



CCAR OPPOSES PROPOSALS TO REMOVE FEDERAL RECOGNITION AND PROTECTION OF TRANSGENDER AMERICANS

The Central Conference of American Rabbis strongly opposes proposals under consideration at the U.S. Department of Health and Human Services to define gender narrowly, as determined solely by sex organs at birth, an approach which is contrary to medical evidence and denies the life experiences of millions of Americans. The results of these proposed changes could be devastating: Transgender Americans, already facing discrimination, stand to lose federal civil rights protections based on their gender identity.

The Central Conference of American Rabbis was the first mainstream religious organization in the nation to affirm transgender Americans' rights when we adopted our *Resolution on the Rights of Transgender and Gender Non-Conforming Individuals* in 2015. (See Below) In that resolution, Reform rabbis urged "the adoption of legislation and policies that prevent discrimination based on gender identity and expression and that require individuals to be

treated under the law as the gender by which they identify...”

As early as 1978, Reform rabbis had affirmed the life experiences of transgender Jews in CCAR Responsa, the body of Jewish legal opinion. In a 2009 responsum on “Circumcision of a Transgender Female” (CCAR 5769.6), the CCAR Responsa Committee held that “like the [ancient] Rabbis, we, too, are obligated to find a place within our midst for ... the Jew who does not seem to fit within the established boundaries and social categories upon which our communities are normally based.... We have no need as a community ... to question any person’s expressed identity.... Our concern, quite simply, is to welcome [each person] into the community of Israel”

The CCAR will continue to amplify our collective rabbinic voice on behalf of transgender and gender non-conforming individuals, including cherished members of our own rabbinic Conference and of the communities we lead.

The CCAR calls upon President Trump, Health and Human Services Secretary Azar, and Attorney General Sessions to stand up for equal rights and to affirm the right of all Americans to define their own gender identity.



Central Conference of American Rabbis

Rabbi David E. Stern, President
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from **THE RIGHTS OF TRANSGENDER
AND GENDER NON-CONFORMING
INDIVIDUALS**

**The Rights of Transgender and Gender Non-Conforming
Individuals**

**Submitted to the Central Conference of American Rabbis
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...While progress has been made in bringing greater equality and acceptance of gays, lesbians, and bisexuals in North American society, too often transgender and gender non-conforming individuals are forced to live as second-class citizens. Transgender is a “term for people whose gender identity, expression or behavior is different from those typically associated with their assigned sex at birth.” “Gender non-conforming” is “a term for individuals whose gender expression is different from societal expectations related to gender.”

Although much work remains to be done to fully overcome discrimination against lesbian, gay, and bisexual individuals, members of the transgender and gender non-conforming communities face particular ongoing bigotry. Transgender individuals are often unable to easily update their federal and state documents—such as passports and birth certificates—to reflect their correct gender and name. As a result, transgender individuals can be denied the right to vote because their documents do not match their gender. Additionally, they are frequent victims of hate crimes and harassment and often face discrimination in employment, healthcare, and housing. Simply accessing the appropriate restroom without facing others’ objections or fearing violence can be a challenge to transgender and gender non-conforming individuals. The combined impact of all of these factors has contributed to extremely high rates of poverty, homelessness, and suicide rates among transgender individuals...

[Reform Rabbinic Responsa] reflect biblical tradition that teaches us that all human beings are created *b'tzelem Elohim*- in the Divine image...From this bedrock principle stems our commitment to defend any individual from the discrimination that arises from ignorance, fear, insensitivity, or hatred. Knowing that members of the transgender and gender non-conforming communities are often singled out for discrimination, high rates of violence, and even murder, we are reminded of the Torah's injunction, "*do not stand idly while your neighbor bleeds*" (Leviticus 19:16).

THEREFORE, BE IT RESOLVED THAT the Central Conference of American Rabbis:

1. Affirms its commitment to the full equality, inclusion and acceptance of people of all gender identities and gender expressions;
2. Affirms the right of transgender and gender non-conforming individuals to be referred to by the name, gender, and pronoun of preference in our congregations, camps, and schools regardless of physical presentation.
3. Encourages Reform congregations, congregants, clergy, camps, institutions, and affiliates, including NFTY, to begin or continue to advocate for the rights of people of all gender identities and gender expressions;
4. Urges the adoption of legislation and policies that prevent discrimination based on gender identity and expression and that require individuals to be treated under the law as the gender by which they identify. This includes establishing the right to change without undue burden identification documents to reflect one's gender and name, and equal access to medical, legal, and social services for people of all gender identities and expressions;...