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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To establish in the Department of State a Special Envoy for the Human Rights of LGBTQI+ Peoples, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GARCIA of California introduced the following bill; which was referred to the Committee on _____

A BILL

To establish in the Department of State a Special Envoy for the Human Rights of LGBTQI+ Peoples, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Human
5 Rights Defense Act of 2025”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Around the world, LGBTQI+ people face
2 criminalization, violence, discrimination, and stigma
3 based on their sexual orientation, gender identity, or
4 sex characteristics.

5 (2) 64 countries have national laws that crim-
6 inalize same-sex relations and at least 42 United
7 Nations member states have legal barriers for free-
8 dom of expression on issues related to sexual and
9 gender diversity. That is equal to roughly 35 percent
10 of United Nations member states.

11 (3) 12 countries have jurisdictions in which the
12 death penalty can be imposed for private, consensual
13 same-sex sexual activity.

14 (4) Despite recent progress made toward de-
15 criminalization, marriage equality, and legal gender
16 recognition, several countries have introduced anti-
17 LGBTQI+ legislation that would further criminalize
18 or stigmatize LGBTQI+ people. This includes a
19 draconian bill under review in Ghana that would
20 outlaw not only LGBTQI+ relationships and identi-
21 ties, but also advocacy on behalf of the human rights
22 of LGBTQI+ persons.

23 (5) Human Rights Watch and other human
24 rights organizations have documented the use of the
25 forensically discredited practice of forced anal exams

1 to try to substantiate allegations of same-sex sexual
2 activity. This humiliating practice is typically con-
3 ducted by law enforcement officials working in tan-
4 dem with medical personnel. The United Nations
5 Special Rapporteur on Torture has described forced
6 anal examinations as a form of torture or cruel, in-
7 human and degrading treatment, and the United
8 Nations Office of the High Commissioner for
9 Human Rights issued a report in 2015 calling for
10 governments to ban the practice.

11 (6) Across the world, freedom of association is
12 increasingly under attack, with the passage and en-
13 forcement of laws that prevent or revoke the reg-
14 istration of non-governmental organizations, particu-
15 larly those working to advance and defend the
16 human rights of LGBTQI+ persons.

17 (7) Extreme violence and insecurity in Latin
18 America has driven LGBTQI+ people to flee their
19 countries of origin to the United States for protec-
20 tion. Yet LGBTQI+ asylum seekers are routinely
21 denied entry and face additional violence, and many
22 have been returned to face persecution in their home
23 countries or in third countries that are not safe.

24 (8) Laws, policies, and practices that crim-
25 inalize and stigmatize LGBTQI+ people deter indi-

viduals and communities from seeking health care. Gay, bisexual, and other men who have sex with men and transgender people are particularly vulnerable to discrimination and exclusion in health care settings, thereby increasing risk of HIV transmission. Decriminalization and stigma reduction are necessary to achieve global targets for epidemic control of HIV.

(9) The Trans Murder Monitoring Project, which monitors homicides of transgender individuals, documented at least 350 trans and gender-diverse people killed between October 1, 2023, and September 30, 2024. Of these cases, 73 percent of murders occurred in Latin America and the Caribbean, with 30 percent of the total occurring in Brazil.

(10) Intersex people are subject to medically unnecessary surgeries, often without prior and informed consent, leading to lifelong medical complications and increased mistrust of health care providers. Intersex people experience widespread discrimination and lack of understanding about their medical needs.

(11) Violence and discrimination based on sexual orientation, gender identity (including gender expression), and sex characteristics are documented in

1 the Department of State’s annual Country Reports
2 on Human Rights Practices. The report covering
3 2023 continues to show a clear pattern of human
4 rights violations or abuses in every region of the
5 world based on sexual orientation, gender identity,
6 or sex characteristics. These violations or abuses in-
7 clude murder, rape, torture, death threats, extortion,
8 and imprisonment, as well as loss of employment,
9 housing, access to health care, and other forms of
10 societal stigma and discrimination. The reports fur-
11 ther document LGBTQI+-specific restrictions on
12 basic freedoms of assembly, press, and speech in
13 every region of the world.

14 (12) On December 6, 2011, President Barack
15 Obama released the “Presidential Memorandum—
16 International Initiatives to Advance the Human
17 Rights of Lesbian, Gay, Bisexual, and Transgender
18 Persons”. The memorandum directed all Federal
19 agencies engaged abroad to ensure that United
20 States diplomacy and foreign assistance promote and
21 protect the human rights of LGBTI+ persons.

22 (13) On February 4, 2021, President Joe Biden
23 issued a similar memorandum, the “Memorandum
24 on Advancing the Human Rights of Lesbian, Gay,
25 Bisexual, Transgender, Queer, and Intersex Persons

1 Around the World”, to promote and protect the
2 human rights of LGBTQI+ persons and establish
3 that it is the “policy of the United States to pursue
4 an end to violence and discrimination on the basis
5 of sexual orientation, gender identity or expression,
6 or sex characteristics, and to lead by the power of
7 our example in the cause of advancing the human
8 rights of LGBTQI+ persons around the world”.

9 (14) On February 23, 2015, Secretary of State
10 John Kerry appointed senior diplomat Randy Berry
11 as the Department of State’s first-ever Special
12 Envoy for the Human Rights of LGBTI Persons.
13 No person was named to that position during the
14 Trump Administration.

15 (15) On June 25, 2021, President Joe Biden
16 announced the appointment of Jessica Stern to serve
17 as the United States Special Envoy to Advance the
18 Human Rights of LGBTQI+ Persons. She joined
19 the Department of State on September 27, 2021.

20 (16) On June 30, 2016, the United Nations
21 Human Rights Council passed a resolution cospon-
22 sored by the United States that established an Inde-
23 pendent Expert on violence and discrimination based
24 on sexual orientation and gender identity to help

1 monitor and track discrimination and violence experi-
2 enced by LGBTQI+ persons around the world.

3 (17) In May 2020, the United Nations Inde-
4 pendent Expert on protection against violence and
5 discrimination based on sexual orientation and gen-
6 der identity released a report on so-called “conver-
7 sion therapy”, which is an umbrella term used to de-
8 scribe interventions based on a belief that a person’s
9 sexual orientation or gender identity can and should
10 be changed. The report concluded that such prac-
11 tices represent significant violations of rights to per-
12 sonal autonomy, health, and free expression and are
13 “by their very nature degrading, inhuman and cruel
14 and create a significant risk of torture”. The Inde-
15 pendent Expert noted “the psychological pain and
16 suffering inflicted by practices of ‘conversion ther-
17 apy’ are deep and long-lasting and often exacerbate
18 the risk of suicide”, and called for a global ban on
19 conversion therapy.

20 **SEC. 3. STATEMENT OF POLICY.**

21 It is the policy of the United States—

22 (1) to take effective action to prevent and re-
23 spond to discrimination and violence against all peo-
24 ple on any basis internationally, including sexual ori-
25 entation, gender identity, and sex characteristics,

1 and that human rights policy includes attention to
2 criminalization, violence, and other discrimination
3 against LGBTQI+ people;

4 (2) to systematically integrate and coordinate
5 into United States foreign policy efforts to prevent
6 and respond to criminalization, discrimination, and
7 violence against LGBTQI+ people internationally;

8 (3) to support and build local capacity in coun-
9 tries around the world, including of governments at
10 all levels and nongovernmental organizations, to pre-
11 vent and respond to criminalization, discrimination,
12 and violence against LGBTQI+ people internation-
13 ally;

14 (4) to consult, cooperate, coordinate, and col-
15 laborate with a wide variety of nongovernmental
16 partners, including faith-based organizations and
17 LGBTQI+-led organizations, with demonstrated ex-
18 perience in preventing and responding to criminal-
19 ization, discrimination, and violence against
20 LGBTQI+ people internationally;

21 (5) to employ a multisectoral approach to pre-
22 venting and responding to criminalization, discrimi-
23 nation, and violence against LGBTQI+ people inter-
24 nationally, including activities in the economic, edu-
25 cation, health, nutrition, legal, and judicial sectors;

1 (6) to work at all levels, from the individual to
2 the family, community, local, national, and inter-
3 national levels, to prevent and respond to criminal-
4 ization, discrimination, and violence against
5 LGBTQI+ people internationally;

6 (7) to enhance training by United States per-
7 sonnel of professional foreign military and police
8 forces and judicial officials to include appropriate
9 and thorough LGBTQI+-specific instruction on pre-
10 venting and responding to criminalization, discrimi-
11 nation, and violence based on sexual orientation,
12 gender identity, and sex characteristics;

13 (8) to engage non-LGBTQI+ people as allies
14 and partners, as an essential element of making sus-
15 tained reductions in criminalization, discrimination,
16 and violence against LGBTQI+ people internation-
17 ally;

18 (9) to require that all recipients of United
19 States Government federal funding, including all
20 contractors, grants, and cooperative agreements for
21 both acquisition and assistance, establish appro-
22 priate nondiscrimination policies that are inclusive of
23 sexual orientation, gender identity, and sex charac-
24 teristics, among other characteristics and protected
25 statuses, and take effective measures to ensure the

1 protection and safety of employed and contracted
2 staff, as well as protection of the program bene-
3 ficiaries;

4 (10) to exert sustained international leadership,
5 including in bilateral and multilateral fora, to pre-
6 vent and respond to criminalization, discrimination,
7 and violence against LGBTQI+ people internation-
8 ally;

9 (11) to ensure that international efforts to com-
10 bat HIV/AIDS take all appropriate measures to sup-
11 port at-risk communities, including LGBTQI+ peo-
12 ple, and to create enabling legal environments for
13 these communities;

14 (12) to work with governments and nongovern-
15 mental organizations around the world to develop
16 and implement regional strategies to decriminalize
17 homosexuality and to counteract other restrictions
18 on the human rights of LGBTQI+ people, including
19 restrictions on LGBTQI+ organizations and so-
20 called LGBTQI+ propaganda laws; and

21 (13) to ensure that individuals who have a well-
22 founded fear of persecution on account of being
23 LGBTQI+ or supporting LGBTQI+ rights have
24 the opportunity to seek protection in the United
25 States.

1 **SEC. 4. SPECIAL ENVOY FOR THE HUMAN RIGHTS OF**
2 **LGBTQI+ PEOPLE.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—The Secretary of State shall
5 establish in the Department of State a permanent
6 Special Envoy for the Human Rights of LGBTQI+
7 People (in this section referred to as the “Special
8 Envoy”), who shall be appointed by the President.

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

12 (b) PURPOSE.—In addition to the duties described in
13 subsection (c) and those duties determined by the Presi-
14 dent and the Secretary of State, the Special Envoy shall
15 direct efforts of the United States Government relating
16 to United States foreign policy, as directed by the Presi-
17 dent and the Secretary, regarding human rights abuses
18 against LGBTQI+ people and communities internation-
19 ally and the advancement of human rights for LGBTQI+
20 people, and shall represent the United States internation-
21 ally in bilateral and multilateral engagement on such mat-
22 ters.

23 (c) DUTIES.—The Special Envoy—

24 (1) shall serve as the principal advisor to the
25 Secretary of State regarding the human rights of
26 LGBTQI+ people internationally; and

1 (2) at the direction of the Secretary of State—

2 (A) shall, notwithstanding any other provi-
3 sion of law, direct activities, policies, programs,
4 and funding relating to the human rights of
5 LGBTQI+ people and the advancement of
6 LGBTQI+ human rights and social inclusion
7 initiatives internationally, for all bureaus and
8 offices of the Department of State, and shall
9 lead the coordination of relevant United States
10 Government policies and international programs
11 for all other Federal agencies relating to such
12 matters;

13 (B) shall represent the United States in
14 diplomatic matters, including in bilateral and
15 multilateral forums, relevant to the human
16 rights and social inclusion of LGBTQI+ people,
17 including addressing criminalization, discrimi-
18 nation, and violence against LGBTQI+ people
19 internationally;

20 (C) shall direct, as appropriate, United
21 States Government resources to respond to
22 needs for protection, integration, resettlement,
23 and empowerment of LGBTQI+ people in
24 United States Government policies and inter-
25 national programs, including to prevent and re-

1 spond to criminalization, discrimination, and vi-
2 olence against LGBTQI+ people internation-
3 ally;

4 (D) shall lead interagency coordination on
5 the foreign policy, humanitarian, and develop-
6 ment priorities related to the human rights of
7 LGBTQI+ people internationally; and

8 (E) shall conduct regular consultation with
9 nongovernmental organizations working to pre-
10 vent and respond to criminalization, discrimina-
11 tion, and violence against LGBTQI+ people
12 internationally.

13 (d) BRIEFINGS AND ASSESSMENTS.—Not later than
14 180 days after the date of the enactment of this Act, and
15 annually thereafter, the Special Envoy shall provide to the
16 appropriate congressional committees a briefing on the
17 status of the human rights and social inclusion of
18 LGBTQI+ people internationally, as well as on the status
19 of programs and response strategies of the United States
20 Government to address criminalization, discrimination,
21 and violence against LGBTQI+ people internationally.

22 (e) UNITED STATES POLICY TO PREVENT AND RE-
23 SPOND TO CRIMINALIZATION, DISCRIMINATION, AND VIO-
24 LENCE AGAINST LGBTQI+ PEOPLE GLOBALLY.—

1 (1) GLOBAL STRATEGY REQUIREMENT.—Not
2 later than 180 days after the date of the enactment
3 of this Act, and bi-annually thereafter, the Special
4 Envoy shall develop or update, as the case may be,
5 a United States global strategy to prevent and re-
6 spond to criminalization, discrimination, and violence
7 against LGBTQI+ people internationally. The Spe-
8 cial Envoy shall submit the global strategy to the
9 appropriate congressional committees and, if prac-
10 ticable, make the global strategy available to the
11 public.

12 (2) COLLABORATION AND COORDINATION.—In
13 developing the global strategy required under para-
14 graph (1), the Special Envoy shall consult with—

15 (A) mid- and high-level officials of relevant
16 Federal agencies; and

17 (B) representatives of nongovernmental or-
18 ganizations with demonstrated experience in ad-
19 dressing criminalization, discrimination, and vi-
20 olence against LGBTQI+ people internationally
21 or promoting equal rights and social inclusion
22 for LGBTQI+ people internationally.

23 (f) MONITORING THE UNITED STATES STRATEGY TO
24 PREVENT AND RESPOND TO CRIMINALIZATION, DISCRIMI-
25 NATION, AND VIOLENCE AGAINST LGBTQI+ PEOPLE

1 AND COMMUNITIES INTERNATIONALLY.—In each global
2 strategy submitted under subsection (e), the Special
3 Envoy shall include an analysis of promising practices for
4 preventing and addressing criminalization, discrimination,
5 and violence against LGBTQI+ people and communities
6 internationally, including—

7 (1) a description of successful efforts by foreign
8 governments and nongovernmental organizations to
9 prevent and respond to criminalization, discrimina-
10 tion, and violence against LGBTQI+ people and
11 communities internationally;

12 (2) recommendations related to promising prac-
13 tices, effective strategies, and improvements to en-
14 hance the impact of such prevention and response
15 efforts; and

16 (3) the impact of activities funded by the global
17 strategy in preventing and reducing criminalization,
18 discrimination, and violence against LGBTQI+ peo-
19 ple.

20 **SEC. 5. DOCUMENTING AND RESPONDING TO BIAS-MOTI-**
21 **VATED VIOLENCE AGAINST LGBTQI+ PEOPLE**
22 **ABROAD.**

23 (a) INFORMATION REQUIRED TO BE INCLUDED IN
24 ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRAC-
25 TICES.—

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

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

6 (B) in paragraph (12)(C)(ii), by striking
7 the period at the end and inserting “; and”;
8 and

9 (C) by adding at the end the following new
10 paragraph:

11 “(13) wherever applicable, the nature and ex-
12 tent of criminalization, discrimination, and violence
13 by state and non-state actors based on sexual ori-
14 entation or gender identity, as those terms are de-
15 fined in section 7 of the International Human
16 Rights Defense Act of 2025, or sex characteristics,
17 including an identification of those countries that
18 have adopted laws or constitutional provisions that
19 criminalize or discriminate based on such sexual ori-
20 entation, gender identity, or sex characteristics, in-
21 cluding descriptions of such laws and provisions.”.

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

1 (A) by redesignating the second subsection
2 (i) (relating to child marriage status) as sub-
3 section (j); and

4 (B) by adding at the end the following new
5 subsection:

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

18 **SEC. 6. IMPLEMENTATION OF THE UNITED STATES STRAT-**
19 **EGY TO PREVENT AND RESPOND TO CRIM-**
20 **INALIZATION, DISCRIMINATION, AND VIO-**
21 **LENCE AGAINST LGBTQI+ PEOPLE AND COM-**
22 **MUNITIES INTERNATIONALLY.**

23 The Secretary of State is authorized to provide assist-
24 ance to prevent and respond to criminalization, discrimi-
25 nation, and violence against LGBTQI+ people inter-

1 nationally. Such assistance may include the following ac-
2 tivities:

3 (1) Development and implementation of assist-
4 ance programs that respond to human rights abuses
5 against, and the social and economic exclusion of,
6 LGBTQI+ people.

7 (2) Support and capacity building for the devel-
8 opment and enforcement of the laws of foreign gov-
9 ernments pertaining to relevant civil and criminal
10 legal and judicial sanctions, protection, and training.

11 (3) Enhancement of health sector capacity to
12 detect, prevent, and respond to violence against
13 LGBTQI+ people and communities internationally,
14 and to combat HIV/AIDS in the LGBTQI+ commu-
15 nity internationally, in close coordination with the
16 Office of the Global AIDS Coordinator and Health
17 Diplomacy of the Department of State.

18 (4) Development of a leadership program for
19 international LGBTQI+ activists that will foster
20 collaboration and knowledge sharing across the
21 world.

22 **SEC. 7. DEFINITIONS.**

23 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate; and

7 (B) the Committee on Foreign Affairs and
8 the Committee on Appropriations of the House
9 of Representatives.

10 (2) GENDER IDENTITY.—The term “gender
11 identity” means the gender-related identity, appear-
12 ance, or mannerisms or other gender-related charac-
13 teristics of an individual, regardless of the individ-
14 ual’s designated sex at birth.

15 (3) INTERSEX.—The term “intersex” means in-
16 dividuals born with sex characteristics (including
17 genitals, gonads, or chromosome patterns) that vary
18 from typical binary notions of male or female bodies
19 and is an umbrella term used to describe a wide
20 range of natural bodily variations.

21 (4) LGBTQI+.—The term “LGBTQI+”
22 means lesbian, gay, bisexual, transgender, queer, or
23 intersex.

1 (5) SEXUAL ORIENTATION.—The term “sexual
2 orientation” means actual or perceived homosex-
3 uality, heterosexuality, or bisexuality.