

NAPE PUBLIC POLICY PLATFORM



H.R. 5: The Equality Act

Summary

The Equality Act would provide consistent and explicit non-discrimination protections for LGBTQ people across key areas of life, including employment, housing, credit, education, public spaces and services, federally funded programs, and jury service.

Our nation's civil rights laws protect people on the basis of race, color, national origin, and in most cases, gender, disability, and religion. But federal law does not provide consistent non-discrimination protections based on sexual orientation or gender identity. The need for these protections is clear—nearly two-thirds of LGBTQ Americans report having experienced discrimination in their personal lives. Everyone should have a fair chance to earn a living and provide a home for their families without fear of harassment or discrimination.

The legislation would amend existing civil rights law—including the Civil Rights Act of 1964, the Fair Housing Act, the Equal Credit Opportunity Act, the Jury Selection and Services Act, and several laws regarding employment with the federal government—to explicitly include sexual orientation and gender identity as protected characteristics. The legislation also amends the Civil Rights Act of 1964 to prohibit discrimination in public spaces and services and federally funded programs on the basis of sex. Additionally, the Equality Act would update the public spaces and services covered in current law to include retail stores, services such as banks and legal services, and transportation services. These important updates would strengthen existing protections for everyone.

Why This is Important to NAPE

Decades of civil rights history show that civil rights laws are effective in decreasing discrimination because they provide strong federal remedies targeted to specific vulnerable groups. Equal educational rights are a key area where protections are needed. Nearly 2.1 million students ages 15 and older, and countless more under the age of 15, live in states without statutory protections against sexual orientation and gender identity discrimination at school. The Equality Act would make clear that discrimination on the basis of gender identity

or sexual orientation is a form of sex discrimination and is unlawful. In addition, the Equality Act would close loopholes in existing federal law that prohibits sex discrimination in public spaces and federally funded activities, providing new protections for women. Finally, the Equality Act would update the spaces considered public accommodations, thus extending current civil rights protections against discrimination based on race, religion, and national origin (in addition to gender) to more places important in our everyday lives.

Current Status

The legislation was introduced in the House on March 13, 2019, by Congressmen *David Cicilline (D-RI)* and *Brian Fitzpatrick (R-PA)* and in the Senate by Senators *Jeff Merkley (D-OR)*, *Susan Collins (R-ME)*, *Tammy Baldwin (D-WI)*, and *Cory Booker (D-NJ)*. The legislation was referred to the Committee on the Judiciary, as well as the Committees on Education and Labor, Financial Services, Oversight and Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of the provisions that fall within the jurisdiction of the committee concerned. On April 2, 2019, Committee hearings were held. The bill was introduced with 287 original cosponsors—the most congressional support that any piece of pro-LGBTQ legislation has received upon introduction.