

Earl & Buddy Carter

119TH CONGRESS
1ST SESSION

H. R. ____

To defend women's rights and protect freedom of conscience by using clear and accurate language and policies recognizing that women are biologically female and men are biologically male, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CARTER of Georgia introduced the following bill; which was referred to the Committee
on _____

A BILL

To defend women's rights and protect freedom of conscience by using clear and accurate language and policies recognizing that women are biologically female and men are biologically male, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the Truth in Gender Act of 2025.

SEC. 2. DEFINITIONS.

(a) IN GENERAL.—For purposes of this Act:

(1) SEX.—The term “sex”—

(A) means an individual's immutable biological classification as either male or female; and

(B) is not a synonym for, and does not include, the concept of gender identity.

(2) WOMEN, WOMAN; GIRLS, GIRL.—The term “women” or “woman” and the term “girls” or “girl” mean an adult or juvenile human female, respectively.

(3) MEN, MAN; BOYS, BOY.—The term “men” or “man” and the term “boys” or “boy” mean an adult or juvenile human male, respectively.

(4) FEMALE.—The term “female” means a person belonging, at conception, to the sex that produces the large reproductive cell.

(5) MALE.—The term “male” means a person belonging, at conception, to the sex that produces the small reproductive cell.

(b) GENDER IDEOLOGY; GENDER IDENTITY.—Congress finds that—

(1) gender ideology—

(A) replaces the biological category of sex with an ever-shifting concept of self-assessed gender identity—

(i) permitting the false claim that males can identify as and thus become women and vice versa; and

(ii) requiring all institutions of society to regard this false claim as true;

(B) includes the idea that there is a vast spectrum of genders that are disconnected from one's sex; and

(C) is internally inconsistent, in that it diminishes sex as an identifiable or useful category but nevertheless maintains

that it is possible for a person to be born in the wrong-sexed body; and

(2) gender identity reflects a fully internal and subjective sense of self, disconnected from biological reality and sex and existing on an infinite continuum, that does not provide a meaningful basis for identification and cannot be recognized as a replacement for sex.

SEC. 3. RECOGNIZING WOMEN ARE BIOLOGICALLY DISTINCT FROM MEN.

(a) **ISSUANCE OF HHS GUIDANCE.**—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall provide to the Federal agencies, and the public clear guidance expanding on the definitions set forth in section 2.

(b) **ENFORCEMENT OF SEX-BASED RIGHTS.**—

(1) **IN GENERAL.**—The head of a Federal agency and the employees of such agency shall enforce laws governing sex-based rights, protections, opportunities, and accommodations to protect men and women as biologically distinct sexes.

(2) **USE OF DEFINITIONS IN CONDUCTING AGENCY FUNCTIONS.**—In carrying out paragraph (1), head of a Federal agency shall use the definitions set forth in section 2 when—

(A) interpreting or applying statutes, regulations, or guidance; and

(B) conducting all other official agency business, documents, and communications.

(c) **USE OF TERMS IN FEDERAL POLICIES AND DOCUMENTS.**—In administering and enforcing sex-based distinctions, the head of a Federal agency, and the employees of such agency acting in an official capacity on behalf of the agency, shall use the term “sex” and not the term “gender” in all applicable Federal policies and documents.

(d) GOVERNMENT-ISSUED IDENTIFICATION DOCUMENTS;
PERSONNEL RECORDS.—

(1) IDENTIFICATION DOCUMENTS.—The Secretary of State, the Secretary of Homeland Security, and the Director of the Office of Personnel Management shall each implement changes to require that Government-issued identification documents (including passports, visas, and Global Entry cards) accurately reflect the holder's sex, as defined under section 2.

(2) PERSONNEL RECORDS.—The Director of the Office of Personnel Management shall ensure that applicable personnel records accurately report the sex of a Federal employee, as defined by section 2.

(e) FEDERAL GOVERNMENT COMMUNICATIONS AND FORMS.—

(1) MODIFICATION OF INTERNAL AND EXTERNAL MESSAGES.—The head of a Federal agency shall—

(A) remove all statements, policies, regulations, forms, communications, and other internal and external messages that promote or otherwise inculcate gender ideology; and

(B) cease issuing such statements, policies, regulations, forms, communications, or other messages.

(2) MODIFICATION OF AGENCY FORMS.—The head of a Federal agency—

(A) shall ensure that the forms used by the agency require an individual's sex to be listed as male or female; and

(B) may not request gender identity.

(3) PROHIBITION ON USE OF FUNDS.—The head of a Federal agency shall take all necessary to end the Federal funding of gender ideology.

(f) DOJ ACTIONS.—The Attorney General shall—

(1) promptly issue guidance to the heads of Federal agencies to correct the misapplication of the Supreme Court's decision in *Bostock v. Clayton County* (590 U.S. 644; 2020) to sex-based distinctions in agency activities; and

(2) issue guidance and assist the heads of Federal agencies in protecting sex-based distinctions, which are explicitly permitted under constitutional and statutory precedent.

(g) PROHIBITION ON USE OF FUNDS.—

(1) IN GENERAL.—Federal funds may not be used to promote gender ideology.

(2) GRANTS; GRANT PREFERENCES.—The head of each Federal agency shall—

(A) assess grant conditions and grantee preferences; and

(B) ensure that grant funds do not promote gender ideology.

SEC. 4. PRIVACY IN INTIMATE SPACES.

(a) DETENTION IN PRISONS.—The Attorney General and Secretary of Homeland Security shall each ensure that males are not detained in women's prisons or housed in women's detention centers, including through—

(1) amendment, as necessary, of section 115.41 of title 28, Code of Federal Regulations (or successor regulations); and

(2) interpretation of guidance regarding the Americans with Disabilities Act of 1990 (Public Law 101–336).

(b) RESCISSION OF HUD FINAL RULE; ACCESS TO SINGLE-SEX RAPE SHELTERS.—The Secretary of Housing and Urban Development shall—

(1) prepare and submit for notice-and-comment rulemaking a policy to rescind the final rule entitled “Equal Access in

Accordance with an Individual's Gender Identity in Community Planning and Development Programs" (dated September 21, 2016; 81 Fed. Reg. 64763); and

(2) submit for public comment a policy protecting women seeking single-sex rape shelters.

(c) **MEDICAL CARE IN PRISONS.**—The Attorney General shall ensure that—

(1) the Bureau of Prisons revises its policies concerning medical care to be consistent with this Act; and

(2) no Federal funds are expended for any medical procedure, treatment, or drug for the purpose of conforming an inmate's appearance to that of the opposite sex.

(d) **OTHER INTIMATE SPACES.**—The head of a Federal agency shall take appropriate action to ensure that intimate spaces designated for women, girls, or females (or for men, boys, or males) are designated by sex and not identity.

SEC. 5. PROTECTING RIGHTS.

(a) **FREEDOM TO EXPRESS THE BINARY NATURE OF SEX; RIGHT TO SINGLE-SEX SPACES IN WORKPLACES.**—The Attorney General shall issue guidance to ensure—

(1) the freedom to express the binary nature of sex; and

(2) the right to single-sex spaces in workplaces and federally funded entities covered by the Civil Rights Act of 1964 (Public Law 88–352).

(b) **PRIORITIZATION OF INVESTIGATIONS AND LITIGATION.**—In accordance with the guidance to be issued under subsection (a), the Attorney General, the Secretary of Labor, the General Counsel and Chair of the Equal Employment Opportunity Commission, and each other head of a Federal agency with enforcement responsibilities under the Civil Rights Act of 1964 (Public Law 88–352) shall

prioritize investigations and litigation to enforce the rights and freedoms identified.

SEC. 6. AGENCY IMPLEMENTATION AND REPORTING.

(a) REPORTING REQUIREMENT.—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the head of each Federal agency shall submit to the President, acting through the Director of the Office of Management and Budget, an update on implementation of this Act.

(2) **CONTENTS.**—The head of each Federal agency shall include in the update of the agency to be submitted under paragraph (1)—

(A) changes to the documents of the agency (including regulations, guidance, forms, and communications) made to comply with this Act; and

(B) agency-imposed requirements on federally funded entities, including contractors, to achieve the policy of this Act.

(b) **RELATIONSHIP TO OTHER LAWS.**—The requirements of this Act supersede conflicting provisions in any other law.

(c) RESCISSION OF CERTAIN GUIDANCE DOCUMENTS.—

(1) **IN GENERAL.**—The head of a Federal agency shall—

(A) promptly rescind all guidance documents of the agency that are inconsistent with the requirements of this Act or guidance issued by the Attorney General pursuant to this Act; or

(B) as appropriate, rescind such parts of such documents that are inconsistent in such manner.

(2) INCLUDED DOCUMENTS.—The documents referred to in paragraph (1) include each document identified in section 7(c) of Executive Order 14168, as in effect on the date of enactment of this Act.

SEC. 7. GENERAL PROVISIONS.

(a) RIGHTS AND BENEFITS.—This Act is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(b) SEVERABILITY.—If any provision of this Act, or the application of any provision of this Act to any person or circumstance, is held to be invalid, the remainder of this Act and the application of the provisions of this Act to any other persons or circumstances shall not be affected thereby.
