

119TH CONGRESS
1ST SESSION

H. R. 4245

To protect human rights and enhance opportunities for LGBTQI people
around the world, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2025

Ms. TITUS (for herself, Mr. MCGOVERN, Mr. POCAN, Mrs. RAMIREZ, Mr. HUFFMAN, Ms. NORTON, Mr. GARCIA of California, Ms. CROCKETT, Ms. TLAIB, Ms. SIMON, Ms. WILLIAMS of Georgia, Mr. JOHNSON of Georgia, Ms. BALINT, Mr. COSTA, Mr. MULLIN, Mr. KEATING, Mr. KHANNA, Ms. CHU, Ms. MCCLELLAN, Ms. MOORE of Wisconsin, Mr. COHEN, Mr. CASTEN, Ms. DEAN of Pennsylvania, Ms. STRICKLAND, Mr. SCHNEIDER, Ms. JACOBS, Ms. OMAR, Mr. MOULTON, Mr. GOTTHEIMER, Mr. KRISHNAMOORTHY, Mr. PETERS, Ms. DAVIDS of Kansas, Ms. BROWNLEY, Mr. CASTRO of Texas, Mr. LIEU, Mr. KENNEDY of New York, Mr. LYNCH, Mr. GOLDMAN of New York, Ms. JAYAPAL, Mrs. TORRES of California, Ms. BARRAGÁN, Mrs. HAYES, and Mr. NADLER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect human rights and enhance opportunities for
LGBTQI people around the world, and for other purposes.

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 “Greater Leadership
3 Overseas for the Benefit of Equality Act of 2025” or the
4 “GLOBE Act of 2025”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The United States has been and must al-
8 ways be the global leader in protecting human
9 rights, including the rights of lesbian, gay, bisexual,
10 transgender, queer, and intersex (LGBTQI) peoples
11 around the world.

12 (2) The norms of good governance, human
13 rights protections, and the rule of law have been vio-
14 lated unconscionably with respect to LGBTQI peo-
15 ples in an overwhelming majority of countries
16 around the world, where LGBTQI people face vio-
17 lence, hatred, bigotry, and discrimination because of
18 who they are and whom they love.

19 (3) In at least 62 countries, or roughly 32 per-
20 cent of the world, same-sex relations and relation-
21 ships are criminalized. Many countries also crim-
22 inalize or otherwise prohibit cross-dressing and gen-
23 der-affirming treatments for transgender individuals.

24 (4) The World Bank has begun to measure the
25 macro-economic costs of criminal laws targeting
26 LGBTQI individuals through lost productivity, detri-

1 mental health outcomes and violence, as a step to-
2 ward mitigating those costs.

3 (5) Violence and discrimination based on sexual
4 orientation and gender identity are documented in
5 the Department of State’s annual Country Human
6 Rights Reports to Congress. These reports continue
7 to show a clear pattern of human rights violations,
8 including murder, rape, torture, death threats, extor-
9 tion, and imprisonment, in every region of the world
10 based on sexual orientation and gender identity. In
11 many instances police, prison, military, and civilian
12 government authorities have been directly complicit
13 in abuses aimed at LGBTQI citizens.

14 (6) As documented by the State Department,
15 LGBTQI individuals are subjected in many coun-
16 tries to capricious imprisonment, loss of employ-
17 ment, housing, access to health care, societal stigma,
18 and discrimination. LGBTQI-specific restrictions on
19 basic freedoms of assembly, press, and speech exist
20 in every region of the world.

21 (7) Targeted sanctions are an important tool to
22 push for accountability for violations of the human
23 rights of LGBTQI people.

24 (8) Anti-LGBTQI laws and discrimination pose
25 significant risks for LGBTQI youth who come out to

1 their family or community and often face rejection,
2 homelessness, and limited educational and economic
3 opportunities. These factors contribute to increased
4 risks of substance abuse, suicide, and HIV infection
5 among LGBTQI youth.

6 (9) Anti-LGBTQI laws also increase global
7 health risks. Studies have shown that when
8 LGBTQI people, especially LGBTQI youth, face dis-
9 crimination, they are less likely to seek HIV testing,
10 prevention, and treatment services.

11 (10) LGBTQI populations are disproportion-
12 ately impacted by the Mexico City Policy, also widely
13 referred to as the “global gag rule”. LGBTQI people
14 often receive much of their health care through re-
15 productive health clinics, and organizations that can-
16 not comply with the policy are forced to discontinue
17 work on United States-supported global health
18 projects that are frequently used by LGBTQI popu-
19 lations, including HIV prevention and treatment,
20 stigma reduction, and research.

21 (11) At the beginning of his second term, Presi-
22 dent Donald Trump reinstated the global gag rule
23 before abruptly terminating nearly all foreign aid
24 contracts.

1 (12) Because they face tremendous discrimina-
2 tion in the formal labor sector, many sex workers
3 are also LGBTQI individuals, and many sex-worker-
4 led programs and clinics serve the LGBTQI commu-
5 nity with safe, non-stigmatizing, medical and social
6 care. USAID has also referred to sex workers as a
7 “most-at-risk population”. The anti-prostitution loy-
8 alty oath that health care providers receiving United
9 States assistance must take isolates sex-worker-led
10 and serving groups from programs and reinforces
11 stigma, undermining both the global AIDS response
12 and human rights. The Supreme Court found this
13 requirement unconstitutional as it applies to United
14 States nongovernmental organizations and their for-
15 eign affiliates in 2013.

16 (13) According to the Trans Murder Monitoring
17 Project, which monitors homicides of transgender in-
18 dividuals, there were at least 350 cases of reported
19 killings of trans and gender-diverse people between
20 October 1, 2023, and September 30, 2024.

21 (14) In many countries, intersex individuals ex-
22 perience prejudice and discrimination because their
23 bodies do not conform to general expectations about
24 sex and gender. Because of these expectations, medi-
25 cally unnecessary interventions are often performed

1 in infancy without the consent or approval of
2 intersex individuals, in violation of international
3 human rights standards, and are then often denied
4 official identification papers, blocking them from ac-
5 cessing basic services and legal protections.

6 (15) Asylum and refugee protection are critical
7 last-resort protections for LGBTQI individuals, but
8 those who seek such protections face ostracization
9 and abuse in refugee camps and detention facilities.
10 They are frequently targeted for violence, including
11 sexual assault, in refugee camps and in immigration
12 detention. LGBTQI individuals may be segregated
13 against their will for long periods in solitary confine-
14 ment, in an effort to protect them from such vio-
15 lence, but prolonged solitary confinement itself rep-
16 resents an additional form of abuse that is pro-
17 foundly damaging to the social and psychological
18 well-being of any individual.

19 (16) The global COVID–19 pandemic exacer-
20 bated inequalities that LGBTQI individuals face, in-
21 cluding access to health care, stigma, and discrimi-
22 nation, undermining LGBTQI rights around the
23 world.

24 (17) In December 2011, President Barack
25 Obama directed all Federal foreign affairs agencies

1 to ensure that their diplomatic, humanitarian, health
2 and foreign assistance programs take into account
3 the needs of marginalized LGBTQI communities
4 and persons.

5 (18) In 2015, the Department of State estab-
6 lished the position of Special Envoy for the Human
7 Rights of LGBTQI Persons.

8 (19) In 2021, President Joseph Biden issued
9 the Memorandum on Advancing the Human Rights
10 of Lesbian, Gay, Bisexual, Transgender, Queer, and
11 Intersex Persons Around the World, which stated
12 that it is the policy of the United States to pursue
13 an end to violence and discrimination on the basis
14 of sexual orientation, gender identity or expression,
15 or sex characteristics and called for United States
16 global leadership on LGBTQI rights.

17 (20) In *Bostock v. Clayton County*, the Su-
18 preme Court held that title VII of the Civil Rights
19 Act of 1964 prohibits discrimination on the basis of
20 gender identity and sexual orientation. On January
21 20, 2021, President Biden issued Executive Order
22 13988 to enforce *Bostock*, which orders all agency
23 heads to determine the additional steps they should
24 take to ensure that administration policies are fully

1 implemented consistent with Bostock, including the
2 Secretary of State and the Administrator of USAID.

3 (21) The use of United States diplomatic tools,
4 including the Department of State's exchange and
5 speaker programs, to address the human rights
6 needs of marginalized communities has helped in-
7 form public debates in many countries regarding the
8 protective responsibilities of any democratic govern-
9 ment.

10 (22) Inclusion of human rights protections for
11 LGBTQI individuals in United States trade agree-
12 ments, as in the United States-Mexico-Canada
13 Agreement, and trade preference programs is in-
14 tended both to ensure a level playing field for United
15 States business and to provide greater workplace
16 protections overseas, compatible with those of the
17 United States.

18 (23) Engaging multilateral fora and inter-
19 national institutions is critical to impacting global
20 norms and to broadening global commitments to
21 fairer standards for the treatment of all people, in-
22 cluding LGBTQI people. The United States must
23 remain a leader in the United Nations system and
24 has a vested interest in the success of that multilat-
25 eral engagement.

1 (24) United States participation in the Equal
 2 Rights Coalition, which is a new intergovernmental
 3 coalition of more than 40 governments and leading
 4 civil society organizations that work together to pro-
 5 tect the human rights of LGBTQI people around the
 6 world, is vital to international efforts to respond to
 7 violence and impunity.

8 (25) Those who represent the United States
 9 abroad, including our diplomats, development spe-
 10 cialists and military, should reflect the diversity of
 11 our country and honor the United States call to
 12 equality, including through proud and open service
 13 abroad by LGBTQI United States citizens and those
 14 living with HIV.

15 **SEC. 3. DOCUMENTING AND RESPONDING TO BIAS-MOTI-**
 16 **VATED VIOLENCE AGAINST LGBTQI PEOPLE**
 17 **ABROAD.**

18 (a) INFORMATION REQUIRED TO BE INCLUDED IN
 19 ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRAC-
 20 TICES.—

21 (1) SECTION 116.—Section 116(d) of the For-
 22 eign Assistance Act of 1961 (22 U.S.C. 2151n(d))
 23 is amended—

24 (A) in paragraph (11)(C), by striking “;
 25 and” and inserting a semicolon;

1 (B) in paragraph (12)(C)(ii), by striking
2 the period at the end and inserting “; and”;
3 and

4 (C) by adding at the end the following new
5 paragraph:

6 “(13) wherever applicable, the nature and ex-
7 tent of criminalization, discrimination, and violence
8 by state and non-state actors based on sexual ori-
9 entation or gender identity, as those terms are de-
10 fined in section 12 of GLOBE Act of 2025, or sex
11 characteristics, including an identification of those
12 countries that have adopted laws or constitutional
13 provisions that criminalize or discriminate based on
14 sexual orientation, gender identity, or sex character-
15 istics, including descriptions of such laws and provi-
16 sions.”.

17 (2) SECTION 502B.—Section 502B of the For-
18 eign Assistance Act of 1961 (22 U.S.C. 2304) is
19 amended—

20 (A) by redesignating the second subsection

21 (i) (relating to child marriage status) as sub-
22 section (j); and

23 (B) by adding at the end the following new
24 subsection:

1 “(k) SEXUAL ORIENTATION, GENDER IDENTITY,
2 AND SEX CHARACTERISTICS.—The report required under
3 subsection (b) shall include, wherever applicable, the na-
4 ture and extent of criminalization, discrimination, and vio-
5 lence by state and non-state actors based on sexual ori-
6 entation or gender identity, as those terms are defined in
7 section 12 of the GLOBE Act of 2025, or sex characteris-
8 ties, including an identification of those countries that
9 have adopted laws or constitutional provisions that crim-
10 inalize or discriminate based on sexual orientation, gender
11 identity, or sex characteristics, including descriptions of
12 such laws and provisions.”.

13 (b) REVIEW AT DIPLOMATIC AND CONSULAR
14 POSTS.—

15 (1) IN GENERAL.—In preparing the annual
16 country reports on human rights practices required
17 by section 116 or 502B of the Foreign Assistance
18 Act of 1961, as amended by subsection (a), the Sec-
19 retary of State shall obtain information from each
20 diplomatic and consular post with respect to the fol-
21 lowing:

22 (A) Incidents of violence against LGBTQI
23 people in the country in which such post is lo-
24 cated.

1 (B) An analysis of the factors enabling or
2 aggravating such incidents, such as government
3 policy, societal pressure, or external actors.

4 (C) The response, whether public or pri-
5 vate, of the personnel of such post with respect
6 to such incidents.

7 (2) ADDRESSING BIAS-MOTIVATED VIOLENCE.—
8 The Secretary shall include in the annual strategic
9 plans of the regional bureaus concrete diplomatic
10 strategies, programs, and policies to address bias-
11 motivated violence using information obtained pursu-
12 ant to paragraph (1), such as programs to build ca-
13 pacity among civil society or governmental entities to
14 document, investigate, and prosecute instances of
15 such violence and provide support to victims of such
16 violence.

17 (c) INTERAGENCY GROUP.—

18 (1) ESTABLISHMENT.—There is established an
19 interagency group on responses to urgent threats to
20 LGBTQI people in foreign countries (in this sub-
21 section referred to as the “interagency group”), that
22 shall be chaired by the Secretary of State and in-
23 clude the Secretary of Defense, the Secretary of the
24 Treasury, the Administrator of the United States
25 Agency for International Development, the Attorney

1 General, and the head of each other Federal depart-
2 ment or agency the President determines is relevant
3 to the duties of the interagency group.

4 (2) DUTIES.—The duties of the interagency
5 group shall be to—

6 (A) coordinate the responses of each par-
7 ticipating agency with respect to threats di-
8 rected towards LGBTQI populations in other
9 countries;

10 (B) develop longer-term approaches to pol-
11 icy developments and incidents negatively im-
12 pacting the LGBTQI populations in specific
13 countries;

14 (C) advise the President on the designation
15 of foreign persons for sanctions pursuant to
16 section 4;

17 (D) identify United States laws and poli-
18 cies, at the Federal, State, and local levels, that
19 affirm the equality of LGBTQI persons; and

20 (E) use such identified laws and policies to
21 develop diplomatic strategies to share the exper-
22 tise obtained from the implementation of such
23 laws and policies with appropriate officials of
24 countries where LGBTQI persons do not enjoy
25 equal protection under the law.

1 (d) SPECIAL ENVOY FOR THE HUMAN RIGHTS OF
2 LGBTQI PEOPLES.—

3 (1) ESTABLISHMENT.—The Secretary of State
4 shall establish in the Bureau of Democracy, Human
5 Rights, and Labor of the Department of State a per-
6 manent Special Envoy for the Human Rights of
7 LGBTQI Peoples (in this section referred to as the
8 “Special Envoy”), who—

9 (A) shall be appointed by the President;
10 and

11 (B) shall report directly to the Assistant
12 Secretary for Democracy, Human Rights, and
13 Lab.

14 (2) RANK.—The President may appoint the
15 Special Envoy at the rank of Ambassador, by and
16 with the advice and consent of the Senate.

17 (3) PURPOSE.—The Special Envoy shall direct
18 efforts of the United States Government relating to
19 United States foreign policy, as directed by the Sec-
20 retary, regarding human rights abuses against
21 LGBTQI people and communities internationally
22 and the advancement of human rights for LGBTQI
23 people, and shall represent the United States inter-
24 nationally in bilateral and multilateral engagement
25 on such matters.

1 (3) DUTIES.—The Special Envoy shall—

2 (A) serve as the principal advisor to the
3 Secretary of State regarding human rights for
4 LGBTQI people internationally;

5 (B) notwithstanding any other provision of
6 law, direct activities, policies, programs, and
7 funding relating to the human rights of
8 LGBTQI people and the advancement of
9 LGBTQI equality initiatives internationally, for
10 all bureaus and offices of the Department of
11 State and shall lead the coordination of relevant
12 international programs for all other Federal
13 agencies relating to such matters;

14 (C) represent the United States in diplo-
15 matic matters relevant to the human rights of
16 LGBTQI people, including criminalization, dis-
17 crimination, and violence against LGBTQI peo-
18 ple internationally;

19 (D) direct, as appropriate, United States
20 Government resources to respond to needs for
21 protection, integration, resettlement, and em-
22 powerment of LGBTQI people in United States
23 Government policies and international pro-
24 grams, including to prevent and respond to

1 criminalization, discrimination, and violence
2 against LGBTQI people internationally;

3 (E) design, support, and implement activi-
4 ties regarding support, education, resettlement,
5 and empowerment of LGBTQI people inter-
6 nationally, including for the prevention and re-
7 sponse to criminalization, discrimination, and
8 violence against LGBTQI people internation-
9 ally;

10 (F) lead interagency coordination between
11 the foreign policy priorities related to the
12 human rights of LGBTQI people and the devel-
13 opment assistance priorities of the LGBTQI
14 Coordinator of the United States Agency for
15 International Development;

16 (G) conduct regular consultation with non-
17 governmental organizations working to prevent
18 and respond to criminalization, discrimination,
19 and violence against LGBTQI people inter-
20 nationally; and

21 (H) represent the United States in bilat-
22 eral and multilateral fora on matters relevant to
23 the human rights of LGBTQI people inter-
24 nationally, including criminalization, discrimina-

1 tion, and violence against LGBTQI people
2 internationally.

3 (e) TRAINING AT INTERNATIONAL LAW ENFORCE-
4 MENT ACADEMIES.—The President shall ensure that any
5 international law enforcement academy supported by
6 United States assistance shall provide training with re-
7 spect to the rights of LGBTQI people, including through
8 specialized courses highlighting best practices in the docu-
9 mentation, investigation, and prosecution of bias-moti-
10 vated hate crimes targeting persons based on actual or
11 perceived sexual orientation, gender identity, or sex char-
12 acteristics.

13 (f) SENIOR LGBTQI COORDINATOR.—The Adminis-
14 trator of the United States Agency for International De-
15 velopment shall establish a permanent Senior LGBTQI
16 Coordinator who shall be appointed by the Administrator
17 and will coordinate across the agency with respect to
18 LGBTQI inclusive development programming.

19 **SEC. 4. SANCTIONS ON INDIVIDUALS RESPONSIBLE FOR**
20 **VIOLATIONS OF HUMAN RIGHTS AGAINST**
21 **LGBTQI PEOPLE.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this Act and biannually thereafter,
24 the President shall transmit to the appropriate congres-
25 sional committees a list of each foreign person the Presi-

1 dent determines, based on credible information, including
2 information obtained by other countries or by nongovern-
3 mental organizations that monitor violations of human
4 rights—

5 (1) is responsible for or complicit in, with re-
6 spect to persons based on actual or perceived sexual
7 orientation, gender identity, or sex characteristics—

8 (A) torture or cruel, inhuman, or degrad-
9 ing treatment or punishment;

10 (B) prolonged detention without charges
11 and trial;

12 (C) causing the disappearance of such per-
13 sons by the abduction and clandestine detention
14 of such persons; or

15 (D) other flagrant denial of the right to
16 life, liberty, or the security of such persons; or

17 (2) acted as an agent of or on behalf of a for-
18 eign person in a matter relating to an activity de-
19 scribed in paragraph (1).

20 (b) FORM; UPDATES; REMOVAL.—

21 (1) FORM.—The list required by subsection (a)
22 shall be transmitted in unclassified form and pub-
23 lished in the Federal Register without regard to the
24 requirements of section 222(f) of the Immigration
25 and Nationality Act (8 U.S.C. 1202(f)) with respect

1 to confidentiality of records pertaining to the
2 issuance or refusal of visas or permits to enter the
3 United States, except that the President may include
4 a foreign person in a classified, unpublished annex
5 to such list if the President—

6 (A) determines that—

7 (i) it is vital for the national security
8 interests of the United States to do so; and

9 (ii) the use of such annex, and the in-
10 clusion of such person in such annex,
11 would not undermine the overall purpose of
12 this section to publicly identify foreign per-
13 sons engaging in the conduct described in
14 subsection (a) in order to increase account-
15 ability for such conduct; and

16 (B) not later than 15 days before including
17 such person in a classified annex, provides to
18 the appropriate congressional committees notice
19 of, and a justification for, including or con-
20 tinuing to include each foreign person in such
21 annex despite the existence of any publicly
22 available credible information indicating that
23 each such foreign person engaged in an activity
24 described in subsection (a).

1 (2) UPDATES.—The President shall transmit to
2 the appropriate congressional committees an update
3 of the list required by subsection (a) as new infor-
4 mation becomes available.

5 (3) REMOVAL.—A foreign person may be re-
6 moved from the list required by subsection (a) if the
7 President determines and reports to the appropriate
8 congressional committees not later than 15 days be-
9 fore the removal of such person from such list
10 that—

11 (A) credible information exists that such
12 person did not engage in the activity for which
13 the person was included in such list;

14 (B) such person has been prosecuted ap-
15 propriately for the activity in which such person
16 engaged;

17 (C) such person has credibly demonstrated
18 a significant change in behavior, has paid an
19 appropriate consequence for the activities in
20 which such person engaged, and has credibly
21 committed to not engage in an activity de-
22 scribed in subsection (a); or

23 (D) removal of such sanctions is in the
24 vital national security interests of the United
25 States.

1 (c) PUBLIC SUBMISSION OF INFORMATION.—The
2 President shall issue public guidance, including through
3 United States diplomatic and consular posts, setting forth
4 the manner by which the names of foreign persons that
5 may meet the criteria to be included on the list required
6 by subsection (a) may be submitted to the Department
7 of State for evaluation.

8 (d) REQUESTS FROM CHAIR AND RANKING MEMBER
9 OF APPROPRIATE CONGRESSIONAL COMMITTEES.—

10 (1) CONSIDERATION OF INFORMATION.—In ad-
11 dition to the guidance issued pursuant to subsection
12 (c), the President shall also consider information
13 provided by the Chair or Ranking Member of each
14 of the appropriate congressional committees in de-
15 termining whether to include a foreign person in the
16 list required by subsection (a).

17 (2) REQUESTS.—Not later than 120 days after
18 receiving a written request from the Chair or Rank-
19 ing Member of 1 of the appropriate congressional
20 committees with respect to whether a foreign person
21 meets the criteria for being included in the list re-
22 quired by subsection (a), the President shall trans-
23 mit a response to such Chair or Ranking Member,
24 as the case may be, with respect to the President's
25 determination relating to such foreign person.

1 (3) REMOVAL.—If the President removes from
2 the list required by subsection (a) a foreign person
3 that had been included in such list pursuant to a re-
4 quest under paragraph (2), the President shall pro-
5 vide to the relevant Chair or Ranking Member of 1
6 of the appropriate congressional committees any in-
7 formation that contributed to such decision.

8 (4) FORM.—The President may transmit a re-
9 sponse required by paragraph (2) or paragraph (3)
10 in classified form if the President determines that it
11 is necessary for the national security interests of the
12 United States to do so.

13 (e) INADMISSIBILITY OF CERTAIN INDIVIDUALS.—

14 (1) INELIGIBILITY FOR VISAS AND ADMISSION
15 TO THE UNITED STATES.—A foreign person on the
16 list required by subsection (a), and each immediate
17 family member of such person, is—

18 (A) inadmissible to the United States;

19 (B) ineligible to receive a visa or other doc-
20 umentation to enter the United States; and

21 (C) otherwise ineligible to be admitted or
22 paroled into the United States or to receive any
23 other benefit under the Immigration and Na-
24 tionality Act (8 U.S.C. 1101 et seq.).

25 (2) CURRENT VISAS REVOKED.—

1 (A) IN GENERAL.—The issuing consular
2 officer or the Secretary of State (or a designee
3 of the Secretary of State) shall, in accordance
4 with section 221(i) of the Immigration and Na-
5 tionality Act (8 U.S.C. 1201(i)), revoke any
6 visa or other entry documentation issued to a
7 foreign person on the list required by subsection
8 (a), and any visa or other entry documentation
9 issued to any immediate family member of such
10 person, regardless of when the visa or other
11 entry documentation is issued.

12 (B) EFFECT OF REVOCATION.—A revoca-
13 tion under subparagraph (A) shall—

14 (i) take effect immediately; and

15 (ii) automatically cancel any other
16 valid visa or entry documentation that is in
17 the foreign person's possession.

18 (C) REGULATIONS REQUIRED.—Not later
19 than 180 days after the date of enactment of
20 this Act, the Secretary of State shall prescribe
21 such regulations as are necessary to carry out
22 this subsection.

23 (3) SENSE OF CONGRESS WITH RESPECT TO
24 ADDITIONAL SANCTIONS.—It is the sense of Con-
25 gress that the President should impose additional

1 targeted sanctions with respect to foreign persons on
2 the list required by subsection (a) to push for ac-
3 countability for flagrant denials of the right to life,
4 liberty, or the security of the person, through the
5 use of designations and targeted sanctions provided
6 for such conduct under other existing authorities.

7 (4) EXCEPTIONS.—

8 (A) EXCEPTION WITH RESPECT TO NA-
9 TIONAL SECURITY.—This section shall not
10 apply with respect to—

11 (i) activities subject to the reporting
12 requirements under title V of the National
13 Security Act of 1947 (50 U.S.C. 3091 et
14 seq.); or

15 (ii) any authorized intelligence or law
16 enforcement activities of the United States.

17 (B) EXCEPTION TO COMPLY WITH INTER-
18 NATIONAL OBLIGATIONS.—Sanctions under this
19 subsection shall not apply with respect to a for-
20 eign person if admitting or paroling such per-
21 son into the United States is necessary to per-
22 mit the United States to comply with the
23 Agreement regarding the Headquarters of the
24 United Nations, signed at Lake Success, June
25 26, 1947, and entered into force November 21,

1 1947, between the United Nations and the
2 United States, or other applicable international
3 obligations.

4 (C) EXCEPTION FOR CERTAIN IMMEDIATE
5 FAMILY MEMBERS.—

6 (i) IN GENERAL.—A covered indi-
7 vidual shall not be subject to sanctions
8 under this section if the President certifies
9 to the appropriate congressional commit-
10 tees, in accordance with clause (ii), that
11 such individual has a reasonable fear of
12 persecution based on—

13 (I) actual or perceived sexual ori-
14 entation, gender identity, or sex char-
15 acteristics;

16 (II) race, religion, or nationality;
17 or

18 (III) political opinion or member-
19 ship in a particular social group.

20 (ii) DETERMINATION AND CERTIFI-
21 CATION.—A certification under clause (i)
22 shall be made not later than 30 days after
23 the date of the determination required by
24 such clause. Any proceedings relating to

1 such determination shall not be publicly
2 available.

3 (iii) COVERED INDIVIDUAL.—For pur-
4 poses of this subparagraph, the term “cov-
5 ered individual” means an individual who
6 is an immediate family member of foreign
7 person on the list required by subsection
8 (a).

9 (4) WAIVERS IN THE INTEREST OF NATIONAL
10 SECURITY.—

11 (A) IN GENERAL.—The President may
12 waive the application of paragraph (1) or (2)
13 with respect to a foreign person included in the
14 list required by subsection (a) if the President
15 determines and transmits to the appropriate
16 congressional committees notice and justifica-
17 tion, that such a waiver—

18 (i) is necessary to permit the United
19 States to comply with the Agreement be-
20 tween the United Nations and the United
21 States regarding the Headquarters of the
22 United Nations, signed June 26, 1947,
23 and entered into force November 21, 1947,
24 or other applicable international obliga-
25 tions of the United States; or

1 (ii) is in the national security interests
2 of the United States.

3 (B) TIMING OF CERTAIN WAIVERS.—A
4 waiver pursuant to a determination under
5 clause (ii) of subparagraph (A) shall be trans-
6 mitted not later than 15 days before the grant-
7 ing of such waiver.

8 (f) REPORT TO CONGRESS.—Not later than 1 year
9 after the date of enactment of this Act and annually there-
10 after, the President, acting through the Secretary of State,
11 shall submit to the appropriate congressional committees
12 a report on—

13 (1) the actions taken to carry out this section,
14 including—

15 (A) the number of foreign persons added
16 to or removed from the list required by sub-
17 section (a) during the year preceding each such
18 report, the dates on which such persons were so
19 added or removed, and the reasons for so add-
20 ing or removing such persons; and

21 (B) an analysis that compares increases or
22 decreases in the number of such persons added
23 or removed year-over-year and the reasons
24 therefore;

1 (2) any efforts by the President to coordinate
2 with the governments of other countries, as appro-
3 priate, to impose sanctions that are similar to the
4 sanctions imposed under this section;

5 (3) the impact of the sanctions imposed under
6 this section with respect to altering the behavior of
7 each of the foreign persons included, as of the date
8 of submission of the report, in the list required by
9 subsection (a); and

10 (4) steps the Department can take to improve
11 coordination with foreign governments, civil society
12 groups, and the private sector, to prevent the com-
13 mission of the human rights violations described in
14 section 3(a)(1) against persons based on actual or
15 perceived sexual orientation, gender identity, or sex
16 characteristics.

17 (g) DEFINITIONS.—In this section:

18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Armed Services, the
22 Committee on Foreign Affairs, the Committee
23 on Homeland Security, and the Committee on
24 the Judiciary of the House of Representatives;
25 and

1 (B) the Committee on Armed Services, the
2 Committee on Foreign Relations, the Com-
3 mittee on Homeland Security and Govern-
4 mental Affairs, and the Committee on the Judi-
5 ciary of the Senate.

6 (2) FOREIGN PERSON.—The term “foreign per-
7 son” has the meaning given such term in section
8 595.304 of title 31, Code of Federal Regulations (as
9 in effect on the day before the date of enactment of
10 this Act).

11 (3) IMMEDIATE FAMILY MEMBER.—The term
12 “immediate family member” has the meaning given
13 such term for purposes of section 7031(c) of division
14 K of the Consolidated Appropriations Act, 2021.

15 (4) PERSON.—The term “person” has the
16 meaning given such term in section 591.308 of title
17 31, Code of Federal Regulations (as in effect on the
18 day before the date of enactment of this Act).

19 **SEC. 5. COMBATING INTERNATIONAL CRIMINALIZATION OF**
20 **LGBTQI STATUS, EXPRESSION, OR CONDUCT.**

21 (a) ANNUAL STRATEGIC REVIEW.—The Secretary of
22 State, in consultation with the Administrator of the
23 United States Agency for International Development, shall
24 include during the course of annual strategic planning an
25 examination of the progress made in countries around the

1 world toward the decriminalization of the status, expres-
2 sion, and conduct of LGBTQI individuals, the obstacles
3 that remain toward achieving such decriminalization, and
4 the strategies available to the Department and the Agency
5 to address such obstacles.

6 (b) ELEMENTS.—The examination described in sub-
7 section (a) shall include the following:

8 (1) An examination of the full range of criminal
9 and civil laws of other countries that disproportion-
10 ately impact communities of LGBTQI individuals or
11 apply with respect to the conduct of LGBTQI indi-
12 viduals.

13 (2) In consultation with the Attorney General,
14 a list of countries in each geographic region with re-
15 spect to which—

16 (A) the Attorney General, acting through
17 the Office of Overseas Prosecutorial Develop-
18 ment Assistance and Training of the Depart-
19 ment of Justice, shall prioritize programs seek-
20 ing to—

21 (i) decriminalize the status, expres-
22 sion, and conduct of LGBTQI individuals;

23 (ii) monitor the trials of those pros-
24 ecuted because of such status, expression,
25 or conduct; and

1 (iii) reform related laws having a dis-
 2 criminatory impact on LGBTQI individ-
 3 uals; and

4 (B) applicable speaker or exchange pro-
 5 grams sponsored by the United States Govern-
 6 ment shall bring together civil society and gov-
 7 ernmental leaders to promote the recognition of
 8 LGBTQI rights through educational exchanges
 9 in the United States and support better under-
 10 standing of the role that governments and civil
 11 societies mutually play in assurance of equal
 12 treatment of LGBTQI populations abroad.

13 **SEC. 6. FOREIGN ASSISTANCE TO PROTECT HUMAN RIGHTS**
 14 **OF LGBTQI PEOPLE.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
 16 gress that the full implementation of Executive Order
 17 13988 and Bostock requires that United States foreign
 18 assistance and development organizations adopt the policy
 19 that no contractor, grantee, or implementing partner ad-
 20 ministering United States assistance for any humani-
 21 tarian, development, or global health programs may dis-
 22 criminate against any employee or applicant for employ-
 23 ment because of their gender identity or sexual orienta-
 24 tion.

25 (b) GLOBAL EQUALITY FUND.—

1 (1) IN GENERAL.—The Secretary of State shall
2 establish a fund, to be known as the “Global Equal-
3 ity Fund”, to be managed by the Assistant Sec-
4 retary of the Bureau of Democracy, Human Rights
5 and Labor, consisting of such sums as may be ap-
6 propriated to provide grants, emergency assistance,
7 and technical assistance to eligible civil society orga-
8 nizations and human rights defenders working to ad-
9 vance and protect human rights for all including
10 LGBTQI persons, by seeking to achieve the fol-
11 lowing:

12 (A) Ensuring the freedoms of assembly,
13 association, and expression.

14 (B) Protecting persons or groups against
15 the threat of violence, including medically un-
16 necessary interventions performed on intersex
17 infants.

18 (C) Advocating against laws that crim-
19 inalize LGBTQI status, expression, or conduct
20 or discriminate against individuals on the basis
21 of sexual orientation, gender identity, or sex
22 characteristics.

23 (D) Ending explicit and implicit forms of
24 discrimination in the workplace, housing, edu-
25 cation, and other public institutions or services.

1 (E) Building community awareness and
2 support for the human rights of LGBTQI per-
3 sons.

4 (2) CONTRIBUTIONS.—The Secretary may ac-
5 cept financial and technical contributions from cor-
6 porations, bilateral donors, foundations, nongovern-
7 mental organizations, and other entities supporting
8 the outcomes described in paragraph (1), through
9 the Global Equality Fund.

10 (3) PRIORITIZATION.—In providing assistance
11 through the Global Equality Fund, the Secretary
12 shall ensure due consideration and appropriate
13 prioritization of assistance to groups that have his-
14 torically been excluded from programs undertaken
15 for the outcomes described in paragraph (1).

16 (c) LGBTQI GLOBAL DEVELOPMENT PARTNER-
17 SHIP.—The Administrator of the United States Agency
18 for International Development, in consultation with the
19 Secretary of State, shall establish a partnership, to be
20 known as the “LGBTQI Global Development Partner-
21 ship”, to leverage the financial and technical contributions
22 of corporations, bilateral donors, foundations, nongovern-
23 mental organizations, and universities to support the
24 human rights and development of LGBTQI persons

1 around the world by supporting programs, projects, and
2 activities for the following purposes:

3 (1) To strengthen the capacity of LGBTQI
4 leaders and civil society organizations.

5 (2) To train LGBTQI leaders to effectively par-
6 ticipate in democratic processes and lead civil insti-
7 tutions.

8 (3) To conduct research to inform national, re-
9 gional, or global policies and programs.

10 (4) To promote inclusive development, including
11 economic empowerment through enhanced LGBTQI
12 entrepreneurship and business development.

13 (d) CONSULTATION.—In coordinating programs,
14 projects, and activities through the Global Equality Fund
15 or the Global Development Partnership, the Secretary of
16 State shall consult, as appropriate, with the Administrator
17 of the United States Agency for International Develop-
18 ment and the heads of other relevant Federal departments
19 and agencies.

20 (e) REPORT.—The Secretary of State shall submit to
21 the appropriate congressional committees an annual re-
22 port on the work of, successes obtained, and challenges
23 faced by the Global Equality Fund and the LGBTQI Glob-
24 al Development Partnership established in accordance
25 with this section.

1 (f) LIMITATION ON ASSISTANCE RELATING TO
2 EQUAL ACCESS.—

3 (1) IN GENERAL.—None of the amounts au-
4 thorized to be appropriated or otherwise made avail-
5 able to provide United States assistance for any hu-
6 manitarian, development, or global health programs
7 may be made available to any contractor, grantee, or
8 implementing partner, unless such recipient—

9 (A) ensures that the program, project, or
10 activity funded by such amounts are made
11 available to all elements of the population, ex-
12 cept to the extent that such program, project,
13 or activity targets a population because of the
14 higher assessed risk of negative outcomes
15 among such populations;

16 (B) undertakes to make every reasonable
17 effort to ensure that each subcontractor or sub-
18 grantee of such recipient will also adhere to the
19 requirement described in subparagraph (A); and

20 (C) agrees to return all amounts awarded
21 or otherwise provided by the United States, in-
22 cluding such additional penalties as the Sec-
23 retary of State may determine to be appro-
24 priate, if the recipient is not able to adhere to
25 the requirement described in subparagraph (A).

1 (2) QUARTERLY REPORT.—The Secretary of
2 State shall provide to the appropriate congressional
3 committees a quarterly report on the methods by
4 which the Department monitors compliance with the
5 requirement in paragraph (1)(A).

6 (g) OFFICE OF FOREIGN ASSISTANCE.—The Sec-
7 retary of State, acting through the Director of the Office
8 of Foreign Assistance, shall monitor the amount of foreign
9 assistance obligated and expended on programs, projects,
10 and activities relating to LGBTQI people, and shall pro-
11 vide the results of the indicators tracking such expendi-
12 ture, upon request, to the Organization for Economic Co-
13 operation and Development.

14 **SEC. 7. GLOBAL HEALTH INCLUSIVITY.**

15 (a) IN GENERAL.—The Coordinator of United States
16 Government Activities to Combat HIV/AIDS Globally
17 shall develop mechanisms to ensure that the President’s
18 Emergency Plan for AIDS Relief (PEPFAR) is imple-
19 mented in a way that equitably serves LGBTQI people
20 in accordance with the goals described in section 6(f), in-
21 cluding by requiring all partner entities receiving assist-
22 ance through PEPFAR to receive training on the health
23 needs of and human rights standards relating to LGBTQI
24 people, and shall promptly notify Congress of any obsta-
25 cles encountered by a foreign government or contractor,

1 grantee, or implementing partner in the effort to equitably
2 implement PEPFAR as described in such subsection, in-
3 cluding any remedial steps taken by the Coordinator to
4 overcome such obstacles.

5 (b) REPORT ON INTERNATIONAL PROSECUTIONS FOR
6 SEX WORK OR CONSENSUAL SEXUAL ACTIVITY.—Not
7 later than 180 days after the date of enactment of this
8 Act, the Coordinator shall submit to the appropriate con-
9 gressional committees a report describing the manner in
10 which commodities such as condoms provided by pro-
11 grams, projects, or activities funded through PEPFAR or
12 other sources of United States assistance have been used
13 as evidence to arrest, detain, or prosecute individuals in
14 other countries in order to enforce domestic laws criminal-
15 izing sex work or consensual sexual activity.

16 (c) REPORT ON HIV/AIDS-RELATED INDEX TEST-
17 ING.—Not later than 180 days after the date of enactment
18 of this Act, the Coordinator shall submit to the appro-
19 priate congressional committees a report describing the
20 impact of partner notification services and index testing
21 on treatment adherence, intimate partner violence, and ex-
22 posure to the criminal justice system for key populations,
23 including LGBTQI people and sex workers, using quali-
24 tative and quantitative data.

1 (d) REPORT ON IMPACT OF “GLOBAL GAG” RULE.—
2 Not later than 180 days after the date of enactment of
3 this Act, the Comptroller General shall submit to the ap-
4 propriate congressional committees a report describing the
5 impact, as of the date of the submission of the report,
6 on the implementation and enforcement of any iteration
7 of the Mexico City Policy on the global LGBTQI commu-
8 nity.

9 (e) REMOVING LIMITATIONS ON ELIGIBILITY FOR
10 FOREIGN ASSISTANCE.—

11 (1) IN GENERAL.—Notwithstanding any other
12 provision of law, regulation, or policy, in determining
13 eligibility for assistance authorized under part I of
14 the Foreign Assistance Act of 1961 (22 U.S.C. 2151
15 et seq.), foreign nongovernmental organizations—

16 (A) shall not be ineligible for such assist-
17 ance solely on the basis of health or medical
18 services, including counseling and referral serv-
19 ices, provided by such organizations with non-
20 United States Government funds if such serv-
21 ices do not violate the laws of the country in
22 which they are being provided; and

23 (B) shall not be subject to requirements
24 relating to the use of non-United States Gov-
25 ernment funds for advocacy and lobbying activi-

1 ties other than those that apply to United
 2 States nongovernmental organizations receiving
 3 assistance under part I of such Act.

4 (2) CONFORMING AMENDMENTS TO PEPFAR AU-
 5 THORIZATION.—Section 301 of the United States
 6 Leadership Against HIV/AIDS, Tuberculosis, and
 7 Malaria Act of 2003 (22 U.S.C. 7631) is amended—

8 (A) by striking subsections (d) through (f);
 9 and

10 (B) by redesignating subsection (g) as sub-
 11 section (d).

12 (3) CONFORMING AMENDMENTS TO THE ALLO-
 13 CATION OF FUNDS BY THE GLOBAL AIDS COORDI-
 14 NATOR.—Section 403(a) of the United States Lead-
 15 ership Against HIV/AIDS, Tuberculosis, and Ma-
 16 laria Act of 2003 (22 U.S.C. 7673(a)) is amended—

17 (A) in paragraph (1)—

18 (i) by striking “shall—” and all that
 19 follows through “(A) provide” and insert-
 20 ing “shall provide”;

21 (ii) by striking “; and” and inserting
 22 a period; and

23 (iii) by striking subparagraph (B);
 24 and

25 (B) in paragraph (2)—

1 (i) by striking “PREVENTION STRAT-
 2 EGY.—” and all that follows through “In
 3 carrying out paragraph (1)” and inserting
 4 “PREVENTION STRATEGY.—In carrying
 5 out paragraph (1)”; and

6 (ii) by striking subparagraph (B).

7 (4) CONFORMING AMENDMENTS TO TVPRA AU-
 8 THORIZATION.—Section 113 of the Trafficking Vic-
 9 tims Protection Act of 2000 (22 U.S.C. 7110) is
 10 amended—

11 (A) by striking subsection (g); and

12 (B) by redesignating subsections (h) and

13 (i) as subsections (g) and (h), respectively.

14 **SEC. 8. IMMIGRATION REFORM.**

15 (a) REFUGEES AND ASYLUM SEEKERS.—

16 (1) LGBTQI SOCIAL GROUP.—Section
 17 101(a)(42) of the Immigration and Nationality Act
 18 (8 U.S.C. 1101(a)(42)) is amended by inserting
 19 after the period at the end the following: “For pur-
 20 poses of determinations under this Act, a person
 21 who has been persecuted on the basis of sexual ori-
 22 entation or gender identity, shall be deemed to have
 23 been persecuted on account of membership in a par-
 24 ticular social group, and a person who has a well
 25 founded fear of persecution on the basis of sexual

1 orientation or gender identity shall be deemed to
2 have a well founded fear of persecution on account
3 of membership in a particular social group.”.

4 (2) REPORT.—Section 103(e) of the Immigra-
5 tion and Nationality Act (8 U.S.C. 1103(e)) is
6 amended by adding at the end the following:

7 “(3) Each annual report shall include informa-
8 tion on the total number of applications for asylum
9 and refugee status received that are, in whole or in
10 part, based on persecution or a well founded fear of
11 persecution on account of sexual orientation or gen-
12 der identity, and the rate of approval administra-
13 tively of such applications.”.

14 (3) ASYLUM FILING DEADLINE REPEAL.—

15 (A) IN GENERAL.—Section 208(a)(2)(B) of
16 the Immigration and Nationality Act (8 U.S.C.
17 1158(a)(2)(B)) is repealed.

18 (B) CONFORMING AMENDMENTS.—Section
19 208(a)(2) of the Immigration and Nationality
20 Act (8 U.S.C. 1158(a)(2)) is amended—

21 (i) in subparagraph (D)—

22 (I) by striking “notwithstanding
23 subparagraphs (B) and (C)” and in-
24 serting “notwithstanding subpara-
25 graph (C)”;

1 (II) by striking “either” after
2 “Attorney General”; and

3 (III) by striking “or extraor-
4 dinary circumstances relating to the
5 delay in filing an application within
6 the period specified in subparagraph
7 (B)”; and

8 (ii) in subparagraph (E), by striking
9 “Subparagraphs (A) and (B)” and insert-
10 ing “Subparagraph (A)”.

11 (C) APPLICATION.—The amendments
12 made by this paragraph shall apply to applica-
13 tions for asylum filed before, on, or after the
14 date of enactment of this Act.

15 (b) PERMANENT PARTNERS.—Section 101(a) of the
16 Immigration and Nationality Act (8 U.S.C. 1101(a)) is
17 amended—

18 (1) in paragraph (35), by inserting “includes
19 any permanent partner, but” before “does not in-
20 clude”; and

21 (2) by adding at the end the following:

22 “(53) The term ‘marriage’ includes a perma-
23 nent partnership.

24 “(54) The term ‘permanent partner’ means an
25 individual 18 years of age or older who—

1 “(A) is in a committed, intimate relation-
 2 ship with another individual 18 years of age or
 3 older, in which both parties intend a lifelong
 4 commitment;

5 “(B) is financially interdependent with the
 6 other individual;

7 “(C) is not married to anyone other than
 8 the other individual;

9 “(D) is a national of or, in the case of a
 10 person having no nationality, last habitually re-
 11 sided in a country that prohibits marriage be-
 12 tween the individuals; and

13 “(E) is not a first-, second-, or third-de-
 14 gree blood relation of the other individual.

15 “(55) The term ‘permanent partnership’ means
 16 the relationship that exists between 2 permanent
 17 partners.”.

18 (c) COUNSEL.—

19 (1) APPOINTMENT OF COUNSEL.—Section
 20 240(b)(4) of the Immigration and Nationality Act (8
 21 U.S.C. 1229a(b)(4)) is amended—

22 (A) in subparagraph (B), by striking
 23 “and” at the end;

24 (B) in subparagraph (C), by striking the
 25 period at the end and inserting “, and”; and

1 (C) by adding at the end the following:

2 “(D) notwithstanding subparagraph (A), in
3 a case in which an indigent alien requests rep-
4 resentation, such representation shall be ap-
5 pointed by the court, at the expense of the Gov-
6 ernment, for such proceedings.”.

7 (2) RIGHT TO COUNSEL.—Section 292 of the
8 Immigration and Nationality Act (8 U.S.C. 1362) is
9 amended—

10 (A) by inserting “(a)” before “In any”;

11 (B) by striking “he” and inserting “the
12 person”; and

13 (C) by adding at the end the following:

14 “(b) Notwithstanding subsection (a), in a case in
15 which an indigent alien requests representation, such rep-
16 resentation shall be appointed by the court, at the expense
17 of the Government, for the proceedings described in sub-
18 section (a).

19 “(c) In an interview relating to admission under sec-
20 tion 207, an alien shall have the privilege of being rep-
21 resented, at no expense to the Government, by such coun-
22 sel, authorized to practice in such proceedings, as the alien
23 shall choose.”.

24 (d) REFUGEE ADMISSIONS OF LGBTQI ALIENS
25 FROM CERTAIN COUNTRIES.—

1 (1) IN GENERAL.—In the case of aliens who are
2 nationals of or, in the case of aliens having no na-
3 tionality, last habitually resided in a country that
4 fails to protect against persecution on the basis of
5 sexual orientation or gender identity and who share
6 common characteristics that identify them as targets
7 of persecution on account of sexual orientation or
8 gender identity, such aliens are eligible for Priority
9 2 processing under the refugee resettlement priority
10 system.

11 (2) RESETTLEMENT PROCESSING.—

12 (A) IN GENERAL.—In a case in which a
13 refugee admitted under section 207 of the Im-
14 migration and Nationality Act discloses to an
15 employee or contractor of the Bureau of Popu-
16 lation, Refugees, and Migration information
17 with respect to the refugee's sexual orientation
18 or gender identity, the Secretary of State shall,
19 with the refugee's consent, provide such infor-
20 mation to the appropriate national resettlement
21 agency to prevent the refugee from being placed
22 in a community in which the refugee is likely to
23 face continued discrimination and to place the
24 refugee in a community that offers services to
25 meet the needs of the refugee.

1 (B) NATIONAL RESETTLEMENT AGENCIES
2 DEFINED.—The term “national resettlement
3 agency” means an agency contracting with the
4 Department of State to provide sponsorship and
5 initial resettlement services to refugees entering
6 the United States.

7 (e) TRAINING PROGRAM.—

8 (1) TRAINING PROGRAM.—In order to create an
9 environment in which an alien may safely disclose
10 such alien’s sexual orientation or gender identity,
11 the Secretary of Homeland Security shall establish,
12 in consultation with the Secretary of State, a train-
13 ing program for staff and translators who partici-
14 pate in the interview process of aliens seeking asy-
15 lum or status as a refugee.

16 (2) COMPONENTS OF TRAINING PROGRAM.—
17 The training program described in paragraph (1)
18 shall include instruction on—

19 (A) appropriate word choice and word
20 usage;

21 (B) creating safe spaces and facilities for
22 LGBTQI aliens;

23 (C) confidentiality requirements; and

24 (D) nondiscrimination policies.

25 (f) LIMITATION ON DETENTION.—

1 (1) PRESUMPTION OF RELEASE.—

2 (A) IN GENERAL.—Notwithstanding any
3 other provision of law and except as provided in
4 subparagraphs (B) and (C), the Secretary of
5 Homeland Security—

6 (i) may not detain an alien who is a
7 member of a vulnerable group under any
8 provision of the Immigration and Nation-
9 ality Act (8 U.S.C. 1101 et seq.) pending
10 a decision with respect to whether the alien
11 is to be removed from the United States;
12 and

13 (ii) shall immediately release any de-
14 tained alien who is a member of a vulner-
15 able group.

16 (B) EXCEPTIONS.—The Secretary of
17 Homeland Security may detain, pursuant to the
18 Immigration and Nationality Act (8 U.S.C.
19 1101 et seq.), an alien who is a member of a
20 vulnerable group if the Secretary makes a de-
21 termination, using credible and individualized
22 information, that the use of alternatives to de-
23 tention will not reasonably assure the appear-
24 ance of the alien at removal proceedings, or
25 that the alien is a threat to another person or

1 the community. The fact that an alien has a
2 criminal charge pending against the alien may
3 not be the sole factor to justify the detention of
4 the alien.

5 (C) REMOVAL.—In a case in which deten-
6 tion is the least restrictive means of effec-
7 tuating the removal from the United States of
8 an alien who is a member of a vulnerable group,
9 the subject of a final order of deportation or re-
10 moval, and not detained under subparagraph
11 (B), the Secretary of Homeland Security may,
12 solely for the purpose of such removal, detain
13 the alien for a period that is—

14 (i) the shortest possible period imme-
15 diately preceding the removal of the alien
16 from the United States; and

17 (ii) not more than 5 days.

18 (2) WEEKLY REVIEW REQUIRED.—

19 (A) IN GENERAL.—With respect to an
20 alien detained under subparagraph (B) of para-
21 graph (1), not less frequently than once each
22 week, the Secretary of Homeland Security shall
23 conduct an individualized review to determine
24 whether the alien should continue to be de-
25 tained under such subparagraph.

1 (B) RELEASE.—In the case of a deter-
 2 mination under subparagraph (A) that an alien
 3 should not be detained under paragraph (1)(B),
 4 not later than 24 hours after the date on which
 5 the Secretary makes the determination, the Sec-
 6 retary shall release the detainee.

7 (g) PROTECTIVE CUSTODY FOR LGBTQI ALIEN DE-
 8 TAINEEES.—

9 (1) DETAINEES.—An LGBTQI alien who is de-
 10 tained under subparagraph (B) or (C) of subsection
 11 (f)(1) may not be placed in housing that is seg-
 12 regated from the general population unless—

13 (A) the alien requests placement in such
 14 housing for the protection of the alien; or

15 (B) the Secretary of Homeland Security
 16 determines, after assessing all available alter-
 17 natives, that there is no available alternative
 18 means of separation from likely abusers.

19 (2) PLACEMENT FACTORS.—In a case in which
 20 an LGBTQI alien is placed in segregated housing
 21 pursuant to paragraph (1), the Secretary of Home-
 22 land Security shall ensure that such housing—

23 (A) includes non-LGBTQI aliens, to the
 24 extent practicable; and

1 (B) complies with any applicable court
2 order for the protection of LGBTQI aliens.

3 (3) PROTECTIVE CUSTODY REQUESTS.—In a
4 case in which an LGBTQI alien who is detained re-
5 quests placement in segregated housing for the pro-
6 tection of such alien, the Secretary of Homeland Se-
7 curity shall grant such request.

8 (h) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the Secretary of Homeland Security should hire
10 a sufficient number of Refugee Corps officers for refugee
11 interviews to be held within a reasonable period of time
12 and adjudicated not later than 180 days after a request
13 for Priority 2 consideration is filed.

14 **SEC. 9. ISSUANCE OF PASSPORTS AND GUARANTEE OF**
15 **CITIZENSHIP TO CERTAIN CHILDREN BORN**
16 **ABROAD.**

17 (a) SEX IDENTIFICATION MARKERS.—For the pur-
18 poses of any identity document issued by the Department
19 that displays sex information, including passports and
20 consular reports of birth abroad, the Secretary shall en-
21 sure (through appropriate regulation, manual, policy,
22 form, or other updates) that an applicant for such a docu-
23 ment may self-select the sex designation, including a non-
24 binary or neutral designation (such as “X”).

1 (b) GUARANTEE OF CITIZENSHIP TO CHILDREN
2 BORN ABROAD USING ASSISTIVE REPRODUCTION TECH-
3 NOLOGY.—Not later than 90 days after the date of enact-
4 ment of this Act, the Secretary of State shall issue regula-
5 tions, in accordance with the press statement released on
6 May 18, 2021, with respect to “U.S. Citizenship Trans-
7 mission and Assisted Reproductive Technology”, clarifying
8 that no biological connection between a parent and a child
9 is required for a child to acquire citizenship at birth from
10 a United States citizen parent under sections 301(c), (d),
11 (e), and (g) of the Immigration and Nationality Act (8
12 U.S.C. 1401(c), (d), (e), and (g)), provided that either the
13 local law at the place of birth or United States law recog-
14 nize such a person to be the legal parent of the child from
15 birth.

16 **SEC. 10. ENGAGING INTERNATIONAL ORGANIZATIONS IN**
17 **THE FIGHT AGAINST LGBTQI DISCRIMINA-**
18 **TION.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the United States should be a leader in ef-
22 forts by the United Nations to ensure that human
23 rights norms, development principles, and political
24 rights are fully inclusive of LGBTQI people;

1 (2) United States leadership within inter-
2 national financial institutions, such as the World
3 Bank and the regional development banks, should be
4 used to ensure that the programs, projects, and ac-
5 tivities undertaken by such institutions are fully in-
6 clusive of all people, including LGBTQI people; and

7 (3) the Secretary of State should seek appro-
8 priate opportunities to encourage the equal treat-
9 ment of LGBTQI people during discussions with or
10 participation in the full range of regional, multilat-
11 eral, and international fora, such as the Organiza-
12 tion of American States, the Organization for Secu-
13 rity and Cooperation in Europe, the European
14 Union, the African Union, and the Association of
15 South East Asian Nations.

16 (b) ACTION THROUGH THE EQUAL RIGHTS COALI-
17 TION.—The Secretary of State shall promote diplomatic
18 coordination through the Equal Rights Coalition, estab-
19 lished in July 2016 at the Global LGBTQI Human Rights
20 Conference in Montevideo, Uruguay, and other multilat-
21 eral mechanisms, to achieve the goals and outcomes de-
22 scribed in subsection (a).

1 **SEC. 11. REPRESENTING THE RIGHTS OF UNITED STATES**
2 **LGBTQI CITIZENS DEPLOYED TO DIPLO-**
3 **MATIC AND CONSULAR POSTS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that, recognizing the importance of a diverse work-
6 force in the representation of the United States abroad,
7 and in support of sound personnel staffing policies, the
8 Secretary of State should—

9 (1) prioritize efforts to ensure that foreign gov-
10 ernments do not impede the assignment of United
11 States LGBTQI citizens and their families to diplo-
12 matic and consular posts;

13 (2) open conversations with entities in the
14 United States private sector that engage in business
15 in other countries to the extent necessary to address
16 any visa issues faced by such private sector entities
17 with respect to their LGBTQI employees; and

18 (3) prioritize efforts to improve post and post
19 school information for LGBTQI employees and em-
20 ployees with LGBTQI family members.

21 (b) REMEDIES FOR FAMILY VISA DENIAL.—

22 (1) IN GENERAL.—The Secretary of State shall
23 use all appropriate diplomatic efforts to ensure that
24 the families of LGBTQI employees of the Depart-
25 ment are issued visas from countries where such em-
26 ployees are posted.

1 (2) LIST REQUIRED.—Not later than 180 days
2 after the date of enactment of this Act, the Sec-
3 retary of State shall submit to Congress—

4 (A) a classified list of each country that
5 has refused to grant accreditation to LGBTQI
6 employees of the Department or their family
7 members in the prior 2 years; and

8 (B) the actions taken or intended to be
9 taken by the Secretary, in accordance with
10 paragraph (1), to ensure that LGBTQI employ-
11 ees are appointed to appropriate positions in ac-
12 cordance with diplomatic needs and personnel
13 qualifications, including actions specifically re-
14 lating to securing the accreditation of the fami-
15 lies of such employees by relevant countries.

16 (c) IMPROVING POST INFORMATION AND OVERSEAS
17 ENVIRONMENT FOR LGBTQI ADULTS AND CHILDREN.—

18 (1) IN GENERAL.—The Secretary of State shall
19 ensure that LGBTQI employees and employees with
20 LGBTQI family members have adequate information
21 to pursue overseas postings, including country envi-
22 ronment information for adults and children.

23 (2) NON-DISCRIMINATION POLICIES FOR
24 UNITED STATES GOVERNMENT-SUPPORTED
25 SCHOOLS.—The Secretary shall make every effort to

1 ensure schools abroad that receive assistance and
2 support from the United States Government under
3 programs administered by the Office of Overseas
4 Schools of the Department of State have active and
5 clear nondiscrimination policies, including policies
6 relating to sexual orientation and gender identity im-
7 pacting LGBTQI children of all ages.

8 (3) REQUIRED INFORMATION FOR LGBTQI
9 CHILDREN.—The Secretary shall ensure that infor-
10 mation focused on LGBTQI children of all ages (in-
11 cluding transgender and gender nonconforming stu-
12 dents) is included in post reports, bidding materials,
13 and Office of Overseas Schools reports, databases,
14 and adequacy lists.

15 **SEC. 12. DEFINITIONS.**

16 In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Foreign Affairs, the
21 Committee on the Judiciary, and the Com-
22 mittee on Appropriations of the House of Rep-
23 resentatives; and

1 (B) the Committee on Foreign Relations,
2 the Committee on the Judiciary, and the Com-
3 mittee on Appropriations of the Senate.

4 (2) GENDER IDENTITY.—The term “gender
5 identity” means the gender-related identity, appear-
6 ance, mannerisms, or other gender-related character-
7 istics of an individual, regardless of the individual’s
8 designated sex at birth.

9 (3) LGBTQI.—The term “LGBTQI” means
10 lesbian, gay, bisexual, transgender, queer, or
11 intersex.

12 (4) MEMBER OF A VULNERABLE GROUP.—The
13 term “member of a vulnerable group” means, with
14 respect to an alien, that such alien—

15 (A) is under 21 years of age or over 60
16 years of age;

17 (B) is pregnant;

18 (C) identifies as lesbian, gay, bisexual,
19 transgender, or intersex;

20 (D) is a victim or witness of a crime;

21 (E) has filed a nonfrivolous civil rights
22 claim in Federal or State court;

23 (F) has a serious mental or physical illness
24 or disability;

1 (G) has been determined by an asylum of-
2 ficer in an interview conducted under section
3 235(b)(1)(B) of the Immigration and Nation-
4 ality Act (8 U.S.C. 1225(b)(1)(B)) to have a
5 credible fear of persecution; or

6 (H) has been determined by an immigra-
7 tion judge or the Secretary of Homeland Secu-
8 rity to be experiencing severe trauma or to be
9 a survivor of torture or gender-based violence,
10 based on information obtained during intake,
11 from the alien's attorney or legal service pro-
12 vider, or through credible self-reporting.

13 (5) SEXUAL ORIENTATION.—The term “sexual
14 orientation” means actual or perceived homosex-
15 uality, heterosexuality, or bisexuality.

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