

January 12, 2017

To the Honorable Members of the United States Senate
Washington, DC 20510

RE: Request to Senators to Question Secretary of Housing and Urban Development Nominee Ben Carson on Protecting LGBT People and Their Families from Housing Discrimination

Dear Senators,

We are writing today to request that in tomorrow's confirmation hearing and your one-on-one meetings with Dr Carson, that you ask him about his positions on LGBT rights and whether he would continue HUD's existing broad commitment to protecting LGBT people and their families from discrimination in housing if he is confirmed.

Equality California is deeply concerned that Dr Carson's rhetoric over the past couple of years and during the Presidential primaries signals a deep opposition to LGBT equality. In statements, he has opposed marriage equality and adoption by same-sex couples, as well as defended "license to discriminate" laws such as the "Religious Freedom Restoration Act" passed in Indiana.

Dr Carson's statements leave us uneasy about putting him at the head of an agency whose role is to oversee fair housing laws and homelessness programs, among other important functions, and we urge you to press Dr Carson to commit to ensuring that HUD's core housing programs and services are kept open to all persons, regardless of sexual orientation or gender identity, including:

- Continue current HUD policies aimed at protecting LGBT people and their families against discrimination by prohibiting operators of HUD-funded housing, or housing whose financing was insured by HUD, from inquiring about an applicant's sexual orientation or gender identity, or denying them housing on that basis.
- Continue to adhere to HUD's 2012 'Equal Access Rule' that requires HUD-financed or insured housing be made available without regard to actual or perceived sexual orientation, gender identity, or marital status, including existing HUD policy that sexual orientation and gender identity should not and cannot be part of any lending decision related to securing an FHA-insured mortgage.
- Commit to continuing to protect people living with HIV and AIDS, regardless of sexual orientation and gender identity, as required under the 1968 Fair Housing Act's disability protections.

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- Continue to adhere to HUD's recently published rule that requires access to sex-segregated shelters and other facilities be made available to transgender and gender non-conforming people on the basis of their gender identity.
- HUD recently announced guidance clarifying that blanket policies denying housing opportunities based on criminal histories may violate the Fair Housing Act because they have a disparate impact on racial and ethnic minorities. This guidance has a huge impact on the LGBT community because LGBT people have disproportionately high instances of interactions with the criminal justice system. This guidance must continue to be applied by HUD and used to investigate claims of discrimination from people being denied housing because of past criminal records.

With the nation's eyes upon these confirmation hearings, **Equality California also requests Senators to pose the following questions to nominee Carson:**

- Will he continue to enforce the commonly accepted interpretation of discrimination on the basis of sex to include discrimination based on gender identity?
- Will he continue to invest in publicizing rules like the equal access rule and the gender identity rule?
- Does he appreciate HUD's role as making sure communities are accessible to all people and families regardless of sexual orientation, gender identity and marital status?

Equality California made these requests because of the importance of maintaining existing HUD policies that protect LGBT people, and especially youth, as well as people living with, or perceived to have, HIV and AIDS from discrimination.

Sincerely,



Rick Zbur
Executive Director
Equality California



Valerie Ploumpis
National Policy Director
Equality California