



Congress of the United States
House of Representatives
Washington, DC 20515-1403

July 30, 2024

Secretary Xavier Becerra
Secretary of the Department of Health and Human Services
Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Dear Secretary Becerra,

We write to you today seeking clarity on the Department of Health and Human Services (HHS) and the Biden-Harris administration's position on gender transition surgeries for children. As we hope you are aware, studies show that the vast majority of childhood gender dysphoria cases resolve themselves by puberty,^[1] while invasive treatments like gender-reassignment surgeries and hormone therapies can lead to infertility and even worse consequences.

According to recently unveiled legal filings, Admiral Rachel Levine, Assistant Secretary for Health at HHS and the highest-ranking transgender government official in U.S. history, successfully bullied the World Professional Association for Transgender Health to remove recommended age minimums for minors seeking genital surgeries and mastectomies from its 2021 treatment guidelines.^[2] Moreover, the Biden-Harris administration has repeatedly attacked state campaigns to restrict such treatments for children, with Vice President Harris last year attacking these efforts in Tennessee, Florida, Idaho, and beyond and referring to them as "extremist."^[3] Under this administration, the Federal Bureau of Investigation and other federal law enforcement agencies have harassed whistleblowing nurses and doctors at their homes for revealing illegal procedures and Medicaid billing of transgender surgeries.^[4] ^[5]

^[1] Riittakerttu Kaltiala-Heino et al., "Gender dysphoria in adolescence: current perspectives." *Adolescent Health, Medicine and Therapeutics*, March 2, 2018.

^[2] Victor Nava, "Biden admin official pressured medical experts to nix age limit guidelines for transgender surgery: court doc." *New York Post*, June 26, 2024.

^[3] Kamala Harris, "Remarks by Vice President Harris at Biden Victory Fund and the LGBTQ+ Leadership Council 24th Annual LGBTQ+ Gala." *The White House*, June 26, 2023.

^[4] Jennie Taer, "Whistleblower nurse claims FBI threatened her after she accused children's hospital of illegally billing taxpayers for 'transgender medicine.'" *New York Post*, June 19, 2024.

^[5] Brian Flood and Nate Foy, "DOJ unseals indictment against Texas doctor who blew whistle on gender-affirming care for minors." *Fox*, June 18, 2024.

Last month, 18 health policy and medical organizations, representing over 75,000 medical professionals, signed on to the “Doctors Protecting Children” declaration, expressing serious concerns about gender-transition treatments for minors.^[6] Their decision to speak out in the face of intense political pressure displayed courage and suggests sincere, urgent concern for the health of children who could be subject to these procedures.

It is unclear whether the Biden-Harris administration has started to wake up to the irreversible harms caused by its support for performing gender transition operations on children. On June 28th, the *New York Times* reported that, contrary to its earlier position, the Biden-Harris administration now opposes subjecting minors to gender transition surgeries.^[7] A separate news outlet, *The 19th*, later published an article characterizing the White House’s position as “support [for] gender-affirming care for minors like mental health care.”^[8] However, the language in the article was updated hours later and now states that the White House continues to “support gender-affirming care for minors, which represents a continuum of care.”^[9]

Additionally, on July 9, the Human Rights Campaign (HRC) proclaimed that the Biden-Harris administration’s “position on healthcare for the transgender community has not changed.”^[10] According to the *Advocate*, White House Domestic Policy Council, Neera Tanden shared with HRC that “families should have the freedom to make the medical decisions that they and their doctors determine are best for them – which is why we oppose attempts to limit healthcare for transgender individuals in the courts or through legislation.”^[11]

We are concerned that the Biden-Harris administration’s often contradictory statements, most notably its continued endorsement of “continuum of care,” amounts to continuing to support the surgical mutilation of minors. Admiral Levine’s Office of the Assistant Secretary of Health still maintains a document on its website entitled “Gender-Affirming Care and Young People.” The document claims that gender-affirming care includes medical and surgical services.^[12] To our knowledge, Admiral Levine has not publicly disavowed support for performing irreversible transgender surgeries on children.

The contradictions among these various positions raise several questions we hope you can answer. Therefore, no later than August 20, 2024, please respond to the following:

^[6] Grant Atkinson, “Medical Organizations Call for End to Gender Ideology in Pediatric Care.” *Alliance Defending Freedom*, July 3, 2024.

^[7] Roni Caryn Rabin, “Biden Administration Opposes Surgery for Transgender Minors.” *The New York Times*, June 28, 2024.

^[8] Orion Rummeler, “White House says it opposes gender-affirming surgery for minors.” *The 19th*, July 2, 2024.

^[9] *Id.*

^[10] Sam Lu, “White House Clarifies Support for Healthcare for Transgender Youth.” *Human Rights Campaign*, June 9, 2024.

^[11] Christopher Wiggins, “White House clarifies support for gender-affirming care for transgender youth after backlash (exclusive).” *Advocate*, July 8, 2024.

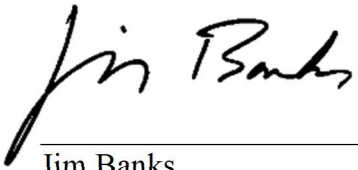
^[12] Gender-Affirming Care and Young People, Office of Population Affairs.

1. Why does the Department of Health and Human Services website still support gender transitions on minors, per its “Gender-Affirming Care and Young People” guidance document?
 - a. Does your agency continue to believe that gender-affirming care for minors should consist of an array of services including medical and surgical services?
2. What prompted the statements reported by the *New York Times* that the Biden-Harris administration changed its policy on minors accessing gender transition surgeries?
3. Why did the statement in *The 19th* change? What was wrong with the phrase “like mental health care”?
4. How does the Biden-Harris administration define “continuum of care”?
 - a. Does this include medical and surgical services, as stated by the document posted by the Department of Health and Human Services?
 - b. What treatments, other than mental health services, does “continuum of care” include? Specifically, which of the following treatments, if any, can be safe and effective for children suffering from gender dysphoria:
 - i. Castration
 - ii. Orchiectomy
 - iii. Scrotoplasty
 - iv. Vasectomy
 - v. Hysterectomy
 - vi. Oophorectomy
 - vii. Ovariectomy
 - viii. Metoidioplasty
 - ix. Penectomy
 - x. Phalloplasty
 - xi. Vaginoplasty
 - xii. Vaginectomy
 - xiii. Reduction thyrochondroplasty
 - xiv. Chondrolaryngoplasty
 - xv. Mastectomy
 - xvi. Augmentation mammoplasty
 - xvii. Vocal modification surgery
 - xviii. Facial reconstruction surgery
 - xix. Genital tucking and packing
 - xx. Chest binding
 - xxi. Laser hair removal
 - xxii. Spironolactone
 - xxiii. Cyproterone acetate
 - xxiv. GnRH agoniste
 - xxv. Conjugated estrogens
 - xxvi. 17-beta estradiol
 - xxvii. Estradiol valerate or cypionate
 - xxviii. Estradiol patch
 - xxix. Testosterone undecanoate

- xxx. Testosterone enanthate or cypionate
 - xxxi. Testosterone undecanoate
 - xxxii. Testosterone 1% gel
 - xxxiii. Testosterone patch
 - xxxiv. Leuprolide
 - xxxv. Triptorelin
 - xxxvi. Histrelin
 - xxxvii. Speech therapy
5. Should the government play any role in regulating gender transition treatments? If so, what is it?
6. Was the Human Rights Campaign correct when it asserted that the Biden-Harris administration’s “position on healthcare for the transgender community has not changed?”^[13]

Thank you for your attention. We look forward to your response.

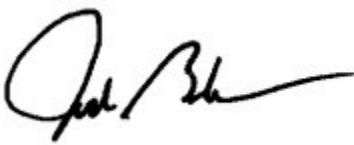
Sincerely,



Jim Banks
Member of Congress



Claudia Tenney
Member of Congress



Josh Brecheen
Member of Congress



Jeff Duncan
Member of Congress