

July 12, 2023

Senate Majority Leader Chuck Schumer
Senate Minority Leader Mitch McConnell

House Speaker Kevin McCarthy
House Minority Leader Hakeem Jeffries

Senate Armed Services Committee
Chairman Jack Reed
Ranking Member Roger Wicker

House Armed Services Committee
Chairman Mike Rogers
Ranking Member Adam Smith

Senate Committee on Veterans' Affairs
Chairman Jon Tester
Ranking Member Jerry Moran

House Committee on Veterans' Affairs
Chairman Mike Bost
Ranking Member Mark Takano

Senate Committee on Appropriations
Chair Patty Murray
Vice Chair Susan Collins

House Committee on Appropriations
Chairwoman Kay Granger
Ranking Member Rosa DeLauro

Dear Congressional Leaders,

We, the undersigned organizations that are members of the military and veteran community and organizations who support the health and well-being of our military and veteran communities, write to urge you to fight for equitable access to health care for all service members, veterans, and their families. Recent attacks on health care access in the FY24 NDAA, Defense appropriations, and MilCon-VA appropriations bills threaten the health, safety, and well-being of our communities, and we anticipate additional attacks of this nature when these bills arrive on the floor. We urge you to fight back against any such harmful provisions, including:

- Anti-LGBTQ+ riders, including any rider that would prohibit, restrict, or defund any form of gender affirming care, and any other riders that would prohibit or restrict the right to freedom of expression of LGBTQ+ service members and veterans;
- Riders that would prohibit, restrict, or defund reproductive health care services for service members and veterans, including abortion and contraception; and
- Attacks against DOD's recent policies for non-covered reproductive health care services.

Throughout our nation's history, LGBTQ+ Americans have worn and continue to wear the uniform with honor and pride. Among transgender Americans, it is estimated that 1 in 5 will serve in the military at some point in their lives,¹ making DOD one of the largest employers of, and VA one of the largest healthcare providers for, transgender people in the country. Attacks on

¹ New Study Finds Transgender People Twice as Likely to Serve in Military (Aug. 1, 2013), <https://www.thetaskforce.org/news/new-study-finds-transgender-people-twice-as-likely-to-serve-in-military/>.

necessary medical care for transgender service members, veterans, and their families are not just issues of equity and morality, they are a safety issue. Bans on affirming care threaten the mental, physical, and emotional health of transgender individuals. Such policies can exacerbate the existing impacts of discrimination on trans veterans' well-being. For example, while transgender adults serve in the U.S. military at 2 to 3 times the rate of the general adult population, transgender veterans die by suicide at twice the rate of their cisgender veteran peers and approximately 5.85 times the rate of the general population.² Transgender veterans can thrive when they are supported—including by accessing care they may need—but policies targeting them for denial of care can have harmful consequences for their health and well-being.

Eighteen states currently ban best practice medical care – surgical care and medication – for transgender youth, with a nineteenth state banning surgical care only.³ Five of those states have enacted felony penalties against those providing this medically necessary care to minors.⁴ An increasing number of proposed bans do not only apply to minors: nearly one-third of bills (29%) introduced in 2023 would ban or restrict care for both transgender children and transgender adults.⁵ For service members, veterans, and their loved ones who need access to this essential care, being denied care at DOD or VA may mean they are unable to obtain the care at all.

Similarly, restrictions and bans on reproductive health care, including abortion and contraception, harm our military and veteran communities. Veterans and service members have always faced unique barriers to abortion care, which are only being further compounded now that the Supreme Court has taken away the constitutional right to abortion.

As of June 2023, abortion is illegal in 14 states and other states are moving to severely limit access to abortion services. Unfortunately, service members are additionally subject to abortion

² Raymond P. Tucker, *Suicide in Transgender Veterans: Prevalence, Prevention, and Implications of Current Policy*, 14 PERSP. PSYCH. SCI. 452, 452 (2019).

³ *Bans on Best Practice Medical Care for Transgender Youth*, MOVEMENT ADVANCEMENT PROJECT, https://www.lgbtmap.org/equality-maps/healthcare/youth_medical_care_bans (last visited May 26, 2023).

⁴ [1] S.B. 254, 2023 Leg., Reg. Sess. (Fla. 2023), <https://www.flsenate.gov/Session/Bill/2023/254/BillText/er/HTML> (providing felony penalties in the third degree for practitioners who provide medical care to minors); S.B. 184, 2022 Leg., Reg. Sess. (Ala. 2022), <http://alisondb.legislature.state.al.us/ALISON/SearchableInstruments/2022RS/PrintFiles/SB184-enr.pdf> (enacting Class C felony penalties for practitioners who provide medical care to anyone under nineteen years of age); H.B. 71, 67th Leg., Reg. Sess. (Idaho 2023), <https://legislature.idaho.gov/sessioninfo/2023/legislation/H0071> (creating felony penalties for practitioners who provide medical care to minors, effective January 2024); H.B. 1254, 68th Leg., Reg. Sess. (N.D. 2023), <https://www.ndlegis.gov/assembly/68-2023/regular/bill-overview/bo1254.html> (making surgical care for minors a felony crime and providing medication a misdemeanor crime); S.B. 613, 59th Leg., Reg. Sess. (Okla. 2023), <http://www.oklegislature.gov/BillInfo.aspx?Bill=sb613&Session=2300> (creating a felony penalty for providing medical care to minors but the penalty is currently unenforceable pursuant to an agreement made by the state's Attorney General).

⁵ LGBTQ Policy Spotlight: Bans on Medical Care for Transgender People, Movement Advancement Project (Apr. 15, 2023), <https://www.mapresearch.org/2023-medical-care-bans-report>.

bans that apply to the military, meaning they may have to obtain leave and travel hundreds of miles for care outside of the military health care system, that they must then pay for out of pocket - if they are able to obtain care at all. For veterans, attacks on abortion care at VA would have the same harmful impact.

We urge you to fight back against dehumanizing attacks on our service members and veterans' health and bodily autonomy. Access to essential health care, including reproductive health care and medically necessary care for transgender people, is a human right. Every person should have access to the care they need - regardless of what they do, where they live, or where they are stationed.

It is the job of Congress to pass legislation that protects the rights of our service members and veterans. Members of our Armed Forces and veterans should never be expected to sacrifice their access to basic health care for their service. We urge you to oppose these cruel attacks on service members and veterans and ensure their access to this essential health care is protected.

Sincerely,

ACCESS REPRODUCTIVE JUSTICE

Ace and Aro Alliance of Central Ohio

American Atheists

American Civil Liberties Union

American Humanist Association

American Medical Student Association (AMSA)

American Society for Reproductive Medicine

Asian and Pacific Islander American Health Forum (APIAHF)

Black Veterans Project

Catholics for Choice

Center for Psychological Growth

Center for Reproductive Rights

Charlotte Trans Health

Citizens Project

Colors+

Community Catalyst

Democrats Abroad Global and Military Families Caucus

Disability Rights Education and Defense Fund (DREDF)
Equality Maine
Equality Nevada
Equality Texas
Four Corners Rainbow Youth Center
Grand Rapids Trans Foundation
Guttmacher Institute
Henderson Equality Center
Human Rights Campaign
Human Rights First
Institute for LGBT Health and Wellbeing
Ipas
Jacobs Institute of Women's Health
Jewish Women International
Journal of Veterans Studies
LGBTQ Center OC
Minority Veterans of America
Modern Military Association of America (MMAA)
Muncie OUTreach LGBTQ+ Center
NARAL Pro-Choice America
National Abortion Federation
National Center for Parent Leadership, Advocacy, and Community Empowerment (National PLACE)
National Disability Rights Network (NDRN)
National Family Planning & Reproductive Health Association
National Health Law Program
National Latina Institute for Reproductive Justice
National LGBTQ Task Force Action Fund
National Network to End Domestic Violence
National Organization for Women

National Partnership for Women & Families
National Women's Health Network
National Women's Law Center
Network for Victim Recovery DC (NVRDC)
NEW Pride Agenda
North Las Vegas Equality Center
Out in National Security
Physicians for Reproductive Health
Planned Parenthood Federation of America
Population Institute
Power to Decide
Pride Center of Terre Haute Inc.
PRISM FL, Inc
Protect Our Defenders
RH Impact
SAGE
Service Women's Action Network
Service: Women Who Serve
SIECUS: Sex Ed for Social Change
South Carolina Equality
Spectrum: The Other Clinic
SQSH (St. Louis Queer+ Support Helpline)
The Pink Berets
The Rep Room
Trans Advocacy Pennsylvania
TransFamily Support Services
Transgender American Veteran Association
Transgender Assistance Program of Virginia
Transgender & Diverse Veterans of America Action Group
TransMaryland

TransOhio

Transpositive PDX

Trans Youth Liberation

Veteran Legislative Voice

Veterans for American Ideals

Veterans Studies Association

VETSxHBCU

We Are Family