

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