

30 March 2021

Senator Mark Kelly

Washington D.C.

**RE: Urging a No Vote on H.R. 5 Equality Act**

Dear Sen. Kelly,

I am writing to express my deep concerns about H.R. 5. I am deeply disturbed by many of the provisions of H.R. 5 and the violations of my inalienable rights that will occur if it is permitted to become law. I urge you to oppose H.R. 5.

As a person of faith, I am particularly concerned about Section 9 of H.R. 5, which would deny me the protections of the Religious Freedom Restoration Act. This is a blatant attack on my right to free exercise of religion that has been part of the First Amendment since the founding of our country. I cannot understand why a bill that claims to be aimed at preventing discrimination and promoting equal treatment would promote discrimination against people of faith.

I am also alarmed about H.R. 5's proposed redefinition of "sex" to include "sexual orientation and gender identity." "Sex" is the objective, biological reality that human beings are created male and female. H.R. 5 proposes to create a new social construct of "sex" that will be based on subjective feelings about "identity" and "attraction" that cannot be objectively defined. I am disturbed that the definition of "sex" would also include merely a perception or belief, even inaccurate perceptions or beliefs, about a person's sex, "sexual orientation and gender identity." Including perceptions and beliefs in a redefined notion of "sex" seems to be an attempt to control thoughts and actions. This is an assault on freedom of thought, freedom of speech, and free exercise of religion, the very foundations of our society. How does this promote equality?

The notion of "equality" under H.R. 5 also threatens the privacy and safety of women and girls. I am quite concerned that HR 5 would explicitly require that schools, workplaces, and houses of worship viewed as "public accommodations" would have to permit males who subjectively identify as females to use shared privacy facilities (restrooms, locker rooms and dressing rooms) set aside for females, and vice versa. Women and children who use these facilities would be placed at increased risk for harassment or assault by predatory men who claim to identify as women in order to victimize them. In addition, women and girls would lose the educational and athletic opportunities they have obtained under Title IX because their sex-separate athletic teams would now have to include males who identify as females but retain the physiological advantages of being biologically male. Again, this does not promote equality.

HR 5 would undermine parents' rights to direct the upbringing and education of their children. Parental values of modesty and privacy would be contradicted by school officials who would require that children accept the presence of an opposite sex classmate in their restroom, locker room, shower or athletic team. Children would be required to accept that their female classmates are actually male or male classmates are actually female, contradicting their parents' instruction concerning the binary nature of sex.. Parents and children who want to adhere to the

biological reality about males and females and/or Biblical teachings about the binary nature of sex will be discriminated against and subject to unequal treatment.

H.R. 5 would also violate the free exercise and conscience rights of health care workers whose sincerely held beliefs prevent them from performing abortions or surgeries on healthy people for purposes of “gender transition”. These health care professionals will be forced to choose between their beliefs and their call to healing people.

H.R. 5 threatens the constitutional rights, privacy, safety and well-being of the church, families, and children. It would violate rights of free exercise, free speech, and freedom of conscience. It will reverse decades of progress in protecting women and girls and providing them with equal protection under the law. It creates inequality and promotes discrimination.

I strongly urge you to vote No on H.R. 5.

Randy D. Winkles