

Speaker Nancy Pelosi
1236 Longworth House Office Building
Washington, DC 20515

Representative Kevin McCarthy
2468 Rayburn House Office Building
Washington, DC 20515

7/22/2019

Re: LGBTQ Civil and Human Rights Organizations Support Disability Integration Act of 2019 (H.R. 555/S. 117)

Dear Speaker Pelosi and Minority Leader McCarthy,

In honor of the 29th anniversary of the Americans with Disabilities Act of 1990 (ADA), the 65 undersigned LGBTQ and allied organizations write to support the Disability Integration Act of 2019 (H.R. 555/S. 117). This bipartisan, bicameral legislation will enable LGBTQ people with disabilities to live in the community, in keeping with the premise of the ADA – community integration.

The Disability Integration Act (DIA) would ensure that people with disabilities are able to live and receive services in their own homes. It would prevent disabled people from being forced into costly institutional settings. To achieve these objectives, the legislation would ensure that people with disabilities are able to live in the community and receive services that allow them to lead independent lives. The DIA would maintain broad latitude for states to determine how to secure that right. It would also establish a comprehensive planning requirement with enforceable benchmarks and address the need for affordable, accessible, and integrated housing.

Last month was the fiftieth anniversary of the Stonewall riots. The police who raided the Stonewall Inn that June night in 1969 were part of a larger system of law enforcement, members of the judiciary, and medical professionals that forced LGBTQ people into psychiatric facilities.¹ The abuse inflicted on LGBTQ individuals at these facilities had a devastating impact on their health and resulted in significant trauma.² The community members who stood up that night, led by LGBTQ people of color, helped spark a movement fueled in part by anger at the involuntary confinement of LGBTQ people.

Many members of the LGBTQ community are marginalized based on disabilities as well as sexual orientation or gender identity. In fact, LGBTQ people are disproportionately likely to have a disability. A national survey of transgender

¹ JONATHAN KATZ, *GAY AMERICAN HISTORY: LESBIANS AND GAY MEN IN THE U.S.A.* (1976).

² Sophia Shapiro & Tia Powell, *Medical Intervention and LGBT People: A Brief History*, in *TRAUMA, RESILIENCE, AND HEALTH PROMOTION IN LGBT PATIENTS: WHAT EVERY HEALTHCARE PROVIDER SHOULD KNOW* 18 (Kristen L. Eckstrand & Jennifer Potter, eds., 2017); Erin McCauley & Lauren Brinkley-Rubinstein, *Institutionalization & Incarceration of LGBT Individuals*, in *TRAUMA, RESILIENCE, AND HEALTH PROMOTION IN LGBT PATIENTS: WHAT EVERY HEALTHCARE PROVIDER SHOULD KNOW* 18 (Kristen L. Eckstrand & Jennifer Potter, eds., 2017).

adults found that 39 percent of respondents reported having one or more disabilities, compared with 15 percent of the general population.³ State level research points to similar trends among lesbian, gay, and bisexual youth and adults.⁴

The House passage of the Equality Act in May was a tremendous step forward for LGBTQ people – but LGBTQ people with disabilities also need passage of the DIA to achieve meaningful equity. This year was also the 20th anniversary of the Supreme Court Case *Olmstead v Lois Curtis*, which held that people with disabilities have the right to live in the most integrated setting possible for their needs, meaning they cannot be required to live in institutions.

Today, decades after Stonewall, the ADA, and *Olmstead*, far too many LGBTQ seniors and LGBTQ people with disabilities remain forced to live in institutions.⁵ There, they face harassment and a lack of LGBTQ cultural competency among service providers, leaving many afraid to be open about their identities.⁶ Racial disparities in access to home- and community-based services mean that LGBTQ people of color are particularly harmed.⁷

We are proud to be among the 861 organizations supporting the DIA, and we join our colleagues in urging the 116th Congress to pass the DIA.⁸ The bill has garnered 230 bipartisan cosponsors – more than enough to get it through committee and to the House floor for a full vote.

The individuals for whom we advocate every day include people with disabilities. The DIA will ensure that they are part of our community, helping to realize the vision of the leaders who made Stonewall, the ADA, and *Olmstead* possible.

We call on Congress to pass this imperative civil rights legislation today!

To find out more on the bill, go to <http://www.disabilityintegrationact.org/>. Please reach out with any questions to Tyrone Hanley, Senior Policy Counsel at the National Center for Lesbian Rights (THanley@NCLRights.org or 202-734-3545)

³ SANDY E. JAMES ET AL., NATIONAL CENTER FOR TRANSGENDER EQUALITY, THE REPORT OF THE 2015 U.S. TRANSGENDER SURVEY, 57 (2017).

⁴ Karen I. Fredriksen-Goldsen, Disability Among Lesbian, Gay, and Bisexual Adults: *Disparities in Prevalence and Risk*, 102 AM. J. PUB. HEALTH 16, 18 (2012); MASSACHUSETTS COMMISSION ON LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, AND QUESTIONING YOUTH, MASSACHUSETTS COMMISSION ON LGBTQ YOUTH: 2019 FISCAL YEAR RECOMMENDATIONS, 51 (2018).

⁵ NATIONAL SENIOR CITIZENS LAW CENTER ET AL., LGBT OLDER ADULTS IN LONG-TERM CARE FACILITIES: STORIES FROM THE FIELD (2011), https://www.lambdalegal.org/sites/default/files/publications/downloads/ext_nsclc_stories-from-the_field.pdf.

⁶ *Id.*

⁷ Zhanlian Feng et al., *Growth of Racial and Ethnic Minorities in US Nursing Homes Driven by Demographics and Possible Disparities in Options*, 30 HEALTH AFFAIRS (2011).

⁸ DIA SUPPORTER LIST, <http://www.disabilityintegrationact.org/dia-supporter-list/>.

and Dara Baldwin, Director of National Policy for Center for Disability Rights, Inc. (dara.baldwin@ncdr.us or 202 -919-5725).

Sincerely,

AcadianaCares
ADAP Advocacy Association
Advocates for Youth
African American Health Alliance
African American Ministers In Action
AIDS Action Baltimore
AIDS Alabama
AIDS Foundation of Chicago
AIDS Legal Referral Panel
AIDS United
Alliance for Positive Change
American Academy of HIV Medicine
Association of Nurses in AIDS Care
Athlete Ally
BiNet USA
Cascade AIDS Project
Center for Black Equity
Center for Disability Rights, Inc.
CenterLink: The Community of LGBT Centers
Community Access National Network (CANN)
DC Fights Back!!
Equality California
Equality North Carolina
Family Equality
GAPIMNY—Empowering Queer & Trans Asian Pacific Islanders
GLMA: Health Professionals Advancing LGBTQ Equality
Global Justice Institute
GSA Network
Hispanic Health Network
HIV Dental Alliance
Human Rights Campaign
Lambda Legal
Latino Commission on AIDS
Los Angeles LGBT Center
Mazzoni Center
Modern Military Association of America
Movement Advancement Project
National Black Justice Coalition
National Black Leadership Commission on AIDS, Inc. (NBLCA)
National Center for Lesbian Rights

National Center for Transgender Equality
National Coalition for LGBT Health
National Council on Independent Living (NCIL)
National Equality Action Team (NEAT)
National LGBTQ Task Force Action Fund
National Partnership for Women & Families
National Working Positive Coalition
People For the American Way
PFLAG National
Positive Iowans Taking Charge
Positive Women's Network-USA
Prevention Access Campaign, U=U
Sexuality Information and Education Council of the United States (SIECUS)
The Center for HIV Law and Policy
The Sero Project
Transcend Legal
TRANScending Barriers Atlanta Inc
Transgender Law Center
Transgender Legal Defense and Education Fund
Treatment Action Group (TAG)
TriVersity - Center for Gender & Sexual Diversity
UCHAPS
URGE: Unite for Reproductive & Gender Equity
Whitman-Walker Health
Witness to Mass Incarceration

Cc:

Rep. Frank Pallone, Chair of the House Energy and Commerce Committee
Rep. Greg Walden, Ranking Member of the House Energy and Commerce Committee
Rep. Jerry Nadler, Chair of the House Judiciary Committee
Rep. Doug Collins, Ranking Member of the House Judiciary Committee
Rep. James Langevin, Co-Chair of the 116th Disability Caucus
Rep. Don Young, Co-Chair of the 116th Disability Caucus