uniform federal protection damages the quality of care patients receive across the country. The Centers for Medicare and Medicaid Services within the Department of Health and Human Services should incorporate non-discrimination on the basis of sexual orientation and gender identity within the Conditions of Participation (CoPs) that health care organizations must meet in order to begin and continue participating in Medicare and Medicaid.

- **Improve Data Collection on LGBT People in National Surveys; Create Taskforce on LGBT Health and Data Collection; Designate LGBT People as a Medically Underserved Population**

LGBT people experience substantial health disparities, which include increased rates of certain diseases and impaired access to health care. The LGBT population is diverse and very little reliable health data exists for it, but preliminary research shows that some key health concerns for this population include certain types of cancers, HIV/AIDS, Hepatitis A and B, mental health issues related to stigmatization, and violence and sexual assault. In Healthy People 2010, the Department of Health and Human Services identified gays and lesbians as one of six health disparity populations.

The Department of Health and Human Services should create a taskforce on LGBT health to oversee the collection of critical health data and to address the health needs of LGBT people. In addition, the Health Resources Services Administration should designate LGBT people as a medically underserved population and as a health professional shortage area population group. The Centers for Disease Control and Prevention should encourage more states to add questions on sexual orientation and gender identity to adult health surveys in order to collect critical information on LGBT health disparities.

- **Ensure Crisis Counselors Have LGBT Cultural Competency and Are Trained in Suicide Prevention**

Sadly, LGBT populations are at heightened risk for depression and suicide, frequently due to discrimination, bias, and family rejection. LGBT youth are up to four times more likely to attempt suicide than their peers. In one national survey, 41 percent of transgender respondents had reported attempting suicide at least once. However, the federally funded National Suicide Prevention Lifeline does not currently require crisis counselors to receive LGBT cultural competency training.

The Substance Abuse and Mental Health Services Administration, which funds the National Suicide Prevention Lifeline, should work with providers and linked crisis centers to ensure that LGBT cultural competency and suicide prevention training is provided.

SADLY, LGBT POPULATIONS ARE AT HEIGHTENED RISK FOR DEPRESSION AND SUICIDE, FREQUENTLY DUE TO DISCRIMINATION, BIAS, AND FAMILY REJECTION. LGBT YOUTH ARE UP TO FOUR TIMES MORE LIKELY TO ATTEMPT SUICIDE THAN THEIR PEERS.

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- **Create an Inclusive Federal Definition of Bullying**

HRC's Growing Up LGBT in America, a groundbreaking survey of more than 10,000 LGBT-identified youth ages 13 to 17, found that LGBT youth are more than twice as likely as their straight peers to experience verbal bullying in school. Unfortunately, not all teachers or youth recognize bullying of LGBT youth as a problem. The Substance Abuse and Mental Health Services Administration (SAMHSA) provides well-respected resources on the subject of bullying that reach a wide audience. The Department of Health and Human Services should direct SAMHSA to create a federal definition of bullying that explicitly includes sexual orientation and gender identity.

- **Ensure That Youth Shelters Are Inclusive, Welcoming, and Do Not Discriminate**

Almost 40 percent of homeless youth today identify as LGBT. Once on the street, these youth are at an increased risk for sexual exploitation and trafficking, as well as criminal activity. Ensuring that these youth feel welcomed in youth shelters is key to serving this population and increasing their potential for success. Transgender youth also face unique challenges with regards to shelters. Failure to house transgender youth consistent with their gender identity prevents many transgender youth from accessing the safe emergency housing they desperately need.

The Department of Health and Human Services should require all programs operating youth shelters that receive federal funding to adopt explicit LGBT protections, including cultural competency training for staff who have contact with youth. In addition, the Department of Health and Human Services' Administration for Children and Families should issue guidance to ensure transgender youth have access to gender-specific housing consistent with their gender identity.

- **Protect LGBT Foster Youth from Discrimination in Foster Homes and Out-of-Home Care Placements**

LGBT youth are overrepresented in the foster care system and are vulnerable to discrimination and mistreatment. The Department of Health and Human Services should issue guidance for foster care systems and out-of-home care services to ensure the safety and well-being of LGBT youth, as well as explicitly providing non-discrimination protections.

DEPARTMENT OF HOMELAND SECURITY

- **Ensure Equal Access to Federal Disaster Relief Benefits**

Experiencing a disaster is traumatic and disruptive for any individual; unfortunately for LGBT people, this negative experience is often compounded by discrimination. Same-sex couples often face having their families split apart because their relationships are not recognized by the relief workers. The Federal Emergency Management Agency (FEMA) should issue guidance clarifying that same-sex couples and their families shall have equal access to federal funding and recovery support to which they are entitled. In addition, the Department of Homeland Security should update all non-discrimination provisions pertaining to disaster services to protect on the basis of sexual orientation and gender identity.

LGBT YOUTH ARE OVERREPRESENTED IN THE FOSTER CARE SYSTEM AND ARE VULNERABLE TO DISCRIMINATION AND MISTREATMENT.

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- **Ensure Humane Treatment for Transgender Detainees***

LGBT people are particularly vulnerable to abuse when they enter institutionalized settings. The United Nations Special Rapporteur on Torture has noted that “transgender prisoners [are highly susceptible] to physical and sexual abuse if placed within the general prison population.” Responding to the alarming rate of sexual violence in American confinement facilities, Congress enacted the Prison Rape Elimination Act (PREA) with bipartisan support in 2003. The Department of Homeland Security is charged with implementing the law in the immigration detention setting. Implementation of PREA has been slow, and as a result, transgender detainees continue to suffer overwhelmingly from sexual assault, emotional and psychological harm, and inhumane treatment.

The Department of Homeland Security should direct U.S. Immigration and Customs Enforcement (ICE) to carry out implementation of PREA with greater speed. In addition, ICE should utilize alternative forms of detention for transgender detainees to improve safety outcomes.

- **Provide Proper Medical Treatment for Transgender Detainees**

The Department of Homeland Security does not consistently provide proper medical treatment to transgender inmates who wish to begin or to continue medical treatment in the course of their gender transition process. The Department of Homeland Security should direct U.S. Immigration and Customs Enforcement (ICE) to ensure that all transgender detainees are allowed to begin, to continue, and to progress with all necessary psychological and medical treatment options for gender dysphoria.

- **Ensure Appropriate Health Care Standards for HIV-Positive Detainees***

Current standards for the treatment of HIV-positive detainees established by U.S. Immigration and Customs Enforcement (ICE) fail to provide HIV-positive detainees with adequate medical care and treatment. While the Department of Homeland Security mandates that HIV-positive detainees receive medical care consistent with recommendations disseminated through the Department of Health and Human Services, the Centers for Disease Control, and the Infectious Diseases Society of America, it does not require medical care consistent with the guidelines set by the National Commission on Correctional Health Care.

The Department of Homeland Security should require ICE policies regarding the care and treatment of HIV-positive detainees to conform to the guidelines set by the National Commission on Correctional Health Care. Revisions to the standards should also address the following items: HIV prevention education, voluntary testing, and counseling; consultation and/or supervision of HIV-related care by clinicians with expertise in HIV care; and procedures to ensure maintenance of confidentiality.

- **Ensure That the Departments of State and Homeland Security Improve Systems to Support LGBT Asylum Seekers and Refugees**

The U.S. offers asylum to individuals from around the world who demonstrate a reasonable fear of persecution or torture based on their sexual orientation or gender identity. However, LGBT asylum seekers and refugees often face unique barriers to integration in the U.S., including access to culturally competent direct services. The Departments of State and Homeland Security should cooperate to update their databases and forms to collect critical information on LGBT asylum applicants and refugees and annually produce a report that identifies the size of this population. In addition, refugees who self-identify as LGBT should be resettled in areas of the U.S. that are not hostile to LGBT people and have direct service providers with LGBT cultural competency.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- **Expand Outreach to Homeless LGBT Veterans**

Long-term discrimination by the federal government against LGBT service members has left many LGBT veterans hesitant that their needs will be met with care and attention, or has left them with the misunderstanding that they are not entitled to government services. The Department of Housing and Urban Development should expand their homeless population outreach to be actively inclusive of LGBT veterans.

- **Incorporate Sexual Orientation and Gender Identity Questions Within Nation-Wide Surveys on Homelessness**

The Department Housing and Urban Development (HUD) currently collects an annual count of homeless people called the Point-in-Time Survey. LGBT people, especially youth, are disproportionately impacted by homelessness and are at an increased risk of living on the streets. HUD should incorporate questions regarding sexual orientation and gender identity in surveys collecting data and information on homeless individuals and should take steps to collect similar data on homeless youth.

- **Collect Data on Youth Served by the Family Unification Program**

The Family Unification Program provides housing assistance to youth between the ages of 18 and 21 who left foster care after turning 16 and who lack adequate housing. LGBT youth are overrepresented in the foster care system and among homeless youth. Having more information about this vulnerable population will allow policy makers to better craft solutions to reduce the barriers faced by LGBT youth. The Department of Housing and Urban Development should collect data on youth served by the Family Unification Program, including data on sexual orientation and gender identity.

- **Outreach to LGBT Youth Centers to Connect Youth to HUD Services**

Through programs such as the Family Unification Program and the Youth Services Bureau, the Department of Housing and Urban Development (HUD) provides resources to all youth who are struggling with access to housing. LGBT youth are overrepresented in the foster care system and among homeless youth. Serving as a critical resource, LGBT youth centers frequently have the ability to direct LGBT youth to programs designed to meet many of the challenges they regularly face.

The Department of Housing and Urban Development should reach out to LGBT youth centers to provide them with information regarding HUD services for youth and to encourage them to connect the youth in their programs to HUD services.

DEPARTMENT OF JUSTICE

- **Review Sex-Segregated Placement of Transgender Inmates in Federal Prison Facilities***

Current Department of Justice (DOJ) regulations implementing the Prison Rape Elimination Act (PREA) require consideration of gender identity when making confinement facility placement determinations for transgender inmates. However, there is no publicly available information that DOJ has placed transgender inmates in facilities consistent with their gender identity rather than in housing based solely on identity documents. Consistent with PREA, the Department of Justice should direct the Bureau of Prisons to begin placing transgender inmates, in accordance with the safety concerns of the inmate, in facilities consistent with the gender identity of the inmate.

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- **Provide Proper Medical Treatment for Transgender Inmates in Federal Prison Facilities***

The Bureau of Prisons denies proper medical treatment to transgender inmates who wish to begin or to continue medical treatment in the course of their gender transition process by prohibiting them from initiating any new treatment. The Bureau of Prisons should direct the Office of National Policy Review to issue a Change Notice to the Program Statement regarding Patient Care to ensure that treatment for gender dysphoria is considered medically necessary care, and that all transgender prisoners are allowed to begin, to continue, and to progress with psychological and medical treatment options for gender dysphoria.

- **Ensure Implementation of the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act and Appropriate Collections of Statistics**

The Federal Bureau of Investigation's (FBI) annual Hate Crimes Statistics report released in 2014 indicated that 20.2 percent of all hate crimes reported to the FBI were motivated by sexual orientation, second only to crimes motivated by racial bias, while .5 percent of hate crimes were based on gender identity. Hate crimes affect not only the victims and their families, but generate fear and insecurity for the entire community they target.

The Department of Justice (DOJ) should increase efforts to encourage local law enforcement to report hate crimes statistics annually. In addition, DOJ should expand educational and training initiatives to address discrimination and bigotry in communities and expand the convening of hate crimes forums across the country to engage community leaders and citizens in ways to effectively prevent and respond to hate crimes.

- **Monitor Consent Decrees Resulting from Department of Education Investigations of Incidents of Sexual Orientation and Gender Identity Discrimination**

When the Department of Education receives a complaint against an educational institution that receives federal funding alleging discrimination, both the Departments of Education and Justice conduct extensive investigations. Once substantiated, the Department of Justice works collaboratively to address the allegation rather than bring the offending party to court. Consent decrees, however, are not self-executing and require vigilance to ensure that the school(s) or school district(s) successfully address the issues of discrimination. The Department of Justice should regularly monitor school districts that enter into consent decrees to ensure full and comprehensive implementation.

- **Provide Access to Comprehensive HIV Prevention in Bureau of Prison Facilities**

Rates of transmission for HIV/AIDS in prisons remain a consistent concern for the LGBT community. The Bureau of Justice Statistics found that HIV/AIDS transmission is several times higher in prison than in the general population. The best way to ensure that prisons do not become a prime environment for transmission is appropriate education and prevention. The Bureau of Prisons (BOP) should issue guidelines for comprehensive HIV prevention in BOP facilities, which should include education about HIV/AIDS transmission and the opportunity for inmates to receive condoms in order to help prevent the spread of the disease.

THE FEDERAL BUREAU OF INVESTIGATION'S (FBI) ANNUAL HATE CRIMES STATISTICS REPORT RELEASED IN 2014 INDICATED THAT 20.2 PERCENT OF ALL HATE CRIMES REPORTED TO THE FBI WERE MOTIVATED BY SEXUAL ORIENTATION, SECOND ONLY TO CRIMES MOTIVATED BY RACIAL BIAS, WHILE .5 PERCENT OF HATE CRIMES WERE BASED ON GENDER IDENTITY.

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DEPARTMENT OF LABOR

- **Ensure That Federal Contractors Are Aware of Their Non-Discrimination Obligations**

Executive Order 11246, as amended, prohibits federal contractors from discriminating on the basis of sexual orientation and gender identity. For other protected categories, such as race and disability, the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) has clarified contractors' obligations with regards to non-discrimination compliance. The OFCCP should issue guidance to ensure that federal contractors are aware of their non-discrimination obligations towards LGBT employees.

- **Ensure Treatments Relating to Gender Transition Qualify for FMLA Leave***

The lack of guidance from the Department of Labor (DOL) in defining "serious medical conditions" under the Family and Medical Leave Act (FMLA) may result in the unfair denial of leave under FMLA for transgender individuals undergoing medical or psychological treatments associated with gender transition. DOL should issue an official ruling stating that medical or psychological treatments associated with gender dysphoria are not "cosmetic" procedures under FMLA regulations and that hormone therapy as part of gender transition constitutes a "regimen of continued treatment." Furthermore, DOL should provide guidance for leave for mental health conditions under FMLA, including an example of an individual who would qualify for leave for psychotherapy for gender dysphoria and for all subsequent medical and psychological treatment.

- **Eliminate Discrimination Against LGBT Beneficiaries by Department of Labor Grantees**

Federal grantees operate as an extension of the federal government by utilizing taxpayer funds. Non-discrimination provisions are crucial to ensuring equal access to federally funded services. The Department of Labor (DOL) provides grants to programs in areas such as occupational safety training and assisting workers affected by mass layoffs, plant closures, and disasters. DOL should implement rules and provide guidance to ensure that discrimination against LGBT beneficiaries is prohibited by recipients of DOL grants.

DEPARTMENT OF STATE/USAID

- **Implement a Policy to Review the U.S.'s Bilateral Relationships With Countries That Take Anti-LGBT Actions**

While the U.S. and many other nations move towards full equality for LGBT people, other nations, at times encouraged by anti-LGBT Americans, have taken actions and enacted legislation that violate the human rights of LGBT people. The Department of State should adopt a policy to conduct a prompt and comprehensive review of the U.S.'s relationship with any country that passes anti-LGBT legislation or takes significant steps to deprive LGBT people of their human rights. These reviews would provide a basis for the United States government to effectively respond to the human rights abuses.

- **Ensure Annual Convenings of U.S. Chiefs of Mission and Other U.S. Diplomats Include LGBT Specific Training**

Each year, American diplomats assemble during the Chiefs of Mission conference to discuss issues of importance and to receive educational briefings. As part of upcoming Chiefs of Mission conferences, the Department of State should include programing focused on the importance of protecting the human rights of LGBT communities. It should stress the critical nature of this work and clarify the President's articulation of why doing so advances our country's national security interests. In addition, diplomats should receive training

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on how to raise LGBT human rights issues as part of regular bilateral meetings with colleagues in foreign governments, and how to engage with local LGBT community leaders in a culturally competent way to inform and support this work.

- **Implement Measures to Ensure That U.S. Foreign Assistance is Not Being Provided to Contractors, Subcontractors, or Grantees That Discriminate Against LGBT People**

Programs such as the President's Emergency Plan for AIDS Relief (PEPFAR) provide vital support and resources to combat HIV/AIDS and other diseases, and work to promote human rights for all people. Disturbingly, PEPFAR funding has gone to organizations that discriminate against LGBT individuals, which is counter to the goal of combatting HIV/AIDS. The U.S. government should enact a policy preventing foreign assistance from going to contractors, subcontractors, or grantees that advocate against the human rights of LGBT people or discriminate against LGBT people in the provision of programs or services.

- **Provide Sufficient Funding, Staff, and Resources for the Office of the USAID LGBT Coordinator**

The LGBT Coordinator is charged with implementing President Obama's 2011 Memorandum on International Initiatives to Advance the Human Rights of LGBT Persons. The office works to ensure that there is ongoing U.S. government engagement with foreign governments, citizens, civil society, and the private sector to build respect for the human rights and development of LGBT persons. USAID should increase its funding for the office to ensure that it has the staff and resources necessary to support the position's mission.

- **Ensure That All Embassies Are Equipped With the Necessary Resources and Training to Provide a Detailed Report on LGBT Human Rights Violations in the Annual Report on Human Rights Practices**

The Department of State is statutorily required to release an annual report on human rights practices around the world. In recent years, the report has included information on human rights violations against the LGBT community. The Department of State should direct the Bureau of Democracy, Human Rights, and Labor to standardize this reporting across all embassies and equip personnel with the necessary tools and training to engage in robust conversations with LGBT civil society representatives to inform this reporting.

- **Ensure That the United States Articulates Its Commitment to and Protection of LGBT Rights in Its Report to the UN Human Rights Council**

The Universal Periodic Review (UPR), under the auspices of the United Nations (UN) Human Rights Council, is the only universal mechanism for each UN Member State to declare what actions the nation has taken to improve human rights for its citizens, as well as address how the country will continue to fulfill its international human rights obligations. Countries are reviewed every four years, and the United States is under review in 2015.

PROGRAMS SUCH AS THE PRESIDENT'S EMERGENCY PLAN FOR AIDS RELIEF (PEPFAR) PROVIDE VITAL SUPPORT AND RESOURCES TO COMBAT HIV/AIDS AND OTHER DISEASES, AND WORK TO PROMOTE HUMAN RIGHTS FOR ALL PEOPLE.

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The United States is an outspoken proponent of advancing human rights around the world for all people, and therefore has a responsibility to ensure its policies and practices are in line with its rhetoric. In responding to the UPR, it must be fully transparent about the laws and policies that fall short of protecting the human rights of LGBT Americans.

DEPARTMENT OF THE TREASURY

- **Expand Definition of Qualifying Child to Include Non-Biological, Non-Adopted Children of LGBT Taxpayers**

Due to discrimination in access to marriage, many LGBT parents have been unable to establish legal ties to their children. The Department of the Treasury should expand the definition of qualifying child to ensure coverage of children who are neither biologically related to nor adopted by the taxpayer in situations where the taxpayer is parenting the child.

- **Provide Extended “Look Back” Period Beyond Standard Three Years for Same-Sex Couples to Amend Income Tax Returns**

The Defense of Marriage Act (DOMA) prohibited the federal government from recognizing the legal marriages of same-sex couples for purposes of federal benefits and obligations. After the Supreme Court of the United States struck down Section 3 of DOMA in June 2013, the Internal Revenue Service clarified that legally married same-sex couples could utilize the standard three year “look back” period to amend their income tax returns to file as married. However, same-sex couples began marrying in the United States nine years prior to the Court’s decision. Because DOMA was always unconstitutional, same-sex couples married longer than three years should have the opportunity to amend their tax returns for the entire period of their marriage.

The Department of the Treasury should provide an extended “look back” period allowing all legally married same-sex couples to amend their tax returns for the duration of their marriage.

- **Demonstrate Leadership at the World Bank by Advocating for Inclusive International Development**

The World Bank and other international finance institutions have created “safeguards,” or mandatory policies, that are meant to prevent and mitigate undue harm to people in the development process. These policies provide World Bank staff and governments seeking investment in their country with clear social guidelines during the identification, preparation, and implementation of development projects and programs. The World Bank is in the middle of reviewing and updating its safeguard policies.

THE DEPARTMENT OF THE TREASURY SHOULD PROVIDE AN EXTENDED “LOOK BACK” PERIOD ALLOWING ALL LEGALLY MARRIED SAME-SEX COUPLES TO AMEND THEIR TAX RETURNS FOR THE DURATION OF THEIR MARRIAGE.

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The Department of the Treasury should show leadership at the World Bank and call for a safeguard that prevents LGBT communities from being left behind as the Bank strives to accomplish its missions to eradicate poverty and create more shared prosperity. In addition, the Bank should appoint dedicated personnel to address LGBT issues, as well as increase its research and data collection on LGBT communities and the discrimination they face.

DEPARTMENT OF VETERANS AFFAIRS

- **Ensure Transgender Veterans Have Full Access to Transition Related Care**

Currently, the Department of Veterans Affairs does not provide the full range of medically necessary care to transgender veterans. The Department of Veterans Affairs should revise its regulations to ensure transgender veterans have access to all medically necessary services and treatments for transition related care.

- **Provide Increased Cultural Competency Training for Service Providers**

Long-term discrimination by the federal government against LGBT service members has left many LGBT veterans hesitant that their needs will be met with care and attention, or has left them with the misunderstanding that they are not entitled to government services. The Department of Veterans Affairs should provide cultural competency training to service providers to ensure LGBT veterans are comfortable coming out to their service providers and to ensure LGBT veterans are receiving respectful, appropriate care.

- **Provide a Blanket Waiver to Same-Sex Couples to Ensure Access to Veterans' Burial Rights Regardless of State of Residency**

Burial rights for the spouse of a veteran are determined by the validity of the marriage in the state of residence. Many same-sex couples continue to live in states that fail to recognize their marriages, and sadly, some veterans passed away before marriage equality arrived in their home state. Currently, the Department of Veterans Affairs is making determinations about whether the same-sex spouse of a veteran in a non-marriage equality state can be buried in a national cemetery on a case-by-case basis.

The Department of Veterans Affairs should provide a blanket waiver to same-sex couples to ensure access to veterans' burial rights regardless of the state of the couples' residency.

SOCIAL SECURITY ADMINISTRATION

- **Fully Implement Access to Spousal Benefits in States With Marriage Equality**

The Defense of Marriage Act (DOMA) prohibited the federal government from recognizing the legal marriages of same-sex couples for purposes of federal benefits and obligations. After the Supreme Court of the United States struck down Section 3 of DOMA in June 2013, the Social Security Administration began to recognize the marriages of same-sex couples residing in marriage equality states. However, same-sex couples have not always received equal treatment.

The Social Security Administration (SSA) should stop requiring proof of parentage of married same-sex parents that is not required of married opposite-sex parents. In addition, SSA should process applications in a timely and respectful manner, ensuring same-sex couples receive equal treatment. Further, SSA should provide retroactive benefits to individuals who were denied due to previous obstacles to marriage recognition.