November 1, 2023

President Joseph R. Biden
President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Hakeem Jeffries
House Democratic Leader
U.S. House of Representatives
H-204, U.S. Capitol
Washington, DC 20515

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

The Honorable Rosa DeLauro
Ranking Member
House Committee on Appropriations
1036 Longworth House Office Building
Washington, DC 20515

The Honorable Patty Murray
Chair
Senate Committee on Appropriations
Room S-128, The Capitol
Washington, DC 20510

Dear President Biden, Leader Jeffries, Leader Schumer, Ranking Member DeLauro, and Chair Murray,

As you negotiate government funding for Fiscal Year 2024 (FY24), we write to strongly urge you to reject any attempts to include anti-LGBTQI+ provisions in any final FY24 funding agreement.

Appropriations is the most fundamental process through which Congress can fund programs and services that benefit the American people and support working families, including by providing access to capital for small businesses, strengthening critical veterans benefits, investing in lifesaving medical research, and improving the infrastructure that Americans rely on every day.

However, rather than working to address the problems facing Americans and supporting working families, anti-equality members of Congress are attempting to hijack the appropriations process to restrict the rights and fundamental freedoms of LGBTQI+ people. These members lack the votes and public support to pass their anti-LGBTQI+ agenda into law as standalone bills, so they are working to include them in must-pass funding legislation. We strongly oppose these efforts.

Currently, there are more than 40 anti-equality provisions in the House FY24 appropriations bills. These include several riders that appear in the majority of the bills, such as:
• **Gender-Affirming Care Ban Riders:** These riders would restrict access to evidence-based, medically necessary care for transgender people or eliminate funding to organizations that provide such care.

• **License to Discriminate Riders:** These riders would create a license for people and organizations—including those receiving taxpayer funds—to discriminate against LGBTQI+ people under the guise of religious liberty, and they prevent the federal government from adequately responding. For example, they prohibit the federal government from reducing or terminating a federal contract or grant with an organization that discriminates against LGBTQI+ people if the organization justifies their discrimination based on the belief that marriage should only be between a man and a woman.

• **Pride Flag Riders:** These riders would prohibit funds from being used to fly pride flags at covered facilities.

• **DEI EO Riders:** These riders would prohibit funds from being used to implement, administer, apply, enforce, or carry out three LGBTQI-inclusive Executive Orders (EO Nos. 13985, 14035, and 14091) meant to ensure the federal workforce is an inclusive and affirming workplace for employees with marginalized identities.

In addition to the riders listed above, several FY24 funding bills have additional anti-LGBTQI+ riders, including but not limited to:

• A rider to defund the offices of certain Special Envoys, including the U.S. Special Envoy to Advance the Human Rights of LGBTQI+ Persons.

• A rider to prohibit federal funds for any international organization that “promotes transgenderism”—which could cut off aid to any organization that affirms the existence of transgender people.

• A rider to prohibit the Department of Health and Human Services from using funds to implement or finalize its rule clarifying that Section 1557 of the Affordable Care Act prohibits discrimination on the basis of sexual orientation, gender identity, and sex characteristics (among other provisions).

• A rider to prohibit the Department of Education from using funds to implement or finalize its rule clarifying that Title IX prohibits discrimination on the basis of sexual orientation, gender identity, and sex characteristics (among other provisions).

• A rider to prohibit the Department of Education from using funds to implement or finalize its rule relating to Title IX and transgender students’ ability to participate in team sports.

• A rider that would force Institutions of Higher Education to allow student religious groups to discriminate against LGBTQI+ students and other minorities—or risk losing their federal funds.

• Two riders that would prohibit or restrict one specific artform—drag—in certain contexts.

• A rider to prohibit funds from being used to investigate, litigate, or advocate against any person or recipient of federal funds for discriminating against LGBTQI+ people under Title IX.

• A rider to prohibit funds from being used to sue State or local governments over laws relating to transgender issues, or to intervene or file an amicus brief in such cases.

• A rider to prohibit funds from being for LGBTQI-related courses, books, or study guides.
Riders to prohibit funds from being used to implement one or more Executive Orders focused on combatting anti-LGBTQI+ equality discrimination.

If any of these provisions became law, they would negatively impact the rights and freedoms of LGBTQI+ people. LGBTQI+ people deserve to live their lives free from discrimination, and taxpayers should never be required to fund their own discrimination. The majority of Americans—Democrats, Republicans, and Independents—support nondiscrimination protections for LGBTQI+ people and we should not enshrine discrimination into law via the appropriations process or restrict the ability of the federal government to enforce existing nondiscrimination laws.

In addition, transgender people deserve access to medically necessary, evidence-based health care. Gender-affirming care is safe and effective and is supported by every major medical association in the U.S., representing more than 1.3 million U.S. doctors. Politicians should not stand between patients and their doctors and dictate what care patients can receive.

The federal government should work to ensure LGBTQI+ people can thrive. This includes by ensuring their workplaces are inclusive and affirming and that symbols and art forms related to the LGBTQI+ community are not singled out for censorship. These riders do the exact opposite.

The anti-LGBTQI+ provisions in the House appropriations bills are part of a larger coordinated effort to restrict the rights of LGBTQI+ people. As members of Congress, we stand with our LGBTQI+ constituents and the larger LGBTQI+ community. They deserve to have their rights protected—not restricted or eliminated.

Appropriations bills should provide support to all Americans and make our constituents better off—not target certain constituents for discrimination and exclusion. **We urge you to stand with the LGBTQI+ community and reject any attempts to include anti-LGBTQI+ provisions in any final FY24 government funding deal.**

Sincerely,

Mark Pocan
Member of Congress

Mark Takano
Member of Congress
Angie Craig
Member of Congress

Sharice L. Davids
Member of Congress

Chris Pappas
Member of Congress

Ritchie Torres
Member of Congress

Becca Balint
Member of Congress

Robert Garcia
Member of Congress

Eric Sorensen
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Suzanne Bonamici
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Judy Chu
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Lloyd Doggett
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Lizzie Fletcher
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Maxwell Alejandro Frost
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Kathy Castor
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Joaquin Castro
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Sheila Cherfilus-McCormick
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Emanuel Cleaver, II
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Gerald E. Connolly
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J. Luis Correa
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Jim Costa
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Joe Courtney
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Jasmine Crockett
Member of Congress

Jason Crow
Member of Congress

Danny K. Davis
Member of Congress
John Garamendi  
Member of Congress

Jesús G. "Chuy" García  
Member of Congress

Sylvia R. Garcia  
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Dan Goldman  
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Jimmy Gomez  
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Glenn Ivey
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Jeff Jackson
Member of Congress

Jonathan L. Jackson
Member of Congress

Sheila Jackson Lee
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Sydney Kamlager-Dove
Member of Congress

William R. Keating
Member of Congress

Robin L. Kelly
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Ro Khanna
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Andy Kim
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Greg Landsman
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Rick Larsen
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John B. Larson
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