



**Secondary Navigation**

[About Heritage](#)

[Events](#)

[Renew](#)

[Press](#)



[Top Issues](#)

**[China](#)**

**[Election Integrity](#)**

**[Border Security](#)**

**[Life](#)**

**[Big Tech](#)**

**Secondary Navigation**

[About Heritage](#)

[Events](#)

[Renew](#)

[Press](#)

**Political Thought**

[American History](#)

[Conservatism](#)

[Progressivism](#)

**Domestic Policy**

[Big Tech](#)

[Education](#)

[Government Regulation](#)

[Health Care Reform](#)

[Welfare](#)

**National Security**

[Border Security](#)

[Cybersecurity](#)

[Defense](#)

**Government Spending**

[Budget and Spending](#)

[Debt](#)

[Taxes](#)

**International**

[China](#)

[Europe](#)

[Global Politics](#)

[Middle East](#)

[Energy and Climate](#)

[Climate](#)

[Energy](#)

[Environment](#)

[Legal and Judicial](#)

[Courts](#)

[Crime and Justice](#)

[Election Integrity](#)

[Gun Rights](#)

[The Constitution](#)

[Culture](#)

[Gender](#)

[Life](#)

[Marriage and Family](#)

[Parental Rights](#)

[Religious Liberty](#)

[Economy](#)

[International Economies](#)

[Markets and Finance](#)

[Trade](#)

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# The Equality Act



Heritage Explains

# The Equality Act

How Could Sexual Orientation and Gender Identity (SOGI) Laws Affect You?

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On Wednesday March 13, Nancy Pelosi introduced the so-called [Equality Act](#), a bill that would add “sexual orientation” and “gender identity” as protected classes under federal civil rights law.

## Heritage Explains 062: The Equality Act



Where the original Civil Rights Act of 1964 furthered equality by ensuring that African-Americans had equal access to public accommodations and material goods, the Equality Act would further inequality by penalizing everyday Americans for their beliefs about marriage and biological sex. Similar sexual orientation and gender identity laws at the state and local level have already been used in this way.

**Here are 5 groups who would be harmed if the Equality Act becomes law:**



## Employers and Workers

The Equality Act would force employers and workers to conform to new sexual norms or else lose their businesses and jobs.

This is already happening on the state and local level.

The most high profile example involves [Colorado baker Jack Phillips](#), whose case went all the way to the Supreme Court after the Colorado Civil Rights Commission accused him of discrimination on the basis of sexual orientation when he declined to create a custom cake for a same-sex wedding.

He is not the only victim. Other cases involving disagreement over the meaning of marriage feature [florists](#), [bakers](#), [photographers](#), [wedding venue owners](#), [videographers](#), [web designers](#), [calligraphers](#), and [public servants](#).

Now citizens are being punished for their views on biological sex.

Shortly after the Supreme Court ruling, Jack Phillips found himself in court again after an activist attorney who identifies as transgender, requested that Masterpiece Cakeshop create a “[gender transition celebration](#)” cake.

After the Colorado Civil Rights Commission found probable cause that Phillips had discriminated on the basis of gender identity, he sued the Commission for targeting him for his Christian beliefs. Ultimately,

the Commission dropped the case, and Phillips agreed to drop his own lawsuit against the agency.

Even when victims win legal battles like Jack Phillips, conflicts like these have a chilling effect. They discourage people from opening new businesses or entering into certain fields entirely.

A federal sexual orientation and gender identity law would preclude compromise of any kind on disagreements about marriage and sexuality.

Take Peter Vlaming. This [high school French teacher was dismissed under the school's anti-discrimination policy](#) after he refused to comply with administrators' orders to use a female student's preferred masculine pronouns. Vlaming had tried to accommodate the student by avoiding pronouns altogether and addressing the student by their preferred masculine name, but this was deemed insufficient by the school board.

The Equality Act would increase conflicts like these and put people out of work for their beliefs.



## Medical Professionals

The Equality Act would force hospitals and insurers to provide and pay for these therapies against any moral or medical objections. It would politicize medicine by forcing professionals to act against their best medical judgment and provide transition-affirming therapies.

The fight is already here. Catholic hospitals in [California](#) and [New Jersey](#) have been sued for declining to perform hysterectomies on otherwise healthy women who want to become male. A third Catholic hospital in [Washington](#) settled out of court when the ACLU sued them for declining to perform a double mastectomy on a gender dysphoric sixteen-year-old girl.

These cases would multiply under the Equality Act. This bill would politicize medicine by forcing doctors, nurses, and other medical professionals to offer drastic procedures—not in view of new scientific discoveries, but by ideological fiat.



## Parents and Children

This politicization of medicine would ultimately harm families by normalizing hormonal and surgical interventions for gender dysphoric children as well as ideological “education” in schools and other public venues.

80 to 95 percent of children with gender dysphoria no longer feel distressed by their bodies after puberty. Yet activists continue to push their own radical protocol: social transition as young as 4, puberty blocking drugs as young as 9, cross-sex hormones as young as 14, and surgery by 18 (or, in some cases, [even younger](#)).

This protocol could become mandatory in the future. The latest issue of the American Journal of Bioethics includes an article arguing that the [state should overrule the parents of gender dysphoric children](#) who do not consent to giving them puberty-blocking drugs.

By silencing the scientific debate on transgender-affirming therapies through the politicization of medicine, the Equality Act would further normalize this radical protocol, and create an expectation that parents comply.

In fact, parents in Ohio [lost custody of their seventeen-year-old daughter](#) because they declined to put her on testosterone supplements.

It is no secret that radical gender ideology has found its way into our schools (see [here](#) and [here](#)). This bill would stigmatize any and all opposition to such indoctrination.

The Equality Act would put parental rights to make decisions about their children's medical treatment and education at risk.



## Women

The Equality Act would ultimately lead to the erasure of women by dismantling sex-specific facilities, sports, and other female-only spaces.

Sexual orientation and gender identity laws that open up sex-specific facilities like bathrooms, locker rooms, etc. to members of the opposite sex enable sexual assault.

For example, Pascha Thomas was forced to remove her child from school after [a male classmate assaulted her five-year-old daughter in the girls' restroom](#). The boy had access to the girls' restroom because the school's policy that grants students access to private facilities on the basis of self-identified gender identity. Administrators refused to change the policy despite Thomas' complaints. Federal authorities are now investigating the incident.

The concern with these policies is that [predators will take advantage of the law to gain access to victims](#). Policies like these make women less likely to report incidents and law enforcement less likely to get involved, for fear of being accused of discrimination.

These policies also leave women at a disadvantage in sex-specific sports and other activities.

Two biological males who identify and compete as women [easily took first and second place at the Connecticut State Track Championships](#).

Selina Soule, a female runner, lost the race—and the chance to be scouted by college coaches and selected for athletic scholarships. “We all know the outcome of the race before it even starts,” she said. “It’s demoralizing.”

Females of all ages can expect to lose more and more opportunities like these to biological males who have a natural advantage in sports and physical activities. The Equality Act would defeat the entire purpose of Title IX, which was meant to ensure that women would have the same opportunities as men including in sports, and would leave women vulnerable to sexual assault.



## Non-Profits and Volunteers

The Equality Act would also hurt charities, volunteers, and the populations they serve.

State and local sexual orientation and gender identity laws have shut down numerous faith-based adoption and foster care agencies across the country, in [Pennsylvania](#), [New York](#), [Illinois](#), [California](#), [Massachusetts](#), and [the District of Columbia](#).

These states wrongly treated the belief that children do best with both a mother and a father as discriminatory, and kids are the ones who are paying the price. With [438,000 children languishing in foster care nationwide](#), we need more agencies working to help kids find homes, not fewer.

Now charities that admit to the reality of biological sex are under attack too.

In Anchorage, Alaska, a biological male twice tried to gain access to the city's [Downtown Hope Center](#), a shelter for homeless, abused, and trafficked women. In response, the individual sued the center for alleged "gender identity discrimination."

A federal sexual orientation and gender identity law could force any charity to open up private facilities—including sex-specific bathrooms, showers, and sleeping areas—to members of the opposite sex.

The Equality Act would cost our country countless charitable organizations, which means fewer institutions would be available to serve populations in need.

The Equality Act actually furthers inequality, especially for women and girls, by punishing anyone who does not affirm a single viewpoint of marriage and biological sex.

A federal sexual orientation and gender identity law would empower the government to interfere in how regular Americans think, speak, and act at home, at school, at work and at play. Any bill promoting such authoritarianism is a danger to our freedoms.

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