

existing local nondiscrimination ordinances throughout the state. Advocates of these laws claim they “improve intrastate commerce by ensuring that businesses, organizations, and employers doing business in the state are subject to uniform nondiscrimination laws and obligations.” Yet there is little evidence to support the argument that the presence of a local nondiscrimination ordinance that offers protections beyond what is available at the state level has impacted the efficiency of business.

Two states have recently exerted explicit preemption over local cities and counties.³⁴ In 2011, Tennessee passed the misleadingly named “Equal Access to Intrastate Commerce Act” (HB600). This law prohibits the enforcement of any local nondiscrimination ordinances that offer protections that aren’t already provided by the state’s nondiscrimination law. Additionally, the law explicitly carves transgender people out of statewide nondiscrimination protections by defining “sex” to refer only to the gender designation on an individual’s birth certificate.

Arkansas passed the Intrastate Commerce Improvement Act (SB202) in 2015, invalidating the existing LGBT-inclusive nondiscrimination ordinance in the city of Eureka Springs. Advocates and local communities in the state are challenging the constitutionality of the law and five cities have passed new nondiscrimination ordinances since 2015. The new local ordinances are technically unenforceable but will be used in the legal challenge of the state law.

2. Preemption Clauses within Bills Restricting Bathroom Access for Transgender People. As mentioned earlier in this section, “bathroom bills” prohibit transgender people from using public facilities that correspond to their gender identity. In addition to passing these bathroom bills, legislatures in a number of states have advocated for preemption legislation limiting municipalities’ ability to pass ordinances that would permit transgender people to access facilities in accordance with their gender identity. The scope of these preemption efforts varies considerably; as some prohibit protections only in schools, while others bar protections in government or public buildings or even in private businesses.

The most notorious example of this type of legislation is North Carolina’s HB2, passed in 2016. The state passed HB2 in reaction to Charlotte adding sexual orientation and gender identity to its list of protected classes in February 2016. In addition to banning transgender people from using restrooms that match the gender they live every day (as discussed earlier in this section), HB2 specifically invalidated all local nondiscrimination and minimum wage ordinances and prohibited localities from passing new ones. The law also included a clause prohibiting North Carolina counties and cities from promoting diversity by requiring city contractors to be awarded only to private companies that had transgender-inclusive nondiscrimination policies. Although HB2 was repealed in March 2017, its replacement (HB142) still bars cities and counties from passing ordinances that provide nondiscrimination protections for LGBT people until December 1, 2020, and permanently bars cities from protecting transgender people’s access to restrooms.³⁵

Religious Exemptions

There is an orchestrated effort underway in the United States to undermine nondiscrimination protections by inserting religious exemptions into the laws establishing these protections. For example, in states with public accommodation nondiscrimination laws that prohibit businesses from refusing service to people based on their sexual orientation and gender identity, some business owners are suing for the right to refuse service because of their religious beliefs.

In early 2017, the Washington Supreme Court ruled that a flower shop was in violation of the state’s nondiscrimination law when it refused to provide flowers for a same-sex couple’s wedding.³⁶ The florist argued that because of her religious beliefs, she should be able to refuse to serve same-sex couples who are marrying. The court countered that when she entered the commercial sphere, she agreed to abide by Washington’s laws, including its nondiscrimination laws.³⁷ In 2013, a taxi driver in Chicago told two men to leave the taxi after he saw them kissing. Lambda Legal sued the taxi company under the Illinois Human Rights Act, which prohibits discrimination on the basis of sexual orientation in places of public accommodation including taxis, and settled out of court.³⁸

In 2018, the U.S. Supreme Court will decide the case of a Colorado bakery that refused to bake a cake for a same-sex couple's wedding.³⁹ Colorado has a law that prohibits places of public accommodation from discriminating on the bases of sexual orientation and gender identity, but the baker is arguing that he has an "artistic" free speech right under the First Amendment to refuse to bake for same-sex weddings.⁴⁰ The Colorado Appeals Court ruled that the baker must comply with Colorado law, and the state Supreme Court agreed. The baker filed for review by the U.S. Supreme Court, who agreed in June 2017 to take the case. This case has far reaching implications: should the Supreme Court rule in favor of the baker, it would open the door for businesses large and small, across the country, to refuse service to customers even if state law prohibits discrimination by businesses.

In states that currently lack public accommodation nondiscrimination protections, LGBT people are at risk for discrimination. For example, in Michigan, which does not prohibit discrimination in places of public accommodation, a pediatrician was able to legally turn away an infant for a newborn checkup because the baby had two mothers.⁴¹ In 2017 a Mississippi law first passed in 2016 went into effect which bars the state from taking action against individuals who refuse to provide wedding-related services, accommodations, facilities, or goods if doing so would violate a "sincerely held religious belief or moral conviction" but only as it relates to a narrow definition of marriage, that sexual relations should be reserved to such a marriage, and that biological sex is immutable and determined at birth. The law also prohibits the state from taking action against an individual that limits access to sex-segregated spaces in accordance with the view that biological sex is immutable, which in practice would mean that the state is condoning prohibitions on allowing transgender people to use the restroom in accordance with their gender identity.

These efforts through the courts and the legislature to create a license to discriminate in public accommodations are not supported by the majority of Americans. A 2017 PRRI poll found that a majority (56%) of Americans oppose allowing small business owners to refuse service to gay and lesbian people, even if doing so goes against the business owner's religious beliefs.⁴² Opposition to allowing discrimination in the provision of services has increased since earlier this year. In February 2017, two-thirds (64%) opposed allowing small businesses to refuse goods or services to gay and lesbian people, compared to fewer than one-third (32%) who supported such refusals.⁴³

DISCRIMINATION IS BAD FOR BUSINESS

While explicit preemption laws and repeal efforts are often framed with the goal of standardizing laws within the state to advance commerce, there is no evidence that the existence of nondiscrimination protections stunts the economy in any way. In fact, protecting every American from discrimination is good for the economy and actually promotes business. LGBT adults have a combined buying power of \$917 billion dollars,⁴⁴ and business leaders know that LGBT and ally consumers shop at businesses that support LGBT people. Ensuring places of public accommodations respect LGBT patrons drives business and encourages economic growth.

Conversely, research suggests allowing discrimination is bad for business and often discourages investment. A recent report from the Indiana Competes coalition found that cities and counties with nondiscrimination protections received 83% of the new economic investments in the state since April 2015, and 58% of the new jobs.⁴⁵

Business leaders know that discrimination is bad for business. A poll conducted for the Small Business Majority found that entrepreneurs strongly believe small business owners should not be able to refuse goods or services to LGBT individuals or same-sex couples based on an owner's religious beliefs. Two-thirds (65%) of small business leaders say business owners should not be able to deny goods or services to someone who is LGBT based on the owner's religious beliefs and a majority (53%) strongly believe this.⁴⁶ Additionally, a majority of small business owners (55%) agree that nondiscrimination laws improve the business bottom line by attracting the best and brightest employees.⁴⁷

Business leaders also know that good business practices start from the inside out—and prohibiting discrimination against their employees is simply good business. According to the Human Rights Campaign's 2017 Corporate Equality Index, 82% of the nation's leading Fortune 500 companies prohibit discrimination on the basis of sexual orientation and gender identity in order to recruit and retain the most talented workforce.⁴⁸ These companies are ensuring that every employee feels safe and welcome where they work so that they can be the most productive employees.

ADVANCING NONDISCRIMINATION PROTECTIONS IN PUBLIC ACCOMMODATIONS

LGBT people report high rates of discrimination in public accommodations that can make daily life challenging. When people face discrimination on public transit, when eating at a restaurant, or using the restroom, they are forced to choose between retreating from public life and fully participating in their communities or providing for themselves and their families. Action is needed on a number of levels: federal, state, and local lawmakers must update the law to prohibit discrimination in public accommodations based on sex, sexual orientation, and gender identity and business owners should stand up for fairness and equality both in the workplace and for their customers, as it is good for their communities and their bottom lines.

Lawmakers, advocates, and businesses all play an important role in ensuring that when businesses serve the public, they serve all people, including:



Lawmakers

- Ensure that nondiscrimination protections at all levels explicitly include sexual orientation and gender identity/expression
- Enact strong federal, state, and local laws prohibiting discrimination on the basis of sexual orientation and gender identity in employment and in housing, health care, and areas of public accommodation



Advocates

- Push for LGBT-inclusive nondiscrimination protections at the local and state level
- Organize "open for business" coalition among local LGBT-friendly businesses



Business Owners

- Join "open for business" coalition
- Become spokespeople for LGBT-inclusive policies
- Provide testimony in favor of LGBT-inclusive policies
- Institute company-wide policies that include protections for LGBT customers
- Train employees on LGBT cultural competency

- ¹ Civil Rights Act of 1964, 42 U.S.C. §2000a (1964).
- ² Americans with Disabilities Act of 1990, 42 U.S.C. §12182 (1990).
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- ¹⁸ Americans with Disabilities Act of 1990, 42 U.S.C. §12182 (1990).
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- ²⁰ *Ibid.*
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ABOUT THIS SPOTLIGHT

This report is part of an ongoing series that will provide in-depth analyses of laws and policies tracked at the Movement Advancement Project's "Equality Maps," found at www.lgbtmap.org/equality-maps. The information in this report is current as of the date of publication; but the online maps are updated daily.



movement advancement project ▶

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EQUALITY ACT

ASSOCIATIONS ENDORSING THE EQUALITY ACT

NATIONAL ASSOCIATIONS

ACT | The App Association

AdvaMed

Aerospace Industries Association

American Benefits Council

American Cleaning Institute

American Hotel & Lodging Association

American Medical Association

American Society of Association Executives

Asian American Hotel Owners Association

Auto Care Association

BSA | The Software Alliance

Business Roundtable

College and University Professional Association for Human Resources

Consumer Healthcare Products Association

Consumer Technology Association

Council for Responsible Nutrition

Edison Electric Institute

Financial Executives International

Food Marketing Institute

Fragrance Creators Association

Grocery Manufacturers Association

Household & Commercial Products Association

HR Policy Association

Information Technology Industry Council (ITI)

International Council of Shopping Centers

International Franchise Association

Internet Association

Nareit

National Association of Chain Drug Stores

National Association of Manufacturers

National Association of Realtors

National Investor Relations Institute

National Leased Housing Association

National Restaurant Association

NATIONAL ASSOCIATIONS

National Retail Federation

National Safety Council

National Venture Capital Association

Personal Care Products Council

Retail Industry Leaders Association

Solar Energy Industries Association

The Center for Baby and Adult Hygiene Products

The ERISA Industry Committee

The National Multifamily Housing Council

The Real Estate Roundtable

U.S. Chamber of Commerce

EQUALITY ACT

334 ORGANIZATIONS ENDORSING THE EQUALITY ACT

NATIONAL ORGANIZATIONS

9to5, National Association of Working Women

A Better Balance

ACRIA

ADAP Advocacy Association

Advancing Justice -- Asian American Justice Ctr

Advocates for Youth

AFL-CIO

African American Ministers In Action

AIDS United

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 Humanist Association

American Medical Association

American Psychological Association

American School Counselor Association

amfAR, Foundation for AIDS Research

Anti-Defamation League

Asian Pacific American Labor Alliance (APALA)

Association of Flight Attendants - CWA

Athlete Ally

Auburn Seminary

Autistic Self Advocacy Network

Bend the Arc Jewish Action

Black and Pink

Campaign for Youth Justice

Caring Across Generations

Center for American Progress

NATIONAL ORGANIZATIONS

Center for Black Equity

Center for Inquiry

Center for LGBTQ and Gender Studies

CenterLink: The Community of LGBT Centers

Central Conference of American Rabbis

Child Welfare League of America

Coalition of Labor Union Women

Communications Workers of America

Community Access National Network (CANN)

Consortium for Children

Council for Global Equality

DignityUSA

Disciples Justice Action Network

Disciples LGBTQ+ Alliance

Disability Rights Education & Defense Fund (DREDF)

Equal Rights Advocates

Equality Federation

Family Equality Council

FORGE, Inc.

Forward Together

Freedom for All Americans

Freedom to Work

Gay Men's Health Crisis (GMHC)

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

Interfaith Alliance

International Association of Machinists & Aerospace Workers

International Association of Providers of AIDS Care

Jewish Women International

NATIONAL ORGANIZATIONS

Justice in Aging

Keshet

Labor Council for Latin American Advancement (LCLAA)

Lambda Legal

Latino Commission on AIDS

LatinoJustice PRLDEF

League of United Latin American Citizens

Lesbian and Gay Veterinary Medical Association (LGVMA)

LGBT Technology Partnership & Institute

MANA, A National Latina Organization

MAZON: A Jewish Response to Hunger

Men of Reform Judaism

Methodist Federation for Social Action

MomsRising

More Light Presbyterians

Movement Advancement Project

Muslim Advocates

Muslim Public Affairs Council

Muslims for Progressive Values

NAACP

NARAL Pro-Choice America

NASTAD (National Alliance of State & Territorial AIDS Directors)

National AIDS Housing Coalition

National Alliance for Partnerships in Equity (NAPE)

National Alliance to End Sexual Violence

National Asian Pacific American Women's Forum (NAPAWF)

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 Center For Lesbian Rights

National Center for Transgender Equality

National Center on Adoption and Permanency

National Coalition for LGBT Health

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 Hispanic Media Coalition

NATIONAL ORGANIZATIONS

National Hispanic Medical Association

National Latina Institute for Reproductive Health

National Latinx Psychological Association

National LGBT Chamber of Commerce

National LGBTQ Task Force Action Fund

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

Out & Equal Workplace Advocates

OutServe-SLDN

Oxfam America

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

Promundo-US

Public Justice

Rabbinical Assembly

Reconciling Ministries Network

ReconcilingWorks: Lutherans for Full Participation

Religious Coalition for Reproductive Choice

Religious Institute

RootsAction

Ryan White Medical Providers Coalition

SafeBAE

SAGE

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)

NATIONAL ORGANIZATIONS

Soulforce

Southern HIV/AIDS Strategy Initiative (SASI)

Stop Sexual Assault in Schools (SSAIS)

SurvJustice

T'ruah: The Rabbinic Call for Human Rights

The AIDS Institute

The Episcopal Church

The Inanna Project

The Leadership Conference on Civil and Human Rights

The National Coalition of Anti-Violence Programs

The National LGBTQ Workers Center

The TransLatin@ Coalition

The Trevor Project

The Tyler Clementi Foundation

The Williams Institute

Transgender Law Center

Transgender Legal Defense & Education Fund

Treatment Action Group

True Colors United

UFCW OUTreach

UltraViolet

UnidosUS

Unión = Fuerza Latinx Institute

Union for Reform Judaism

Unitarian Universalist Association

United Church of Christ, Justice and Witness Ministries

United State of Women

United Synagogue of Conservative Judaism

URGE: Unite for Reproductive & Gender Equity

Voice for Adoption

Voices for Progress

Voto Latino

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 on next page

STATE AND LOCAL ORGANIZATIONS	STATE
Alaskans Together For Equality	AK
AIDS Alabama	AL
Equality Alabama	AL
Arizona Coalition to End Sexual & Domestic Violence	AZ
Equality Arizona	AZ
9to5 California	CA
Bienestar Human Services	CA
California Employment Lawyers Association	CA
California LGBTQ Health and Human Services Network	CA
Equality California	CA
Hollywood NOW	CA
Latino Equality Alliance	CA
Legal Aid At Work	CA
LGBT Center OC	CA
LGBT Community Center of the Desert	CA
Stonewall Democratic Club	CA
The Diversity Center of Santa Cruz County	CA
The Los Angeles LGBT Center	CA
The Source LGBT+ Center	CA
9to5 Colorado	CO
One Colorado	CO
Out Boulder County	CO
Rocky Mountain CARES	CO
Triangle Community Center Inc.	CT
Asian/Pacific Islander Domestic Violence Resource Project	DC
GLAA	DC
The DC Center for the LGBT Community	DC
Trans-Latinx DMV (DC, Maryland and Virginia)	DC
Whitman-Walker Health	DC
Compass LGBTQ Community Center	FL
Equality Florida	FL
QLatinx	FL
The Pride Center at Equality Park	FL
Visuality, Inc.	FL
9to5 Georgia	GA
Georgia Equality	GA
The Rush Center	GA
One Iowa	IA
AIDS Foundation of Chicago	IL
Arab American Family Services	IL
Association of Latinas & Latinos Motivating Action (ALMA)	IL
Chicago Alliance Against Sexual Exploitation, Chicago Metropolitan Battered Women's Network, Life Span, & Resilience	IL
Equality Illinois	IL
Illinois Accountability Initiative	IL
Pride Action Tank	IL
Resilience, formerly Rape Victim Advocates	IL

STATE AND LOCAL ORGANIZATIONS	STATE
United Latinx Pride	IL
Indiana Youth Group	IN
End Rape on Campus	LA
Louisiana Progress Action	LA
Lousiana Trans Advocates	LA
MassEquality	MA
The Fenway Institute	MA
FreeState Justice	MD
Gender Rights Maryland	MD
Public Justice Center	MD
EqualityMaine	ME
Affirmations	MI
Equality Michigan	MI
Kalamazoo Gay Lesbian Resource Center	MI
Ruth Ellis Center, Inc.	MI
Gender Justice	MN
OutFront MN	MN
PROMO	MO
St. Louis Effort for AIDS	MO
Montana Coalition Against Domestic and Sexual Violence	MT
Equality North Carolina	NC
Latinos in the Deep South	NC
National Organization for Women Charlotte chapter	NC
North Dakota Human Rights Coalition	ND
OutNebraska	NE
New Hampshire Coalition Against Domestic and Sexual Violence	NH
Garden State Equality	NJ
Hudson Pride Center	NJ
Equality New Mexico	NM
KWH Law Center for Social Justice & Change	NM
Southwest Women's Law Center	NM
Tewa Women United	NM
Association of Legal Aid Attorneys (ALAA) of UAW 2325, LGBTQ+ Caucus	NY
Brooklyn Community Pride Center	NY
Callen-Lorde Community Health Center	NY
Empire State Pride Agenda	NY
Equality New York	NY
Gay & Lesbian Independent Democrats (GLID)	NY
Gender Equality Law Center	NY
LGBT Bar Association of Greater New York	NY
LGBT Bar Association of New York	NY
Sakhi for South Asian Women	NY
The Volunteer Lawyers Project of Onondaga County, Inc.	NY
Theatre of the Oppressed NYC	NY
VillageCare	NY
Equality Ohio	OH

STATE AND LOCAL ORGANIZATIONS	STATE
TransOhio	OH
Freedom Oklahoma	OK
Basic Rights Oregon	OR
Cascade AIDS Project	OR
Oregon Abuse Advocates & Survivors in Service	OR
Mazzoni Center	PA
Ni-ta-nee NOW (Centre County, PA)	PA
The Montgomery County LGBT Business Council	PA
Washington County Gay Straight Alliance, Inc.	PA
Women's Law Project	PA
New Voices for Reproductive Justice	PA and OH
Women's Rights and Empowerment Network (WREN)	SC
Equality South Dakota	SD
Tennessee Equality Project	TN
American Association of University Women Texas (AAUW Texas)	TX
Equality Texas	TX
Esperanza Peace and Justice Center	TX
Open Arms Rape Crisis Center & LGBT+ Services	TX
Resource Center	TX
Texas Freedom Network	TX
The Afiya Center	TX
Transgender Education Network of Texas (TENT)	TX
Equality Utah	UT
Diversity Richmond	VA
Equality Virginia	VA
Entre Hermanos	WA
Gay City: Seattle's LGBTQ Center	WA
Gender Justice League	WA
Legal Voice	WA
Oasis Youth Center	WA
Rainbow Center	WA
9to5 Wisconsin	WI
AIDS Resource Center of Wisconsin	WI
FAIR Wisconsin	WI
Wisconsin Coalition Against Sexual Assault	WI

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.

THE COMPANIES:

EMPLOY OVER

8.9
MILLION

WORKERS IN THE U.S.

HAVE COMBINED
REVENUE THAT EXCEEDS

\$4
TRILLION

HAVE OPERATIONS IN ALL

50
STATES

COMPANY NAME	CITY	STATE
A.T. Kearney Inc.	Chicago	IL
Abercrombie & Fitch Co.	New Albany	OH
Accenture	New York	NY
Adobe Systems Inc.	San Jose	CA
ADP	Roseland	NJ
Advanced Micro Devices Inc.	Sunnyvale	CA
Airbnb Inc.	San Francisco	CA
Alaska Airlines	Seattle	WA
Alcoa Corp.	Pittsburgh	PA
Ally Financial Inc.	Detroit	MI
Amalgamated Bank	New York	NY
Amazon.com Inc.	Seattle	WA
American Airlines	Fort Worth	TX
American Eagle Outfitters Inc.	Pittsburgh	PA
American Express Global Business Travel	Jersey City	NJ
Apple Inc.	Cupertino	CA
Arconic	New York	NY
Ascena Retail Group Inc.	Mahwah	NJ

COMPANY NAME	CITY	STATE
Aspen Skiing Company LLC	Aspen	CO
AT&T Inc.	Dallas	TX
Atlassian	San Francisco	CA
Bain & Co. Inc./ Bridgespan Group	Boston	MA
Bank of America Corp.	Charlotte	NC
Bayer U.S. LLC	Whippany	NJ
BD	Franklin Lakes	NJ
Best Buy Co. Inc.	Richfield	MN
Biogen	Cambridge	MA
Boehringer Ingelheim USA Corp.	Ridgefield	CT
Booz Allen Hamilton Inc.	McLean	VA
Boston Scientific Corp.	Marlborough	MA
Box Inc.	Redwood City	CA
Bristol-Myers Squibb Co.	New York	NY
Broadridge Financial Solutions Inc.	Lake Success	NY
Brown-Forman Corp.	Louisville	KY
Caesars Entertainment Corp.	Las Vegas	NV
Capital One Financial Corp.	McLean	VA
Cardinal Health Inc.	Dublin	OH
Cargill Inc.	Wayzata	MN
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
Coca-Cola Co., The	Atlanta	GA
Compass Bancshares Inc. (BBVA Compass)	Birmingham	AL
Corning	Corning	NY
Cox Enterprises Inc.	Atlanta	GA
CSAA Insurance Group	Walnut Creek	CA
Cummins Inc.	Columbus	IN
CVS Health Corp.	Woonsocket	RI
Danone North America	White Plains	NY

COMPANY NAME	CITY	STATE
Darden Restaurants Inc.	Orlando	FL
Deloitte LLP	New York	NY
Dell Technologies Inc.	Round Rock	TX
Diageo North America	Norwalk	CT
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
Ernst & Young LLP	New York	NY
Estée Lauder Companies Inc., The	New York	NY
Evolent Health Inc.	Arlington	VA
Exelon Corp.	Chicago	IL
Expedia Group	Bellevue	WA
Facebook Inc.	Menlo Park	CA
First Data Corp.	Atlanta	GA
Food Lion	Salisbury	NC
Gap Inc.	San Francisco	CA
General Electric Co.	Boston	MA
General Mills Inc.	Minneapolis	MN
General Motors Co.	Detroit	MI
Gilead Sciences Inc.	Foster City	CA
Glassdoor Inc.	Mill Valley	CA
Google Inc.	Mountain View	CA
Guardian Life Insurance Co. of America, The	New York	NY
Gusto	San Francisco	CA
HERE North America LLC	Chicago	IL
Hershey Co., The	Hershey	PA
Hewlett Packard Enterprise Co.	Palo Alto	CA
Hilton Inc.	McLean	VA
HP Inc.	Palo Alto	CA
HSN Inc.	St. Petersburg	FL

COMPANY NAME	CITY	STATE
Hughes Hubbard & Reed LLP	New York	NY
Hyatt Hotels Corp.	Chicago	IL
IBM Corp.	Armonk	NY
IHS Markit Ltd.	New York	NY
IKEA Holding US Inc.	Conshohocken	PA
Ingersoll-Rand Company	Davidson	NC
Insight Enterprises Inc.	Tempe	AZ
Intel Corp.	Santa Clara	CA
InterContinental Hotels Group Americas	Atlanta	GA
Iron Mountain Inc.	Boston	MA
John Hancock Financial Services Inc.	Boston	MA
Johnson & Johnson	New Brunswick	NJ
JPMorgan Chase & Co.	New York	NY
Juniper Networks Inc.	Sunnyvale	CA
Kaiser Permanente	Oakland	CA
Kellogg Co.	Battle Creek	MI
Kenneth Cole Productions Inc.	New York	NY
KPMG LLP	New York	NY
Lendlease Americas Inc.	New York	NY
Levi Strauss & Co.	San Francisco	CA
Linden Research Inc.	Davis	CA
Lush Fresh Handmade Cosmetics	Wilmington	NC
Lyft Inc.	San Francisco	CA
Macy's Inc.	Cincinnati	OH
Marriott International Inc.	Bethesda	MD
Massachusetts Mutual Life Insurance Co.	Springfield	MA
Mastercard	Purchase	NY
Medtronic PLC	Minneapolis	MN
Merck	Kenilworth	NJ
Meredith Corp.	Des Moines	IA
MGM Resorts International	Las Vegas	NV
Microsoft Corp.	Redmond	WA
Mitchell Gold + Bob Williams	Taylorsville	NC
Moody's Corp.	New York	NY

COMPANY NAME	CITY	STATE
Morgan Stanley	New York	NY
Nationwide	Columbus	OH
Navient	Wilmington	DE
Navigant Consulting Inc.	Chicago	IL
Netflix Inc.	Los Gatos	CA
Nike Inc.	Beaverton	OR
Northrop Grumman Corp.	Falls Church	VA
Nuance Communications	Burlington	MA
Office Depot Inc.	Boca Raton	FL
Oracle Corp.	Redwood City	CA
Patreon Inc.	San Francisco	CA
Paul Hastings LLP	Los Angeles	CA
PepsiCo Inc.	Purchase	NY
Pfizer Inc.	New York	NY
Pinterest Inc.	San Francisco	CA
PNC Financial Services Group Inc., The	Pittsburgh	PA
PricewaterhouseCoopers LLP	New York	NY
Procter & Gamble Co.	Cincinnati	OH
Pure Storage Inc.	Mountain View	CA
QUALCOMM Inc.	San Diego	CA
Realogy Holdings Corp.	Madison	NJ
Replacements Ltd.	McLeansville	NC
S&P Global Inc.	New York	NY
Salesforce	San Francisco	CA
SAP America Inc.	Newtown Square	PA
Seagate Technology LLC	Cupertino	CA
Shire PLC	Lexington	MA
Shook, Hardy & Bacon LLP	Kansas City	MO
Shutterstock Inc.	New York	NY
Siemens Industry Inc.	Washington	DC
Sodexo Inc.	Gaithersburg	MD
Spotify USA Inc.	New York	NY
Square Inc.	San Francisco	CA
SurveyMonkey Inc.	San Mateo	CA

COMPANY NAME	CITY	STATE
Symantec Corp.	Mountain View	CA
Synchrony	Stamford	CT
Takeda Pharmaceuticals USA Inc.	Deerfield	IL
Target Corp.	Minneapolis	MN
Tech Data Corp.	Clearwater	FL
TIAA	New York	NY
T-Mobile USA Inc.	Bellevue	WA
TPG Global LLC	Fort Worth	TX
TransUnion	Chicago	IL
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
Univision Communications Inc.	New York	NY
Verizon Communications Inc.	New York	NY
Visa	Foster City	CA
Warby Parker	New York	NY
WeddingWire Inc.	Chevy Chase	MD
Wells Fargo & Co.	San Francisco	CA
Whirlpool Corp.	Benton Harbor	MI
Williams-Sonoma Inc.	San Francisco	CA
Workday Inc.	Pleasanton	CA
Xerox Corp.	Norwalk	CT
Yelp Inc.	San Francisco	CA
Zillow Group	Seattle	WA

Statement of Women's Rights and Gender Justice Organizations in Support of Full and Equal Access to Participation in Athletics for Transgender People

We, the undersigned organizations committed to women's rights and gender justice, support the full inclusion of transgender people in athletics. Our organizations have a long history of advocating for fairness in sports and opportunities for all women to benefit from athletic participation and competition. Inclusion of transgender women and girls in women's sports advances those goals. As organizations that care deeply about ending sex-based discrimination and ensuring equal access to athletics for women and girls, we support laws and policies that protect transgender people from discrimination, including in participation in sports, and reject the suggestion that cisgender women and girls benefit from the exclusion of women and girls who happen to be transgender.

Opponents of the Equality Act, the federal bill that would update our civil rights laws to provide explicit protection to LGBTQ people and expand existing sex discrimination protections, have cited alleged concerns for women's equality and fair competition in sports as reasons to oppose the bill. Some state legislators have introduced bills that would ban transgender youth from competing in school sports consistent with their gender, citing fears about sexual assault in locker rooms and cisgender boys pretending to be girls in order to dominate girls' sports. As organizations dedicated to opportunity and well-being for women and girls, we reject these unfounded fears. Instead, we recognize the harm to all women and girls that will flow from allowing some women and girls to be denied opportunities to participate and cast out of the category of "woman" for failing to meet standards driven by stereotypes and fear.

Just as opponents of equality claimed that cisgender women and girls would be harmed if transgender people could use restrooms that match who they are, opponents are now claiming that the need to "protect" cisgender women and girls in athletics justifies opposition to nondiscrimination protections for transgender people in public spaces and activities. As organizations that fight every day for equal opportunities for all women and girls, we speak from experience and expertise when we say that nondiscrimination protections for transgender people—including women and girls who are transgender—are not at odds with women's equality or well-being, but advance them.

Equal participation in athletics for transgender people does not mean an end to women's sports. The idea that allowing girls who are transgender to compete in girls' sports leads to male domination of female sports is based on a flawed understanding of what it means to be transgender and a misrepresentation of nondiscrimination laws. Transgender girls are girls and transgender women are women. They are not and should not be referred to as boys or men, biological or otherwise. And when transgender people are excluded from participation on teams

that align with their gender identity, the result is often that they are excluded from participating altogether.

Nondiscrimination laws and policies protecting transgender people have existed for years in many states and athletic associations around the country. These laws and policies have allowed transgender people to participate equally in society, including in sports, without harming anyone else. None of these policies has resulted in the dissolution of girls' or women's athletics or a surge in transgender girls and women winning national championships. Rather, just like other female athletes, they have made important contributions within expected ranges; and, unfortunately, the small numbers of transgender girls and women who have achieved some level of local sports success have been wrongly stripped of the opportunity to celebrate their hard-earned victories due to public backlash.

People are right to be concerned about sex discrimination in sports. Women and girls continue to fight for equal opportunities and resources at all levels of athletics. As experts in sex discrimination, we know firsthand that equal opportunities for transgender people are not the problem, they are part of the solution. We will continue to spend our energy combating the actual problems: stereotypes about women and girls' interest and ability to compete, lack of equal resources for girls' sports, pay inequality and other types of discrimination against women coaches and professional women athletes, and sexual harassment that pushes women and girls out of sports. We will only accomplish these goals by treating all people, including transgender people, with fairness and respect. That means celebrating all athletes, including transgender athletes—not shaming them and casting them out.

American Association of University Women (AAUW)

Clearinghouse on Women's Issues

End Rape on Campus

Equal Rights Advocates

Girls Inc.

Legal Momentum, the Women's Legal Defense and Education Fund

Legal Voice

National Women's Law Center

National Women's Political Caucus

Public Justice

Sargent Shriver National Center on Poverty Law

Southwest Women's Law Center

Surge Reproductive Justice

Tucker Center for Research on Girls & Women in Sport

Women Leaders in College Sports

Women's Sports Foundation

