

119TH CONGRESS
2D SESSION

H. RES. 1058

Recognizing that it is the duty of the Federal Government to develop and implement a Transgender Bill of Rights to protect and codify the rights of transgender and nonbinary people under the law and ensure their access to medical care, shelter, safety, and economic security.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2026

Ms. JAYAPAL (for herself, Mr. TAKANO, Ms. JACOBS, Mr. AMO, Ms. ANSARI, Ms. BALINT, Ms. BARRAGÁN, Mr. BELL, Ms. BONAMICI, Ms. BROWNLEY, Mr. CARBAJAL, Mr. CARSON, Mr. CASAR, Mr. CASTEN, Ms. CHU, Mr. CISNEROS, Ms. CLARKE of New York, Mr. DAVIS of Illinois, Ms. DEAN of Pennsylvania, Ms. DEGETTE, Ms. DELBENE, Mr. DESAULNIER, Ms. DEXTER, Mrs. DINGELL, Mr. DOGETT, Mr. EVANS of Pennsylvania, Mrs. FLETCHER, Mrs. FOUSHEE, Mr. FROST, Mr. GARAMENDI, Ms. GARCIA of Texas, Mr. GARCIA of California, Mr. GARCÍA of Illinois, Mr. GOLDMAN of New York, Mr. GOMEZ, Mr. GREEN of Texas, Mrs. GRIJALVA, Mr. IVEY, Mr. JOHNSON of Georgia, Ms. KAMLAGER-DOVE, Mr. KEATING, Mr. KRISHNAMOORTHY, Mr. LARSON of Connecticut, Ms. LEE of Pennsylvania, Ms. LEGER FERNANDEZ, Mr. LIEU, Ms. LOFGREN, Mr. LYNCH, Ms. MATSUI, Ms. MCBRIDE, Mrs. MCCLAIN DELANEY, Ms. MCCLELLAN, Ms. MCCOLLUM, Mr. MCGARVEY, Mr. MCGOVERN, Mrs. MCIVER, Mr. MENENDEZ, Ms. MENG, Ms. MOORE of Wisconsin, Mr. MOULTON, Mr. MULLIN, Mr. NADLER, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PANETTA, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Ms. PRESSLEY, Mr. QUIGLEY, Mrs. RAMIREZ, Ms. RANDALL, Mr. RASKIN, Ms. RIVAS, Ms. ROSS, Ms. SALINAS, Ms. SÁNCHEZ, Ms. SCANLON, Ms. SCHAKOWSKY, Ms. SIMON, Mr. SMITH of Washington, Ms. STANSBURY, Mr. THANEDAR, Ms. TITUS, Ms. TLAIB, Ms. TOKUDA, Mr. TONKO, Mr. TORRES of New York, Mrs. TRAHAN, Mr. VARGAS, Ms. VELÁZQUEZ, Mr. WALKINSHAW, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Ms. BROWN) submitted the following resolution; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and Workforce, Energy and Commerce, Financial Services, Oversight and Government Reform, Armed Services, Veterans' Affairs, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

RESOLUTION

Recognizing that it is the duty of the Federal Government to develop and implement a Transgender Bill of Rights to protect and codify the rights of transgender and non-binary people under the law and ensure their access to medical care, shelter, safety, and economic security.

Whereas an estimated 1,600,000 transgender adults live in the United States;

Whereas title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) requires equal treatment under the law regardless of sex;

Whereas the Supreme Court of the United States affirmed in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020) that Federal protection against discrimination on the basis of sex includes protection from discrimination on the basis of sexual orientation and gender identity;

Whereas several Federal courts have correctly concluded that discrimination against transgender people because of their sex and gender identity violates title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 1557 of the Patient Protection and Affordable Care Act (42 U.S.C. 18116), and the Fourteenth Amendment to the Constitution of the United States;

Whereas, despite the protections against discrimination on the basis of sexual orientation and gender identity, transgender people still experience discrimination in—

- (1) medical care;
- (2) employment;
- (3) housing;
- (4) education;
- (5) lending; and

(6) other basic necessities;

Whereas President Trump has issued several executive orders that attempt to unlawfully discriminate against transgender people;

Whereas anti-trans individuals strive to deprive transgender and nonbinary people of access to gender affirming care, despite the overwhelming consensus of the medical community that gender-affirming care is essential, safe, and life-saving health care;

Whereas the provision of best-practice, age-appropriate, gender-affirming health care is endorsed by the American Academy of Child and Adolescent Psychiatry, the American Academy of Family Physicians, the American Academy of Nursing, the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists, the American College of Physicians, the American Counseling Association, the American Heart Association, the American Medical Association, the American Nurses Association, the American Osteopathic Association, the American Psychiatric Association, the American Psychological Association, the American Public Health Association, the Endocrine Society, the National Association of Nurse Practitioners in Women's Health, the Pediatric Endocrine Society, the Society for Adolescent Health and Medicine, the World Medical Association, and the World Professional Association for Transgender Health;

Whereas transgender and nonbinary people—

(1) face significant barriers to legal recognition of their truest selves on government-issued documentation and identification that reflects their gender;

(2) experience disproportionately high rates of poverty, homelessness, violence, and suicide due to discrimination and persecution; and

(3) are especially vulnerable to violence and abuse and are often deprived of gender-affirming resources and health care while detained in jails, prisons, and immigration detention centers; and

Whereas transgender and nonbinary people—

(1) make unique, valuable contributions to American society and culture worth honoring and celebrating;

(2) have existed throughout history across the globe, demonstrating resilience, bravery, and authenticity; and

(3) are parents, siblings, children, chosen family, and friends deserving of human dignity and support: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) the Federal Government has a duty to pro-
4 tect the rights of transgender and nonbinary people
5 by implementing a “Transgender Bill of Rights”
6 that includes—

7 (A) ensuring that transgender and non-
8 binary people have equal access to services and
9 public accommodations that align with their
10 gender identity by—

11 (i) amending the Civil Rights Act of
12 1964 (42 U.S.C. 2000a et seq.) to prohibit
13 discrimination on the basis of sex, includ-

1 ing gender identity and sex characteristics,
2 in public accommodations and federally
3 funded programs and activities;

4 (ii) expanding the definition of public
5 accommodation to address the full range of
6 places and services that members of the
7 general public utilize;

8 (iii) explicitly clarifying that it is ille-
9 gal to discriminate on the basis of sex, in-
10 cluding gender identity or sex characteris-
11 ties, in public accommodations and services
12 on religious grounds; and

13 (iv) amending Federal law to ensure
14 that it protects students from discrimina-
15 tion based on sex, including gender iden-
16 tity and sex characteristics, thus guaran-
17 teeing the right of students to participate,
18 free from discrimination, including harass-
19 ment and sexual violence, in all areas of
20 school life, including in classes,
21 extracurriculars (including athletics), ac-
22 cess to facilities, and other school activi-
23 ties;

1 (B) clarifying and reaffirming the right to
2 bodily autonomy and health care for
3 transgender and nonbinary people by—

4 (i) enforcing prohibitions against dis-
5 crimination in the provision of health care
6 on the basis of sex, including on the basis
7 of actual or perceived gender identity or
8 sex characteristics;

9 (ii) eliminating unnecessary govern-
10 mental restrictions on the provision of, and
11 access to, gender-affirming medical care
12 and counseling for transgender and non-
13 binary adults and adolescents;

14 (iii) ensuring that health care pro-
15 viders that follow recognized standards of
16 care for transgender and nonbinary people
17 are not targeted for criminal or civil pen-
18 alties, or for professional discipline;

19 (iv) protecting children against force-
20 ful removal from supportive homes;

21 (v) protecting providers of gender-af-
22 firming care, reproductive health care, and
23 abortion health care from threats and acts
24 of violence related to their work;

1 (vi) expanding access to competent
2 health care providers serving transgender
3 and nonbinary patients, including by re-
4 cruiting and training more health care pro-
5 viders to provide appropriate care;

6 (vii) expanding telehealth access to
7 provide patients in rural and other under-
8 served locations better access to health
9 care services;

10 (viii) codifying the right to abortion
11 and reproductive health care, such as con-
12 traceptives and assistive reproductive tech-
13 nology, for everyone, including transgender
14 and nonbinary people;

15 (ix) banning the performing of non-
16 consensual surgeries that violate medical
17 ethics and the human rights of intersex
18 children and infants;

19 (x) banning conversion practices and
20 other abusive and torturous pseudo-med-
21 ical treatments that are overwhelmingly re-
22 jected by every major medical organization
23 as lacking efficacy and carrying significant
24 risks of harm;

(xi) protecting providers of gender-affirming care from specious consumer and medical fraud accusations based on their provision of medically necessary care; and

(xii) ensuring that the Sexual & Gender Minority Research Office of the National Institutes of Health is re-opened and remains operational;

(C) ensuring transgender and nonbinary people can care for themselves and their families by fully codifying the judgment of the Supreme Court in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020) by—

(i) eliminating hiring and employment discrimination and workforce exclusion by amending title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) to explicitly clarify that employers may not discriminate on the basis of actual or perceived gender identity or sex characteristics;

(ii) amending the Fair Housing Act (42 U.S.C. 3601 et seq.) to explicitly clarify that it prohibits all forms of sex dis-

1 crimination, including on the basis of gen-
2 der identity or sex characteristics; and

3 (iii) amending the Equal Credit Op-
4 portunity Act (15 U.S.C. 1691 et seq.) to
5 explicitly clarify that it prohibits all forms
6 of sex discrimination, including on the
7 basis of gender identity or sex characteris-
8 tics;

9 (D) providing accessible avenues for legal
10 recognition of transgender and nonbinary iden-
11 tities and guaranteeing full participation in civil
12 life by—

13 (i) eliminating Federal gender identi-
14 fication requirements on government docu-
15 ments that are unnecessary to determine
16 the identity of the holder or are otherwise
17 irrelevant to the purpose of the document;

18 (ii) eliminating burdensome barriers
19 to, or prohibitions on, updating sex and
20 names on passports, Social Security cards,
21 and other forms of Federal Government
22 identification and records, permitting,
23 where possible, changes on self-attestation
24 alone;

1 (iii) requiring that an “X” marker be
2 available on Federal Government identi-
3 fication and records that require gender;

4 (iv) requiring States to permit voters
5 to update their name and gender on their
6 voter registration and vote on the same
7 day of Federal elections;

8 (v) making explicit that existing Fed-
9 eral statutes prohibiting sex discrimination
10 in jury service also prohibit discrimination
11 based on gender identity and sex charac-
12 teristics;

13 (vi) eliminating anti-trans bias in the
14 immigration system, including the asylum
15 process, by requiring culturally competent
16 training for adjudicators and ensuring that
17 gender identity and sex characteristics are
18 not used to the detriment of individuals in
19 immigration proceedings;

20 (vii) ensuring that dedicated and ca-
21 pable transgender and nonbinary
22 servicemembers can continue to serve
23 proudly and openly in the Armed Forces;

24 (viii) requiring the TRICARE pro-
25 gram (as defined in section 1072 of title

1 10, United States Code) and the Depart-
2 ment of Veterans Affairs to pay for gen-
3 der-affirming health care; and

4 (ix) requiring a review of military dis-
5 charges for transgender and nonbinary vet-
6 erans, and reclassification of discharge sta-
7 tus and code, to ensure the patriotism and
8 sacrifices of transgender and nonbinary
9 servicemembers is respected above partisan
10 politics;

11 (E) strengthening the safety of
12 transgender and nonbinary people by—

13 (i) investing in community services to
14 prevent intimate partner, family, and com-
15 munity violence against transgender and
16 nonbinary people and expand services for
17 transgender and nonbinary survivors;

18 (ii) investing in mental health services
19 and suicide prevention programs designed
20 for transgender and nonbinary people;

21 (iii) ensuring robust regulations and
22 procedures that affirm that claims for im-
23 migration relief or asylum based on perse-
24 cution related to gender, sexual orienta-
25 tion, gender identity, and sex characteris-

1 ties are protected grounds in the context of
2 asylum adjudications;

3 (iv) ensuring housing assignments for
4 transgender and nonbinary people in gov-
5 ernment custody are based on their safety
6 needs and providing individual housing de-
7 terminations that incorporate assessments
8 by qualified caseworkers and the assess-
9 ment of the individual of their safety
10 needs;

11 (v) prohibiting involuntary solitary or
12 administrative confinement of a
13 transgender or nonbinary individual be-
14 cause of their gender identity; and

15 (vi) exploring policies and practices
16 that improve the safety of transgender and
17 nonbinary individuals incarcerated in jails,
18 prisons, and immigration detention facili-
19 ties and ensuring that those populations of
20 transgender and nonbinary individuals
21 have access to gender-affirming care, ap-
22 propriate services, and commissary items
23 consistent with their gender identity; and

1 (F) actively enforcing the civil rights of
2 transgender and nonbinary people by all gov-
3 ernment agencies including by—

4 (i) requiring the Attorney General to
5 designate a liaison within the Civil Rights
6 Division of the Department of Justice
7 whose job is dedicated to advising on and
8 overseeing enforcement of the civil rights
9 of transgender and nonbinary people; and
10 (ii) appropriating the funds necessary
11 to fully staff and support the enforcement
12 of these rights across agencies;

13 (2) to carry out the goals in this resolution,
14 Federal agencies must collect gender identity and
15 sex characteristics information on a voluntary, con-
16 fidential basis solely for equity and public health
17 purposes in key Federal surveys;

18 (3) the Federal Government must make an on-
19 going commitment to the rights of transgender and
20 nonbinary people;

21 (4) policies concerning transgender rights must
22 be led and informed by transgender communities, in
23 particular Black and Indigenous women who face
24 heightened risk of violence, poverty, discrimination,

- 1 and other harm due to their intersecting identities;
- 2 and
- 3 (5) the actions listed in this resolution are only
- 4 the first steps toward transgender equality.

