

Trans America 2

By Andrea Brookes March 2025

This is a second forum topic on the Trans news from the USA, needed because the forums do not currently handle topics with more than a few replies correctly.

DATELINE: 4th March 2025, the Senate

Yesterday the senate heard the Republican bill *The Protection of Women and Girls In Sports Act* also known by the Democrats as *The GOP Child Predator Empowerment Act* due to its implicit authorisation of child genital examinations at school, was defeated in the senate as the bill did not gain sufficient votes to pass. The proposer Senator Tommy Tuberville spent 20 minutes espousing on his bill and showing his total misunderstanding of the topic of transgender athletes not only talking at length about transgender boys who are not included at all in the bill whilst also misgendering certain Olympic boxers who have conclusively proven themselves to be cis gender females. One of these Imane Khelif from Algeria, where it is illegal to be trans, is currently suing J K Rowling and Elon Musk in France over promoting false reports that she is transgender - France has strict anti-cyberbullying laws.

This is a welcome piece of news

Reply by Andrea Brookes March 2025

And another related piece of news. Moms for Liberty, classed by the Southern Poverty Law Center as a hate group, last Thursday opened a DEI snitch hotline for "concerned" citizens to report any school practicing DEI policies. This was closed down due to the flood of spoof messages it received flooding the service. These included the complete script of *The Bee Movie*, reporting Elon Musk as a DEI hire and many others. Moms For Liberty have been a consistent anti-LGBTQIA+, progressive and DEI campaigner and have approvingly tweeted quotes from Adolf Hitler.

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DATELINE: 5th March 2025 District Court Maryland

Judge Brendan A Hurson has blocked the implementation of Trump's EO prohibiting the provision of gender-affirming care for people under the age of 19. This ruling goes further than the earlier cases heard in three states, Minnesota, Oregon and Washington which blocked the implementation in these states, as this new ruling applies nationwide. The EO was denounced as being unconstitutional and illegal as well as causing irreparable harm.

Interestingly the administration side had cited and relied extensively on the Cass Report to justify its actions, the judge lambasted this report stating that it "does not even support withdrawing care from minors", also echoing another judge saying that the report is "unfounded" and "lacks clinical experience or research qualifications".

These are useful statements that can be used in arguments about the UK support for the Cass Report as not only has it been found to be lacking in scientific validity by virtually all relevant organisations around the world, but this has also been confirmed in a legal ruling.

This ruling does show that collective action and protests can have positive outcomes and as in the University of Cincinnati's backing down on their bathroom ban case, these are causing significant resistance to and reversal of the anti-LGBTQIA+ policies of the Trump administration.

Reply by Andrea Brookes March 2025

Do you know why this aircraft is famous? Or why, if you were American you would not be able to officially find out? This is the aircraft that dropped the first atomic bomb at the end of the second world war.

This and similar images and references to it have been removed by the Trump administration as apparently the name is too offensive. In actuality the aircraft was named after the mother of the pilot Colonel Paul Tibbets, Enola Gay Tibbets.

You really could not make this up



Reply By Andrea Brookes March 2025

A three judge panel in the Ohio 10th district court of appeal struck down the State's ban on transgender healthcare for transgender youth. This was based on the ruling that transgender healthcare is legitimate healthcare and the parents have the constitutional right to decide the healthcare of their children. Ironically this ruling was enabled by a Republican amendment to the State constitution originally intended to undermine Obamacare. This ruling eviscerated the State's "expert" witnesses and accepted the findings of 22 medical institutions that support gender healthcare.

Not directly trans related but an important statement I think, came from chief justice Roberts of the Supreme Court of the USA. Saying that impeachment was not an acceptable response to a district court judge that the executive branch (Trump although not named was heavily implied) disagree with the rulings of. Threatening lower court judges with impeachment has been a favourite tactic of the Trump administration when these judges issue restraining orders against executive orders and the actions resulting from these. This may indicate that the Supreme Court regards the constitution far more highly than the executive or legislative branches seem to. At

the moment it is only the judicial branch of government that seem able to halt or slow down the slide of the US into autocracy, but it remains to be seen whether they have the bite to back up their bark.

Reply by Andrea Brookes March 2025

And another good judicial ruling at 11pm. Despite what I have been told tonight, I do still hold out some hope that something will prevent the autocracy occurring in the USA.

Today another federal judge ruled against the Trump administration, in this case ruling that transgender people have served honourably in the US military and rules Trump's military service ban as "unconstitutional and motivated by animus". This means that transgender people can continue to serve in the US military.

By Andrea Brookes April 2025

This has been copied verbatim from Erin in the Morning. She has been monitoring anti-trans legislation across the USA for five years. These are her current analyses of the individual states. It is also worth pointing out that many countries around the world, including the UK, have issued warnings about travel to the USA, not just for LGBTQIA+ people but for all, even those with valid visas.

Here are the categories and where each state falls:

Do Not Travel (FL, TX): Two states have earned “Do Not Travel” advisories: Florida and Texas. Florida has a law that allows for the arrest of transgender people for using bathrooms according to their gender identity and another policy targets transgender people’s drivers licenses. Florida has also put into effect a policy that says trans people “misrepresenting” their gender on their drivers license could be guilty of fraud. Local LGBTQ+ orgs as well as HRC have issued travel advisories for the state. This analysis likewise concurs with such a rating. In Texas, the state is not only ignoring court ordered drivers license changes for trans adults, but it is also creating a database of people attempting to make such changes. Meanwhile, Odessa, TX has passed a bounty ordinance that puts \$10,000 bounties on transgender people in bathrooms, with more legislation expected this year.

The Worst States (AL, IA, ID, KS, LA, MS, MT, OH, OK, ND, SD, TN, UT, WV, WY): These states have passed deeply troubling legislation targeting transgender adults in extremely harmful new ways. Kansas and Utah have bathroom bans for transgender adults. Alabama has also passed a Don’t Say Gay bill that includes a bathroom ban on college campuses. Many states, including Kansas, Louisiana, Mississippi, Montana, Oklahoma, and Tennessee, and others listed in this category have gone so far as to legislatively erase transgender people, effectively removing any legal rights associated with their gender identities. Other states, such as Kansas, Montana, North Dakota, Oklahoma, and Tennessee, prohibit any changes to birth certificates, forcing trans people to out themselves when showing their documents. In Kansas, this law could even force individuals who have updated their driver's licenses and birth certificates to see their gender markers reverted. These states also could start targeting adult gender affirming care - Florida has already done so, banning 80% of such care. Idaho has an extreme ban on state funds for gender affirming care.

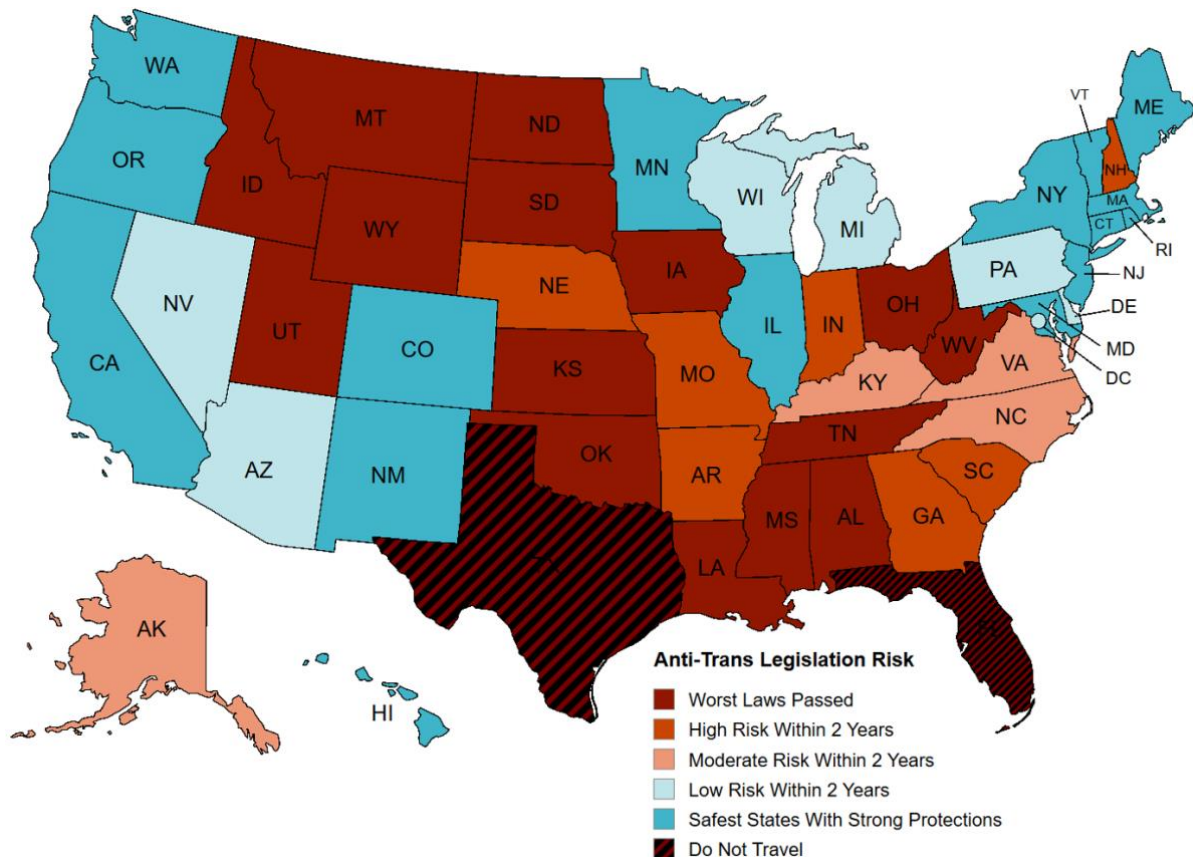
High-Risk States (AR, GA, IN, MO, NE, NH, SC): All of these states have passed anti-trans laws, but they haven't reached the same level of severity as the worst states. Missouri for example, prohibits gender-affirming care for incarcerated adults as well as transgender youth

and have seen new laws proposed this cycle going even further. Nebraska's governor has issued an executive order ending legal recognition of trans people. Additionally, some of these states, including Arkansas, have laws that permit the refusal of medical care to LGBTQ+ individuals on religious grounds. Although each of these states has laws targeting transgender adults, none have done so to the extent of the worst states.

Moderate-Risk States (AK, KY, NC, VA): These states have either passed one or two laws aimed at transgender adults or have enacted multiple laws targeting transgender youth, or are advancing negative laws quickly. For states focusing on trans youth, history shows they are more likely to introduce anti-trans legislation for adults in subsequent years. Most of these states are under Republican control, either through supermajorities in the legislature or Republican governorships. Many have enacted "Don't Say Gay" provisions, which frequently result in the banning of transgender teachers. Additionally, many have passed religious refusal rights bills. However, most of these states have either not yet ventured into anti-trans adult legislation or have only passed milder forms of such laws. In Virginia's case, the state has already seen transgender care to the age of 19 effectively shut down at some clinics, which impacts some trans adults who are 18-19, and the state AG has encouraged compliance with anti-trans executive orders.

Low-Risk States (AZ, DE, MI, NV, PA, WI, DC): These states have largely refrained from targeting transgender adults, although they haven't taken extraordinary steps to protect adult transgender rights either. For example, Arizona and Virginia have enacted anti-trans policies affecting youth but, due to state-specific factors, appear unlikely to extend such policies to adults. Conversely, Michigan, and Nevada have enacted fairly robust non-discrimination policies but fall short in ensuring healthcare equity and providing protections for incarcerated transgender individuals. While these states generally offer a safer environment for transgender adults, they stop short of going the extra mile to make their jurisdictions unequivocally safe places to reside. In the case of the District of Columbia, it may fall under attack from Congress and executive actions, meaning it can no longer be considered "most protective." This most recently was manifested with the DC House bathroom ban.

Most Protective States (CA, CO, CT, HI, IL, MA, MD, ME, MN, NJ, NM, NY, OR, RI, VT, WA): These states have gone above and beyond in safeguarding the rights and well-being of transgender individuals, making them highly desirable places to live for those in search of security. States like Colorado, Hawaii, Maryland, and Washington have enacted comprehensive health insurance laws that cover facial hair removal and an expanded range of medical procedures. Each of these states offers refugee protections for individuals fleeing more repressive states with anti-trans laws. Care is not only supported but also enjoys legal reinforcement from the state, ensuring accessibility as long as such treatments remain lawful at the national level. These states are the most likely to counteract federal anti-trans regulations if faced with a Republican presidency.



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France, Germany, Denmark and Finland have joined the growing band of countries that have issued travel advisories against travelling to the USA. In further restrictions on the rights of trans workers in the USA, travellers can no longer request a patdown by a TSA employee of their chosen gender and all transgender TSA employees are banned from doing pat-down checks. According to the authority this does not affect their status or other aspects of their employment but it is the thin edge of another wedge designed to separate transgender people from respect and normal life. This also puts such an employee into a dilemma if they are not out at work, do they continue to stay hidden and risk the consequences of being discovered, or do they have to out themselves with all the consequences that that might have in the future - a classic catch-22 situation.

Separately it has come to my attention that there have been several calls from organisations and advocates in the States to boycott the country, to not travel there for any reason.

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This needs watching

Apparently, in February, the US issued this letter to all companies globally that do or are tendering to do work in the US in virtually every business sector. In short what it is attempting to do is to impose US anti DEI discriminatory rules on foreign countries and companies by mandating that they must not implement any DEI policies irrespective of what their national laws say. As a result it is almost certain that it will not be legally enforceable and the French government have advised French companies to ignore it, however, what will the UK government do? And how many companies will decide that they had better accede to the demand in order to

obtain a lucrative contract. It has been described as McCarthyism on steroids but on a global basis.



Embassy of the United States of America

CERTIFICATION REGARDING COMPLIANCE WITH APPLICABLE FEDERAL ANTI-DISCRIMINATION LAW

All Department of State contractors must certify that they do not operate any programs promoting DEI that violate any applicable anti-discrimination laws and agree that such certification is material for purposes of the government's payment decision and therefore subject to the False Claims Act. See 31 U.S.C. 3729(b)(4).

DIRECTIONS FOR CONTRACTORS and/or OFFERORS

1. Read the entire certification provided below.
2. After you have read the provisions, please check the appropriate boxes.
3. Upon completion of Step 2, fill out the representation below. *NOTE: This certification is made by a person with the authority to bind the contractor or offeror.*
4. Return completed form to the Contracting Officer/POC shown in the e-mail.

CERTIFICATION:

The Contractor or prospective offeror certifies they:

- ☐ are in compliance in all respects with all applicable Federal anti-discrimination laws is material to the government's payment decisions for purposes of section 31 USC 3729(b)(4) (False Claims Act); and
- ☐ do not operate any programs promoting Diversity, Equity, and Inclusion that violate any applicable Federal anti-discrimination laws.

Contractor or Offeror Name (Printed or Typed): _____

Authorized Representative Name and Title: _____

Authorized Representative Signature and Date: _____

Solicitation or Contract Number: 19UK5625A0008