

U.S. House of Representatives

Committee on the Judiciary

Hearing on H.R. 5: The Equality Act

Testimony of Chad Griffin, President of the Human Rights Campaign

My name is Chad Griffin, and I am the President of the Human Rights Campaign, America's largest civil rights organization working to achieve lesbian, gay, bisexual, transgender, and queer (LGBTQ) equality. It is both an honor and a privilege to submit this testimony on behalf of our more than 3 million members and supporters nationwide. America is a diverse and dynamic nation, and it is through this diversity that we find our greatest strength. Although we may not share the same language, culture, or religion a belief in fairness and equal access to opportunity unites us all. Despite significant advances towards equality over the past decade, millions of LGBTQ Americans still lack basic legal protections. In the absence of explicit, federal protections, too many people risk being fired, evicted, or refused service simply because of who they are or who they love. The Equality Act is a significant step towards ensuring civil rights for LGBTQ people and ending this discrimination once and for all.

LGBTQ people are everywhere. We live in every state and zip code in this country. We reflect the vibrant diversity of our country and contribute to our communities every day. We are service members, physicians, business owners, preachers, and teachers. We work hard to support ourselves and our families. We are not seeking anything more than what every person in this country deserves -- an equal opportunity to live out our own American dream. It is time for equality -- nothing more and nothing less.

In the absence of explicit, federal statutory protections LGBTQ people continue to be at risk of discrimination. Currently, LGBTQ people still risk unfair termination, housing discrimination, harassment at school, and refusal of service in public spaces with limited legal recourse in 30 states. We can even be dismissed from jury service or denied credit after finding our dream home. Over the past two decades, federal courts have developed a clear legal trajectory recognizing discrimination on the basis of sexual orientation and gender identity as unlawful sex discrimination. However, these protections are far from universal. They also require a certain level of resources, knowledge, and time to file a complaint in court. The Equality Act would provide comprehensive and clear federal protections that would both clarify the rights of LGBTQ people under the law, but also the obligation of businesses and employers.

The Equality Act is straightforward. Passage of this legislation would ensure that the protections of this nation's civil rights laws are extended to everyone, no matter their gender identity or sexual orientation. By amending existing civil rights laws, we will be ensuring that our LGBTQ brothers and sisters receive the same level of protections that this nation has provided other vulnerable populations for the last five decades.

The Equality Act reflects our values. In fact, the majority of Americans support nondiscrimination protections for LGBTQ people.¹ There is a collective understanding among us that America should be a place of opportunity for all people. Our business leaders and Fortune 500 companies have also come out in overwhelming support for the Equality Act. These leaders understood long ago that equality was good for business. Today 185 companies, employing 8.9 million people, joined HRC's Business Coalition for the Equality Act. The National Association of Manufacturers (NAM), U.S. Chamber of Commerce, Business Roundtable and more than 40 trade and professional associations authored a letter to Congress supporting protections for LGBTQ workers. These protections and this leadership are vital. They have played an important role in the steady improvement of workplace culture and opportunities for LGBTQ workers nationwide.

However, these private employment protections are far from sufficient. At the end of the day when LGBTQ workers leave the office or worksite they are also parents, renters, students, customers. In the absence of concrete federal protections in areas like housing and public accommodation, workers located in states without inclusive civil rights laws still face the risk of discrimination with little legal recourse. Workers living in a state with protections may forgo a promotion tied to relocating to a state without them.

Around 4.1 million of the 8.1 million LGBTQ workers who are 16 and over live in states without state anti-LGBTQ protections in employment.² These individuals live in constant fear that they will be fired or subject to discrimination and harassment in the workplace. Discrimination in the workplace can create a hostile work environment, undercut productivity, and threaten individual family security.

I am reminded of a young man I met in Mississippi at a church community center. His name was Bryson and he was a city worker who began transitioning on the job. He was forced to shave his dreadlocks despite other men at the workplace wearing their hair long. His wife faced so much harassment that she had to leave her job. What happened to Bryson and his wife is not an anomaly. Carter Brown, a transgender man from Texas, who was terminated shortly after he was outed by a coworker. A once well-liked and respected employee, Carter was ostracized and excluded by his peers, who regularly asked him offensive and inappropriate questions about his personal life.

¹ DANIEL GREENBERG ET AL., *AMERICANS SHOW BROAD SUPPORT FOR LGBT NONDISCRIMINATION PROTECTIONS*, PRRI (MARCH 12, 2019), Available at: <https://www.prii.org/research/americans-support-protections-lgbt-people/>.

² *LGBT PEOPLE IN THE UNITED STATES NOT PROTECTED BY STATE NONDISCRIMINATION STATUTES*. (MARCH 2019) THE WILLIAMS INSTITUTE, UCLA, LOS ANGELES, CA. Available at: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Equality-Act-April-2019.pdf>

What happened to Bryson and Carter, and to many more people across the country, should not have happened and it does not reflect the values our nation was founded upon. All people, regardless of sexual orientation or gender identity, deserve to work in a space free from discrimination and harassment. What's more, discrimination is bad for business. Employers cannot attract the best this country has to offer when potential applicants fear they will be discriminated against.

But the workplace is only one place where LGBTQ people consistently experience the ugly reality of discrimination. New mothers Jami and Krista Contreras took their newborn daughter for a routine check-up and were greeted by an unfamiliar physician instead of the pediatrician they had taken great care to select. Upon asking where their pediatrician was, Jami and Krista were told that the doctor would be unable to see or care for the infant - because her mothers were lesbian. And while it is true that the American Medical Association strongly advises medical professionals to adhere to nondiscrimination policies concerning LGBTQ patients, this best practice is not a federal law.

The Equality Act would expand Title II of the Civil Rights Act of 1964 to include retailers, airports, taxi services, banks, and other places providing important and necessary goods and services to the public as places of public accommodation. The Act would also modernize Title VI by prohibiting discrimination in federally assisted programs on the basis of sex, sexual orientation, and gender identity. In amending Title VI, the Act makes clear that discrimination has no place on the taxpayer's tab.

Finally, as someone raised in the spirit of the Christian tradition, I am acutely aware of this nation's commitment to safeguarding our right to practice religion and exercise our most deeply held beliefs. In accordance with these long-held values, the Equality Act retains all existing religious exemptions currently in our civil rights laws. The Constitution also provides robust, tested safeguards for people of faith.

Today, our goal is simple. We seek to continue the hard work of those who came before us and to ensure that this country continuously reflects the ideal that all of us are deserving of respect and dignity at home, at work, and in the community.