

**SUBSTITUTE FOR THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7187
OFFERED BY MS. JACKSON LEE OF TEXAS**

Strike the text and insert the following:

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.

1 (3) The Human Rights Campaign reports since
2 2013, over 200 transgender and gender-expansive
3 individuals have been killed in the United States.

4 (4) In 2016, it is estimated that, while the over-
5 all murder rate for the United States was 1 in
6 19,000 per year, the murder rate for Black
7 transgender women was 1 in 2,600, more than 7
8 times as high as that of the general population.

9 (5) In 2018, according to the Human Rights
10 Campaign, 26 transgender people suffered violent
11 deaths in the United States, a majority of them were
12 Black transgender women.

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

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

18 (8) This epidemic of targeted and pervasive
19 murder disproportionately impacts transgender
20 women of color, who comprise approximately 4 in 5
21 of all antitransgender homicides and those numbers
22 do not account for unreported and misreported mur-
23 ders or transgender people who have unexpectedly
24 died under suspicious circumstances, but whose

1 deaths have not been determined to be homicide, re-
2 ports the Human Rights Campaign.

3 (9) Transgender people are a demographic with
4 an elevated risk of becoming victims of violence and
5 discrimination, in fact, it is estimated that trans
6 women are 4.3 times more likely to become homicide
7 victims than all women, reports the Human Rights
8 Campaign.

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

14 (11) The National Center for Transgender
15 Equality reports that more than 1 in 4 transgender
16 people have faced a bias-driven assault, and rates
17 are higher for trans women and transgender people
18 of color.

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

24 (13) Members of the Transgender community
25 face considerable financial burdens: common health

1 care practices for trans people, such as hormone re-
2 placement therapy and gender-affirming surgery, are
3 costly, and according to the American Journal of
4 Psychiatry, undergoing gender-affirming surgery
5 often leads to long term mental health benefits, but
6 procedures can cost up to \$75,000.

7 (14) When a transgender person dies, the police
8 reports of their deaths often are inaccurate,
9 misgendering them or using incorrect pronouns,
10 making it difficult for communities to be informed of
11 a trans woman's death and delay or impede the
12 gathering of accurate data on deaths.

13 **SEC. 3. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) there should be a commitment to combating
16 factors that lead to the murder of gender-noncon-
17 forming, gender-expansive, and transgender women
18 of color in the United States;

19 (2) there should be a dissemination of cul-
20 turally-relevant resources that support transgender
21 people and their families and increase awareness of
22 the unique myriad of issues the transgender commu-
23 nity face;

24 (3) the nation should condemn the violent, tar-
25 geted, and senseless documented murders of the over

1 200 gender-nonconforming, gender-expansive, and
2 transgender individuals in the United States since
3 2013; and

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

9 **SEC. 4. ESTABLISHMENT AND DUTIES.**

10 (a) ESTABLISHMENT.—To establish a Commission to
11 study and develop proposals to combat the epidemic of the
12 murdering of gender-nonconforming, gender-expansive,
13 and transgender women of color.

14 (b) DUTIES.—The Commission’s documentation and
15 examination shall include the facts related to the fol-
16 lowing:

17 (1) Researching issues gender-nonconforming,
18 gender-expansive, and transgender women of color
19 face, such as—

20 (A) limited access to and avoidance of
21 health care due to stigma and past negative ex-
22 periences with providers, prioritization of gen-
23 der-related health care, and concerns about ad-
24 verse interactions between antiretroviral medi-
25 cations and hormone therapy;

1 (B) the extensive degrading, debasing, and
2 denial of humanity;

3 (C) forms of discrimination in the public
4 and private sectors against gender-noncon-
5 forming, gender-expansive, and transgender
6 women of color that underlie many of the HIV,
7 and poverty-related risk factors frequently re-
8 ported in this population;

9 (D) the Federal and State laws that dis-
10 criminate against the rights of transgender peo-
11 ple;

12 (E) stigma surrounding early trans-iden-
13 tity, which is often rooted in inaccurate beliefs
14 and politically-motivated attacks on transgender
15 identities, this stigma erects barriers in vir-
16 tually every facet of life, denying transgender
17 people the equal opportunity to succeed and be
18 accepted;

19 (F) the treatment of gender-noncon-
20 forming, gender-expansive, and transgender
21 women of color in the United States, including
22 the deprivation of their freedom, exploitation of
23 their labor, and destruction of their culture;

24 (G) exorbitant levels of familial rejection,
25 often from an early age, this rejection takes a

1 devastating toll on individuals often causing iso-
2 lation from physical and emotional resources
3 that are essential to their well-being, in con-
4 trast, research shows that familial acceptance is
5 a protective factor for transgender young people
6 and can contribute to lower rates of depression,
7 anxiety, substance use, HIV acquisition, and
8 suicide attempts;

9 (H) elevated rates of unemployment four
10 times that of the United States general popu-
11 lation, which is due, in part, to limited access
12 to workplaces that are affirming and inclusive,
13 transgender and gender-expansive people are
14 put at greater risk for poverty, homelessness,
15 and involvement with criminalized work;

16 (I) sex-segregated prisons where many
17 transwomen do not have access to trans-com-
18 petent health care, and are usually housed with
19 male inmates, which can lead to violence, sexual
20 assault, and harassment while incarcerated, di-
21 rectly increasing their HIV risk;

22 (J) employment and housing discrimina-
23 tion that leads directly to the need to engage in
24 survival sex work for many who are denied op-
25 portunities for education, job training, and

1 basic social services because of their
2 transgender status, which correlates with in-
3 creased exposure to fatal violence;

4 (K) the intersections of racism, sexism,
5 homophobia, biphobia, transphobia and un-
6 checked access to firearms compound to create
7 a culture of violence that disproportionately im-
8 pacts communities of color;

9 (L) immigration detainees and aid workers
10 have given disturbing reports of individuals
11 being held under inhumane conditions that
12 threaten their physical safety; and

13 (M) misgendering by local police state-
14 ments and media reports, which can delay
15 awareness of deadly incidents.

16 (2) Recommending appropriate ways to educate
17 the public of the Commission's findings.

18 (3) Recommending appropriate remedies in con-
19 sideration of the Commission's findings on the mat-
20 ters described in paragraph (1). In making such rec-
21 ommendations, the Commission shall address among
22 other issues, the following questions:

23 (A) How such recommendations comport
24 with international standards of remedy for
25 wrongs and injuries caused by the State, that

1 include special measures, as understood by var-
2 ious relevant international protocols, laws, and
3 findings.

4 (B) How Federal laws and policies that
5 continue to disproportionately and negatively
6 affect gender-nonconforming, gender-expansive,
7 and transgender women of color as a group,
8 and those that perpetuate the lingering effects,
9 materially and psychosocial, can be eliminated.

10 (C) How the injuries resulting from mat-
11 ters described in paragraph (1) can be reversed
12 and provide appropriate policies, programs,
13 projects, and recommendations for the purpose
14 of reversing the injuries.

15 (D) How, in consideration of the Commis-
16 sion's findings, any other forms of rehabilita-
17 tion or restitution to gender-nonconforming,
18 gender-expansive, and transgender women of
19 color are warranted and what the form and
20 scope of those measures should take.

21 **SEC. 5. MEMBERSHIP.**

22 (a) NUMBER AND APPOINTMENT.—The Commission
23 shall be composed of 13 members, who shall be appointed,
24 within 90 days after the date of enactment of this Actt,
25 as follows:

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

3 (2) 10 members shall be appointed from an
4 LGBTIQ+ community advisory board, of which 5
5 shall be reserved for representatives from African
6 American trans-community and predominantly Afri-
7 can American transgender service organizations that
8 have historically championed the cause of
9 transgender human rights.

10 (b) ORGANIZATION.—

11 (1) QUALIFICATIONS.—All members of the
12 Commission shall be persons who are specially quali-
13 fied to serve on the Commission by virtue of their
14 education, training, activism, or experience, particu-
15 larly in the field of Transgender studies and human
16 rights.

17 (2) TERMS.—The term of office for members
18 shall be for 2.5 years or half of the life of each Com-
19 mission. A vacancy in the Commission shall not af-
20 fect the powers of the Commission and shall be filled
21 in the same manner in which the original appoint-
22 ment was made.

23 (3) FIRST MEETING.—The President shall call
24 the first meeting of the Commission within 120 days
25 after the date of the enactment of this Act or within

1 30 days after the date on which legislation is en-
2 acted making appropriations to carry out this Act,
3 whichever date is later.

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

7 (5) CHAIR AND VICE CHAIR.—The Commission
8 shall elect a Chair and Vice-Chair from among its
9 members. The term of office of each shall be for the
10 life of the Commission.

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

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

1 (8) REIMBURSEMENT.—All members of the
2 Commission shall be reimbursed for travel, subsist-
3 ence, and other necessary expenses incurred by them
4 in the performance of their duties to the extent au-
5 thorized by chapter 57 of title 5, United States
6 Code.

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

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

19 (b) POWERS OF SUBCOMMITTEES AND MEMBERS.—
20 Any subcommittee or member of the Commission may, if
21 authorized by the Commission, take any action which the
22 Commission is authorized to take by this section.

23 (c) OBTAINING OFFICIAL DATA.—The Commission
24 may acquire directly from the head of any department,
25 agency, or instrumentality of the executive branch of the

1 Government, available information which the Commission
2 considers useful in the discharge of its duties. All depart-
3 ments, agencies, and instrumentalities of the executive
4 branch of the Government shall cooperate with the Com-
5 mission with respect to such information and shall furnish
6 all information requested by the Commission to the extent
7 permitted by law.

8 **SEC. 7. ADMINISTRATIVE PROVISIONS.**

9 (a) STAFF.—The Commission may appoint and fix
10 the compensation of such personnel as the Commission
11 considers appropriate.

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

23 (c) EXPERTS AND CONSULTANTS.—The Commission
24 may procure the services of experts and consultants in ac-
25 cordance with the provisions of section 3109(b) of title 5,

1 United States Code, but at rates for individuals not to
2 exceed the daily equivalent of the highest rate payable
3 under section 5332 of such title.

4 (d) ADMINISTRATIVE SUPPORT SERVICES.—The
5 Commission may enter into agreements with the Adminis-
6 trator of General Services for procurement of financial
7 and administrative services necessary for the discharge of
8 the duties of the Commission. Payment for such services
9 shall be made by reimbursement from funds of the Com-
10 mission in such amounts as may be agreed upon by the
11 Chairman of the Commission and the Administrator.

12 (e) CONTRACTS.—The Commission may—

13 (1) procure supplies, services, and property by
14 contract in accordance with applicable laws and reg-
15 ulations and to the extent or in such amounts as are
16 provided in appropriation acts; and

17 (2) enter into contracts with departments,
18 agencies, and instrumentalities of the Federal Gov-
19 ernment, State agencies, and private firms, institu-
20 tions, and agencies, for the conduct of research or
21 surveys, the preparation of reports, and other activi-
22 ties necessary for the discharge of the duties of the
23 Commission, to the extent or in such amounts as are
24 provided in appropriation acts.

1 **SEC. 8. REPORT TO CONGRESS.**

2 The Commission shall submit a written report of its
3 findings and recommendations to the Congress not later
4 than the date which is 18 months after the date of the
5 first meeting of the Commission held pursuant to section
6 3.

7 **SEC. 9. TERMINATION.**

8 The Commission shall submit a written report of its
9 findings and recommendations to the Congress not later
10 than the date which is one year after the date of the first
11 meeting of the Commission held pursuant to section 3 and
12 terminate 90 days after the date on which the Commission
13 submits its report to the Congress under section 3.

14 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

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

