

July 26, 2018

The Honorable Richard Shelby
Chairman
Senate Appropriations Committee
United States Senate

The Honorable Patrick Leahy
Vice Chairman
Senate Appropriations Committee
United States Senate

The Honorable Rodney P. Frelinghuysen
Chairman
House Committee on Appropriations
United States House of Representatives

The Honorable Nita M. Lowey
Ranking Member
House Committee on Appropriations
United States House of Representatives

The Honorable Roy Blunt
Chairman
Subcommittee on Labor, Health and Human
Services, Education, and Related Agencies
Senate Appropriations Committee

The Honorable Patty Murray
Ranking Member
Subcommittee on Labor, Health and Human
Services, Education, and Related Agencies
Senate Appropriations Committee

The Honorable Tom Cole
Chairman
Subcommittee on Labor, Health and Human
Services, Education, and Related Agencies
House Committee on Appropriations

The Honorable Rosa DeLauro
Ranking Member
Subcommittee on Labor, Health and Human
Services, Education, and Related Agencies
House Committee on Appropriations

Dear Senators and Representatives:

The 211 undersigned religious, child welfare, civil rights, and other organizations write to voice our strong opposition to the Aderholt Amendment to the House Labor-HHS-Education Appropriations Bill for FY 2019. We urge you to reject this provision because it would harm children in the child welfare system and authorize taxpayer-funded discrimination.

In violation of state and federal nondiscrimination policies, the Aderholt Amendment would allow child welfare providers receiving taxpayer dollars to decide which families and children to serve. The amendment would affect a wide variety of child welfare services, including family preservation services; foster care, counseling and other services for children; and adoption services.

Taxpayer dollars should not be used to discriminate and no family should be told they are not qualified to serve as foster or adoptive parents because they are LGBTQ or the “wrong” religion by a taxpayer-funded provider. This amendment would allow agencies to use a religious litmus test to determine which families or children to serve, and which services to provide, while still receiving taxpayer dollars.

Moreover, because the amendment conflicts with other federal laws including Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, and national

origin in federally funded programs, it could open the door to discrimination against children and prospective families on the basis of race and national origin by taxpayer-funded agencies.

Children who have been separated from their birth families are entrusted to the state for care, stability, and safety. When the state contracts with child welfare service providers to serve these children, following professional standards to ensure the children's safety, permanency, and wellbeing, the providers stand in the place of the state and have a duty to act in the best interests of each child. Yet, the Aderholt Amendment places the religious and moral beliefs of some state contractors above the needs of children in state care. This is unacceptable.

The United States has nearly 440,000 children in foster care, more than 117,000 of whom are waiting to be adopted. Yet, each year, less than half of the children waiting to be adopted find forever homes, and tens of thousands of foster youth age out of the system without finding a loving, forever family. This places them at higher risk of involvement with the criminal justice system, homelessness, unemployment, and being trafficked. For LGBTQ youth in care risk for these negative outcomes is even greater.

The Aderholt Amendment could exacerbate these challenges. Forty-six states and the District of Columbia have laws and policies that protect children and families against discrimination in the child welfare system. But under this amendment, states that enforce their own policies could be penalized and face a 15% cut of federal funding for child welfare services—a potential cumulative cut of more than \$1.04 billion, further straining the system.

We value religious freedom, and the only way to protect religious freedom for all people is to ensure that taxpayer-funded agencies do not place a religious test on the services they provide or the people they serve. Moreover, we appreciate the important role religiously affiliated institutions historically have played in providing child welfare services. Effective government collaboration with faith-based groups, however, does not require the sanctioning of taxpayer-funded discrimination.

In closing, because the Aderholt Amendment undermines the principle that child welfare providers should operate in the best interests of the children in their care and because it is inconsistent with the longstanding principle that federal dollars must not be used to discriminate, we urge you to reject the Aderholt Amendment.

Sincerely,

National Organizations

African American Ministers In Action
Alliance of Baptists
AIDS United
American Association of University Women
American Atheists
American Civil Liberties Union
American Conference of Cantors
American Federation of Teachers

American Humanist Association
American Psychological Association
American Unity Fund
Americans United for Separation of Church and State
Anti-Defamation League
Athlete Ally
Atticus Circle
Baptist Joint Committee for Religious Liberty
The Bassuk Center on Homeless and Vulnerable Children & Youth
Bend the Arc Jewish Action
Center for American Progress
Center for Children's Law and Policy
Center for Children & Youth Justice
Center for Inquiry
Center for Public Interest Law
Center for Social Innovation
CenterLink: The Community of LGBT Centers
Ceres Policy Research
Child Welfare League of America
Children's Advocacy Institute
Children's Defense Fund
Children's Rights
COLAGE
DignityUSA
Disciples Justice Action Network
Equality Federation
Faith in Public Life
Family Equality Council
Family Values @ Work
FORGE, Inc.
Foster Care to Success
FosterClub
Freedom for All Americans
Global Justice Institute
Hadassah, The Women's Zionist Organization of America, Inc.
Harm Reduction Coalition
Hispanic Federation
Human Rights Campaign
Human Rights Watch
Impact Fund
Interfaith Alliance
Intersections International
Juvenile Law Center
Keshet
Lambda Legal
Log Cabin Republicans
Men of Reform Judaism

Methodist Federation For Social Action
Metropolitan Community Churches
Movement Advancement Project
NAACP
NARAL Pro-Choice America
National Adoption Center
National Alliance of Children's Trust & Prevention Funds
National Asian Pacific American Women's Forum (NAPAWF)
National Association of County and City Health Officials
National Association of Social Workers
National Black Justice Coalition
National Center for Lesbian Rights
National Center for Transgender Equality
National Center on Adoption and Permanency
National Coalition for the Homeless
National Council of Jewish Women
National Crittenton
National Education Association
National Equality Action Team (NEAT)
National Health Law Program
National Juvenile Justice Network
National LGBT Chamber of Commerce
National LGBTQ Task Force Action Fund
National Network for Youth
National Network of Abortion Funds
National Organization for Women
National Partnership for Women & Families
National Women's Law Center
New Ways Ministry
North American Council on Adoptable Children
Partnership For America's Children
People For the American Way
PFLAG National
Planned Parenthood Federation of America
Population Connection Action Fund
Presbyterian Church (U.S.A.)
Religious Institute
RESOLVE: The National Infertility Association
SAGE
SchoolHouse Connection
Secular Coalition for America
Sexuality Information and Education Council of the United States (SIECUS)
SisterLove, Inc.
SparkAction
The Trevor Project
Transgender Law Center
True Colors Fund

Union for Reform Judaism
Unitarian Universalist Association
United Church of Christ, Justice and Local Church Ministries
URGE: Unite for Reproductive & Gender Equity
Uri L'Tzedek
Voices for Progress
Witness to Mass Incarceration
Women of Reform Judaism
Women's Alliance for Theology, Ethics, and Ritual (WATER)
YATOM: The Jewish Foster & Adoption Agency
Youth Law Center

State and Local Organizations

Alabama

AIDS Alabama
AIDS Alabama South, LLC
Equality Alabama
Rainbow Mobile

Arizona

Children's Action Alliance (Arizona)

California

Children's Law Center of California
County Welfare Directors Association of California
The Diversity Center
Equality California
Family Builders by Adoption
Los Angeles LGBT Center
LYRIC
North County LGBTQ Resource Center
Resource Center for Nonviolence
Sacramento LGBT Community Center
San Gabriel Valley LGBTQ Center
The Spahr Center
The Source LGBT+ Center

Connecticut

Connecticut Alliance of Foster and Adoptive Families
Connecticut Voices for Children
Hispanic Federation - Connecticut
True Colors, Inc. Sexual Minority Youth and Family Services of Connecticut

Colorado

GLBT Community Center of Colorado
Inside Out Youth Services
One Colorado

Florida

Equality Florida
Hispanic Federation - Florida
Pridelines
Safe Schools South Florida

Georgia

Georgia Equality
Georgia Safe Schools Coalition
TRANScending Barriers
Trans(forming)

Illinois

Center on Halsted
Equality Illinois

Kansas

Children's Alliance of Kansas
Kansas Appleseed

Kentucky

Louisville Youth Group, Inc.

Louisiana

Louisiana Trans Advocates

Maine

EqualityMaine
Maine Children's Alliance
Maine Women's Lobby

Maryland

FreeState Justice
GLCCB - Gay, Lesbian, Bisexual & Transgender Community Center in Baltimore, MD
Public Justice Center

Massachusetts

Child and Family Services, New Bedford
Jewish Alliance for Law and Social Action
MassEquality

Michigan

Grand Rapids Pride Center
OutCenter of Southwest Michigan
OutFront Kalamazoo

Minnesota

Gender Justice

Missouri

PROMO

Montana

Kynexions
Youth Dynamics

Nebraska

Nebraska Appleseed
Voices for Children in Nebraska

Nevada

Gay and Lesbian Community Center of Southern Nevada
Purple W.I.N.G.S. Organization

New Jersey

New Jersey Parents Caucus, Inc.
The Pride Center of New Jersey, Inc.

New Mexico

Equality New Mexico

New York

Adoptive and Foster Family Coalition of New York
The Children's Agenda
Dignity Buffalo
Fairness Alliance and Information Resources of New York, Inc.
Hamptons LGBT Center
LGBT Network (Long Island/Queens)
Long Island Gay and Lesbian Youth
Long Island LGBT Community Center
Pride Center of the Capital Region
Queens LGBT Community Center
Services and Advocacy for LGBT Elders - Long Island (SAGE-LI)

North Carolina

Campaign for Southern Equality
Equality North Carolina
Youth OUTright, WNC

Ohio

Equality Ohio
LGBT Community Center of Greater Cleveland

Pennsylvania

Bradbury-Sullivan LGBT Community Center
Equality Pennsylvania
Women's Law Project

Rhode Island

Adoption Rhode Island

South Carolina

SC Equality
South Carolina Appleseed Legal Justice Center

South Dakota

Equality South Dakota

Tennessee

CCYS
OUTMemphis
Tennessee Commission on Children and Youth
Tennessee Equality Project

Texas

DFW Foster Parent Association
Equality Texas
Resource Center
Texas Freedom Network

Washington

Gay City: Seattle's LGBTQ Center
Legal Voice

Wisconsin

Our Lives Magazine
Wisconsin LGBT Chamber of Commerce

District of Columbia

Whitman-Walker Health

cc: The Honorable Mitch McConnell, Senate Majority Leader
The Honorable Charles Schumer, Senate Minority Leader
The Honorable Paul Ryan, Speaker of the House
The Honorable Nancy Pelosi, Democratic Leader