



HUMAN  
RIGHTS  
CAMPAIGN®

January 9, 2017

The Honorable Charles Grassley  
Chairman, Senate Judiciary Committee  
United States Senate  
Washington, DC 20510

The Honorable Dianne Feinstein  
Ranking Member, Senate Judiciary Committee  
United States Senate  
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

On behalf of the Human Rights Campaign's more than 1.5 million members and supporters nationwide, I write to express our strong opposition to the nomination of Senator Jeff Sessions to serve as the United States Attorney General. As the nation's largest organization advocating for the civil rights of lesbian, gay, bisexual, transgender, and queer (LGBTQ) people, we are deeply concerned by Senator Sessions' lengthy record of promoting discrimination and marginalization of LGBTQ people and his consistent disregard for Constitutional principles protecting our community. Over more than three decades in public life, Senator Sessions has unapologetically used his position of power to target LGBTQ people and to deny our right to equal justice under the law.

As Attorney General, Senator Sessions would be charged with enforcing some of the nation's most critical civil rights laws protecting the LGBTQ community including the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. While in Congress, Senator Sessions worked to defeat passage of this law, arguing that the bill would merely prosecute "thought crimes." In the face of rising violence against LGBTQ people, Senator Sessions consistently argued that LGBTQ people should be denied protection under federal hate crimes laws. Senator Sessions also opposed expanding protections under the Violence Against Women Act to protect LGBTQ victims of violence under the most recent VAWA reauthorization. Given Senator Sessions' longstanding hostility towards federal actions to protect and prevent violence against LGBTQ people, we are deeply troubled that he would be in the position to enforce these laws that he committed years of his life to defeating.

In addition to enforcing these laws that explicitly protect LGBTQ people from violence, the Office of Attorney General plays a critical role in the enforcement of other civil rights laws that many LGBTQ people have come to rely upon including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and the Affordable Care Act. Numerous federal courts and agencies including the Department of Justice have concluded that in many circumstances LGBTQ people should receive protection from discrimination under the sex discrimination provisions included in these laws. These protections have proven to be an essential tool in combatting the invidious discrimination in employment, education, and healthcare that continue to plague our community.

In enforcing these laws the Department of Justice has not only provided increased protection for LGBTQ people, but has held states violating federal law accountable – an essential role of the federal government. For example, the Department brought a lawsuit against the state of North Carolina following passage of House Bill 2, charging violations of federal laws including the Violence Against Women Act, Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. It is imperative that the incoming Attorney General exhibit a sincere commitment to full enforcement of these laws and to maintaining this interpretation in all Departmental litigation. Senator Sessions' longstanding opposition to federal nondiscrimination provisions designed to provide legal protections for LGBTQ people including the Employment Non Discrimination Act (ENDA) raise serious concerns regarding his willingness to continue comprehensive enforcement of existing statutes.

We are also concerned by Senator Sessions' public dismissal of the use of consent decrees by the Department of Justice to enforce civil rights laws and to ensure access to justice for vulnerable communities. For the LGBTQ community, consent decrees have served as a valuable tool to address harassment and discrimination of LGBTQ children and youth in schools. In partnership with the Department of Education, the Department of Justice has worked collaboratively with school districts to address school environments or policies that violate the law. One of the most notable examples of the use of consent decrees on behalf of LGBTQ students is in the Anoka-Hennepin School District in Minnesota. The Department of Justice pursued this consent decree after federal investigation revealed unchecked bullying, harassment, and intimidation of students perceived to be LGBTQ and at least 8 suicides of bullied students.

In addition to consent decrees, the Department of Justice has been committed to serving vulnerable LGBTQ youth and has taken tangible steps to ensure all students have access to an equal education free from bullying or violence. In May of this year the Department of Justice joined the Department of Education in publishing guidance for school districts to ensure that transgender students will be treated with dignity in public and federally funded schools. A federal judge issued an injunction in August halting enforcement of this guidance after a number of states – including Senator Sessions' state of Alabama – filed a suit challenging it. It is critical that the Department of Justice continue to defend this much needed guidance and continue to provide information to schools and administrators on the front lines. Senator Sessions record of

attacking and demeaning LGBTQ people, including students while Attorney General of Alabama, is truly alarming. He has done nothing to show that he will be the true defender that vulnerable LGBTQ students need and deserve.

Throughout his lifetime in public service, Senator Sessions has repeatedly attacked the LGBTQ community at every opportunity. He has not only voted against critical civil rights victories for our community including the repeal of “Don’t Ask, Don’t Tell,” the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and VAWA reauthorization, but has devoted significant portions of his career to ensuring that LGBTQ people are denied equal rights and are publicly characterized as “dangerous” and as “threats” to the American way of life.

In Congress, Senator Sessions refused to accept the Supreme Court’s decision in *Lawrence v. Texas*, which found that state laws criminalizing same-sex relationships violated the U.S. Constitution. In fact, he used this foundational civil rights decision as evidence for the need for an amendment that would enshrine discrimination into the Constitution itself. He co-sponsored the Federal Marriage Amendment, which would have created a federal definition of marriage excluding same-sex couples and prohibiting any state from legalizing same-sex marriages.

Given this unchallenged record of opposition to any law designed to protect LGBTQ Americans, Senator Sessions is unfit to serve as our Attorney General and the Senate should reject his nomination. He has not proven that he can be trusted to enforce our nation’s civil rights laws faithfully and fully. The Office of Attorney General is too critical to our community and to our nation to hand its leadership over to someone who has committed his life to dismantling the very principles of equal justice and fairness that serve as its foundation.

Sincerely,

A handwritten signature in blue ink that reads "Chad Griffin". The signature is written in a cursive, flowing style.

Chad Griffin  
President