



Testimony of the National Center for Transgender Equality

U.S. House of Representatives - Committee on the Judiciary

Subcommittee on the Constitution, Civil Rights, and Civil Liberties

H.R. 5 “The Equality Act” – April 2, 2019

In the United States, there is a serious and urgent need to enact an explicit law to clarify and expand federal civil rights protections against sex discrimination, including discrimination against transgender people in employment, housing, education credit, public spaces and services, and federally funded programs. The National Center for Transgender Equality believes that passing H.R. 5, the Equality Act, will play a critical role in preventing this discrimination from continuing to erect barriers in the everyday lives of transgender Americans, especially in the 29 states that do not yet provide these explicit protections in state law. Through this testimony, we will demonstrate the far-reaching effects of discrimination against transgender people, which has been allowed to persist due to the lack of clarity on federal nondiscrimination protections and the inadequate patchwork of state and local laws.

Founded in 2003, the National Center for Transgender Equality is dedicated to improving the lives of transgender people and their families through public policy and public education. NCTE has worked with policymakers and advocates at the national, state, and local levels to implement effective policies in all of the areas covered by the Equality Act, including working on many of the 21 state and hundreds of local laws providing similar explicit protections. In 2015, NCTE conducted the U.S. Transgender Survey (USTS), a comprehensive survey of nearly 28,000 transgender adults in all every state and U.S. territories and military bases overseas, which provides evidence of the need for the protections of the Equality Act.

Who Transgender People Are

Transgender people—people who know themselves to be a gender that is different from the one they were thought to be at birth—live in every region and Congressional district. It is estimated that 1.4 million American adults and 150,000 youth between the ages of 13 and 18 identify as transgender.¹ In all, nearly two million Americans are transgender. The geographic distribution of the transgender

¹ Andrew R. Flores et al., *How Many Adults Identify as Transgender in the United States?* (2016), <http://williamsinstitute.law.ucla.edu/wp-content/uploads/How-Many-Adults-Identify-as-Transgender-in-the-United-States.pdf> (estimating that 0.6% of adults in the United States identify as transgender); Jody L. Herman et al., *Age of Individuals who Identify as Transgender in the United States* (2017), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/TransAgeReport.pdf> (estimating that 0.7% of people in the United States between the ages of 13 and 17, or 150,000 adolescents, are transgender).

Americans is similar to that of the United States population overall.² Transgender people are of every age,³ every faith, every race and ethnicity,⁴ and come from every walk of life.

The Urgent Problem of Discrimination

Transgender people have always been a part of American society. Over recent years, the national conversation about transgender people has grown dramatically, giving an increasing number of Americans the chance to get to know who the transgender people in their communities are. Americans have come to know transgender people as their coworkers, classmates, and friends, and many Americans have learned to embrace their transgender children and parents, grandparents and grandchildren, siblings, and other loved ones. This growing understanding—and with it, growing acceptance—has allowed more and more transgender people to flourish and fully participate in their communities with the support of their families and communities.

Despite this unmistakable progress, transgender people continue to face widespread and pervasive mistreatment and discrimination when it comes to the most basic elements of public life—finding a job, having a place to live, accessing medical care, visiting restaurants and shopping malls, and using public transportation. This reality is reflected in a wide body of research over the last two decades,⁵ including a several key federal surveys.⁶ The most comprehensive survey to date of transgender Americans, the 2015 U.S. Transgender Survey (USTS), surveyed nearly 28,000 transgender adults nationwide.⁷ The USTS revealed mistreatment, harassment, and violence in every aspect of life and startling disparities between transgender respondents and the general population. Several of its findings are highlighted below.

Workplace Discrimination

As the American Psychiatric Association stated in adopting a policy in favor of inclusive nondiscrimination protections in 2012 (which it reaffirmed last year), “Being transgender or gender diverse implies no impairment in judgment, stability, reliability, or general social or vocational capabilities; however, these individuals often experience discrimination due to a lack of civil rights protections for their gender identity or expression.”⁸ Respondents in the 2015 U.S. Transgender Survey reported widespread discrimination in the workplace and the job market:

² Flores et al., *supra* note 1, at 3-4.

³ Herman et al., *supra* note 1, at 3.

⁴ Andrew R. Flores, Taylor N. T. Brown, & Jody L. Herman. *Race and Ethnicity of Adults Who Identify as Transgender in the United States* (2016), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/Race-and-Ethnicity-of-Transgender-Identified-Adults-in-the-US.pdf>.

⁵ See, e.g., Institute of Medicine. *The Health of Lesbian, Gay, Bisexual, and Transgender People: Building a Foundation for Better Understanding* (2011) (summarizing earlier research).

⁶ See, e.g., Michelle Johns et al., *Transgender Identity and Experiences of Violence Victimization, Substance Use, Suicide Risk, and Sexual Risk Behaviors Among High School Students — 19 States and Large Urban School Districts, 2017*, 68 *MMWR* 67–71 (2019) (reporting data from the CDC’s Youth Risk Behavior Survey demonstrating high rates of violence and harassment against transgender youth).

⁷ Sandy E. James et al., *The Report of the 2015 U.S. Transgender Survey* (2016), www.ustranssurvey.org/reports.

⁸ American Psychiatric Association, “Position Statement on Discrimination Against Transgender and Gender Diverse Individual” (approved 2012; updated 2018), <https://www.psychiatry.org/File%20Library/About-APA/Organization-Documents-Policies/Policies/Position-2018-Discrimination-Against-Transgender-and-Gender-Diverse-Individuals.pdf>.

- **One in eight (13%) have lost job because of being transgender** in their lifetime.
- **In the past year, 27%** of those who held or applied for a job during that year—or 19% of all respondents—were **fired, denied a promotion, or denied a job because of being transgender.**
- **Fifteen percent (15%) of those who had a job in the past year were verbally harassed, physically attacked, or sexually assaulted** at work because of being transgender during that year.
- **Nearly one-quarter (23%) of those who had a job in the past year reported other forms of mistreatment during that year** because of being transgender, such as being told to present in the wrong gender in order to keep their job, being forced to use the wrong restroom, or having a boss or coworker share private information about their transgender status without their permission.
- **Overall, 30% of respondents who had a job in the past year were fired, denied a promotion, or experienced some other form of mistreatment related to being transgender.**

Experiences in Schools

The 2015 USTS surveyed transgender adults regarding their past experiences in K–12 schools, as well as their experiences in postsecondary education. Here, too, respondents reported widespread and severe discrimination that limited their educational opportunities and achievements.

- **More than three-quarters (77%)** of those who were out or perceived as transgender at some point between Kindergarten and Grade 12 (K–12) **experienced some form of mistreatment**, such as being verbally harassed, prohibited from dressing according to their gender identity, or physically or sexually assaulted because people thought they were transgender.
- This includes **more than half (54%)** who were **verbally harassed**, **nearly one-quarter (24%)** who were **physically attacked**, and **one in eight (13%)** who were **sexually assaulted** in K–12 because of being transgender.
- Out of all respondents who were out or perceived as transgender in K–12, **nearly one in five (17%) faced such severe mistreatment that they left a K–12 school.**
- Mistreatment followed transgender people into postsecondary school. Out of those who were out or perceived as transgender **in college or vocational school, nearly one-quarter (24%) were verbally, physically, or sexually harassed.**

The retrospective reports of transgender adults in the USTS are consistent with recent surveys of transgender middle and high school students, including in the CDC-backed Youth Risk Behavior Survey and in the 2017 National School Climate Survey.⁹

⁹ Johns et al., *supra* note 6; Joseph G. Kosciw et al., *The 2017 National School Climate Survey: The Experiences of Lesbian, Gay, Bisexual, Transgender, and Queer Youth in our Nation's Schools* (2018).

Housing

USTS respondents also reported far-reaching discrimination in the rental and real estate markets, as well as in accessing emergency shelter:

- **Nearly one-quarter (23%) of respondents experienced some form of housing discrimination in the past year**, such as being evicted from their home or denied a home or apartment because of being transgender.
- **Nearly one-third (30%) of respondents have experienced homelessness** at some point in their lives, and **one in eight (12%) experienced homelessness in the past year** as a result of anti-transgender discrimination.
- For many transgender people, homeless shelters provide little recourse. In the past year, **seven out of ten (70%) of those who stayed in a shelter faced mistreatment**, including being harassed, sexually or physically assaulted, or kicked out because of being transgender. **More than one-quarter (26%) of those who experienced homelessness in the previous year avoided staying in a shelter** because they feared being mistreated for being transgender.

Barriers to housing and even to emergency shelter subject transgender people and their families to tremendous instability in their lives, puts them at risk of greater violence and poor health outcomes, and prevents many from productively participating in the workforce and public life.

Public Services and Spaces

Transgender respondents in the 2015 USTS also reported pervasive discrimination when accessing the many public spaces and services Americans avail themselves of every day, from retail stores, movie theaters, and hotels to courthouses and government offices.

Respondents reported the following experiences **from the previous year**:

- Out of respondents who visited a place of public accommodation where they were perceived to be transgender, **nearly one-third (31%) experienced mistreatment**.
- This included **14%** who were **denied equal treatment or service**, **24%** who were **verbally harassed**, and **2%** who were **physically attacked** at a public accommodation because of being transgender.
- Respondents were asked about their experiences in **public assistance or other government offices**. Out of those who visited such offices in the past year and were perceived to be transgender, 17% were denied equal treatment or verbally harassed. These experiences were especially common among people of color, including Native American (25%), multiracial (22%), Black (20%), and Latino/a (20%) respondents, as well as among respondents with disabilities (21%).
- Of respondents who had visited a **state motor vehicle agency (DMV) office** in the past year and believed staff knew or thought they were transgender, 14% reported mistreatment because they were transgender.

- Of respondents who used **public transportation** in the past year and believed transit employees knew or thought they were transgender, 34% reported harassment, physical violence, or denial of equal treatment or service because they were transgender.
- Of respondents who visited **courthouses** in the past year and believed judges or court staff knew or thought they were transgender, 13% reported harassment or other mistreatment because they were transgender.
- Of respondents who sought **services for victims of domestic or sexual violence** and believed staff knew or thought they were transgender, 16% were denied equal treatment or service, 11% were verbally harassed, and 2% were physically attacked because of being transgender.
- Of respondents who interacted with **police** who thought or knew they were transgender in the past year, 58% faced some form of mistreatment. This included being verbally harassed, physically assaulted, or sexually assaulted by police.

Health Care

Like anyone else, transgender people need preventive health care to protect their health and medical treatment when they are ill or injured. Yet in this most basic of human needs as well, USTS respondents reported severe and widespread discrimination, including harassment and outright refusal of care.

Respondents reported the following experiences **in the previous year**:

- **One-third (33%) of those who saw a health care provider faced mistreatment**, such as being verbally harassed or refused treatment because of their gender identity.
- **Nearly one-quarter (23%) did not seek the health care they needed due to fear of being mistreated as a transgender person**, and 33% did not see a doctor when needed in the previous year because they could not afford it.
- **One in four (25%) respondents experienced a problem with their insurance related to being transgender**, such as being denied coverage for care related to gender transition or being denied coverage for routine care because they were transgender.

These barriers to care contribute to the significant health disparities that continue to affect transgender people.

The Wide-Ranging Impacts of Discrimination

By denying transgender people equal opportunities to thrive, stigmatizing them, and pushing them to the margins of society, discrimination imposes profound harm on the lives of these members of the American community. It contributes to economic hardships, to health disparities, and to transgender people's vulnerabilities to violence. The following findings from the USTS underscore key disparities between transgender respondents and the general population. These disparities were consistently starker for people who had faced discrimination, such as losing a job, being mistreated in school, or being denied access to health care.

Economic Hardship and Instability

Widespread and pervasive discrimination in across all areas of public life drives substantial economic disparities for transgender people today:

- **Nearly one-third (29%) were living in poverty**, more than twice the rate among adults in the U.S. population at the time (12%).
- With an **unemployment rate of 15%**, respondents were three times as likely as adults in the U.S. population to be unemployed.
- Respondents were nearly **four times less likely to own a home (16%) compared to the U.S. population (63%)**.
- **Nearly one-third (30%) had experienced homelessness** in their lives.

Health Disparities

Discrimination across the lifespan, including in access to health care, also drives health disparities. As major medical and mental health associations have recognized, these disparities are not “inherently attributable to one’s identity” as a transgender person, but are driven in large part by social stigma, rejection, discrimination, violence, and the resulting stress and social and economic barriers.¹⁰ USTS respondents reported the following:

- Nearly **four in ten (39%) experienced serious psychological distress** in the month before completing the survey (based on the Kessler 6 Psychological Distress Scale), compared with only 5% of the U.S. population.
- Forty percent (40%) have attempted suicide in their lifetime, nearly **nine times the estimated rate in the U.S. population (4.6%)**. Seven percent (7%) attempted suicide in the past year—**nearly twelve times the rate in the U.S. population (0.6%)**. Psychological distress and suicide attempts were correlated with experiences of discrimination, violence, and rejection.
- Respondents were **living with HIV (1.4%)** at **nearly five times the rate in the U.S. population (0.3%)**.

Harassment and Violence

Discrimination against transgender people often includes, and makes transgender people more vulnerable to, violent victimization across the lifespan. USTS respondents reported the following:

- **Nearly one in ten (9%) respondents were physically attacked** in the past year because of being transgender.

¹⁰ Jason Rafferty, *American Academy of Pediatrics Policy Statement: Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents*, 142 PEDIATRICS (2018).

- **Nearly half (47%) of respondents were sexually assaulted** at some point in their lifetime and **one in ten (10%) were sexually assaulted in the past year.**
- **More than half (54%) experienced some form of intimate partner violence**, including acts involving coercive control and physical harm.
- **Nearly one-quarter (24%) have experienced severe physical violence by an intimate partner, compared to 18% in the U.S. population.**

Many respondents reported being targeted for violence in the workplace, at school, in hospitals or other health care settings, and by police and other government officials.

The Compounding Impact of Other Forms of Discrimination

The 2015 USTS found a clear and disturbing pattern when respondents' experiences were examined by race and ethnicity: transgender people of color consistently experienced higher rates and more severe forms of discrimination.

- **Poverty:** While respondents in the USTS overall were living in poverty (29%) at a rate more than twice that in the U.S. adult population (12%), **the rate of poverty among transgender people of color was more than three times higher than the general U.S. population**, including Latino/a (43%), Native American (41%), multiracial (40%), and Black (38%) respondents.
- **Unemployment:** The unemployment rate among respondents of color—including Middle Eastern (35%), Native American (23%), multiracial (22%), Latin/o (21%), and Black (20%) respondents—was **more than four times higher** than that in the U.S. population (5%).
- **HIV Status:** 6.7% of Black respondents were living with HIV—compared to 1.4% of USTS respondents overall and 0.3% in the general U.S. population. For Black transgender women, the prevalence was a staggering 19%.

The 2015 USTS similar found that other historically marginalized groups—including undocumented residents, respondents with disabilities, and respondents who have experienced homelessness—faced higher levels of violence, mistreatment, and discrimination.

Experiences of Discrimination

It is difficult to understand the full significant and impact of this widespread and pervasive discrimination from statistics alone. These are just a few of the stories of discrimination NCTE hears about from across the country every day:

- **Elizabeth Hardy** is a transgender woman and veteran from Shreveport, LA who has been repeatedly subject to harassment and humiliation while accessing health care at the Overton Brooks Department of Veterans Affairs Medical Center in Northwest Louisiana. Ms. Hardy, whose identity documents have been updated for over two decades to identify her as female,

is regularly called “mister” by staff in front of other patients. She says that the anxiety created by her experiences at the clinic have impacted her medical care and overall health.¹¹

- **Maddie Rose**, a transgender girl, was the subject of violent online threats from local parents during her first week of seventh grade in Achille, OK in August 2018. In response to these threats and to in-person harassment the family faced they shortly thereafter relocated to Houston, TX.¹²
- **Jenn Brewer** is a transgender girl in middle school in Ft. Belvoir, VA. Jenn has been laughed at, shoved, and ultimately punched and knocked unconscious at school, missing a week of classes due to a concussion. The response of school officials was sorely inadequate, with officials a school resource officer saying, "Well she's really a boy so what did you expect when people found out?"¹³
- **Amy Adams** is the mother of a transgender girl in Stafford, VA who was left out in the hallway during a lockdown drill when teachers did not know which locker room she should take shelter in. This was a direct result of the school's policy of excluding her from the girls' restrooms and locker rooms.¹⁴

Why the Equality Act?

The Equality Act is sorely needed to provide clarity and consistency to our civil rights laws while filling longstanding gaps in protections for all. In doing so, it will send the important message that transgender, lesbian, gay, and bisexual Americans are full members of our society, entitled to dignity, respect, and equal opportunity.

Over the past two decades, five federal circuit courts¹⁵ and dozens of district courts¹⁶ have applied Supreme Court precedent to recognize that discrimination on the basis of an individual's gender

¹¹ Sara McNell, *Transgender Veteran Clashes with Shreveport VA Over Medical Records*, SHREVEPORT TIMES (Mar. 22, 2019), <https://www.shreveporttimes.com/story/news/2019/03/22/transgender-veteran-claims-discrimination-va-medical-center/3236472002>.

¹² Alexander Kacala, *After Violent Threats, Family of Transgender Girl Looks to Leave Town*, NBC NEWS (Aug. 20, 2018), <https://www.nbcnews.com/feature/nbc-out/after-violent-threats-family-transgender-girl-looks-leave-town-n902216>.

¹³ Dawn Ennis, *Military Families with Transgender Kids Fear for Future*, NBC NEWS (Jul. 28, 2017), <https://www.nbcnews.com/feature/nbc-out/military-families-transgender-kids-fear-future-n787046>.

¹⁴ Tim Fitzsimmons, *Virginia School Allegedly Barred Trans Student from Active-Shooter Drill*, NBC NEWS (Oct. 9, 2018), <https://www.nbcnews.com/feature/nbc-out/virginia-school-allegedly-barred-trans-student-active-shooter-drill-n918216>.

¹⁵ *Rosa v. Park West Bank & Trust Co.*, 214 F.3d 213 (1st Cir. 2000); *Smith v. City of Salem*, 378 F.3d 566 (6th Cir. 2004); *Barnes v. City of Cincinnati*, 401 F.3d 729 (6th Cir. 2005); *Dodds v. U.S. Dep't of Educ.*, 845 F.3d 217, 221 (6th Cir. 2016); *EEOC v. Harris Funeral Homes*, 884 F.3d 560, 566 (6th Cir. 2018); *Schwenk v. Hartford* 204 F.3d 1187 (9th Cir. 2000); *Glenn v. Brumby*, 663 F.3d 1312, 1316 (11th Cir. 2011); *Whitaker v. Kenosha Unified Sch. Dist.*, 858 F.3d 1034, 1049 (7th Cir. 2017), *cert. dismissed sub nom. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ. v. Whitaker ex rel. Whitaker*, 138 S. Ct. 1260 (2018).

¹⁶ *See, e.g., Tovar v. Essentia Health*, No. cv-16-100-DWF-LIB (D. Minn. Sept. 20, 2018); *EEOC v. A&E Tire*, No. 1:17-cv-02362 (D. Colo. Sept. 5, 2018); *Adams v. Sch. Bd. Of St. Johns Cty.*, 318 F. Supp. 3d 1293 (M.D. Fla. Jul. 26, 2018); *Flack v. Wis. Dep't of Health Servs.*, No. 18-cv-309, 2018 WL 3574875 (W.D. Wis. Jul. 25, 2018); *Doe v. Mass. Dep't of Corr.*, No. CV-17-12255-RGS, 2018 WL 2994403 (D. Mass. June 14, 2018); *Grimm v. Gloucester Cty. Sch. Bd.*, No. 4:15-cv-54 (E.D. Va. May 22, 2018); *Parker v. Strawser Construction*, No. 2:17-cv-541, 2018 WL 1942374 (S.D. Ohio Apr.

identity is a form of sex discrimination under a range of federal laws, including the 1964 Civil Rights Act, the Fair Housing Act, and the Equal Credit Opportunity Act. Indeed, the overwhelming majority of federal courts addressing the issue have agreed that anti-transgender discrimination is illegal under sex discrimination laws. The logic in these cases has also been applied in a rapidly growing number of courts to recognize that discrimination based on sexual orientation is also necessarily a form of sex discrimination.

In the absence of clear, explicit protections enshrined in federal legislation, however, confusion persists about the protections afforded transgender Americans under our laws. This confusion has been exacerbated as several federal agencies that previously recognized the overwhelming weight of the case law have reversed their positions and argued that these laws afford no protection to transgender people, creating a split among federal agencies.¹⁷ The Equality Act seeks to remedy this persistent problem by providing clarity and consistency nationwide while also strengthening existing protections. This bill would clarify existing laws to make it explicit and unambiguous that federal protections against sex discrimination encompass discrimination based on gender identity or sexual orientation. In doing so, it formally codifies years of case law, aiming to ensure that the rights federal judges have recognized time and again are reflected in the lives of LGBT people and their families.

The Equality Act also strengthens the protections on the basis of sex, including sexual orientation and gender identity, by taking the long overdue step of prohibiting sex discrimination in public spaces and services and federally funded programs. And finally, the bill fills a longstanding and unacceptable gap in our historic civil rights laws by ensuring that for the first time that protections in public spaces and services—including against discrimination on the basis of race, color, religion, or national origin—extend to retail stores, online merchants, and public transportation.

Conclusion

All Americans will benefit by affording transgender Americans equal opportunities to participate in and contribute to their communities. That is the purpose and the essence of our historic civil rights

25, 2018); *Wittmer v. Phillips 66 Co.*, No. CV H-17-2188, 2018 WL 1626366 (S.D. Tex. Apr. 4, 2018); *M.A.B. v. Bd. of Educ. of Talbot Cty.*, 286 F. Supp.3d 704 (D. Md. 2018); *F.V. v. Barron*, 286 F. Supp. 3d 1131 (D. Idaho 2018); *Karnoski v. Trump*, No. C17-1297-MJP, 2017 WL 5668071 (W.D. Wash. Dec 11, 2017); *A.H. ex rel. Handling v. Minersville Area Sch. Dist.*, No. 3:17-cv-391, 2017 WL 5632662 (M.D. Pa. Nov. 22, 2017); *Prescott v. Rady Children’s Hosp.-San Diego*, 265 F. Supp. 3d 1090 (S.D. Cal. 2017); *E.E.O.C. v. Rent-a-Center East, Inc.*, 264 F. Supp. 3d 952 (C.D. Ill. 2017); *Brown v. Dep’t of Health & Human Servs.*, No. 8:16DCV569, 2017 WL 2414567 (D. Neb. June 2, 2017); *Mickens v. Gen. Elec. Co.*, No. 16-603, 2016 WL 7015665 (W.D. Ky. Nov. 29, 2016); *Roberts v. Clark Cty. Sch. Dist.*, No. 2:15-cv-00388, 2016 WL 5843046 (D. Nev. Oct. 4, 2016); *Bd. of Ed. of Highland Local Sch. Dist. v. U.S. Dep’t of Educ.*, 208 F. Supp. 3d 850 (S.D. Ohio 2016); *Cruz v. Zucker*, 195 F. Supp. 3d 554 (S.D.N.Y. 2016); *Doe v. Arizona*, No. CV-15-02399-PHX-DGC, 2016 WL 1089743 (D. Ariz. Mar. 21, 2016); *Fabian v. Hosp. of Cent. Conn.*, 172 F. Supp. 3d 509 (D. Conn. 2016); *Norsworthy v. Beard*, 87 F. Supp. 3d 1164 (N.D. Ca. 2015); *Dawson v. H&H Elec., Inc.*, No. 4:14CV00583 SWW, 2015 WL 5437101 (E.D. Ark. Sept. 15, 2015); *U.S. v. S.E. Okla. State Univ.*, No. CIV-15-324-C, 2015, WL 4606079 (W.D. Okla. July 10, 2015); *Rumble v. Fairview Health Servs.*, No. 14-cv-2037, 2015 WL 1197415 (D. Minn. Mar. 16, 2015); *Finkle v. Howard Cty.*, 12 F. Supp. 3d 780 (D. Md. 2014); *Schroer v. Billington*, 577 F. Supp. 2d 293 (D.D.C. 2008); *Lopez v. River Oaks Imaging & Diagnostic Grp., Inc.*, 542 F. Supp. 2d 653 (S.D. Tex. 2008); *Tronetti v. Healthnet Lakeshore Hosp.*, No. 03-CV-0375E, 2003 WL 22757935 (W.D.N.Y. Sept. 26, 2003).

¹⁷ *Compare, e.g.*, Attorney General Jeff Sessions, “Revised Treatment of Transgender Employment Discrimination Claims Under Title VII of the Civil Rights Act of 1964” (Oct. 4, 2017) with *Macy v. Holder*, E.E.O.C. Appeal No. 0120120821 (2012).

laws, which the Equality Act clarifies and strengthens. The Equality Act reflects the best of American values and aspirations, and it is past time to enact this simple legislation.