



Trans United Fund 2016 Presidential Candidate Questionnaire

Dear Presidential Candidate:

There are approximately 1.6 million trans US residents, many of whom will vote in the 2016 presidential election. Trans people live in every state and territory in our Nation, and though we are frequently subject to discrimination and harassment, we are resilient and strong. Like everyone else, trans US residents want to work hard, be treated with dignity, protect our families, and pursue the American Dream. We are not alone. Our families – both families of origin and our chosen families – stand with us. For more and more people, standing with the trans community has become a defining and powerfully motivating call.

As more and more Americans come to know us, that support only grows. As you well know, change is slow and the consequences of that pace could not be more consequential to our communities, as demonstrated by the statistics on HIV and suicide among trans people presented below. The transgender community has faced endemic levels of violence and discrimination. Today, even as more and more of us come out, elected officials and candidates for office from Washington to North Carolina, have borrowed from the most shameful chapters of our nation's history. These leaders have chosen to exploit ignorance, to appeal to fear, and to demonize us. While all of us suffer, the consequences are most profound for the most vulnerable among us – young people, trans women of color, immigrants and others. Yet in this same moment, we are witnessing profound and positive change. Today in America we truly stand at a crossroads. At Trans United Fund, we know the power that leaders like you have to impact both the course we take and the length of the journey. As trans people that come from all walks of life, we know that lives and the dreams of so many hang in the balance. We know that some would prefer that were silent in this moment. We know that courage in public life is as rare as it is profoundly challenging. Yet know our history. We remember when HIV/AIDS was ravaging thousands upon thousands of US residents and we remember the consequences of our elected leader's silence. We have learned that still today, silence equals death.

We are grateful for your service and we are grateful for your willingness to participate in this questionnaire. We also understand that not everyone is familiar with the terms and concepts the trans community uses to define ourselves. We define trans in a broad sense that includes both transgender people and gender nonconforming people. It has been and continues to be a journey for many us and imagine it may be for you as well. For context, a trans woman is a person who identifies and presents themselves as a woman and whose assigned sex at birth is male, and a trans man is a person who

identifies and presents themselves as a man and whose assigned sex at birth is female. Some trans identified people don't identify as male or female, identifying somewhere along or even outside of the binary. This is particularly true of young people, some of the most vulnerable members of our community. Transition is an individualized process through which a person changes their social, legal, or physical characteristics to be consistent with their internal gender. Not all trans people transition although we believe all trans people should have the right and access to care they need to do so if they so choose. We are happy to discuss any of these ideas or any of the questions that are outlined below further with you or the appropriate staff.

Here are some facts about our community from the groundbreaking [Injustice at Every Turn](#) report by the National Center for Transgender Equality and the National LGBTQ Task Force, based on a survey of nearly 7,000 trans people across the country.¹

- Trans people live in extreme poverty. We are nearly four times more likely to have a household income of less than \$10,000 per year compared to the general population.
- A staggering 41% of trans people have attempted suicide compared to 1.6% of the general population.
- Those who were openly trans or gender non-conforming while in grades K-12 reported alarming rates of harassment (78%), physical assault (35%) and sexual violence (12%). This harassment was so severe that it led almost one-sixth (15%) to leave a school in K-12 settings or in higher education.
- Trans people experience unemployment at twice the rate of the general population, with rates for trans people of color up to four times the national unemployment rate.
- Ninety percent (90%) of trans people report experiencing harassment, mistreatment or discrimination on the job, or took actions like hiding who they are to avoid such mistreatment, and over one-quarter (26%) reported that they had lost a job due to being trans.
- Trans people that are undocumented non-citizens report more jobs lost due to bias (39%) and three times higher physical assault at work (25%).
- Nearly one in five (19%) trans people report being refused medical care due to their trans status, with even higher numbers among people of color in the survey.
- More than one in five (22%) of trans people who have interacted with police report harassment by police, with much higher rates reported by trans people of color. More than half of black trans people who interacted with police reported either harassment or assault.

¹ Grant, Jaime M., Lisa A. Mottet, Justin Tanis, Jack Harrison, Jody L. Herman, and Mara Keisling. *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*. Washington: National Center for Transgender Equality and National Gay and Lesbian Task Force, 2011. Available at: http://www.transequality.org/sites/default/files/docs/resources/NTDS_Report.pdf

- Trans people experience over four times the national average of HIV infection, with rates higher among trans people of color. One quarter (24.9%) of Black trans people reported HIV infection, compared to 2.4% of the general Black population, a more than 10-fold increase. In addition, the CDC reports that trans people, and in particularly trans people of color, face the highest rate of new HIV infections among those tested.²
- Just this week in Rockville, Maryland, Keyonna Blakeney, a young Black trans woman was murdered. She is the 9th trans person to be murdered this year, the majority of whom are trans women of color. The names of the others are: Monica Loera, Jasmine Sierra, Kayden Clarke, Demarkis Stansberry, Nadine Stransen, Kourtney Yochum, Maya Young, and Shante Thompson.

In an effort to inform the trans community and our members of your policy priorities and concerns, Trans United Fund has developed this presidential candidate’s questionnaire. Our questionnaire addresses many of the issues that we believe are the most important to trans people, our families, and our allies.

Trans United Fund is committed to building the political power of trans communities and our allies to advocate for a bold and unapologetic commitment to full equality for trans communities.

Trans United Fund accomplishes this mission through engaging trans communities and our allies in the political process, building the political leadership and capacity of trans people and allies, and endorsing candidates with a commitment to trans equality and a pro-trans platform.

Candidates seeking the support of the trans community must go above and beyond support for basic issues of LGBTQ equality, such as non-discrimination. Candidates must demonstrate proactive commitment to positively impacting the issues that disproportionately affect trans and gender expansive communities, including mass incarceration and detention, HIV/AIDS, racial and gender profiling, immigration, violence, education access, unemployment, housing, and healthcare disparities.

Trans United Fund is a nonpartisan 501(c)(4) organization and is organized around the belief that endorsement and community support must be earned through both a commitment to and demonstration of support for trans people.

We look forward to sharing your responses!

CANDIDATE QUESTIONS

(Please attach additional sheets if you wish to provide any additional context to the questions below.)

1. BACKGROUND

² CDC. *HIV testing at CDC-funded sites, United States, Puerto Rico, and the U.S. Virgin Islands, 2010*. September 2012. Available at: http://www.cdc.gov/hiv/resources/reports/pdf/PEB_2010_HIV_Testing_Report.pdf

- a. Do you consider yourself an ally to the trans community? YES/NO
- b. Do you support full legal equality for trans people? YES/NO
- c. Do you understand the trans community to be Is expansive and diverse, including transgender people; binary and non-binary people; gender nonconforming, gender expansive, and gender-queer people; and people with a transsexual history? YES/NO
- d. Have you ever hired a trans person to work for you in a government or business context? YES/NO
- e. Do you know any trans people personally? I don't know if I do. Burlington has a significant Trans population so it is entirely possible. YES/NO
- f. Generally, how familiar are you with issues affecting trans communities?
- VERY FAMILIAR
- SOMEWHAT FAMILIAR**
- NOT VERY FAMILIAR
- NOT AT ALL FAMILIAR
- f. What are the top 3 issues you want to address to improve the lives of trans people?
- Access to affordable, nondiscriminatory health care
 - Access to good jobs and affordable higher education
 - Access to stable, safe housing
- g. What is your most significant achievement to date that has improved the lives of trans people?
- As part of the Affordable Care Act, I secured \$11 billion to expand the network of Federally Qualified Health Centers (FQHCs). Also known as community health centers, FQHCs provide high quality, affordable health care to over 23 million Americans, especially those in low-income and minority communities. These centers not only provide physical primary care—many of them are expanding to have much-needed mental health services on site. There are plenty of good examples of FQHC's that are leading in culturally competent health care for transgender people in DC, Boston, Chicago, and elsewhere. I realize not all have a transgender focus but with time this is one avenue that can directly impact the transgender community in a positive way.
- h. Non-binary and gender expansive people are frequently excluded in policy-making and programs concerning trans populations. How would you ensure that these communities are included in federal rules, reports, and activities?

We need to do a better job of incorporating a variety of voices into the federal policymaking process. Too often, the only voices that are heard are those of the rich and powerful, who can hire well-connected lobbyists. I will make sure that agencies are hearing from the communities who will be most affected by their policies.

2. BASIC LEGAL EQUALITY FOR TRANS PEOPLE

- a. Should trans people have the right to live, work, receive an education, and participate in public life without discrimination and harassment? YES/NO
- b. Would you uphold Executive Orders and federal agency rules which provide for non-discrimination protections for trans people in accessing government services, for contractors and grantees, and in federal employment? YES/NO
- c. Do you support the Equality Act (S.1858/H.R. 3185), or other federal legislation which will provide basic non-discrimination protections in areas like employment, housing, education, and public accommodations for trans people? YES/NO
- d. Do you support the Student Non-Discrimination Act (S.439/H.R. 846), federal legislation which will provide basic non-discrimination protections for trans students in K-12 schools? YES/NO
- e. Do you support the Safe Schools Improvement Act (S.311/H.R. 2902), federal legislation which will provide basic anti-bullying protections for students in K-12 schools? YES/NO
- f. Do you support the Therapeutic Fraud Prevention Act (H.R. 2450), federal legislation to protect LGBTQ people from dangerous and discredited conversion therapy? YES/NO
- g. Basic Non-Discrimination Protections
 - i. Have you ever voted for basic non-discrimination protections for trans people? YES/NO
 - ii. Have you ever voted against basic non-discrimination protections for trans people? YES/NO
 - iii. Please provide any relevant context for the above, include the year and any bill numbers.

I am an original cosponsor of the Equality Act and have cosponsored and voted for other bills to advance LGBT equality in the past, including the Employment Non-Discrimination Act.

- h. Will you support and uphold administrative rulings by the US Equal Employment Opportunities Commission (EEOC) and the US Department of Education that classify discrimination against trans people as discrimination on the basis of sex? YES/NO
- i. Do you support rules for allowing trans service-members to transition, socially and medically, and to be protected from discrimination? YES/NO
- j. Only 19 states plus DC have state laws that specifically provide basic non-discrimination protection to trans people. How would you ensure that these vital protections are extended across our Nation?

I am very proud that Vermont was one of the first states in the nation to provide protections for sexual orientation, and later added protections for gender identity. I strongly support interpretations of the Civil Rights Act that prohibit discrimination against trans people, until Congress formally adds those protections to our laws.

- k. Sex-Segregated Facilities
 - i. Do you oppose legislative efforts to prevent trans people from using sex-segregated facilities in accordance with their lived gender? YES/NO
 - ii. Do you oppose school district policies which would stigmatize trans Students or prevent them from using facilities in accordance with their lived gender? YES/NO
 - iii. Do you believe that basic non-discrimination laws for trans people applicable to employment, housing, public accommodations, and education will put anyone at increased risk in sex-segregated facilities? YES/NO
 - iv. Do you support the creation/designation of gender neutral restrooms in all appropriate federal buildings? YES/NO
 - v. How would you oppose efforts to prevent trans people from making appropriate use of public facilities based on their lived gender?

These laws are blatantly discriminatory and an affront to our nation’s ideals. We should be passing legislation to make our society more inclusive. We would certainly take a hard look at whether states and cities passing these laws are violating federal law, and if appropriate legal action should be taken.

- l. Religious Refusals
 - i. Do you oppose efforts to undermine non-discrimination protections for trans people by creating broad religious refusal provisions? YES/NO
 - ii. Can you explain your general philosophy regarding religious protections and what role they should have when considering protections for trans communities?

An employer generally should not have the right to discriminate against employees using his own personal religious beliefs—whether that means discriminating against trans people in the hiring process, preventing female employees from accessing birth control, or even taking action against employees who have relationships outside heterosexual marriage, as some laws allow. And just as a corporation should not be able to discriminate against a customer for her religious beliefs, neither should a corporation be able to discriminate against a customer for their gender identity.

- m. Healthcare
 - i. Do you support non-discrimination protections in healthcare access and services for trans people? YES/NO
 - ii. Do you support access for trans people to medically-necessary transition-related healthcare, as defined by the World Professional Association for Transgender Health (WPATH) and support by the American Medical Association and the American Psychological Association? YES/NO

- iii. Do you support access for trans people to medically-necessary transition-related healthcare regardless of their gender presentation? YES/NO
- iv. Do you support explicit federal rules that prohibit third-party insurers from exempting transition-related services from plans? YES/NO
- v. Do you support clear and financially appropriate Medicare coverage for transition-related healthcare? YES/NO
- vi. Do you support coverage of medically-necessary transition-related healthcare for trans veterans, including access to surgery? YES/NO
- vii. Increasing access to healthcare coverage for the trans community has not yet led to increasing access to care or quality of care. How would you ensure that trans people have access to appropriate, knowledgeable, linguistically accessible, and culturally competent healthcare?

First, we are facing a provider shortage in this country for all patients, especially when it comes to primary care. I strongly support programs such as the National Health Service Corps which encourage providers to work in medically underserved areas. As noted, the Affordable Care Act has been an important step towards expanding health insurance coverage in the United States, but insurance doesn't help when there are no doctors, physician assistants, or nurses available.

Specifically to the trans community, we need widespread cultural competency training for providers. The needs of a transgender woman are different from the needs of a cisgender woman; but we will also need training to address intersectionality, concerns (especially when it comes to race). I will direct HHS to work with providers not only to create safe spaces for transgender people to get care, but also to create a provider directory. One of the biggest barriers to access is when people don't bother to seek care in the first place, knowing there is a chance they may be rejected just for being who they are.

Health care is a right, not a privilege. We must ensure full access for all who need it.

- n. Identity Documents
 - i. Do you support rules by the Social Security Administration and the State Department which have allow trans people to appropriately change their legal name and assigned gender to match their lived identity? YES/NO
 - ii. Are you in favor of gender self-determination in identity documents? YES/NO
 - iii. Do you support removal of gender markers from any identity document where such information is not relevant? YES/NO
 - iv. How would you encourage states and other federal agencies to streamline name and gender change processes for trans people?

I will direct federal agencies to make that process as easy as possible. Those of us who are not directly impacted by the policy have much to learn about the process. Given that Real ID under Homeland

Security impacts GNC and gender expansive persons we might want to look at changing that connection or addressing additional identifiers and allowing for some flexibility in the process.

3. ISSUES THAT DISPROPORTIONATELY IMPACT TRANS PEOPLE

- a. Inclusion in Government Programs and Funding – Currently trans people are excluded from many sources of government funding or not explicitly included in government contracts, grants, and programs like other underserved communities. How would you ensure that trans people are fully and equally included in federal government activities?

By making sure they have access to the resources that pave the way for government funding and grants. Full-time grant writers are often a necessity for organizations seeking funds, but they are an unaffordable luxury to groups which have a unique perspective to contribute but lack the funds to amplify their voice. There should be a way to make the grant process easier without opening up the system to waste, fraud, and abuse.

- b. Do you support trans people as being designated as a Medically Underserved Population? YES/NO
- c. Do you support trans people as being designated as a minority population for purposes of small business rules and programs? I believe that we should encourage Trans people to take part in programs that are already available in the SBA. YES/NO
- d. Do you support trans people as being designated as a target population for purposes of federal workforce training and diversity programs? YES/NO
- e. Inclusion in Government Data Collection – Currently trans people are excluded from many federal surveys and other critical data collection efforts, which are necessary to fully understand the disparities faced by this population. How would you ensure that trans people are fully and equally included in federal data collection efforts?

I have joined my Senate colleagues in asking the Census Bureau to collect data on the LGBT population as part of the American Community Survey. As President, I will make sure that data is collected.

- i. There are currently no federal surveys or data collection efforts that capture information about gender nonconforming people. Do you support adding relevant questions to capture data about this population to federal surveys? YES/NO
- f. Employment – Trans people, particularly trans people of color, face staggering levels of unemployment and underemployment, even when the economy is strong. How would you improve employment opportunities for trans people?

We need better nondiscrimination laws. It is unacceptable that in this day and age, a person could still be fired—or not hired—based on their gender identity. We also need more jobs, period—I have introduced several pieces of legislation to create jobs programs and improve employment opportunities for all Americans. I support the recent actions of the EEOC to extend protections for gender identity in employment decisions.

- g. Workplace Discrimination – Trans people often face employment and workplace discrimination as well as challenges with workplace facilities. How would you improve workplace conditions for trans people?

I will issue an executive order requiring all federal employees to have access to the appropriate gender-affirming facilities and establish an inter-agency working group to increase opportunities for the trans community across all sectors (employment, education, health care, housing).

- h. Violence – Trans people, particularly trans women of color, face disproportionately high levels of violence, including hate crime violence, street violence, intimate partner violence, and suicide. How would you work to address this epidemic of violence?

This is a problem that must be addressed at multiple levels. We should be providing students with age-appropriate sex education, including information about affirmative consent and healthy relationships. For those who have already survived such abuse, we must expand access to law enforcement, shelters, and other services. Staff at domestic violence shelters, law enforcement, and other providers, including mental health providers, should receive cultural competency training from DOJ so they can best serve the transgender community. Above all, victims should know that no matter where they turn they will receive help, not ridicule or disbelief.

- i. HIV and Other STIs – Trans people, particularly trans people of color, face exceedingly high risk for HIV and other sexually transmitted infections. Moreover, trans communities have a disproportionate rate of people living with HIV. How would you work to address HIV and other STIs among trans communities?

I will increase access to affordable health care. To my mind, health care is a right, not a privilege. I support a Medicare-for-all single payer system to ensure all Americans have access to high-quality, affordable health care.

There are two related issues here: we need to reduce transmission rates and we need to increase treatment rates. The majority of Americans with HIV are not on treatment for the disease. Most new infections are among people ages 13-24—especially gay and bisexual men—and many do not know they are infected. HIV testing is now starting to become a routine part of an annual wellness visit, even for those not at high risk for the disease, and I strongly support

that. We should also make testing more accessible, at more frequent intervals, for those at higher risk, and ensure high-risk individuals know about prophylaxis options.

One of the major barriers to increasing treatment rates is the outrageous cost of HIV medications. Four years ago, I held a hearing in the Senate to examine the prices of HIV/AIDS medications in the United States. I was shocked to learn that a popular cocktail, Atripla, could cost upwards of \$24,000 per person per year, while that a generic version of that medication is available to PEPFAR patients overseas for less than \$200 per person per year. We absolutely must address the greed of pharmaceutical companies who continually enjoy record-breaking profits while keeping medications out of reach for the people who need them the most.

- i. Do you support removing trans people from the Men who have Sex with Men (MSM) category and establishing federal programs and funds designated for trans populations? **YES/NO**
- ii. Despite the disparate impact of HIV on trans communities, data on the prevalence of HIV among trans people is limited. Data concerning trans men is almost entirely unavailable. Do you support increased efforts to capture and publish accurate data about the rate of HIV among trans populations? **YES/NO**
- iii. Do you support reopening the National HIV/AIDS Strategy (NHAS) to address the gap in trans-focused HIV services and programs? **YES/NO**
- iv. Too often people with HIV face unfair criminalization or sentence enhancements for activities that are proscribed, even though they pose little to no risk for viral transmission. In fact, such criminalization can discourage testing and treatment, and thereby increase the risk of HIV infection. What would you do to reduce criminalization of people with HIV?

We need to revisit HIV criminalization laws. This country has come a long way with HIV, and though it is now recognized that the disease is not a death sentence, those who have it are still unfairly stigmatized. Many of these laws are written in an overly broad way that represent an overreaction to initial fears, and it is time to reform these laws.

- j. Law Enforcement – Trans people, particularly trans people of color, face disproportionate rates of negative interaction with law enforcement, arrest, and profiling, detention, and imprisonment, particularly for victimless crimes. Research shows that nearly half of trans people fear to approach law enforcement officials when they are the victim of a crime. How would you address discrimination by law enforcement systems and work to reduce the negative impact of these systems on trans communities?

When we say that police forces should look like the communities they are serving, that does not only apply to the racial makeup of the forces. Law enforcement officials should interact with the

communities they serve not just during criminal investigations. I think there is merit to independent review committees to investigate complaints of police bias, but we also need real community policing that breaks down the barriers between communities and police agencies. We need to establish a new model police training program that reorients the way we do law enforcement in this country. With input from a broad segment of the community including activists and leaders from civil rights organizations we will reinvent how we police America.

i. Do you support the legalization of consensual sex work? YES/NO

k. Incarceration – Trans people are disproportionately more likely to face discrimination, be subject to solitary confinement, and face sexual abuse in prison, jail, and detention systems. How would you reduce incarceration of trans people, prevent discrimination against trans prisoners, and mitigate violence against trans prisoners?

It is a disgrace that the United States has more people in jail than any other nation on earth. We must address all causes of mass incarceration. I strongly oppose mandatory minimums; in fact, I have introduced legislation that would reinstate the federal parole system, effectively abolishing the overly punitive minimums we have now.

We must work harder to prevent people from entering the criminal justice system in the first place. For transgender people, that means breaking the cycle of poverty and homelessness that often leads to incarceration.

l. Immigration – Trans immigrants face higher barriers to emigrate to the US, to obtain asylum, to obtaining appropriate healthcare, and to find work that allows them to remain in the US. Moreover, trans people that are subject to immigration-related detention face staggering rates of violence and sexual abuse. How would you work to ensure trans migrant populations are properly cared for in the U.S.?

I have introduced legislation to phase out the so-called detention quota for Immigration and Customs Enforcement. In addition, I will direct federal agencies to take into consideration gender identity when making refugee determinations and for those in detention systems.

i. Do you support streamlining the asylum process and making it more accessible to vulnerable populations, like trans people, who face persecution in their countries? YES/NO

ii. Do you support access for undocumented immigrants to basic identification that reflects their lived name and gender? YES/NO

iii. Do you support access to medically-necessary healthcare, including transition-related healthcare, pregnancy and abortion care, and HIV-related healthcare, for undocumented immigrants? YES/NO

- iv. Do you support exempting populations at disproportionate risk, like trans people, from non-criminal detention quotas for undocumented people? YES/NO
- v. Do you support repeal of arbitrary detention quotas that target and endanger immigrants, particularly trans and other vulnerable immigrants? YES/NO
- m. Foreign Policy
 - i. Do you support requiring government contractors and grantees to globally adopt trans-inclusive non-discrimination policies? YES/NO
 - ii. Do you support the December 2011 Presidential Memorandum to promote and protect the human rights of LGBTQ people through US diplomacy and foreign assistance work? YES/NO
 - iii. How would you proactively work to advance the human rights of trans people abroad?

By working with international organizations like the United Nations to promote equality worldwide and advancing trans rights and providing protections for marginalized communities. The State Department and international organizations that receive federal funding will place special emphasis on combating the criminalization of LGBT status.

- n. Emergency Services – How will you ensure that federal emergency services such as FEMA, which responds to environmental disasters such as flooding and contamination, serves trans people in a responsive and culturally competent way?

Cultural competency training for law enforcement providers should also be extended to first responders.

4. POLICIES AND PRACTICES OF THE CAMPAIGN

- a. Does your campaign have a non-discrimination policy that applies to gender identity and expression? YES/NO
- b. Does your campaign have a transition policy for trans campaign staff? If someone came out as transgender during the campaign they would be treated no differently than before they came out. YES/NO
- c. Does your campaign employ any openly trans staff? YES/NO
How many? **1 Trans and a few non-binary identifying people**
- d. How does your staff prioritize recruitment of trans staff?
Bernie 2016 strives to create an inclusive environment welcoming to any and all who wish to join the revolution.
- e. Does your campaign provide trans-inclusive healthcare benefits for staff? YES/NO
Trans-inclusive healthcare includes coverage of all medically-necessary

transition-related healthcare for all staff that work more than 30 hours/week. Staff are covered under BCBS of Vermont. It would take more research to answer this question.

5. ADVANCING TRANS EQUALITY IN OFFICE

- a. Will you meet with Trans United Fund members and other trans leaders within your first 100 days in office? **YES/NO**
- b. How would you use the office of the President of the United States to improve the health, safety, and well-being of trans people?

By giving them a voice at the table. Too often, it seems as if the "T" in LGBT is silent. In my administration, the T will not be silent.

- c. How would you advance pro-trans policies and legislation given the difficulty in passing legislation through Congress?

I will ensure the Executive Branch leads by example by including the viewpoints of the trans community and promulgating inclusive rules. My administration will also aggressively go after states and cities who seek to discriminate.

- d. How would you prioritize the appointment and recruitment of trans people in your administration as president?

We will actively recruit members of the trans community through the Presidential Appointment Process.

