

To:

July 10, 2023

Senate Majority Leader Charles Schumer
Senate Minority Leader Mitch McConnell

Speaker of the House Kevin McCarthy
House Minority Leader Hakeem Jeffries

Senate Armed Services Committee
Chairman Jack Reed
Ranking Member Roger Wicker

House Armed Services Committee
Chairman Mike Roger
Ranking Member Adam Smith

Senate Veterans Affairs Committee
Chairman Jon Tester
Ranking Member Jerry Moran

House Veterans Affairs Committee
Chairman Mike Bost
Ranking Member Mark Takano

Senate Appropriations Committee
Chairwoman Patty Murray
Vice Chairwoman Susan Collins

House Appropriations Committee
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 riders 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, making DoD one of the largest employers of, and VA one of the largest healthcare providers for, transgender people in the country. Attacks on gender affirming 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.

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.¹ Studies indicate that suicidality decreases significantly among transgender individuals who receive appropriate care. During the two years transgender personnel were no longer allowed to serve openly or access appropriate medical care through the military health system, 31 transgender servicemembers died by suicide²; that number dropped dramatically in the two years since that ban was revoked.³

Eighteen states currently ban best practice medical care – surgical care and medication – for transgender youth, with a nineteenth banning surgical care only.⁴ Five of those states have enacted felony penalties against those providing this medically necessary care to minors.⁵ An increasing number of proposed bans do not only apply to minors: nearly a third of bills (29%) introduced in 2023 would ban or restrict care for both transgender children and transgender adults.⁶ 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 the well-being of 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.

¹ Raymond P. Tucker, *Suicide in Transgender Veterans: Prevalence, Prevention, and Implications of Current Policy*, 14 PERSP. PSYCH. SCI. 452, 452 (2019).

² Zamone Perez, *Pentagon Officials Defend Diversity and Inclusion at Pride Month Event*, MILITARY TIMES (Jun. 7, 2023), <https://www.militarytimes.com/news/your-military/2023/06/07/pentagon-officials-defend-diversity-and-inclusion-at-pride-month-event/>.

³ Two have died by suicide since the ban was lifted.

⁴ *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).

⁵ [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).

⁶ 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>.

As of June 2023, abortion is illegal in 13 states and other states are moving to severely limit access to abortion services. Unfortunately, service members are additionally subject to abortion 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 gender affirming care and reproductive health care 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,

[Undersigned organizations]