

October 4, 2023

The Honorable Charles E. Schumer
Majority Leader
United States Senate
S-221, The Capitol
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
S-230, The Capitol
Washington, DC 20510

The Honorable Steve Scalise
Majority Leader
United States House of Representatives
2049 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
2433 Rayburn House Office Building
Washington, D.C. 20515

Dear Leader Schumer, Leader McConnell, Leader Scalise, and Leader Jeffries:

We, the undersigned organizations, are dedicated advocates for civil and human rights, including members of U.S. military families and veteran communities. As Senate and House conferees meet to discuss their differing versions of the FY 2024 National Defense Authorization Act (NDAA), we write to express grave concerns about dangerous provisions included in the House and Senate-passed versions. These provisions threaten the health and welfare of servicemembers and their families, undermine diversity, equity, and inclusion (DEI) efforts in the military, and harm recruitment, retention, and force readiness.

We appreciate Congress' previous support for the military's DEI initiatives to enhance equity, cohesion, and ensure force readiness. In 2020, [Congress mandated that the DoD institute a Chief Diversity Officer](#), establish Senior Advisors for DEI in each service, [and include diversity and inclusion data in the National Defense Strategy](#). Similarly, DoD leadership has repeatedly emphasized the importance of DEI-related initiatives. This year, the Under Secretary for Military Personnel and Readiness, the Honorable Gilbert Cisneros, Jr., testified before Congress that [DEI was as a "force multiplier,"](#) saying "With the Department's priority mission to provide a combat-credible Force, we must prioritize a force that is lethal, resilient, and reflective of America's diversity."

This critical support is under attack. There are eighteen provisions in the House version of the 2024 NDAA (H.R. 2670) and four provisions in the Senate version (S. 2226) that threaten to rollback this progress and severely impede future DEI and related efforts (See Appendix A). For example, H.R. 2670 Sec. 904 would eliminate the Chief Diversity Officer, while H.R. 2670 Sec. 570F would do the same to DEI offices across the DoD. Other provisions target minorities within the military, prohibiting critical types of gender-affirming care for servicemembers and their families (H.R. 2670 Secs. 640C and 717). Another set of provisions target inclusive training and educational curriculum in the DoD, falsely suggesting that content addressing diversity and equity promotes racism and discrimination (H.R. 2670 Secs. 566 and 660, among others).

Investment in DEI initiatives remains critical to ensuring the strength and cohesion of the U.S. military. By [2027](#), the majority of adults eligible for military service will identify as racial or ethnic minorities. However, a 2021 [survey of servicemembers and their families](#) showed that nearly a third of respondents, who identified as racial or ethnic minorities, stated discrimination concerns factored into their decision of whether to remain in the military. Furthermore, the majority of minority servicemembers have [witnessed racism in the ranks](#). Black and Latino servicemembers remain [vastly under-represented in the officer Corps](#), compared to their numbers in the force as a whole. LGBTQ+ servicemembers also report discrimination; one survey showed [over 80 percent](#) had faced sexual harassment or assault during their service. Another study showed respondents with multiple historically marginalized identities faced even great challenges, reportedly [“feeling isolated, disconnected, and sometimes dismissed by their military peers.”](#) Lastly, it is well-documented that discrimination against minority servicemembers reverberates throughout the force, undermining [unit cohesion](#), [exacerbating extremist threats](#), [limiting recruitment and retention](#), and [damaging force readiness](#).

We urge Congress to support the DoD’s essential work of promoting the welfare of servicemembers and their families to ensure the success of an increasingly diverse force. The FY 2024 NDAA must exclude the 22 provisions that limit or undermine DEI efforts, target health and other benefits for minority servicemembers, and threaten progress made to address extremism impacting the military and veteran communities. Thank you for your attention to this matter.

Signed,

Veterans’ and Military Families’ Organizations

Minority Veterans of America
Protect Our Defenders
Secure Families Initiative
Service Women's Action Network
Vet Voice Foundation
Veterans for American Ideals (VFAI)

Civil and Human Rights Organizations

American Atheists
Asian American Federal Employees for Nondiscrimination
Bend the Arc: Jewish Action
Center for the Study of Hate and Extremism
Equality California
FORGE, Inc.
Freedom From Religion Foundation
Gender Justice
GLAAD
Global Project Against Hate and Extremism (GPAHE)
Human Rights Campaign
Human Rights First
Interfaith Alliance

Japanese American Citizens League
Jewish Council for Public Affairs
Matthew Shepard Foundation
National Center for Transgender Equality
National Council of Jewish Women
National Education Association
National LGBTQ Task Force Action Fund
National Organization for Women
National Women's Law Center
Out in National Security
PFLAG National
Religious Action Center for Reform Judaism
Silver State Equality-Nevada
SPLC Action Fund
State Innovation Exchange (SiX) Action
The Sikh Coalition
True Colors United
Truman Center for National Policy
Western States Center

Cc:

The Honorable Patrick McHenry
Speaker of the House of Representatives, Pro Tempore
United States House of Representatives
2134 Rayburn House Office Building
Washington, D.C. 20515

Appendix A: Harmful NDAA Provisions Re: DEI and Extremism

General Attacks on DEI Personnel and Funding

Hiring Freeze, Salary Caps, & Personnel Elimination

- H.R. 2670 Sec. 364: DIVERSITY, EQUITY, AND INCLUSION PERSONNEL GRADE CAP.
- S. 2226 Sec. 537: DIVERSITY, EQUITY, AND INCLUSION PERSONNEL GRADE CAP.
- H.R. 2670 Sec. 570F: ELIMINATION OF OFFICES OF DIVERSITY, EQUITY, AND INCLUSION AND PERSONNEL OF SUCH OFFICES.
- H.R. 2670 Sec. 596: DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION: REPORT; SUNSET.

- H.R. 2670 Sec. 904: ELIMINATION OF THE CHIEF DIVERSITY OFFICER OF THE DEPARTMENT OF DEFENSE.
- H.R. 2670 Sec. 1046: PROHIBITION ON USE OF FUNDS FOR ADVISORY COMMITTEES RELATED TO ENVIRONMENTAL, SOCIAL, AND GOVERNANCE ASPECTS.
- H.R. 2670 Sec. 1120: ASSESSMENTS OF STAFFING IN DOD OFFICE FOR DIVERSITY, EQUITY, AND INCLUSION.
- S. 2226 Sec. 928: LIMITATION ON ESTABLISHMENT OF NEW DIVERSITY, EQUITY, AND INCLUSION POSITIONS; HIRING FREEZE.

Targeting LGBTQ+ Community:

Limiting Gender-Affirming Medical Care

- H.R. 2670 Sec. 640C: PROHIBITIONS ON PROVISION OF GENDER TRANSITION SERVICES THROUGH AN EXCEPTIONAL FAMILY MEMBER PROGRAM OF THE ARMED FORCES.
- H.R. 2670 Sec. 717: PROHIBITION ON COVERAGE OF CERTAIN SEX REASSIGNMENT SURGERIES AND RELATED SERVICES UNDER TRICARE PROGRAM.

Prohibiting Requiring Pronoun Usage

- S. 2226 Sec. 583: PROHIBITION ON REQUIRING LISTING OF GENDER OR PRONOUNS IN OFFICIAL CORRESPONDENCE.

Prohibiting Drag Shows

- H.R. 2670 Sec. 595: PROHIBITION ON DRAG SHOWS AND DRAG QUEEN STORY HOUR.

Prohibiting Flying Equality Flags

- H.R. 2670 Sec. 1048: PROHIBITION ON DISPLAY OF UNAPPROVED FLAGS

Attacks on DEI Training / Instruction / Recruiting / Promotions

- H.R. 2670 Sec. 523: MILITARY PERSONNEL: RECRUITING; MERIT-BASED DETERMINATIONS.
- H.R. 2670 Sec. 566: PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN TRAINING OR EDUCATION THAT PROMOTES CRITICAL RACE THEORY.
- H.R. 2670 Sec. 568: COSTS OF TRAINING ON CRITICAL RACE THEORY.
- H.R. 2670 Sec. 570G: PROHIBITION ON USE OF QUOTAS BASED ON RACE OR ETHNICITY IN SERVICE ACADEMY ADMISSIONS.
- H.R. 2670 Sec. 660: PROHIBITION ON AUTHORIZING FEDERAL FUNDS FOR DODEA FOR RACE-BASED THEORIES.
- H.R. 2670 Sec. 661: PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN BOOKS IN SCHOOLS OPERATED BY THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

- H.R. 2670 Sec. 1099B: PROTECTION OF IDEOLOGICAL FREEDOM.
- S. 2226 Sec. 535: REQUIREMENT TO BASE TREATMENT IN THE MILITARY ON MERIT AND PERFORMANCE.

Extremism:

Countering Extremism Working Group

- H.R. 2670 Sec. 598: PROHIBITION ON FEDERAL FUNDS FOR THE DEPARTMENT OF DEFENSE COUNTERING EXTREMISM WORK GROUP.