



Written by [Michael Tennant](#) on February 17, 2026

Congressional Democrats Introduce “Transgender Bill of Rights”

A resolution sponsored by almost half of House Democrats calls for the federal government to implement a “Transgender Bill of Rights” that would trample everyone else’s rights — and the Constitution.

Introduced last Wednesday by Representative Pramila Jayapal (D-Wash.) and cosponsored by 96 other Democrats, the [resolution](#) calls on Congress to expand federal antidiscrimination laws to cover “gender identity and sex characteristics.” It would also encourage creating an “X” gender marker on federal documents, forcing the military to enlist “transgender and nonbinary” individuals, and “collect[ing] gender identity and sex characteristics information ... in key Federal surveys.”



AP Images
Pramila Jayapal

In a [press release](#), Jayapal said:

The trans community continues to be targeted and scapegoated by hateful legislation and politicians. This cruelty must stop.

Today, I’m reintroducing the Trans Bill of Rights to unequivocally say that trans lives matter and that every person deserves to live free from prejudice and discrimination.

Our bill honors the resilience of the trans community, and lays out a clear vision for what Congress must do to ensure every trans and gender non-conforming person is treated with dignity and respect.

Jayapal and Senator Edward Markey (D-Mass.) previously introduced the resolution in 2023. Markey also reintroduced the Senate [resolution](#) Wednesday. It currently has eight cosponsors: seven Democrats plus Senator Bernie Sanders (I-Vt.).

Bogus Basis

Not surprisingly, the bill’s premise rests on rather spurious grounds. For example, it claims that

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[.]

Few people, of course, are trying to “deprive” *adults* of the opportunity to attempt to change their sex, though many are striving to keep *kids* from having their bodies irreversibly altered. As to the “overwhelming consensus of the medical community,” what of the fact that the American Society of



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Plastic Surgeons and the American Medical Association — not to mention several European countries — have [reversed course](#) on gender treatments for minors?

The resolution also asserts that “transgender and nonbinary people ... experience disproportionately high rates of poverty, homelessness, violence, and suicide due to discrimination and persecution.” But these conditions could just as easily be caused by the mental illnesses that usually accompany gender confusion.

Legal Transformation

More worrisome than its faulty premise, though, is the bill’s wish list of pro-trans legislation — a list that, it ominously notes, constitutes “only the first steps toward transgender equality.”

For starters, the bill would have Congress amend the Civil Rights Act of 1964 to prohibit discrimination based on “gender identity and sex characteristics.” It would expand “the definition of public accommodation” covered under the law and “explicitly [clarify] that it is illegal to discriminate ... on religious grounds.” Furthermore, it would force schools to allow trans students to participate in “extracurriculars (including athletics), access to facilities, and other school activities.” In other words, it would be the law of the land that boys who claim to be girls could use girls’ restrooms and locker rooms and participate in girls’ sports.

The resolution also aims to ensure that as much “gender-affirming care” as possible occurs with no repercussions for doctors who perform it. It calls for the elimination of “unnecessary governmental restrictions” on gender treatments for “adults *and adolescents*” (emphasis added). The resolution wants to ensure “that health care providers ... are not targeted for criminal or civil penalties” for providing gender treatments — such as the [\\$2 million judgment](#) a jury recently awarded a young woman who now regrets the totally unnecessary double mastectomy she got as a teenager. It also seeks to ban “conversion therapy,” which will prevent anyone from trying to talk kids out of their gender confusion. And, for good measure, it stumps for “codifying the right to abortion.”

Dems on Gender Bender

Jayapal and company further seek to eliminate “unnecessary” federal gender-identification requirements; let individuals easily change their sex in federal records, possibly “on self-attestation alone”; require federal identification documents and records to include an “X” gender marker; and force states “to permit voters to update their name and gender on their voter registration and vote on the same day.”

On the armed-services side of things, not only would trans people be welcomed into the military, but taxpayers would be on the hook for “gender-affirming health care” for active-duty and veteran servicemembers.

No Democratic wish list would be complete without more federal spending, so the resolution calls for “investing in community services” and “mental health services and suicide prevention programs” for the gender-confused.

Other provisions include letting in as many trans immigrants as possible; ensuring that trans inmates are housed “based on their safety needs” (not the [safety needs of other inmates](#)) and given taxpayer-funded “gender-affirming care”; creating a Justice Department liaison for enforcing the new civil-rights provisions; and having federal agencies “collect gender identity and sex characteristics information” on Americans. The last allegedly will be strictly “voluntary” and “confidential,” and it will be used “solely



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for *equity* and public health purposes” (emphasis added).

Despite political, scientific, and legal setbacks, the trans lobby is far from finished in either the United States or [Europe](#). [National Review](#) warned:

There is no question that this [resolution] will not pass in the current Congress. But that should not make anyone sanguine. If the Democrats enjoy an election blowout in November, which increasingly appears possible, gender radicalism will return to the forefront of federal public policy contestation.



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