

[your name and contact information]

February 17, 2021

Rep. David N. Cicilline
2233 Rayburn HOB
Washington, DC 20515

Dear Representative Cicilline:

This is to strongly urge you and our fellow Democrats to revise the Equality Act before passing this landmark legislation. As written and as passed by the House in 2019, HR5 conflates sex with gender identity, thus infringing on rights and protections for women and girls. President Biden has called for science-based and anti-discriminatory public policy and the Equality Act achieves neither objective.

Allowing males who claim female identity to compete in women's and girls' sport will undermine the gains we made due to Title IX. Males have, on average, larger hearts, greater lung capacity, more fast twitch muscle fibers, longer and stronger bones – the list goes on and on. The performance gap is such that in 2017 alone, 744 high school boys bested the 100 meter record of the fastest female athlete of all time – Florence Griffith Joyner. These advantages are not significantly mitigated by temporary suppression of testosterone. A recent meta-analysis of 12 longitudinal studies of suppression of testosterone in males identifying as female found only a 5% reduction in muscle mass after a year. Males identifying as women retained 13-39% more muscle mass than females.

Opening up private spaces for women and girls to men claiming female identity creates a huge loophole for predatory men. Let's be honest: A significant proportion of the male population has, throughout history and still today, preyed on women. That is why private spaces for women to relieve themselves were necessary for women to participate in public life. It's why the UN advocates for girls in developing countries to have separate restrooms so they can go to school without being assaulted. It's why Android and iPhone have developed apps to detect cameras in restrooms and changing rooms. Current technology has made the protection of women from male voyeurs MORE not LESS difficult.

Everyone can be protected if the bill is revised. Separate protected categories, in addition to sex, should be created for sexual orientation and nonconformity to sex stereotypes. The latter category would protect butch lesbians, effeminate gay men, and those claiming trans identity. I am attaching a feminist legal analysis that clearly explains the problems with the Equality Act and how they may be remedied.

As it stands, the bill is not supported by a majority of Americans, will be challenged, possibly going to a conservative Supreme Court, and will ultimately fail. It may also cost Democrats seats in the mid-terms. Why not craft, and be known for, a bill that will stand the test of time? I urge you to withdraw the bill and revise it to protect the rights, safety, and dignity of women and girls, in accordance with President Biden's goals of science-based nondiscriminatory public policy.

Sincerely,

[type your name with signature above]

Sources cited:

Hilton, Emma. 2018. [Harder, Better, Faster, Stronger](https://usequalityact-women.com/wp-content/uploads/2021/02/HarderBetterFasterStronger.pdf): Why We Must Protect Female Sports. <https://usequalityact-women.com/wp-content/uploads/2021/02/HarderBetterFasterStronger.pdf>

Hilton, Emma. 2020. [Transgender Women in the Female Category of Sport](https://usequalityact-women.com/wp-content/uploads/2021/02/TransgenderWomenFemaleCategorySport.pdf): Perspectives on Testosterone Suppression and Performance Advantage. <https://usequalityact-women.com/wp-content/uploads/2021/02/TransgenderWomenFemaleCategorySport.pdf>

Levey, Lauren. 2021. H.R.5.: Legal Analysis and Necessary Revisions. <https://usequalityact-women.com/wp-content/uploads/2021/01/AnalysisAndRevisionsLL.pdf>