



MALDEF

Mexican American Legal Defense and Educational Fund

April 5, 2012

National Headquarters

Los Angeles

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The Honorable Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Re: Executive Order Adding LGBT Job Protections

Chicago

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Dear Mr. President:

On behalf of the Mexican American Legal Defense and Educational Fund (MALDEF), the nation's leading Latino legal civil rights organization, I write to urge you to build on your successful "We Can't Wait" initiative in one concrete way. Specifically, MALDEF asks that you sign an executive order to ban federal contractors from engaging in workplace discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals, including LGBT Latinos.

San Antonio

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Numerous presidents before you have faced obstructionists in Congress who refused to pass critically important civil rights legislation. In response, Presidents Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and William J. Clinton all demonstrated leadership and commitment to civil rights by signing executive orders to promote workplace fairness for racial and ethnic minorities, including Latinos, that addressed national origin discrimination in multiple job settings. In recent years, multiple Congresses have failed to pass the Employment Non-Discrimination Act (ENDA), which would ban workplace bias based on actual or perceived sexual orientation or gender identity. MALDEF believes the time is now right to promote workplace fairness for LGBT individuals by taking strong executive action.

Washington, D.C.

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I respectfully draw your attention to a recent example of a federally-funded hostile work environment at a company called DynCorp International, which takes in more than two billion dollars of taxpayer money per year. According to a complaint filed by the United States Equal Employment Opportunity Commission, a heterosexual DynCorp employee named John Frisco was bullied at work and called "faggot," "queer," and other derogatory names on a daily basis. DynCorp managers witnessed this harassment, but did nothing to stop it. While DynCorp recently agreed to pay a six-figure settlement to close this sex-discrimination lawsuit, the company did not initially accept real responsibility for the homophobia that permeated its corporate culture. For example, DynCorp did not amend its corporate non-harassment policy to include sexual orientation and gender identity along with other protected categories like race, religion, age, disability, and veteran status. However, I am proud that a new

Sacramento

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Advancing Latino Civil Rights for over 40 Years

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The Honorable Barack Obama

April 5, 2012

Page 2

LGBT organization called Freedom to Work, which was created with the support of MALDEF, launched a successful online petition that was signed by more than 55,000 individuals. Due to this public pressure, DynCorp finally agreed only recently to update their non-discrimination policies to include LGBT individuals.

Unlike DynCorp, America's top government contractors – Lockheed Martin, Boeing, Raytheon, and others – have had LGBT non-discrimination policies for many years because they understand that diversity is good for a company's bottom line. It is now time to sign an executive order that will require the remaining holdout contractors to modernize their policies by adding common sense civil rights protections. Indeed, taxpayers do not want to subsidize prejudice, as shown by recent polling: 73 percent of 2012 likely voters support such an LGBT executive order and support remains strong regardless of age, race, education, or political ideology. For example, 72 percent of likely Latino voters are in favor of you signing this executive order. Our Latino community supports our LGBT brothers, sisters, sons, and daughters just as much as other communities.

According to news reports, attorneys at the United States Department of Justice and the United States Department of Labor have already written and approved the text of an executive order, and all that remains is for you to sign it. MALDEF urges you to issue an executive order protecting workers from LGBT discrimination as soon as possible.

Sincerely,



Thomas A. Saenz
President and General Counsel

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cc: Hon. Hilda L. Solis, Secretary, United States Department of Labor
Hon. Jacqueline A. Berrien, Chair, United States Equal Employment Opportunity Commission
Delora L. Kennebrew, Chief, Employment Litigation Section, United States Department of Justice
Valerie Jarrett, Senior Advisor to the President
Cecilia Muñoz, Director, Domestic Policy Council of the White House
Julie Chavez Rodriguez, Associate Director of Latino Affairs and Immigration, Office of Public Engagement of the White House