

To the office of U.S. Representative Nancy Mace

Re: HR 10127 (119th Congress), TRANS Government Research Act • Latest action (2026-08-20): Referred to the House Committee on Energy and Commerce.

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Federal Research Integrity and Oversight Act for Gender-Related Medical Treatments

The measure, as described from the official record: Prevent federal funds from being used for research on gender-related medical treatments, based on concerns about scientific validity, ethical standards, or political controversy.

THE PROPOSAL

Section 1. Short Title. This Act may be cited as the “Gender-Related Medical Research Transparency and Oversight Act.”

Section 2. Findings. Congress finds that (1) federal funding for research on gender-related medical treatments should be subject to the highest standards of scientific rigor, ethical oversight, and transparency; (2) existing NIH peer-review processes are generally robust, but additional safeguards are warranted for studies involving minors or irreversible treatments; (3) taxpayer funds should not support research that lacks clear scientific merit or adequate protections for human subjects.

Section 3. Enhanced Oversight for Gender-Related Research. (a) Within the National Institutes of Health, the Director shall establish a Gender-Related Medical Research Oversight Board composed of nine members: three appointed by the Secretary of HHS, three by the National Academy of Sciences, and three by the Attorney General, with expertise in bioethics, pediatrics, endocrinology, and statistics. (b) No grant, contract, or cooperative agreement funded by any federal department or agency may be used to conduct research on gender-related medical treatments for individuals under the age of 18 unless the Oversight Board has reviewed and approved the proposal in writing. The Board shall evaluate the scientific validity, risk-benefit ratio, and long-term follow-up plan. (c) Any adverse events observed during the study must be reported to the Board within 30 days, and the Board may suspend funding if safety concerns arise. (d) All findings from such research shall be made publicly available within 12 months of completion, subject to privacy protections under HIPAA.

Section 4. Sunset. This Act shall expire five years after the date of enactment, unless reauthorized by Congress.

Section 5. Funding. The Oversight Board shall be funded from the existing administrative budget of the NIH, with a cap of \$5,000,000 per fiscal year. No new appropriations are authorized.

Section 6. Enforcement. Any federal agency that knowingly funds research in violation of Section

3 shall be subject to a reduction of its next fiscal year's appropriation equal to the amount of the noncompliant grant. The Attorney General may bring a civil action to enjoin any violation.

Section 7. Effective Date. This Act takes effect 180 days after enactment.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	Existing NIH administrative budget; no new appropriations.
Funding Amount	Up to \$5,000,000 per fiscal year from NIH budget.
Sunset Years	5 years
Oversight Body	Gender-Related Medical Research Oversight Board within NIH (9 members appointed by HHS, NAS, and AG).
Enforcement Mechanism	Reduction of future appropriations for noncompliant agencies; civil injunctive actions by Attorney General.
Effective Date	180 days after enactment

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1 (Congressional power to spend for the general welfare)
- First Amendment (freedom of speech and academic inquiry)
- Fifth Amendment (Due Process and Equal Protection)
- Tenth Amendment (reserving to states powers not delegated to the United States)

Concerns with the measure as written:

- Original bill likely violates the First Amendment by suppressing academic research on a topic of public concern.
 - Original bill may violate the Fifth Amendment's equal protection guarantee by targeting a specific class of research based on viewpoint.
 - Original bill could exceed enumerated powers if it is a flat prohibition unrelated to any legitimate federal interest in spending oversight.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Democratic priorities: Protects vulnerable populations (minors), ensures scientific rigor and transparency, and upholds ethical oversight of human subjects research. Republican priorities: Prevents federal funding of research that may lack scientific validity or be used for ideological purposes, reduces waste, and sunsets the program to prevent permanent bureaucracy.

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