July 26, 2018

The Honorable Richard Shelby Chairman Senate Appropriations Committee United States Senate

The Honorable Rodney P. Frelinghuysen Chairman 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 Tom Cole Chairman Subcommittee on Labor, Health and Human Services, Education, and Related Agencies House Committee on Appropriations The Honorable Patrick Leahy Vice Chairman Senate Appropriations Committee United States Senate

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

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

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

Alahama

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