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Congress of the United States
House of Representatives
Washington, DC 20515-3218

October 28, 2016

President Barack Obama
The White House
1600 Pennsylvania Avenue,
Washington, D.C. 20500

Dear Mr. President,

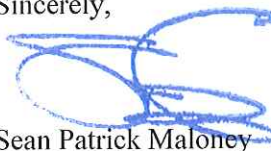
I'm writing today to respectfully request that you exercise your veto power on the Conference Report for the Fiscal Year 2017 National Defense Authorization Act (FY17 NDAA) if it contains a controversial and discriminatory provision which would effectively rollback Executive Order (EO) 13762. If included in the final report language, Section 1094 of the NDAA would expose LGBTQ employees of federal contractors to discrimination on the basis of their identity, rather than their work.

As you know, EO 13762 promulgated essential protections for LGBTQ employees of federal contractors from being fired based on their sexual orientation or gender identity. These protections are jeopardized by the "Russell Amendment" to the NDAA, which was included as section 1094 of the House-passed version of the bill. If included in the Conference Report, this section would establish broad "religious exemptions" for federal contractors, effectively undermining the EO's attempt to prevent discrimination. These exemptions would permit any "religious corporation, religious association, religious educational institution, or religious society" to claim an exemption from established hiring protections for LGBTQ employees.

During debate in the House of Representatives, my colleagues and I made three attempts to remove this hateful and politicizing language, but our efforts were to no avail. Although the Senate-passed version of NDAA contained no such provision, the Conference Committee may elect to retain the Russell Amendment in the final Conference Report. As a Conferee, I have also urged my colleagues to refrain from politicizing a bill which ought to focus exclusively on supporting our men and women in uniform and keeping our country safe.

You have presided over the most important progress on LGBTQ rights in the history of our country and your EO is an important part of that legacy. If the decision to include this provision is made against the advice of the White House and the efforts of my colleagues in both Houses of Congress, I encourage you to exercise your veto power to prevent the rollback of an essential workplace protection designed to prevent discrimination against hard-working Americans based on their sexual orientation or gender identity.

Sincerely,



Sean Patrick Maloney
Member of Congress