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ATTORNEY GENERAL RAOUL LEADS COALITION OF ATTORNEYS GENERAL CALLING FOR PASSAGE OF THE FEDERAL EQUALITY ACT

Raoul, 24 AGs Urge Senate to Pass Measure Prohibiting Discrimination Against LGBTQ Americans

Chicago — Attorney General Kwame Raoul today led a coalition of 25 attorneys general calling on the U.S. Senate to pass legislation that protects individuals from discrimination on the basis of sexual orientation and gender identity.

Attorney General Raoul and the coalition [issued a letter](#) to Senate leadership urging the chamber to pass H.R. 5, the Equality Act. The Equality Act would strengthen federal legal protections for LGBTQ Americans by clarifying and modernizing federal civil rights law and would prohibit discrimination against LGBTQ individuals in employment, education, federally-funded programs, housing, public accommodations, credit and jury service. Raoul and the attorneys general argue that updates to the nation's civil rights laws are long overdue.

"No one should be denied employment, access to education, housing, credit or public accommodations because of who they are, and it is past time that federal civil rights law explicitly prohibits discrimination based on sexual orientation and gender identity," Raoul said. "I am urging the Senate to pass the Equality Act because it provides needed clarity and consistency at the federal level that supports the enforcement work attorneys general do at the state level."

"LGBTQ Americans have made important contributions to America, even while they have been subjected to bigotry, discrimination and hate-fueled violence, simply for being who they are. It's critical to fill the gaps in federal civil rights laws and strengthen protections for this class of American citizens. The Equality Act would ensure that LGBTQ Americans are protected from discrimination in public accommodations, education, federally funded programs, employment, housing, credit and jury service. I'm thankful for the support of Illinois Attorney General Raoul and this group of state attorneys general as we work to advance this landmark bill," said Senate Majority Whip Dick Durbin (D-IL), Chair of the Senate Judiciary Committee.

In June 2020, the U.S. Supreme Court ruled that Title VII of the Civil Rights Act of 1964 protects employees who are fired for being gay or transgender. The court determined that employment discrimination based on sexual orientation or gender identity is discrimination on the basis of sex, which is prohibited by Title VII. In their letter today, Raoul and the coalition point out that despite the court's decision, the absence of explicit federal prohibitions on discrimination based on sexual orientation and gender identity leave many LGBTQ Americans vulnerable to experiencing discrimination in education, housing, credit and health care. The coalition also points out that federal law does not currently prohibit sexual orientation and gender identity discrimination in other areas, such as federally-funded programs and the jury system. As a result, individuals who do experience such discrimination are left without legal recourse.

The Equality Act addresses these gaps by clarifying that existing protections under federal civil rights law include discrimination on the basis of sexual orientation and gender identity. The changes will create and expand protections for LGBTQ Americans facing discrimination in education, employment, housing, credit and public facilities. The legislation also will prohibit discrimination on the basis of sex, including sexual orientation and gender identity, in sections of the Civil Rights Act of 1964 that prohibit discrimination in public accommodations and federal funding. In addition, the legislation expands the definition of public accommodations to expressly prohibit sex discrimination, such as denying services to people because they

are pregnant or breastfeeding, or denying transgender individuals access to sex-specific restrooms corresponding to their gender identities. The legislation further clarifies that the U.S. attorney general may intervene in federal court actions alleging denial of equal protection of the laws based on sexual orientation and gender identity.

In the letter, Raoul and the attorneys general highlight their interest in protecting their residents from unlawful discrimination on the basis of sex, sexual orientation and gender identity. State attorneys general have authority to launch investigations, bring legal actions and enforce laws on behalf of their states, and the Equality Act would expand their civil rights enforcement toolkit. For instance, the legislation adds sexual orientation and gender identity to the list of groups protected under the Equal Credit Opportunity Act and the Fair Housing Act – both of which state attorneys general routinely enforce.

Attorney General Raoul and the coalition state that the Equality Act is needed to create a national standard, expanding civil rights protections beyond the existing patchwork of state laws. While a number of states, including Illinois, have amended their laws to expand protections for LGBTQ residents, Raoul and the coalition argue the Equality Act is needed to fill the gap in the 27 states where LGBTQ Americans currently have no state-level protection against discrimination.

Joining Attorney General Raoul in submitting the letter are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington and Wisconsin.