

February 23, 2015

Chad Griffin, President
Human Rights Campaign
1640 Rhode Island Avenue Northwest
Washington, DC 20036

Dear Mr. Griffin:

We are writing to commend you for taking the bold step of suspending Saks Fifth Avenue's score on the Corporate Equality Index (CEI). The CEI is an important tool for LGBT consumers to make their shopping decisions. Clearly, with Saks facing serious allegations of transgender discrimination and a lawsuit pending, it was appropriate to suspend the company's score until these questions are adequately answered.

Today we are urging you to take the same step with Walmart. As you know, the U.S. Equal Employment Opportunity Commission (EEOC) has determined that Walmart discriminated against lesbian employee Jacqueline Cote. Cote was denied spousal health insurance for her wife, Diana Smithson, who is currently battling ovarian cancer. As a result of Walmart's discrimination, the couple has racked up over \$100,000 in medical bills.¹ While the company has since changed its policy on same-sex spousal benefits, Cote and her wife have never been made whole. The EEOC has ordered "a just resolution" for violating Cote's civil rights.²

Unfortunately, Walmart has a long track record of anti-LGBT discrimination. In December, voters in Fayetteville, Arkansas voted to repeal a citywide nondiscrimination ordinance that included protections based on sexual orientation and gender identity.³ The Fayetteville Chamber of Commerce, where Walmart is both a member and has a representative on the Board of Directors, voted unanimously, to support the repeal.⁴

¹ <http://www.thestate.com/2015/02/18/3996749/apnewsbreak-feds-say-wal-mart.html>

² <http://www.thestate.com/2015/02/18/3996749/apnewsbreak-feds-say-wal-mart.html>

³ <http://www.arktimes.com/ArkansasBlog/archives/2014/12/09/fayetteville-ordinance-early-vote-opposes-repeal-of-gay-civil-rights-ordinance>

⁴ <http://www.arktimes.com/ArkansasBlog/archives/2014/11/06/fayetteville-chamber-of-commerce-calls-for-repeal-of-civil-rights-ordinance>

In addition, Walmart refused to speak out against Arkansas Senate Bill 202 (SB 202), a statewide law which went into effect today preventing any jurisdiction from passing an ordinance to ban discrimination.⁵ We would have had a fighting chance to stop this bigoted law if Walmart had done the right thing, but due to its silence, towns in the state the company calls home can no longer take a stand against discrimination.

Worse yet, Walmart was a substantial financial backer of the key proponents of SB 202.⁶

- Since 2006, Walmart and the Waltons have given \$30,000 to Arkansas Governor Asa Hutchinson, who allowed SB 202 to become law.
- Walmart and the Waltons have given more than \$450,000 to Republican candidates for State Senate and State Assembly in Arkansas since 2000. More than \$100,000 of this was in 2014 alone.
- Since 2000, Walmart and the Waltons have given more than \$355,000 to the Arkansas Republican Party and the Arkansas Republican House Leadership Committee. More than \$136,000 of this total came from Jim Walton, who previously donated heavily to an Arkansas initiative to outlaw adoption by same-sex couples.⁷
- The sponsor of SB 202, Bart Hester, received a contribution from the Arvest Bank PAC in 2012. Arvest Bank is owned by the Walton family and Walmart Board Member Jim Walton is the CEO.
- The Arkansas Chamber of Commerce was criticized for its failure to take action on SB 202.⁸ A Walmart representative, Gerard Dehrmann, is a Vice-Chairman of the organization⁹ and Walmart is one of only 3 “Apex members” of the State Chamber (the highest level of membership).¹⁰

Given the EEOC charges and the Arkansas debacle, we call on you to suspend Walmart’s CEI score until these issues are resolved and a more accurate evaluation can be completed.

⁵ <http://walmart1percent.org/2015/02/18/6-facts-about-walmart-and-sb-202-how-walmart-is-worse-than-silent-on-lgbt-issues/>

⁶ Political spending figures below are from FollowTheMoney.org Accessed February 17, 2015

⁷ <http://walmart1percent.org/2012/06/26/support-of-anti-gay-adoption-measure-in-arkansas/>

⁸ <http://thinkprogress.org/lgbt/2015/02/16/3623436/arkansas-anti-lgbt-business-silent/>

⁹ <http://www.arkansasstatechamber.com/who-we-are/ascc-officers-directors.html>

¹⁰ <http://www.arkansasstatechamber.com/membership-center/pinnacle-members.html>

Chad Griffin, President
Page 3
February 23, 2015

Thank you for your important consideration of this most urgent matter.

In Equality & Solidarity,

A handwritten signature in blue ink, appearing to read "Michele Kessler". The signature is fluid and cursive, with the first name "Michele" and last name "Kessler" clearly distinguishable.

Michele Kessler
UFCW OUTreach
International Chair