

**House Committee on Energy and Commerce**  
**Subcommittee on Consumer Protection and Commerce**  
**Member Day Hearing**  
**Submitted by Congressman Ted W. Lieu (CA-33)**  
**July 25, 2019**

Chairman Pallone, Ranking Member Walden, Chairwoman Schakowsky, and Ranking Member McMorris Rodgers, thank you for allowing me to testify.

Today, I am here to urge you to consider my legislation H.R. 3570, the Therapeutic Fraud Prevention Act, which aims to prevent for-profit conversion therapy. This legislation has been cosponsored by 89 of our colleagues in the House of Representatives, including 14 Members of the Energy and Commerce Committee, and 6 Members of the Consumer Protection and Commerce Subcommittee. It is supported by a wide range of organizations including the American Academy of Pediatrics, the American Psychoanalytic Association, the Southern Poverty Law Center, and the Human Rights Campaign.

**About Conversion Therapy**

Conversion therapy, also known as reparative therapy or sexual orientation change efforts, refers to the practice of attempting to change an individual's sexual orientation or gender identity. According to the Williams Institute at the University of California Los Angeles, nearly 700,000 adults in the United States have been subjected to conversion therapy. Not only is conversion therapy common, but it also costly. One conversion therapy organization, People Can Change, charges \$650 to \$850 for weekend conversion therapy retreats in the woods. Another, Jews Offering New Alternatives to Healing (JONAH), charged about \$100 for weekly individual sessions and \$60 for group therapy sessions. A lawsuit filed by former victims of JONAH revealed that individuals could spend more than \$10,000 per year on conversion therapy. JONAH was ordered to shut down in 2015 for violating New Jersey's Consumer Fraud Act.

**Inefficacy, Harms of Conversion Therapy**

The national community of professionals in education, social work, health, mental health, and counseling has recognized universally that conversion therapy is a wholly useless and risky pseudoscience. In reality, it is not possible to change an individual's sexual orientation or gender identity, nor should we seek such change. Moreover, administering conversion therapy causes serious harms to its victims including depression, self-harm, and suicide. In 2013, the American Psychiatric Association released the following statement:

“The American Psychiatric Association does not believe that same-sex orientation should or needs to be changed, and efforts to do so represent a significant risk of harm by subjecting individuals to forms of treatment which have not been scientifically validated and by undermining self-esteem when sexual orientation fails to change. No credible evidence exists that any mental health intervention can reliably and safely change sexual

orientation; nor, from a mental health perspective does sexual orientation need to be changed.”<sup>[1]</sup>

So-called conversion therapists should not be able to sell their services by claiming that they are effective and harmless, especially when forced upon minors. As legislators, I believe that we have a responsibility to protect our constituents from being swindled by these individuals and organizations.

### **About the Therapeutic Fraud Prevention Act**

In June, I re-introduced H.R. 3570, the Therapeutic Fraud Prevention Act. This legislation makes it unlawful for any person to provide for-profit conversion therapy or to advertise for the provision of conversion therapy. It allows the Federal Trade Commission to enforce the prohibition under the Federal Trade Commission Act and provides additional enforcement authority to the Department of Justice and state attorneys general.

Because this legislation targets only those who charge for conversion therapy, it does not infringe on First Amendment rights. At the same time it is an incredibly effective way to ensure that for-profit practitioners are not allowed to engage in this fraudulent behavior.

### **State Progress**

Across the nation, we are seeing growing support for laws preventing conversion therapy. In 2012, California enacted the first law in the nation to protect minors from conversion therapy. Since that time, seventeen states—including Illinois and Washington—the District of Columbia, and several more municipalities have passed similar laws. Seven of these state laws were signed by Republican governors and several received bipartisan support in their respective state legislatures.

These bans are working. The aforementioned Williams Institute study found that 10,000 LGBT youth living in states that ban conversion therapy have been protected from the harm. Still, the report also showed that 16,000 LGBT youth living in states without such bans will receive conversion therapy from a licensed professional before they turn 18. Clearly, we need federal action.

### **Conclusion**

The Therapeutic Fraud Prevention Act will protect individuals from being defrauded by conversion therapists and falls clearly within the subcommittee’s mission to protect consumers. I respectfully request that the Subcommittee consider this important piece of legislation and thank you for the opportunity to testify before you.

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<sup>[1]</sup> APA Reiterates Strong Opposition to Conversion Therapy. November 15, 2018. Accessed July 22, 2019. <https://www.psychiatry.org/newsroom/news-releases/apa-reiterates-strong-opposition-to-conversion-therapy>.