

November 19, 2024

The Honorable Jack Reed  
Chairman, Senate Armed Services Committee  
United States Senate  
728 Hart Senate Office Building  
Washington, DC 20510

The Honorable Roger Wicker  
Ranking Member,  
Senate Armed Services Committee  
United States Senate  
425 Russell Senate Office Building  
Washington, DC 20510

The Honorable Mike Rogers  
Chairman, House Armed Services Committee  
United States House of Representatives  
2469 Rayburn House Office Building  
Washington, DC 20515

The Honorable Adam Smith  
Ranking Member,  
House Armed Services Committee  
United States House of Representatives  
2264 Rayburn Office Building  
Washington, D.C. 20515

Dear Chairman Reed, Ranking Member Wicker, Chairman Rogers, and Ranking Member Smith:

As Senate and House conferees meet to discuss their differing versions of the FY 2025 National Defense Authorization Act (NDAA), we the undersigned organizations, including civil and human rights organizations and those representing members of U.S. military and veteran communities, write to express grave concerns about dangerous provisions proposed in both chambers. We are especially concerned by a provision adopted on the House floor designed to eliminate efforts to address extremism impacting the military community, as well as provisions that would restrict or eliminate diversity, equity, inclusion, and accessibility (DEIA) initiatives, and gender affirming care. If passed, these provisions would negatively impact recruitment, retention, and force readiness.

We appreciate Congress' previous commitments to address extremism in the military, strengthen Department of Defense (DoD) DEIA policies, and support the rights of LGBTQ+ servicemembers. Importantly, the FY 2021 NDAA required the [DoD Inspector General to report](#) on the effectiveness of policies preventing and responding to extremism and to promoting equity within our military force. However, these vital policies have been under attack ever since.

Confronting Extremism:

The FY 2024 NDAA defunded the [Counter Extremist Activity Working Group](#) that was established by the Secretary of Defense in 2021. This year, H.R. 8070 Sec. 1761 would expand on that by prohibiting funds to implement the working group's previous recommendations – potentially obstructing critical investments in extremism-related training and efforts to prevent insider threats.

Unfortunately, data clearly demonstrate that extremism among the military and veteran communities poses grave risks to public safety, national security, and to [active duty servicemembers themselves](#). According to a [report from the University of Maryland](#), between 1990 and May 2024, 721 individuals with military backgrounds were arrested for committing extremist crimes.

While this data represents only a fraction of servicemembers and veterans, the research shows the outsized impact these individuals have in extremist groups due to their unique skill sets and reputation for service and dedication. Among extremists, those with military backgrounds are more likely to plan or to carry out [mass casualty terrorist attacks](#). According to [Army Secretary Christine Wormuth](#), extremists also “undermine morale and reduce combat readiness.”

The Department of Defense’s work to address extremism impacting the military is ongoing and requires continued support from Congress. A 2023 internal Army audit found that substantial percentages of respondents [struggled to correctly identify extremist activity](#) and where it should be reported. As the DoD implements [new extremism-related regulations](#) – including explicit new prohibitions against extremist and criminal gang activity adopted by the Army, the Navy, the Marines, and the Air Force, Congress must ensure that services have sufficient resources to effectively implement and evaluate them.

#### Defending Diversity, Equity, Inclusion, and Accessibility (DEIA) Initiatives:

Seven provisions in the House NDAA version (H.R. 8070 Secs. 528, 573, 579b, 599C, 903, 1049A, and 1116), and three in the Senate version (S. 4638 Secs. 923, 1113, and 1114) target DEIA initiatives, including attempts to eliminate all DEIA offices (H.R. 8070 Sec. 528). These attacks are [part of a broader strategy to roll back civil and human rights in the United States](#).

Continuing evidence of bias and discrimination in the force reflects the need for DEIA initiatives to ensure the strength and cohesion of the U.S. military. More than 40 percent of service members identify as minorities, with a projected majority minority representation by [2027](#). However, a [2021 survey of servicemembers and their families](#) documented that nearly a third of respondents who identified as racial or ethnic minorities stated that discrimination concerns factored into their decision of whether to remain in the military. Furthermore, a 2020 survey revealed that [the majority of minority servicemembers have witnessed racism in the ranks](#). LGBTQ+ servicemembers – who make up [over six percent of the ranks](#) - also report discrimination; one survey showed [over 80 percent had faced sexual harassment or assault](#) during their service.

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](#).

#### Maintaining Access to Gender Affirming Care and Defending the LGBTQ+ Community:

Two provisions in both the House and Senate bills (S. 4638 Secs. 708 and 709, H.R. 8070 Secs. 579C and 713) prohibit critical gender affirming care for servicemembers and their families. An estimated [15,000 trans servicemembers currently serve in the U.S. military](#), while many more have family members who are transgender and rely on TRICARE. Further, the majority of transgender service members are Senior Enlisted personnel, meaning that losing this population could cost the military billions of dollars and decades of investment in these members’ military training and experience. These provisions would directly harm military retention, readiness, and recruitment.

Two further provisions in the House bill directly target the LGBTQ+ community. H.R. 8070 Sec. 1049D prohibits authorities from permitting unapproved flags at military installations, effectively preventing the

display of Pride and other flags. Section 1754 prohibits funding for drag performances, an attempt to marginalize the LGBTQ+ community.

We urge Congress to support the DoD's essential work of promoting the welfare of all servicemembers and their families to ensure the success of an increasingly diverse force. The FY 2025 NDAA must exclude the 19 provisions that limit or undermine DEIA 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. If you have any questions please contact Elizabeth Yates, Associate Director for Democracy Protection, Human Rights First, at [YatesE@humanrightsfirst.org](mailto:YatesE@humanrightsfirst.org)

Signed,

### **Veterans' and Military Community Organizations**

CommonDefense.us

Minority Veterans of America

Service Women's Action Network

SPARTA Pride

The Chamberlain Network

Union Veterans Council, AFL-CIO

Veterans for American Ideals (VFAI)

Vet Voice Foundation

Veteran Advocacy Project

### **Civil and Human Rights Organizations**

ADL (Anti-Defamation League)

Advocates for Trans Equality

American Association of University Women (AAUW)

American Oversight

Americans United for Separation of Church and State

Asian American Federal Employees for Nondiscrimination (AAFEN)

Asian Americans Advancing Justice | AAJC

Autistic Self Advocacy Network (ASAN)

Bend the Arc: Jewish Action

Coalition on Human Needs

Equality California

FORGE, Inc.

Global Project Against Hate and Extremism

GLSEN

Human Rights Campaign

Human Rights First

Jewish Council for Public Affairs

Matthew Shepard Foundation

Movement Advancement Project

National Center for Lesbian Rights  
National Council of Jewish Women  
National Education Association  
National Urban League  
National Women's Law Center  
Southern Poverty Law Center  
T'ruah: The Rabbinic Call for Human Rights  
The Advocates for Human Rights  
The Sikh Coalition  
True Colors United  
Union for Reform Judaism  
Western States Center

CC: Leader Schumer, Leader McConnell, Speaker Johnson, and Leader Jeffries