



HUMAN
RIGHTS
CAMPAIGN®

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TALKING POINTS FOR IN-DISTRICT VISITS

It's time for Congress to act on basic matters of fairness and equality for lesbian, gay, bisexual and transgender Americans and their families. We understand that there are many challenges facing our country today, but LGBT people often face additional hardship protecting their jobs, accessing affordable health care, serving their country in the military and fully safeguarding their families.

If your Congressperson or Senator supported passage of Hate Crimes, it's important that you thank them. In fact, begin the conversation with the thank you.

We need Congress to:

1. Repeal the Defense of Marriage Act (DOMA) which denies legally married lesbian and gay couples more than 1,000 federal protections.

These are basic protections such as access to Social Security and the right to care for an ailing spouse under the Family and Medical Leave Act. With six states either providing or soon to provide marriage benefits to same-sex couples, it's time for Congress to repeal DOMA and treat all married couples equally.

2. Outlaw Workplace discrimination for everyone by passing the Employment Non-Discrimination Act (ENDA).

Particularly in these tough economic times, workers should be solely judged on their performance. ENDA would outlaw work place discrimination based on sexual orientation or gender identity.

3. Repeal Don't Ask, Don't Tell to ensure that service members who contribute to our nation's security are no longer summarily discharged for who they are.

This discriminatory law hurts our nation by removing critically needed service members. Nearly 800 specialists with vital skills -- Arabic linguists, for example -- have been fired under DADT. In a time of war, the military should not be discharging well-qualified service members based on their sexual orientation.

Furthermore, this is no longer a controversial issue. The American public recognizes DADT as a failed policy. Today, 75% of Americans believe openly lesbian and gay citizens should be able to serve in the U.S. military.

4. Pass immigration reform that recognizes permanent same-sex couples and ends the painful separation of families.

The Uniting American Families Act would allow Americans in long-term relationships to sponsor their permanent partners for U.S. citizenship.

5. Provide health benefits equally to the nearly 3 million federal government employees, including same-sex domestic partners.

By passing the Domestic Partnership Benefits and Obligation Act (DPBO), the federal government -- as the nation's largest employer -- would simply be providing equal pay for equal work. This bill, would, in fact, bring the federal government in line with corporate America where 57% of Fortune 500 companies provide DP benefits to their employees.



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BACKGROUND MATERIAL FOR IN-DISTRICT VISITS

Employment Non-Discrimination Act (ENDA) H.R. 3017

- The Employment Non-Discrimination Act (ENDA) would prohibit discrimination in the workplace on the basis of sexual orientation or gender identity and affords to LGBT Americans basic employment protection.
- The majority of Americans believe employment decisions should be based on a person's qualifications and work ethic, not based solely on who they are.
- Most of America's smartest business minds understand that a person's sexual orientation and gender identity have nothing to do with their job performance. That is why 85% of Fortune 500 companies include sexual orientation in their equal employment policies, and more than one-third also include gender identity.
- ENDA contains an explicit, and broad, exemption for religious organizations. The language recognizes that the U.S. Constitution protects certain employment decisions of religious organizations and that some religious organizations may have a specific and significant religious reason to make employment decisions, even those that take an individual's sexual orientation or gender identity into account.
- ENDA will not create a flood of litigation or harm small businesses. Experience with state laws that protect LGBT workers has demonstrated that there had been no notable increase in litigation. Additionally, ENDA does not apply to businesses with fewer than 15 employees.

Military Readiness Enhancement Act (MREA) H.R. 1283

- The Military Readiness Enhancement Act (MREA) would repeal the current "Don't Ask, Don't Tell" (DADT) law of the United States military.
- DADT is a discriminatory law that harms our nation's military readiness by removing critically needed servicemembers. Nearly 800 specialists with vital skills – Arabic linguists, for example – have been fired from the U.S. military under DADT. In a time of war, the military should not be discharging well-qualified servicemembers based on their sexual orientation.
- MREA would replace the failed DADT law and allow open service by qualified lesbian and gay servicemembers, ensuring that the military will no longer need to sacrifice those whose service it cannot afford to lose.

- Support by the public for open service by lesbian and gay troops has grown by 31 percentage points since DADT was introduced over a decade ago. In fact, a 2008 Washington Post/ABC News poll found that 75% of Americans believe openly lesbian and gay citizens should be able to serve in the U.S. military.
- Veterans, especially younger veterans, are increasingly comfortable serving alongside gay troops. A December 2006 Zogby poll of soldiers returning from Iraq and Afghanistan found that 73% of soldiers reported being “comfortable ... in the presence of gays,” with only 37% opposed repeal. Furthermore, the 2008 Washington Post/ABC poll found that 50% of all veterans supported open service by lesbians and gays.
- Since 1993, more than 13,000 American troops have been discharged from the military under DADT, including more than 800 specialists with skills deemed mission critical by the U.S. military, including at least 323 linguists, at least 59 of which specialized in Arabic, and at least nine of which specialized in Farsi, the official language of Iran. Among these specialists were pilots, engineers, doctors, nurses, and combat medics, all of which the military has faced shortfalls of in recent years.
- It has been estimated that the U.S. military also loses more than 4,000 gay and lesbian military personnel each year, which it would have otherwise retained, had the service members been able to be open about their sexual orientation, and that more than 40,000 recruits might join if the ban is lifted.
- It is estimated that American taxpayers have paid between \$250 million and \$1.2 billion to investigate, eliminate, and replace qualified, patriotic service members who want to serve their country but can't because expressing their sexual orientation violates DADT. In light of the difficult economic conditions that the United States is experiencing, that money could be better spent elsewhere.

Domestic Partnership Benefits and Obligations Act (DPBO)

S. 1102

H.R. 2517

- The Domestic Partnership Benefits and Obligations Act (DPBO) would provide benefits for same-sex domestic partners of federal civilian employees on the same basis as spousal benefits.
- DPBO is about equal pay for equal work. A lesbian or gay federal employee who works as hard as her colleague in the next cubicle should receive the same compensation.
- The federal government is the nation's largest employer, with nearly three million civilian employees. Offering health benefits to the domestic partners of federal employees will bring its employment practices in line with those of America's largest and most successful corporations, and allow the federal government to compete for talent on an equal footing with leading employers who offer these benefits. Fifty-seven percent of Fortune 500 companies already provide domestic partner benefits to their employees.
- In addition, 23 states, the District of Columbia, and more than 150 local governments make benefits available to public employees and their same-sex partners. Cities from across the country, from Los Angeles to New York City, to Madison, Wisconsin and Iowa City offer DP benefits.

- The benefits provided in DPBO would provide invaluable support for the families of lesbian and gay federal employees including: participation in applicable retirement programs, compensation for work injuries and life and health insurance benefits.

Defense of Marriage Act (DOMA)

- DOMA includes two provisions that discriminate against married, same-sex couples. Section 2 claims to allow states to refuse to recognize legal civil marriages of lesbian and gay couples that were solemnized in other states. Section 3 of DOMA excludes lesbian and gay couples from all federal benefits and protections, whether granted by statute, regulation or sub-regulatory decision.
- Lesbian and gay couples are denied more than 1,000 federal protections such as access to Social Security, family and medical leave, equal compensation as federal employees and immigration rights.
- Six states provide, or will soon provide, equal marriage rights for same-sex couples. These married couples have all of the state rights and responsibilities as other married couples, but their marriages are not recognized by the federal government.
- Repeal of DOMA would ensure individual states retain their control over marriage laws and that those marriages are respected by the federal government. In short, it would ensure that all married couples are treated equally and fairly.

Uniting American Families Act (UFAA)

H.R. 1024

S. 424

- The Uniting American Families Act (UFAA) would allow U.S. citizens and permanent residents to sponsor their same-sex partners for family-based immigration.
- Family reunification has been a cornerstone of US immigration law for decades – but it leaves out lesbian and gay families. Same-sex partners of U.S. citizens and permanent residents are not considered “spouses” under federal law and their partners cannot sponsor them for family-based immigration.
- Our government’s failure to recognize lesbian and gay families for immigration purposes wreaks havoc on the lives of American citizens who fall in love with non-citizens and on their children, who may be deprived of one of their parents. Many are forced to leave family and friends, sell business and abandon the community and country they love in order to keep their families together. Families are forced to choose: separate or live in exile.
- The American public supports extending immigration equality to same-sex couples. A July 2008 Feldman Group survey found that 54% of Americans supported allowing a foreign-born same-sex partner of an American citizen to become a United States citizen.
- Consistent with basic principles of U.S. immigration law, UFAA aims to unite families while retaining strong prohibitions against immigration fraud. UFAA requires same-sex couples to provide the same proof of their relationship as different-sex married couples to sponsor their partner. As with current immigration laws for married couples, UFAA would impose harsh penalties for fraud, including up to five years in prison and as much as \$250,000 in fines.