

United States Senate

WASHINGTON, DC 20510

June 16, 2020

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
S-230 Capitol Building
Washington, DC 20510

Dear Senator McConnell:

We write to urge you to immediately bring the bipartisan Equality Act (H.R. 5) to the Senate floor for a vote and fully enshrine in federal law explicit protections for LGBTQIA+ people against discrimination on the basis of their sexual orientation and gender identity. This bill enjoys bipartisan support in both chambers of Congress and has been endorsed by a broad coalition that includes over 275 businesses, 50 trade and professional associations, and 500 advocacy organizations.

Yesterday, in a landmark victory for justice and equality, the Supreme Court ruled 6-3 that employers cannot unfairly fire or otherwise discriminate against LGBTQIA+ people in the workplace. However, current gaps in nondiscrimination laws leave many people subject to discrimination, which is why we urge you to schedule a vote to pass the Equality Act.

Although nearly two-thirds of LGBTQIA+ Americans report experiencing discrimination, existing federal law provides insufficient recourse.¹ The Equality Act would provide unequivocal non-discrimination protections for people on the basis of their sexual orientation and gender identity in a number of areas, including public spaces and services, housing, education, credit, jury service, and federally funded programs, as well as explicitly codifying the Supreme Court's holding regarding employment.² By explicitly including sexual orientation and gender identity in civil rights laws, we can ensure that every person can live their life free from harassment and discrimination.

The need for these critical protections is clear. LGBTQIA+ people face high rates of discrimination in employment, health care, housing, and other public accommodations on the basis of their sexual orientation and gender identity. According to the 2015 U.S. Transgender Survey, approximately one-fourth of individuals surveyed reported problems with insurance coverage as a result of their gender identity.³ According to a 2017 survey conducted by the Center for American Progress, approximately 29 percent of transgender people reported being denied health care because of their actual or perceived gender identity.⁴ Eight percent of survey respondents reported being denied health care because of their sexual orientation.⁵ LGBTQIA+ people living outside of major metropolitan areas also reported a high rate of difficulty in finding alternative health care services because such services were further away from their homes.

¹ <https://www.hrc.org/resources/the-equality-act>

² <https://www.hrc.org/resources/the-equality-act>

³ *Id.*

⁴ <https://www.americanprogress.org/issues/lgbtq-rights/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care/>

⁵ *Id.*

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Around 40 percent of non-metropolitan LGBTQ people said it would be “very difficult” or “not possible” to find the same type of service at a different hospital.⁶

LGBTQIA+ tenants often face housing discrimination on the basis of their sexual orientation and gender identity. A 2013 study conducted by HUD found that same-sex couples experience less favorable treatment than heterosexual couples in the online rental housing market.⁷ According to the 2015 U.S. Transgender Survey, nearly one-in-four transgender adults report experiencing some kind of housing discrimination, including being evicted or denied a home.⁸ Almost one-third of transgender individuals report experiencing homelessness at some point in their lives, and transgender women of color experience especially high rates of homelessness. Nearly one in four young Black men, ages 18 to 25, identifying as LGBTQ reported homelessness in the last 12 months.⁹

The Equality Act would build on the historic Supreme Court decision protecting LGBTQ people in employment and make it explicitly clear that all federal discrimination laws protect people on the basis of sexual orientation and gender identity. In a 2019 poll by the Public Religion Research Institute, 69 percent of those surveyed say they support laws that would protect LGBTQ people in employment, housing, and public accommodations.¹⁰ Given the patchwork of state discrimination laws, providing clarity on our anti-discrimination laws will benefit LGBTQIA+ communities, landlords, health care providers, and businesses.

We have a responsibility to reaffirm the principle that harassment and discrimination are not tolerated in our country. We urge you to bring the Equality Act for a vote because all people, regardless of their sexual orientation and gender identity, should enjoy the same protections under law that all Americans already enjoy on the basis of religion, race, gender, and more.

Sincerely,

<u>/s/ Jeffrey A. Merkley</u>	<u>/s/ Susan M. Collins</u>	<u>/s/ Tammy Baldwin</u>	<u>/s/ Cory A. Booker</u>
Jeffrey A. Merkley	Susan M. Collins	Tammy Baldwin	Cory A. Booker
United States Senator	United States Senator	United States Senator	United States Senator

<u>/s/ Charles E. Schumer</u>	<u>/s/ Patty Murray</u>
Charles E. Schumer	Patty Murray
United States Senator	United States Senator
<u>/s/ Dianne Feinstein</u>	<u>/s/ Bernard Sanders</u>
Dianne Feinstein	Bernard Sanders
United States Senator	United States Senator

⁶ *Id.*

⁷ https://www.huduser.gov/portal/publications/fairhsg/discrim_samesex.html

⁸ <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.

⁹ <https://www.chapinhall.org/wp-content/uploads/VoYC-LGBTQ-Brief-FINAL.pdf>.

¹⁰ <https://www.ppri.org/research/americans-support-protections-lgbt-people/>

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/s/ Edward J. Markey

Edward J. Markey
United States Senator

/s/ Chris Van Hollen

Chris Van Hollen
United States Senator

/s/ Amy Klobuchar

Amy Klobuchar
United States Senator

/s/ Robert P. Casey, Jr.

Robert P. Casey, Jr.
United States Senator

/s/ Michael F. Bennet

Michael F. Bennet
United States Senator

/s/ Tim Kaine

Tim Kaine
United States Senator

/s/ Mark R. Warner

Mark R. Warner
United States Senator

/s/ Sheldon Whitehouse

Sheldon Whitehouse
United States Senator

/s/ Robert Menendez

Robert Menendez
United States Senator

/s/ Thomas R. Carper

Thomas R. Carper
United States Senator

/s/ Kirsten Gillibrand

Kirsten Gillibrand
United States Senator

/s/ Richard J. Durbin

Richard J. Durbin
United States Senator

/s/ Ron Wyden

Ron Wyden
United States Senator

/s/ Tammy Duckworth

Tammy Duckworth
United States Senator

/s/ Brian Schatz

Brian Schatz
United States Senator

/s/ Maria Cantwell

Maria Cantwell
United States Senator

/s/ Catherine Cortez Masto

Catherine Cortez Masto
United States Senator

/s/ Mazie K. Hirono

Mazie K. Hirono
United States Senator

/s/ Jacky Rosen

Jacky Rosen
United States Senator

/s/ Margaret Wood Hassan

Margaret Wood Hassan
United States Senator

/s/ Elizabeth Warren

Elizabeth Warren
United States Senator

/s/ Angus S. King, Jr.

Angus S. King, Jr.
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/s/ Kamala D. Harris

Kamala D. Harris
United States Senator

/s/ Jeanne Shaheen

Jeanne Shaheen
United States Senator

/s/ Benjamin L. Cardin

Benjamin L. Cardin
United States Senator

/s/ Tina Smith

Tina Smith
United States Senator

/s/ Martin Heinrich

Martin Heinrich
United States Senator

/s/ Gary C. Peters

Gary C. Peters
United States Senator

/s/ Christopher A. Coons

Christopher A. Coons
United States Senator

/s/ Tom Udall

Tom Udall
United States Senator

/s/ Debbie Stabenow

Debbie Stabenow
United States Senator

/s/ Christopher S. Murphy

Christopher S. Murphy
United States Senator

/s/ Patrick Leahy

Patrick Leahy
United States Senator

/s/ Richard Blumenthal

Richard Blumenthal
United States Senator

/s/ Jon Tester

Jon Tester
United States Senator

/s/ Jack Reed

Jack Reed
United States Senator

/s/ Sherrod Brown

Sherrod Brown
United States Senator

/s/ Doug Jones

Doug Jones
United States Senator

/s/ Joe Manchin III

Joe Manchin III
United States Senator

/s/ Kyrsten Sinema

Kyrsten Sinema
United States Senator