

April 8, 2019

The Honorable Suzanne Bonamici  
Chair  
Subcommittee on Civil Rights and Human Services  
Committee on Education & Labor  
United States House of Representatives  
Washington, DC 20515

The Honorable James Comer  
Ranking Member  
Subcommittee on Civil Rights and Human Services  
Committee on Education & Labor  
United States House of Representatives  
Washington, DC 20515

Dear Chairman Bonamici and Ranking Member Comer,

We write on behalf of millions of Americans who are deeply concerned about the harms of the Equality Act, which hinders quality health care, endangers the privacy and safety of women and girls, regulates free speech, severely undermines religious freedom, and threatens charitable nonprofits and the people they serve. H.R. 5 does not accomplish what its supporters maintain, but it causes new problems and will hurt more people than its sponsors want to help.

As people of faith, we believe that all people should be treated with equal dignity and respect. Religious groups were at the forefront of upholding these principles during our country's civil rights movement, and people of faith continue to fight against the scourge of racism that unfortunately continues to this day.

People of faith serve the marginalized—and therefore uphold the dignity of every human person—through numerous charitable endeavors, including in the health care sector. H.R. 5 would unfortunately threaten the incredible work that faith-based hospitals and healthcare professionals do in the United States. While religiously affiliated hospitals routinely serve—and heal—patients of any background, including those who identify as LGBT, healthcare providers simply cannot perform every procedure that a patient requests. H.R. 5 would mandate that all health care professionals and providers perform gender transition procedures that go against many such providers' best medical judgment, not to mention their deeply held moral or religious convictions.

H.R. 5 would also unfortunately undermine civil rights for women and girls by opening restrooms, locker rooms, and shower facilities to biological males who identify as female. Women and girls deserve access to private spaces when they visit their local gym or use the restroom while dining out, but H.R. 5 would undermine legitimate privacy and safety concerns that women have about sharing sex-specific facilities with a biological man who identifies as a woman. H.R. 5 also threatens to halt the advances women's sports have achieved since the passage of Title IX in 1972 by allowing those with physical advantages to compete against women and obtain scholarships and other awards at the expense of women.

Americans highly value our First Amendment freedoms of speech, association, and the free exercise of religion. H.R. 5 puts these cherished liberties at risk first and foremost by explicitly carving out the Religious Freedom Restoration Act (RFRA), which would be the first time RFRA has ever been curtailed since President Clinton signed this important statute into law in 1993. H.R. 5 would also subject private employers and others to expensive lawsuits if they fail to adhere to strict preferred pronoun policies.

This would affect not only small, family-owned businesses but also charities and other nonprofits that are organized with a specific mission. H.R. 5 would cause mission-driven employers, including religious schools, to have to abandon their mission when it comes to hiring certain employees or having employee conduct standards. Under H.R. 5, women’s shelters would be forced to house biological men who identify as women, despite the privacy and safety concerns that women staying in those shelters have about sharing sleeping quarters and other intimate facilities with the opposite sex. Faith-based adoption and foster care agencies would also have to face the unenviable choice of either abandoning the deeply held religious beliefs that inspired them to serve vulnerable children in the first place—or be shut down by government entities. The forced closures of such agencies make no sense at a time when the opioid crisis is increasing the number of children in need of foster care and adoption.

Because of these many concerns, and others, we oppose H.R. 5 and respectfully urge you to oppose it as well.

Sincerely,

Michael P. Farris  
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