

Nike Shareholder Meeting Question
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The National Center for Public Policy Research
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I'm Justin Danhof of the National Center for Public Policy Research. Thank you for the opportunity to talk with you today.

I want to ask you about Nike's decision to get involved in the litigation over North Carolina's HB2 law by supporting the Justice Department in a legal brief. Despite the media headlines, HB2 is about much more than bathrooms, it is about the fundamental way that the federal government operates. Nike's support for the Justice Department means one of three things:

- Nike's management believes that Congress, when it voted for the 1964 Civil Rights Act and the 1972 Education Act Amendments, intended "sex" to be a mental state or belief about one's sex not related to biology.
- Nike's management believes that Congress, when referring to sex in 1964 and 1972, meant the term to refer to biological males and females, and that the definition of "sex" in federal law has simply changed over the years. Yet, if the definition of "sex" has changed, how did it change in federal law without Congress voting to change it and no federal court ruling redefining it?
- Or, finally, Nike believes that the executive branch can change the core meaning of federal laws all by itself.

My first question is: which of these does Nike believe?

Secondly, if Nike so opposed to HB2, would you be willing to put your money where your mouth is and pull your business out of the state? Like the NBA pulled its All-star game from Charlotte and the NCAA pulled numerous championship events from North Carolina sites, Nike could end its affiliation with Tar Heel State schools such as Duke, the University of North Carolina and Wake Forest and stop selling all related apparel. Would you be willing to do that?

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