



The Equality for All Act: Summary

The enactment of the so-called Equality Act (H.R. 5), which passed in the House of Representatives in 2021, but not yet in the Senate, would be a disaster for women's sex-based rights. It would add "gender identity" to the protected characteristics in civil rights law in a way that would completely erase the existing sex-based rights of women and girls by conflating sex and "gender identity." As a practical matter, it would mean that any man would be permitted to enter any space designed for women in all public accommodations, housing, health care facilities, domestic violence shelters, prisons, etc., on the basis of his so-called "gender identity." If refused, he could complain that he was being discriminated against on the basis of sex.

Also, while purporting to add sexual orientation to the list of protected characteristics, a move that WDI USA* would support, the Act actually erases the very meaning of sexual orientation by conflating sex and "gender identity."

"Gender" is nothing more than sex stereotypes that enforce dominance in men and submissiveness in women. Individuals who do not conform to sex stereotypes face discrimination that requires protection. But instead of supporting abolition of these enforced stereotypes, the "Equality Act" would actually reinforce them and enshrine them in law.

In contrast, our proposed Equality for All Act (EFAA) would prohibit discrimination on the basis of sexual orientation and nonconformity to sex-based stereotypes, while maintaining the existing sex-based protections for women and girls. WDI USA hopes that a member of Congress will consider introducing the EFAA as an alternative to the current version of the Equality Act.

The EFAA would prohibit discrimination on the basis of sex, sexual orientation, and nonconformity to sex-based stereotypes by:

- completely eliminating the term "gender identity" from the document and replacing it with "nonconformity to sex-based stereotypes;"
- adding the words "of a female person" to follow the phrase "... or on the basis of pregnancy, childbirth, or a related medical condition" wherever it appears in the original document;
- removing any references to "transgender" or "queer", while maintaining references to lesbian, gay, and bisexual persons;
- replacing the phrase "sex (including sexual orientation and gender identity)" with "sex, sexual orientation, and nonconformity to sex-based stereotypes" wherever it appears in the original document, as we feel strongly that 'sex', 'sexual orientation' and 'nonconformity to sex-based stereotypes' should all stand alone as equally protected characteristics as opposed to as qualifiers; and by
- providing clear, non-circular definitions for any terms the document references.

*Women's Declaration International USA is the US chapter of a global organization dedicated to the principles laid out in the [Declaration on Women's Sex-Based Rights](#), which has been signed by about 30,000 people worldwide. Before January, 2021, WDI was known as Women's Human Rights Campaign.