



# AMERICAN ATHEISTS

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April 8, 2019

The Honorable Rep. Bobby Scott  
Chair, House Education and Labor Committee  
2176 Rayburn House Office Building  
Washington, DC 20515

**Re: SUPPORT for H.R. 5, the “Equality Act”**

Dear Chairperson Scott and Members of the House Education and Labor Committee:

American Atheists, on behalf of its constituents nationwide, thanks you for holding a hearing on H.R. 5, the Equality Act. This landmark legislation would ensure that individuals are federally protected against discrimination on the basis of sexual orientation and gender identity. We urge the committee to swiftly pass this vital measure to end historical and contemporary patterns of well-documented discrimination against lesbian, gay, bisexual, and transgender (LGBTQ) Americans.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. American Atheists believes that all Americans should be equally protected under the law, regardless of sexual orientation, gender identity, or religious beliefs or lack thereof. No individual should be subjected to discrimination and harassment that results from the religious beliefs of others.

Non-discrimination protections for LGBTQ people vary considerable from state to state, municipality to municipality. This patchwork of protections can make it challenging for individuals to determine whether they are protected, and it creates unnecessary complexity for employers, businesses, educational institutions, and others. Moreover, state and local non-discrimination protections frequently have religious exemptions of varying breadth and applicability, in some cases creating loopholes which permit invidious discrimination.<sup>1</sup>

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<sup>1</sup> Gill AM. (2018). State of the Secular States 2018. Cranford, NJ: American Atheists. Available at <https://www.atheists.org/states/>.

The Equality Act would create a foundation of basic non-discrimination protections across the nation, ensuring that LGBTQ people are protected in areas such as employment, housing, education, and public accommodations and will also apply uniform religious exemptions which have proved suitable for religious organizations for more than fifty years.

Moreover, H.R. 5 would address several issues frequently left unresolved by state laws, such as how non-discrimination laws apply to foster care and adoption agencies. Currently, 10 states have religious exemptions which allow foster care and adoption placement agencies to discriminate, potentially affecting approximately 18% of the LGBTQ population.<sup>2</sup> Sadly, these laws prevent children from finding loving, permanent homes by allowing agencies to turn away qualified prospective parents.

With 287 original co-sponsors, the Equality Act has overwhelming bipartisan support. Furthermore, research has shown that over 70% of Americans support non-discrimination measures for LGBTQ individuals, and 60% of Americans oppose religiously based service refusals.<sup>3</sup> In fact, most Americans already believe that there are explicit federal non-discrimination protections for LGBTQ people.<sup>4</sup> This commonsense legislation is long past due.

We strongly support the Equality Act, and we urge you to swiftly pass this important bill. If you should have any questions regarding American Atheists' support for H.R. 5, please contact me at 908.276.7300 x309 or by email at [agill@atheists.org](mailto:agill@atheists.org).

Sincerely,



Alison Gill, Esq.  
Vice President, Legal and Policy  
American Atheists

cc: All Members of the House Education and Labor Committee

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<sup>2</sup> Movement Advancement Project. (2019). Equality Maps: Foster and Adoption Laws. Available at [http://www.lgbtmap.org/equality-maps/foster\\_and\\_adoption\\_laws](http://www.lgbtmap.org/equality-maps/foster_and_adoption_laws).

<sup>3</sup> Jones RP, Cox D, Griffin R, Vandermaas-Peeler A, and Fisch-Friedman M. (2018). Emerging Consensus on LGBT Issues: Findings from the 2017 American Values Atlas. PRRI. Available at <https://www.prri.org/wp-content/uploads/2018/05/AVA-2017-FINAL.pdf>.

<sup>4</sup> Moore P. (2014). Poll Results: Discrimination. You Gov, June 18, 2014. Available at <https://today.yougov.com/topics/legal/articles-reports/2014/06/18/poll-results-discrimination>.