

# Congress of the United States

Washington, DC 20515

March 27, 2024

The Honorable Denis R. McDonough  
Secretary U.S. Department of Veterans Affairs  
810 Vermont Avenue N.W.  
Washington, D.C. 20420

Dear Secretary McDonough,

We write to applaud the Department of Veterans Affairs' (VA) announcement on March 11, 2024, that the Department would be expanding access to in vitro fertilization (IVF) for both unmarried Veterans and Veterans in same-sex marriages.<sup>1</sup> Further, we strongly support the VA's decision to provide IVF treatment to Veterans through donated sperm or eggs. While the VA already provided IVF treatment for those who were legally married and able to produce their own gametes within that marriage, this important expansion will ensure that more Veterans have the ability to start or grow their families. Although we support VA in taking a proactive approach to increasing access to IVF, we strongly encourage VA to remove the service connection requirement, which is often difficult to prove and burdensome for veterans seeking to expand their families.

Unfortunately, on March 20, 2024, several of our Republican colleagues sent a letter to you in opposition to this recent announcement. Their letter claimed that "IVF is morally dubious..." and argued that this initiative created a "plethora of ethical concerns and questions."<sup>2</sup> Roughly, 2.3% of births in the United States are made possible through IVF each year.<sup>3</sup> Are the children of those parents morally dubious? Infertility affects millions of Americans at some point in their life. Is it unethical for them to use IVF to become parents? Additionally, many women who have been tragically diagnosed with cervical cancer turn to IVF to preserve the chance to have biological children. Is it wrong for them to turn to this proven fertility option while they undergo treatment for their diagnosis? It is not lost on us that our Republican colleagues sent this letter shortly after the VA expanded IVF treatment to same-sex couples and those who are unmarried. In fact, their

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<sup>1</sup> Press Release, Veterans Administration, VA expands in vitro fertilization for Veterans (March 11, 2024), <https://news.va.gov/press-room/va-expands-in-vitro-fertilization-for-veterans/>.

<sup>2</sup> Letter from Rosendale et al to Secretary McDonough (March 20, 2024), [https://rosendale.house.gov/uploadedfiles/rep.\\_rosendale\\_letter\\_to\\_secretary\\_mcdonough\\_on\\_ivf\\_expansion.pdf](https://rosendale.house.gov/uploadedfiles/rep._rosendale_letter_to_secretary_mcdonough_on_ivf_expansion.pdf).

<sup>3</sup> Swapna Venugopal Ramaswamy, *After 'Grueling' IVF Journey, Rep. Lori Trahan Has an Eye on Biden's SOTU, Alabama Ruling*, USA Today (March 6, 2024), <https://www.usatoday.com/story/news/politics/elections/2024/03/06/congresswoman-lori-trahan-ivf-sotu-biden/72840637007/>.

letter stated that the VA should not try to “remake the nuclear family.”<sup>4</sup> We have seen this backwards, bigoted thinking before.

Since the Alabama Supreme Court held that unimplanted embryos are children, jeopardizing access to IVF,<sup>5</sup> some Republicans have claimed they never wanted to ban IVF and that this decision was an aberration. This letter further demonstrates that our Republican colleagues are determined to have it both ways. In fact, the Republican Study Committee, which counts more than 170 members including every member of House Republican Leadership, recently released a budget proposal endorsing the Life at Conception Act (H.R. 431), legislation that would effectively ban IVF treatment in every state in the country. Meanwhile, Republicans continue to block important legislation like the Access to Family Building Act (H.R. 7056) which would codify an individual's right to assisted reproductive technologies (ARTs), including IVF.

Since the Supreme Court issued its *Dobbs* decision nearly two years ago, women’s reproductive rights have been under constant attack in Republican-controlled states. Coupled together, the IVF decision in Alabama and the letter Republicans recently sent to your agency prove that they have no desire to stop at the state level. They intend to pass a federal abortion ban that strips women of the freedom to make their own health decisions, ban mifepristone, outlaw contraception, and sweep up IVF access. We remain committed to opposing these extreme attacks on Americans’ most fundamental freedoms – the right to make decisions about what is best for our bodies and our families. Once again, we applaud the VA’s decision to expand access to IVF treatment, and we look forward to working with you to protect women’s reproductive rights and ensure that Veterans and their families have the best possible health care.

Sincerely,



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Lori Trahan  
Member of Congress

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<sup>4</sup> Rosendale Letter

[https://rosendale.house.gov/uploadedfiles/rep\\_rosendale\\_letter\\_to\\_secretary\\_mcdonough\\_on\\_ivf\\_expansion.pdf](https://rosendale.house.gov/uploadedfiles/rep_rosendale_letter_to_secretary_mcdonough_on_ivf_expansion.pdf)

<sup>5</sup> Roni Caryn Rabin and Azeen Ghorayshi, *Alabama Rules Frozen Embryos Are Children, Raising Questions About Fertility Care*, NYT (Feb. 20, 2024), <https://www.nytimes.com/2024/02/20/health/ivf-alabama-abortion.html>.



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Troy A. Carter, Sr.  
Member of Congress



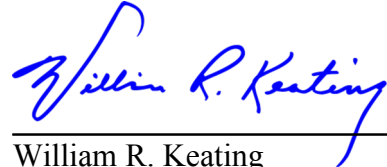
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Sydney Kamlager Dove  
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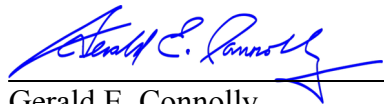
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Eric Swalwell  
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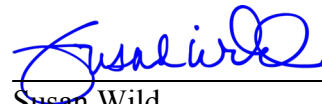
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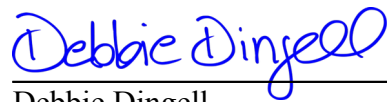
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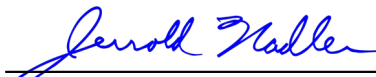
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Mark Takano  
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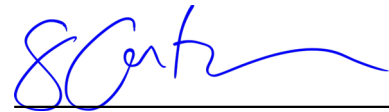
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Mike Thompson  
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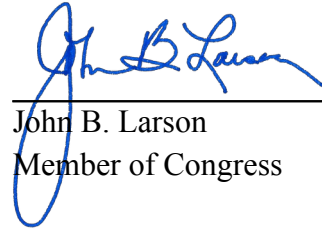
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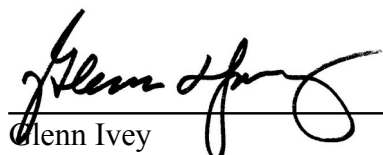
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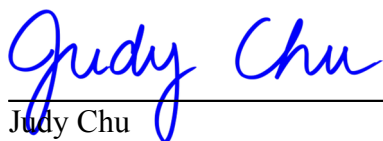
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*Becca Balint*

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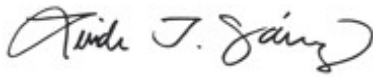
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*Greg Stanton*

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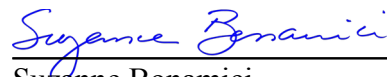
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