

January 14, 2019

Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510

RE: Oppose the Confirmation of William Barr

Dear Chairman Grassley, Ranking Member Feinstein, and Members of the Committee:

The National LGBTQ Task Force Action Fund (Task Force) writes to oppose the nomination of William Barr to serve as Attorney General at the U.S. Department of Justice (“Justice Department” or “DOJ”).

The National LGBTQ Task Force Action Fund is the oldest national lesbian, gay, bisexual, transgender, and queer (“LGBTQ”) advocacy group. As a progressive social justice organization, the Task Force works to achieve full freedom, justice, and equity for LGBTQ people and our families in the areas of education, employment, healthcare, housing, criminal justice, immigration, and more.

The Department of Justice is tasked with ensuring fair and impartial administration of justice, but Barr’s career has demonstrated that he will not fulfill his obligation to protect the civil rights of marginalized communities, including LGBTQ people, people of color, and people living in poverty.

Throughout his career, Barr has shown animus toward LGBTQ people and toward sexual orientation and gender identity nondiscrimination protections. While serving as Attorney General, Barr expressed disapproval of housing protections for unmarried couples, including unmarried same-sex couples. Barr also asserted that laws prohibiting discrimination based on sexual orientation would lead to attempts to “override” matters of conscience. More recently, Barr praised the DOJ’s participation in cases seeking to create a legal right for business owners to have a religious license to discriminate against LGBTQ people. He also praised former Attorney General Sessions’ reversals of gender identity nondiscrimination policies, which have had devastating impacts on transgender, nonbinary, and gender nonconforming people.

Enforcement of civil rights protections is critical to ensuring that LGBTQ people—especially people of color and transgender people—get and stay hired, secure housing, and can use spaces and services open to the public without

discrimination. If confirmed, Barr's anti-LGBTQ hostility and preference for religious exemptions could make these protections meaningless.

Moreover, Barr's record indicates that he will fail to fully enforce healthcare laws vital to LGBTQ people, including the Affordable Care Act. Barr's treatment of people living with HIV as Attorney General shows that he will use federal policy to promote hostility and punishment targeting disfavored groups, rather than for advancing healthcare equity. Barr has also repeatedly expressed hostility toward reproductive rights and the Affordable Care Act. If confirmed, Barr will have a devastating health impact on LGBTQ people, people living with HIV, and people seeking reproductive health services.

Barr's history also demonstrates hostility toward immigrants and asylum laws. There are an estimated one million adult LGBTQ immigrants in the U.S., and LGBTQ people facing persecution, discrimination, or violence in their home countries may wish to seek asylum here. The administration has already made it increasingly difficult for immigrants to access vital services and for LGBTQ and others to seek and be granted asylum. Continued rollback of asylum and other immigration protections will continue to harm to LGBTQ immigrants.

Finally, Barr's record demonstrates that his oversight of the criminal justice system will disproportionately harm people of color. As Attorney General, Barr supported policies of the "War on Drugs" and mass incarceration that have had devastating and unfair consequences for communities of color. More recently, Barr opposed sentencing reform and diminished the experiences of Black communities with police brutality. If confirmed, Barr's positions will be especially detrimental to LGBTQ people of color and low-income LGBTQ people, who experience excessive police contact and arrests, and discrimination and abuse by law enforcement.

The Attorney General must ensure that the justice system functions in a nondiscriminatory manner and serves the people, rather than harming them. For these reasons, the Task Force asks that you oppose the confirmation of William Barr to be the Attorney General of the United States. If you have any questions, please contact Bridget Schaaff, Federal Policy Fellow (202-639-6320, bschaaff@thetaskforce.org).

Sincerely,

National LGBTQ Task Force Action Fund