

Bringing the Message Home

Third Annual Home District Federal Legislative Visits Series
Mothers' Day through Fathers' Day 2005



Locating Your Legislator's District Office

Don't know who your elected officials are? Go to <http://www.vote-smart.org> to find contact information for them. (Service provided by Project Vote Smart)

For information on district office addresses for your members of Congress, visit <http://www.senate.gov> and <http://www.house.gov> and click on the quick links to find addresses and contact information.

In many localities, you can look in the front of the Yellow Pages or the Phone Directory and find information about all of your federal elected officials listed there...

...and, of course, you can also contact your Field and Policy Coordinator at PFLAG National for information and assistance setting up district office visits.

Legislative Visits in Washington, D.C.

When: Thursday, April 28th, 2005

In conjunction with your work "back home" in the district offices, we plan to launch our Legislative Visits Series for 2005 with visits to Congressional offices in Washington, D.C., and a reception for participants and guests.

We invite all of those who can make the journey to join the National Board of Directors, the Regional Directors and the National Office Staff in D.C. for these Hill visits. If you plan to join us for these visits, please let us know as soon as possible so that we can schedule visits with your members of Congress.

Reception

On the evening of Thursday April 28th, PFLAG will host a reception at the Helix Hotel, 1430 Rhode Island Avenue, NW, Washington, D.C. from 6:30-8:00pm for PFLAGers who participated in the visits to Capitol Hill or who are in D.C., and civic dignitaries.

Please send any RSVPs for the reception to cholder@pflag.org

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Dear PFLAGers,

PFLAG has a tripartite mission of support, advocacy, and education. *Bringing the Message Home* focuses on federal legislation and your federal legislators' home district offices, but the tips on how to conduct legislative visits in part 2 apply to legislators at all levels.

We are at the start of the 109th Congress and we know that this is a time of challenge for the GLBT community. Your GLBT family members and friends are facing a major assault on their civil rights. They, and PFLAG, need your participation in our advocacy and education work to make legislators aware of the struggles taking place to provide and maintain equal rights for your family members and friends in the GLBT community.

Our struggle is more than a fight for marriage equality. In many states there are attempts under way to roll back legislation that has extended civil rights protections to the GLBT community, or to exclude members of the GLBT community from existing civil rights that are available to other Americans. We cannot allow this to happen. It is vital that you visit your federal legislators, or work with allies to visit them, in their home district offices and let them know that PFLAG will not tolerate any attempt to impinge upon the civil rights of GLBT Americans. President Bush, at the start of his second term, has already endorsed the re-introduction of the anti-gay Federal Marriage Amendment.

We are asking you to join with us to educate your federal legislators on important GLBT issues, and to “bring the message home” to their hometown district offices. In the home district office, your voice as a voter in the home district cannot be overlooked. PFLAG is uniquely well equipped for this work due to our extensive national grass-roots network, and our respected status as the country's premier family organization advocating for GLBT equality. See the information on page 2 about how to locate your legislators' district offices.

As we are a family organization, please remember to take your family photos along with you when you visit your legislator's office and share them with the elected representative and/or their staff member. This has proved to be a very effective strategy in previous years, and has been highlighted in several media reports on visits by our members. Using family photos is a powerful way to connect our concerns to the actual people for whom we are working so hard. There is no argument quite as strong as the one that says, I do this work not for myself, but for the ones I love.

In the past, PFLAG has not been able to support the Employment Non-Discrimination Act (ENDA) because it did not meet our transgender inclusivity policy. This year, we are able to give this legislation our full support as it now includes language that is transgender inclusive.

We have also had similar objections to the lack of explicit language regarding transgender in the hate crimes legislation (Local Law Enforcement Enhancement Act) in the past. All members of the coalition that are working to get this legislation through Congress are now in agreement that we need transgender explicit language in the bill when it is re-introduced into the 109th Congress. We are hopeful, therefore, that when the bill is re-introduced it will meet our requirements for support.

We don't anticipate much action this session on either the hate crimes legislation or ENDA, but we have hopes for the repeal of the Don't Ask-Don't Tell, so that would be something to bear on in your discussions with legislators. Also, we need to speak up strongly in opposition to any form of a Federal Marriage Amendment to the Constitution.

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Items to focus on with your legislators would include: safe-schools issues, domestic partnership benefits, GLBT harassment issues, anti-hate crimes issues, domestic partnership issues, local and state defense of marriage or same-sex civil marriage issues, gender identity and sexual orientation inclusivity measures, issues around GLBT parenting, fostering and adoption, GLBT discrimination issues, such as in employment, housing and accommodations, GLBT health issues, and the repeal of the Don't Ask-Don't Tell policy in the military. Choose your topic and let your own legislator hear from you right in his or her own back yard.

There are three ways this effort is unique:

1. The project is not just focused on Capitol Hill in Washington, D.C. but is designed to take our message of fairness and inclusion to your legislators in their hometown district offices in your neighborhood. Legislators all have district offices in their hometowns and you can have a huge impact by visiting them there, and “Bringing the Message Home” right into the place where they are elected.
2. The project offers great flexibility by setting up meetings with legislators and/or their staff in their home district offices. We are featuring the time period from Mother's Day through Father's Day for the obvious PFLAG connection to family, and to make it easier for PFLAGers to arrange scheduling to fit their own needs.
3. We are there to educate about PFLAG's positions on various matters of concern and not necessarily to support or oppose specific legislation. This is a long range strategy recognizing that it takes a very long time for our issues to get anywhere, and that when they finally do we want them to be right.

This is the third year for this effort. We look forward to chapters participating at whatever level is realistic. This is the kind of project that we can build and grow, and which can serve as a way to keep your elected officials aware of our issues and concerns over time. Together, we can make “Bringing the Message Home” another PFLAG signature project!

Please let us know if you have any question or thoughts to share on this. We look forward to hearing how it goes at your district office!

Part 1:
Legislative Update

What We Want: The Issues at a Glance

Some of the following issues have greater immediacy than others, i.e. some of them have already been introduced and others are waiting to be introduced. Issues currently introduced and on the table are: the Responsible Education for Life Act, the filibuster and the “nuclear option, repealing “Don’t Ask-Don’t Tell”, the Workplace Religious Freedom Act, and marriage equality (including the Federal Marriage Amendment to the Constitution).

As you consider your options and determine what you would like to talk with your legislators about, please give consideration to immediacy. Please refer to the talking point sheets on the pages shown for additional information on any of the items.

Employment Non-Discrimination Act (ENDA) - see page 9

PFLAG will give 100% support to this bill when it is introduced into the 109th Congress as the latest version includes language that meets our transgender inclusivity policy. Let your legislator know that we hope that he or she will support this legislation when it is introduced.

Health issues - see page 14

Disparities in access and the provision of care continue to be matters of concern. Reparative therapy is again rearing its ugly head with the support of conservative and religious ideologues in government offices.

Although health issues include more than HIV/AIDS, it should be noted that under the guise of concern for HIV prevention and care at the international level, the Bush Administration has systematically reduced spending on HIV/AIDS care and education domestically. The Bush Administration, through the Centers for Disease Control, is pushing abstinence only programs which have been shown to not only be of little impact but are generally held to be counter-productive as they lead to actual increases in HIV infection rates. The Responsible Education about Life Act calls for sexual education programs to prevent teen pregnancy and the spread of HIV to include information about birth control methods in addition to abstinence. (see page 13)

Judicial Nominations - see page 19

Letting your legislator know of your support of moderate candidates, and opposition to extremists with records of hostility to civil rights protections, when judicial nominations are being heard is a very important way of preventing President Bush from packing the nation’s courts with arch-conservatives. We will continue to encourage senators to not let George Bush fill the courts with what many Americans see as ideological extremist judicial nominees with records of hostility toward civil rights.

An important way in which these extreme candidates can be held at bay is the use of the filibuster in the Senate. In an attempt to overcome this obstacle, conservative politicians are pushing to do away with the filibuster through the use of a tactic that has become known as the “nuclear option”. PFLAG is strongly opposed to the “nuclear option” and we ask that you let your legislator know this and ask him or her to vote to maintain the filibuster (*see page 19*). See page 46 for information on contacting the US Senate Judiciary Committee.

Local Law Enforce Enhancement Act (LLEEA) - see page 11

This is the federal hate crimes bill and it has yet to be re-introduced into the 109th Congress. All of the civil rights organizations that belong to the Coalition for Hate Crimes Legislation have now given explicit transgender inclusivity in this bill their full support. We expect to see that when this bill is re-introduced, it will include specific language about its transgender inclusivity. Our goal for visits on this bill is to speak about the importance of passing a hate crimes bill and to educate legislators on the importance of it being expressly inclusive of sexual orientation and gender identity.

Marriage Equality - see page 25

At the start of his second term, President Bush has already announced his support for an Anti-gay Marriage Constitutional Amendment. We are asking for fairness and equality for all Americans. We oppose any attempt at either the Federal or the State level to introduce Constitutional Amendments restricting marriage to heterosexual couples and thereby rendering GLBT people second class citizens. The language of the amendments that have been introduced into the 109th Congress includes language that would strip the courts of any right to rule on marriage issues (see page 24)

Permanent Partners Immigration Act (PPIA) - see page 36

We would like to see this bill re-introduced in the House and Senate in the 109th Congress. Please contact Representative Nadler and Senator Leahy and encourage them to re-introduce the bill. Our goal for this bill is to encourage members to support it when it has been re-introduced.

Repeal Don't Ask-Don't Tell (HR 1059) - see page 38

Legislation was introduced on March 3rd, 2005 to repeal the Don't Ask-Don't Tell policy and replace it with a sexual orientation non-discrimination policy. This legislation was proposed by the Servicemembers Legal Defense Network (SLDN), and introduced into the 109th Congress by Representative Marty Meehan (D-MA). PFLAG supports this legislation and the SLDN.

Safe schools and anti-bullying legislation (HR 283 and HR 284) - see page 40

There are two anti-bullying bills currently in the legislative process, HR 284 introduced by Representative Shimkus, and HR 283 introduced by Representative Sanchez. While both bills are laudable, the Shimkus bill calls for programs to prevent bullying and harassment. HR 284 is supported by GLSEN, but as it lacks explicit language addressing transgender issues, PFLAG cannot support it in its present form.

In the last Congress, Senator Lautenberg (NJ) introduced the "Paul and Sheila Wellstone Safe Schools Act" that would have created funding for anti-harassment programs in public schools. The language of the bill explicitly included sexual orientation and gender identity. We hope that the senator will re-introduce the bill into the 109th Congress. Please let his office know of your support for federal safe schools legislation.

Workplace Religious Freedom Act (HR 1445 and SR 677) - see page 43

While PFLAG believes in the goal of securing religious freedom in the work place, we cannot support the bill as it is presently written. The language of the present bill would require employers to accommodate employees' religious practices even at the expense of other employees' civil rights being lost or ignored. We are particularly concerned that as it is presently written it can be used to discriminate against, and sanction harassment of, gay, lesbian, bisexual, and transgender Americans in the workplace.



Employment Non-Discrimination Act

Employment Non-Discrimination Act

Employment discrimination based on sexual orientation and gender identity, whether actual or perceived, denies qualified individuals equality and opportunity in the workplace. As parents, family members and friends of lesbian, gay, bisexual and transgender people, many who have personally faced workplace discrimination, we understand the urgent need to pass federal legislation to make such discrimination illegal nationwide.

The Employment Non-Discrimination Act (ENDA) would extend federal employment discrimination protections currently provided based on race, religion, gender, national origin, age and disability to cover sexual orientation and gender identity also. Thus, ENDA would extend fair employment practices - not special rights - to lesbians, gay men, bisexuals, transgender people, and heterosexuals. In 35 states, it is legal to fire someone based on their sexual orientation. In 45 states, it is legal to do so based on gender identity or expression.

A new version of the ENDA that is trans-inclusive is expected to be introduced in the 109th Congress and states, "Sexual orientation or gender identity" means actual or perceived homosexuality, heterosexuality, bisexuality, gender identity or gender-related characteristics, appearance or mannerisms."

In the past PFLAG has not endorsed ENDA because it was not transgender inclusive. Given the change in the language, this new version would be 100% supported by PFLAG.

Why We Encourage Congress to Pass an ENDA inclusive of sexual orientation and gender identity:

- Discrimination is real. Nationwide, our loved ones are denied job opportunities and fired or otherwise discriminated against in the workplace for reasons that have nothing to do with their qualifications, job performance and abilities. Our friends and family members who experience this form of discrimination, or live in daily fear of being subjected to it, have no recourse under current federal law.
- Workplace discrimination is not an American value. Employment discrimination strikes at the fundamental American value that everyone can earn and advance based on their ability to contribute, not on innate or irrelevant characteristics such as their sexual orientation or gender expression. Only when this value is upheld can we as a nation of diverse people reach our full potential.
- Citizens and employers support workplace fairness. Polls show increasing percentages of Americans support equal rights for gays and lesbians in the workplace. A Kaiser Family Foundation study released in 2000 showed that 76% of the general public supported passing laws to protect gays and lesbians from prejudice and discrimination in the workplace. A similar poll by Newsweek in 2000 reported that 83% of Americans supported work place protections for gays and lesbians.





Federal Hate Crimes Legislation

Federal Hate Crimes Legislation

Federal legislation to dealing with hate crimes is known as the Local Law Enforcement Enhancement Act (LLEEA). The LLEEA has yet to be introduced into the 109th Congress but it is expected soon. PFLAG and all of the other members of the Coalition for Federal Hate Crimes Legislation now support the inclusion of explicit language extending protection for both sexual orientation and gender identity in the next version of the LLEEA.

Anti-GLBT hate is devastating to individuals, families and communities. As parents, friends and family members of lesbian, gay, bisexual and transgender people, we are painfully aware that our loved ones could be targets of hate violence at any time just because of who they are. We fear violence against those we care about. Many of us have already faced the murders of, or assaults on, our children and loved ones. Our families and friends don't deserve this - no one does.

Why A Hate Crimes Bill Is Needed

- Documented hate crimes based on sexual orientation are on the rise according to FBI statistics. Unfortunately, the FBI data does not report separately on crimes against those who are targeted for non-traditional gender expression. We know that anti-GLBT hate crimes are underreported.
- State Laws are inadequate - 29 states and the District of Columbia have hate crimes laws inclusive of sexual orientation, and only five of those and the District of Columbia are expressly transgender inclusive.

PFLAG will support legislation to strengthen existing federal hate crime laws by allowing the Department of Justice to assist local prosecutions, and where appropriate, investigate and prosecute cases in which violence occurs because of the victim's sexual orientation or gender identity. We will support a bill that eliminates some overly restrictive obstacles to federal involvement in many cases in which individuals kill or injure others because of anti-GLBT bias.

The Truth is, Hate Crimes are SIMPLY NOT “Like Any Other Kind of Crime”

- Hate Crimes are Message Crimes. Anti-GLBT hate violence, like all bias crime, damages individuals, families, groups or communities. Perpetrators of anti-GLBT violence send a clear message to GLBT people, those perceived to be GLBT, or even their supporters, that they are unwelcome and unsafe in a particular community.
- Most Hate Crimes are Committed by “Average People.” Perpetrators are typically not “psychos,” neo-nazis or skinheads, but are otherwise law-abiding people who disdain those who are different or fear those differences. Recent research suggests that anti-GLBT hate crime perpetrators perceive gay bashing to be socially sanctioned and therefore acceptable behavior.
- Anti-GLBT Hate Crime, Like Other Bias Crime, Is Preventable. According to the American Psychological Association, “hate crimes are not necessarily random, uncontrollable, or inevitable occurrences,” and “there is overwhelming evidence that society can intervene to reduce or prevent many forms of violence, especially among young people, including the hate-induced violence that threatens and intimidates entire categories of people.”

- Anti-GLBT Hate Violence Must Be Addressed Both Locally and Nationally. Strong legislation, rigorous law enforcement and community education will do a great deal. State and local authorities investigate and prosecute the majority of hate crimes - and will continue to do so once the kind of legislation PFLAG would support is enacted. Such a bill would provide federal assistance to local authorities in these investigations and federal prosecutions when necessary to achieve a just result.
- Support for a Federal Hate Crimes Bill is Widespread. Support from notable law enforcement agencies and state and local leaders includes 22 state attorneys general, the International Association of Chiefs of Police, the Police Foundation and the National Sheriffs' Association. More than 175 law enforcement, civil rights and religious organizations that supported the Local Law Enforcement Enhancement Act.

Responses to some possible objections

- This kind of legislation would punish people for their thoughts. No, the legislation would hold people accountable for their actions. If they merely hold hostile thoughts or dislike for members of a particular category of people, and do not act out on that hostility in a criminal way, there is no crime. The version of the Local Law Enforcement Enhancement Act introduced in the 107th and 108th Congress was consistent with established constitutional First Amendment precedent, as will be the bill introduced into the 109th Congress.
- All crime is crime – why should Congress federalize activities already criminal under state law? Since 1995, the Republican-controlled Congress has enacted more than 37 laws that create new federal crimes or impose new federal criminal penalties for conduct that is already criminal under state law. Most of these laws create more than one new federal crime. The laws address a wide range of issues from punishing “deadbeat dads” to protecting Veterans’ cemeteries, to a bill signed into law on August 2, 2000, that protects animals used in law enforcement. If we are willing to extend federal protections to animals, why not people?
- All crime is crime - why treat this type any differently? Taking motive for criminal acts into account happens in courtrooms every day - when someone is murdered, they are still dead whether the or not the perpetrator is found guilty in the first, second or third degree. Motive in the case of hate crimes is relevant because the perpetrators are also targeting particular groups within communities.
- Wouldn't Federal involvement in these cases be unconstitutional? Senator Hatch raised these concern when the version introduced in the 106th Congress was considered. In part due to these concerns, the bill was revised and strengthened. Since the revisions made after the 106th, legal experts including former Attorney General Ashcroft and career experts in the Department of Justice believe the bill would withstand constitutional challenge.





Health

Health

GLBT health comprises more than HIV/AIDS issues. While these are important to the GLBT community, other health issues of grave concern include: obesity, tobacco-related disease including cardio-vascular disease, breast cancer and other cancer issues (e.g. cervical, prostate and testicular cancer), substance abuse issues, and depression and suicide issues. There is also a health insurance coverage disparity between the GLBT community and the mainstream community.

Specific issues about GLBT health concerns were included in the federal government's document Healthy People 2010. This was the first time that any federal health plan specifically addressed the health care needs of the GLBT community. All of the minority groups have traditionally produced a companion document to the previous Healthy People plans and did the same in 2000 when Healthy People 2010 was issued. The National Coalition for GLBT Health, in conjunction with the Gay and Lesbian Medical Association produce a companion document for the GLBT community to accompany Healthy People 2010. Healthy People 2010; A Companion Document for GLBT Health is available as a CD or can be downloaded from the GLMA and National Coalition for GLBT Health websites (see bottom of next page).

Healthy People 2010 included 29 objectives that related to GLBT people's health. Since 2000, little or nothing has been accomplished by the federal government in terms of meeting these objectives. In fact, under the present Administration, interest in GLBT health issues has waned to the point where it has become a matter of concern to some members of Congress on both sides of the political arena. During the last session of Congress, two Congressional Letters of Enquiry were sent to the Secretary of Health and Human Services asking what if any progress has been made on meeting the Healthy People 2010 GLBT objectives. The first one was from the offices of Congressman Henry Waxman (D-CA) and Congresswoman Connie Morella (R-MD), and the second from Congressman Waxman and Congresswoman Iliana Ros-Lehtinen (R-FL).

Last year, two other events increased concern about GLBT health issues at the federal level. First, Congressman Pat Toomey (R-PA) single-handedly attempted to subvert the scientific review process at the National Institutes of Health by asking Congress to repeal the funding of 200 research projects that focused on GLBT health issues. After receiving a letter from Congressman Waxman (Ranking Member on the Government Reform Committee) expressing his concerns about Congressman Toomey's actions, former Secretary Thompson and the Director of the National Institutes of Health (NIH) stood firmly behind the scientific review process and the integrity of the National Institutes of Health, but research projects about GLBT health issues have been discouraged lately.

Secondly, the Division of the Department of Health and Human Services that deals with minority health disparities released a report on March 12th, 2004 that made no reference whatsoever to the health disparities of the GLBT community despite having received considerable input from the GLBT community (including the PFLAG National Office) about GLBT health disparities.

There is a dearth of research on the health issues of the GLBT community. Questions about GLBT health need to be included in federal health surveys in order to gather more data about the health care needs of the GLBT community.

Things to do:

- Please make it clear to your legislators that GLBT health comprises more than HIV/AIDS issues.
- When you meet with your legislator, be sure that they know that specific issues about GLBT health concerns were included in the federal government's document Healthy People 2010 but they have not been adequately addressed.
- Make sure that your legislator knows that during the last session of Congress, two Congressional Letters of Enquiry were sent to the Secretary of Health and Human Services asking what if any progress has been made on meeting the Healthy People 2010 GLBT objectives.
- Please ask your legislator to question the Department of Health and Human Services about health disparities in the GLBT community, and how it proposes to reduce them.
- Please ask your legislator to ensure that questions about GLBT health are included in federal health surveys.
- Please ask your legislator to make sure that the new Secretary of Health and Human Services continues to maintain the integrity of the National Institutes of Health's scientific review process.

For more information on GLBT health issues please visit <http://www.GLBThealth.net> or e-mail coalition@GLBThealth.net, or the Gay and Lesbian Medical Association website at <http://www.glma.org>





Responsible Education About Life Act (HR 768 and SR 368)

Responsible Education About Life Act (HR 768 and SR 368)

The Responsible Education about Life Act (REAL Act) was introduced into the 109th Congress by Senator Lautenberg (D-NJ) in the Senate, and by Representative Barbara Lee (D-CA) in the House. Among other things, this act calls for state and federal sexual education programs to include information about birth control methods as well as abstinence information.

The conservative belief that our young people can be scared into not engaging in sexual behavior, or persuaded not to engage in it, is a nothing more than wishful thinking. Sexual experimentation among adolescents is as old as humanity itself. Recent research studies have shown that the emphasis on abstinence only education, which is being pushed by the Bush Administration for ideological reasons, has led to a kick back reaction from adolescents that has resulted not only in an increase in teen pregnancy but also in HIV infection among young people. A recent study has also shown that the emphasis placed on virginity in sexual education by abstinence only until marriage programming has led to an increase in anal and oral intercourse among heterosexual adolescents. Given the absence of education about condom use and HIV prevention driven by the abstinence only programming emphasis from the Centers for Disease Control and the Bush Administration, this increase in anal intercourse among adolescents is highly alarming. Furthermore, it must be noted that programs which focus on abstinence only until marriage ignore the existence of GLBT youth who are denied the right to marriage.

The language of the REAL Act states:

Each eligible State shall be entitled to receive from the Secretary of Health and Human Services, for each of the fiscal years 2006 through 2010, a grant to conduct programs of family life education, including education on both abstinence and contraception for the prevention of teenage pregnancy and sexually transmitted diseases, including HIV/AIDS.

The prologue of the REAL Act sets out the following Congressional findings:

- (1) The American Medical Association, the American Nurses Association, the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, the American Public Health Association, and the Society of Adolescent Medicine, support responsible sexuality education that includes information about both abstinence and contraception.
- (2) Recent scientific reports by the Institute of Medicine, the American Medical Association and the Office on National AIDS Policy stress the need for sexuality education that includes messages about abstinence and provides young people with information about contraception for the prevention of teen pregnancy, HIV/AIDS and other sexually transmitted diseases ('STDs').
- (3) Research shows that teenagers who receive sexuality education that includes discussion of contraception are more likely than those who receive abstinence-only messages to delay sexual activity and to use contraceptives when they do become sexually active.
- (4) Comprehensive sexuality education programs respect the diversity of values and beliefs represented in the community and will complement and augment the sexuality education children receive from their families.
- (5) The median age of puberty is 13 years and the average age of marriage is over 26 years old. American teens need access to full, complete, and medically and factually accurate information regarding sexuality, including contraception, STD/HIV prevention, and abstinence.

Please make sure that your legislator is aware of the dangers involved in abstinence-only education programs, and ask him or her to vote for the REAL Act.





Judicial Nominees

Judicial Nominees

Federal judges play a critical role on such issues as civil rights, reproductive rights, and environmental and consumer protections. As the recess appointments of Charles Pickering and Bill Pryor demonstrated, President Bush is bent on packing the federal courts with ideological extremists who have shown a willingness to rewrite statutes, distort precedent, and misrepresent facts to justify positions against many of our treasured rights and protections. Although in the past Democrats have been able to block the worst of the nominees, Bush already has made enough lifetime appointments to leave an indelible mark on the federal judiciary. On February 14th, 2005, President Bush re-nominated 12 people to Federal Appeals Court life-time positions that had already been rejected by the Senate once for being too extreme. In addition, Right-wing senators are attempting to gather support for the “nuclear option” which would eliminate Senate rules that allow extremist nominees to be blocked. Republicans argue that the “nuclear option” is necessary to address the so-called “judicial nominations crisis,” yet, over 200 of president Bush’s nominees have been confirmed (or 95%). Democrats have used the filibuster only to oppose a handful of unqualified, out-of-the-mainstream nominees - hardly an issue over which the constitutional role of the Senate should be jettisoned.

General Nominee Talking Points

- President Bush seems committed to filling the courts with what many Americans see as ideological extremists prepared to carry out an alarming anti-civil rights, anti-environmental and anti-choice agenda.
- It is vital that President Bush work with both sides of the aisle as a uniter, not a divider, to select more moderate and mutually acceptable nominees.
- By resubmitting nominations that have already been soundly rejected, as well, by promising to usher through a new crop of alarmingly extremist judicial nominees, the president is antagonizing the very climate of bipartisanship that he purports to respect.
- We encourage you to encourage the President to seek more moderate and acceptable judicial nominees.

Status of nominees of concern proposed as US Appeals Court Justices:

All of the following information was taken from The Leadership Council on Civil Rights, Save our Courts:

Janice Rogers Brown

California Supreme Court Justice Janice Rogers Brown, nominated to the D.C. Circuit, has suggested that the Social Security system is unconstitutional and accused senior citizens of “blithely cannibaliz[ing] their grandchildren.”

Richard Griffin

Richard Griffin, a Michigan state court of appeals judge nominated to the Sixth Circuit, has shown hostility to workers and civil rights, as well as the rights of the accused.

Thomas Griffith

Attorney Thomas Griffith, nominated to the D.C. Circuit, has argued against a key component of Title IX of the Education Amendments of 1972 (which bars sex discrimination by educational institutions), raising broad concerns about his approach both to that landmark law and to other critical areas of civil rights law.

William Haynes

Department of Defense General Counsel William Haynes, nominated to the Fourth Circuit, played a central role in the decision to hold American citizens as enemy combatants with virtually no access to civilian courts or to counsel, and the decision to hold detainees at Guantánamo Bay without the protections of the Geneva Convention.

Brett Kavanaugh

Attorney Brett Kavanaugh, nominated to the D.C. Circuit, has less legal experience than virtually any Republican or Democratic D.C. Circuit judicial nominee in more than 30 years, but has a long history of partisan politics that includes defending the conduct of former independent counsel Kenneth Starr.

David McKeague

David McKeague, federal district court judge in Michigan nominated to the Sixth Circuit, has shown hostility to civil rights plaintiffs, has narrowed federal protections for the environment, and ignored the separation of church and state.

William Myers

Idaho lawyer William Myers III, nominated to the Ninth Circuit, has compared federal laws protecting the environment to the “tyranny” of King George III over the colonies.

Priscilla Owens

Texas Supreme Court Justice Priscilla Owen, whose nomination to the Fifth Circuit was rejected by the Senate Judiciary Committee in 2002, took campaign money from Enron and Halliburton and then ruled in their favor.

William Pryor

Alabama Attorney General, William Pryor, whom Bush placed on the Eleventh Circuit through a recess appointment, raised money from corporations doing business in the state that he was supposed to be policing. Pryor has called *Roe v. Wade* “the worst abomination of constitutional law in our history” and has argued that the Supreme Court should cut back on the protections of the Age Discrimination in Employment Act, the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Family and Medical Leave Act. As a recess appointment to the Eleventh Circuit, Pryor upheld the Florida gay adoption ban setting the precedent that it is legal for states to enact laws banning gays and lesbians from adopting children.

Henry Saad

Michigan Court of Appeals judge Henry Saad, nominated to the Sixth Circuit, has displayed a willingness to distort the law and manipulate facts.

For more information on these nominees or others, or to monitor the nomination process, please visit <http://www.saveourcourts.org>.





Filibuster and the “Nuclear Option”

The Filibuster and “Nuclear Option”

(provided by People for the American Way at <http://www.pfaw.org/pfaw/general/default.aspx?oid=103>)

What is the filibuster?

The filibuster is one of our democracy’s oldest and most important checks on the power of the majority. It preserves two of our bedrock values: protecting the rights of the minority and promoting compromise.

It works like this: If at least 41 senators strongly oppose a bill or nominee, they can vote to continue debate and block a final vote on the issue. A final vote can only be taken if and when the majority wins 60 senators’ votes. In the context of a Supreme Court battle, the filibuster means that 60 Senate votes may be needed to confirm out of the mainstream judicial nominees rather than a simple majority of 51. For two centuries, our leaders have supported the tradition of the filibuster in order to promote cooperation and compromise, and because they have recognized that the majority in the Senate doesn’t always represent the majority of Americans.

What is the “nuclear option”?

As the name suggests, the “nuclear option” is a radical tactic that would prohibit senators from using filibusters against extremist judicial nominees. Right-wing senators and leaders are supporting this destructive action because they want to guarantee the Senate confirmation of far-right ideologues to our federal courts, especially the Supreme Court.

The “nuclear option” is actually a series of steps that right-wing senators would take to eliminate the filibuster. The “nuclear” attack would likely begin with one party’s senators provoking a filibuster, most likely by trying to force a confirmation vote on an out-of-the-mainstream appeals court nominee. A senator would then object, claiming that the filibuster cannot be used on a judicial nomination. The vice president or a senator presiding over the Senate would rule in a partisan manner, and then that ruling would be appealed. A simple majority (with the vice president as the tie-breaking vote if necessary) would then uphold the ruling, and the filibuster would be history.

The “nuclear option” earns its alarming name for two reasons. First, it breaks the Senate rules in order to eliminate another rule: the filibuster. Under normal Senate procedures, it takes 67 senators, or two-thirds, to end debate on changing a Senate rule. The “nuclear option” would violate Senate rules and require only 50 senators plus the Vice President’s tie-breaker. Second, the atmosphere in the Senate after this attack would resemble a “nuclear winter.” All bipartisan cooperation would vanish and the Senate’s legislative business could grind to a halt, only adding to the price Americans would pay for the right’s reckless abuse of power.

Talking Points

Filibusters on judicial nominations are Constitutional.

The U.S. Constitution gives senators the vital responsibility and power to confirm or reject the President’s nominees to our federal courts (U.S. Con., Art. 2, Sec. 2). The Constitution also gives senators the authority to create rules for Senate proceedings (U.S. Con, Art. 1, Sec. 5). For over 200 years, the filibuster tradition has been maintained under this authority and used by senators of both parties, including GOP Senate Majority Leader Bill Frist, to prevent the confirmation of judicial and other nominees.

Filibusters on judicial nominations are appropriate.

A primary goal of the filibuster is to force greater deliberation and compromise on controversial Senate matters by requiring that they receive 60 votes to proceed. Since it is legitimate to filibuster controversial legislation that future Congresses can revisit, it is even more appropriate to allow filibusters when considering lifetime appointments to powerful positions on the federal judiciary.

Filibusters are essential to have available.

The outgoing Republican chairman of the Judiciary Committee, Sen. Orrin Hatch, has himself explained that the filibuster is “one of the few tools that the minority has to protect itself and those the minority represents.” Indeed, that’s why the Radical Right’s win-at-all-costs strategy includes eliminating the filibuster. No one disputes that the next appointments to the Supreme Court will greatly impact the rights of millions of Americans. Given that and the fact that more Americans voted for Democratic senators in 2004 than voted for Republican senators, the filibuster’s function to protect the rights of the “minority” in the Senate (often representing the majority in the country) is ever more necessary.

While Republicans considering radical changes to Senate rules have suggested that use of the filibuster is inappropriate and even unconstitutional, the historical record is clear. Both Republicans and Democrats have often demanded 60 votes on what each considered controversial nominations as well as legislation.

During the Clinton administration, a number of Republican Senators repeatedly used the filibuster, which has a long and bipartisan pedigree. But they also made extensive use of the much less open and accountable tactic of secret holds by a small number of senators to delay and prevent votes on an unprecedented number of appeals court nominees.

Indeed, one third of the Clinton circuit court nominees were blocked between 1995 and 2000. Sen. Leahy has recently described Senate Republicans’ approach during the consideration of Clinton administration nominees, which permitted one or a handful of senators, through secret holds, to prevent a nominee from even getting a hearing.

According to the Congressional Research Service, cloture motions were filed and cloture votes held on 14 appeals court nominations from 1980 to 2000. As recently as 2000, cloture votes were necessary to obtain votes on the nominations of both Richard Paez and Marsha Berzon to the Ninth Circuit. Current Senate Majority Leader Bill Frist was among those voting against cloture on the Paez nomination.

Republican leaders who participated in such a scheme have little credibility suggesting that a filibuster is unconstitutional because it permits 40 senators to prevent a final vote. In 1994, while some Republican senators were engaged in a filibuster against a Clinton administration nominee, Hatch called the filibuster “one of the few tools that the minority has to protect itself and those the minority represent.”





Marriage Equality

Marriage Equality

In the 108th, Congress two bills were introduced that would amend the constitution to prevent the recognition of same sex marriages (SR 26 and HR 56). The text of the proposed amendment was as follows:

Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution nor the constitution of any state, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.

While both HR 56 and SR 26 failed to pass in the 108th congressional session, supporters of an anti-marriage equality amendment are expected to continue to introduce similar bills until the amendment passes. To-date, two bills have been introduced and they are as follows:

Sentate Joint Resolution 1 (SR 1): Marriage Protection Amendment

This article may be cited as the ‘Marriage Protection Amendment.’

Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

House Joint Resolution 39 (HR 39)

Marriage in the United States shall consist only of a legal union of one man and one woman. No court of the United States or of any State shall have jurisdiction to determine whether this Constitution or the constitution of any State requires that the legal incidents of marriage be conferred upon any union other than a legal union between one man and one woman. No State shall be required to give effect to any public act, record, or judicial proceeding of any other State concerning a union between persons of the same sex that is treated as a marriage, or as having the legal incidents of marriage, under the laws of such other State.

Strategies & Talking Points

It is important to keep focus on two different aspects of this work – the work of arguing against a constitutional amendment vs. the work of arguing in support of marriage equality. Arguing against the amendment invites discussion of marriage, but the focus of that task is to point out the dangers of writing discrimination into the constitution rather than to persuade why marriage for same-sex couples is a good idea. Someone can come to a place where they oppose both and that is OK if the first task is to block an amendment.

It is important that people take these talking points and shape them through the lens of their own experience to bring them to life. It is not about using canned words and parroting them. The question to ask is how can you take these key themes that help make your case, and personalize them with your own feelings and experiences.

Additional pointers

- In general, don’t talk about “gay marriage” or use words that become modifiers to the word “marriage.” This is not about special rights or a new type of marriage. We are speaking of marriage with the same responsibilities, and same respect as other couples. Use terms like marriage equality or freedom to marry.
- Avoid talking about “recognizing”, “allowing” or “supporting” same-sex couples’ marriages. Instead, frame the debate as “ending the exclusion of committed couples from marriage”, “ending the denial of the right to marry”, or “ending discrimination”. Research shows that even people who do not support gay and lesbian “behavior” or ‘lifestyles’ oppose discrimination and denying protection to same-sex couples in committed relationships.

- Talk about your family and friends and how they are affected. Profile same-sex couples and their real-life stories about how their families are harmed by being denied marriage. These are very powerful.
- It is especially powerful to talk about the impact on the children in these families. Even if people are uneasy with the idea of gay people raising kids, they know it happens and they are more concerned that the kids do not get the advantages of parents having legal recognition of their relationship.

Talking Points: Opposition to a Constitutional Amendment

- Legislators shouldn't write discrimination into the Constitution. Such an amendment would cheapen and denigrate this magnificent document.
- This is a terrible idea. It would affect my (daughter, son, brother, sister, etc.).
- This is a direct affront to the principle of states rights in matters of family law.
- This is in no way a "conservative" thing to do – many respected conservatives oppose this idea because it is reactionary and simply inappropriate. Conservatives also generally oppose the federal government playing too large of a role in peoples' lives. This is the ultimate action of an overly controlling federal government.
- Polling consistently shows that while the public is nearly evenly divided on the question of marriage for same sex couples, support for a constitutional amendment banning marriage for same sex couples is very weak.
- This is unnecessary. The Defense of Marriage Act is still the law of the land and it already denies federal recognition of same-sex marriages

Key points recommended by the American Civil Liberties Union

- The federal marriage amendment is messing with the Constitution. It is unnecessary, unwise, and political.
- With all the many problems that Congress needs to address, it is unbelievable that some in Congress are spending time and resources to amend the U.S. Constitution to make a pronouncement about marriage.
- The U.S. Constitution is not the place to change morality every time someone in Congress has an idea about what morality should be.
- This Amendment takes away existing legal protections, under state and local laws, for committed, long-term couples, such as hospital visitation rights, inheritance rights, pension benefits, and health insurance coverage among others.

Information and Talking Points: Opposition to Court Stripping

You may notice that Amendment HR 39 differs from the standard marriage amendment language in that it includes, "No court of the United States or of any State shall have jurisdiction to determine whether this Constitution or the constitution of any State requires that the legal incidents of marriage be conferred upon any union other than a legal union between one man and one woman." Like last congress's "Marriage Protection Act" this is what is called a "court stripping" measure in that it strips both federal and state courts of their right to hear any case that questions the constitutionality of denying marriage to same sex couples. The GLBT community has looked to the courts to guarantee that our rights under the constitution are protected. If a court stripping amendment or law is passed ground breaking cases, such as those heard in Massachusetts and recently in California, will never be heard by the courts.

- Urge your Representative to oppose all bills that would strip the federal courts of their jurisdiction to hear certain cases.
- These court-stripping measures are of dubious constitutionality.
- They threaten the separation of powers in our Constitution and undermine the unique function of the federal courts to interpret the law
- By threatening to eviscerate the courts, these court-stripping measures are also bad policy.
- They undermine public confidence in the federal courts by expressing hostility toward them.
- They threaten the legitimacy of future congressional action by removing the federal courts as a neutral arbiter.
- They reject the unifying function of the federal judiciary by denying federal courts the opportunity to interpret the law
- These measures are an attack on our very system of checks and balances government, and I urge you to vote against them should they come up for votes.

Support for Marriage Equality Talking Points

- It's about for fairness and strengthening families. All of our children's committed relationships deserve to be honored with the same rights and responsibilities - those who are straight and those who are gay or lesbian. For same sex couples to be able to marry harms no one. To prohibit marriage for same sex couples harms real families – including my family.
- Marriage is a civil right that belongs to everyone. The government has no business deciding whom a person should marry. The decision to enter into marriage is a completely private personal choice that every individual has the right to make for him or herself - a basic principle that should be as true for same-sex couples as for other couples.
- There are so many reasons that access to equal legal recognition of same-sex couples is important. Just as for opposite-sex couples, same-sex couples want the right to marry for the same reasons:
 - They seek the security and protection that comes from a legal union both for themselves, their partner and for any children they may have.
 - They deserve legal recognition as family so they will be able to attend to their loved ones in times of medical emergency and not be viewed as strangers excluded from assisting in these dire situations.
 - They deserve the same array of financial rights as do other couples so they can have the ability to share benefits under healthcare and retirement plans with their family members, file joint tax returns and protect family inheritance rights.
- Right-wing pundits opposing marriage equality for same sex couples have it all wrong. Their arguments increasingly ring hollow and their tactics are seen for what they are - mean spirited, discriminatory and marginalizing of whole communities of families. Proponents who would exclude same-sex couples from equality would twist our Constitution into a weapon, and codify an entire group of people as second-class citizens.

Examples of opposition arguments and some counter points

Marriage is an institution that hasn't changed in 2000 years.

Marriage, even in its present conception, is not static and unchanging. Marriage has evolved greatly over the years. It's only been 40 years since our courts ruled laws preventing marriage between people from different races unconstitutional and at that time polling showed 70% of American still opposed to marriages between white people and people of color.

Marriage is a sacrament, a sacred institution.

As a point of fact, Churches did not start performing marriages until the twelfth century, and church ratified marriage was not legal in the USA before 1650. Before that, it was strictly a contract with the state since women and any wealth they may have had were viewed as the property of their husbands and marriage was a property transaction. Marriages such as these had little to do with love - romantic love is a fairly recent aspect of the institution, as is the idea that both partners can have equal legal standing.

Marriage has always been between a man and a woman.

Interestingly, the Church actually had marriage-like blessings for same-sex relationships long before it considered marriage a sacrament. (Source: Same-Sex Unions in Premodern Europe; John Boswell; Villard Books, 1994).

It takes a man and a woman to properly raise children.

You are entitled to your opinion, but the research does not prove the point. In fact, a great deal of research has shown that children raised by same-sex couples are no different on measures of developmental outcomes, and indeed appear to do better on some measures. What matters is a loving, supportive, nurturing home, and permitting same sex parents to marry will only enhance that. (See: (How) does the sexual orientation of parents matter?; Stacey & Biblarz, American Sociological Review. April 2001. Vol 66, iss2; pg. 159, 25 pgs.)

This will destroy the institution of marriage and open it up to all kinds of things like polygamy, bestiality, etc.

This argument has been raised for the past 15 years as same sex couples have struggled to get domestic partnership benefits. It was also raised when people were arguing about whether white people and people of color could marry - and it simply has not happened. And besides - that is a different issue, a red herring - what we are talking about here is the right for two individual, consenting adults who want to build a life together to be able to get married. Nothing more.

Addressing Some Key Marriage Questions

Provided by PFLAGer Eve Lubalin

Can same-sex marriage harm heterosexual marriage?

Permitting same-sex couples to marry could not cause harm to someone else's marriage and family. No documentation exists which gives credence to this myth. In fact, European countries which have given massive legal recognition to same-sex relationships have experienced no harm to opposite-sex couples and their families. In Massachusetts, thousands of same-sex couples have married in the past year, and heterosexual marriages have not suffered in any way. In fact, Massachusetts has among the lowest divorce rates in the U.S.

Should same-sex marriage wait until the majority supports it?

Our Constitution and our history argue against waiting to take action until a majority supports a particular civil right. The Constitution and Bill of Rights are meant to protect the civil rights and liberties of minorities. Further, it often takes the government enforcing basic civil rights to help change public opinion. A woman's right to vote, integration of the military and interracial marriage were all unpopular at one time. But our country is a democracy in which the minority is entitled to protection and where historically the government has been instrumental in providing leadership to educate the public and build support for civil rights. Recent polls suggest that people's understanding of the unfairness of marriage discrimination is beginning to take hold, with an average of approximately 40% saying "no" to discrimination and "yes" to equality. Among younger Americans, a majority supports civil marriage equality.

Why can't gay couples have the same benefits but not call it marriage?

This position clearly promotes separate and unequal status for one group of citizens, which is unworkable at a practical level and almost certainly unconstitutional, based on Supreme Court precedent. Civil marriage is an intricate web of legal, economic and practical protections and responsibilities, from sharing club memberships to the adoption of children to tax issues to immigration. Everyone instantly knows what marriage confers. Who will make the decisions on which rights same-sex couples should have, and how can they be made fairly? State domestic partnerships or civil unions are not portable across state lines and do not confer the 1,138 federal rights given by marriage. Even if states and the federal government could construct an entire parallel family code for the GLBT community, which is unlikely, a nationwide domestic partnership program would involve the government stigmatizing one group of citizens as "unfit" for marriage. Our country decided a long time ago that separate is not equal.

Shouldn't marriage remain as it has always been?

"Marriage and family are not very traditional at all. For instance, Abraham and Sarah were half-siblings, sharing a father. Jewish law once required childless husbands to marry a second time, with or without divorcing the first wife. Only the upper one-third of empire Romans had the legal right to marry; everyone else lived together outside the law. For its first five hundred to a thousand years, the early Christian church considered marriage a tainted, earthly institution, something rendered unto Caesar, and didn't officially declare marriage a sacrament until 1215. In English and American law, women did not have the right to be their children's guardians until the 19th century. While American states were battling for nearly 150 years over whether to recognize each other's divorces, Protestant denominations were roiled by the question of whether it was sinful to remarry divorced people whose ex-spouses were still alive. Marriage has always been a social battleground, its rules and borders shifting to suit each economy, each era, each class." (E.J. Graff)

What about the effects on children?

According to the 2000 Census, one in three lesbian couples is raising children and one in five gay male couples have children, but these couples are denied the right to raise their children within a marital relationship. These children are subjected to systematic prejudice on a daily basis and are denied many of the protections and rights accorded to the children of married heterosexual couples. Marriage protects children, giving greater access to health care, family and medical leave, and the right to a legal relationship with both parents. Marriage can also have significant economic impacts, due to parenting related federal tax benefits, Social Security and pension benefits, veterans benefits, employer based health insurance and other benefits available to employee family members. Yet, despite these disadvantages, studies done in the last 20 years show that children raised by gay parents are well-adjusted and happy and do not differ on standard psychological measures from children raised in heterosexual households. Studies show that kids do not necessarily need one mother and one father so much as they need good nurturers and positive role models. Yet, only seven states, plus the District of Columbia, provide for legal second parent or joint adoption statewide despite the fact that same sex couples are raising children in 96% of U.S. counties.

What are the fiscal impacts of same sex marriage?

Studies by the Congressional Budget Office (CBO) and UCLA have found that same sex marriage would actually generate revenue for the federal government. An analysis of federal budget impacts, done by the CBO in June 2004 for the Subcommittee on the Constitution of the House Judiciary Committee, found that the federal government would gain just under \$1 billion a year, for the next 10 years, if same sex marriage was legal. The study was based on 2000 U.S. Census data and the U.S. General Accountability Office's identification of 1,138 statutory provisions linked to marriage.

If we allow same-sex couples to marry, what's next? Are we going to allow marriage between 3 (or more) people?

When the U.S. Supreme Court concluded that laws barring black people from marrying white people were invalid and unconstitutional, opponents insisted that marriage by definition was for partners of the same race and argued the court's decision would lead to polygamy. That was not the case. The question of who can marry is a different question from how many can marry. We are asking the government to grant same-sex couples the same rights it grants opposite-sex couples. Since the government has chosen to involve itself in the relationship of two individuals, for it to choose which couples get marriage rights is discrimination.

Would the state be sanctioning homosexuality by legalizing same-sex marriage?

It's not the government's job to sanction heterosexuality or homosexuality. Nor is it in a position to judge the marriages of its citizens. It's not the government's job to make policy based on religious precepts; it is the government's job to enforce the Constitution. The Constitution says everyone gets equal treatment under the law.

Doesn't the Bible say marriage is between one man and one woman making it a religious institution?

Civil marriage is a government institution that grants hundreds of state rights and over 1,100 federal rights. When a couple goes to the County Clerk's office for a marriage license, religion plays no role. The U.S. Constitution makes no mention of the bible or any other religious text. Although gay people have had religious wedding ceremonies performed by congregations and religious leaders that have adopted inclusive marital policies, no religious institution would ever be required to perform a marriage against its beliefs and traditions. In America, marriage is a civil institution. However, real religious freedom would permit those faiths supporting same-sex marriage to be able to solemnize marriages if they wish to do so.

Wouldn't recognition of same-sex marriages cost businesses a lot more money?

The main benefit many employers provide for their employees which might be affected by permitting same-sex couples to marry would be health care benefits. Currently, many gay people cannot obtain this benefit. The additional cost to employers would be minimal and no one would even ask this question if a company happened to have all heterosexual people working with the expectation they would all be married. Businesses often offer gay couples benefits already as it is in their best interest to attract the best employees and retain them. Studies suggest the impact on business of recognizing same-sex couples would be minimal.

Wouldn't permitting gay and lesbian couples to marry mean the further breakdown of the family?

The breakdown of the family is a concern of many gay people, along with straight people, who believe that families are important for society. Although many marriages end in divorce, marriage fulfills an important role in supporting families and the communities around us. Families are (and should) be made of love, respect, sacrifice and commitment. The same values that led us to recognize and respect marriages between different-sex couples, should inspire us to recognize and respect marriages of same-sex couples. Recognition of same-sex couples and their families would be a positive addition to the diversity in our communities.

A Legal Commentary on Constitutional Amendments

This is the text of a commentary on Constitutional amendments published in *the Los Angeles Times* on February 26, 2004.

President Versus Precedent

Bush's reckless bid for an amendment defies an Oval Office tradition

By Cass R. Sunstein

Cass R. Sunstein teaches law at the University of Chicago and is the author of "Why Societies Need Dissent" (Harvard University Press, 2003).

In declaring his support for a constitutional amendment that would forbid same-sex marriage, President Bush is repudiating more than 200 years of American theory and practice. His proposal is radically inconsistent with the nation's traditions. Whatever it is, there is one thing that it is not: conservative.

Since its ratification in 1789, the Constitution has been amended only 27 times. Nearly every amendment falls into one of two categories. Most of them expand individual rights. The rest attempt to fix problems in the structure of the national government itself.

The first 10 amendments, ratified in 1791, make up the Bill of Rights, which guarantees liberties ranging from freedom of speech, assembly and religion to protection of private property and freedom from cruel and unusual punishments.

In the aftermath of the Civil War, three new amendments were ratified: to prohibit slavery, guarantee African Americans the right to vote, and assure everyone the "equal protection of the laws." During the 20th century, several amendments expanded the right to vote - granting that right to women (1920) and to 18-year-olds (1971), forbidding poll taxes (1964) and allowing the District of Columbia to be represented in the electoral college (1961).

Many other amendments fix problems in the structure of the government. An early amendment, ratified in 1804, specifies the rules for the operation of the electoral college. In 1913, the Constitution was changed to require popular election of senators; in the same year, an amendment authorized Congress to impose an income tax.

A 1951 amendment, responding to Franklin Roosevelt's four terms as president, bans the president from serving more than two terms. A closely related amendment from 1967 specifies what happens in the event that the president dies or becomes disabled while in office.

Do any amendments fall outside of these categories? Just two, and they're not impressive precedents. In 1919, the 18th Amendment prohibited the sale of "intoxicating liquors." The 21st Amendment repealed the 18th.

What accounts for our remarkable unwillingness to amend the Constitution except to expand rights and to fix structural problems? The simple answer is that from the founding period, Americans have prized constitutional stability. We have agreed that the document should not be amended merely to incorporate the majority's position on the great issues of the day. For those issues, we rely on the federal system and on democracy. We fear that large-scale constitutional debates could lead not only to ill-considered change but could also split and polarize the country. When we differ, we use the other institutions that we have, not constitutional reform.

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American presidents have shown a remarkable appreciation of these points, and of presidential responsibilities to the founding document itself. Though repeatedly rebuffed by a right-wing Supreme Court, Roosevelt did not favor amending the Constitution. In defending his New Deal, he appealed instead to Congress, the public and the states. Lyndon Johnson argued for dramatic new laws to protect civil rights and to carry out his “war on poverty,” but he left the nation’s charter alone.

Although he was appalled by a left-wing Supreme Court, Richard Nixon emphasized not constitutional change but ordinary political processes to steer the nation in the directions that he favored. Ronald Reagan may have been the most influential president of the second half of the 20th century, but he didn’t seek to change a single word of the Constitution.

In fact, Nixon and Reagan repeatedly emphasized the importance of relying on the federal system for resolving the most contentious issues. They often criticized “activist judges” for protecting criminal defendants and taking over school systems. But when Nixon and Reagan did so, they meant to protest the use of the national Constitution, by either left or right, to forbid experimentation at the state and local levels.

In our history, there is no parallel to Bush’s call for a constitutional amendment banning same-sex marriage. (Prohibition is by far the closest analogy.) And even if we agree that such marriages are objectionable, what is the problem for which constitutional change is the solution? No federal judge has said - not once - that the existing Constitution requires states to recognize same-sex marriages.

At the state level, there are ample channels for continuing deliberation and debate. True, the Supreme Judicial Court of Massachusetts has ruled that the state constitution forbids Massachusetts to refuse to give marriage licenses to same-sex couples. But even there, well-established processes are now underway for amending the state constitution, if the citizens wish, to overturn the court’s decision. In the overwhelming majority of states, there is no effort to redefine marriage to include same-sex couples.

Although acknowledging that constitutional amendment “is never to be taken lightly,” Bush tried to disguise the radicalism of his proposal by announcing, blithely, that the “amendment process has addressed many serious matters of national concern.” But our tradition has been far more specific, wise and careful than that.

Almost all “serious matters of national concern” have been handled through ordinary processes, not through constitutional change. Bush has proposed a reckless departure from our deepest traditions.

Take Action to Oppose the Marriage Amendment

The anti-gay Federal Marriage Amendment is alive and well, and has been re-introduced into both the 109th Senate and House. It has also been re-endorsed by President Bush.

Things to do:

- Call a friend - Build a telephone calling list by asking 5 friends to call legislators and speak with them about opposing constitutional amendments that discriminate against GLBT people by excluding them from marriage equality.
- Organize trainings on lobbying and advocacy so that your members know how to talk to, and work with, legislators and their staffs
- Write a letter to legislators informing them about PFLAG and its stance on constitutional amendments at either the state or federal level that make second-class citizens out of our family members and loved ones.
- Prepare “Family Story Packets” with photographs of your family members that can go on each legislator’s desk which include a one-page letter from parents addressing one of the following:
 - Why I want my GLBT child to marry*
 - What that marriage means to our family*
 - How I feel about my grandchildren visiting my GLBT child’s household*
- Write letters of appreciation to those legislators who have stated that they are opposed to any kind of discriminatory amendment at either the state or federal level that excludes GLBT people from marriage
- Write letters to legislators who have stated they will support constitutional amendments that exclude GLBT people from marriage and educate them about the danger of writing discrimination into our state and federal constitutions.
- Approach your local city or county elected officials to formally take a stand against the proposed Anti-gay Constitutional Amendment by writing to their colleagues at the state and federal levels. Please keep us posted about any response.





Permanent Partners Immigration Act

Permanent Partners Immigration Act

In the last Congress, Representative Jerrold Nadler (D-NY) introduced a bill into the house that sought to grant same-sex couples the same benefits afforded to legally married couples under U.S. immigration law. It had the support of 120 cosponsors. “The legislation is just common sense,” Nadler said. “That’s why it has reached the triple-digit mark in co-sponsorship two Congresses in a row - and bipartisan co-sponsorship at that.” A similar bill was introduced into the US Senate by Senator Patrick Leahy (D-VT). Please contact your legislator and ask him/her to encourage Congressman Nadler and Senator Leahy to re-introduce the PPIA into the 109th Congress. Also, please let the Senator and the Congressman themselves know of your continued interest in getting the PPIA re-introduced and passed.

The most prominent feature of the Permanent Partners Immigration Act was allowing U.S. citizens and lawful permanent residents who are in a permanent partnership to sponsor their partners for immigration purposes, just as any legal spouse would. Currently, because marriages of same-sex couples are not legally recognized under immigration law, many bi-national permanent partnerships are torn apart when one partner moves to the United States and the other is not allowed to immigrate.

Representative Nadler’s staff can be reached at (202) 225-5635 or <http://www.house.gov/nadler> and Senator Leahy’s staff can be reached at (202) 224-4242 or you can e-mail to: senator_leahy@leahy.senate.gov





Don't Ask – Don't Tell

Repeal of Don't Ask-Don't Tell Policy (HR 1059)

On March 2nd, 2005, Congressman Martin Meehan (D-MA) introduced a bill into the House to amend Title 10 of the United States Code by repealing the current military "Don't Ask-Don't Tell" policy and to replace it with a military policy of non-discrimination regarding sexual orientation. The bill currently has 67 co-sponsors in the House and it has been referred to the House Armed Services Committee.

We have been asked about the lack of reference to transgender issues in HR 1059. We checked with the Servicemembers Legal Defense Network about this and received the following information from them:

"Don't Ask-Don't Tell (DADT) is a policy specifically aimed at lesbian, gay and bisexual service members. Therefore, its repeal is specifically a lesbian, gay and bisexual issue. That said, the repeal of DADT will help transgender service members in a number of ways. Most importantly, there are transgender service members who are mistaken for gay, and discharged under DADT. Eliminating DADT will help transgender persons who experience discrimination based on the perception that they are gay. Further, opening the door for openly gay service in the military will certainly help the larger GLBT community and the veteran and active duty members of our community, GLB or T."

Don't Ask-Don't Tell Talking Points

The GAO report clearly shows that "Don't Ask, Don't Tell" must be repealed:

- The military's gay ban has a very real impact on our national security. Nearly 800 specialists with critical skills have been fired, including 322 linguists, 54 of whom specialized in Arabic.
- By the GAO's own admission, the \$191 million price tag on "Don't Ask, Don't Tell" is a bare minimum which does not include costs associated with discharging officers or trained, skilled specialists. Even at \$191 million, however, the pricetag is the same for a dozen blackhawk helicopters or more than 800 sidewinder missiles . . . All more necessary for the defense of our nation than the military's gay ban.

Legislation:

- Military readiness is enhanced when every qualified American who wants to serve is allowed to do so.
- This legislation impacts every American in every community. Our national security is stronger when every qualified American who wants to serve is allowed to do so.
- At least 65,000 lesbian, gay and bisexual Americans are already protecting our homeland. Our nation will be more secure when those who want to serve, but have not been welcome by the Pentagon, can enlist and contribute to our armed forces.

Consequently, PFLAG is supporting HR 1059, and asks you to request that your legislator votes to pass the legislation.

For additional information on this legislation contact the Servicemembers Legal Defense Network on the web at <http://www.sldn.org/action> or by phone at (202) 328-3244 extn 114.





Safe Schools

Safe Schools and Anti-Bullying (HR 283 and HR 284)

There are currently two pieces of legislation before the 109th Congress that address bullying prevention in schools. HR 283 was introduced by Representative Sanchez (D-CA) and addresses bullying and gang membership prevention in schools, and HR 284 introduced by Representative Shimkus (D-IL) addresses bullying and harassment prevention in schools. GLSEN has worked closely with Representative Shimkus on the introduction of HR 284. HR 284 (Shimkus) is an interesting bill because it also mentions harassment as well as bullying. Both bills are in the committee stage; however, both bills were tied to anti-drug use funding that has been cut by the Bush Administration and their continued viability is problematic. Furthermore, the language of neither of these bills meets PFLAG's call for explicit transgender inclusivity language.

In the previous Congress, Senator Lautenberg (D-NJ) introduced a federal safe schools bill, the 'Paul and Sheila Wellstone Safe Schools Act', into the Senate that included explicit language regarding extending protections to GLBT students. A similar bill has not yet been introduced into the 109th Congress. PFLAG was 100% in support of the bill introduced into the last Congress and we urge you to contact Senator Lautenberg and let him know of your interest in the bill being re-introduced into the present Congress.

We also ask you to write to Margaret Spellings, the US Secretary of Education and urge her to meet with representatives from PFLAG to discuss our safe schools work.

Senator Lautenberg can be reached by fax at (202) 228-4054, or by phone at (202) 224-2087 or at <http://lautenberg.senate.gov>

Secretary Spellings can be faxed at (202) 401-0689, or reached by phone at (202) 401-3000 or (800) 872-5327. You can reach the Department of Education through the questions tab on the following web page: <http://answers.ed.gov>

Please talk with your legislator about our safe schools work, and ask him or her to encourage Senator Lautenberg (D-NJ) to reintroduce the "Paul and Sheila Wellstone Safe Schools Act" into the 109th Congress, and encourage the introduction of transgender inclusive language in HR 283 or 284 or both.

A summary of the results of our 2004 schools assessment is on the next page.



Safe Schools Assessment 2004 Summary

Purpose

First national survey to evaluate safe schools policy implementation. Complements and expands existing body of research, particularly the climate surveys conducted by GLSEN.

Conclusions

- There is a growing awareness of GLBT safe schools issues but still a long way to go.
- There is a lack of GLBT resources in schools
- Great lack of incorporating GLBT issues into the curricula.
- Need to improve visibility of diversity personnel in schools.
- GLBT not seen as a diversity issue.
- Alarming lack of visibility of grievance procedures in some schools (40%) leaves victims of abuse not knowing where to turn to for help.
- Situation is probably worse than it appears due to sampling bias in the methodology.

Results

59% did not include GLB in their student harassment/non-discrimination policies

75% did not include gender identity/expression in their student policies

52% did not include GLB in their staff harassment/non discrimination policies

68% did not include gender identity/expression in their staff policies

83% had no training for staff on GLB issues

83% had no training for staff on gender identity/expression

61% had no support groups for GLBT students

83% had little or no GLBT information in library for students

90% had little or no GLBT information for staff in the library

81% rarely or never addressed GLBT issues in the curriculum (48% never)

41% had a Diversity Coordinator (41% don't know)

94% had little or no resources for parents about GLBT issues

40% had no published or accessible grievance policies

80% never responded/responded sporadically to complaints

95% of counseling services had little or no LGB resources

99% of counseling services had little or no trans resources

70% had no training for staff on how to stop GLBT bullying/harassment

92% had no training for students on how to stop GLBT bullying/harassment

91% provided little or no multicultural training of any kind

81% made no accommodations for trans students

80% offered no support to GLBT athletes

42% blocked access to GLBT non-pornographic sites with Internet filters

96% did not provide bulletin board space for GLBT displays

60% provided no visible welcome for same-sex parents or student couples

62% of staff rarely or never used GLBT inclusive language

75% reported that they felt that GLBT students were unsafe in their school

60% were rarely or never open to PFLAG presentations (29% sometimes open)

Limitations of study

It is not assumed that the sample is representative of all schools in the nation, but it does provide a snap shot of the state of safe schools policy implementation across the nation.



Workplace Religious Freedom Act (SR 677 and HR 1445)

Workplace Religious Freedom Act (SR 677 and HR 1445)

This act, introduced by Senator Santorum (R-PA) and Representative Souder (R-IN), seeks to amend Title VII of the Civil Rights Act of 1964 to expand the rights of some employees in the workplace in a way that would require employers to engage in efforts to accommodate an employee's religious practices and observances at the expense of other employees' civil rights.

“The concern here is that employers would have serious difficulty resolving instances where an employee posts a sign reading ‘God hates fags’ in his office or cubicle; where workers proselytize on the ‘sins of the homosexual lifestyle’ over lunch and on breaks; or where a social worker proffers a religious objection to being the case manager or counselor for a youth who is gay or transgender; or where a truck driver on 24 hour driving shift gives a religious reason for refusing to drive with a co-driver who is gay, lesbian, bisexual or transgender,” says HRC’s legislative director.

At PFLAG we support the goal of securing religious freedom in the workplace, but we urge our law makers to include safeguards that should be written into the bill that also ensure it won't be used to discriminate against gay, lesbian, bisexual and transgender Americans.



Part 2:

Conducting a Legislative Visit

Setting Up and Conducting a Visit with a Legislator

Getting a Visit

Call the office and explain that you would like to meet with the Legislator and why. Mention that you are a constituent. In these days of heightened security around regular mail, they will likely ask you to fax in the request.

Your U.S. Senators and House Representatives are elected to represent you in the U.S. Congress. They generally take listening to and meeting with constituents very seriously; likewise with your state representatives. They not only have offices in Washington D.C., or the State House but also “back home” in their districts. You can set up visits for either the D.C. office, the State House, or the district office.

Members are often busy and unable to meet constituents in person. They have staff members who handle various issue areas and these folks are very important to meet even if you do not meet with the member themselves. Congressional and legislative staff makes critical decisions in the office and advise their boss on the political situation and issues.

Prepare

1. Develop an agenda - review with all who will participate in the meeting. Since you will not have much time in the meeting itself, everyone should be clear on the goals of the visit and their role. Three or four people per visit are plenty.
2. Have stories that are compelling to that particular representative. Do research on your representative before you go so that you know what will grab them. For instance, if s/he is a former teacher than you may push different topics than if s/he is a former doctor or businessperson.
3. One person should lead the meeting - introduce the group and purpose.
4. Have someone who will keep track of the time and move the meeting along.
5. Bring an information packet
 - Information on PFLAG locally and nationally
 - Supporting information on the issues you are speaking to
 - Family photos of those for whom you do this work

Conducting the Visit

1. Show up on time and neatly dressed.
2. Start off on a positive note. Have one person thank the Representative or staff person for the meeting and thank them for any support or positive votes on issues in the past. Introduce the group and purpose of your visit.
3. Make a brief presentation and make any “ask” in the beginning of the visit. The purpose of the visit needs to be clear, concise and appropriate. With the Mother’s Day through Father’s Day visits, we are asking for a “No” vote on any state or Federal constitutional marriage amendment proposal that makes GLBT individuals second class people - only full marriage equality is acceptable, additional signatories for the Diversity Statement, for support of clear gender identity inclusion in LLEEA and ENDA, for support of PPIA and partner benefits for federal employees, and specific to Senators, we are asking for votes of opposition on problematic judicial nominees (see What We Want - Issue by Issue).

4. Know your agenda and stick to it. Representatives may try to shift the conversation to a more comfortable topic. Keep returning to your central message.
5. Personalize and localize the issues. Relate what you are asking for to a personal experience and a local need. Refer to your family photos – express your concern for safety and fair treatment of family and friends.
6. Get the representative or staff member to talk - what you learn about the representative is as important as the information you give. Ask specific questions that require specific answers. Try to pinpoint their concerns on particular bills and address these concerns head on. If you don't know answers, offer to investigate and get back to them. Be persistent and helpful.
7. Have a specific request. If you are discussing a particular piece of legislation, ask for their support for your position on it. If they are unable to take that position right then, ask them to keep an open mind or remain neutral. Make it clear you want to continue to build the relationship.
8. Acknowledge the risk if you are asking for something politically difficult. Help the representative develop bridge-building messages that can speak to the majority of constituents.
9. If you don't know an answer, say so. You are an expert on what is important to you and your family and friends, but you don't have to know everything. Try to find the answer after the meeting. Don't misrepresent your political clout and don't threaten the representative with losing your vote.
10. End on a positive note. If you have found common ground, recognize where you disagree, but return to that "feel good" point. Review any agreements or requests for information. Thank the representative or staff member for the meeting. Send a thank you note after the meeting restating any agreements and restating your requests. Always offer your assistance as a resource should s/he have questions in the future.

Keep Records

These visits are about building relationships with your elected officials over time. Therefore, keeping good records of all communications, visits and insights is very important. Please fill out a Visit Report Form and return to the national PFLAG office (Attention: Field & Policy Department Director) so the information can be kept on file and others can benefit from your work.

How Legislatures Work

Legislative sessions and the lawmaking process vary by state. In some states, like California, the legislative session is a year-long process with many opportunities to introduce and amend bills. In other states, like Texas, the legislative process occurs during a short period every other year. In order to plan a Lobby Day, you need to learn the specific legislative calendar in your state or local jurisdiction.

Here is a general description of the process:

Any member of the legislature may introduce a bill. It may be their own idea for a law or one suggested by a constituent or interest group. Members often try to gain support and co-sponsors before they introduce a bill, especially if it may be controversial.

After the bill's introduction, the legislature assigns it to a committee relevant to its topic. The committee leaders in many states and local jurisdictions control which bills will be heard by the full committee. At this stage, negotiations and changes to the bill often occur. Sometimes bills sit in committee for long periods of time without any consideration or vote. If a committee passes a bill, the legislature then sometimes sends it to another committee for similar consideration, depending on the topic and the state rules.

After a bill passes through its assigned committees, the full legislative chamber (either the House/Assembly or Senate) where the bill originated may then vote on the bill. If that chamber passes the bill, it sends the bill to the other chamber of the legislature to follow a similar process. If both chambers pass a bill, differences in language or amendments must then be addressed in a conference committee or some other venue. After negotiations and discussions, one identical bill may then be sent to both chambers for final vote.

Having survived this many steps, the bill is then sent to the Governor for a signature or veto. If he or she vetoes the bill, the legislature often has another opportunity to override that veto.

What is Lobbying?

For many people, lobbying conjures up smoke-filled rooms, special interests, and back room deals. But lobbying plays an important role in our democracy. Simply put, lobbying is any communication by a constituent or group with an elected official or his/her legislative staff. It is one way that elected officials learn about issues and understand the real-life impact of policies under consideration.

Citizen lobbyists who have no financial interest in pending legislation, such as you, make a special impact on legislators who are willing to listen and learn. Remember, you are the expert on issues that affect you and your GLBT family. For legislators and their aides who really don't know the issues well, you can help them understand. You can help persuade those who can be persuaded and educate those willing to learn. For legislators who have been our allies even in the face of opposition, you can thank them and give them the courage to do more.

For legislators whose hearts or minds haven't been reached in the past, you can ensure that they are never able to say that they don't know any GLBT families or anyone who cares about GLBT families in their district. You may even be able to urge them to alter their rhetoric and even change their minds! If you are successful in keeping them from being an active and vocal opponent, even if you do not change their mind, you've accomplished a great deal.

Lobbying attaches real people to policies. Rhetoric and bias are more difficult to maintain in the face of real constituents challenging those myths.

Lobbying and the 501(c)3

Provided that you do not spend more than 20% of your budget on lobbying, it does not have any effect on your 501(c)3 (or non-profit) status. As a 501(c)3 organization you can advocate for or against a policy or take up a position on an issue to educate the public and the legislature about it without any detriment to your 501(c)3 status. What you CANNOT do is to support or oppose a candidate for office - any office.

There are two types of lobbying activities allowed for 501(c)3 organizations: Direct Lobbying and Grassroots Lobbying.

Direct Lobbying	Grassroots Lobbying
Communication	Communication
Legislator	General Public (not chapter members)
Expressing a View	Expressing a View
About Specific Legislation	About Specific Legislation
	Call to Action

NOTE: If you cannot check off every item in a column of this box than the activity is not lobbying.

Direct lobbying MUST include Communication with a Legislator, Expressing a View About Specific Legislation (or potential legislation). This can be anything from writing letters to a legislator to walking up to Capitol Hill. But remember, if it does not include all of these qualifications than it is not direct lobbying. If you meet your legislator and tell her about your gay son and how much you love him, without talking about a specific piece of legislation than this is not direct lobbying. However if you talk to your legislator about a Marriage Amendment that has not yet been proposed to your legislative body, yet is possible or probable, than this is a specific piece of legislation.

Grassroots lobbying MUST include Communication with the General Public (this does not include chapter members), Expressing a View About Specific Legislation, and must include a Call to Action. A call to action can be anything from telling the public to contact their legislator(s), to providing the telephone number or address of legislator(s), to merely listing the names of how legislators voted on a particular bill. NOTE: If you are talking to the general public about a ballot initiative, constitutional amendment or other referenda that the public will personally be voting on, than this is no longer grassroots lobbying, and is direct lobbying. In this situation, the general public must be treated as the legislators since they will be voting on the legislation.

General Tips on Legislative Visits

- Know your agenda and stick to it.
- Elected officials may try to shift the conversation to a more comfortable topic. Keep returning to your central message and purpose.
- Acknowledge the possible political risks; help the official develop bridge-building messages that can speak to the majority of constituents.
- Tell the truth; if you don't know an answer, say so; don't inflate your political clout or threaten not to vote for the member.
- If you hit a brick wall during the visit, accept it. After the meeting, brainstorm creative solutions.
- End on a positive note; review any agreements or requests for information; thank him/her for the meeting
- Always follow-up. Send a thank-you letter restating any agreements or requests.
- Know your audience. Inform yourself about the voting records and general position of the members you are scheduled to meet. Know whether you are meeting with an ally, a potential supporter, or a frequent opponent. Meetings with these different types of legislators entail different requests. Use the following ideas to set the tone.

Allies:

- Thank them for their support of your family.
- Emphasize the importance of their continued leadership to your community, etc.
- If they are supportive of a particular piece of legislation, ask if they are willing to co-sponsor it.
- Ask how you can help support their work for equality.

Potential Supporters:

- Personalize issues of discrimination for your family and community.
- Engage in a discussion of the elected official's concerns, and general thinking on our issues.
- Talk about your group or family's activities; invite him/her to a meeting of your group.
- Ask them to keep an open door for future discussions with GLBT people and families.
- Offer yourself as a resource if s/he ever has questions in the future.
- Request that they speak out against hateful anti-GLBT rhetoric.

Opponents:

- Personalize issues of discrimination for your family and community, and give examples.
- Provide accurate information about GLBT people and their families; counter misinformation.
- Encourage him/her to learn more about this topic and offer yourself as a resource.

Part 3:
Resources

General Resources

Federal Issues

For additional information on federal legislation of particular interest to the GLBT people and their family and friends, visit <http://www.hrc.org> and click on “Issues”. For general information on Federal legislation visit <http://thomas.loc.gov>

Find out who your legislators are

Don't know who your elected officials are? Go to <http://www.vote-smart.org> to find contact information for them. (Service provided by Project Vote Smart) or for US Senators go to <http://www.senate.gov> and US Representatives go to <http://www.house.gov>

Gender Identity

For more information, or to download a complete copy of the booklet *Our Trans Children* in English or Spanish, visit <http://http://www.youth-guard.org/pflag-t-net/>.

Health

For more information on GLBT health issues please visit <http://www.GLBThealth.net> or e-mail coalition@GLBThealth.net, or the Gay and Lesbian Medical Association website at <http://www.glma.org>

Judicial Nominations

For information on judicial nominees or others, or to monitor the nomination process, visit <http://www.saveourcourts.org>

Permanent Partners Immigration Act

For additional information on the Permanent Partners Immigration Act, visit the website of the Lesbian and Gay Immigration Rights Task Force at <http://www.lgirtf.org>

Servicemembers Legal Defense Network

For more information on SLDN or the repeal of Don't Ask-Don't Tell go to <http://www.sldn.org> or call (202) 328-3244

Setting Meetings

To get office contact information for setting meetings with members of Congress in their Washington D.C. or district offices in your state, visit <http://www.senate.gov> or <http://www.house.gov>

US Senate Judiciary Committee

See next page for information about contacting the US Senate Judiciary Committee members.

US Senate Judiciary Committee, 109th Congress

[Arlen Specter](#)

CHAIR, PENNSYLVANIA
711 Hart Senate Office Bldg, Washington, DC 20510
(202) 224-4254
Fax: 202-228-1229
arlen_specter@specter.senate.gov

[Charles E. Grassley](#)

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(202) 224-5251
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grassley.senate.gov/webform.htm

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kyl.senate.gov/contact.cfm

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lgraham.senate.gov/email/email.htm

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Mountain/Northwest (AK, AZ, CO, ID, MT, NM, OR, UT, WA, WY)
Vacant - see which states are covered by the other coordinators above

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Judy Hoff - Safe Schools (all states)
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Thom Hart - Field & Policy Administrative Associate
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202.467.8180 ext. 227

PFLAG Inclusivity Policy

In September 2002, PFLAG's national Board of Directors adopted a policy statement establishing that:

“PFLAG can only support legislation that provides explicit inclusion of all who are included in our mission statement and ends.”

A great way to educate legislators about the importance of including both sexual orientation and gender identity on legislation is to ask your legislator to sign the Equal Opportunity Office Policy statement on the next page. Please ask if your legislator has already signed the statement. If they have, please express your appreciation. If they have not, please encourage them to do so. If you leave the meeting with a signed statement, please forward a copy to the national PFLAG office. Please let us know if your legislator says “no.”

This is a valuable strategy to help educate legislators on the need for explicit inclusion of gender identity and expression in legislation!

Equal Opportunity Office Policy

The sexual orientation and gender identity and expression of an individual is not a consideration in the hiring, promoting or terminating of an employee in my office.

Date: _____

Legislator's Signature

Legislator's Title and Name

Please ask your legislator to sign this statement and fax or mail signed copies to PFLAG's National Office:

Field & Policy Department
1726 M Street, NW, #400
Washington, D.C. 20036
Fax: 202.467.8194

Who attended the meeting with you?

Was the member or staffer familiar with PFLAG? (Circle one.) Yes No

What issues were discussed?

Did the member or staff person make any commitments? If yes, what?

Did the member or staffer request additional information? If yes, what?

Anything someone meeting in the future with this member or staffer should know?

General comments?

How will you follow up?

_____ Send a thank you card (noting any commitments or next steps)

_____ Send educational materials

_____ Arrange for a future meeting

_____ Invite the member or staffer to a PFLAG meeting

_____ Other? Please note:

Please keep a copy for your records and return a copy to:

**PFLAG Field & Policy Department
1726 M Street NW, Suite 400
Washington D.C. 20036**

Send electronic reports to: rschlittler@pflag.org