

Congress of the United States
Washington, DC 20515

May 16, 2016

The Honorable Loretta E. Lynch
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dr. John B. King, Jr.
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-3100

Dear Attorney General Lynch and Secretary King:

As members of the Transgender Equality Task Force within the Congressional LGBT Equality Caucus, we support the strong leadership that both of your agencies have shown in the past week to protect the LGBT community from discrimination in schools and public facilities across the country. The Department of Justice's (DOJ) action to file a civil rights complaint against the state of North Carolina, the University of North Carolina and the North Carolina Department of Public Safety opposing the General Assembly's Public Facilities Privacy & Security Act, House Bill 2 (HB2) is a bold step to ensure hatred is not legitimized by the word of law. The Department of Education and Justice's joint guidance to schools across the country will further ensure the expectation that every child in every school is treated with the same level of respect and dignity.

North Carolina Governor Pat McCrory signed HB2 into law on March 23, 2016, overturning a non-discrimination policy in the City of Charlotte as well as all similar municipal protections in the state. The law also preemptively banned municipalities from passing future non-discrimination policies and restricted bathroom access in all public buildings for transgender people. The DOJ's complaint follows the notice the Department gave the state last week, and rightfully argues that HB2 is a violation of Title VII of the U.S. Civil Rights Act, Title IX of the Education Amendments of 1972, and the Violence Against Women Reauthorization Act of 2013 (VAWA) that prohibit discrimination on the basis of sex, which DOJ has previously clarified includes gender identity and transgender status.

Discriminatory laws targeting the LGBT community have a chilling effect that extends far beyond the immediate restrictions they impose. According to the Williams Institute and Out Leadership, North Carolina is home to over 336,000 LGBT people targeted by HB2, including 22,200 transgender adults and 15,600 transgender youth. The community of roughly 38,000 transgender North Carolinians is particularly vulnerable and susceptible to food insecurity, health care insecurity, poverty, homelessness, and unemployment.

Within the LGBT youth in North Carolina, more than a third of high school students report being bullied in the past year and over 41% report seriously considering suicide. While suicide is tragically the second leading cause of death among young people ages 10 to 24, for the LGBT community, the statistics are far worse than their straight peers. Lesbian, gay, and bisexual youth are four times more likely to attempt suicide; nearly half of young transgender people seriously contemplate suicide, and one quarter report having attempted to take their own lives.

The LGBT community is equally vulnerable in the workplace as well. A survey of transgender people shows that in North Carolina, over three-fourths of respondents report workplace harassment, over half report being harassed in a place of public accommodation, 1 in 5 report being denied housing, and 1 in 8 report losing a job because of their gender identity. Nearly half of LGBT adults report having an income below \$24,000 compared to 28% of non-LGBT adults, creating a vicious cycle of poverty due to lack of non-discrimination policies nation-wide providing employment protections.

Governor McCrory was allotted time to repeal HB2 in order to protect North Carolina from loss of billions in federal funding dollars given HB2's violation of federal non-discrimination requirements under Title IX of the Education Amendments of 1972, Executive Order 13672, Workforce Innovation and Opportunity Act, VAWA, the Affordable Care Act, the Equal Access Rule, and Title VII of the Civil Rights Act of 1964. The governor's decision not to repeal HB2 and instead file a lawsuit against DOJ recklessly places at risk \$4.8 billion in federal funding for North Carolina's schools, workforce development programs, law enforcement, health care programs, housing assistance, and programs for survivors of violence at risk.

Attorney General Lynch's statement on Monday proclaimed, "This action is about a great deal more than just bathrooms. This is about the dignity and respect we accord our fellow citizens and the laws that we, as a people and as a country, have enacted to protect them – indeed, to protect all of us. And it's about the founding ideals that have led this country – haltingly but inexorably – in the direction of fairness, inclusion and equality for all Americans." The understanding and compassion Attorney General Lynch afforded the transgender community in her remarks exemplifies her leadership and courage to be on the right side of history. Our nation was founded on the principle that every person is created equal and this should be no different for the transgender community.

We are pleased that the administration has taken the necessary steps to stop the persecution of a particularly vulnerable population. Non-discrimination policies create equity for LGBT individuals who face unique challenges in our society. We support the DOJ's response to discrimination against the LGBT community and the joint guidance the Department of Education provided to ensure schools across the country are havens of learning for all children. We commend your leadership and action in the face of controversy. We look forward to working with you to ensure your leadership and the precedent the DOJ's complaint against HB2 and joint guidance for our schools sets is respected nation-wide, preventing efforts similar to HB2 from being signed into law.

Sincerely,


Raúl M. Grijalva
Member of Congress

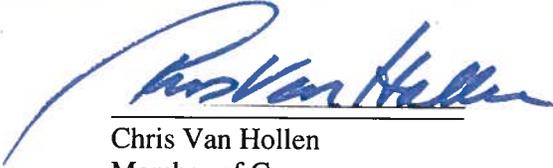

Michael M. Honda
Chair, Transgender Equality Task Force



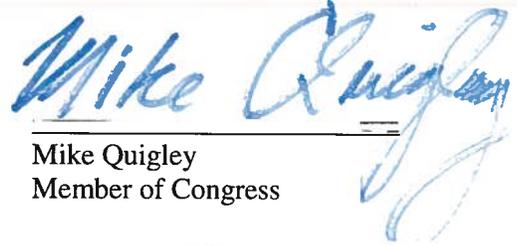
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Member of Congress



Bonnie Watson Coleman
Member of Congress



Chris Van Hollen
Member of Congress



Mike Quigley
Member of Congress



Joe Kennedy III
Member of Congress