



CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

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PATRICK H. WEST
CITY MANAGER

December 21, 2018

The President
Attn: The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

U.S. Department of Education
Attn: Office of Civil Rights
400 Maryland Avenue, SW
Washington, DC 20202-1100

U.S. Department of Health and Human Services
Attn: Office of Civil Rights
200 Independence Avenue, S.W.
Washington, DC 20201

Re: Opposition to Title IX 'Sex' Definition that is Transgender Exclusive

Dear Mr. President, U.S. Department of Education and U.S. Department of Health and Human Services:

On behalf of the Long Beach City Council, I write to oppose the Department of Health and Human Services' (DHHS) effort to establish a legal definition of sex under Title IX of the Education Amendments Act of 1972 (Title IX). On November 20, 2018, the City Council unanimously approved a motion to oppose the Administration's efforts to establish a legal definition of sex under Title IX that excludes transgender people. The City of Long Beach (City) strongly values Title IX, as the law bans gender discrimination in education programs that receive government financial assistance.

Through a New York Times news article dated October 21, 2018, the City understands the DHHS believes government agencies need to adopt an explicit and uniform definition of gender as determined "on a biological basis that is clear, grounded in science, objective and administrable." According to the article, the DHHS' proposed definition would define sex as either male or female, unchangeable, and determined by the genitals that a person is born with. The City opposes any effort to redefine or remove aspects of federal law that allow for the recognition of transgender identity in federal law.

Originally stated in Title IX, the term 'sex' is defined by an individual's genitalia at birth, as declared on an individual's birth certificate. Gender is not considered in Title IX, as it refers to an individual's gender identification, apart from one's sex.

The City advocates strongly in opposition to the exclusion of people that identify amongst the Lesbian, Gay, Bi-sexual, Transgender, Queer (LGBTQ) community. Long Beach and the greater Los Angeles region are home to the 8th largest population of LGBTQ-identified people in the nation. The Los Angeles-Long Beach-Santa Ana area is proud to have ranked #2 in the nation for over 5 years in a row for having the greatest number of Lesbian, Gay, Bisexual or Transgender (LGBT) persons. On a national level, 1.4 million people identify as transgender.

Given these reasons, the City of Long Beach opposes efforts to establish a legal definition of 'sex' under Title IX that excludes transgender people.

Sincerely,



Patrick H. West
CITY MANAGER

cc: The Honorable Senator Dianne Feinstein
The Honorable Senator Kamala Harris
The Honorable Congressman Alan Lowenthal, 47th District
The Honorable Congressman Nanette Barragan, 44th District