

Minita Shah-Mara

April 14, 2010

The Honorable Jeff Merkley, United States Senate
107 Russell Senate Office Building
Washington, DC 20510

The Honorable George Miller, Chairman
House Committee on Education and Labor
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Sirs:

As one of America's leading businesses, Bingham McCutchen LLP (Bingham) would like to express our strong support of the Employment Non-Discrimination Act (H.R. 3017 / S. 1584) — federal workplace non-discrimination legislation that would extend basic job protections to lesbian, gay, bisexual and transgender Americans.

Bingham has implemented its own non-discrimination policy to make our workplace values of fairness clear and transparent to our 2,018 partners and employees. In the years since its implementation, the policy has been accepted broadly, and we believe it has affected our bottom line for the better. Our LGBT employees feel that they are equally protected and valued by the company. And it has further reinforced for all of our employees that fairness and non-discrimination remain fundamental in our workplace.

Enhancing our work environment to prohibit discrimination on the basis of sexual orientation and gender identity has not added any financial cost to our organization. Instead, we believe our philosophy and practice of valuing diversity bring financial benefits to the workplace by encouraging full and open participation by all employees.

Businesses that drive away talented and capable employees are certain to lose their competitive edge, an outcome that we must not accept in this competitive global marketplace. That's why a majority of FORTUNE 500 companies have already addressed these issues. After a thorough analysis of its provisions, we are convinced that the Employment Non-Discrimination Act is an appropriate, no-cost measure that will have a positive impact on our country's ability to compete, by extending protection in the majority of U.S. states where it remains legal to fire employees who are LGBT.

In fact, the fairness and simplicity of this bill is one of its most compelling features. The bill does not mandate affirmative action or reporting requirements, and imposes no regulation. It does not compel employers to grant spousal benefits. The Employment Non-Discrimination Act merely embodies the principle of non-discrimination that already enjoys the wide support of the American people.

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It has been the law of the land that employment discrimination is unacceptable based on race, gender, religion, ethnic origin or other non-performance-related considerations. It is time to include sexual orientation and gender identity.

Bingham strongly supports passage of the Employment Non-Discrimination Act. The principles it fosters are consistent with our corporate principles in treating all employees with fairness and respect. We encourage Congress to move quickly to enact this important legislation.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Minita Shah-Mara". The signature is fluid and cursive, with the first name "Minita" written in a larger, more prominent script than the last name "Shah-Mara".

Minita Shah-Mara
Sr. Manager of Diversity and Inclusion