



President Obama has seamlessly woven his advocacy for LGBT equality into his everyday efforts to promote justice for all people.

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For more information about the Obama administration's work to provide opportunities for LGBT constituencies, visit www.nbjc.org

Thank you, President Obama: Standard Bearer for Justice and Equality

In commemoration of Black History Month and Presidents' Day 2011, the National Black Justice Coalition (NBJC) salutes the extraordinary heights President Barack Obama has reached in his unwavering mission to shape our nation's policies and governing laws to recognize the full equality of LGBT people.

NBJC believes that President Obama has not been given the appropriate credit due for the monumental strides this nation has made on his watch to advance efforts toward full equality achieved for LGBT people. In this spirit, NBJC has created a Presidential Midterm Report Card in recognition of the outstanding record-to-date of the sitting President of the United States, who happens to be an African American, in advancing LGBT equality. For example, he has excelled at having federal agencies investigate and root out every obscure administrative rule and policy that impacts the lives of LGBT



people. In addition, the Obama administration has been diligent in amending language, where necessary, to eliminate barriers in our quest for "...life, liberty and the pursuit of happiness."

Politically, President Obama could have succumbed to the fear of negative consequences and retreated. Instead, he has demonstrated courage, loyalty and determination. President Obama has seamlessly woven his advocacy for LGBT equality into his everyday efforts to promote justice for all people. He has been a true friend to the LGBT community, and the President has done an exemplary job to help Americans see LGBT people in a light that emphasizes our similarities and to show that LGBT people are family people too.

NBJC knows there is more to be done, and we will continue to work with the Obama Administration, Members of Congress, and our community allies to realize those objectives.

Mr. President, NBJC says "thank you." We have not forgotten that, on election night, you said, "The road ahead will be long. Our climb will be steep. We may not get there in one year or even one term, but ... I promise you—we as a people will get there." NBJC will continue to do our part to support your ongoing efforts to guarantee that all of the rights and protections extended to some Americans are extended to all Americans.

Onward and upward,

Sharon J. Lettman-Hicks
Executive Director



FAMILY RECOGNITION

GRADE:A

- President Obama directed the Health and Human Services (HHS) Secretary to initiate rulemaking, which went into effect on January 18, 2011, to ensure that hospitals that participate in Medicare and Medicaid respect the rights of patients to designate visitors. The President further advised that the rule should ensure that participating hospitals may not deny visitation privileges based on factors including sexual orientation or gender identity.
- Under the Family and Medical Leave Act (FMLA), the US Department of Labor clarified the definition of “son and daughter” to ensure that an employee who assumes the role of caring for a child receives parental rights to family leave regardless of the legal or biological relationship. A person who will co-parent a same-sex partner’s biological child may take leave for the birth of the child and for bonding.
- NOTE: Black female same-sex households are nearly twice as likely as White female same-sex couples to live with a child under 18 years of age, 52% versus 32% respectively. Black male same-sex couples parenting at twice the rate reported by White male same-sex couples, 36% versus 18% respectively (2000 US Census).
- President Obama issued a Memorandum requiring Executive Branch agencies to provide an extensive package of benefits to the same-gender domestic partners of federal LGBT employees. It also requires agencies that extend any new benefits to employees’ spouses to make those benefits available on equal terms to employees’ same-gender domestic partners to the extent permitted by law.
- Although the federal government—the nation’s largest civilian employer—offers attractive family benefits to employees with spouses, it does not offer the same benefits to lesbian and gay workers and their partners. According to the Human Rights Campaign, “The majority of Fortune 500 companies provide domestic partner benefits to their employees.” They include the “Big Three” automakers, Microsoft, Walt Disney, and Citigroup, among others, and their example has been followed by 13 states and 201 local governments that offer their public employees domestic partnership benefits.
- The Executive Memorandum extending federal benefits to same-gender partners of LGBT employees did not provide parity with those already enjoyed by heterosexual married couples, so, to close the gap, President Obama called for the “swift passage” of the Domestic Partnership Benefits and Obligations Act (DPBO). DPBO “...would extend to the same-sex domestic partners of Federal employees the full range of benefits currently enjoyed by Federal employees’ opposite-sex spouses.” The President concluded his statement by saying, “I look forward to signing [the legislation] into law.” DPBO was introduced in the last Congress and is expected to be introduced again in the near future.



DEFENSE OF MARRIAGE ACT

GRADE:A

- On Wednesday, February 23, 2011, President Obama announced that he would no longer defend Section 3 of the Defense of Marriage Act (DOMA) in court because he believes it to be unconstitutional, and “...given a number of factors, including a documented history of discrimination, classifications based on sexual orientation should be subject to a more heightened standard of scrutiny.” The President has also concluded that Section 3 of DOMA, as applied to legally married same-gender couples, fails to meet that standard and is therefore unconstitutional. Given that conclusion, the President has instructed the Department not to defend the statute in such cases.
- Section 3 is the portion of DOMA that contains language limiting the definition of marriage to a man and a woman. It was passed in 1996 and signed into law by President Bill Clinton. In the 15 years since it was enacted, more than 30 states have passed similar bans, added bans to their constitutions, or enacted a combination of both. Currently, only 5 states and the District of Columbia allow same-gender couples to marry. However, during the same period of time, the US Supreme Court ruled that laws criminalizing homosexual conduct are unconstitutional, and Congress repealed the military’s Don’t Ask, Don’t Tell policy.

WORKPLACE DISCRIMINATION

GRADE:A

- The President implemented a policy that prohibits discrimination on the basis of sexual orientation and gender identity in hiring practices across the entire Executive branch of government.
- In addition to eliminating the practice in the White House and all federal agencies, President Obama has been proactively trying to fill federal positions with LGBT appointments. Now, according to The Victory Fund, President Obama has appointed more LGBT individuals in his first two years in the White House than President Clinton did during his entire eight years.
- President Obama is working with Congress to help pass an inclusive Employment Non-Discrimination Act (ENDA) that will provide basic protections against discrimination in the workplace based on sexual orientation and gender identity. Currently, it is legal to fire a person for being LGBT in 29 states.

SAFE SCHOOLS

GRADE:A

- In his FY 2011 budget, the President proposes giving the Department of Education \$132 million in grants to help state and local governments fight violence and bullying in schools.
- President Obama personally reached out to LGBT youth, who may have been bullied, when he recorded a video message for the “It Gets Better” campaign. October 21, 2010. Other members of the administration followed the President’s lead and recorded videos showing their support and encouragement for bullied youth. They included: Vice President Biden, Secretaries Clinton, Sebelius, Vilsack, Solis, to name a few. The videos are posted at www.whitehouse.gov/itgetsbetter.



REPEAL OF DADT

GRADE:A

- On December 22, 2010, President Obama signed the Don’t Ask, Don’t Tell (DADT) Repeal Act into law bringing the discriminatory policy’s 17 oppressive years to an end. Since it was enacted in 1993, DADT has ruined countless lives and destroyed the careers of thousands of LGBT servicemembers.
- Census data shows Black women with same-sex partners serve in the military at 11 times the rate of women overall. The Pentagon reports black women are discharged under DADT at three times the rate that they serve. Black lesbians in the military are often mothers, so a discharge means unemployment, loss of health care benefits for children.
- President Obama never wavered from his commitment to end DADT and restore the ability of every person, regardless of sexual orientation, to serve their country without having to hide who they are and who they love.



HUMAN RIGHTS

GRADE:A

- The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA) was signed into law by President Obama in October 2009. HCPA gives the DOJ the power to investigate and prosecute crimes of violence where a perpetrator has selected a victim because of the person’s actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability.

HOUSING

GRADE:A

- The US Department of Housing and Urban Development (HUD) has proposed new rules that will provide protections for LGBT individuals and families by prohibiting discrimination based on sexual orientation and gender identity in any housing program that receives federal funds, which would include everything from Federal Housing Administration (FHA) mortgage insurance programs to Section 8 vouchers.

ELDER CARE

GRADE:A

- The Department of Health and Human Services made a \$900,000 grant to establish the first National Resource Center for LGBT Elders. The Center will provide information, assistance and resources for both LGBT organizations and mainstream, aging service providers at the state and community level to assist them in developing and providing culturally sensitive programs. The Center will also educate the estimated 1.5 to 4 million LGBT individuals 60 and older in the mainstream LGBT community about the importance of planning for long-term care needs.



TRANSGENDER EQUALITY

GRADE:A

- In June 2010, the State Department announced a new policy to issue passports that reflect a person’s current gender when either a previous passport or other personal documentation presented by an applicant reflects a different gender. This policy replaces the Department’s old policy, which required documentation of sex reassignment surgery.
- The Obama administration includes gender identity in all of its non-discrimination policies for hiring in the White House and across all federal agencies. It is also making great strides to require any person, business, or government entity that receives federal funding to comply with trans-inclusive, non-discrimination policies in the implementation of their federal grants or federally funded programs.



PRESIDENTIAL MIDTERM REPORT CARD

HIV/AIDS AWARENESS AND PREVENTION

GRADE:A

- The White House, the Department of Health and Human Services (HHS), and the Centers for Disease Control and Prevention (CDC) launched a \$45 million campaign--The Act Against AIDS program--to raise awareness about AIDS. Act Against AIDS marks the first federally funded national domestic HIV/AIDS campaign in almost twenty years.
- One of the President's top HIV/AIDS policy priorities is the development and implementation of a National HIV/AIDS Strategy (NHAS). There are three primary goals for the NHAS: Reducing HIV incidence; Increasing access to care and optimizing health outcomes; and Reducing HIV-related health disparities.
- In his FY2011 budget, President Obama calls for increases of more than \$1 billion in HIV/AIDS programs, which includes a \$20.4 million increase for programs specifically targeting gay and bisexual men and \$22 million for HIV prevention in the metropolitan areas hardest hit by the epidemic.
- NOTE: At some point in their lifetimes, 1 in 16 black men will be diagnosed with HIV infection, as will 1 in 30 black women; At the end of 2007, blacks accounted for almost half (46%) of people living with a diagnosis of HIV infection in the 37 states; In a recent study of men who have sex with men (MSM) in five cities, 67% of the HIV infected black MSM were unaware of their infection.

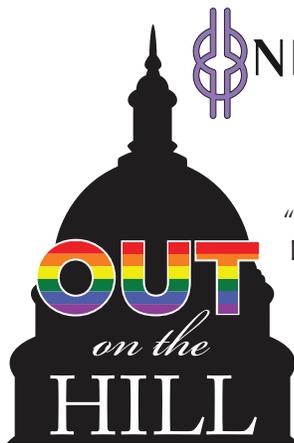


OPPORTUNITIES FOR LGBT YOUTH

GRADE:A

- Under President Obama's leadership and urgency, the US Department of Health and Human Services (HHS) has adopted multiple programs to examine and provide comprehensive services for at-risk LGBT youth.
- Some of the many programs HHS has implemented will address bullying, suicide prevention, promoting safe and healthy school environments, the behavioral health needs of LGBT youth, substance abuse and mental-health policies, helping LGBT families to adopt hard-to-place children in the foster-care system, and increasing outreach and services to runaway and homeless LGBT youth.

SAVE THE DATE: OUT on the Hill 2011



SEPTEMBER 20-25, 2011

**National Black Justice Coalition's 2nd Annual
OUT on the Hill Black LGBT Leadership Summit**

"OUT on the Hill" convenes Black LGBT activists, thought leaders, elected officials, faith leaders and youth to participate in social action on the national stage to demonstrate that all politics are local. We will educate our Congressional leaders, the Obama Administration and federal agencies on public policy concerns of Black LGBT people and our families.

We have the ability to move the masses towards an America that is more inclusive of Black LGBT people!

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