I am writing to urge you to amend the Equality Act, which was just introduced in the House of Representatives, by adopting the provisions in the Feminist Amendments to the Equality Act (<https://feministstruggle.org/faea/>). I fully support the Equality Act's goals of ensuring that LGBT people are protected from discrimination, harassment, and violence. These protections are long overdue. However, the bill as currently written would eliminate sex as a protected category under federal law -- a move that would have dire consequences for the sex-based rights of women and girls. This redefinition would also erase the basis for same-sex attraction, undermining the very protections for sexual orientation that the Equality Act claims to enshrine.

Eliminating sex as a protected class, as the Equality Act currently proposes, would mean removing the ability of the law to ‘see’ sex — including sexual orientation — and thus remove the ability of the law to address injustice, discrimination, and inequality rooted in sex and sexual orientation. By making self-declaration what determines whether someone is considered male or female, the Equality Act would radically remake US law, making gender self-identity the criteria for accessing all female facilities, being housed in female domestic violence shelters and prisons, competing in female sports, representing female people, and defining ‘same-sex’ orientation.

Sex, gender, and sexual orientation refer to different characteristics, different experiences, and refer to distinct groups with different needs. These differences matter. And the law—and our lawmakers—should not pretend otherwise. In settings where sex matters, the law needs to make it clear that how a person identifies is not conflated with nor should it override biological sex. In settings where sexual orientation matters, sex must be the basis on which same-sex attraction is defined. That's why the language has to be clear.

**For these reasons, I urge you to take a closer look at the Equality Act, hold hearings and support sensible amendments to the Equality Act so sex remains a recognized and protected class under law.** We support amendments that would protect sex (biological sex), sexual orientation, and sex-role nonconformity separately, as put forward by the [Coalition for the Feminist Amendments](https://feministstruggle.org/faea/) (<https://feministstruggle.org/category/feminist-amendments-to-the-equality-act/>). It is simply not necessary to redefine sex in the law in order to protect transgender and other gender non-conforming people from discrimination and harassment, as the Equality Act seeks to do. The Feminist Amendments provide a more equitable way forward that protects everyone’s rights.

**I also urge you to call for an open dialogue as we navigate these complicated issues and seek to develop protections that will work for lesbian, gay, bisexual, and transgender people, as well as women and girls.** Unfortunately, the process so far — including previous iterations of the Equality Act introduced and passed in the House of Representatives, and the intention of the House to move directly to a floor vote without further inquiry — have not met this standard, failing to consider potential unintended consequences of erasing sex in the law and shutting out the perspectives of lesbian, gay, and bisexual advocates. The current Equality Act is not the product of democratic debate and public inquiry but of policy capture, written by lobbyists working out of the public view. This is part of a worldwide lobbying effort that tethers radical changes — the erasure of sex in the law — to popular and necessary reforms like extending protections for LGBT people. Equality for LGBT people doesn’t look like this.

**We believe that we can and must amend the Equality Act to protect the human and civil rights of lesbian, gay, bisexual, and transgender people to safety, dignity, and freedom from discrimination while preserving the sex-based rights of women and girls and the ability of the law to 'see' sex. Please help** facilitate an open dialogue about how the Equality Act can best advance the rights of lesbian, gay, bisexual, and transgender people, with a full airing of how the rights of other protected classes, especially women and girls, will be affected.

For more information, please visit<https://feministstruggle.org/faea/>.

Thank you for your time and consideration.

Sincerely,