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**Loretta Lynch**

*Address Announcing Complaint Against North Carolina et al re Transgender Law*

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**AUTHENTICITY CERTIFIED:** Text version below transcribed directly from audio

Well, good afternoon, ladies and gentlemen. Thank you all for being here. I am joined by Vanita Gupta, head of the Civil Rights Division here at the Department of Justice.

We are here to announce a significant law enforcement action regarding North Carolina's Public Facilities Privacy & Security Act, also known as House Bill 2.

Now, the North Carolina General Assembly passed House Bill 2 in special session on March 23 of this year. The bill sought to strike down an anti-discrimination provision in a recently-passed Charlotte, North Carolina, ordinance, as well as to require transgender people in public agencies to use the bathrooms consistent with their sex as noted at birth, rather than the bathrooms that fit their gender identity. The bill was signed into law that same day.

And in so doing, the legislature and the governor placed North Carolina in direct opposition to federal laws prohibiting discrimination on the basis of sex and gender identity. More to the



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point, they created state-sponsored discrimination against transgender individuals, who simply seek to engage in the most private of functions in a place of safety and security -- a right taken for granted by most of us.

Last week, our Civil Rights Division notified state officials in North Carolina that House Bill 2 violates federal civil rights laws. We asked that they certify by the end of the day today that they would not comply with or implement House Bill 2's restriction on restroom access. An extension was requested by North Carolina and was under active consideration. But instead of replying to our offer or providing a certification, this morning the state of North Carolina and its governor chose to respond by suing the Department of Justice. As a result of their decisions, we are now moving forward.

Today, we are filing a federal civil rights lawsuit against the state of North Carolina, Governor Pat McCrory, the North Carolina Department of Public Safety, and the University of North Carolina. We are seeking a court order declaring HB2's restroom restriction impermissibly discriminatory, as well as a statewide bar on its enforcement. Now, while the lawsuit currently seeks declaratory relief, I want to note that we retain the option of curtailing federal funding to the North Carolina Department of Public Safety and the University of North Carolina as this case proceeds.

Well, this action is about a great deal more than bathrooms. This is about the dignity and the respect that we accord our fellow citizens and the laws that we, as a people and as a country, have enacted to protect them -- indeed, to protect all of us. And it's about the founding ideals that have led to this country, haltingly but inexorably, in the direction of fairness, inclusion, and equality for all Americans.

This is not the first time that we have seen discriminatory responses to historic moments of progress for our nation:



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We saw it in the Jim Crow laws that followed the Emancipation Proclamation.

We saw it in the fierce and widespread resistance to *Brown v. Board of Education*.

And we saw it in the proliferation of state bans on same-sex unions that were intended to stifle any hope that gay and lesbian Americans might one day be afforded the right to marry. And that right, of course, is now recognized as a guarantee embedded in our Constitution. And in the wake of that historic triumph, we have seen bill after bill in state after state taking aim at the LGBT community.

Now, some of these responses reflect a recognizably human fear of the unknown and a discomfort with the uncertainty of change. But this is not a time to act out of fear. This is a time to summon our national virtues of inclusivity, of diversity, of compassion and open-mindedness. And what we must not do, what we must never do, is turn on our neighbors, our family members, our fellow Americans, for something that they cannot control, and deny what makes them human. And this is why none of us can stand by when a state enters the business of legislating identity and insists that a person pretend to be something or someone that they are not, or invents a problem that does not exist as a pretext for discrimination and harassment.

And let me speak now directly to the people of the great state, of the beautiful state, my home state of North Carolina. You have been told that this law protects vulnerable populations from harm; but that just is not the case. Instead, what this law does is inflict further indignity on a population that has already suffered far more than its fair share. This law provides no benefit to society, and all it does is harm innocent Americans.

And instead of turning away from our neighbors, our friends, and our colleagues, let us instead learn from our history and avoid repeating the mistakes of our past.

And let us reflect on the obvious but often neglected lesson that state-sanctioned discrimination never looks good and never works in hindsight. It was not so very long ago that states, including North Carolina, had other signs above restrooms, water fountains, and on



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public accommodations keeping people out based on a distinction without a difference. We've moved beyond those dark days, but not without a tremendous amount of pain and suffering -- and an ongoing fight to keep moving forward. Let us write a different story this time. Let us not act out of fear and misunderstanding, but out of the values of inclusion and diversity and regard for all that make our country great.

And let me also speak directly to the transgender community itself.

Some of you have lived freely for decades, and others of you are still wondering how you can possibly live the lives that you were born to live -- to lead. But no matter how isolated, no matter how afraid, and no matter how alone you may feel today, know this: that the Department of Justice, and indeed the entire Obama Administration, want you to know that we see you; we stand with you; and we will do everything we can to protect you going forward. And please know that history is on your side. This country was founded on the promise of equal rights for all, and we have always managed to move closer to that ideal, little by little, day by day. And it may not be easy, but we will get there together.

Let me also thank my colleagues in the Civil Rights Division who've devoted many hours to this case so far, and who will devote many more to seeing it through.

And at this time, I will turn the podium over to Vanita Gupta, whose determined leadership on this and so many other issues has been essential to the Justice Department's work.