



## MAP Newsletter January 2018

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**\*\***The article below is compiled from excerpts from a report by  
Human Rights Campaign Foundation  
PLEASE read with an open mind and heart**\*\***

### Discrimination by Federally Funded Agencies

**FEDERAL LEGISLATION** Federal legislation on both sides of the issue —  
affirmatively allowing discrimination and expressly forbidding it — has  
also been introduced in Congress.

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***Let's start on a positive note!***

#### ***Kudos to:***

Lutheran Child and Family Services of Illinois (excerpt):

"Finally, our Board of Trustees decided that because of our faith, we must embrace inclusion and diversity.

In fact, the Board of Trustees enacted the following:

1. The Board believes diversity in its many dimensions enriches our world.
2. The Board encourages the development of a diverse staff and leadership whose characteristics reflect the rich diversity of those we serve. To value diversity and inclusion means that we don't simply tolerate and put up with others who are different."

Furthermore, it does not mean that we lovingly accept them in hopes that they might change their ways. Valuing inclusion means that we embrace one another and affirm the inherent value of each and every person. Unfortunately, the agency lost a board member, a few staff members, and

a few longstanding stakeholders. However, with this change, we have gained so much — new learning, new partnerships, new donors, new prospective foster and adoptive families for children, and most importantly, a supportive and affirming environment for children and youth whose gender identity/sexual orientation/gender expression have been rejected previously by so many.

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### **LEGISLATION AFFIRMATIVELY ALLOWING DISCRIMINATION**

Legislation allowing discrimination includes two misleadingly named bills, the “Child Welfare Provider Inclusion Act” and the “First Amendment Defense Act”.

- The “Child Welfare Provider Inclusion Act” (H.R. 1881; S. 811), introduced in Congress in April 2017, would do much the same thing as the state laws: it would allow child welfare organizations, including adoption and foster care providers, to make placement determinations based on the organization’s “religious beliefs or moral convictions” regardless of the needs of the child. In addition, the bill would bar the federal government and states receiving federal funding for their programs from prohibiting antiLGBTQ discrimination.
- The “First Amendment Defense Act” was introduced and heard in Congress in 2016, but the bill has not yet been introduced in the 115th Congress. It would, much like HB 1523 in Mississippi, allow the federal government — including government employees, contractors, grantees and the like — to refuse to provide services to same-sex couples. Of course, that would have significant implications for any federally funded programs related to adoption or foster care services.

### **LEGISLATION PROHIBITING DISCRIMINATION**

Legislation that would prevent discrimination in child welfare services includes the “Every Child Deserves a Family” Act and the “Equality Act”.

- The “Every Child Deserves a Family” Act (H.R. 2640; S. 1303) would prohibit any child welfare agency receiving federal financial assistance from discriminating against any potential foster or adoptive family on the basis of sexual orientation, gender identity, or marital status; further, it would prevent discrimination against any foster youth because of their sexual orientation or gender identity.
- The “Equality Act” (H.R.2282; S.1006) would provide consistent and explicit non-discrimination protections for LGBTQ people across key areas of life, including employment, housing, credit, education, public spaces and services, federally funded programs, and jury service. It also includes non-discrimination provisions applying to recipients of federal funds, which would impact many state child welfare programs.

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#### ***In conclusion:***

The proliferation of these bills in states across the country — not to mention the threat of the federal government adopting similar policies via law regulation, or policy — should alarm anyone who believes that children in our child welfare system deserve to have their best interests be at the heart of every decision made on their behalf. The justifications for these licenses to discriminate simply don’t hold up — and the harms they impose are very real.

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**To read the complete report:**

<https://assets2.hrc.org/files/assets/resources/licenses-to-discriminate-child-welfare-2017.pdf>

Oakley, Cathryn. "Disregarding the Best Interest of the Child: Licenses to Discriminate In Child Welfare Services". Washington, DC: Human Rights Campaign Foundation, 2017.

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Want to speak up about this issue? Here is how you can connect with your Senators and Representatives in Washington.

Find your Senator:

[https://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](https://www.senate.gov/general/contact_information/senators_cfm.cfm)

Find your Representative:

<https://www.house.gov/representatives/find-your-representative>

***It takes a Village and WE are the Villagers!***



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