



MEDIA ADVISORY

November 26, 2018

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WASHINGTON, D.C.— Last month, we learned the Trump administration was considering a discriminatory change to the definition of gender identity by the federal government. The New York Times article titled “‘Transgender’ Could be Defined Out of Existence Under Trump Administration” explained that the administration wished to narrowly define gender identity as either male or female, and as a biological, unchangeable condition determined at birth. If successful, this would be a traumatic move to roll back recognition and protection for the transgender community under federal civil rights law.

As The New York Times reported, “this new definition would essentially eradicate federal recognition of the estimated 1.4 million Americans who have opted to recognize themselves - surgically or otherwise - as a gender other than the one they were born into.” This change goes against established legal protections and human dignity.

This is not the first time the Trump administration has attacked the transgender community. In February of 2017 the Department of Justice withdrew Obama-era protocol explaining how schools must protect transgender students under Title IX. In March of 2017, the Census Bureau retracted a proposal to collect LGBT demographic information during the 2020 census. In July 2017, Trump announced “ the United States Government will not accept or allow Transgender individuals to serve in any capacity in the U.S. Military” via twitter. In October of 2017, the Justice Department instructed their attorneys to take the legal position that transgender workers were not protected under federal discrimination law. In May of 2018, the United States Bureau of Prisons rolled back protections for transgender inmates by adopting a policy to match prisoners with facilities based upon their sex assigned at birth.

If implemented, this most recent proposition could have devastating implications on the rights of many, including members of our organization. It would impact how and where they attend schools, make use of public accommodations, attain gainful employment, and much more. In fact, several organizations serving the LGBTQ community have already reported an increase in phone calls and walk-ins due to heightened fear throughout the community.

It is necessary to serve not only as advocates but also as allies for those of us who are most vulnerable to the proposed change. Furthermore, we must educate individuals who do not understand these issues so that effective changes can be made.

NBLSA stands against all forms of bigotry and hatred that are reflective in the statements, policies, and discriminatory practices against individuals who identify as transgender.

To those in need of someone to talk to, remember you are not alone. There are resources available to you. Please feel free reach out to the Trans Lifeline – a trans-led peer support hotline – at (877) 565-8860. The Trevor Project also has a 24/7 hotline and their phone number is (866) 488-7386. We see you, we hear you, and you will not be erased, or “defined out of existence.”

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Since our founding in 1968, NBLSA has worked to increase the number of culturally responsible Black and minority attorneys who excel academically, succeed professionally, and positively impact the community. In so doing, NBLSA is enriched by thousands of brilliant legal thinkers, business leaders, and social justice advocates who have embodied this mission, both during their time as a BLSA member in law school and in their lives as members of the legal profession. This year, NBLSA celebrated 50 years of excellence and we look forward to what the next 50 years will bring.