

118TH CONGRESS  
1ST SESSION

# H. R. 4960

To establish a Commission to address the pervasive, and targeted epidemic of fatal violence, economic discrimination, and other factors disproportionately impacting members of the transgender community, and to make recommendations to Congress on appropriate remedies.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2023

Ms. JACKSON LEE (for herself, Mr. CARTER of Louisiana, Mr. COHEN, Mr. VEASEY, Ms. LEE of California, Mr. DOGGETT, Ms. KAMLAGER-DOVE, Mr. RASKIN, Ms. BALINT, Ms. SCANLON, Mr. TAKANO, Ms. SCHAKOWSKY, Ms. PINGREE, Mr. GRIJALVA, Ms. PRESSLEY, and Ms. MENG) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish a Commission to address the pervasive, and targeted epidemic of fatal violence, economic discrimination, and other factors disproportionately impacting members of the transgender community, and to make recommendations to Congress on appropriate remedies.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Chyna Gibson Stop  
3 the Transgender Murder Epidemic Act of 2023” or the  
4 “Chyna Gibson STME Act of 2023”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) One of the most underreported trends in  
8 the LGBTIQ+ community is the alarming rate at  
9 which members of the gender-nonconforming, gen-  
10 der-expansive community, and especially transgender  
11 women of color, are murdered.

12 (2) Fatal violence disproportionately affects  
13 transgender women of color, and the intersections of  
14 racism, sexism, homophobia, biphobia, transphobia,  
15 and unchecked access to guns conspire to deprive  
16 them of employment, housing, health care, and other  
17 necessities, making them more vulnerable to a cul-  
18 ture of violence.

19 (3) The Human Rights Campaign reports since  
20 2013, over 200 transgender and gender-expansive  
21 individuals have been killed in the United States.

22 (4) In 2016, it is estimated that, while the over-  
23 all murder rate for the United States was 1 in  
24 19,000 per year, the murder rate for Black  
25 transgender women was 1 in 2,600, more than 7  
26 times as high as that of the general population.

1           (5) In 2018, according to the Human Rights  
2 Campaign, 26 transgender people suffered violent  
3 deaths in the United States, a majority of them were  
4 Black transgender women.

5           (6) In 2019, at least 25 transgender or gender  
6 nonconforming people fatally shot or killed by other  
7 violent means.

8           (7) In 2020, at least 37 trans and gender non-  
9 conforming people were victims of fatal violence.

10          (8) This epidemic of targeted and pervasive  
11 murder disproportionately impacts transgender  
12 women of color, who comprise approximately 4 in 5  
13 of all antitransgender homicides and those numbers  
14 do not account for unreported and misreported mur-  
15 ders or transgender people who have unexpectedly  
16 died under suspicious circumstances, but whose  
17 deaths have not been determined to be homicide, re-  
18 ports the Human Rights Campaign.

19          (9) Transgender people are a demographic with  
20 an elevated risk of becoming victims of violence and  
21 discrimination, in fact, it is estimated that trans  
22 women are 4.3 times more likely to become homicide  
23 victims than all women, reports the Human Rights  
24 Campaign.

1           (10) Many transgender women turn to the dan-  
2           gerous underground economy of sex work because it  
3           has historically been a place where transgender  
4           women have been able to make a living and find ac-  
5           ceptance in a community of peers.

6           (11) The National Center for Transgender  
7           Equality reports that more than 1 in 4 transgender  
8           people have faced a bias-driven assault, and rates  
9           are higher for trans women and transgender people  
10          of color.

11          (12) When transgender students are left unpro-  
12          tected from discrimination at all levels of education,  
13          it promotes a negative impact on their overall well-  
14          being, future economic stability, and employment op-  
15          portunities.

16          (13) Members of the Transgender community  
17          face considerable financial burdens: common health  
18          care practices for trans people, such as hormone re-  
19          placement therapy and gender-affirming surgery, are  
20          costly, and according to the American Journal of  
21          Psychiatry, undergoing gender-affirming surgery  
22          often leads to long term mental health benefits, but  
23          procedures can cost up to \$75,000.

24          (14) When a transgender person dies, the police  
25          reports of their deaths often are inaccurate,

1 misgendering them or using incorrect pronouns,  
2 making it difficult for communities to be informed of  
3 a trans woman's death and delay or impede the  
4 gathering of accurate data on deaths.

5 **SEC. 3. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) there should be a commitment to combating  
8 factors that lead to the murder of gender-noncon-  
9 forming, gender-expansive, and transgender women  
10 of color in the United States;

11 (2) there should be a dissemination of cul-  
12 turally-relevant resources that support transgender  
13 people and their families and increase awareness of  
14 the unique myriad of issues the transgender commu-  
15 nity face;

16 (3) the nation should condemn the violent, tar-  
17 geted, and senseless documented murders of the over  
18 200 gender-nonconforming, gender-expansive, and  
19 transgender individuals in the United States since  
20 2013; and

21 (4) there should be celebration that even in the  
22 face of this physical danger, hatred, and discrimina-  
23 tion, gender-nonconforming, gender-expansive, and  
24 transgender Americans live courageously and over-  
25 come unjust barriers in all corners of our country.

1 **SEC. 4. ESTABLISHMENT AND DUTIES.**

2 (a) ESTABLISHMENT.—To establish a Commission to  
3 study and develop proposals to combat the epidemic of the  
4 murdering of gender-nonconforming, gender-expansive,  
5 and transgender women of color.

6 (b) DUTIES.—The Commission’s documentation and  
7 examination shall include the facts related to the fol-  
8 lowing:

9 (1) Researching issues gender-nonconforming,  
10 gender-expansive, and transgender women of color  
11 face, such as—

12 (A) limited access to and avoidance of  
13 health care due to stigma and past negative ex-  
14 periences with providers, prioritization of gen-  
15 der-related health care, and concerns about ad-  
16 verse interactions between antiretroviral medi-  
17 cations and hormone therapy;

18 (B) the extensive degrading, debasing, and  
19 denial of humanity;

20 (C) forms of discrimination in the public  
21 and private sectors against gender-noncon-  
22 forming, gender-expansive, and transgender  
23 women of color that underlie many of the HIV,  
24 and poverty-related risk factors frequently re-  
25 ported in this population;

1 (D) the Federal and State laws that dis-  
2 criminate against the rights of transgender peo-  
3 ple;

4 (E) stigma surrounding early trans-iden-  
5 tity, which is often rooted in inaccurate beliefs  
6 and politically-motivated attacks on transgender  
7 identities, this stigma erects barriers in vir-  
8 tually every facet of life, denying transgender  
9 people the equal opportunity to succeed and be  
10 accepted;

11 (F) the treatment of gender-noncon-  
12 forming, gender-expansive, and transgender  
13 women of color in the United States, including  
14 the deprivation of their freedom, exploitation of  
15 their labor, and destruction of their culture;

16 (G) exorbitant levels of familial rejection,  
17 often from an early age, this rejection takes a  
18 devastating toll on individuals often causing iso-  
19 lation from physical and emotional resources  
20 that are essential to their well-being, in con-  
21 trast, research shows that familial acceptance is  
22 a protective factor for transgender young people  
23 and can contribute to lower rates of depression,  
24 anxiety, substance use, HIV acquisition, and  
25 suicide attempts;

1 (H) elevated rates of unemployment four  
2 times that of the United States general popu-  
3 lation, which is due, in part, to limited access  
4 to workplaces that are affirming and inclusive,  
5 transgender and gender-expansive people are  
6 put at greater risk for poverty, homelessness,  
7 and involvement with criminalized work;

8 (I) sex-segregated prisons where many  
9 transwomen do not have access to trans-com-  
10 petent health care, and are usually housed with  
11 male inmates, which can lead to violence, sexual  
12 assault, and harassment while incarcerated, di-  
13 rectly increasing their HIV risk;

14 (J) employment and housing discrimina-  
15 tion that leads directly to the need to engage in  
16 survival sex work for many who are denied op-  
17 portunities for education, job training, and  
18 basic social services because of their  
19 transgender status, which correlates with in-  
20 creased exposure to fatal violence;

21 (K) the intersections of racism, sexism,  
22 homophobia, biphobia, transphobia and un-  
23 checked access to firearms compound to create  
24 a culture of violence that disproportionately im-  
25 pacts communities of color;



1           (L) immigration detainees and aid workers  
2           have given disturbing reports of individuals  
3           being held under inhumane conditions that  
4           threaten their physical safety; and

5           (M) misgendering by local police state-  
6           ments and media reports, which can delay  
7           awareness of deadly incidents.

8           (2) Recommending appropriate ways to educate  
9           the public of the Commission’s findings.

10          (3) Recommending appropriate remedies in con-  
11          sideration of the Commission’s findings on the mat-  
12          ters described in paragraph (1). In making such rec-  
13          ommendations, the Commission shall address among  
14          other issues, the following questions:

15               (A) How such recommendations comport  
16               with international standards of remedy for  
17               wrongs and injuries caused by the State, that  
18               include special measures, as understood by var-  
19               ious relevant international protocols, laws, and  
20               findings.

21               (B) How Federal laws and policies that  
22               continue to disproportionately and negatively  
23               affect gender-nonconforming, gender-expansive,  
24               and transgender women of color as a group,

1 and those that perpetuate the lingering effects,  
2 materially and psychosocial, can be eliminated.

3 (C) How the injuries resulting from mat-  
4 ters described in paragraph (1) can be reversed  
5 and provide appropriate policies, programs,  
6 projects, and recommendations for the purpose  
7 of reversing the injuries.

8 (D) How, in consideration of the Commis-  
9 sion's findings, any other forms of rehabilita-  
10 tion or restitution to gender-nonconforming,  
11 gender-expansive, and transgender women of  
12 color are warranted and what the form and  
13 scope of those measures should take.

14 **SEC. 5. MEMBERSHIP.**

15 (a) NUMBER AND APPOINTMENT.—The Commission  
16 shall be composed of 13 members, who shall be appointed,  
17 within 90 days after the date of enactment of this Act,  
18 as follows:

19 (1) All members shall be appointed by the  
20 President.

21 (2) 10 members shall be appointed from an  
22 LGBTIQ+ community advisory board, of which 5  
23 shall be reserved for representatives from African  
24 American trans-community and predominantly Afri-  
25 can American transgender service organizations that

1 have historically championed the cause of  
2 transgender human rights.

3 (b) ORGANIZATION.—

4 (1) QUALIFICATIONS.—All members of the  
5 Commission shall be persons who are specially quali-  
6 fied to serve on the Commission by virtue of their  
7 education, training, activism, or experience, particu-  
8 larly in the field of Transgender studies and human  
9 rights.

10 (2) TERMS.—The term of office for members  
11 shall be for 2.5 years or half of the life of each Com-  
12 mission. A vacancy in the Commission shall not af-  
13 fect the powers of the Commission and shall be filled  
14 in the same manner in which the original appoint-  
15 ment was made.

16 (3) FIRST MEETING.—The President shall call  
17 the first meeting of the Commission within 120 days  
18 after the date of the enactment of this Act or within  
19 30 days after the date on which legislation is en-  
20 acted making appropriations to carry out this Act,  
21 whichever date is later.

22 (4) QUORUM.—Seven members of the Commis-  
23 sion shall constitute a quorum, but a lesser number  
24 may hold hearings.

1           (5) CHAIR AND VICE CHAIR.—The Commission  
2 shall elect a Chair and Vice-Chair from among its  
3 members. The term of office of each shall be for the  
4 life of the Commission.

5           (6) COMPENSATION.—Except as provided in  
6 paragraph (7), each member of the Commission  
7 shall receive compensation at the daily equivalent of  
8 the annual rate of basic pay payable for GS–18 of  
9 the General Schedule under section 5332 of title 5,  
10 United States Code, for each day, including travel  
11 time, during which he or she is engaged in the ac-  
12 tual performance of duties vested in the Commis-  
13 sion.

14           (7) NO ADDITIONAL PAY.—A member of the  
15 Commission who is a full-time officer or employee of  
16 the United States or a Member of Congress shall re-  
17 ceive no additional pay, allowances, or benefits by  
18 reason of his or her service to the Commission.

19           (8) REIMBURSEMENT.—All members of the  
20 Commission shall be reimbursed for travel, subsist-  
21 ence, and other necessary expenses incurred by them  
22 in the performance of their duties to the extent au-  
23 thorized by chapter 57 of title 5, United States  
24 Code.

1 **SEC. 6. POWERS OF THE COMMISSION.**

2 (a) HEARINGS AND SESSIONS.—The Commission  
3 may, for the purpose of carrying out the provisions of this  
4 Act, hold such hearings and sit and act at such times and  
5 at such places in the United States, and request the at-  
6 tendance and testimony of such witnesses and the produc-  
7 tion of such books, records, correspondence, memoranda,  
8 papers, and documents, as the Commission considers ap-  
9 propriate. The Commission may invoke the aid of an ap-  
10 propriate United States district court to require, by sub-  
11 poena or otherwise, such attendance, testimony, or pro-  
12 duction.

13 (b) POWERS OF SUBCOMMITTEES AND MEMBERS.—  
14 Any subcommittee or member of the Commission may, if  
15 authorized by the Commission, take any action which the  
16 Commission is authorized to take by this section.

17 (c) OBTAINING OFFICIAL DATA.—The Commission  
18 may acquire directly from the head of any department,  
19 agency, or instrumentality of the executive branch of the  
20 Government, available information which the Commission  
21 considers useful in the discharge of its duties. All depart-  
22 ments, agencies, and instrumentalities of the executive  
23 branch of the Government shall cooperate with the Com-  
24 mission with respect to such information and shall furnish  
25 all information requested by the Commission to the extent  
26 permitted by law.

1 **SEC. 7. ADMINISTRATIVE PROVISIONS.**

2 (a) STAFF.—The Commission may appoint and fix  
3 the compensation of such personnel as the Commission  
4 considers appropriate.

5 (b) APPLICABILITY OF CERTAIN CIVIL SERVICE  
6 LAWS.—The staff of the Commission may be appointed  
7 without regard to the provisions of title 5, United States  
8 Code, governing appointments in the competitive service,  
9 and without regard to the provisions of chapter 51 and  
10 subchapter III of chapter 53 of such title relating to classi-  
11 fication and General Schedule pay rates, except that the  
12 compensation of any employee of the Commission may not  
13 exceed a rate equal to the annual rate of basic pay payable  
14 for GS–18 of the General Schedule under section 5332  
15 of title 5, United States Code.

16 (c) EXPERTS AND CONSULTANTS.—The Commission  
17 may procure the services of experts and consultants in ac-  
18 cordance with the provisions of section 3109(b) of title 5,  
19 United States Code, but at rates for individuals not to  
20 exceed the daily equivalent of the highest rate payable  
21 under section 5332 of such title.

22 (d) ADMINISTRATIVE SUPPORT SERVICES.—The  
23 Commission may enter into agreements with the Adminis-  
24 trator of General Services for procurement of financial  
25 and administrative services necessary for the discharge of  
26 the duties of the Commission. Payment for such services

1 shall be made by reimbursement from funds of the Com-  
2 mission in such amounts as may be agreed upon by the  
3 Chairman of the Commission and the Administrator.

4 (e) CONTRACTS.—The Commission may—

5 (1) procure supplies, services, and property by  
6 contract in accordance with applicable laws and reg-  
7 ulations and to the extent or in such amounts as are  
8 provided in appropriation acts; and

9 (2) enter into contracts with departments,  
10 agencies, and instrumentalities of the Federal Gov-  
11 ernment, State agencies, and private firms, institu-  
12 tions, and agencies, for the conduct of research or  
13 surveys, the preparation of reports, and other activi-  
14 ties necessary for the discharge of the duties of the  
15 Commission, to the extent or in such amounts as are  
16 provided in appropriation acts.

17 **SEC. 8. REPORT TO CONGRESS.**

18 The Commission shall submit a written report of its  
19 findings and recommendations to the Congress not later  
20 than the date which is 18 months after the date of the  
21 first meeting of the Commission held pursuant to section  
22 3.

23 **SEC. 9. TERMINATION.**

24 The Commission shall submit a written report of its  
25 findings and recommendations to the Congress not later

1 than the date which is one year after the date of the first  
2 meeting of the Commission held pursuant to section 3 and  
3 terminate 90 days after the date on which the Commission  
4 submits its report to the Congress under section 3.

5 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

6 To carry out the provisions of this Act, there are au-  
7 thorized to be appropriated \$10,000,000 per year, for a  
8 period not to exceed 5 years.

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