

Bill Affirms LGBTs Have No Special Rights

About 14 months ago, on May 13, 2016, the Obama administration's departments of education and justice issued their now infamous joint Dear Colleague Letter on Transgender Students, declaring the agencies would "treat a student's gender identity as the student's sex for purposes of enforcing Title IX."

Title IX of the Education Amendments of 1972 is meant to ensure there is no discrimination on the basis of one's biological sex when it comes to the offering of programs and educational opportunities. The Obama administration's unilateral decision, however, redefined federal law to advance its political agenda, thereby imposing a "one-size-fits-all policy" on every public school district in the country.

President Trump's education and justice departments eventually reversed their predecessors' blatant undermining of the rule of law, separation of powers and federalism, but Obama holdouts continue to try to push their agenda within the framework of the federal system. Most reasonable people understand the threats this creates for the safety and privacy of students—particularly young women.

Now, a bill being offered by a group of conservative Republicans in the House of Representatives aims to put a stop to the nonsense. The Civil Rights Uniformity Act of 2017, which has the bill number H.R. 2796, just moved into the House Committee on the Judiciary, and was authored by Rep. Pete Olson, R-Texas, and is co-sponsored by:

- Rep. Ralph Abraham, R-La.
- Rep. Brian Babin, R-Texas
- Rep. Vicky Hartzler, R-Mo.

The bill's primary purpose is to "ensure that gender identity is not treated as a protected class in Federal Law or Policy without the approval of Congress." It also reaffirms Title IX, the Civil Rights Act of 1964, and the Fair Housing Act are meant to protect against discrimination when it comes to a person's biological sex, rather than his or her self-professed gender identity.

"The Obama administration strongly overreached by unilaterally redefining the definition of 'sex' with respect to the Civil Rights Act outside of the lawmaking process," Olson said. "We must reject the notion of false power stolen from Congress by a White House seeking to impose social policy on America.

"The Founding Fathers never intended unelected bureaucrats in federal agencies to make sweeping changes to the definition of gender. While we have a new president in office, we must restore the voice of the people given to them by our Constitution and put an end to this dangerous precedent of removing Congress' power to make laws."

Additionally, in September of 2015, citing the Civil Rights Act, the Department of Health and Human Services and the Office of Civil Rights proposed a rule to interpret Section 1557 of the Affordable Care Act—otherwise known as Obamacare—to redefine prohibitions on sex discrimination in health care programs to include "sex stereotyping," "gender identity" and "termination of pregnancy." This could leave health care providers vulnerable to extensive liability should they refuse to participate in or pay for gender transition treatments or sex change operations based on medical opinion, moral, ethical or religious reasons.

"The Obama Administration used brute force and coercion to compel states and localities to accept its redefinition of sex to include 'gender identity,'" Babin added. "Though the Trump administration has rolled back most of these overreaching executive orders, the Civil Rights Uniformity Act would ensure

that any redefinition of sex by the U.S. government would have to originate from Congress and be passed into law, preventing future executive overreach.

“This bill preserves the power of Congress and restores the voice of the people to make sure that ‘gender identity’ is not conflated with biological sex without explicit approval by the people’s representatives in Congress.” {eoa}