

Congress of the United States
House of Representatives
Washington, DC 20515-1603

November 5, 2019

Senator Pat Roberts
109 Hart Senate Office Building
Washington, D.C. 20510

Senator Jerry Moran
521 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Colleagues,

As you may know, on November 1, 2019, the Department of Health and Human Services (HHS) released a proposed rule to roll back a 2016 discrimination regulation that included sexual orientation and gender identity as protected classes. Any organization receiving HHS funding, including foster care and adoption agencies, would now be allowed to discriminate against LGBTQ foster or adoptive parents. This funding comes from hardworking taxpayers, and it is unacceptable to allow those funds to be used for discrimination.

I am saddened and shocked at this proposed rule by the Administration, and I encourage my colleagues to join me in speaking out against this discriminatory proposal. LGBTQ parents deserve equal opportunities to foster and adopt children who need loving homes. That's why I cosponsored the Every Child Deserves a Family Act. This bicameral bill prohibits any entity receiving federal child welfare funds from discriminating against children or prospective adoptive or foster parents based on religion, sex, sexual orientation, gender identity, or marital status.

As a member of the LGBTQ community myself, I cannot overstate the material harm this proposed rule would do. Preventing qualified, capable, and loving parents from fostering or adopting children in need of a home based on the parents' sexual orientation or gender identity is cruel and baseless.

Given your positions in the Senate and your relationships with the President, and as representatives of the state of Kansas, I strongly encourage you to reach out to the President and let him know that this decision cannot stand. As you know, last year the Kansas legislature passed a bill allowing faith-based adoption agencies to turn away LGBTQ couples based on the agency's religious beliefs. The Kansas foster care system is already overwhelmed with children, and these changes only make it harder to find them loving homes.

This issue underlines the importance of the Equality Act, which passed the House in May and is awaiting action in the Senate. This legislation would make sexual orientation and gender identity a protected class, standardizing federal policy and putting in place national protections from discrimination for members of the LGBTQ community.

Once the proposed rule is officially published in the Federal Register, there will be a 30-day public comment period. Please speak out for LGBTQ Kansans and the thousands of Kansas children in foster care who will be harmed by this rule.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Davids', with a stylized flourish at the end.

Sharice L. Davids
Member of Congress