



**A Resolution to
Oppose H.R. 5 of the 117th Congress Titled the “Equality Act”
and
Request Repeal of Hawai’i Act 013 of 2018**

Whereas H.R. 5, the “Equality Act”, unfairly discriminates against others who are not included in the Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) community, based on fluid behaviors and emotions rather than unchanging inherent physical characteristics;

Whereas prior civil rights protections were limited in scope, H.R. 5 is comprehensive in scope to the extent that it infringes on our First Amendment Rights to include education, medical and religious practices; and does not provide conscience protections for those who morally object to certain ideologies and medical procedures;

Whereas biological women are notably smaller, less muscular, and more vulnerable to force than biological males, H.R. 5 will unfairly give an advantage to men who identify as women (transwomen) in sports competitions, incentives (e.g., athletic scholarships), and potentially cause physical harm and instill fear for their personal safety and modesty when exposed to shared living, bathroom, and dressing facilities, especially in shelters and in prisons;

Whereas additional protections to the U.S. Constitution already exist via The Civil Rights Act of 1964 as amended, the Fair Housing Act, the Religious Restoration Act, and the Religious Land Use and Institutionalized Persons Act;

Whereas the term “sex” has historically referenced the immutable biological determination of male and female established at birth and continued throughout life as revealed by a person’s unchanging DNA, H.R. 5 Section 3, Public Accommodations, requires modification of the Civil Rights Act of 1964 Section Sec 1101 (a) (2) (4) Definitions and Rules to merge the completely separate, self-defining, fluid and changeable concepts of gender identity and sexual orientation with the term “sex” even though they are completely different realities;

Whereas:

1. HR 5, Section 2a (7) describes Reparative Therapy as a “discredited practice ... that harms LGBTQ...”

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2. Hawai'i Act 013 of 2018 / HRS 453J-1 prohibits all persons licensed to provide professional counseling from engaging or attempting to engage in conversion therapy to a person under eighteen years of age;
3. neither of the aforementioned legislation recognizes the population of citizens who have transitioned back to their biological sex; and

Whereas gender dysphoria is a recognized medical condition with 73-88% of pre-pubertal individuals losing their desire to identify with the non-birth sex, H.R. 5 requires affirmation of this condition and in some cases has resulted in parents losing their rights to raise their child in their biological sex; now, therefore, be it:

Resolved that the Hawai'i Republican Party in virtual convention on May 15, 2021:

1. urges the Hawai'i Congressional delegation to oppose the passing of H.R. 5 since it promotes unequal protections for our citizens and criminalizes beliefs and actions based on Natural Law and provides no conscience objections;
2. urges Hawai'i legislators to repeal SB270 SD1 HD2 CD1 Act 013 of 2018 and Governor's Message 1113 of May 29, 2018 that deny options of helpful care for the LGBTQ community under 18 years of age; and
3. will post copies of this resolution to the Hawai'i Republican Party website and transmit copies to the Governor of the State of Hawai'i, the Lieutenant Governor, members of the Hawai'i State Legislature, the Hawai'i Congressional delegation and the Mayors of each County.

References:

[Text - H.R.5 - 117th Congress \(2021-2022\): Equality Act | Congress.gov | Library of Congress §453J-1 \(hawaii.gov\)](#)

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