

118TH CONGRESS
2D SESSION

H. R. 10497

To amend title 18, United States Code, to provide for certain rules for housing or transportation based on gender and to provide for a limitation on gender-related medical treatment.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2024

Ms. MACE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for certain rules for housing or transportation based on gender and to provide for a limitation on gender-related medical treatment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Prison Rape Preven-
5 tion Act of 2024”.

1 **SEC. 2. RULES FOR HOUSING OR TRANSPORTATION BASED**
2 **ON GENDER; LIMITATION ON GENDER-AF-**
3 **FIRMING CARE.**

4 Section 3621 of title 18, United States Code, is
5 amended by adding at the end the following:

6 “(j) RULES FOR HOUSING OR TRANSPORTATION
7 BASED ON GENDER; LIMITATION ON GENDER-AFFIRMING
8 CARE.—Notwithstanding any other provision of law, the
9 Bureau of Prisons—

10 “(1) shall ensure that a prisoner is placed, dur-
11 ing that prisoner’s term of imprisonment, only
12 among prisoners of the same biological sex as the
13 prisoner;

14 “(2) shall ensure that a prisoner, when trans-
15 ported in the company of other prisoners, is only
16 transported among prisoners of the same biological
17 sex as the prisoner; and

18 “(3) may not furnish or pay for any gender-re-
19 lated medical treatment.

20 “(k) DEFINITIONS.—For purposes of subsection (j):

21 “(1) BIOLOGICAL SEX.—The term ‘biological
22 sex’ means the biological determination as to wheth-
23 er an individual is male or female.

24 “(2) FEMALE.—The term ‘female’ means an in-
25 dividual who naturally has, had, will have, or would
26 have, but for a developmental or genetic anomaly or

1 historical accident, the reproductive system that at
2 some point produces, transports, and utilizes eggs
3 for fertilization.

4 “(3) MALE.—The term ‘male’ means an indi-
5 vidual who naturally has, had, will have, or would
6 have, but for a developmental or genetic anomaly or
7 historical accident, the reproductive system that at
8 some point produces, transports, and utilizes sperm
9 for fertilization.

10 “(4) GENDER.—The term ‘gender’—

11 “(A) means—

12 “(i) males, females, or the natural dif-
13 ferences between males and females, unless
14 such term is otherwise specified or used
15 alone (rather than with or as an adjective
16 modifying other words); and

17 “(ii) a synonym for sex; and

18 “(B) does not mean a synonym for terms
19 or ideas such as gender identity, experienced
20 gender, gender expression, or gender roles

21 “(5) GENDER-RELATED MEDICAL TREAT-
22 MENT.—The term ‘gender-related medical treat-
23 ment’—

24 “(A) means—

1 “(i) with respect to a female indi-
2 vidual, medical treatments provided for
3 purposes of addressing the perception of
4 such individual that the gender or sex of
5 such individual is not female, including—

6 “(I) surgical procedures, includ-
7 ing—

8 “(aa) vaginectomy;

9 “(bb) hysterectomy;

10 “(cc) oophorectomy;

11 “(dd) reconstruction of the
12 urethra;

13 “(ee) metoidioplasty;

14 “(ff) phalloplasty;

15 “(gg) salpingo-
16 oophorectomy;

17 “(hh) scrotoplasty;

18 “(ii) implantation of erection
19 or testicular prostheses;

20 “(jj) subcutaneous mastec-
21 tomy;

22 “(kk) vocal cord surgery;

23 “(ll) pectoral implants; and

24 “(mm) penile transplan-
25 tation;

1 “(II) exogenous doses of testos-
2 terone or other androgens;

3 “(III) puberty blockers, includ-
4 ing—

5 “(aa) GnRH agonists; and

6 “(bb) synthetic drugs that
7 suppress the production of estro-
8 gen and progesterone or delay or
9 suppress pubertal development in
10 female individuals; and

11 “(IV) such other medical treat-
12 ment, identified by the Director of the
13 Federal Bureau of Prisons, that may
14 be provided for purposes of addressing
15 the perception of such individual that
16 the gender or sex of such individual is
17 not female; and

18 “(ii) with respect to a male individual,
19 medical treatments provided for purposes
20 of addressing the perception of such indi-
21 vidual that the gender or sex of such indi-
22 vidual is not male, including—

23 “(I) surgical procedures, includ-
24 ing—

25 “(aa) penectomy;

1 “(bb) orchiectomy;
 2 “(cc) vaginoplasty;
 3 “(dd) clitoroplasty;
 4 “(ee) vulvoplasty;
 5 “(ff) augmentation
 6 mammoplasty;
 7 “(gg) facial feminization
 8 surgery;
 9 “(hh) vocal cord surgery;
 10 “(ii) chondrolaryngoplasty;
 11 “(jj) gluteal augmentation;
 12 and
 13 “(kk) uterine transplan-
 14 tation;
 15 “(II) exogenous doses of estro-
 16 gen;
 17 “(III) puberty blockers, includ-
 18 ing—
 19 “(aa) GnRH agonists; and
 20 “(bb) synthetic drugs that
 21 suppress the production of testos-
 22 terone or delay or suppress pu-
 23 bertal development in male indi-
 24 viduals; and

1 “(IV) such other medical treat-
2 ment, identified by the Director of the
3 Federal Bureau of Prisons, that may
4 be provided for purposes of addressing
5 the perception of such individual that
6 the gender or sex of such individual is
7 not male; and

8 “(B) does not include any medical
9 treatment performed on an individual for the
10 purposes of treating—

11 “(i) a disorder of sex development, di-
12 agnosed by a physician after such physi-
13 cian has determined through genetic or
14 biochemical testing that such individual
15 does not have normal sex chromosome
16 structure, sex steroid hormone production,
17 or sex steroid hormone action;

18 “(ii) irresolvably ambiguous biological
19 sex characteristics of such individual, in-
20 cluding the presence of—

21 “(I) 46 XX chromosomes with
22 virilization;

23 “(II) 46 XY chromosomes with
24 undervirilization; or

1 “(III) both ovarian and testicular
2 tissue; or
3 “(iii) an infection, injury, disease, or
4 disorder caused or exacerbated by gender-
5 related medical treatment that was fur-
6 nished to an individual.”.

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