



DIOCESE OF CHEYENNE

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The Equality Act

March 15, 2021

The U.S. House of Representatives passed the Equality Act (H.R. 5) on February 25, 2021. This bill would amend the Civil Rights Act of 1964 so that “sex” be read to include “sexual orientation and gender identity.” H.R. 5 would prohibit discrimination on the basis of sexual orientation and gender identity in employment, housing, public accommodations, public education, federal funding, the credit system, and jury duty. It also expands the jurisdiction of that law beyond “public accommodations” to include any establishment or individual that provides services to the public, including health care providers. Religious exemptions generally afforded by the Religious Freedom Restoration Act would not be allowed.

This legislation underscores the need to welcome and accompany homosexual persons as brothers and sisters in the family of the human race. It is essential that our society treat homosexual persons with equality. Men and women with same-sex attraction “must be treated with respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided” (Catechism of the Catholic Church, 2358).

Yet, as the legislation seeks to promote the rights of homosexual persons, it infringes on the rights of others. Replacing “sex” with the term “gender identity” in anti-discrimination law would overturn legal protections for women, allowing those born as male but now identifying as women into female-only spaces, including locker rooms, sports teams, prisons and battered women’s shelters, where women are especially vulnerable to male aggression. Doctors would be required to provide infertility-inducing hormonal treatments and surgeries, no questions asked. The same is true for insurers.

Furthermore, the Equality Act would erode the rights of the unborn. This bill would affect the existing “abortion-neutrality” of the Pregnancy Discrimination Act (PDA). The original PDA prohibits employment discrimination on the basis of pregnancy, childbirth, or “related medical conditions.” This includes abortion, that is, an employee cannot be dismissed for obtaining one. But the text of the PDA itself ensures that it not be interpreted to require employers to fund abortions, nor to prohibit them from doing so.

However, the Equality Act includes a new free-standing prohibition on pregnancy discrimination, which requires that abortion be treated no differently than other physical conditions. The short section reads: “Pregnancy, childbirth, or related medical condition [read: abortion] shall not receive less favorable treatment than other physical conditions.” Thus, an institution or individual, that provides or funds health care but not abortion (including state governments?) would be discriminating on the basis of sex. Catholic doctors and hospitals would have no recourse to federal conscience protections.

It is important to protect people experiencing same-sex attraction or gender discordance from discrimination. They often experience rejection even within their own families. We need to

unequivocally stand up for their human dignity. Nevertheless, such efforts must also protect the rights of all. Unfortunately, H.R. 5 would further diminish respect for the child in the womb, provide for taxpayer funding of abortion, erode conscience rights, discriminate against people of faith, and impose an ideology of “gender” on individuals and organizations.

As this or other similar legislation is debated, we should speak about these issues with courage, listen with compassion, and respond with respect. We belong to one human family. No one is our enemy. What is important is not only “what” we stand for, but “how” we speak to one another as we seek to love one another as Christ has loved us.

Your brother in Christ,

A handwritten signature in black ink that reads "Bishop Steven Biegler". The signature is written in a cursive, flowing style.

Bishop Steven Biegler
Diocese of Cheyenne