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April 8, 2019

House Judiciary Committee
2138 Rayburn House Office Building
Washington, DC 20515



HRW.org

**LESBIAN, GAY, BISEXUAL, AND
TRANSGENDER RIGHTS PROGRAM**

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Re: Human Rights Watch Supports the Equality Act

Dear Representatives,

Human Rights Watch wishes to express support for passage of HR 5, the Equality Act. In recent years, Human Rights Watch has documented a range of human rights violations experienced by lesbian, gay, bisexual, and transgender (LGBT) people in the United States. Based on our research, we believe that the Equality Act would provide important protection for the rights of LGBT persons in the US and would strengthen US compliance with its human rights obligations under international law.

Human Rights Watch has expressed concern about a variety of LGBT issues in the United States, including the [transgender military ban](#), the [rollback of important nondiscrimination protections](#), and [bias-motivated violence targeting LGBT people](#). We have also done in-depth documentation of specific issues in research reports, and we wish to summarize the findings of these reports as you consider passage of the Equality Act:

- [Living at Risk: Transgender Women, HIV and Human Rights in South Florida](#), released in November 2018, documents the extreme poverty, high rates of unemployment, and experiences of discrimination in housing and health care that prevent many transgender women from accessing HIV prevention and care. Strengthening federal protection against discrimination, particularly in employment and in healthcare settings, is a matter of urgency for transgender women, particularly women of color.
- [“You Don’t Want Second Best”: Anti-LGBT Discrimination in US Health Care](#), released in July 2018, documents the difficulty that LGBT people often face in accessing healthcare services in the United States. Interviewees described four major obstacles to obtaining care: the lack of accessible services in their area, discrimination by insurers and providers, refusals by providers, and a reluctance to seek out care for fear of experiencing mistreatment. The report warned that two regulatory changes announced by

the Trump Administration – one that would expand religious exemptions in health care and one that would roll back protections for transgender people under the Affordable Care Act – were likely to exacerbate these problems and further limit access to services.

- [*“All We Want is Equality”: Religious Exemptions and Discrimination Against LGBT People in the United States*](#), released in February 2018, documents the impact of religious exemption laws in adoption and foster care, healthcare services, and access to goods and services. The report, based primarily on interviews in Michigan, Mississippi, and Tennessee, found that these exemptions encourage discriminatory refusals, discourage LGBT people from seeking out services, and harm people’s dignity. It challenged the notion that these laws are truly “exemptions,” noting that they are predominantly passed in states that do not have LGBT-inclusive nondiscrimination laws on the books. Rather than providing a narrow exemption from nondiscrimination protections, these laws function as a license to discriminate, encouraging providers to deny service without first passing the protections needed to ensure LGBT people are treated fairly.
- [*“Like Walking Through a Hailstorm” Discrimination against LGBT Youth in US Schools*](#), released in December 2016, draws on interviews with more than 350 students and 145 parents, teachers, administrators, and service providers in five US states: Alabama, Pennsylvania, South Dakota, Texas, and Utah. The report documented a range of problems facing LGBT students, including bullying and harassment, exclusion of LGBT topics from school curricula and resources, discriminatory restrictions on LGBT student groups, and discrimination and bigotry from both students and school personnel on the basis of sexual orientation and gender identity. The report urged lawmakers to strengthen protections for LGBT youth at all levels of government. In the absence of strong leadership on behalf of LGBT youth, little progress has been made on these issues, illustrating the need for explicit federal protections of sexual orientation and gender identity in educational settings.
- [*Shut Out: Restrictions on Bathroom and Locker Room Access for Transgender Youth in US Schools*](#), released in September 2016, documents the difficulties that transgender youth experience when they are unable to access shared facilities in US schools. The report details how restrictions on accessing sex-segregated facilities jeopardizes the safety, health, privacy, and education of transgender youth. Unfortunately, the Trump Administration withdrew guidance protecting transgender youth shortly after the report was published. While many districts have developed good policies that respect and affirm transgender youth, others continue to impose discriminatory restrictions, renewing the importance of clear federal guidance and support for local schools.

In addition to our work on LGBT issues, Human Rights Watch advocates for [women’s rights](#), [children’s rights](#), and the [rights of religious minorities](#). Protecting LGBT people from discrimination based on sexual orientation and gender identity is not only compatible with these rights, it serves to

meaningfully strengthen the fundamental principle of equality under the law. We endorse the Equality Act and urge the US Congress to enact it into law.

Sincerely,

A handwritten signature in black ink that reads "Ryan Thoreson". The signature is written in a cursive, slightly slanted style.

Ryan Thoreson
Researcher, LGBT Rights Program
Human Rights Watch