

Donalds Johnson (LA)
Duncan Johnson (OH)
Dunn Johnson (SD)
Emmer Jordan
Estes Joyce (OH)
Fallon Joyce (PA)
Feenstra Katko
Ferguson Keller
Fischbach Kelly (MS)
Fitzgerald Kelly (PA)
Fitzpatrick Kim (CA)
Fleischmann Kustoff
Fortenberry LaHood
Foxy Lamborn
Franklin, C. Latta
Scott LaTurner
Fulcher Lesko
Gallagher Long
Garbarino Loudermilk
Garcia (CA) Lucas
Gimenez Luetkemeyer
Gohmert Mace
Gonzales, Tony Malliotakis
Gonzalez (OH) Mann
Good (VA) Massie
Gooden (TX) Mast
Gosar McCarthy
Granger McCaul
Graves (LA) McClain
Graves (MO) McClintock
Green (TN) McHenry
Greene (GA) McKinley
Griffith Meijer
Grothman Meuser
Guest Miller (IL)
Guthrie Miller (WV)
Hagedorn Miller-Meeks
Harris Moolenaar
Harshbarger Mooney
Hartzler Moore (AL)
Hern Moore (UT)
Herrell Mullin
Herrera Beutler Murphy (NC)
Hice (GA) Nehls
Higgins (LA) Newhouse
Hill Norman
Hinson Nunes
Hollingsworth Obernolte
Hudson Owens
Huizenga Palazzo
Issa Palmer
Jackson Pence
Jacobs (NY) Perry

NAYS—219

Adams Crist
Aguilar Crow
Allred Cuellar
Auchincloss Davids (KS)
Axne Davis, Danny K.
Barragán Dean
Bass DeFazio
Beatty DeGette
Bera DeLauro
Beyer DelBene
Bishop (GA) Delgado
Blumenauer Demings
Blunt Rochester DeSaulnier
Bonamici Deutch
Bourdeaux Dingell
Bowman Doggett
Boyle, Brendan Doyle, Michael F.
Brown Escobar
Brownley Eshoo
Bush Espaillat
Bustos Evans
Butterfield Fletcher
Carbajal Foster
Cárdenas Frankel, Lois
Carson Gallego
Cartwright Garamendi
Case Garcia (IL)
Casten Garcia (TX)
Castor (FL) Golden
Castro (TX) Gomez
Chu Gonzalez,
Cicilline Vicente
Clark (MA) Gottheimer
Clarke (NY) Green, Al (TX)
Cleave Grijalva
Clyburn Haaland
Cohen Harder (CA)
Connolly Hastings
Cooper Hayes
Correa Higgins (NY)
Costa Himes
Courtney Horsford
Craig Houlihan

Pfluger
Posey
Reed
Reschenthaler
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Staubert
Steel
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Tiffany
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyn
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Zeldin

McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascarell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter

Boebert
Brady
Buck
Calvert
Diaz-Balart

Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Rice (SC)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sanchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger

NOT VOTING—13

Fudge
Gaetz
Gibbs
Huffman
Kinzinger

Speier
Stanton
Stevens
Strickland
Suozi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Velázquez
Wasserman
Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

□ 1325

Mr. MCNERNEY, Ms. VELÁZQUEZ, Messrs. HOYER, GALLEGO, LARSON of Connecticut, VEASEY, JOHNSON of Georgia, and CARBAJAL changed their vote from “yea” to “nay.”

Messrs. FITZGERALD, WALTZ, WESTERMAN and MOONEY changed their vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Davids (KS))
Gosar (Wagner (IL))
Moulton (Trahan)
Barragán (Beyer (IL))
Napolitano (Correa)
Bowman (Clark (MA))
Hastings (Wasserman Schultz)
Nunes (Garcia (CA))
Buchanan (Donalds)
Himes (Courtney)
Payne (Wasserman Schultz)
Budd (McHenry)
Kirkpatrick (Stanton)
Pingree (Kuster)
Cárdenas (Gomez)
Kirkpatrick (Stanton)
Porter (Wexton)
Carter (TX) (Nehls)
Langevin (Lynch)
Roybal-Allard (Bass)
Cawthorn (McHenry)
Lawson (FL) (Evans)
Ruiz (Aguilar)
DeSaulnier (Matsui)
Lieu (Beyer)
Rush (Underwood)
Deutch (Rice (NY))
Lowenthal (Beyer)
Vargas (Correa)
Frankel, Lois (Clark (MA))
Meng (Clark (MA))
Watson Coleman (Pallone)
Gonzalez, Vincente (Gomez)
Moore (WI) (Beyer)
Wilson (FL) (Hayes)

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Madam Speaker, as you know, as a result of COVID-19 and our discussions with the Capitol physician, we have organized voting in a way that we have seven different segments at 5-minute intervals so that a limited number of Members will vote in every 5-minute segment. That is obviously

designed to keep us as safe as possible, our staffs as safe as possible, so we get off the floor, and they have to be on the floor.

This vote that we just had was about 1 hour and 5 minutes. Obviously, if you take seven segments at 5 minutes a segment, that is 35 minutes. We have added another 5 minutes for people who missed their segment, which would be 40 minutes. We are starting to average 20, 25, 30, 35 minutes beyond that 40 minutes.

Therefore, I wanted to announce to every Member that I will be recommending that we close votes 45 minutes after they start. Bang.

Now, I will tell my side—which probably has this responsibility more than the other side because we use proxies more than you do—that if you hold a proxy, not only do you have a responsibility to yourself to vote in a timely fashion, but if you miss the vote, acting in a fiduciary capacity for another Member who can't be here because of health-related issues, and you do not vote, that will not be a happy situation.

So I want you to know, I am going to be talking to the Speaker—I have already talked to her—that 45 minutes after that first bell rings I want the gavel to come down. And, hopefully, we will all recognize when the bell rings that we will have to vote in the next 45 minutes. Now, that cannot be a real burden on anybody. Cannot.

It is simply that we look to see how many people have voted—oh, well, there are 20 people out, so I don't have to worry, and that is after we have gone by the 40 minutes.

Madam Speaker, I am going to send out a notice on this as well, and I want to confirm with the Speaker, but I know, having talked to the Speaker numerous times about this issue, that she shares my view that if we are going to run this institution with respect to one another—DON YOUNG didn't come on this vote. DON YOUNG is the famous—call it on time.

I want every Member to understand, this is not to penalize anybody. It is, however, to try to run this institution in a way that Members' time, which is valuable, is respected, and we simply don't waste it waiting around for one or two or five or six other people to come. I do not cast aspersions. Sometimes it is hard to get here on time, particularly if you have done something and you are in some other place.

Madam Speaker, I appreciate the time. I will be talking to the Speaker. I will notify everybody when that is going to be implemented. It may be implemented as soon as today, and we will be sending out a notice. And, by the way, everybody I talked to agrees with this.

□ 1330

EQUALITY ACT

Mr. NADLER. Madam Speaker, pursuant to House Resolution 147, I call up

the bill (H.R. 5) to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 147, the bill is considered read.

The text of the bill is as follows:

H.R. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Equality Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Discrimination can occur on the basis of the sex, sexual orientation, gender identity, pregnancy, childbirth, or a related medical condition of an individual, as well as because of sex-based stereotypes. Each of these factors alone can serve as the basis for discrimination, and each is a form of sex discrimination.

(2) A single instance of discrimination may have more than one basis. For example, discrimination against a married same-sex couple could be based on the sex stereotype that marriage should only be between heterosexual couples, the sexual orientation of the two individuals in the couple, or both. In addition, some persons are subjected to discrimination based on a combination or the intersection of multiple protected characteristics. Discrimination against a pregnant lesbian could be based on her sex, her sexual orientation, her pregnancy, or on the basis of multiple factors.

(3) Lesbian, gay, bisexual, transgender, and queer (referred to as “LGBTQ”) people commonly experience discrimination in securing access to public accommodations—including restaurants, senior centers, stores, places of or establishments that provide entertainment, health care facilities, shelters, government offices, youth service providers including adoption and foster care providers, and transportation. Forms of discrimination include the exclusion and denial of entry, unequal or unfair treatment, harassment, and violence. This discrimination prevents the full participation of LGBTQ people in society and disrupts the free flow of commerce.

(4) Women also have faced discrimination in many establishments such as stores and restaurants, and places or establishments that provide other goods or services, such as entertainment or transportation, including sexual harassment, differential pricing for substantially similar products and services, and denial of services because they are pregnant or breastfeeding.

(5) Many employers already and continue to take proactive steps, beyond those required by some States and localities, to ensure they are fostering positive and respectful cultures for all employees. Many places of public accommodation also recognize the economic imperative to offer goods and services to as many consumers as possible.

(6) Regular and ongoing discrimination against LGBTQ people, as well as women, in accessing public accommodations contributes to negative social and economic outcomes, and in the case of public accommodations operated by State and local governments, abridges individuals’ constitutional rights.

(7) The discredited practice known as “conversion therapy” is a form of discrimination that harms LGBTQ people by undermining

individuals’ sense of self worth, increasing suicide ideation and substance abuse, exacerbating family conflict, and contributing to second-class status.

(8) Both LGBTQ people and women face widespread discrimination in employment and various services, including by entities that receive Federal financial assistance. Such discrimination—

(A) is particularly troubling and inappropriate for programs and services funded wholly or in part by the Federal Government;

(B) undermines national progress toward equal treatment regardless of sex, sexual orientation, or gender identity; and

(C) is inconsistent with the constitutional principle of equal protection under the Fourteenth Amendment to the Constitution of the United States.

(9) Federal courts have widely recognized that, in enacting the Civil Rights Act of 1964, Congress validly invoked its powers under the Fourteenth Amendment to provide a full range of remedies in response to persistent, widespread, and pervasive discrimination by both private and government actors.

(10) Discrimination by State and local governments on the basis of sexual orientation or gender identity in employment, housing, and public accommodations, and in programs and activities receiving Federal financial assistance, violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. In many circumstances, such discrimination also violates other constitutional rights such as those of liberty and privacy under the due process clause of the Fourteenth Amendment.

(11) Individuals who are LGBTQ, or are perceived to be LGBTQ, have been subjected to a history and pattern of persistent, widespread, and pervasive discrimination on the bases of sexual orientation and gender identity by both private sector and Federal, State, and local government actors, including in employment, housing, and public accommodations, and in programs and activities receiving Federal financial assistance. This discrimination inflicts a range of tangible and intangible harms, sometimes even including serious physical injury or death. An explicit and comprehensive national solution is needed to address this discrimination, including the full range of remedies available under the Civil Rights Act of 1964.

(12) Discrimination based on sexual orientation includes discrimination based on an individual’s actual or perceived romantic, emotional, physical, or sexual attraction to other persons, or lack thereof, on the basis of gender. LGBTQ people, including gender non-binary people, also commonly experience discrimination because of sex-based stereotypes. Many people are subjected to discrimination because of others’ perceptions or beliefs regarding their sexual orientation. Even if these perceptions are incorrect, the identity imputed by others forms the basis of discrimination.

(13) Numerous provisions of Federal law expressly prohibit discrimination on the basis of sex, and Federal courts and agencies have correctly interpreted these prohibitions on sex discrimination to include discrimination based on sexual orientation, gender identity, and sex stereotypes. In particular, the Supreme Court of the United States correctly held in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020) that the prohibition on employment discrimination because of sex under title VII of the Civil Rights Act of 1964 inherently includes discrimination because of sexual orientation or transgender status.

(14) This Act makes explicit that existing Federal statutes prohibiting sex discrimination in employment (including in access to

benefits), healthcare, housing, education, credit, and jury service also prohibit sexual orientation and gender identity discrimination.

(15) LGBTQ people often face discrimination when seeking to rent or purchase housing, as well as in every other aspect of obtaining and maintaining housing. LGBTQ people in same-sex relationships are often discriminated against when two names associated with one gender appear on a housing application, and transgender people often encounter discrimination when credit checks or inquiries reveal a former name.

(16) National surveys, including a study commissioned by the Department of Housing and Urban Development, show that housing discrimination against LGBTQ people is very prevalent. For instance, when same-sex couples inquire about housing that is available for rent, they are less likely to receive positive responses from landlords. A national matched-pair testing investigation found that nearly one-half of same-sex couples had encountered adverse, differential treatment when seeking elder housing. According to other studies, transgender people have half the homeownership rate of non-transgender people and about 1 in 5 transgender people experience homelessness. Another survey found that 82 percent of gender nonbinary people experiencing homelessness lacked access to shelter.

(17) As a result of the absence of explicit prohibitions against discrimination on the basis of sexual orientation and gender identity, credit applicants who are LGBTQ, or are perceived to be LGBTQ, have unequal opportunities to establish credit. LGBTQ people can experience being denied a mortgage, credit card, student loan, or many other types of credit simply because of their sexual orientation or gender identity.

(18) Numerous studies demonstrate that LGBTQ people, especially transgender people and women, are economically disadvantaged and at a higher risk for poverty compared with other groups of people. For example, the poverty rate for older women in same-sex couples is twice that of older different-sex couples.

(19) The right to an impartial jury of one’s peers and the reciprocal right to jury service are fundamental to the free and democratic system of justice in the United States and are based in the Bill of Rights. There is, however, an unfortunate and long-documented history in the United States of attorneys discriminating against LGBTQ individuals, or those perceived to be LGBTQ, in jury selection. Failure to bar peremptory challenges based on the actual or perceived sexual orientation or gender identity of an individual not only erodes a fundamental right, duty, and obligation of being a citizen of the United States, but also unfairly creates a second class of citizenship for LGBTQ victims, witnesses, plaintiffs, and defendants.

(20) Numerous studies document the shortage of qualified and available homes for the approximately 424,000 youth in the child welfare system and the negative outcomes for the many youth who live in group care as opposed to a loving home or who age out of care without a permanent family placement. Although same-sex couples are 7 times more likely to foster or adopt than their different-sex counterparts, many child-placing agencies refuse to serve same-sex couples and LGBTQ individuals. This has resulted in a reduction of the pool of qualified and available homes for youth in the child welfare system who need placement on a temporary or permanent basis. It also sends a negative message about LGBTQ people to children and youth in the child welfare system about who is, and who is not, considered fit to be a

parent. While the priority should be on providing the supports necessary to keep children with their families, when removal is required, barring discrimination in foster care and adoption will increase the number of homes available to foster children waiting for foster and adoptive families.

(21) LGBTQ youth are overrepresented in the foster care system by at least a factor of two and report twice the rate of poor treatment while in care compared to their non-LGBTQ counterparts. LGBTQ youth in foster care have a higher average number of placements, higher likelihood of living in a group home, and higher rates of hospitalization for emotional reasons and of juvenile justice involvement than their non-LGBTQ peers because of the high level of bias and discrimination that they face and the difficulty of finding affirming foster placements. Further, due to their physical distance from friends and family, traumatic experiences, and potentially unstable living situations, all youth involved with child welfare services are at risk for being targeted by traffickers seeking to exploit children. Barring discrimination in child welfare services will ensure improved treatment and outcomes for LGBTQ foster children.

(22) Courts consistently have found that the government has a compelling interest in preventing and remedying discrimination. For example, the Supreme Court of the United States found there to be a compelling government interest in eliminating sex discrimination in Board of Directors of Rotary International v. Rotary Club of Duarte, 481 U.S. 537, 549 (1987). Because discrimination based on sexual orientation or gender identity inherently is a form of sex discrimination, as held in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020), this Act furthers the compelling government interest in providing redress for the serious harms to mental and physical health, financial security and wellbeing, civic participation, freedom of movement and opportunity, personal dignity, and physical safety that result from discrimination. Consistent with the role non-discrimination laws play in protecting lives and livelihoods, alleviating suffering, and improving individual and public health, the Supreme Court of the United States has long recognized, under the decision in *Heart of Atlanta Motel, Inc. v. United States*, 379 U.S. 241 (1964), that these laws also benefit society as a whole by ending the “disruptive effect” discrimination has on travel and commerce, and by creating a level field for all participants in a given sector.

(23) As with all prohibitions on invidious discrimination, this Act furthers the government’s compelling interest in the least restrictive way because only by forbidding discrimination is it possible to avert or redress the harms described in this subsection.

(b) PURPOSE.—It is the purpose of this Act to expand as well as clarify, confirm and create greater consistency in the protections and remedies against discrimination on the basis of all covered characteristics and to provide guidance and notice to individuals, organizations, corporations, and agencies regarding their obligations under the law.

SEC. 3. PUBLIC ACCOMMODATIONS.

(a) PROHIBITION ON DISCRIMINATION OR SEGREGATION IN PUBLIC ACCOMMODATIONS.—Section 201 of the Civil Rights Act of 1964 (42 U.S.C. 2000a) is amended—

(1) in subsection (a), by inserting “sex (including sexual orientation and gender identity),” before “or national origin”; and

(2) in subsection (b)—

(A) in paragraph (3), by striking “stadium” and all that follows and inserting “stadium or other place of or establishment that provides exhibition, entertainment, recreation,

exercise, amusement, public gathering, or public display;”;

(B) by redesignating paragraph (4) as paragraph (6); and

(C) by inserting after paragraph (3) the following:

“(4) any establishment that provides a good, service, or program, including a store, shopping center, online retailer or service provider, salon, bank, gas station, food bank, service or care center, shelter, travel agency, or funeral parlor, or establishment that provides health care, accounting, or legal services;

“(5) any train service, bus service, car service, taxi service, airline service, station, depot, or other place of or establishment that provides transportation service; and”.

(b) PROHIBITION ON DISCRIMINATION OR SEGREGATION UNDER LAW.—Section 202 of such Act (42 U.S.C. 2000a–1) is amended by inserting “sex (including sexual orientation and gender identity),” before “or national origin”.

(c) RULE OF CONSTRUCTION.—Title II of such Act (42 U.S.C. 2000a et seq.) is amended by adding at the end the following:

“SEC. 208. RULE OF CONSTRUCTION.

“A reference in this title to an establishment—

“(1) shall be construed to include an individual whose operations affect commerce and who is a provider of a good, service, or program; and

“(2) shall not be construed to be limited to a physical facility or place.”.

SEC. 4. DESEGREGATION OF PUBLIC FACILITIES.

Section 301(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000b(a)) is amended by inserting “sex (including sexual orientation and gender identity),” before “or national origin”.

SEC. 5. DESEGREGATION OF PUBLIC EDUCATION.

(a) DEFINITIONS.—Section 401(b) of the Civil Rights Act of 1964 (42 U.S.C. 2000c(b)) is amended by inserting “(including sexual orientation and gender identity),” before “or national origin”.

(b) CIVIL ACTIONS BY THE ATTORNEY GENERAL.—Section 407 of such Act (42 U.S.C. 2000c–6) is amended, in subsection (a)(2), by inserting “(including sexual orientation and gender identity),” before “or national origin”.

(c) CLASSIFICATION AND ASSIGNMENT.—Section 410 of such Act (42 U.S.C. 2000c–9) is amended by inserting “(including sexual orientation and gender identity),” before “or national origin”.

SEC. 6. FEDERAL FUNDING.

Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d) is amended by inserting “sex (including sexual orientation and gender identity),” before “or national origin.”.

SEC. 7. EMPLOYMENT.

(a) RULES OF CONSTRUCTION.—Title VII of the Civil Rights Act of 1964 is amended by inserting after section 701 (42 U.S.C. 2000e) the following:

“SEC. 701A. RULES OF CONSTRUCTION.

“Section 1106 shall apply to this title except that for purposes of that application, a reference in that section to an ‘unlawful practice’ shall be considered to be a reference to an ‘unlawful employment practice’.”.

(b) UNLAWFUL EMPLOYMENT PRACTICES.—Section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2) is amended—

(1) in the section header, by striking “SEX,” and inserting “SEX (INCLUDING SEXUAL ORIENTATION AND GENDER IDENTITY),”;

(2) except in subsection (e), by striking “sex,” each place it appears and inserting “sex (including sexual orientation and gender identity),”;

(3) in subsection (e)(1), by striking “enterprise,” and inserting “enterprise, if, in a situation in which sex is a bona fide occupational qualification, individuals are recognized as qualified in accordance with their gender identity,”; and

(4) in subsection (h), by striking “sex” the second place it appears and inserting “sex (including sexual orientation and gender identity),”.

(c) OTHER UNLAWFUL EMPLOYMENT PRACTICES.—Section 704(b) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–3(b)) is amended—

(1) by striking “sex,” the first place it appears and inserting “sex (including sexual orientation and gender identity),”;

(2) by striking “employment,” and inserting “employment, if, in a situation in which sex is a bona fide occupational qualification, individuals are recognized as qualified in accordance with their gender identity.”.

(d) CLAIMS.—Section 706(g)(2)(A) of the Civil Rights Act of 1964 (2000e–5(g)(2)(A)) is amended by striking “sex,” and inserting “sex (including sexual orientation and gender identity),”.

(e) EMPLOYMENT BY FEDERAL GOVERNMENT.—Section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) is amended—

(1) in subsection (a), by striking “sex,” and inserting “sex (including sexual orientation and gender identity),”;

(2) in subsection (c), by striking “sex,” and inserting “sex (including sexual orientation and gender identity),”.

(f) GOVERNMENT EMPLOYEE RIGHTS ACT OF 1991.—The Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16a et seq.) is amended—

(1) in section 301(b), by striking “sex,” and inserting “sex (including sexual orientation and gender identity),”;

(2) in section 302(a)(1), by striking “sex,” and inserting “sex (including sexual orientation and gender identity),”;

(3) by adding at the end the following:

“SEC. 305. RULES OF CONSTRUCTION AND CLAIMS.

“Sections 1101(b), 1106, and 1107 of the Civil Rights Act of 1964 shall apply to this title except that for purposes of that application, a reference in that section 1106 to ‘race, color, religion, sex (including sexual orientation and gender identity), or national origin’ shall be considered to be a reference to ‘race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability’.”.

(g) CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) is amended—

(1) in section 201(a)(1) (2 U.S.C. 1311(a)(1)) by inserting “(including sexual orientation and gender identity),” before “or national origin,”; and

(2) by adding at the end of title II (42 U.S.C. 1311 et seq.) the following:

“SEC. 209. RULES OF CONSTRUCTION AND CLAIMS.

“Sections 1101(b), 1106, and 1107 of the Civil Rights Act of 1964 shall apply to section 201 (and remedial provisions of this Act related to section 201) except that for purposes of that application, a reference in that section 1106 to ‘race, color, religion, sex (including sexual orientation and gender identity), or national origin’ shall be considered to be a reference to ‘race, color, religion, sex (including sexual orientation and gender identity), national origin, age, or disability’.”.

(h) CIVIL SERVICE REFORM ACT OF 1978.—Chapter 23 of title 5, United States Code, is amended—

(1) in section 2301(b)(2), by striking “sex,” and inserting “sex (including sexual orientation and gender identity),”;

(2) in section 2302—

(A) in subsection (b)(1)(A), by inserting “(including sexual orientation and gender identity),” before “or national origin,”; and

(B) in subsection (d)(1), by inserting “(including sexual orientation and gender identity),” before “or national origin,”; and

(3) by adding at the end the following:

“SEC. 2307. RULES OF CONSTRUCTION AND CLAIMS.

“Sections 1101(b), 1106, and 1107 of the Civil Rights Act of 1964 shall apply to this chapter (and remedial provisions of this title related to this chapter) except that for purposes of that application, a reference in that section 1106 to ‘race, color, religion, sex (including sexual orientation and gender identity), or national origin’ shall be considered to be a reference to ‘race, color, religion, sex (including sexual orientation and gender identity), national origin, age, a handicapping condition, marital status, or political affiliation.’”.

SEC. 8. INTERVENTION.

Section 902 of the Civil Rights Act of 1964 (42 U.S.C. 2000h-2) is amended by inserting “(including sexual orientation and gender identity),” before “or national origin,”.

SEC. 9. MISCELLANEOUS.

Title XI of the Civil Rights Act of 1964 is amended—

(1) by redesignating sections 1101 through 1104 (42 U.S.C. 2000h et seq.) and sections 1105 and 1106 (42 U.S.C. 2000h-5, 2000h-6) as sections 1102 through 1105 and sections 1108 and 1109, respectively;

(2) by inserting after the title heading the following:

“SEC. 1101. DEFINITIONS AND RULES.

“(a) **DEFINITIONS.**—In titles II, III, IV, VI, VII, and IX (referred to individually in sections 1106 and 1107 as a ‘covered title’):

“(1) **RACE; COLOR; RELIGION; SEX; SEXUAL ORIENTATION; GENDER IDENTITY; NATIONAL ORIGIN.**—The term ‘race’, ‘color’, ‘religion’, ‘sex’ (including ‘sexual orientation’ and ‘gender identity’), or ‘national origin’, used with respect to an individual, includes—

“(A) the race, color, religion, sex (including sexual orientation and gender identity), or national origin, respectively, of another person with whom the individual is associated or has been associated; and

“(B) a perception or belief, even if inaccurate, concerning the race, color, religion, sex (including sexual orientation and gender identity), or national origin, respectively, of the individual.

“(2) **GENDER IDENTITY.**—The term ‘gender identity’ means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.

“(3) **INCLUDING.**—The term ‘including’ means including, but not limited to, consistent with the term’s standard meaning in Federal law.

“(4) **SEX.**—The term ‘sex’ includes—

“(A) a sex stereotype;

“(B) pregnancy, childbirth, or a related medical condition;

“(C) sexual orientation or gender identity; and

“(D) sex characteristics, including intersex traits.

“(5) **SEXUAL ORIENTATION.**—The term ‘sexual orientation’ means homosexuality, heterosexuality, or bisexuality.

“(b) **RULES.**—In a covered title referred to in subsection (a)—

“(1) (with respect to sex) pregnancy, childbirth, or a related medical condition shall not receive less favorable treatment than other physical conditions; and

“(2) (with respect to gender identity) an individual shall not be denied access to a shared facility, including a restroom, a lock-

er room, and a dressing room, that is in accordance with the individual’s gender identity.”; and

(3) by inserting after section 1105 the following:

“SEC. 1106. RULES OF CONSTRUCTION.

“(a) **SEX.**—Nothing in section 1101 or the provisions of a covered title incorporating a term defined or a rule specified in that section shall be construed—

“(1) to limit the protection against an unlawful practice on the basis of pregnancy, childbirth, or a related medical condition provided by section 701(k); or

“(2) to limit the protection against an unlawful practice on the basis of sex available under any provision of Federal law other than that covered title, prohibiting a practice on the basis of sex.

“(b) **CLAIMS AND REMEDIES NOT PRECLUDED.**—Nothing in section 1101 or a covered title shall be construed to limit the claims or remedies available to any individual for an unlawful practice on the basis of race, color, religion, sex (including sexual orientation and gender identity), or national origin including claims brought pursuant to section 1979 or 1980 of the Revised Statutes (42 U.S.C. 1983, 1985) or any other law, including a Federal law amended by the Equality Act, regulation, or policy.

“(c) **NO NEGATIVE INFERENCE.**—Nothing in section 1101 or a covered title shall be construed to support any inference that any Federal law prohibiting a practice on the basis of sex does not prohibit discrimination on the basis of pregnancy, childbirth, or a related medical condition, sexual orientation, gender identity, or a sex stereotype.

“SEC. 1107. CLAIMS.

“The Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.) shall not provide a claim concerning, or a defense to a claim under, a covered title, or provide a basis for challenging the application or enforcement of a covered title.”.

SEC. 10. HOUSING.

(a) **FAIR HOUSING ACT.**—The Fair Housing Act (42 U.S.C. 3601 et seq.) is amended—

(1) in section 802 (42 U.S.C. 3602), by adding at the end the following:

“(p) ‘Gender identity’, ‘sex’, and ‘sexual orientation’ have the meanings given those terms in section 1101(a) of the Civil Rights Act of 1964.

“(q) ‘Race’, ‘color’, ‘religion’, ‘sex’ (including ‘sexual orientation’ and ‘gender identity’), ‘handicap’, ‘familial status’, or ‘national origin’, used with respect to an individual, includes—

“(1) the race, color, religion, sex (including sexual orientation and gender identity), handicap, familial status, or national origin, respectively, of another person with whom the individual is associated or has been associated; and

“(2) a perception or belief, even if inaccurate, concerning the race, color, religion, sex (including sexual orientation and gender identity), handicap, familial status, or national origin, respectively, of the individual.”;

(2) in section 804, by inserting “(including sexual orientation and gender identity),” after “sex,” each place that term appears;

(3) in section 805, by inserting “(including sexual orientation and gender identity),” after “sex,” each place that term appears;

(4) in section 806, by inserting “(including sexual orientation and gender identity),” after “sex,”;

(5) in section 808(e)(6), by inserting “(including sexual orientation and gender identity),” after “sex,”; and

(6) by adding at the end the following:

“SEC. 821. RULES OF CONSTRUCTION.

“Sections 1101(b) and 1106 of the Civil Rights Act of 1964 shall apply to this title

and section 901, except that for purposes of that application, a reference in that section 1101(b) or 1106 to a ‘covered title’ shall be considered a reference to ‘this title and section 901’.

“SEC. 822. CLAIMS.

“Section 1107 of the Civil Rights Act of 1964 shall apply to this title and section 901, except that for purposes of that application, a reference in that section 1107 to a ‘covered title’ shall be considered a reference to ‘this title and section 901’.”.

(b) **PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES.**—Section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631) is amended by inserting “(including sexual orientation (as such term is defined in section 802 of this Act) and gender identity (as such term is defined in section 802 of this Act)),” after “sex,” each place that term appears.

SEC. 11. EQUAL CREDIT OPPORTUNITY.

(a) **PROHIBITED DISCRIMINATION.**—Section 701(a)(1) of the Equal Credit Opportunity Act (15 U.S.C. 1691(a)(1)) is amended by inserting “(including sexual orientation and gender identity),” after “sex”.

(b) **DEFINITIONS.**—Section 702 of the Equal Credit Opportunity Act (15 U.S.C. 1691a) is amended—

(1) by redesignating subsections (f) and (g) as subsections (h) and (i), respectively;

(2) by inserting after subsection (e) the following:

“(f) The terms ‘gender identity’, ‘sex’, and ‘sexual orientation’ have the meanings given those terms in section 1101(a) of the Civil Rights Act of 1964.

“(g) The term ‘race’, ‘color’, ‘religion’, ‘national origin’, ‘sex’ (including ‘sexual orientation’ and ‘gender identity’), ‘marital status’, or ‘age’, used with respect to an individual, includes—

“(1) the race, color, religion, national origin, sex (including sexual orientation and gender identity), marital status, or age, respectively, of another person with whom the individual is associated or has been associated; and

“(2) a perception or belief, even if inaccurate, concerning the race, color, religion, national origin, sex (including sexual orientation and gender identity), marital status, or age, respectively, of the individual.”; and

(3) by adding at the end the following:

“(j) Sections 1101(b) and 1106 of the Civil Rights Act of 1964 shall apply to this title, except that for purposes of that application—

“(1) a reference in those sections to a ‘covered title’ shall be considered a reference to ‘this title’; and

“(2) paragraph (1) of such section 1101(b) shall apply with respect to all aspects of a credit transaction.”.

(c) **RELATION TO STATE LAWS.**—Section 705(a) of the Equal Credit Opportunity Act (15 U.S.C. 1691d(a)) is amended by inserting “(including sexual orientation and gender identity),” after “sex”.

(d) **CIVIL LIABILITY.**—Section 706 of the Equal Credit Opportunity Act (15 U.S.C. 1691e) is amended by adding at the end the following:

“(1) Section 1107 of the Civil Rights Act of 1964 shall apply to this title, except that for purposes of that application, a reference in that section to a ‘covered title’ shall be considered a reference to ‘this title’.”.

SEC. 12. JURIES.

(a) **IN GENERAL.**—Chapter 121 of title 28, United States Code, is amended—

(1) in section 1862, by inserting “(including sexual orientation and gender identity),” after “sex,”;

(2) in section 1867(e), in the second sentence, by inserting “(including sexual orientation and gender identity),” after “sex,”;

(3) in section 1869—

(A) in subsection (j), by striking “and” at the end;

(B) in subsection (k), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(1) ‘gender identity’, ‘sex’, and ‘sexual orientation’ have the meanings given such terms under section 1101(a) of the Civil Rights Act of 1964; and

“(m) ‘race’, ‘color’, ‘religion’, ‘sex’ (including ‘sexual orientation’ and ‘gender identity’), ‘economic status’, or ‘national origin’, used with respect to an individual, includes—

“(1) the race, color, religion, sex (including sexual orientation and gender identity), economic status, or national origin, respectively, of another person with whom the individual is associated or has been associated; and

“(2) a perception or belief, even if inaccurate, concerning the race, color, religion, sex (including sexual orientation and gender identity), economic status, or national origin, respectively, of the individual.”; and

(4) by adding at the end the following:

“§ 1879. Rules of construction and claims

“Sections 1101(b), 1106, and 1107 of the Civil Rights Act of 1964 shall apply to this chapter, except that for purposes of that application, a reference in those sections to a ‘covered title’ shall be considered a reference to ‘this chapter’.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 121 of title 28, United States Code, is amended by adding at the end the following:

“1879. Rules of construction and claims.”.

The SPEAKER pro tempore. The bill shall be debatable for 90 minutes, equally divided and controlled by the chair and ranking minority member of the Commitment on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 45 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 5.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, I rise today in strong support of H.R. 5, the Equality Act, which amends the Civil Rights Act of 1964 and other core civil rights statutes to explicitly prohibit discrimination on the basis of sexual orientation and gender identity. The bill would also strengthen nondiscrimination protections for women and others.

In short, this long overdue legislation will provide millions of LGBTQ Americans explicit protections from being denied medical care, fired from their jobs, or thrown out of their homes simply because of who they are.

Much of the history of the United States is about expanding the definition of who is understood to be included when the Declaration of Independence says “all men are created

equal.” When these words were first written, that phrase did not include Black and Latino men; it did not include Native Americans; it did not include women; and it did not include LGBTQ individuals.

Once again, we have an opportunity to continue our march toward justice and to enshrine in our Nation’s laws protections for marginalized communities to ensure that everyone can fully participate in key areas of life and to provide them resources in the face of discrimination.

Today, I expect we will hear arguments asking us to pick and choose which of our Nation’s children deserve our support, to pick which of our children are valuable enough to have a right to live their lives to the fullest. But that is a false choice and one designed to pit rights for some against rights for all. There is no question that all our children, including those who are transgender, deserve the freedom to choose their own path.

Many of the protections codified by this bill already exist throughout the country, whether through court decisions or in State laws. In those places, women still have rights, religious freedom is still protected, parents are still involved in their children’s healthcare, and doctors are still free to exercise their professional medical judgment. And trans athletes from high schools to the Olympic trials sometimes win and sometimes lose, just like everyone else.

But the ability to have a job, to receive medical care, or to rent a home should not depend on who someone is, where they happen to live, or who represents them. LGBTQ people should not have to worry that a future Supreme Court could rip away their existing protections. They deserve the same protections as other communities that have historically faced discrimination, and that requires action from Congress.

For decades, the LGBTQ community has been telling us their stories of outrageous discrimination. Madam Speaker, to my colleagues, I say that it is far past time we stop asking them to come to the Capitol just to defend their existence.

To the LGBTQ community and, in particular, the trans youth and athletes who I expect will hear themselves demonized on the floor today: We see you, we appreciate you, we value you, and we will continue to fight for you.

I thank the gentleman from Rhode Island (Mr. CICILLINE), for his tireless leadership in introducing this bill and helping to shepherd it through the legislative process.

Madam Speaker, I urge my colleagues to support this landmark legislation.

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also strengthen non-discrimination protections for women and others.

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Once again, we have an opportunity before us to continue our march toward justice—to enshrine in our nation’s laws protections for marginalized communities to ensure that everyone can fully participate in key areas of life, and to provide them recourse in the face of discrimination.

Today, I expect we will hear arguments that will ask us to pick and choose which of our nation’s children deserve our support—to pick which of our children are valuable enough to have a right to live their lives to the fullest.

Despite what we will hear, that is a false choice—one designed to pit rights for some against rights for all. There is no question that all our children—including those that are transgender—deserve to have the freedom to choose their own path.

The Equality Act seeks to make our civil rights laws inclusive of all people who have historically faced discrimination. Not only does it provide explicit protections for the LGBTQ community, it also expands protections for women and people of color.

Under the Equality Act, women will finally be protected from discrimination in public accommodations and federally funded programs. By expanding the existing definition of public accommodations under the Civil Rights Act, the Equality Act also increases protections for people on the basis of race, color, religion, and national origin.

People of color should not need to fear being targeted and discriminated against while shopping, just because of the color of their skin. Muslim people should not need to fear being targeted while flying, just because of their religion. And LGBTQ people and women should not need to fear being denied services in public spaces and services simply because of who they are. At long last, this legislation provides them with legal recourse if they face such discrimination.

Many of the protections being codified by this bill already exist across all 50 states following the Supreme Court’s ruling in *Bostock v. Clayton County* in 2020, and we know that more than 20 states have had some version of the protections before us today even before the Supreme Court’s ruling. In those places women still have rights, religious freedom is still protected, parents are still involved in their children’s healthcare, and doctors are still free to exercise their professional medical judgment. And trans athletes, from high schools to the Olympic trials, sometimes win and sometimes lose, just like everyone else.

Opponents of the Equality Act argue that it undermines women’s rights. That assertion is false. The Equality Act simply ensures that all women, including trans women, are included in female institutions and programs.

When it comes to athletics, the Equality Act ensures that LGBTQ students—including women and girls who are lesbian, bisexual, or transgender—will have the same opportunity to participate in sports as their peers. Trans women and girls have been participating in sports consistent with their gender at all levels for years, and we have not seen any dominance by trans athletes.

Young people who are trans are competing in sports for the same reasons as their peers who are not transgender—including to be part of a team and to challenge themselves—and they deserve the same opportunities as their cisgender peers.

That is why the Women's Sports Foundation, National Women's Law Center, and hundreds of athletes in women's sports and other women's rights groups have consistently voiced their strong support for inclusion of transgender women and girls in women's sports and have opposed efforts to exclude them. Women's sports can play a critical role in women's development and equality and including all women and girls in women's sports strengthens women's sports.

Similarly, single-sex institutions like women's and men's colleges have played an important and historic role in making our nation's higher education system the strongest and most diverse in the world. To be clear, nothing in the Equality Act should be construed to prohibit or otherwise limit or affect the ability of single-sex colleges to maintain their single-sex status. Moreover, it is not Congress's intention to alter in any way Title IX or the scope or availability of its exemptions as they currently stand.

In addition, the Equality Act will not undermine services like single-sex homeless shelters or single sex-facilities. It will simply ensure that these facilities do not discriminate on the basis of sexual orientation or gender identity. Arguments that providing transgender people access to facilities consistent with their gender identity will undermine women's safety have no basis in reality. Laws protecting LGBTQ people from discrimination do not authorize anyone to engage in abusive or harassing behavior.

That is why over 300 domestic violence and sexual assault organizations, including the National Alliance to End Sexual Violence, the National Center on Domestic and Sexual Violence, and the National Center for Victims of Crime, have signed onto a National Consensus Statement of Anti-Sexual Assault and Domestic Violence Organizations in Support of Full and Equal Access for the Transgender Community.

Transgender people experience shockingly high rates of sexual and physical violence, and the real risk of violence occurs when transgender people are barred from using the appropriate facilities.

The idea that transgender people need explicit protections from discrimination is not new. Dozens of states provide nondiscrimination protections in public accommodations on the basis of gender identity, and in those states we have not seen the parade of horrors that Equality Act opponents raise.

The request to pit people's rights against each other is not based on the real-world outcomes—for which ample evidence exists to the contrary—but a continued resistance to advancing rights for those different from so many of us here in Congress. The ability to

have a job, to receive medical care, or to rent a home should not depend on who someone is, where they happen to live, or who represents them politically. LGBTQ people should not have to worry that a future Supreme Court could rip away their existing protections, and they deserve the same protections as other communities that have historically faced discrimination. And that requires action from Congress.

For decades, the LGBTQ community has been coming here over and over to tell us their stories of outrageous discrimination. To my colleagues, I say, it is far past time we stop asking them to come to the Capitol just to defend their existence.

To the LGBTQ community—and in particular the trans youth and athletes who I expect will hear themselves demonized on the floor today—we see you, we appreciate you, we value you, and we will continue to fight for you.

I thank the gentleman from Rhode Island, Representative DAVID CICILLINE, for his tireless leadership in introducing this bill and helping to shepherd it through the legislative process. I urge my colleagues to support this landmark legislation.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 30 seconds to the gentleman from South Carolina (Mr. NORMAN).

Mr. NORMAN. Madam Speaker, I have a unanimous consent request at the desk.

My request is to allow a 30-second moment of silence for the passing of Rush Limbaugh, one of the greatest radio hosts ever, and I make that as a formal request.

Mr. NADLER. Madam Speaker, I object.

Mr. NORMAN. Madam Speaker, may I request a point of personal privilege.

The SPEAKER pro tempore (Ms. HAALAND). The gentleman has been recognized for debate.

Mr. JORDAN. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), who is a distinguished sponsor of this legislation.

Mr. CICILLINE. Madam Speaker, discrimination is wrong. We all know that. As children, we learn the golden rule: Treat others the way you yourself want to be treated.

But, right now, discrimination is a fact of life for millions of LGBTQ Americans.

The fact is that, in most States, an LGBTQ person is at risk of being denied housing, education, or the right to serve on a jury because of who they are. That is why we are here today to consider H.R. 5, the Equality Act.

The Equality Act does no more and no less than say LGBTQ people deserve the same rights and responsibilities as all other Americans, most fundamentally the right to live lives free of discrimination. It builds on the Civil Rights Act and other existing laws to extend anti-discrimination protections to lesbian, gay, bisexual, and transgender Americans.

President Biden has said that getting this bill signed into law is one of his top priorities for his first 100 days in office.

I want to thank him and a few other people for making this bill a priority: Speaker PELOSI, Majority Leader HOYER, Whip CLYBURN, and the co-chairs of the LGBTQ Equality Caucus: MARK TAKANO, MARK POCAN, SEAN PATRICK MALONEY, ANGIE CRAIG, SHARICE DAVIDS, CHRIS PAPPAS, MONDAIRE JONES, and RITCHIE TORRES.

I thank them all for being true champions for our community.

Madam Speaker, every American deserves to be treated with respect and dignity. That is what the Equality Act will achieve for the LGBTQ community by providing protection against discrimination in employment, education, housing, credit, jury service, public accommodations, and Federal funding.

I am proud to say this bill has broad support from across the political spectrum, including groups from the U.S. Chamber of Commerce to the ACLU and everyone in between.

Madam Speaker, 83 percent of Americans support this bill, including 68 percent—more than two out of three—Republican voters.

To my friends on the other side of the aisle: As you consider this bill, I hope you will bear in mind how your vote will be remembered years from now.

Will you be remembered in the same breath as all those who fought for equal rights in the past: Freedom Riders, suffragettes, the anti-apartheid activists? Or will you be remembered along with those who stood in the way of progress?

This bill is personal for me and personal for millions of LGBTQ people and our loved ones. Madam Speaker, you all have family members, friends, and coworkers who identify as LGBTQ.

I want you to ask yourself: What does this vote mean for them and how you will look them in the eye if you vote to uphold the current system that allows them to be discriminated against?

The LGBTQ community has waited long enough. The time has come to extend the blessings of liberty and equality to all Americans, regardless of who they are or whom they love.

Vote "yes" and pass the Equality Act today.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the gentlewoman from Indiana (Mrs. SPARTZ).

Mrs. SPARTZ. Madam Speaker, I rise today in opposition to H.R. 5, the so-called Equality Act.

Unfortunately, this is another bill which did not go through the committee process or real debate.

The Judiciary Committee should have had an opportunity to consider H.R. 5 in a legislative hearing. Sadly, this is the first time we are debating, just hours before it is set to receive a vote, with no ability to propose any amendments. I am not sure why we even bother to have committees if we

are passing significant legislation without them.

I would just like to highlight three major concerns.

Concern number one: Broad scope. And I agree with the gentleman from New York, there are some protections that already exist. Last year, the issue of possible employment discrimination of gay and transgender individuals was addressed by the Supreme Court in an opinion written by Justice Gorsuch. But this bill has very sweeping changes with potential major adverse implications for religious freedoms and women's rights and safety.

Concern number two: Broad and ambiguous definition of gender identity. This language can have unintended consequences and be taken advantage of by criminals or sexual predators. Also, the safety of women in prisons, juvenile detention facilities, and domestic violence shelters could be put at risk, which would force them to share traditionally women-only spaces with biological men, even if a biological male fraudulently gains access.

Concern number three: Opportunities and safety for female athletes. The science is clear, men are biologically stronger than women.

According to a 2019 Duke University study that involved dozens of specialists in sports science and medicine: "Biological males and biological females are materially different with respect to main physical attributes that contribute to elite athletic performance."

The Women's Sports Policy Working Group—a group of champion female athletes and academics—has stated that even when height, size, and weight are equal, males are incrementally stronger and generate more explosive force so that if males and females are forced to compete against each other, the physical safety of females is differently at risk.

The reality has already shown itself to be harmful to the opportunities and safety of female athletes. For example, a female track athlete in Connecticut lost potential scholarships after being pushed out of qualifying for regional track meet spots by two transgender athletes. A transgender MMA fighter caused significant damage to a female athlete's skull.

These examples demonstrate the far-reaching consequences this bill can have on women and girls, should it become law.

American women have worked very hard to secure our rights for many years, and just last year we celebrated 100 years of women's suffrage. But this is a giant step back. Perhaps if this body had actually deliberated over this bill and engaged the proper legislative process, these concerns could have been addressed.

A vote for the Equality Act in its current form is a vote against religious freedom, against women, against female athletes, against incarcerated women, and against science and safety.

A vote "yes" on this bill is a vote against our daughters.

□ 1345

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, does anybody know what it means to be called names; to be thrown out of your apartment; to be thrown off of a job; and most sadly, to not be allowed to love the person that you love?

In the Hodges case, that was settled when they determined that no union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice and family. And then they ruled. They asked for equal dignity in the eyes of law; the Constitution grants them that right.

I rise in support of the Equality Act because I know what it means to be thrown out, to be looked at, and to be undermined. Our friends in the LGBTQ community every single day experience that. Trans women who are African American have been murdered.

This gives us equal dignity under the law. We could keep a job. If you are in that community, you can be married already, obviously, but you can keep a job. You can get healthcare; you can ensure that you can keep an apartment. You can walk in dignity.

We need the Equality Act as we have needed civil rights laws throughout this Nation.

If we are the place of "We the People," if this Nation is based upon, we the people, then we will pass the Equality Act today. We will pass it now.

I thank the gentleman from Rhode Island for his leadership and the gentleman from New York.

Madam Speaker, as a senior member of the Committee on the Judiciary and an original cosponsor, I rise in strong support of H.R. 5, the "Equality Act of 2021."

Let me thank my colleague on the Judiciary Committee, Congressman DAVID CICILLINE of Rhode Island, for introducing this landmark legislation and his tireless efforts in making this day a reality.

Madam Speaker, our nation's long but inexorable march towards equality reaches another milestone today.

For as long as our national charters have been in existence, we have endeavored to ask ourselves: what do we mean when we say "We the People?"

How expansive do we hold our pledge that all are entitled to the blessings of life, liberty, and the pursuit of happiness.

To be certain our nation has come a long way, but as we debate this critical bill, I am reminded of the Supreme Court's decision in *Obergefell v. Hodges*, 576 U.S. 644, 135 S.Ct. 2584 (2015), and its powerful conclusion explaining the profound power of love and marriage, and the desire to be seen as equal in the eyes of the law:

No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were. As

some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilization's oldest institutions. They ask for equal dignity in the eyes of the law. The Constitution grants them that right.

Despite significant legal advances over the past several years, including marriage equality, LGBTQ Americans remain vulnerable to discrimination daily and too often have little recourse.

In the 116th Congress, the Equality Act had the bipartisan support of Members of Congress, with nearly 240 co-sponsors, as well as the strong support of the business community, and most important, the overwhelming support of the American people.

In the 117th Congress, the Equality Act was reintroduced with 223 original cosponsors.

More than 70 percent of American support the Equality Act.

This has been a long journey; the first Equality Act was introduced nearly 46 years ago.

It is long past time to secure the civil rights of LGBTQ people across the country and accord them full membership in the American family.

With the Trump Administration rolling back protections at the federal level and anti-equality opponents continuing to push discriminatory bills at the state level, LGBTQ people cannot wait another year for affirmation that they are worthy of the dignity of their peers and deserving of equal protection of the laws.

Today, too many LGBTQ Americans in too many places remain too vulnerable to discrimination daily with too little legal recourse.

Fifty percent of the national LGBTQ community live in states where, though they may have the right to marry, they have no explicit non-discrimination protections in other areas of daily life.

The Equality Act extends the full anti-discrimination protections of the landmark Civil Rights Act of 1964 and other key pillars of fairness and justice in our country to LGBTQ Americans.

Sexual orientation and gender identity deserve full civil rights protections, not just in the workplace, but in every place: in education, housing, credit, jury service, public facilities, and public accommodations.

Today, there are only 21 states have explicit laws barring discrimination based on sexual orientation in employment, housing, and public accommodations, and only 20 states have such protections for gender identity.

In most states, a same-sex couple can get married on Saturday, then be legally denied service at a restaurant on Sunday, and be fired from their jobs on Monday, and evicted from their apartment on Tuesday.

Madam Speaker, let me take a moment to discuss in more detail several of the important elements of the Equality Act.

The Equality Act amends existing federal civil rights laws to explicitly prohibit discrimination based on sexual orientation and gender identity in education, employment, housing, credit, Federal jury service, public accommodations, and the use of Federal funds.

It does so by adding sex in some places where it had not previously been protected,

and clarifying that sex includes sexual orientation and gender identity.

Specifically, H.R. 5, the “Equality Act of 2021” amends:

Title II of the Civil Rights Act of 1964 to provide basic protections against discrimination in public accommodations by adding sex, including sexual orientation and gender identity;

Title VI of the Civil Rights Act of 1964 to provide basic protections against discrimination by recipients of federal financial assistance by adding sex, including sexual orientation, and gender identity;

Title VII of the Civil Rights Act of 1964, the Civil Service Reform Act of 1978, the Government Employee Rights Act of 1991, and the Congressional Accountability Act of 1995 to make explicit protections against workplace discrimination on the basis of sexual orientation or gender identity;

The Fair Housing Act of 1968 to make protections against 1 housing discrimination based on sexual orientation or gender identity explicit;

The Equal Credit Opportunity Act to make protections against 7 credit discrimination based on sexual orientation and gender identity explicit; and

The Jury Selections and Services Act to make protections against discrimination in federal jury service based on sexual orientation or gender identity explicit.

The march towards equality has been long and has awoken passions passion from many quarters for various reasons.

Well-intentioned people from all walks of life have had difficulty as progress washes over the debate surrounding protections for same sex individuals.

At times, the debate has seen input from members of the faith community, who strive to reconcile their love for all of God's sons and daughters, with the script of their sacred text.

I understand this tension, but I have carefully studied the text and am confident that passage of the Equality Act will not adversely affect any person's freedom of worship of the free exercise of their faith.

The Equality Act adds sexual orientation and gender identity to federal civil rights law and sex where it is missing.

But the same statutory exemptions that are already in place in the Civil Rights Act and the Fair Housing Act will remain in place after enactment and the guarantees of the United States Constitution remain untouched.

The U.S. Constitution provides ample protections for religious freedom and nothing in this bill would, or could, infringe upon the protections afforded by the Constitution, as the principal sponsor of the bill, Congressman Cicilline, confirmed during a colloquy we held when the bill was marked up in the Judiciary Committee in the 116th Congress.

Specifically, the provisions relating to Title VI of the Civil Rights Act (federal funding) include the original exemptions for discrimination based on religion.

Religious organizations (not just houses of worship) are free to limit participation in wide array of activities and services to only members of their faith.

This same exemption applies to public accommodations.

Houses of worship could be considered a place of public accommodation only if they offer their space or services for commercial public use.

This does not include religious services.

Nothing in this bill alters the ability of houses of worship or religious leaders to practice or carry out their faith.

No member of the clergy will ever be compelled to perform a religious ceremony that conflicts with their beliefs, including marrying same-sex couples.

The DOJ Title VI Manual and relevant and relevant case law clearly provide that a religious organization that is not “principally engaged” in providing social services is only bound by nondiscrimination requirements related to the program for which they receive funding if that funding is targeted in order to provide a specific program or service, i.e. disaster relief, rather than to the entity “as a whole.”

Nothing in the Equality Act changes that rule.

There is a longstanding ministerial exemption in federal civil rights law that exempts religious organizations from complying with employment nondiscrimination provisions for ministers, rabbis and any other person who is “carrying out the faith”.

The Equality Act does not alter that exemption in any way.

The Equality Act does not repeal the Religious Freedom Restoration Act (RFRA).

The Equality Act clarifies that RFRA cannot be used to defend discrimination in public settings or with federal funds.

The Equality Act does not alter or amend the RFRA standard for any other kinds of claims.

Federal civil rights laws and the United States Constitution provide many exemptions for religious organizations.

It bears stating again that the statutory exemptions that are , already in place in the Civil Rights Act and the Fair Housing Act will remain in place and the United States Constitution remains untouched.

Courts have long-rejected religious claims as a reason to deny civil rights protections, including those based on race and sex, and the same analysis applies to all other protected characteristics.

Specifically, religious belief did not exempt restaurants or hotels from complying with the civil rights laws passed in the 1960s and cannot do so today.

RFRA explicitly contemplates that Congress would exempt certain laws from its application.

The clarifying language in the Equality Act is necessary to ensure that courts do not misinterpret the intended interaction between RFRA and our civil rights laws.

RFRA will still be available to address burdens on religious beliefs and practices in other contexts.

And any individual or organization that is concerned that their religious beliefs or practices are being unjustly burdened retains the ability to bring a claim under the First Amendment.

The time has come to extend the full blessings of equality and the majesty of the law's protection to all our brothers and sisters, including those in the LGBTQ community.

Madam Speaker, it been said that “the moral arc of the universe is long but bends toward justice.”

Today, with passage by this House of H.R. 5, the Equality Act of 2021, we bend that arc even more in the direction of justice.

I am proud to be an original cosponsor of this life-changing and life-affirming legislation

and urge all members to stand on the right of history and vote for its passage.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. JOHNSON), the ranking member on the Subcommittee of the Constitution and Civil Justice.

Mr. JOHNSON of Louisiana. Madam Speaker, I rise today in opposition to H.R. 5, which many have already labeled the inequality act because of the deep flaws contained in this bill.

H.R. 5 will undermine women's rights. It will strip parental rights. It will gut religious freedom, and it will open a Pandora's box of a universal right to abortion. And that is just to name a few of the legislation's outrageous provisions.

In addition to the well-founded, substantive concerns that you will hear a lot about in the next 45 minutes, the majority has decided to throw process out the window. They brought this bill directly to the floor.

We sit on the Judiciary Committee. We should have had a robust discussion on the impacts of the legislation. We didn't. There has been no committee action. There has been no hearing, no deliberation at all by the committee of appropriate jurisdiction. And I think, many of us think, that the reason for that is because the proponents didn't want the bill to be exposed.

Listen, let's make one thing clear. There are people on both sides of the aisle—all of us, everybody in this Chamber believes that all people are entitled to dignity and respect.

We believe that every single person is made in the image of God and, because of that, every single person has inestimable dignity and value. We believe, as our founding document said, that God is the one that endows us with the inalienable rights that we have. They ought to be protected and respected.

But unfortunately, the Democrats' misguided effort here tramples all over many of those fundamental rights that God gives us, the right to life, the right to religious freedom.

While it is true that H.R. 5 does not include the word “abortion”—our colleagues keep reminding us of that—it does reference pregnancy and “related medical conditions” as areas of protection against discrimination. Everybody knows that this historically has led to the inclusion of abortion. We are opening a door here for the rampant taxpayer funding of abortions on demand; in addition to the myriad number of conscience protections that exist for businesses and medical professionals. You will hear a lot about that today as well.

It is telling that the text of the bill also directly undermines the Religious Freedom Restoration Act. Let's remember, RFRA was widely supported on both sides of the aisle and signed into law by President Clinton in 1993. RFRA's lead Democrat sponsor was our colleague, Representative NADLER. It passed the House by unanimous consent and the Senate by a vote of 97-3.

But now, the Equality Act, or the inequality act, explicitly undercuts RFRA by negating its application to the underlying legislation. In other words, those protections won't apply anymore.

This is unprecedented. It is dangerous. It is an attack on our first freedom, the first freedom listed in the Bill of Rights, religious liberty. This is something that our faith communities are deeply concerned about and all of us are as individuals.

Look, I have to save time for my colleagues, and I will just conclude by saying this bill is a severe blow to women's rights, to people of faith, to every parent, every student, every medical professional and so many more. Because we believe in the dignity and value of every person, we have to oppose this dangerous, un-American legislation. I pray that we will.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, I stand in support of this legislation. I have stood in support of this right for over 25 years.

When I was a Tennessee State Senator, I was the only member of the State Senate to vote against a constitutional ban on gay marriage. It was a legal pejorative; all people should have a civil right to be treated equally and to be given due process of the law. And they should have that today, and that is what this bill stands for.

This is a continuing battle that my friend, Julian Bond said was a fight for fairness, justice, and equality against injustice and bigotry.

We need to pass this bill and continue our move to a more perfect union.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Madam Speaker, I rise today in opposition to H.R. 5, the so-called Equality Act.

This bill should be called the inequality act as there is nothing equalizing about it. In fact, this bill hijacks the Civil Rights Act, codifying inequality into Federal law. Simply put, this piece of legislation blatantly discriminates against women, girls, parents, people of faith, and many more.

To start, H.R. 5 dismantles Title IX, ending equal opportunity for females in education and sports. Similar policies are already wreaking havoc at the local level. In Connecticut, the State's Interscholastic Athletic Conference accepts boys who identify as females in their competitions. Two of these male athletes have gone on to claim 15 women's track championship titles since 2017.

As someone who enjoyed playing sports and coaching high school track for many years, imagining the damage these policies will cause to women and girls is heartbreaking.

The inequality act further discriminates against a woman's right to pri-

vacy and protection, especially while seeking refuge in a domestic violence shelter. We have already seen similar policies in Alaska and California put vulnerable women in danger.

H.R. 5 also discriminates against parents. Parents who dare to oppose doctors performing life-changing surgeries or using hormone-altering drugs on their children will be considered abusive and neglectful. This has already happened in Ohio as a couple lost custody of their daughter after advocating against male testosterone supplements.

This abhorrent destruction of parental rights is why I introduced an amendment that would ensure parents retain their right to make important choices for their children, especially concerning mental and medical care. Predictably, Democrats did not even consider my amendment, highlighting their desire to silence the voices of families across the country.

Faith-minded individuals and organizations would also face discrimination under the inequality act, including adoption agencies and charities. Again, similar policies already exist in New York, Illinois, and Pennsylvania, forcing faith-based adoption agencies to shut down rather than violate their sincerely held religious beliefs. These policies only harm would-be parents and children in need of a forever home.

Shockingly, it doesn't stop there. The inequality act clearly stipulates that religious beliefs and faith no longer matter in the Democrats' new world order. Living by your faith will be viewed as evil instead of good.

Sadly, this bill contains no language to protect businesses or healthcare providers from being forced to pay for abortions. It also may require healthcare providers to facilitate abortion services.

The biggest impact? Hundreds of thousands more innocent, unborn children will tragically perish from abortion, with Americans footing the bill.

This grossly misnamed bill punishes everyday citizens, silences free speech, and instills discrimination. I urge my colleagues to vote "no."

Mr. NADLER. Madam Speaker, this bill does not affect Title IX and, consequently, religious freedom at all.

I yield 1 minute to the distinguished gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Madam Speaker, as a woman, as a feminist, as someone who lettered in basketball and truly believes in women's sports, this is the Equality Act. Any misrepresentation by some speakers today is just totally unfounded.

While we have made much progress in recent years, the reality is that many still face discrimination simply because of who they are and who they love. That means that LGBTQ Americans can be fired, refused housing, or denied services simply because of who they are.

I am a proud original cosponsor, and I am also a woman of faith. I know that this Equality Act would help

greatly to extend civil rights and civil liberties for the LGBTQ community, to live out the true meaning of our Nation's creed, free from the fear of harassment or discrimination.

Updating Federal law will provide protections across key areas of life, including employment, housing, and access to public spaces and services. This bill has nothing to do with abortion, nothing to do with some of the things my colleagues across the aisle have said.

And in my home State of Texas, we will finally have protections for the LGBTQ Texans.

MR. JORDAN. Madam Speaker, I yield myself such time as I may consume.

The Democrats just said that this bill doesn't harm Title IX. They have said it will not hinder women's ability to participate in sports. That is just not true.

They say it is not going to make it harder for women to participate in sports. It may not make it harder, but it is sure going to make it more difficult to win. We know that. That is the problem. And if that doesn't undermine the spirit of Title IX, I don't know what does.

Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Madam Speaker, the gentleman from Ohio is absolutely correct. The assertion that it doesn't impact Title IX is completely false. It directly amends Title IV in the Civil Rights Act. It will have a direct impact on educational institutions and would, therefore, absolutely impact women's athletics. We all know that. Everybody gets the joke.

But as one of my colleagues said, it is 100 percent clear that the majority doesn't want to have the American people see what is in this bill. They don't want to have it go through committee. They don't want to spend time on it. They want to jam it through under the name of equality.

See, you put fancy names on bills in this building and suddenly people think it is about something that it isn't. And we know exactly what this bill is about. It is about power. This bill is about power and control.

This is about this institution being run by Democrats who want to tell the American people how to live their lives.

They want to tell people who disagree on these issues that they need to go to the corner and they need to hide; that they need to give up their closely held beliefs and their values and they need to bow down to the altar of the people here and the cultural elites in Washington, D.C., and do what they tell us to do.

It is an absolute abomination and flies in the face of the very principles upon which this Nation was founded. We know that. We see that. We can go through the list. We are all going through it.

The definition of sex in H.R. 5 inserts the right to abortion into the Civil

Rights Act. The Equality Act can be used to force a universal right to abortion until birth. It forces medical professionals to conduct or assist in performing abortions; forces medical professionals to perform certain surgeries and administer hormone blockers, even if it is against their medical advice; forces employers to cover sex reassignment surgeries; forces schools, churches, hospitals, and businesses to recognize a chosen gender.

I could go down the list. But this is about power and control. It is the same thing about having a fence with razor wire around the people's Congress, around this Capitol building. It is an absolute affront to who we are.

In the Declaration of Independence, where we are talking about rights, government is instituted among men to secure those rights.

And the House of Representatives, supposedly the people's House, is using the power of this body to step on the rights of the American people. And it is our obligation to defend those rights. And I can tell you this: We are going to stand up in defense of the Constitution, our liberties and the Bill of Rights, and the consent of the governed matters.

You do not have the consent of the governed, my colleagues on the other side of the aisle. You don't. And you are pretending that you have got power that you do not have, and it will not end well if you pull this republic apart, thread by thread, and you have to look in the mirror and tell your kids and grandkids that this republic died on your watch.

It is not going to because we are going to stand on the wall, the same wall that our Founders stood on, the same wall that those men at the Alamo stood on, and we are going to defend this Constitution in the name of the Declaration of Independence and the Lord that gives us the rights that we protect.

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair and not to others in the second person.

□ 1400

Mr. NADLER. Madam Speaker, I include in the RECORD a number of documents.

LAWYERS' COMMITTEE FOR CIVIL RIGHTS

Washington, DC, February 25, 2021.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the Lawyers' Committee for Civil Rights Under Law (hereinafter "Lawyers' Committee"), a nonpartisan civil rights organization formed at the request of President John F. Kennedy to enlist the private bar in providing legal services to address racial discrimination, we urge you to vote for the Equality Act (H.R. 5). The Equality Act would clarify that LGBTQ+ people are protected against discrimination in access to credit, housing, education, and employment under federal law, as well as to strengthen public accommodation antidiscrimination for all people.

The Lawyers' Committee strongly believes that the Equality Act is an essential step in

fulfilling our nation's commitment to civil rights for all people. Unfortunately, discrimination is a persistent problem for millions of people in the LGBTQ+ community, particularly for those who also identify as people of color. Everyone in America, regardless of who they are, is entitled to equal rights and should be free to pursue career and educational opportunities and live their daily lives free from discrimination.

Black Americans and other people of color continue to face persistent discrimination while engaging in commonplace transactions, errands, and tasks, such as shopping and accessing transportation like taxis and car services. The Equality Act would finally make this discrimination illegal, as it strengthens the public accommodations provision in the 1964 Civil Rights Act. Congress must act now to pass the Equality Act to clarify and strengthen federal civil rights protections so everyone across the country can engage in public life without the fear of harassment or discrimination because of who they are.

As Congress considers this important bill, we are committed to ensuring the Equality Act does solely what it was intended to do: clarify and strengthen existing federal civil rights protections for everyone in America. We strongly oppose any effort to weaken any existing federal civil rights law the Equality Act would amend.

We urge you to vote for final passage of the Equality Act because no one in our country should be discriminated against for who they are. It is time for Congress to clarify and strengthen federal civil rights protections for all Americans.

Respectfully submitted,

DAMON T. HEWITT,

Acting President & Executive Director, Executive Vice President, Lawyers' Committee for Civil Rights Under Law.

Erinn D. Martin,

Policy Counsel, Lawyers' Committee for Civil Rights Under Law.

AMERICAN BAR ASSOCIATION,

Chicago, IL, February 23, 2021.

RE: ABA Support for H.R. 5, The Equality Act of 2021.

Hon. NANCY PELOSI,

Speaker, House of Representatives,
Washington, DC.

Hon. KEVIN MCCARTHY,

Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER MCCARTHY: On behalf of the American Bar Association and its over 400,000 members, I am writing to voice our support for H.R. 5, The Equality Act of 2021, which addresses the need to protect every American regardless of their sexual orientation or gender identity. We offer the following comments in support of the legislation and request that this letter be made part of the hearing record.

The Equality Act will include LGBTQ+ people in the Civil Rights Act of 1964. Over 50 years ago, when this landmark civil rights legislation was enacted, a minority group was omitted; this needs to be rectified. Currently, the rights of LGBTQ+ individuals depend on the state where they reside, and in close to 30 states, LGBTQ+ people are at risk of being denied housing, credit, services, public accommodations, education, employment, access to their children, access to federally funded programs, or jury service simply because of their sexual orientation or gender identity.

There is bipartisan support for the Equality Act, and 70 percent of Americans support equal rights for LGBTQ+. When the Equality Act was introduced in the last Congress, it

received unprecedented support from businesses and more than 500 national and statewide organizations.

In 2018, the ABA adopted a resolution specifically supporting enactment of the Equality Act. Let me elaborate on our reasons for supporting this important legislation:

1. The Equality Act will protect LGBTQ+ people from workplace discrimination because of their sexual orientation, gender identity, or gender expression.

The Civil Rights Act of 1964 prohibits discrimination based on race, color, religion, or national origin. The Government Employee Rights Act of 1991 prohibits discrimination based on race, color, religion, sex, national origin, age, or disability. They will both be amended to include, "sex, (including sexual orientation, and gender identity)."

Every day LGBTQ+ employees, co-workers, and job applicants are subjected to discrimination in the workplace. Other social groups have been protected by legislation, yet the LGBTQ+ community has not been included even though their livelihood, careers, and quality of life are equally affected.

The Equal Employment Opportunity Commission (EEOC) enforces federal laws that protect job applicants or employees from discrimination based on race, color, religion, sex, national origin, age, disability, or genetic information. In *EEOC v. R.G. & G.R. Harris Funeral Homes*, the EEOC filed a lawsuit against Harris Family Funeral Homes on behalf of Aimee Stephens, a transgender woman who was fired shortly after telling her employer she was transgender. The Sixth Circuit Court of Appeals concluded that Title VII prohibits discrimination based on gender identity, thus applying to businesses claiming exemption based on anti-LGBTQ+ religious beliefs. In 2020, the Supreme Court of the United States heard *Harris* consolidated with *Bostock v. Clayton County*, and in a landmark ruling, upheld the Sixth Circuit decision affirming that LGBTQ+ employees are entitled to legal protections against discrimination on the basis of gender identity and sexual orientation under Title VII of the Civil Rights Act of 1964.

The Equality Act will codify this case law making discrimination against LGBTQ+ people in the workplace unlawful by explicitly stating that sexual orientation and gender identity are protected traits.

2. The Equality Act will prevent LGBTQ+ people from being denied services and public accommodations because of their sexual orientation, gender identity, or gender expression.

Title II of the Civil Rights Act of 1964 prohibits discrimination in public accommodations based on race, color, religion, or national origin. However, it is currently legal in almost 30 states to deny LGBTQ+ people services without cause and bar them from public accommodations such as hotels, restaurants, and libraries.

In *Grimm v. Gloucester County School Board*, school board policy prohibited plaintiff from using the restrooms that aligned with his gender identity. In 2015, Grimm filed a lawsuit challenging the policy, on the grounds that it violates his rights under Title IX and the Fourteenth Amendment. The Fourth Circuit Court of Appeals held that the school board's restroom policy constitutes sex-based discrimination, and that transgender individuals constitute a quasi-suspect class. Applying heightened scrutiny, the court held that the school board's policy is not substantially related to its important interest in protecting students' privacy and that, in regard to the Title IX claims, the restroom policy discriminated against plaintiff on the basis of sex, and that he suffered legally cognizable harm based on the unlawful discrimination. The Equality Act is necessary to codify this ruling for the entire

country. Denying public accommodations to LGBTQ+ individuals is harmful to their health and dignity, and precludes them from fully participating in public life.

In addition to places of public accommodation already included in the 1964 Civil Rights Act, the Equality Act will revise the law to ensure that other providers of products, services, and public accommodations, such as stores, accountant firms, transportation, and banks, may not discriminate against a protected social group.

3. The Equality Act will prevent LGBTQ+ people from being denied or evicted from housing based on their sexual orientation, gender identity, or gender expression.

The Fair Housing Act, Title VIII of the Civil Rights Act of 1968, prohibits discrimination in the sale, rental, or financing of housing by landlords, real estate agents, municipalities, banks, other lending institutions, and homeowner's insurance companies based on race, color, national origin, religion, sex, family status, or disability.

LGBTQ+ individuals may be rejected when trying to purchase or rent a home. LGBTQ+ people can face eviction, which may have financial and legal consequences. A partner's request to be added to the insurance of a homeowner may be rejected which could affect the property title.

In *Smith v. Avanti*, a landlord in Colorado refused to rent to a same-sex couple, one of whom was also transgender. The United States District Court stated that the property owner violated the Colorado Anti-Discrimination Act. This was the first time a federal court, placing sexual orientation and gender identity under the umbrella of sex discrimination, has ruled that anti-LGBTQ+ discrimination violated the Fair Housing Act.

Since homelessness is more prevalent in the LGBTQ+ community than in the general population, enactment of the Equality Act can help lower rates of housing insecurity.

4. The Equality Act will ensure that LGBTQ+ individuals are not denied credit based on their sexual orientation, gender identity, or gender expression.

The Equal Credit Opportunity Act (ECOA) prohibits discrimination based on race, color, religion, national origin, sex, marital status, or age with respect to credit transactions. The Equality Act will amend ECOA to include "sexual orientation" and "gender identity" as protected classes.

LGBTQ+ individuals are often denied credit and mortgages. The negative financial impact can mean that they are often unable to become homeowners, pursue higher education or vocational training, build assets, or purchase a car. By amending ECOA, the Equality Act will allow for equal access to credit, financial improvements, education, and affordable housing.

5. The Equality Act will protect LGBTQ+ people from discrimination in jury service.

The Equal Protection Clause of the Fourteenth Amendment protects the right of a criminal defendant to a jury selection process free from racial, ethnic, or gender discrimination. When LGBTQ+ people are unfairly dismissed from jury service, there is no recourse in the justice system.

The Equality Act will protect the integrity of the jury selection process for the defendant, as well as the rights of the LGBTQ+ jurors.

The American Bar Association believes that everyone deserves equal protection under the law. Nearly two-thirds of LGBTQ+ Americans reported that they have experienced discrimination in their everyday lives. We urge Congress to pass legislation explicitly affirming that discrimination due to sexual orientation, gender identity or expression, or sex stereotyping, is sex discrimi-

nation prohibited by the Civil Rights Act of 1964, among other federal statutes, and to include sex, sexual orientation, and gender identity or expression protections in those statutes.

Thank you for this opportunity to convey the ABA's position on this important legislation.

Sincerely,

PATRICIA LEE REFO.

THE BUSINESS COALITION FOR THE EQUALITY ACT

The Business Coalition for the Equality Act is a group of leading U.S. employers that support the Equality Act, which would finally guarantee explicit, permanent protections for lesbian, gay, bisexual and transgender people under our existing civil rights laws.

Launched in March 2016, the 337 member companies of HRC's Business Coalition for the Equality Act have operations in all 50 states, headquarters spanning 33 states and a combined \$5.9 trillion in revenue, and employ over 12.9 million people in the United States.

3M Company, Saint Paul, MN; A.T. Kearney Inc., Chicago, IL; ABB Inc., Carey, NC; Abercrombie & Fitch Co., New Albany, OH; Accenture, New York, NY; Adobe Systems Inc., San Jose, CA; Advance Auto Parts (Advance Holding), Raleigh, NC; ADP, Roseland, NJ; Advanced Micro Devices Inc., Sunnyvale, CA; Airbnb Inc., San Francisco, CA; Airbus, Herndon, VA; Alaska Airlines, Seattle, WA; Albertsons Companies, Boise, ID; Alcoa Corp., Pittsburgh, PA; AlixPartners LLP, New York, NY; Alliance Data Systems Corporation, Columbus, OH; Ally Financial Inc., Detroit, MI; Altice USA Inc., Long Island City, NY; Altria Group Inc., Richmond, VA; Amalgamated Bank, New York, NY; Amazon.com Inc., Seattle, WA; American Airlines, Fort Worth, TX; American Eagle Outfitters Inc., Pittsburgh, PA; American Express Company, New York, NY; American Express Global Business Travel, Jersey City, NJ; American Honda Motor Co., Inc., Torrance, CA; Ameriprise Financial, Inc., Minneapolis, MN; AMN Healthcare, San Diego, CA; Apple Inc., Cupertino, CA; Applied Materials Inc., Santa Clara, CA; Arconic, New York, NY; Asana, San Francisco, CA; Ascena Retail Group Inc., Mahwah, NJ; Aspen Skiing Company LLC, Aspen, CO; Asurion LLC, Nashville, TN; AT&T Inc., Dallas, TX; Atlassian, San Francisco, CA; Avnet, Inc., Phoenix, AZ; AXA Equitable Life Insurance Company, New York, NY.

Bain & Co. Inc./Bridgespan Group, Boston, MA; Bank of America Corp., Charlotte, NC; Bayer U.S. LLC, Whippany, NJ; BASF Corp., Florham Park, NJ; BD, Franklin Lakes, NJ; Best Buy Co. Inc., Richfield, MN; Biogen, Cambridge, MA; BioMarin Pharmaceutical Inc., San Rafael, CA; Bird Rides Inc., Santa Monica, CA; BNP Paribas, New York, NY; Boehringer Ingelheim USA Corp., Ridgefield, CT; Booz Allen Hamilton Inc., McLean, VA; Boston Scientific Corp., Marlborough, MA; Box Inc., Redwood City, CA; Bridgestone Americas Holding Inc., Nashville, TN; Bright Horizons, Watertown, MA; Bristol-Myers Squibb Co., New York, NY; Broadridge Financial Solutions Inc., Lake Success, NY; Brown-Forman Corp., Louisville, KY; Brown Rudnick LLP, Boston, MA; Buckley LLP, Washington, DC.

Caesars Entertainment Corp., Las Vegas, NV; California Water Service Group, San Jose, CA; Capital One Financial Corp., McLean, VA; Cardinal Health Inc., Dublin, OH; Cargill Inc., Wayzata, MN; Cengage Learning Inc., Boston, MA; Chevron Corp., San Ramon, CA; Chobani, Norwich, NY;

Choice Hotels International Inc., Rockville, MD; Cisco Systems Inc., San Jose, CA; Citigroup Inc., New York, NY; Citrix Systems Inc., Fort Lauderdale, FL; CME Group Inc., Chicago, IL; CNA Financial Corporation, Chicago, IL; Coca-Cola Co., The, Atlanta, GA; Compass, New York, NY; Compass Bancshares Inc. (BBVA Compass), Birmingham, AL; Converse Inc., Boston, MA; Corning, Corning, NY; Corteva Agriscience, Wilmington, DE; Coty Inc., New York, NY; Cox Enterprises Inc., Atlanta, GA; CSAA Insurance Group, Walnut Creek, CA; Cummins Inc., Columbus, IN; CVS Health Corp., Woonsocket, RI.

Daniel J. Edelman Holdings, Inc. New York, NY; Danone North America, White Plains, NY; Day Pitney LLP, Parsippany, NJ; Darden Restaurants Inc., Orlando, FL; Debevoise & Plimpton LLP, New York, NY; Deloitte LLP, New York, NY; Dell Technologies Inc., Round Rock, TX; Delta Air Lines Inc., Atlanta, GA; Depository Trust & Clearing Corp., The, New York, NY; Deutsche Bank, New York, NY; Diageo North America, Norwalk, CT; Domino's Pizza, Ann Arbor, MI; Dow Chemical Co., The, Midland, MI; Dropbox Inc., San Francisco, CA.

E. I. du Pont de Nemours and Co. (DuPont), Wilmington, DE; Eastern Bank Corp., Boston, MA; Eaton Corp., Cleveland, OH; eBay Inc., San Jose, CA; Ecolab Inc., St. Paul, MN; Edison International, Rosemead, CA; EMD Serono, MilliporeSigma, & EMD Performance Materials, Burlington, MA; Emerson Electric Co., St. Louis, MO; Empower Retirement, Greenwood Village, CO; Ericsson Inc, Plano, TX; Ernst & Young LLP, New York, NY; Estée Lauder Companies Inc., The, New York, NY; E*TRADE Financial Corp., New York, NY; Evolent Health Inc., Arlington, VA; Exelon Corp., Chicago, IL; Expedia Group, Bellevue, WA.

Facebook Inc., Menlo Park, CA; FactSet Research Systems Inc., Norwalk, CT; First Data Corp., Atlanta, GA; Food Lion, Salisbury, NC; Fossil Group Inc., Richardson, TX; Fiserv Inc., Brookfield, WI.

Gap Inc., San Francisco, CA; General Electric Co., Boston, MA; General Mills Inc., Minneapolis, MN; General Motors Co., Detroit, MI; GIANT Food Stores LLC, Carlisle, PA; Giant of Maryland LLC, Landover, MD; Gilead Sciences Inc., Foster City, CA; Glassdoor Inc., Mill Valley, CA; GlaxoSmithKline, Research Triangle Park, NC; GoDaddy Inc., Scottsdale, AZ; Google Inc., Mountain View, CA; Great River Energy, Maple Grove, MN; Guardian Life Insurance Co. of America, The, New York, NY; Guidehouse Inc., Chicago, IL; Gusto, San Francisco, CA.

Halstead Real Estate, New York, NY; Hanaford Supermarkets, Scarborough, ME; HERE North America LLC, Chicago, IL; Hershey Co., The, Hershey, PA; Hess Corp., New York, NY; Hewlett Packard Enterprise Co., Palo Alto, CA; Hilton Inc., McLean, VA; Hiscox USA, New York, NY; Hogan Lovells US LLP, Washington, DC; Holland & Knight LLP, Miami, FL; Host Hotels & Resorts Inc., Bethesda, MD; HP Inc., Palo Alto, CA; HSF Affiliates LLC, Irvine, CA; HSN Inc., St. Petersburg, FL; Hughes Hubbard & Reed LLP, New York, NY; Hyatt Hotels Corp., Chicago, IL.

IBM Corp., Armonk, NY; IDEX Corp., Lake Forest, IL; IHS Markit Ltd., New York, NY; IKEA Holding US Inc., Conshohocken, PA; Information Resources Inc., Chicago, IL; Ingersoll-Rand Company, Davidson, NC; Ingram Micro, Irvine, CA; Insight Enterprises Inc., Tempe, AZ; Intel Corp., Santa Clara, CA; InterContinental Hotels Group Americas, Atlanta, GA; International Flavors & Fragrances, Inc., New York, NY; Iron Mountain Inc., Boston, MA.

Jacobs Engineering Group, Inc., Dallas, TX; Jenner & Block LLP, Chicago, IL; John

Hancock Financial Services Inc., Boston, MA; Johnson & Johnson, New Brunswick, NJ; JPMorgan Chase & Co., New York, NY; JSX, Dallas, TX; Juniper Networks Inc., Sunnyvale, CA.

Kabbage Inc., Atlanta, GA; Kaiser Permanente, Oakland, CA; Keep Truckin Inc., San Francisco, CA; Kellogg Co., Battle Creek, MI; Keller Williams Realty Inc., Austin, TX; Kenneth Cole Productions Inc., New York, NY; KeyCorp, Cleveland, OH; KIND LLC, New York, NY; Knot Worldwide, The Chevy Chase, MD; KPMG LLP, New York, NY.

Lendlease Americas Inc., New York, NY; Levi Strauss & Co., San Francisco, CA; Linden Research Inc., Davis, CA; Lord, Abbett & Co. LLC, Jersey City, NJ; Lowenstein Sandler LLP, New York, NY; Lush Fresh Handmade Cosmetics, Wilmington, NC; Lyft Inc., San Francisco, CA.

Macy's Inc., Cincinnati, OH; ManpowerGroup, Milwaukee, WI; Marriott International Inc., Bethesda, MD; Mars Inc., McLean, VA; Marsh & McLennan Companies Inc., New York, NY; Massachusetts Mutual Life Insurance Co., Springfield, MA; Mastercard, Purchase, NY; McAfee, Santa Clara, CA; McCormick & Company, Inc., Hunt Valley, MD; McKesson Corporation, Las Colinas, TX; McKinstry Co. LLC, Seattle, WA; Medtronic PLC, Minneapolis, MN; Merck, Kenilworth, NJ; Meredith Corp., Des Moines, IA; MGM Resorts International, Las Vegas, NV; Micron Technology Inc., Boise, ID; Microsoft Corp., Redmond, WA; Mitchell Gold + Bob Williams, Taylorsville, NC; Mondelez International Inc., Deerfield, IL; Moody's Corp., New York, NY; Molson Coors LLC, Chicago, IL; Morgan Stanley, New York, NY; Morningstar Inc., Chicago, IL; Morris, Manning & Martin LLP, Atlanta, GA.

Nasdaq Inc., New York, NY; National Grid USA, Waltham, MA; Nationwide, Columbus, OH; Navient, Wilmington, DE; Nestlé, Arlington, VA; Netflix Inc., Los Gatos, CA; New Belgium Brewing Company, Fort Collins, CO; Nielsen, New York, NY; Nike Inc., Beaverton, OR; Nordstrom Inc., Seattle, WA; Norfolk Southern Corporation, Norfolk, VA; NortonLifeLock, Mountain View, CA; Northrop Grumman Corp., Falls Church, VA; Nuance Communications, Burlington, MA.

Ocean Spray Cranberries Inc., Lakeville-Middleboro, MA; Office Depot Inc., Boca Raton, FL; Oracle Corp., Redwood City, CA; Owens Corning, Toledo, OH.

Palo Alto Networks, Santa Clara, CA; Patreon Inc., San Francisco, CA; Pariveda Solutions Inc., Dallas, TX; Paul Hastings LLP, Los Angeles, CA; PayPal Holdings Inc., San Jose, CA; Peloton Interactive Inc., New York, NY; PepsiCo Inc., Purchase, NY; PetSmart Inc., Phoenix, AZ; Pfizer Inc., New York, NY; PG&E Corp., San Francisco, CA; Philip Morris International, New York, NY; Pinterest Inc., San Francisco, CA; Pioneer Natural Resources, Irving, TX; PNC Financial Services Group Inc., The, Pittsburgh, PA; Porter Wright Morris & Arthur LLP, Columbus, OH; Power Home Remodeling Group LLC, Chester, PA; PricewaterhouseCoopers LLP, New York, NY; Principal Financial Group, Des Moines, IA; Procter & Gamble Co., Cincinnati, OH; Pure Storage Inc., Mountain View, CA; PVH Corp., New York, NY.

QUALCOMM Inc., San Diego, CA; QIAGEN, Germantown, MD.

Realogy Holdings Corp., Madison, NJ; Redfin Corp., Seattle, WA; Red Hat Inc., Raleigh, NC; RE/MAX LLC, Denver, CO; Replacements Ltd., McLeansville, NC; Rockwell Automation Inc., Milwaukee, WI; Royal Bank of Canada, New York, NY.

S&P Global Inc., New York, NY; Salesforce, San Francisco, CA; SAP America

Inc., Newtown Square, PA; Seagate Technology plc, Cupertino, CA; Sheppard, Mullin, Richter, & Hampton LLP, Los Angeles, CA; Shire PLC, Lexington, MA; Shook, Hardy & Bacon LLP, Kansas City, MO; Shutterstock Inc., New York, NY; Siemens Corp., Washington, DC; Sodexo Inc., Gaithersburg, MD; Sony Electronics Inc., San Diego, CA; Southwest Airlines Co., Dallas, TX; Spotify USA Inc., New York, NY; Square Inc., San Francisco, CA; Stanley Black & Decker Inc., New Britain, CT; Starbucks Corp., Seattle, WA; Steelcase Inc., Grand Rapids, MI; SUEZ Water Technologies and Solutions, Trevose, PA; Sun Life U.S., Wellesley Hills, MA; Sunrun Inc., San Francisco, CA; SurveyMonkey Inc., San Mateo, CA; Synchro, Stamford, CT; Sysco, Houston, TX.

Takeda Pharmaceuticals USA Inc., Deerfield, IL; Target Corp., Minneapolis, MN; TD Ameritrade, Omaha, Omaha, NE; TD Bank, N.A., Cherry Hill, NJ; Tech Data Corp., Clearwater, FL; TEGNA Inc., McLean, VA; Tesla Inc., Palo Alto, CA; Teva Pharmaceuticals, North Wales, PA; Texas Instruments, Dallas, TX; Thermo Fisher Scientific, Waltham, MA; TIAA, New York, NY; T-Mobile USA Inc., Bellevue, WA; Toyota Motor North America Inc., Plano, TX; TPG Global LLC, Fort Worth, TX; TransUnion, Chicago, IL; TripAdvisor Inc., Needham, MA; Truist Financial Corporation, Charlotte, NC; Turner Construction Co., New York, NY; Twitter Inc., San Francisco, CA.

U.S. Bancorp, Minneapolis, MN; Uber Technologies Inc., San Francisco, CA; Ultimate Software, Weston, FL; Under Armour Inc., Baltimore, MD; Unilever, Englewood Cliffs, NJ; Union Pacific Railroad, Omaha, NE; United Airlines, Chicago, IL; United Parcel Service Inc., Atlanta, GA; Univar Solutions, Inc., Downers Grove, IL; Univision Communications Inc., New York, NY.

Vanguard Group Inc., Malvern, PA; Verizon Communications Inc., New York, NY; Viiv Healthcare, Research Triangle Park, NC; Visa, Foster City, CA.

Warby Parker, New York, NY; Warner Music Group, New York, NY; WE Communications, Bellevue, WA; Wellmark Blue Cross Blue Shield, Des Moines, IA; Wells Fargo & Co., San Francisco, CA; Western Digital, San Jose, CA; Whirlpool Corp., Benton Harbor, MI; Williams-Sonoma Inc., San Francisco, CA; Workday Inc., Pleasanton, CA; Wyndham Hotels & Resorts Inc., Parsippany, NJ.

Xcel Energy Inc., Minneapolis, MN; Xerox Corp., Norwalk, CT; Xperi, San Jose, CA; Xylem Inc., Rye Brook, NY.

Yelp Inc., San Francisco, CA; Yext Inc., New York, NY.

Zillow Group, Seattle, WA; Zimmer Biomet Holdings Inc., Warsaw, IN.

EQUALITY ACT—ASSOCIATIONS ENDORSING THE EQUALITY ACT

NATIONAL AND STATE ASSOCIATIONS

Act—The App Association, AdvaMed, Aerospace Industries Association, American Benefits Council, American Chemistry Council, American Cleaning Institute, American Coatings Association, Inc., American Hotel & Lodging Association, American Pet Products Association, American Petroleum Institute, American Psychological Association, American Medical Association, American Society of Association Executives, Asian American Hotel Owners Association, Association of Home Appliance Manufacturers, Auto Care Association.

Biotechnology Innovation Organization, BSA—The Software Alliance, Business Roundtable, College and University Professional Association for Human Resources, Compressed Gas Association, Consumer Healthcare Products Association, Consumer

Technology Association, Council for Responsible Nutrition, Edison Electric Institute, Federation of American Hospitals, Financial Executives International, Food Marketing Institute, Fragrance Creators Association, Grocery Manufacturers Association, Household & Commercial Products Association, HR Policy Association.

NATIONAL ASSOCIATIONS

Information Technology Industry Council (ITI), International Council of Shopping Centers, International Franchise Association, Internet Association, Jackson Area Manufacturers Association, Michigan Manufacturers Association, Missouri Association of Manufacturers, Nareit, National Association of Chain Drug Stores, National Association of Manufacturers, National Association of Realtors, National Investor Relations Institute, National Leased Housing Association, National Multifamily Housing Council, National Restaurant Association, National Retail Federation, National Safety Council, National Venture Capital Association, National Waste & Recycling Association.

NC Chamber, New Jersey Business & Industry Association, Outdoor Power Equipment Institute, Personal Care Products Council, Pharmaceutical Research and Manufacturers of America, Power Transmission Distributors Association, Precast/Prestressed Concrete Institute, Retail Industry Leaders Association, Rhode Island Manufacturers Association, Society of Chemical Manufacturers & Affiliates, Society for Human Resource Management, Solar Energy Industries Association, Sports & Fitness Industry Association, The Center for Baby and Adult Hygiene Products, The ERISA Industry Committee, The National Multifamily Housing Council, The Ohio Manufacturers' Association, The Real Estate Roundtable, U.S. Chamber of Commerce.

EQUALITY ACT—631 ORGANIZATIONS ENDORSING THE EQUALITY ACT

National Organizations

9to5, National Association of Working Women, A Better Balance, A. Philip Randolph Institute, ACRIA, ADAP Advocacy Association, Advocates for Youth, AFGE, AFL-CIO, African American Ministers In Action, The AIDS Institute, AIDS United, Alan and Leslie Chambers Foundation, American Academy of Pediatrics, American Association for Access, Equity and Diversity, American Association of University Women (AAUW), American Atheists, American Bar Association, American Civil Liberties Union, American Conference of Cantors, American Counseling Association, American Federation of State, County, and Municipal Employees (AFSCME), American Federation of Teachers, American Heart Association, American Humanist Association, American Medical Association, American Public Health Association, American Psychological Association, American School Counselor Association, Americans United for Separation of Church and State, amfAR, Foundation for AIDS Research, Anti-Defamation League, Arab American Institute, Ariadne Getty Foundation, Asian Americans Advancing Justice | AAJC, Asian American Federation, Asian Pacific American Labor Alliance (APALA), Association of Flight Attendants—CWA, Association of Welcoming and Affirming Baptists, Athlete Ally, Auburn Seminary, Autistic Self Advocacy Network, Avodah.

BALM Ministries, Bayard Rustin Liberation Initiative, Bend the Arc Jewish Action, Black and Pink, BPFNA—Bautistas por la Paz, Brethren Mennonite Council for LGBTQ Interests.

Caring Across Generations, Catholics for Choice, Center for American Progress, Center for Black Equity, Center for Disability

Rights, Center for Inclusivity, Center for Inquiry, Center for LGBTQ and Gender Studies, Centerlink: The Community of LGBT Centers, Central Conference of American Rabbis, Chicago Theological Seminary, Child Welfare League of America, Clearinghouse on Women's Issues, Coalition of Black Trade Unionists, Coalition of Labor Union Women, Communications Workers of America, Community Access National Network (CANN), Consortium for Children, Council for Global Equality, Covenant Network of Presbyterians.

DignityUSA, Disciples Justice Action Network, Disciples LGBTQ+ Alliance, Disability Rights Education & Defense Fund (DREDF), Empowering Pacific Islander Communities (EPIC), End Rape on Campus, The Episcopal Church, Equal Rights Advocates, Equality Federation, Estuary Space, Evangelical Lutheran Church in America.

Faith in Public Life, Family Equality, Feminist Majority, The Fenway Institute, FORGE, Inc., Forward Together, Freedom Center for Social Justice, Freedom for All Americans, Friends Council on Education.

Gay Men's Health Crisis (GMHC), Gay Parent Magazine, Gender Spectrum, Generation Progress, Georgetown University Law Center—Civil Rights Clinic, Girls Inc., GLMA: Health Professionals Advancing LGBTQ Equality, Global Justice Institute, Metropolitan Community Churches, GLSEN, Guttmacher Institute.

Hadassah, The Women's Zionist Organization of America, Inc., Harm Reduction Coalition, HealthHIV, Hindu American Foundation, Hispanic Federation, Hispanic Health Network, HIV Medicine Association, Human Rights Campaign, Human Rights Watch.

Impact Fund, In Our Own Voice: National Black Women's Reproductive Justice Agenda, The Inanna Project, Indivisible, Integrity USA: Episcopal Rainbow, Interfaith Alliance, International Alliance of Theatrical Stage Employees (IATSE), International Association of Machinists & Aerospace Workers, International Association of Providers of AIDS Care, International Brotherhood of Teamsters (IBT), International Union of Bricklayers and Allied Craftworkers, International Union of Painters and Allied Trades, The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW).

Japanese American Citizens League, Jewish Women International, Justice in Aging.

Keshet.

Labor Council for Latin American Advancement (LCLAA), Lake Research Partners, Lambda Legal, Latino Commission on AIDS, LatinoJustice PRLDEF, Lawyers' Committee for Civil Rights Under Law, The Leadership Conference on Civil and Human Rights, League of United Latin American Citizens, Lesbian and Gay Veterinary Medical Association (LGVMA), LGBT Technology Partnership & Institute.

Main Street Alliance, MANA, A National Latina Organization, Many Voices: A Black Church Movement for Gay & Transgender Justice, Matthew Shepard Foundation, MAZON: A Jewish Response to Hunger, Meadville Lombard Theological School, Men of Reform Judaism, MECCA Institute, Methodist Federation for Social Action, Metropolitan Community Churches, Modern Military Association of America, MomsRising, More Light Presbyterians, Movement Advancement Project, Muslim Advocates, Muslim Public Affairs Council, Muslims for Progressive Values.

NAACP, NAACP Legal Defense and Educational Fund, NARAL Pro-Choice America, NASTAD (National Alliance of State & Territorial AIDS Directors), National AIDS Housing Coalition, National Alliance for Partnerships in Equity (NAPE), National Al-

liance to End Sexual Violence, National Asian Pacific American Women's Forum (NAPAWF), National Association of Counsel for Children, National Association for Female Executives, National Association of County and City Health Officials, National Association of School Psychologists, National Association of School Superintendents, National Association of Secondary School Principals, National Association of Social Workers, National Black Justice Coalition, National Coalition for the Homeless, National Center for Lesbian Rights, National Center for Transgender Equality, National Center for Youth Law, National Center on Adoption and Permanency, National Coalition for Asian Pacific American Community Development (National CAPACD), National Coalition for LGBT Health, National Coalition for the Homeless, National Coalition of Anti-Violence Programs, The National Coalition of Anti-Violence Programs, National Council for Occupational Safety and Health (COSH), National Council of Jewish Women, National Crittenton, National Education Association, National Employment Law Project, National Employment Lawyers Association, National Fair Housing Alliance, National Health Law Program, National Hispanic Media Coalition, National Hispanic Medical Association, National Korean American Service and Education Consortium (NAKASEC), National Latina Institute for Reproductive Health, National Latinx Psychological Association, National LGBT Chamber of Commerce, National LGBTQ Task Force Action Fund, The National LGBTQ Workers Center, National Organization for Women, National Partnership for Women & Families, National PTA, National Queer Asian Pacific Islander Alliance (NQAPIA), National Taskforce on Tradeswomen Issues, National Trans Bar Association, National Urban League, National Women's Health Network, National Women's Law Center, NEAT—National Equality Action Team, NETWORK Lobby for Catholic Social Justice, New Ways Ministry, NMAC, North American Council on Adoptable Children.

OCA—Asian Pacific American Advocates, Office & Professional Employees International Union, Out & Equal Workplace Advocates, OutServe—SLDN, Oxfam America.

Parity, People For the American Way, PFLAG National, Pharmaceutical Research and Manufacturers of America, Physicians for Reproductive Health, Planned Parenthood Federation of America, Population Connection Action Fund, Positive Women's Network—USA, Pride at Work, Pride Fund 1, Promundo—US, Public Justice.

Rabbinical Assembly, Reconciling Ministries Network, ReconcilingWorks: Lutherans for Full Participation, Reconstructing Judaism, Reconstructionist Rabbinical Association, Religious Coalition for Reproductive Choice, Religious Institute, RootsAction, Ryan White Medical Providers Coalition.

SafeBAE, SAGE, Samuel DeWitt Proctor Conference, Secular Coalition for America, Secular Policy Institute, SER Jobs for Progress National Inc., Service Employees International Union, Sexuality Information and Education Council of the U.S. (SIECUS), Slowinski Foundation—story.lgbt, Soulforce, Southern HIV/AIDS Strategy Initiative (SASI), The Stonewall Inn Gives Back Initiative, Stop Sexual Assault in Schools (SSAIS), SurvJustice.

T'ruah: The Rabbinic Call for Human Rights, TransFamily Support Services, Transgender Law Center, Transgender Legal Defense & Education Fund, The TransLatin@ Coalition, Transport Workers Union of America, Treatment Action Group, The Trevor Project, True Colors United, The

Tyler Clementi Foundation, The United Methodist Church—General Board of Church and Society.

UFCW OUTreach, Ultraviolet, UMForward, (un)common good collective, UnidosUS, Unión = Fuerza Latinx Institute, Union for Reform Judaism, Union of Affirming Christians, Union Theological Seminary in the City of New York, Unitarian Universalist Association, Unitarian Universalist Women's Federation, UNITE HERE International Union, United Church of Christ, Justice and Witness Ministries, United Food and Commercial Workers International Union (UFCW), United State of Women, United Synagogue of Conservative Judaism, URGE: Unite for Reproductive & Gender Equity.

Voice for Adoption, Voices for Progress, Vote Common Good, Greater Things, Voto Latino.

Whitman-Walker Health, The Williams Institute, Witness to Mass Incarceration, Women's Alliance for Theology, Ethics, and Ritual (WATER).

Young Feminists & Allies: National Organization for Women's (NOW) Inaugural Virtual Chapter.

State and Local Organizations

ALASKA

Alaskans Together For Equality Identity, Inc.

ALABAMA

AIDS Alabama
Bayard Rustin Community Center
Equality Alabama
Rainbow Mobile

ARKANSAS

Northwest Arkansas Equality, Inc.

ARIZONA

Arizona Coalition to End Sexual & Domestic Violence
Equality Arizona

CALIFORNIA

one-n-ten
9to5 California
Billy DeFrank LGBTQ+ Community Center
Bienestar Human Services
California Employment Lawyers Association
California LGBTQ Health and Human Services Network
The Center for Sexuality & Gender Diversity
Common Space
The Diversity Center of Santa Cruz County
Diversity Collective Community Resource Center
Diversity Collective Ventura County
Equality California
Family Builders by Adoption
Gay and Lesbian Alliance of the Central Coast
Girls Inc. of Alameda County
Girls Inc. of the Central Coast
Hollywood NOW
Imperial Valley LGBT Resource Center
Latino Equality Alliance
Legal Aid At Work
LGBT Center OC
LGBT Community Center of the Desert
LGBTQ Campus Life (I), California Polytechnic State University
The LGBTQ Center Long Beach
LGBTQ+ Center of Riverside County
The LGBTQ Center of the Desert
Los Angeles LGBT Center
Mi Centro LGBTQ Community Center/Latino Eq. Alliance
Missiongathering Christian Church
North County LGBTQ Resource Center
Oakland LGBTQ Community Center
Pacific Center for Human Growth
Pacific Pride Foundation
PFLAG Los Angeles

The GALA Pride and Diversity Center, San Luis Obispo
 ISM-Q LGBT & Allies Resource Center
 Religious Coalition for Reproductive Right—California
 Sacramento LGBT Community Center
 San Bernardino LGBTQ Center
 San Diego LGBT Community Center
 San Gabriel Valley LGBTQ Center
 SF LGBT Center
 Solano Pride Center
 The Source LGBT+ Center
 The Spahr Center
 Stonewall Democratic Club
 TransFamily Support Services
 Uptown Gay and Lesbian Alliance (UG)

COLORADO

9to5 Colorado
 The Center on Colfax
 Inside/Out Youth Services
 One Colorado
 Out Boulder County
 Queer Asterisk
 Rocky Mountain CES

CONNECTICUT

New Haven Pride Center
 Triangle Community Center Inc.
 True Colors, Inc.

DISTRICT OF COLUMBIA

Asian/Pacific Islander Domestic Violence Resource Project
 The DC Center for the LGBT Community
 GLAA
 SMYAL
 Trans-Latinx DMV (DC, Maryland and Virginia)

DELAWARE

CAMP Rehoboth
 Equality Delaware
 Girls Inc. of Delaware

FLORIDA

The Alliance for GLBTQ Youth
 ALSO Youth
 The Center Kissimmee
 Compass LGBTQ Community Center
 Equality Florida
 Girls Inc. of Bay County
 Girls Inc. of Sarasota County
 JASMYN
 LGBT+ Center Orlando, Inc.
 LGBT+ Family & Games
 LGBTQ Center of Bay County
 Metro Community Center
 Naples Pride
 The Pride Center at Equality Park
 Pride Community Center of North Central Florida
 Pridelines
 PRISM, Inc.
 QLatinx
 Safe Schools South Florida
 St Pete Pride
 SunServe
 Visuality, Inc.
 Zebra Coalition

GEORGIA

9to5 Georgia
 Atlanta Pride Committee
 Georgia Equality
 Girls Inc. of Columbus and Phenix-Russell
 Lake Oconee Community Church
 Young Democrats of Georgia
 Young Democrats of Georgia LGBTQ Caucus

IOWA

Adair Co GLBT Resource Center
 Girls Inc. of Sioux City
 One Iowa

IDAHO

All Under One Roof

ILLINOIS

AIDS Foundation of Chicago
 Arab American Family Services

Association of Latinos/as/X Motivating Action
 Bolingbrook Pride
 CAAN Joliet
 Center on Halsted
 Chicago Alliance Against Sexual Exploitation, Chicago Metropolitan Battered Women's Network, Life Span, & Resilience
 Chicago House and Social Service Agency
 Clock, Inc.
 Elmhurst Pride Collective
 Equality Illinois
 Howard Brown Health
 Illinois Accountability Initiative
 The Liam Foundation
 Lighthouse Foundation
 Naper Pride Inc.
 PFLAG Rockford
 Phoenix Center
 The Pinta Pride Project
 Pride Action Tank
 Quad Citians Affirming Diversity
 Resilience, formerly Rape Victim Advocates
 United Latinx Pride
 Women Employed

INDIANA

Girls Inc. of Shelbyville & Shelby County
 Girls Inc. of Wayne County
 Indiana RCRC
 Indiana Youth Group
 Spencer Pride, Inc.
 Spencer Pride Community center

KENTUCKY

Fairness Campaign
 Kentucky Religious Coalition for Reproductive Choice
 Louisville Youth Group Inc.
 Pride Community Services Organization

LOUISIANA

Forum for Equality
 Louisiana Progress Action
 Louisiana Trans Advocates

MASSACHUSETTS

BAGLY, Inc. (Boston Alliance of LGBTQ Youth)
 Girls Inc. of Greater Lowell
 Girls Inc. of the Valley
 Girls Inc. of Worcester
 JALSA
 Massachusetts Transgender Political Coalition
 MassEquality
 NAGLY (North Shore Alliance of GLBTQ Youth)
 OUT MetroWest

MARYLAND

The Frederick Center
 FreeState Justice
 Gender Rights Maryland
 Girls Inc. of Washington County
 The Montgomery County LGBT Business Council
 Pride Center of Maryland
 Public Justice Center
 Ricky's Pride

MAINE

EqualityMaine

MICHIGAN

Affirmations LGBTQ+ Community Center
 Equality Michigan
 Grand Rapids Chamber of Commerce
 Great Lakes Bay Pride
 Jackson Pride Center
 LGBT Detroit
 OutCenter of Southwest Michigan
 OutFront Kalamazoo
 Polestar LGBT Community Center of Traverse City
 Ruth Ellis Center, Inc.
 SAGE Metro Detroit
 Stand with Trans
 Transgender Michigan

MINNESOTA

Gender Justice

OutFront MN

MISSOURI

The GLO Center
 Mid-Missouri Center Project, Inc.
 PROMO
 St. Louis Effort for AIDS

MONTANA

Montana Coalition Against Domestic and Sexual Violence
 Montana Gay Men's Task Force
 Montana Two Spirit Society
 Western Montana LGBTQ Community Center

NORTH CAROLINA

Blue Ridge Pride Center, Inc.
 Charlotte Clergy Coalition for Justice
 Equality North Carolina
 Guilford Green Foundation & LGBTQ Center
 Latinos in the Deep South
 LGBT Center of Raleigh
 National Organization for Women Charlotte chapter
 Northstar LGBTQ Community Center
 Onslow County LGBTQ+ Community Center
 Time Out Youth
 Youth OUTright WNC, Inc.

NORTH DAKOTA

North Dakota Human Rights Coalition

NEBRASKA

OutNebraska

NEVADA

Colors+

NEW HAMPSHIRE

New Hampshire Coalition Against Domestic and Sexual Violence
 Seacoast Outright (NH/ME)

NEW JERSEY

Garden State Equality
 Hudson Pride Center
 Ours Institute—Pride Institute of Southern New Jersey
 Pride Center of New Jersey

NEW MEXICO

Equality New Mexico
 Girls Inc. of Santa Fe
 Human Rights Alliance
 KWH Law Center for Social Justice & Change
 Southwest Women's Law Center
 Transgender Resource Center of New Mexico
 Tewa Women United

NEW YORK

Asian American Federation
 Association of Legal Aid Attorneys (AA) of UAW 2325,
 LGBTQ+ Caucus
 Brooklyn Community Pride Center
 Callen-Lorde Community Health Center
 CANDLE
 Destination Tomorrow: The Bronx LGBT Center
 Empire State Pride Agenda
 Equality New York
 Fairness Alliance and Information Resources of New York Inc.
 Family Counseling Services of the Finger Lakes, Inc.
 Forefront Church NYC
 Gay & Lesbian Independent Democrats (GLID)
 Gender Equality Law Center
 Hudson Valley LGBTQ Community Center
 In Our Own Voices
 The Lesbian, Gay, Bisexual & Transgender City Center
 LGBT Bar Association of New York
 LGBT Network/Long Island LGBT Community Center
 LGBT Network/Queens LGBT Community Center
 The LGBTQ Center of the Finger Lakes

The LOFT LGBTQ+ Community Center
MinKwon Center for Community Action
Out Alliance
Pride Center of Staten Island
Pride Center of the Capital Region
Pride Center of Western New York
Rockland County Pride Center
Sakhi for South Asian Women
Theatre of the Oppressed NYC
VillageCare
The Volunteer Lawyers Project of Onondaga County, Inc.

NEVADA

Colors+
Equality Nevada
The Gay & Lesbian Community Center of So. Nevada
Henderson Equality Center
The LGBTQ Community Center of Southern Nevada
OUR Center
Silver State Equality—Nevada

OHIO

Equality Ohio
Greater Dayton LGBT Center
Latitude, a community center by Harvey House
LGBT Center at Ohio University
LGBT Community Center of Greater Cleveland

Ohio Religious Coalition for Reproductive Choice

Stonewall Columbus
TransOhio
Dennis R. Neill Equality Center

OKLAHOMA

Freedom Oklahoma
Oklahomans for Equality

OREGON

Basic Rights Oregon
Cascade AIDS Project
Christ Church: Portland
Equality Community Center
Girls Inc. of the Pacific Northwest
Lower Columbia Q Center
Oregon Abuse Advocat Survivors in Service

PENNSYLVANIA

Bradbury-Sullivan LGBT Community Center

Eastern PA Trans Equity Project
Greater Erie Alliance for Equality, Inc
Hugh Lane Wellness Foundation
LGBT Center of Central PA
LGBT Center of Greater Reading
LGBT Equality Alliance of Chester County
Mazzoni Center
The Montgomery County LGBT Business Council
Ni-ta-nee NOW (Centre County, PA)
Religious Coalition for Reproductive Justice

Persad Center
PFLAG York
PGH Equality Center
Philadelphia Family Pride
Proud Haven
Religious Coalition for Reproductive Justice

Rainbow Rose Center, York County
LGBTQ+ Resource Center
SAGA Community Center
TriVersity—The UDGLBT Center
Washington County Gay Straight Alliance, Inc.

William Way LGBT Community Center
Women's Law Project
New Voices for Reproductive Justice

PUERTO RICO

Waves Ahead & SAGE Puerto Rico
Waves Ahead Corp Puerto Rico

RHODE ISLAND

Adoption Rhode Island

SOUTH CAROLINA

Pride Link

Uplift Outreach Center
Women's Rights and Empowerment Network (WREN)

SOUTH DAKOTA

Equality South Dakota

TENNESSEE

Girls Inc. of TN Valley
OUTMemphis
Tennessee Equality Project

TEXAS

ADL Southwest Region
The Afiya Center
American Association of University Women Texas (AAUW Texas)
Cathedral of Hope United Church of Christ
Equality Texas
Esperanza Peace and Justice Center
the Montrose Center
Open Arms Rape Crisis Center & LGBT+ Services
Pride Center San Antonio
Pride Center West Texas
Pride Community Center
QWELL Community Foundation
Resource Center
Texas Freedom Network
Transgender Education Network of Texas (TENT)

UTAH

Equality Utah
Utah Pride Center

VIRGINIA

Diversity Richmond
Equality Virginia
LGBT Life Center
Lynchburg Diversity Center
NAKASEC Virginia
Side by Side
Shenandoah LGBTQ Center

VERMONT

Pride Center Vermont
Outright Vermont

WASHINGTON

Entre Hermanos
Equal Rights Washington
Gay City: Seattle's LGBTQ Center
Gender Justice League
Legal Voice
Oasis Youth Center
Rainbow Center

WISCONSIN

9to5 Wisconsin
AIDS Resource Center of Wisconsin
The Center: 7 Rivers LGBTQ Connection
Fair Wisconsin
LGBT Center of SE Wisconsin
OutReach LGBT Community Center
The MKE LGBT Community Center
Wisconsin Coalition Against Sexual Assault

WEST VIRGINIA

Ohio Valley Pride Community Center

FAITH FOR EQUALITY

100+ FAITH-BASED ORGANIZATIONS ENDORSING THE EQUALITY ACT

1. African American Ministers in Action
2. Alliance of Baptists
3. American Conference of Cantors
4. Anti-Defamation League
5. Association of Welcoming and Affirming Baptists
6. Auburn Seminary
7. Avodah
8. BALM Ministries
9. Bayard Rustin Liberation Initiative
10. Bend the Arc Jewish Action
11. Brethren Mennonite Council for LGBTQ Interests
12. Carolina Jews for Justice
13. Cathedral of Hope United Church of Christ
14. Catholics for Choice

15. Central Conference of American Rabbis
16. Charlotte Clergy Coalition for Justice
17. Chicago Theological Seminary
18. Christ Church: Portland
19. Covenant Network of Presbyterians
20. Crosswalk Community Church
21. DignityUSA
22. Disciples Justice Action Network
23. Disciples LGBTQ+ Alliance
24. Edmonds Unitarian Universalist Congregation
25. Estuary Space
26. Evangelical Lutheran Church in America
27. Faith in Public Life
28. Faithful America
29. First Baptist Church of Madison, WI
30. Forefront Church NYC
31. Freedom Center for Social Justice
32. Friends Council on Education
33. Global Justice Institute, Metropolitan Community Churches
34. Hadassah, The Women's Zionist Organization of America, Inc.
35. Hindu American Foundation
36. IGNITE MVMT
37. Indiana Religious Coalition for Reproductive Choice
38. Integrity USA: Episcopal Rainbow
39. Interfaith Alliance
40. Interfaith Alliance of Colorado
41. Iowa Unitarian Universalist Witness and Advocacy Network
42. Jewish Alliance for Law and Social Action (JALSA)
43. Jewish Women International
44. JUUSTICE Washington
45. Kentucky Religious Coalition for Reproductive Choice
46. Keshet
47. Lake Oconee Community Church
48. Lakeshore Avenue Baptist Church of Oakland, CA
49. Many Voices: A Black Church Movement for Gay & Transgender Justice
50. MAZON: A Jewish Response to Hunger
51. Meadville Lombard Theological School
52. MECCA Institute
53. Missiologathering Christian Church
54. Men of Reform Judaism
55. Methodist Federation for Social Action
56. Metropolitan Community Churches
57. Michigan Unitarian Universalist Social Justice Network (MUUSJN)
58. More Light Presbyterians
59. Muslim Advocates
60. Muslim Public Affairs Council
61. Muslims for Progressive Values
62. National Council of Jewish Women
63. NETWORK Lobby for Catholic Social Justice
64. New Hope Unitarian Universalist Congregation
65. New Ways Ministry
66. Ohio Religious Coalition for Reproductive Choice
67. Parity
68. Pennsylvania Religious Coalition for Reproductive Justice
69. Rabbinical Assembly
70. Reconciling Ministries Network
71. ReconcilingWorks: Lutherans for Full Participation
72. Reconstructing Judaism
73. Reconstructionist Rabbinical Association
74. Red Letter Christians
75. Religious Coalition for Reproductive Choice
76. Religious Coalition for Reproductive Rights of California
77. Religious Institute
78. Soulforce
79. Starr King School for the Ministry
80. T'ruah: The Rabbinic Call for Human Rights
81. The Episcopal Church
82. The Freedom Center for Social Justice

83. The United Methodist Church—General Board of Church and Society
 84. UMFoward
 85. Union for Reform Judaism
 86. Union of Affirming Christians
 87. Unitarian Theological Seminary in the City of New York
 88. Unitarian Universalist Action New Hampshire
 89. Unitarian Universalist Advocacy Network of Illinois
 90. Unitarian Universalist Association
 91. Unitarian Universalist Justice Arizona
 92. Unitarian Universalist Justice Ohio
 93. Unitarian Universalist Massachusetts State Action Network
 94. Unitarian Universalist Justice Ministry of North Carolina
 95. Unitarian Universalists for Social Justice
 96. Unitarian Universalist Women's Federation
 97. United Church of Christ, Justice and Witness Ministries
 98. United Synagogue of Conservative Judaism
 99. UU FaithAction NJ
 100. Women of Reform Judaism
 101. Women's Alliance for Theology, Ethics, and Ritual (WATER)

NATIONAL COUNCIL

OF JEWISH WOMEN,

Washington, DC, February 24, 2021.

DEAR REPRESENTATIVE: I am writing on behalf of the 180,000 volunteers and advocates of the National Council of Jewish Women (NCJW) to urge you to vote for HR 5, the Equality Act. NCJW believes in *kavod habriyot*, individual dignity. To that end, we are committed to the enactment, enforcement, and preservation of laws and regulations that protect civil rights and individual liberties for all.

The Equality Act, which passed the House of Representatives in the last Congress, would add explicit protections against discrimination based on sexual orientation and gender identity to our civil rights laws. The bill would also add and expand legal protections for women, people of color, and many other communities. Congress must pass the Equality Act to protect all individuals from discrimination regardless of sexual orientation and gender identity.

A majority of LGBTQ people have experienced harassment or discrimination due to their sexual orientation or gender identity. A 2020 study by the University of Chicago found that one in three LGBTQ Americans faced identity-based discrimination of some kind in the past year, with that number increasing to three in five for transgender people. Discrimination happens in the spheres of employment, education, housing, public accommodations, and health care—every part of a person's life. LGBTQ people of color, immigrants, legal minors, and those with disabilities face even more barriers and biases.

NCJW supports the Equality Act not in spite of our religious beliefs, but because of them. We believe in the inherent dignity and worth of all people, including religiously and non-religiously affiliated people. Civil rights protections go hand in hand with religious freedom, and the bill does not require any person to change their religious beliefs nor does it compel religious institutions to participate in activities that violate the tenets of their faith.

All people deserve to live free from discrimination and fear regardless of their sex, sexual orientation, and gender identity. I urge you to vote for final passage of the Equality Act.

Sincerely,

JODY RABHAN,
 Chief Policy Officer,
 National Council of Jewish Women.

FEBRUARY 24, 2021.

Hon. NANCY PELOSI,
Speaker of the House,
House of Representatives, Washington, DC.
 Hon. KEVIN MCCARTHY,
Minority Leader,
House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND LEADER MCCARTHY: The undersigned trade and professional associations write in support of H.R. 5, the Equality Act. Equality of opportunity is a key pillar of our great democracy—one that allows all people to pursue their American Dream—and part of what makes our nation exceptional. Our industries, representing and employing tens of millions of Americans, understand this basic fact and have been at the forefront of efforts to combat discrimination based on sexual orientation and gender identity in the workplace.

H.R. 5 would amend several provisions of the Civil Rights Act of 1964 to provide affirmative, statutory non-discrimination protections for LGBTQ Americans both in the workplace and in the community. These protections remain vitally important even after the Supreme Court's decision in *Bostock v. Clayton County*. Only legislative action can forestall endless litigation, alleviate the untenable patchwork of state laws governing this form of discrimination, and make clear that discrimination because of sexual orientation or gender identity is unwelcome and unlawful in our society.

In 2019, the Equality Act was introduced on a bipartisan basis in both the House and Senate, and it passed the House with a bipartisan majority. We urge you again to support the passage of H.R. 5.

Sincerely,

Accessories Council, AAHOAsian American Hotel Owners Association, ACTThe App Association, Advamed, Aerospace Industries Association, Alliance for Automotive Innovation, American Apparel & Footwear Association (AAFA), American Benefits Council, American Chemistry Council, American Cleaning Institute.

American Herbal Products Association, American Hotel & Lodging Association, American Medical Association, American Retirement Association, American Society of Association Executives, Association of Home Appliance Manufacturers, Biotechnology Innovation Organization, BSAThe Software Alliance, College and University Professional Association for Human Resources.

Consumer Brands Association, Consumer Healthcare Products Association (CHPA), Consumer Technology Association, Council of Fashion Designers of America (CFDA), Edison Electric Institute, Financial Executives International, FMIThe Food Industry Association, Fragrance Creators, Household & Commercial Products Association, Information Technology Industry Council (ITI).

International Franchise Association, Internet Association, Nareit, National Association of Chain Drug Stores, National Association of Manufacturers, National Investor Relations Institute (NIRI), National Leased Housing Association (NLHA), National Multifamily Housing Council (NMHC), National Restaurant Association, National Retail Federation.

National Safety Council, National Venture Capital Association (NVCA), North American Association of Uniform Manufacturers and Distributors, Personal Care Products Council, Pharmaceutical Research and Manufacturers of America, Retail Industry Leaders Association, The Center for Baby and Adult Hygiene Products, The Latino Coalition, The Real Estate Roundtable, U.S. Chamber of Commerce, U.S. Tire Manufacturers Association.

Mr. NADLER. Madam Speaker, I now yield 1 minute to the distinguished

gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Speaker, I rise today in support of the Equality Act.

In the fight for LGBTQ-plus equality, we have made significant progress. From Stonewall to the Supreme Court, there is no doubt we have come a long way, but the unfortunate truth is that in far too many places discrimination is still permitted under the law. In public facilities, in education institutions, when applying for jobs, when trying to rent or buy a home, discrimination is still permitted under the law.

Many States right now are actively trying to turn back progress or write discriminatory practices into their own laws, especially against our transgender citizens. We can and must do better.

In Arizona, in any place in America, everyone deserves equal treatment under the law, no matter who they are, who they love, or how they express themselves.

I fervently support the Equality Act because we are a Nation that believes all are created equal and that this truth is self-evident. Everyone deserves to be seen, to feel heard, to be welcomed and protected.

Mr. JORDAN. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I now yield 2 minutes to the distinguished gentleman from New York (Mr. SEAN PATRICK MALONEY).

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I was thinking about my kids as I walked onto the floor today, and I have just one question to those who today, with their votes, would seek to perpetuate legal discrimination against millions of American families, including mine.

Why are they afraid to just say what they really believe? Why hide behind the ridiculous, embarrassing, easily debunked arguments, falsehoods, fearmongering about locker rooms and women's sports and religious practices that will never be harmed? Why not just say what they really mean?

I tell you what, Madam Speaker, I will say it for them. Their real argument, the only honest argument, is that they believe LGBT people are morally inferior and that firing us should be permitted. They argue the longstanding protections we already provide in the civil rights laws for religious practice for some reason aren't good enough. Here they demand more capacity to hate on gay people than they would ever claim as a religious right to discriminate on the basis of race.

Would any opponent of this bill argue that their religion gives them the right to deny an African-American couple service at a restaurant? That is exactly the argument made on this floor 60 years ago when others, making so-called faith-based arguments, sought to defeat the civil rights laws in the first place.

The true argument is that their beliefs demand existing discrimination against LGBT people be allowed. That is their true argument. That is pro-discrimination.

Our argument is that discrimination is wrong and that it should not be permitted, and that the exercise of religion here can be protected just as we do in every other civil rights context—no more, no less.

It is no wonder, but it is sad, that they deny the truth of their position here. These same Members spread the incendiary lie that the election was stolen and play footsie with dangerous conspiracy groups who attacked this building. They tell us mask-wearing infringes on their rights despite a public health emergency.

They deny school shootings are real or that a plane hit the Pentagon. Let history record the vote today. One side votes for love.

Mr. JORDAN. Madam Speaker, I will read from the bill, page 25 of their legislation.

The previous speaker, Madam Speaker, is just flat-out wrong. Here is what it says: The Religious Freedom Restoration Act shall not—shall not—provide a claim or a defense to a claim under the legislation or provide a basis for challenging the application of this bill.

They put it in the bill. You can't use the standards set forth in RFRA that was passed. You can't even use that as a defense. It is spelled out in the legislation.

As my colleague from Louisiana said, the very first right mentioned in the very first amendment to the Constitution, in the very first amendment of the Bill of Rights, is your right to practice your faith the way you see fit. And they put in their legislation: No, you can't. No, you can't.

That is what is in the bill. That is why they didn't want a hearing, as previous speakers said, because they didn't want us to be able to talk about this in a hearing where you have testimony, witnesses. They didn't want that.

They come to the floor, and as my colleague from Texas said, give this a fancy name while they are taking away American citizens' most fundamental liberty, the liberty the Founders chose to mention the very first right in the Bill of Rights.

That is why we oppose this legislation.

Madam Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Madam Speaker, I rise today in opposition to this bill.

Despite its name, this bill is not about equality. It does attack religious freedom, freedom of expression, freedom of association, and all the important rights recognized in the First Amendment. This bill is about forcing the ideas and beliefs of the far left on all Americans. It is about government control over every aspect of your life.

It is a remnant from the scrap heap of failed legislation from yesteryear.

I believe that all Americans should be treated equally and respected, but this bill does not do that.

There are lots of concerns to have with this bill, but today, I am going to just highlight two.

First, this bill will have a serious and deadly consequence for unborn children. It expands abortion and undoes current Federal law that prohibits the use of Federal funds for abortion. It does so by adding to include "pregnancy, childbirth, or a related medical condition," which has been recognized by courts and the EEOC to mean abortion, to the definition of sex.

I am reminded of when I used to work at the United Nations and would attend conferences throughout the world. The code language in the United Nations documents, in international law, was enforced pregnancy. That meant abortion. That meant you could not proscribe abortion. This bill takes that same tack.

This bill also states that pregnancy, childbirth, or a related medical condition shall not receive less favorable treatment than other physical conditions. That is that same tack that is in international documents. This means that abortion cannot be treated differently than other medical conditions, and therefore abortion will be protected by our civil rights laws. That is not about equality; that is about expanding abortion.

Secondly, this bill will negatively impact all Americans whose religious beliefs influence their actions. This bill makes crystal clear that an individual's religious beliefs do not matter, as my colleague from Ohio just referred to. This bill specifically prevents Americans from relying on the Religious Freedom Restoration Act, which was a bipartisan bill in 1993 signed by President Clinton.

This bill says specifically the Religious Freedom Restoration Act of 1993 shall not provide a claim concerning or defense to a claim under a covered title or provide a basis for challenging the application or enforcement of a covered title.

How can you say with a straight face that this bill does not impede or stomp on someone's right of conscience or right of religious worship? It is set forth. It is specific. Who can deny that?

This bill, if enacted, will mean that Americans will not be able to act in accordance with their religious beliefs. They will be forced to set their religious beliefs aside or face consequences. This is unacceptable. This is un-American.

For these and many other reasons, I oppose this bill and urge my colleagues to do the same.

Mr. NADLER. Madam Speaker, I now yield 1 minute to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Madam Speaker, some of my colleagues on the other

side of the aisle have spent this debate lecturing us about foundational principles in this country. The foundational document of this great Republic is the Declaration of Independence, with the words: "We hold these truths to be self-evident, that all men are created equal."

Those words were eloquent in their articulation and complete in their application. It did not apply to African Americans; it did not apply to women; it did not apply to Native Americans; and it certainly did not apply to members of the LGBTQ community.

Now, we have come a long way in America, but we still have a long way to go. The progress has been made, as the great Barbara Jordan once indicated, through a process of amendment and ratification and court decision and legislation. That is what we are doing today.

If you believe in liberty and justice for all, support the Equality Act. If you believe in equal protection under the law, support the Equality Act. If you believe truly, as my religion teaches me, that we are all God's children, support the Equality Act.

Love does not discriminate; neither should the law.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I now yield 1 minute to the distinguished gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I rise today in strong support of the Equality Act.

I am the proud mom of a trans kid. I will fight every single day for every trans person, every LGBTQ person, including my kid, to explore and express the fullness of their gender without fear or risk of being fired, denied housing, or refused service because of their sexual orientation or gender identity.

Mr. Speaker, in 2020, over one in three LGBTQ Americans faced discrimination, including over three in five transgender Americans. In the midst of a pandemic, nearly 3 in 10 LGBTQ Americans faced difficulties accessing medical care, including over half of transgender Americans.

The Equality Act guarantees protection under the law, no matter who you love or your gender identity. It was President Abraham Lincoln who said those who deny freedom for others deserve it not for themselves.

So today, as we pass the Equality Act, we vote "aye" for Janak, for Evie, for so many thousands more of our kids.

Ms. JAYAPAL. We say to every LGBTQ person: We see you. We hear you.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I now yield 1 minute to the distinguished gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I thank our chairman, and I thank Representative

DAVID CICILLINE for his tireless leadership in leading us to this day. All Americans deserve to be treated equally regardless of their gender identity or sexual orientation.

I do have to wonder, Mr. Speaker, what are those on the other side who are arguing against this wise legislation afraid of? Equal treatment for their LGBTQ family and friends? Why would they make such arguments?

We must continue to strive for the equality of the LGBTQ community. Voting “yes” on the Equality Act furthers this fight and helps us live up to the promise of this Nation. As Bayard Rustin, an openly gay Black civil rights leader, said: “Let us be enraged about injustice, but let us not be destroyed by it.”

The Equality Act is a necessary step in addressing injustice by advancing the rights of Americans nationwide because we are all God’s children. The passage of this legislation is an important step in forming a more perfect Union.

Mr. NADLER. Mr. Speaker, I yield the balance of my time to the gentlewoman from Pennsylvania (Ms. DEAN), and I ask unanimous consent that she may control that balance.

The SPEAKER pro tempore (Mr. SEAN PATRICK MALONEY of New York). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, for years we have been hearing what we are hearing today: Look, we just want the same rights everybody else has. But we also heard for years: We just want to live and let live.

I have got news for all of my friends across the aisle that don’t know. There is a right to the marriage you are claiming you need this bill for that the Supreme Court has already said you have. It is there.

So what this bill, the so-called Equality Act, is really about, it is not about giving rights. This is about taking away rights. You have the rights. But this is saying that part of the First Amendment, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof,” that has to go.

□ 1415

And just like my friend read from page 25, the Religious Freedom Restoration Act of 1993, that has got to go. You can no longer—after this bill, you can no longer use that as a defense when we sue your church, we sue your preacher. Male or female, it doesn’t matter. We are coming after you. If we sue a Rabbi, you can’t hide behind the First Amendment or this Religious Freedom Restoration Act.

It won’t help you because we are saying you don’t have those rights the Constitution gave you. That is all RFRA was to begin with. It was just

codifying what was in the Constitution.

I thought so much about my dear friend, the late Bishop Harry Jackson. He and I had stood inside this Capitol together for years trying to protect Christian rights. I miss Harry and I think about him a lot.

And let me say, not as articulately, but for heaven’s sake, you have got these rights. Allow people who believe what Moses said when he said: A man shall leave his father and mother, a woman leave her home, the two will become one flesh.

Let them be able to practice the teaching of Moses. When Jesus was asked about marriage, he said—he quoted Moses verbatim. Please allow Christians who believe what Jesus said to practice that.

Allow preachers who took oaths to practice it. Allow them to do that. Don’t take away the rights the Constitution gave, and don’t take away decades of rights that women have worked for and earned and just give it away to men.

Ms. DEAN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, it is a great day for America when we are advancing the civil rights of all Americans, and that is what the Equality Act does.

All of the free exercise constitutional arguments being advanced today—The SPEAKER pro tempore. The gentleman will suspend. Will the gentleman please put his mask on.

Mr. RASKIN. Mr. Speaker, all of the constitutional arguments being advanced today by our colleagues have been decisively repudiated and rejected by their hero, Justice Antonin Scalia, in the 1990 decision *Employment Division v. Smith*, where Justice Scalia, for the Court, emphasized that there is no religious free exercise exemption from secular laws of universal application, including civil rights laws, including child labor laws, including child abuse laws. And every scoundrel in American history has tried to dress up his or her opposition to other people’s civil rights in religious garb.

We saw that in 1964, in the *Heart of Atlanta Motel* case and in the *Ollie’s Barbecue* case, where motel owners, hotel owners, lunch counter owners came in and said: We have a religious free exercise right not to serve interracial groups or interracial couples. We don’t want to allow an interracial couple—you get where I am going.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, I rise today in opposition to the Equality Act.

The issues discussed as part of the Equality Act are important. Amending the Civil Rights Act to include sexual orientation would be a historic step. Unfortunately, without explicit reli-

gious exemptions, there are many questions that will arise.

Title II of the Civil Rights Act currently prohibits discrimination in places of public accommodation on the basis of race, color, religion, or national origin.

The Equality Act would dramatically expand the definition of public accommodation to include any place of public gathering or any establishment that provides a service, such as food banks or homeless shelters.

Every religion and faith in America has had its own set of beliefs. Some of these, including Christian, Jewish, and Muslim religions, are thousands of years old and answer to a much higher power.

My personal faith, as a member of The Church of Jesus Christ of Latter-day Saints, teaches me that every individual is a child of God and deserves to be treated with love and respect.

My religion also teaches that marriage is sacred and eternal in nature. The marriage ceremonies conducted in the sacred places of my faith are conducted in temples that must not be deemed places of public accommodation.

If houses of worship are defined as places of public accommodation, a number of problems arise, many having nothing to do with LGBT rights.

For example, could an orthodox Jewish synagogue decline to permit an interfaith couple from having their wedding ceremony in the synagogue?

Could a traditional mosque conduct gender-segregated classes for youth programs?

Could a Catholic church’s homeless shelter have separate housing for men and women?

Could BYU or other church-owned universities continue hiring those individuals who follow its standards?

Democrats claim the purpose of introducing the Equality Act is not to impede religious freedom. In fact, Democrats claim that the existing laws are enough to protect religious freedom.

But why, then, leave these crucial matters unclear and threaten people of faith?

Why not accept an amendment to the Equality Act that clearly exempts religious organizations?

Why remove the protections of the Religious Freedom Restoration Act?

The First Amendment right to practice our faith is at the core of our Nation’s culture. Our moral compass of service, tolerance, kindness, and charity stems from our Judeo-Christian foundation. No law should take us down the slippery slope of forgetting this legacy, regardless of its title.

When Congress wants to protect religious expressions, it knows how to do so. The last major civil rights law enacted by Congress was the Americans with Disabilities Act. It contains a clear and explicit religious exemption.

Why not make the law clear to promote civil rights and religious liberty?

That would be the historic and unifying thing to do.

Ms. DEAN. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. JONES).

Mr. JONES. Mr. Speaker, it is not often that this Chamber does remarkable things. Today, we pass the Equality Act, which includes my bill, the Juror Non-Discrimination Act.

This has been a long time coming and it represents progress that, for me, was unbelievable when I was growing up. You see, to grow up poor, Black, and gay is to not see yourself anywhere. It is also to feel completely unseen, as so many people around you invalidate your very existence. Growing up, I watched helplessly as opportunistic, straight politicians—mostly White, mostly male—used my basic human rights as a political football to further their careers.

Had this legislation been enacted when I was growing up, it would have been direct evidence of the fact that things really do get better, that I didn't have to hide or cry so much.

Thankfully, since childhood, things have gotten better, but that hasn't been because of the mere passage of time. It has been because LGBTQ advocates made life better.

Today, we send a powerful message to millions of LGBTQ people around the country and, indeed, around the world that they are seen, that they are valued, that their lives are worthy of being protected.

How remarkable that is, Mr. Speaker.

Mr. JORDAN. Mr. Speaker, I would just point out that a few speakers ago, the gentleman from Maryland used the term "religious garb."

A physician's conscience, a physician's faith, which compels him or her not to take the life of an unborn child is not religious garb. That is a deeply held position of conscience and position of faith.

Mr. Speaker, to have a Member from the other side raise that argument when we have specifically pointed to the First Amendment, pointed to page 25 of the bill, which says "the Religious Freedom Restoration Act will not apply," is ridiculous.

Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I thank my colleague from Ohio for yielding, and I completely agree with him on his comments.

Mr. Speaker, I rise in opposition to H.R. 5, yet another harmful bill that has been rushed to the House floor without thorough bipartisan consideration. It claims to strive for equality, but, in practice, this bill undermines the constitutional religious freedoms guaranteed to all Americans.

Once again, abandoning long-established House procedures, Democrats are pushing a conveniently titled bill without convening one hearing or markup during the 117th Congress to

consider its vast implications for educational institutions and employers.

This legislation would require our Nation's K-12 schools to treat gender as being fluid, subjective, and not tied to biological reality.

H.R. 5 also threatens religious freedom protections for all Americans and Federal funding for religiously affiliated colleges and universities.

Under this bill, student codes of conduct, hiring practices, and housing rules that reflect sincerely held beliefs about marriage and sexuality would be deemed discriminatory, eroding First Amendment rights.

In addition, the definitions in this bill are vague and would subject employers and other covered organizations to increase litigation risks.

The bill also fails to advocate for the unborn, which is why I urge support for my amendment that will protect anyone, including religiously affiliated groups and individuals, from being forced to perform abortions.

Masquerading as a proposal to guarantee fundamental civil rights to all Americans, H.R. 5 is nothing more than a partisan ploy to destroy religious liberty and educational opportunities for girls. Shameful doesn't even begin to describe this bill.

This is no way to legislate, but for House Democrats, silencing the voices of the minority and millions of hard-working Americans is business as usual.

Ms. DEAN. Mr. Speaker, I yield 1 minute to the gentlewoman from Missouri (Ms. BUSH).

Ms. BUSH. Mr. Speaker, St. Louis and I rise today in support of the Equality Act because all people deserve to live safely and freely.

When we say that Black lives matter, we mean that every Black life matters; that Black trans lives matter; that Nina Pop's life mattered.

When we protect the lives of our trans family, our unhoused neighbors, our sex workers, our youth, we build a country where everyone can thrive, not just survive.

For so many in St. Louis, this bill will be the difference between life and death. Missouri has not only stalled justice, but actively denied justice for our LGBTQIA-plus community. This legislation will mean the difference between having a safe place to call home and being unhoused because, to date, in the year 2021, that kind of discrimination still exists.

We rise to tell our LGBTQIA community: Not only do you matter, but you are loved and you are cared for, and we got your back.

Mr. Speaker, I thank Chairman NADLER and Representative CICILLINE for their work on this.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. DEAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. CRAIG).

Ms. CRAIG. Mr. Speaker, I rise today to offer my support to the Equality

Act, a groundbreaking piece of legislation that will grant equal protection under the law to our LGBTQ friends, family, neighbors, as well as to me and my family.

As the first openly lesbian wife and mother in Congress and the first LGBTQ Member of Congress from the great State of Minnesota, I know this legislation is the culmination of a lifetime of work for so many.

My wife, Cheryl, and I have built a beautiful life together raising four sons who we dearly love. We are fortunate to live in Minnesota, in a State where many of the Equality Act's protections have already been enshrined into law.

Right now, there are States across this country where it would be entirely legal for Cheryl and I to be discriminated against—based on our love and commitment to one another—in housing, employment, access to credit, or any other number of areas essential to just living our lives.

□ 1430

Now, some of my colleagues seem to believe this legislation somehow could harm our non-LGBTQ women and girls, but that couldn't be further from the truth.

The Equality Act does not undermine the achievements or aspirations of non-LGBTQ. In fact, by amending the Civil Rights Act to prohibit discrimination on the basis of sex in a broad area of life, we are fighting to ensure that all women are treated equally in all aspects of their lives.

The Equality Act is critical because when LGBTQ people have equality under the law, we all benefit and all of our communities are stronger.

Mr. Speaker, as a teenage girl growing up in rural America, I never could have imagined I would finally see this legislation come to the House floor, much less as a Member of this body to see it passed. This legislation is necessary, it is long overdue, and I urge my colleagues to support it.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. DEAN. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. PAPPAS).

Mr. PAPPAS. Mr. Speaker, I rise in strong support of the Equality Act. This landmark legislation will bring our Nation closer to the promise of its founding and will change the lives of generations of LGBTQ Americans for the better. This should be one of the easiest and most-affirming votes we ever take. Equality is, after all, a self-evident truth. It is part of the bedrock of this Nation.

Throughout our history, the march toward full equality has brought more Americans of diverse backgrounds into the heart and soul of this country. Today's vote is another important milestone along that path.

Americans in 29 States can be denied housing, education, credit, or other services, simply because of who they are. That this can happen in our country in 2021 is a grave injustice that

must be corrected with this vote. And by passing this bill, we can also send an unequivocal message to every LGBTQ American and their families: “You matter. You have dignity. Your country sees you and has your back.”

Growing up in New Hampshire, I never thought I could live as my authentic self. Thankfully, I have a loving family and a welcoming community who embraced me as a young person, and I am fortunate to live in a State that has already added sexual orientation and gender identity to its civil rights statutes.

But too many other LGBTQ Americans live in fear of sharing their truth, and millions live in fear that the law won’t protect them from discrimination when they need it.

Look, we are not asking for anything any other American doesn’t already enjoy. We just want to be treated the same. We just want politicians in Washington to catch up with the times and the Constitution. No one deserves to be treated as a second-class citizen in this country just for being themselves.

Mr. Speaker, let’s pass the Equality Act. Let’s achieve full equality under the law, and let’s pass this bill with a strong, affirming vote today.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, this law could not be plainer. It says gender is not a question of genetics, but of personal choice. And leftist dogma now calls for this doctrine to be imposed under force of law, and the effect is frightening.

States that have adopted similar laws have threatened safe spaces for women and intimidated the free exercise of conscience. But let me focus on just two aspects: How this destroys women’s sports and renders parents powerless to protect their own children.

Selina Soule, a teenager, worked her heart out and qualified for the Connecticut State championship track meet a few years ago. This is her experience:

She said, “Eight of us lined up at the starting line . . . but when six of us were only about three-quarters into the race, two girls were already across the finish line. . . .

“What just happened? Two boys identifying as girls happened.

“Fair is no longer the norm. The chance to advance, the chance to win has been all over for us. . . .

“This policy will take away our medals, records, scholarships and dreams.”

An anguished mother named Elaine, told her story: She said, “Let me explain to you how this works. . . . Questioning a child’s professed gender identity is now illegal.

“So, if a little boy is 5 years old and believes he is the opposite sex, affirmative care means going along with his beliefs. Parents are encouraged to refer to him as their ‘daughter’ and let him choose a feminine name. . . .

“Is it really harmless to tell a child who still believes in the tooth fairy that he is of the opposite sex?”

“If a 10-year-old girl is uncomfortable with her developing body and suddenly insists she is a boy, affirmative care means blocking this girl’s puberty with powerful drugs.”

America, wake up. This is the brave, new world that House Democrats propose under the name “equality.” The parents of every daughter, who has ever poured their hearts into a sport should be outraged that their daughter’s dreams and hopes no longer matter to their own Representative.

Every parent who would give their life to protect their child should be livid that this bill is about to replace them with bureaucrats who can administer puberty-blocking drugs on their child’s say-so.

And every American should be scared as hell to realize the ideological extremism that is now running rampant behind the razor-wired militarized U.S. Capitol. It is hard to believe that we once called it “the people’s House.”

Let this be a wake-up call to every voter. If you elect enough radicals to the Congress, you will get a radical Congress.

Ms. DEAN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, now I had a different speech I was going to give today about the Equality Act. As an openly gay Member of Congress, married to my husband, Phil, for 14 years, I was going to talk about the need for equal treatment under the law for everyone, regardless of who they love. Human kindness, respect for others—pretty basic stuff. But the new QAnon vibe in this body has gone too far.

For many in this Chamber, this isn’t a debate about whether or not you should be legally discriminated against for who you love. You won’t hear that debate because they can’t win on hate alone. The public doesn’t agree with them.

So instead, some are debating that this bill discriminates based on religion, which it doesn’t, because it treats everyone the same under the law.

And some are debating an even sillier notion: That somehow a man will pretend to be a woman to win in women’s sports—a crazy, made-up fantasy notion.

This new QAnon spirit across the aisle is also occurring in a nasty and hateful way. A lead GOP opponent of this bill actually posted an anti-trans poster on the wall outside her office directly and intentionally across from a Democratic Member of Congress with a trans daughter. Wow. That is classy.

Mr. Speaker, really, is that where we are here today? Who can out-crazy, out-tastelessly act to prove to the base that they will say or do anything to score points and show how inconsiderate they can be to a colleague to just get social media clickbait?

Here are the facts: One in four transgender people have lost a job due

to discrimination, and dozens of transgender and gender-nonconforming people were violently killed last year. And LGBTQ youth are almost 5 times as likely to have attempted suicide compared to heterosexual youth due to discrimination. It is past time we put an end to this. A vote against the Equality Act is a vote for discrimination, plain and simple.

Mr. Speaker, this isn’t Iran or Somalia or Russia. This is America. Show human dignity for others by offering equal treatment under the law. That is the Equality Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. DEAN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding and for her leadership on this important issue.

Mr. Speaker, I rise to join our entire caucus in saluting Congressman DAVID CICILLINE, our longtime champion of the Equality Act, who has been courageous, relentless, and persistent in his leadership for this legislation.

We are proud to bring this important legislation to the House floor under the leadership of the most diverse House Democratic majority—nearly 70 percent women, people of color, and LGBTQ, with 224 cosponsors on this legislation.

Mr. Speaker, as many of us were gathered together nearly 5 years ago to first introduce the Equality Act, that day in the LBJ room, on the Senate side, named after the President who fought for and signed the Civil Rights Act, we stood with an icon of the civil rights struggle, our colleague John Lewis, the conscience of Congress.

The Civil Rights Act is a sacred pillar of freedom in our country. It is not amended lightly. So how proud were we to be with our beloved JOHN LEWIS and the Congressional Black Caucus—many of whom are here now, MAXINE WATERS, Mr. GREEN, and others, thank you—as they gave their imprimatur to the opening of the Civil Rights Act to end discrimination against LGBTQ Americans.

And we remember John Lewis’ life, we remember his words spoken at the Pride parade in Atlanta. Shortly before being diagnosed with cancer, he said, “We are one people and one family. We all live in the same House . . .”

Mr. Speaker, as we prepare to pass this landmark legislation, we must salute the countless advocates, activists, outside organizers and mobilizers, who have for decades demanded full rights for all Americans. Personally, my thoughts are with my friends, the late Phyllis Lyon and Del Martin, who shared their lives together for decades. I have spoken of them with their photo here on the floor year in and year out.

They were members, as so many of us in San Francisco, who for decades were engaged in civic engagement on many issues, including those issues related to LGBTQ rights. They were an inspiration, teaching us to take “pride.” And I say that with pride.

When people say to me, “It is easy for you to support LGBTQ equality because you are from San Francisco where people are so tolerant.” Tolerant? To me, that is a condescending word. This is not about tolerance.

This is about respect. This is about taking pride for Phyllis and Del and the older LGBTQ couples, for them, for LGBTQ workers striving to provide for their families, and for LGBTQ youth struggling to find their place, this is an historic, transformative moment of pride.

Here in the House, this pride goes back for many years. When we first got the majority in 2006 and 2007, House Democrats had four goals relating to equality. Passing a comprehensive hate crimes bill—and when I say comprehensive, I mean, LGBTQ—“TQ”. “T”. People said to us at the time, Take out the “T” and you can pass this bill in a minute.

I said, If we take out the “T,” we are not going to pass this bill in 100 years because we are not bringing it up without the word “transgender” in the bill.

We passed the bill with the help of Barney Frank, our former colleague, and the family of Matthew Shepard who came here, touched our hearts, and got the votes to help us pass the legislation.

Then we had “Don’t ask, don’t tell.” And under the leadership of President Obama and the courage of so many Members—Patrick Murphy, our former colleague and an Iraq combat vet leading the way here—we repealed “Don’t ask, don’t tell.”

Thank you, President Obama.

Mr. Speaker, securing marriage equality was done for us by the courts. I took great pride in attending the oral arguments when that was argued in the courts, and what a victory it was for liberty and justice in our country when that decision came down.

Our next item on the agenda was something called ENDA, ending discrimination in the workplace. Well, it is really called Employment Non-discrimination Act, hence the ENDA.

But then with the successes that we had, it was, Why are we just talking about the workplace? Why aren’t we talking about every place in our society? And, hence, came forth ENDA which became the Equality Act, finally, fully, ending anti-LGBTQ discrimination on employment, education, housing, credit, jury service, and public accommodation. It removes all doubt that sexual orientation and gender identity warrants civil rights protection in every arena of American life.

Codifying the recent decision made by the U.S. Supreme Court in the Bostock case, it takes a momentous step towards full equality that brings our Nation closer to the founding promise of liberty and justice for all enshrined in the preamble of our Constitution by our Founders in their great wisdom—also, in our pledge to the flag. And it is sadly necessary, I

wish that it weren’t. Sometimes I just wonder why it is. But it is sadly necessary because many members of the national LGBTQ community live in States where, though they have the right to marry, they have no State-level nondiscrimination protections in other areas of life.

Mr. Speaker, in more than 20 States, LGBTQ Americans do not have specific protections against being denied housing because of their sexual orientation or gender identity, and over 30 States lack protections regarding access to education. Nearly 40 States lack protections regarding jury service.

Mr. Speaker, passing the Equality Act in the last Congress was historic, a day of hope and happiness for millions. Now, with the Democratic Senate majority and President Biden in the White House and Vice President HARRIS there as well, we will pass it once more and we will never stop fighting until it becomes law. We will never stop fighting until the Equality Act becomes law.

□ 1445

Let me conclude by returning to John Lewis and recalling his words spoken on this House floor on the passage of the Equality Act the first time. John Lewis said: We have a decision to end discrimination and set all of our people free.

And set all of our people free. Today, with this legislation, we have an opportunity to set all of our people free and to advance the future of justice, equality, and dignity for all.

Mr. Speaker, I urge a strong bipartisan vote for the Equality Act, salute Mr. CICILLINE and Senate MERKLEY on the Senate side for their leadership, and commend the distinguished chair of the Judiciary Committee for once again bringing this to the floor. Thank you, Congresswoman, for your leadership on this issue as well.

Mr. Speaker, I urge an “aye” vote.

Ms. DEAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. NADLER), the chairman of the Judiciary Committee, control the balance of the time on our side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. JORDAN. Mr. Speaker, could I inquire about the amount of time remaining on each side?

The SPEAKER pro tempore. The gentleman from Ohio has 16½ minutes remaining. The gentleman from New York has 19¾ minutes remaining.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I now yield 2 minutes to the distinguished gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise in strong support of H.R. 5, the Equality Act, a critical piece of civil rights legislation.

Half a century ago, the Fair Housing Act and the Equal Credit Opportunity

Act became law. But we know that housing and lending discrimination remains a widespread problem. Former President Trump and his administration were shameful and cruel adversaries to justice and civil rights and worked to gut protections against housing and lending discrimination.

According to the National Fair Housing Alliance, sex discrimination made up the fourth greatest basis for complaints in 2019. As housing discrimination continues to harm an estimated 6 to 8 million people in the U.S., LGBTQ-plus youth, in particular, remain at greater risk of homelessness compared to non-LGBTQ-plus youth, and same-sex couples are more likely to be denied a mortgage loan compared to hetero-sex couples.

This legislation takes key steps to codify existing protections for our LGBTQ-plus neighbors under civil rights statutes, including the Fair Housing Act and the Equal Credit Opportunity Act, and is similar to provisions included in H.R. 166, a fair lending proposal by Representative AL GREEN. My committee has convened several hearings on this topic, including one this week, about ongoing lending discrimination.

I thank Representative CICILLINE for authoring this bill and Chair NADLER for his leadership. I urge my colleagues to please support this important bill that will ensure equal access to housing and wealth-building opportunities for generations to come by expressly prohibiting discrimination on the basis of sexual orientation or gender identity.

Mr. JORDAN. Mr. Speaker, I include in the RECORD a statement from the Log Cabin Republicans opposing the legislation on the floor today.

LCR’s official statement:

As part of the Democrats’ hard shift to the left, they continue to trample on the rights and freedoms of all Americans in the name of equality and ‘equity.’

Today, House Democrats are ramming through their latest version of the so-called “Equality Act.” We opposed this legislation in the past, and we oppose it as it stands today. This is a partisan piece of legislation—it has no Republican cosponsors in the House. And the insidious nature of the extreme changes it will make would irreparably harm America and all of the accomplishments we’ve worked so hard for over the last few decades.

Below, please find a complete review of this legislation from our editorial and research teams at OUTSpoken.

Let me be clear—Log Cabin Republicans is not now, nor will it ever retreat on our commitment for equality for the LGBT community—the transgender community included. We stand for protections in employment, access to quality healthcare, and equal protection under the law for our trans brothers and sisters.

But the so-called Equality Act goes to an extreme level to eliminate the concept of gender, which is absurd, dangerous, and way out of the mainstream.

We’re going to work through this together as a community and a nation, but the Equality Act is not the solution.

Thank you for your consideration we will keep you informed of developments as they occur.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. I thank the gentleman for yielding.

I noted that, at the outset, the bill sponsor, the gentleman from Rhode Island, said that every community deserves to be treated with dignity and respect. Every community deserves to be treated with dignity and respect.

The problem with this misnamed bill is that it does not treat every community with dignity and respect. You have heard from previous speakers that this bill takes pains to say your earnestly held religious beliefs are no defense.

What else does it do? Well, the basic way the legislation operates is to insert or substitute for the word "sex" as a protected classification the phrase "sex, including sexual orientation and gender identity." If it did nothing more, it would be an echo of the Bostock decision in June. But it does do more.

It defines the term "included," so "sex, including sexual orientation and gender identity." If you go to the definition section, "including" is defined to mean "including, but not limited to." "Including but not limited to," why is that? What else does the bill intend to do that the bill declines to state?

Most significantly, Mr. Speaker, is that the bill removes the play in the joints. Let me explain what I mean. Concerning the public accommodations title, Title II of the 1964 Civil Rights Act, which, by the way, didn't cover sex, it defined what a public accommodation was for the purpose of ceasing the discrimination against Black Americans in public accommodations. What it said was, and it had a lot of synonyms, but hotels, restaurants, theaters, those were public accommodations.

That language is gone in this bill, Mr. Speaker. Instead, what it says is a public accommodation is "any establishment that provides a good, service, or program, including," there is that word "including," and there is a big, long list.

So any establishment that provides any good, any service, or any program in our society is covered, but we are still not done because of the rule's construction. "A reference in this title to an establishment shall be construed to include an individual whose operations affect commerce and who is a provider of a good, service, or program," any individual, the cake baker, the photographer.

This bill flips the Civil Rights Act of 1964 on its head.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. I yield an additional 30 seconds to the gentleman.

Mr. BISHOP of North Carolina. The Civil Rights Act of 1964 was designed to say: No longer will Black Americans be cut out of economic life in this coun-

try. And it was necessary, and it was a moral evil. This bill flips that bill on its head, and it says to every individual: A condition of your participating in the economic life of the country is that you buy all in, you buy into this lock, stock, and barrel. If you do not, you will be cut out of the economic life of this country.

There is no dignity and respect in that.

Mr. NADLER. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I thank Chairman NADLER for yielding.

"We the people" is a bold opening statement enshrined in our Constitution. But for far too long, LGBTQ Americans have not been included in that statement.

A gay couple can get married in all 50 States. A trans worker has legal protections from discrimination in the workplace. But despite this progress, a lesbian mom can be denied housing in most States because of her sexual orientation. A queer person can be turned away from serving on a jury.

In 27 States, there are no laws protecting people from discrimination on the basis of sexual orientation or gender identity in education, housing, and public accommodation, and this is wrong. No person, no matter where they live in America, should face discrimination. Equality should not depend on the ZIP Code where you live. Now is the time for "we the people" to include LGBTQ Americans.

My Republican colleagues are desperately trying to derail this legislation by cloaking their bigotry with high-minded arguments about religious freedom and appealing to people's worst instincts with transphobic attacks and grossly exaggerated examples. Their main argument seems to be that America doesn't want a law that will protect the dignity of trans people who get murdered and beat up for being who they are.

In reality, trans people are among those in our community who need this protection the most. Republicans want to vilify people who are the most severe victims of injustice.

What this law does is simple and just. It guarantees that LGBTQ people in every State cannot be discriminated against because of their identity. We have a moral imperative to get the Equality Act signed into law.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from New York (Mr. TORRES).

Mr. TORRES of New York. As a child of the Bronx who grew up in the projects, I was often too scared to come out of the closet, too blinded by fear to see clearly my own value, my own equality. My younger self could have never imagined standing on the floor of the House as a Member of Congress,

voting for legislation that, if enacted, would make me equal in the eyes of the law.

As the first LGBTQ Afro-Latino Member of Congress, I feel palpably the weight of history on my shoulders. On behalf of my community, I am here to claim what discrimination denies: equal protection under the law.

Indeed, we are here to uphold the abiding truth of the American experiment, that we are all created equal and that none of us should be evicted, fired, or denied accommodations and services simply because of who we are and because of whom we love.

We are equal by nature, and we ought to be equal by law. The logic of equality is as simple as that.

Yesterday, a Member of Congress said that the Equality Act was "disgusting, evil, immoral." I wish to set the record straight.

What is truly immoral and disgusting and evil is discrimination. It always has been, and it always will be. Discrimination denies us our deepest humanity. The profound degradation it causes has no place in a society that pledges liberty and justice for all.

So I hope that my colleagues, all of them, will find the moral courage to uphold what the Declaration of Independence promises and what the Equality Act delivers: life, liberty, and the pursuit of happiness for all of us, without exception, without discrimination.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. STEUBE).

Mr. STEUBE. Mr. Speaker, unlike most speeches you will hear on this floor today, I am going to start with the truth.

Deuteronomy 22:5 states: A woman must not wear men's clothing, nor a man wear women's clothing, for the Lord your God detests anyone who does this.

Now, this verse isn't concerned about clothing styles but with people determining their own sexual identities. It is not clothing or personal style that offends God but, rather, the use of one's appearance to act out or take on a sexual identity different from the one biologically assigned by God at birth. In his wisdom, God intentionally made each individual uniquely either male or female.

□ 1500

When men or women claim to be able to choose their own sexual identity, they are making a statement that God did not know what he was doing when he created them. I am going to quote directly from Dr. Tony Evans' commentary Bible on this passage of Scripture: "Men and women equally share in bearing the image of God, but he has designed them to be distinct from and complementary toward one another. The gender confusion that exists in our culture today is a clear rejection of God's good design. Whenever a nation's laws no longer reflect the standards of God, that nation is in rebellion against

him and will inevitably bear the consequences.”

Mr. Speaker, I am going to read that line again. “Whenever a nation’s laws no longer reflect the standards of God, that nation is in rebellion against him and will inevitably bear the consequences.” I think we are seeing the consequences of rejecting God here in our country today, and this bill speaks directly against what is laid out in Scripture.

Our government, through this bill, is going to redefine what a woman is and what a man is. It can be anyone who identifies in that gender at any time. You are going to singlehandedly end women’s sports and all the gains for women’s rights contained in Title IX that was passed in this body since 1972. Singlehandedly destroying women’s sports in the name of equality, how ironic.

If biological men compete in women’s sports, then it is no longer women’s sports at all. We might as well just have one sports team per event, and women, transgender women, men, transgender men can all compete against each other. How is that for equality?

If biological differences didn’t matter, we would never have created and funded separate teams for men and women. We know that science supports the idea that there are performance differences between biological men and women in competitive sports, and it is just common sense to the vast majority of Americans, just not common sense to this Democratic majority.

In Connecticut, three high school female track runners have had to file a lawsuit because their Title IX protections were violated by biological male athletes competing against them. They had no choice but to file suit after they were forced to compete against biological male athletes, and after those biological male athletes brought home 15 women’s State championship titles. I could stand up here and give you example after example of this happening throughout our country in all sports categories, but I don’t have near the time.

Mr. Speaker, if you want to protect women’s sports, then vote against this bill.

Mr. NADLER. Mr. STEUBE, what any religious tradition ascribes as God’s will is no concern of this Congress.

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair.

Mr. NADLER. Mr. Speaker, I now yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Speaker, a few years ago, at a townhall in my district, a young student asked me: What is Congress going to do to protect trans people like me? He bravely stood before an auditorium of neighbors and told me he was terrified by the bigotry and discrimination against him and his LGBTQ-plus community members.

I have heard these fears expressed by my own nonbinary child. Their fears are not misplaced. Our LGBTQ neighbors face discrimination in healthcare, housing, education, and employment. Even here, in the people’s House, Members of Congress are describing transgender people as something less than, as undeserving, and illegitimate.

Today, our vote for the Equality Act says to every person that you matter, that you deserve to live your truth with respect and dignity, that there will be no true freedom for anyone until there is equality for everyone.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. And still I rise, Mr. Speaker.

You used God to enslave my foreparents. You used God to segregate me in schools. You used God to put me in the back of the bus.

Have you no shame? God created every person in this room. Are you saying that God made a mistake?

This is not about God; it is about men who choose to discriminate against other people because they have the power to do so.

My record will not show that I voted against Mr. CICILLINE having his rights. My record will show that when I had the opportunity to deliver liberty and justice for all, I voted for rights for all.

Mr. JORDAN. Mr. Speaker, I don’t think anyone uses God. We have just cited what is in the legislation, which specifically says the Religious Freedom Restoration Act shall not provide a defense against what this bill is doing. That is all we have done.

Mr. Speaker, I yield 3½ minutes to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON. Mr. Speaker, the so-called Equality Act is not about tolerance. It seeks to impose the will of this body on the American people in violation of the Constitution.

It establishes a woke heresy code, seeking to eliminate distinctions between male and female at every level. It cancels women’s and girls’ sports, requiring that biological males compete for their records, championships, and scholarships.

It nullifies the Religious Freedom Restoration Act. Rather than preserve the constitutionally protected freedom to disagree, disguised as equality, it compels participation on your terms for abortions, weddings, and all of religious, vocational, and civic life. It pursues what Hillary Clinton said in 2016: You will just have to change your doctrine.

Let me assure you, that will not happen. Colleagues, we must defend freedom and defeat this bill.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, today is a great day. Today, we send a clear mes-

sage to every LGBTQ person that you belong here, that you are loved for who you are, and that we won’t stop fighting until you experience true equity and equality.

We are experiencing a crisis of violence against our LGBTQ neighbors, especially people of color, and our transgender communities. Today’s passage is for Treasure Hilliard, for Paris Cameron, and for every LGBTQ person taken too soon by hate.

When one in five transgender people has experienced homelessness, when transgender people have half the homeownership rate of cisgender people, we have a structural problem. By outlawing discrimination in housing, employment, education, and public accommodations, we send a powerful message to the bigots, including those here in Congress, that their time is over.

Listen very closely, and remember these words: We are winning. We will continue winning. Our will is unbreakable. Our love is so much stronger than your sad, pathetic hate.

Mr. JORDAN. Mr. Speaker, can I inquire about the amount of time left for each side?

The SPEAKER pro tempore. The gentleman from Ohio has 8¾ minutes remaining. The gentleman from New York has 11 minutes remaining.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Speaker, nearly half of all LGBTQ people in America lack protections from discrimination in employment, education, housing, public accommodations, and credit. This is an abject failure to recognize the humanity and dignity in all of us. And, as I have spoken on before as the chairwoman of the House Small Business Committee, discrimination is bad for business. That is why we need the Equality Act.

We also need to recognize the mental health impacts of failing to treat all people equally under the law. Discrimination is linked to increased levels of stress, anxiety, and depression. Until all are equal in the eyes of the law, we are allowing bigotry to silence and shame.

So, today, I am voting “yes” for all those who have been made less by their government’s failure to protect them. I am voting “yes” for the nearly 2 million LGBTQ youth who are counting on us. I see you, and I welcome you in my heart.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Oregon (Ms. BONAMICI).

Ms. BONAMICI. Mr. Speaker, I rise in strong support of the Equality Act, important legislation that will secure the civil rights of our LGBTQ community.

Our LGBTQ friends, neighbors, colleagues, and community members

should not miss an educational opportunity, or be denied housing or credit, because of who they are or who they love.

I was proud to help pass the Oregon Equality Act when I was in the State legislature. The same arguments were being made back then, in 2007, that some of our colleagues are making today. Do you know what came to pass? Those concerns did not come to pass. What happened? The law brought dignity, security, and peace of mind to the LGBTQ community.

It is long past time that LGBTQ Americans across the country have the same protections. As the chair of the Civil Rights and Human Services Subcommittee, I have heard from students and workers who were discriminated against, people who were deeply harmed by antigay and transphobic attacks.

Today, I am thinking about the trans people in Oregon and around the country who are bravely standing up for equality. We stand with you. We will keep working to create a world where you are safe, free, and supported.

Mr. Speaker, I thank Representative CICILLINE for his leadership.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, I rise in strong support of the Equality Act, and I associate myself with the remarks of the bill's sponsor, the gentleman from Rhode Island.

Because Mr. CICILLINE and my colleagues have already said all that there is to say about the clear merits of the bill, I would simply ask, through the Chair, that if our colleagues on the other side cannot find it within themselves to support this bill out of a sense of fairness and goodwill to those enduring discrimination, then please do so out of concern for their parents, people just like our colleagues on the other side, mothers and fathers who love their children every bit as much as our colleagues love theirs.

We want nothing more than to send our kids out into the world with confidence and a reasonable expectation of being treated fairly and equally. It is never too late to do the right thing.

Please join us in voting "yes" on the Equality Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I am happy to be here today, to be on the record in favor of this legislation.

No one should be fired from their job or evicted from their home because of who they are or who they love.

□ 1515

This legislation will guarantee that our LGBTQ friends, neighbors, and family will be full members of the

American family with all of the protections that come with that.

Mr. Speaker, I will just say one thing before I sit down. For anyone who ever wondered what they would have done in those days in the early 1960s, when the civil rights legislation was being debated here, let me just say this: Whatever you are doing now is what you would have done then.

Mr. JORDAN. Mr. Speaker, the last statement was ridiculous, and I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, as a founding vice chair of the LGBTQ-plus Equality Caucus, I am proud, once again, to cast my vote for the Equality Act. It is my sincere hope that this is finally the year that it will be signed into law.

In dozens of States, including my own, LGBTQ Americans are still denied housing, discriminated against in education, or denied service at businesses. The Trump administration ruthlessly attacked the LGBTQ community's rights from the transgender military ban to allowing doctors to deny medical care to LGBTQ individuals.

States have continued to put forward so-called bathroom bills. Legislators in my own State have introduced bills to deny medical care to trans children and prevent trans youth from playing sports. Even worse, 44 trans Americans were murdered in 2020, the deadliest year on record.

We can't tolerate any more discrimination. It costs lives. The Equality Act is vital so that Americans everywhere can love whom they love and be their authentic selves without fear of persecution, eviction, or discrimination.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Mr. Speaker, I first want to agree with the bill's sponsor from Rhode Island (Mr. CICILLINE) that discrimination is wrong.

He went on to say the bill, H.R. 5, does no more and does no less than to give LGBTQ people the respect and equality they deserve. But I disagree because the bill moves us far beyond nondiscrimination and toward a place of one side over another. It eliminates mutual respect.

Mr. Speaker, we can't be so anxious to protect one class of people that we harm another. For instance, the bill forces churches in the public square to do things that counter their deeply held beliefs. It moves our Nation away from our Judeo-Christian values. It places women in sports, in domestic shelters, and in the healthcare profession at risk. It allows government to take an even more drastic step of making decisions that should be reserved for our families.

The Equality Act is anything but. Let's not be fooled by the title.

It would, likewise, force both people and organizations in many everyday life and work settings to speak or act in support of gender transition, including healthcare workers and licensed counselors, even when it is against their professional judgment. The Equality Act would force healthcare providers to perform abortions and gender transition surgeries against their deeply held religious beliefs. That is not equality.

Any parent who does not want their child to go through gender reassignment surgery at a young and vulnerable age would be stigmatized, and there is a risk that their child could be taken away or the life-altering surgery would be done with the blessing of only one parent. This diminishes the ability of parents to raise their children and to pass on their values. It is Washington, D.C., that ultimately decides the morality of our children and our churches.

If this is truly about respect, then let's start with it here in this Chamber. I must correct the record, and I take exception to being labeled as someone who vilifies those across the aisle. That is simply not true. No one on this side of the aisle has said "less than" or "illegitimate." These are the labels being used on your side, not by me and not by my colleagues.

If we want to do what is right by the American people, then let's start respecting one another in this Chamber. Let's start doing things that are for the benefit of the people. Let's start understanding that we are here to protect all lives. All lives matter.

But when we can't stop fighting and discouraging each other in this Chamber, shame on us, because we are going to do a lot better for the people who sent us here when we can start having civil conversation.

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the State of Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

One of the sad things that is happening in America, Mr. Speaker, is that the truth is so often being perceived as fake news or that fake news is so often being perceived as the truth.

Mr. Speaker, I am old enough to have worked for a United States Senator during the civil rights era. And I would get a publication—because I opened the mail; I had a hifalutin job—from what was called the Cross and the Sword, a publication that came somewhere from the South. I forget where its headquarters was.

I remember reading how the Bible told us that we should not integrate America and that if God had wanted us all to be together, then we would be the same color. I perceived that then and I perceive that now as absurd.

So I proudly rise in support of H.R. 5, the Equality Act, and congratulate Mr.

CICILLINE and all those who have worked on getting this bill to this point on this floor.

We passed it before, of course, and sent it to the United States Senate. They ignored it, to their discredit. The House passed this bill last Congress with bipartisan support. I hope we have bipartisan support this year because I remember, Mr. Speaker, back in the days of the early sixties and mid-sixties there were giants in the Republican Party who stood with Democrats on behalf of civil rights. I hope we can repeat that today because there is no room in America—it says here in 2021 that there should have been no room in America from 1776 on when we said: “We hold these truths to be self-evident”—for legal discrimination.

There are moments in our history that are celebrated for generations as those in which Americans came together to perfect our Union and to protect and uphold the universal rights enshrined in our founding documents. That is what we as a nation did with the 13th, 14th and 15th Amendments. It is what we did with the 19th Amendment where we said: Oh, yes, I know you are a woman, but you are going to be equal, you are going to be allowed to vote.

What a radical idea that was and how long it took.

We did it as well with the Voting Rights Act and the Civil Rights Act of 1960. We did it together with the bill that I was proud to sponsor on this floor, the Americans with Disabilities Act. We said that it is not your disability that counts; it is your ability; drop the “dis.”

We can do it again today with Mr. CICILLINE's Equality Act, affirming that equality is for everyone all the time and everywhere.

This legislation, Mr. Speaker, would ban discrimination against LGBTQ Americans in every area where it still exists and in every State that still permits it. One nation under God, indivisible. Not discrimination in the Northwest and discrimination in the Northeast or discrimination in the South or the Southwest. One nation—no discrimination—fairness and equality for all.

That includes housing, public education, personal finance and credit, employment, healthcare, jury service, and public accommodation. The practical effect of such legalized discrimination is the denial of opportunities and economic security to certain Americans because of their gender identity or sexual orientation.

The practical effect of this bill, Mr. Speaker, will be to open the doors of opportunity and economic security to those for whom they were shut for far, far too long.

I want to thank Representative CICILLINE. I want to thank the gentleman in the Chair for his leadership and courage. Both of them have displayed such worth as human beings and as colleagues, not by some arbitrary

definition that we give to them based upon their sexual orientation or whether any of us, because of our gender, male or female, or our color, Black or White or yellow or red, one nation under God, indivisible. This legislation tries to recognize that indivisibility of the right of all Americans.

I want to express my gratitude to the Congressional LGBTQ-Plus Equality Caucus, which has provided leadership both in shaping and improving this legislation championing its adoption.

The House will pass this legislation today, and then I hope it will not be lost in the politics of the Senate. That body has an extraordinary record over the centuries in terms of civil rights. It should uphold that record. I know that the Democratic Senate majority is eager to see it considered and passed.

As I said, when I grew up in the sixties in the civil rights movement, many Republican leaders were giants in this effort. I hope the Senate Republicans who have stood in the way of equality of opportunity for LGBTQ Americans for too long will finally come together with them in a bipartisan fashion and allow an up-or-down vote. That is all we ask, an up-or-down vote.

Frankly, that is not all we ask. We ask for 10 Republicans to join us with 50 Democrats to make this a reality. Most Americans have come to understand that ending discrimination for LGBTQ people is about the fundamental rights and dignity of their fellow Americans, and it is about who we are as a country, who we claim to be but for far too long were not.

We know we are not there yet, but this is a very significant and important step for us to take in a land of opportunity for all and a land of liberty and justice for all. So let us affirm that today in this House. And I hope the Senate, in days to come, will join in that affirmation of justice for all, and let us make this a day to remember in our history as one where we came together to perfect our Union, as JOHN LEWIS would say, one more time.

I urge a “yes” vote, Mr. Speaker.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Speaker, this so-called Equality Act is the culmination of a 50-year effort by the radical left to attack our values, our families, our children, and our religious freedoms.

I ran for office as a Biblical and constitutional Conservative because I believe in our Nation's founding Judeo-Christian principles and the importance of faith and family to this unique American form of government.

John Adams confirmed that this was the intent of the Founders when he stated: “Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”

I don't think he could have envisioned we would be here today defend-

ing the right to life for the unborn, what our children are taught in school regarding their own gender, the protection for people to practice their faith without fear of government, and the importance of the traditional family.

This bill is one of the most dangerous and consequential bills that we will ever consider. It will have a terribly negative impact on every area of our lives. Mr. Speaker, I urge my colleagues to reject it.

□ 1530

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. AUCHINCLOSS).

Mr. AUCHINCLOSS. Madam Speaker, I rise in strong support of the Equality Act, landmark legislation that provides LGBTQ people with the full protections of Federal civil rights law.

Among many other critical protections that the Equality Act extends to LGBTQ people are housing protections for homeless youth who can be harassed, assaulted, or even kicked out of shelters based on their gender identity or sexual orientation. This is because 27 States across the Nation lack LGBTQ nondiscrimination protections.

At the same time, LGBTQ youth are 120 percent more likely to experience homelessness. Protecting young people, giving them the resources to succeed early in life and keeping them safe and secure are all values we share. The Equality Act takes a massive step forward to advance these values, reflecting the tremendous progress forged by our Nation and those who came before us.

Mr. JORDAN. Madam Speaker, I yield 1 minute to the gentlewoman from Tennessee (Mrs. HARSHBARGER).

Mrs. HARSHBARGER. Madam Speaker, I rise today in opposition to the so-called Equality Act.

Rather than delivering equality, this bill undermines protections for women and for girls. And simply put, women's shelters should remain women's shelters and not allow biological men to intrude. And girls' sports should remain sports for girls.

This is not equal opportunity. This is catastrophic for girls' sports. This is what the Equality Act seeks to overturn, and that is fairness in girls' sports.

All of this is even before mentioning the provisions that would undermine religious freedom. Religious organizations shouldn't be forced to act contrary to their beliefs. This is why they call it religious freedom, after all.

This bill poses a dangerous threat to free speech, religious freedom, and pro-life, the sanctity of life. This, honestly, goes against everything that I believe as a Christian and I will be opposing this bill.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Georgia (Ms. WILLIAMS).

Ms. WILLIAMS of Georgia. Madam Speaker, today I proudly rise in support of the Equality Act.

Today, I am the voice of so many people, like my constituent, Chanel; my friend, James; my sister, Danielle and her fiancé, Marlena; my staffer, Kristina and her partner, Vivian; and all of my friends back home on the front lines with Georgia Equality.

For far too long, the inherent rights of LGBTQ people have hung in the balance. I am in Congress to ensure that everyone can share in the promise of America, no matter who they love or how they identify.

LGBTQ people have lived in fear of punishment and retaliation for far too long. The right to exist in this country is not a privilege, but an inalienable right.

I have the great honor of representing Atlanta, a city vibrant with a long history of LGBTQ-plus pride. To my LGBTQ-plus constituents, know that it is my honor to represent you. I hear you. I see you. I stand with you. The promise of America excludes no one.

Mr. JORDAN. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Madam Speaker, this bill smacks of President Barack Obama's transgender bathroom policy several years back. I remember that, how ridiculous that was.

It was reported in Texas a young girl went into a bathroom in a package store, was followed by a male who said he self-identified as a female that day. More about her in a minute.

This is not an Equality Act. This is going to erode religious freedom. This expressly exempts RFRA from being a defense if someone has a sincerely religiously held belief.

The comment was made earlier that we are using God as an excuse. I hardly think so. The Founders of the Constitution knew exactly what they were doing when they provided for those protections.

If the Equality Act is passed, individuals with religious views will be disfavored by this bill and it will not have RFRA as a tool to defend against a violation of their religious freedom.

H.R. 5 will politicize the medical profession to the detriment of the practitioners and the patients. It is unbelievable.

The SPEAKER pro tempore (Ms. CRAIG). The time of the gentleman has expired.

Mr. JORDAN. I yield an additional 10 seconds to the gentleman from Texas.

Mr. WEBER of Texas. The girl that was followed into the bathroom by the gentleman who said he self-identified as a female that day, turns out that that man's teeth were knocked out by the girl's father who self-identified as the tooth fairy.

Mr. NADLER. Madam Speaker, how much time do we have left?

The SPEAKER pro tempore. The gentleman from New York has 3½ minutes remaining. The gentleman from Ohio has 2½ minutes remaining.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Madam Speaker, I get it now. This is all about protecting women. This intolerance is the Republicans' effort to show us how much they want to protect the rights of women. They want us to believe that protecting LGBTQ Americans somehow hurts women and girls. But they know better, and history will accurately reflect what it really is.

It is an ugly, twisted use of feminism. It is what it is. It is homophobia. It is transphobia. It is intolerance, and it is hatred.

There is no constitutional right to hate. There is no constitutional right to exclude, and there is no right of conscience to hate.

Trans rights are human rights. LGBTQ rights are human rights. We must pass the Equality Act now.

Mr. JORDAN. Madam Speaker, I yield 1 minute to the gentleman from Alabama (Mr. MOORE).

Mr. MOORE of Alabama. Madam Speaker, we have talked all day in here about discrimination, and we need to put some facts on the table.

Madam Speaker, 0.6 percent of Americans identify as transgender. However, 80 percent of Americans identify with a religious affiliation. 50.5 percent of people in this country identify as female; yet we consistently want to infringe on the rights of all those other Americans for 0.6 percent of the population in this country.

Now, I have daughters, and I have encouraged them their whole life to do what you want to do in life; you can succeed. But we see, time and time again, that males are being put in competition in sports directly against our females.

My question is: Where are the feminists today? Why are they not here with the Members of this caucus fighting for the rights of females?

We are going to infringe consistently on that 50.5 percent of the American population by allowing males to compete in sports against them.

Madam Speaker, 86 percent of the people in this Nation identify as religious people. We are going to allow this law and the overreach of the left in this country to start infringing on those people's rights and, Madam Speaker, I have got to vote against it.

The SPEAKER pro tempore. The Chair would remind Members to put on their masks.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I rise as the proud grandmother of a trans young man, and I just want to say that any family would be lucky to have the amazing and loving and smart and funny Isaac in their family.

And I rise today to say thank you to the generations of people who have been arrested and beaten and excluded and sometimes killed for this fight. Let today be the end.

I thank Congressman CICILLINE and all of those who have spoken today and

are going to vote for freedom. This is a remarkable day, not just for my Isaac, but for all the young people who are frightened today. No more. We are with you.

Mr. JORDAN. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. HICE).

Mr. HICE of Georgia. Madam Speaker, I have heard a lot today about discrimination against the LGBTQ community and them being kicked out of housing or whatever. No one wants that.

But my question, Madam Speaker, to my friends on the other side was: Would they also agree that no one who disagrees with their views should be kicked out of their homes or lose their job?

Should adoption agencies not be allowed to continue operating if they don't believe in that?

Should houses of worship close because they continue teaching the traditional biblical values and principles of male and female?

And I would suspect the answer would be no; that they should be fired, they should close, because the bill itself clearly states that religious rights and freedoms are not protected in this bill. And that is what is so dangerous.

This is a bill of tyranny, where government is telling people what they must believe and punishing them if they do not believe and do not conform. This is a dangerous bill. It codifies in itself discrimination.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have listened to this debate in amazement. I have been involved in this struggle for equality for many, many years. I was the chief author in the House of the Religious Freedom Restoration Act, and to hear it suggested that I would turn my back on religious freedom is just ridiculous.

This bill enshrines equality. It enshrines equality for everyone. That is its purpose. It does not contradict the Religious Freedom Restoration Act which, as a number of people have mentioned, I was the chief author of. But it does enshrine equality, and that is what our friends on the other side of the aisle seem to be afraid of, equality.

Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio has 30 seconds remaining. The gentleman from New York has 1 minute remaining.

Mr. NADLER. Madam Speaker, I have the right to close. I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, at the start of the debate, the sponsor of the bill said discrimination is wrong. It sure is. We shouldn't tolerate it.

But this bill makes how a person identifies more important than equality; makes it more important than

fairness; makes it more important than fundamental liberties like your right to practice your faith the way you think the good Lord wants you to.

And you would think a change of this magnitude would get a little more than 90 minutes debate on the House floor. That is why we should oppose this legislation. I urge my colleagues to vote “no.”

I yield back the balance of my time. Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

It is precisely because this bill enshrines equality; it is precisely because of the nonsensical nature of the arguments from the other side of the aisle that the Equality Act has been endorsed by more than 500 civil rights, women’s rights, religious, medical, and other national and State organizations, including the American Medical Association, the Central Conference of American Rabbis, the Episcopal Church, the Lawyers’ Committee for Civil Rights Under Law, the Leadership Conference on Civil and Human Rights, the NAACP, the National Alliance to End Sexual Violence—to end sexual violence—the National Coalition of Anti-Violence Programs, the National Women’s Law Center, the Network Lobby for Catholic Social Justice, the Rabbinical Assembly, and the United Methodist Church General Board of Church and Society, all of whom obviously would not endorse this bill if it had anything to do with destroying religious liberty.

It has also been endorsed by dozens of business associations, including the U.S. Chamber of Commerce, the National Association of Manufacturers, and the Sports and Fitness Industry Association, and hundreds of other businesses.

I urge all Members to support this important legislation, and I yield back the balance of my time.

Ms. LEE of California. Madam Speaker, as an original cosponsor of the Equality Act, and as a co-founder and Vice-chair of the House Equality Caucus, I want to voice my full support of this bill. I want to thank the Speaker and Chairman NADLER for acting quickly on this legislation. I also want to thank my friend Rep. CICILLINE, as well as my fellow caucus co-chairs, for their efforts.

Our federal laws still do not protect lesbian, gay, bisexual, transgender and queer people from discrimination. Almost two-thirds of LGBTQ Americans report having experienced discrimination—and LGBTQ people of color often face compounded injustices, including higher rates of unemployment and health challenges.

The Equality Act prohibits discrimination in employment, housing, credit, education, public spaces and services, federally funded programs, and jury service. The Equality Act will help ensure that LGBTQ Americans can play their vital role in our nation and our communities without fear of harassment and discrimination.

As a Black woman in America, I know what it is like to face injustice and inequality. I applaud House passage of the Equality Act as

an historic milestone in our effort to build a more just society. I hope the Senate will pass it quickly and send it to the President for enactment.

Mr. SMITH of New Jersey. Madam Speaker, I rise in opposition to H.R. 5 because it puts the Hyde Amendment and other federal and state laws that bar taxpayer funding for abortion at serious risk and out of an abundance of concern for the women and children who flee to the protection of domestic abuse shelters.

H.R. 5 weakens conscience protections for health care providers opposed to being coerced into participating in the killing of unborn babies.

H.R. 5 defines “sex” to include “pregnancy, childbirth, or a related medical condition.” The term “related medical condition” means “abortion.” In the case *Doe v. C.A.R.S.*, the Third Circuit stated, “We now hold that the term ‘related medical conditions’ includes an abortion.” Furthermore, the Equal Employment Opportunity Commission (EEOC), which enforces Title VII, interprets abortion to be covered as a “related medical condition.”

To further clarify, H.R. 5 goes on to state:

(b): Rules.—In a covered title referred to in subsection (a)—“(1) (with respect to sex) pregnancy, childbirth, or a related medical condition shall not receive less favorable treatment than other physical conditions; . . .

In other words, a provider may not withhold a “treatment option,” including dismembering, chemically poisoning or otherwise destroying an unborn baby girl or boy.

In a legal analysis released this month, the United States Conference of Catholic Bishops wrote:

Existing prohibitions on the use of government funds for abortion can be undercut in three ways.

First, federal and state governments are themselves providers of health care. Therefore, they would themselves be subject to the constraints that the Equality Act places on all health care providers and, as such, would likely be required to provide abortions. This conclusion is reinforced by the bill’s expansive definition of “establishment,” which is not limited to physical facilities and places.

Second, it would seem anomalous to, on the one hand, mandate that recipients of federal funds provide abortions, as the Equality Act can be read to do, but, on the other hand, prohibit use of such funds for abortions. It can (and likely will) be argued that these newly enacted provisions, which would likely require recipients of federal funding to perform abortions, would thereby repeal by implication previously enacted legislation forbidding the use of those very same funds for abortion.

Third, even if the bill were not construed to require the federal government to fund abortions, it could still be construed to require states that receive federal funding to do so with their own funds, which would be a departure from the longstanding principle that the federal government not require government funding of abortion even on the part of state governments.

The possibility that the Equality Act may be used to undercut the Hyde principle against government funding of abortion has been noted even by those endorsing the bill including Katelyn Burns, New Congress Opens Door for Renewed Push for LGBTQ Equality Act

(Dec. 5, 2018). But instead of denying that this problem exists, or (even better) urging an amendment to avoid it, one supporter of the bill has suggested that the issue simply “has to be navigated super carefully.” In other words, there is a problem and the suggested “fix” is simply to keep it from becoming politically visible.

In an incisive analysis of H.R. 5, Richard Doerflinger exposes the risk to unborn children, conscience rights and state all laws preventing taxpayer funding for abortion:

“Of especially grave concern is that the Equality Act introduces this same language on sex and ‘pregnancy discrimination’ into Title VI of the Civil Rights Act, forbidding discrimination in ‘federally assisted programs.’ This applies to a wide range of entities that may receive federal funds, including state and local government agencies, educational institutions, organizations providing health care, etc. (42 USC 2000d–4a). All of these would be required to show that they do not exclude the full range of treatments for the ‘condition’ of pregnancy. Not only the federal government, but all states that receive federal funds for their health programs, could be required to fund elective abortions, reversing the longstanding policy of two-thirds of the states. The same changes to the definition of ‘sex’ are made to Title II, on discrimination in places of ‘public accommodation,’ and that title’s definition of a ‘public accommodation’ is expanded to include ‘any establishment that provides a good, service, or program,’ including any provider of ‘health care’ (H.R. 5, Sec. 3 (a)(d)).”

I also oppose H.R. 5 out of genuine concern for the women and children who seek refuge in a domestic abuse shelter.

By granting biological men—who self-identify as women—access to women’s shelters, H.R. 5 removes the hard-fought gains to protect women and girls from abuse and to provide them with physical, emotional and psychological security.

In late 2018, nine female victims residing in a women’s shelter in Fresno, California—Naomi’s House, operated by Poverello House—filed a lawsuit against the shelter for admitting a biological man because he had self-identified as a woman. These victims stated that they had been sexually harassed by this biological man. They said that he had made “sexual advances” on them and would “stare and leer” and make “sexually harassing comments about their bodies” while they were forced to undress in the same room with him.

After repeatedly confronting the staff of Naomi’s House—both verbally and in writing—with their extreme discomfort, these women were told that they would be expelled from the shelter if they refused to comply.

Madam Speaker, if we allow biological men who self-identify as women to receive access to these women-only shelters, abused women and children will lose the ‘safe space’ they so desperately need.

We must first and foremost protect victims of violence.

These brave women and children deserve a place where they can feel protected and secure, so they can begin the difficult process to heal as they deal with post-traumatic stress. Forcing them to share a shelter and its facilities—including showers and sleeping areas—with biological men who self-identify as women will likely cause these women and children to experience insecurity, discomfort, confusion, and fear of additional assault.

Women's shelters—there are about 1,500 nationwide—offer a safe space where a woman does not have to fear or worry about violence and intimidation and instead allows her to take steps toward rebuilding her life.

These victims deserve better. They deserve our protection and support. We must work to ensure the safety of women, girls, and children.

The SPEAKER pro tempore. Pursuant to House Resolution 147, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JORDAN. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 224, nays 206, not voting 2, as follows:

[Roll No. 39]

YEAS—224

Adams	Deutch	Larsen (WA)
Aguilar	Dingell	Larson (CT)
Allred	Doggett	Lawrence
Auchincloss	Doyle, Michael	Lawson (FL)
Axne	F.	Lee (CA)
Barragán	Escobar	Lee (NV)
Bass	Eshoo	Leger Fernandez
Beatty	Españat	Levin (CA)
Bera	Evans	Levin (MI)
Beyer	Fitzpatrick	Lieu
Bishop (GA)	Fletcher	Lofgren
Blumenauer	Foster	Lowenthal
Blunt Rochester	Frankel, Lois	Luria
Bonamici	Fudge	Lynch
Bourdeaux	Gallego	Malinowski
Bowman	Garamendi	Maloney,
Boyle, Brendan	Garcia (IL)	Carolyn B.
F.	Garcia (TX)	Maloney, Sean
Brown	Golden	Manning
Brownley	Gomez	Matsui
Bush	Gonzalez,	McBath
Bustos	Vicente	McCollum
Butterfield	Gottheimer	McEachin
Carbajal	Green, Al (TX)	McGovern
Cárdenas	Grijalva	McNerney
Carson	Haaland	Meeks
Cartwright	Harder (CA)	Meng
Case	Hastings	Mfume
Casten	Hayes	Moore (WI)
Castor (FL)	Higgins (NY)	Morelle
Castro (TX)	Himes	Moulton
Chu	Horsford	Mrvan
Cicilline	Houlahan	Murphy (FL)
Clark (MA)	Hoyer	Nadler
Clarke (NY)	Huffman	Napolitano
Cleaver	Jackson Lee	Neal
Clyburn	Jacobs (CA)	Neguse
Cohen	Jayapal	Newman
Connolly	Jeffries	Norcross
Cooper	Johnson (GA)	O'Halleran
Correa	Johnson (TX)	Ocasio-Cortez
Costa	Jones	Omar
Courtney	Kahele	Pallone
Craig	Kaptur	Panetta
Crist	Katko	Pappas
Crow	Keating	Pascarell
Cuellar	Kelly (IL)	Payne
Davids (KS)	Khanna	Pelosi
Davis, Danny K.	Kildee	Perlmutter
Dean	Kilmer	Peters
DeFazio	Kim (NJ)	Phillips
DeGette	Kind	Pingree
DeLauro	Kirkpatrick	Pocan
DelBene	Krishnamoorthi	Porter
Delgado	Kuster	Pressley
Demings	Lamb	Price (NC)
DeSaulnier	Langevin	Quigley

Raskin	Sherman	Torres (NY)
Reed	Sherrill	Trahan
Rice (NY)	Sires	Trone
Ross	Slotkin	Underwood
Roybal-Allard	Smith (WA)	Vargas
Ruiz	Soto	Veasey
Ruppersberger	Spanberger	Vela
Rush	Speier	Velázquez
Ryan	Stanton	Wasserman
Sánchez	Stevens	Schultz
Sarbanes	Strickland	Waters
Scanlon	Suozzi	Watson Coleman
Schakowsky	Swalwell	Welch
Schiff	Takano	Wexton
Schneider	Thompson (CA)	Wild
Schrader	Thompson (MS)	Williams (GA)
Schrier	Titus	Wilson (FL)
Scott (VA)	Tlaib	Yarmuth
Scott, David	Tonko	
Sewell	Torres (CA)	

NAYS—206

Aderholt	Gonzales, Tony	Moolenaar
Allen	Gonzalez (OH)	Mooney
Amodei	Good (VA)	Moore (AL)
Armstrong	Gooden (TX)	Moore (UT)
Arrington	Gosar	Mullin
Babin	Granger	Murphy (NC)
Bacon	Graves (LA)	Nehls
Baird	Graves (MO)	Newhouse
Balderson	Green (TN)	Norman
Banks	Greene (GA)	Nunes
Barr	Griffith	Obermole
Bentz	Grothman	Owens
Bergman	Guest	Palazzo
Bice (OK)	Guthrie	Palmer
Biggs	Hagedorn	Pence
Bilirakis	Harris	Perry
Bishop (NC)	Harshbarger	Pfleger
Bost	Hartzler	Posey
Brady	Hern	Reschenthaler
Brooks	Herrell	Rice (SC)
Buchanan	Herrera Beutler	Rodgers (WA)
Buck	Hice (GA)	Rogers (AL)
Bucshon	Higgins (LA)	Rogers (KY)
Budd	Hill	Rose
Burchett	Hinson	Rosendale
Burgess	Hollingsworth	Rouzer
Calvert	Hudson	Roy
Cammack	Huizenga	Rutherford
Carl	Issa	Salazar
Carter (GA)	Jackson	Scalise
Carter (TX)	Jacobs (NY)	Schweikert
Cawthorn	Johnson (LA)	Scott, Austin
Chabot	Johnson (OH)	Sessions
Cheney	Johnson (SD)	Simpson
Cline	Jordan	Smith (MO)
Cloud	Joyce (OH)	Smith (NE)
Clyde	Joyce (PA)	Smith (NJ)
Cole	Keller	Smucker
Comer	Kelly (MS)	Spartz
Crawford	Kelly (PA)	Staubert
Crenshaw	Kim (CA)	Steel
Curtis	Kinzing	Stefanik
Davidson	Kustoff	Steil
Davis, Rodney	LaHood	Steube
DesJarlais	LaMalfa	Stewart
Diaz-Balart	Lamborn	Stivers
Donalds	Latta	Taylor
Duncan	LaTurner	Tenney
Dunn	Lesko	Thompson (PA)
Emmer	Long	Tiffany
Estes	Loudermilk	Timmons
Fallon	Lucas	Turner
Feenstra	Luetkemeyer	Upton
Ferguson	Mace	Valadao
Fischbach	Malliotakis	Van Drew
Fitzgerald	Mann	Van Duyen
Fleischmann	Massie	Wagner
Fortenberry	Mast	Walberg
Fox	McCarthy	Walorski
Franklin, C.	McCaul	Waltz
Scott	McClain	Weber (TX)
Fulcher	McClintock	Webster (FL)
Gaetz	McHenry	Wenstrup
Gallagher	McKinley	Westerman
Garbarino	Meijer	Williams (TX)
Garcia (CA)	Meuser	Wilson (SC)
Gibbs	Miller (IL)	Wittman
Gimenez	Miller (WV)	Womack
Gohmert	Miller-Meeks	Zeldin

NOT VOTING—2

Boebert Young

□ 1627

Messrs. McKINLEY and MEUSER changed their vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Ms. CRAIG). Without objection, a motion to reconsider is laid on the table.

Mr. ROSENDALE. Madam Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Stated against:

Mrs. BOEBERT. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 39.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Davids (KS))	Gaetz (Franklin, C. Scott)	Moore (WI) (Beyer)
Amodei (Kelly (PA))	Gonzalez, Vincente (Gomez)	Moulton (Trahan)
Bowman (Clark (MA))	Gosar (Wagner)	Napolitano (Correa)
Buchanan (Donalds)	Grijalva (Garcia (IL))	Nunes (Garcia (CA))
Budd (McHenry)	Hastings	Payne (Wasserman Schultz)
Calvert (Garcia (CA))	Calvert (Garcia (CA))	Schultz
Cárdenas (Gomez)	Himes	Pingree (Kuster)
Carter (TX)	(Courtney)	Porter (Wexton)
(Nehls)	Kirkpatrick (Stanton)	Roybal-Allard (Bass)
Cawthorn (McHenry)	Langevin	Ruiz (Aguilar)
(Lynch)	(Lynch)	Rush
DeSaulnier	Lawson (FL)	(Underwood)
(Matsui)	(Evans)	Steube (Franklin, C. Scott)
Deutch (Rice (NY))	Lieu (Beyer)	Vargas (Correa)
Fletcher (Kuster)	Lofgren (Jeffries)	Watson Coleman
Frankel, Lois	Lowenthal (Beyer)	(Pallone)
(Clark (MA))	Meng (Clark (MA))	Wilson (FL) (Hayes)

MOTION TO RECONSIDER ON H.R. 5, EQUALITY ACT

Mr. KILDEE. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Kildee moves to reconsider the vote on the question of passage of H.R. 5.

MOTION TO TABLE

Mr. CICILLINE. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Cicilline moves to lay the motion to reconsider on the table.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROSENDALE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 211, nays 195, not voting 25, as follows: