



APA Public Interest Government Relations Office

Committee on Lesbian, Gay, Bisexual, and Transgender Concerns

➤ **Adoption and Sexual Orientation.**

- **Congressional Briefing.** PI-GRO and the APA Office on Lesbian, Gay, Bisexual, and Transgender Concerns worked closely with SPSSI to organize a congressional briefing held on Thursday, March 11 on *The Every Child Deserves a Family Act* (H.R. 4806). This important legislation addresses the need to eliminate State and federal policies that prevent the fostering or adoption of children due to a guardian's sexual orientation. APA Member Charlotte Patterson, PhD, spoke at this filled-to-capacity event. Her remarks were very well received and addressed 30 years of research of LGBT parenting and adoption and outcomes for children. Other event co-sponsors included the Family Equality Council and Parents, Families and Friends of Lesbians and Gays. Additional speakers included:
 - Dr. Gary J. Gates, Senior Research Fellow at the Williams Institute, UCLA School of Law);
 - Uma Ahluwalia, Director of the Department of Health and Human Services for Montgomery County, Maryland;
 - Leslie Cooper, senior staff attorney for the American Civil Liberties Union;
 - Martin Gill, an adoptive parent, who, along with his partner, has been raising two foster children since 2004 and is currently involved in a lawsuit against Florida's law that automatically denies adoption by gays and lesbians; and
 - an adolescent who was part of the foster care system.

Representatives Pete Stark (D-CA) and Judy Chu (D-CA) made introductory remarks at this timely event.

- **Every Child Deserves a Family.** PI-GRO worked closely with the office of Rep. Pete Stark in developing the *Every Child Deserves a Family Act* (H.R. 3827), legislation that would prohibit States from delaying or denying adoption or foster care placements based on the prospective parent's sexual orientation or marital status. APA contributed information regarding the wealth of psychological research showing that children raised by same sex couples have the same outcomes as other children. PI-GRO will continue to work with Rep. Stark's office to ensure passage of this bill.

➤ **Elementary and Secondary Education**

- **Bullying.** On March 18, 2009, Congresswoman Linda Sánchez (D-CA) introduced the *Bullying and Gang Reduction for Improved Education Act of 2009* (H.R. 1589), a bill that would allow funds under the Safe and Drug-Free Schools and Communities program at the Department of Education to be used for bullying and gang prevention efforts, as well as the implementation of threat assessment protocols. This legislation represents a longstanding priority for APA and utilizes the supporting evidence found in the *APA Resolution on Bullying among Children and Youth*. PI-GRO staff worked closely with the office of Rep. Sánchez to ensure that the bill as reintroduced specifically included psychologists in program language, aligned with terms of art and current research, allowed for a variety of

programs to be used in schools, and included transgender youth where lesbian, gay, and bisexual individuals are mentioned. PI-GRO staff also secured the inclusion of threat assessment protocols and language that reflects research indicating higher levels of bullying victimization among youth with disabilities, those who are overweight or obese, and those who identify as lesbian, gay, bisexual, or transgender.

- **Elementary and Secondary Education Act (ESEA) Reauthorization.** President Obama's 2010 State of the Union address focused new attention on this vital reauthorization, and Congress recently signaled its intent to take up ESEA immediately following health care. The law officially expired in October of 2007 but has been renewed in its current form, since that time. PI, Education, and Science GROs plan to submit APA's comprehensive, organization-wide recommendations for ESEA reauthorization by the March 26 deadline set by the House of Representatives. Areas of focus for the association include: teacher professional development; school mental health; program evaluation and research objectives; growth model implementation; English language learners; and school safety and order.
- **Safe and Drug-Free Schools.** PI-GRO attended several individual and group meetings over the second half of 2009 with key staff at the Department of Education's Office of Safe and Drug Free Schools to discuss an initiative to create federal school climate standards and measures. PI-GRO continues to highlight the important contributions of psychology to the work in this field and areas that include bullying prevention, school mental health, threat assessment, school climate measurement, reduction of zero tolerance practices, and social and emotional learning.
- **Student Non-Discrimination Act (SNDA).** After seeking input from APA Divisions and Committees, PI-GRO signed-on in support of the introduction of the Senate version of SNDA legislation, being led by Senator Al Franken. Jared Polis (D-CO) is the sponsor of the House bill (HR 4530) and original author. This critical legislation would provide comprehensive federal prohibition and remedies for discrimination in public schools based on actual or perceived sexual orientation or gender identity.
- **Employment Non-Discrimination.** PI-GRO supports swift passage of the *Employment Non-Discrimination Act of 2009* (ENDA) (H.R. 3017). ENDA seeks to provide basic protections against workplace discrimination on the basis of sexual orientation and gender identity. PI-GRO sent a letter to the House Committee on Education and Labor on September 23 to express appreciation for a full Committee hearing convened that day. Discrimination in the workplace based on sexual orientation is currently legal in 29 states, and discrimination on the basis of gender identity is legal in 38 states. A version of ENDA that fully includes transgender protections was reintroduced in the House of Representatives this Congress on June 24, 2009, by Rep. Barney Frank (D-MA) with 117 original cosponsors. In the Senate, Sen. Jeff Merkley (D-OR) introduced a gender identity inclusive Senate companion bill (S. 1584) on August 5, with original cosponsorship from Senators Susan Collins (R-ME) and the late Edward Kennedy (D-MA).
- **Family Acceptance.** PI-GRO also continues to collaborate with family advocacy organizations such as the Parents, Families, and Friends of Lesbians and Gays (PFLAG) in support of family acceptance of LGBT persons. An APA Fact sheet on Marriage Equality and LGBT Health was recently distributed to PFLAG's 500 chapter leaders across all U.S. States

and Puerto Rico, to address the harmful psychological effect of policies restricting marriage rights for same-sex couples.

- **Hate Crime.** On October 28, 2009, President Obama signed into law the *Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act*, S. 909, as part of the fiscal year 2010 *Department of Defense Authorization Conference Report*. PI-GRO worked diligently in support of this legislation for more than a decade, alongside a broad and focused coalition of civil rights, religious, educational, professional, law enforcement, and civic organizations. This new law will strengthen the nation's response to bias-motivated crimes by:

- Expanding current law to recognize crimes motivated by actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person;
- Enabling the federal government to address those cases that other jurisdictions are either unable or unwilling to investigate and prosecute, while retaining primary responsibility for hate crime prosecution at the state and local level; and
- Expanding the scope of data collection and reporting requirements regarding hate crime.

PI-GRO recognizes the tremendous support and advocacy efforts of many APA members and staff on behalf of this legislation over the past decade and looks forward to continuing this work, to ensure appropriate implementation of this new critical law.

- **Immigration.** PI-GRO staff is advocating for legislative activities aimed at swift passage of the *Uniting American Families Act of 2009* (H.R. 1024/S. 424), introduced by Representative Nadler (D-NY) and Sen. Leahy (D-VT), respectively. This legislation would grant binational same-sex couples equal treatment under immigration laws by allowing them to sponsor their partner for immigration purposes.

- **Juvenile Justice**

- **Juvenile Justice and Delinquency Prevention Act.** On December 17, 2009, the Senate Judiciary Committee sent the *Juvenile Justice and Delinquency Prevention Reauthorization Act* (S. 678) to the full Senate for consideration. The bill includes important language sought by PI-GRO, including provisions that:

- Add the Administrator of the Substance Abuse and Mental Health Services Administration to the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention;
- Add mental health experts to each State's juvenile justice State Advisory Group; and
- Authorize a study on the prevalence of disability and various types of disabilities impacting the juvenile justice population.

As attention turns to action on the Senate floor and in the House of Representatives, PI-GRO continues to develop recommendations and advocate for APA positions on:

- The promotion and evaluation of programs that divert youth with mental health and co-occurring disorders from detention in the juvenile justice system;

- The need to develop a national standard for the safe and effective prescription of psychotropic medications to justice-involved youth;
 - Increasing graduate and postdoctoral training opportunities in juvenile justice systems and providing support to existing training programs to increase their focus on evidence-based practices and the collection, use, and reporting of outcome data; and
 - Fostering collaboration between juvenile justice agencies, public mental health systems, institutes of higher education, public education, and other child-serving agencies.
- **Office of Juvenile Justice and Delinquency Prevention (OJJDP).** PI-GRO provided comments in mid-January on OJJDP's proposed plan for federal fiscal year 2010. APA lauded the office for its focus on youth exposed to violence, evidence-based practice, and school-based prevention and highlighted certain ways to improve efforts in these critical areas. PI-GRO also asked that OJJDP increase its focus on the needs of youth with mental health problems and disabilities and lesbian, gay, bisexual, and transgender youth.
- **LGBT Health Disparities.** On June 23, Representatives Tammy Baldwin (D-WI), along with several original co-sponsors, introduced H.R. 3001, *the Ending Health Disparities for LGBT Americans Act* (EHDLA), the first-ever comprehensive legislation addressing health disparities experienced by sexual and gender minorities in the United States. PI-GRO, in close collaboration with APA's Lesbian, Gay, Bisexual, and Transgender Concerns Office and a number of coalitions, including the National Coalition for LGBT Health, was actively engaged in the drafting process of this important bill, which contains APA's key LGBT health priorities. Among its many critical provisions, EHDLA:
- Lays out plans for additional research and data collection on the health and the health disparities experienced by LGBT individuals and their families;
 - Provides a comprehensive approach to eliminating the barriers to health care access for all sexual and gender minorities; and
 - Includes new infrastructure support for LGBT health services, including a new office of LGBT Health within in the Department of Health and Human Services.
- **Military Readiness Enhancement.** PI-GRO continues to advocate for H.R. 1283, the *Military Readiness Enhancement Act* (MREA) of 2009, which would repeal the military ban of lesbian, gay, and bisexual service members and require the reinstatement of individuals dismissed under the policy. The original sponsor for this bill, Representative Ellen Tauscher (D-CA), was appointed to serve as Undersecretary of State for Arms Control and International Security. Since then, Representative Patrick Murphy (D-PA) has taken the lead in advancing this critical legislation in Congress. PI-GRO continues its outreach efforts to garner support for this critically important proposal.

In addition, APA's Public Interest Government Relations Office (PI-GRO) provided written testimony in favor of repealing the U.S. Military's "Don't Ask, Don't Tell" policy at March 18, 2010, hearing. The Senate Armed Services Committee continues to hold hearings about the future of this policy regarding the service of gays and lesbians in the U.S. Military.

➤ **Workplace Flexibility**

- **Congressional Briefing.** The Executive Director of APA's Public Interest Directorate, Gwendolyn Puryear Keita, Ph.D., represented APA at two October 23 congressional briefings on the importance of flexible work arrangements, addressing key findings and issues from the research, including:
 - The needs that arise from a changing American workforce and diverse family arrangements;
 - How flexible work arrangements decrease conflicts between workers' personal, family, and work obligations;
 - The negative effects of less flexible workplace practices and their disproportionate impact on women;
 - The need for employers to create a work culture in which workers feel comfortable making use of flexible work arrangements; and
 - The mutual benefits for employers and employees of flexible work arrangements.

Panelists represented diverse perspectives from business, management professionals, employees, consumers, researchers, and advocates. Lively question-and-answer discussions addressed how to make flexible work arrangements effective, including robust training for all managers and employees, case-by-case flexibility, and creating a top-down culture that recognizes the importance of flexible work arrangements.

- **Senate Action.** PI-GRO was asked by the newly formed U.S. Senate Workplace Flexibility Study Group to prepare a policy statement on behalf of APA outlining psychology's role in the critical and timely issue of workplace flexibility. After reaching out and compiling research from various APA expert members on this field, PI-GRO submitted APA's policy statement to the Senate Study Group, which includes Senators Blanche L. Lincoln (D-AR), Mike Crapo (R-ID), Christopher J. Dodd (D-CT), Susan Collins (R-ME), Herb Kohl (D-WI), and George Voinovich (R-OH). In its statement, APA discussed and urged consideration of the following issues during the development of future federal policy initiatives: the increased rate of maternal employment; the importance and benefits of developing family-friendly work policies; the impact of workplace culture in the implementation of workplace flexibility policies; the number of working adults with significant care giving responsibilities; the importance of paid family leave; how the current economic crisis makes workplace flexibility a critical issue for employees and employers, how workplace flexibility could impact health care costs; the benefits for employers of adopting flexible policies; and the current changes in the structure of working families as well as the new challenges they are facing.