

United States Senate

WASHINGTON, DC 20510

December 4, 2024

The Honorable Donald J. Trump
President-Elect of the United States
Mar-a-Lago Club
1100 South Ocean Boulevard
Palm Beach, FL 33480

Dear President-Elect Trump:

As you prepare to take office on January 20, 2025, I write to make you aware of ongoing negotiations in Congress to finalize the National Defense Authorization Act for Fiscal Year 2025 (NDAA). Although the NDAA will be finalized by the 118th Congress, the fate of one key provision in H.R. 8070, the House-passed NDAA, will make or break your ability to fulfill your election night pledge to **“...govern by a simple motto: promises made, promises kept.”**

Specifically, I am referring to your bold campaign promise on in vitro fertilization (IVF). I believe you are the first presidential candidate in the history of our Nation to promise the American people that, if elected:

“Your government will pay for, or your insurance company will be mandated to pay for, all costs associated with IVF treatment.”

I am the author of legislation that would require health insurance companies cover IVF, and that would require the Federal Government cover IVF through the Veterans Health Administration. I hope you will act now to keep your clear and explicit promise to the American people.

As the leader of the Republican Party, it would be appropriate for you to exercise your influence to prevent Congressional Republicans from undermining your ability to govern by your own “promises made, promises kept” motto before your second term even begins.

Many Republican Members of Congress publicly dismissed your campaign promise, with certain officials expressing opposition to your IVF affordability proposal. For example, one prominent Republican Senator dismissed your pledge as an unserious, empty campaign talking point that was nothing more than you, “... just trying to show [your] support for IVF treatments.”

A headline from September 2024 summarized the negative response to your promise among Congressional Republicans succinctly: “Donald Trump's call to mandate free IVF coverage baffles Republicans in Congress.” Unfortunately, Congressional Republicans appear to be acting on their opposition to your bold IVF campaign proposal.

Specifically, I fear that the respective Republican leaders on the Senate and House Armed Services Committees might strike Section 701 of H.R. 8070 from the final version of the NDAA. Section 701 simply requires that, beginning in the first year of your second term, TRICARE prime and TRICARE select—the health insurance program for members of the U.S. Armed

Forces—cover IVF services that are performed in accordance with widely accepted and evidence-based medical standards of care.

Since TRICARE coverage decisions for 2025 will be determined in the final version of the fiscal year 2025 NDAA, it is vital that the final bill includes Section 701.

Section 701 was not a secret provision. The amendment adding Section 701 was agreed to by voice vote without controversy during the House Armed Services Committee NDAA markup. House Republicans then chose to preserve Section 701 in the version of the NDAA that almost every House Republican voted to pass on a near-party line vote. If Republican Members of Congress successfully strike Section 701 from the final bill, they will sabotage your ability to fulfill the promise you made to the American people, including our military families, that, “We’re going to be mandating that the insurance company pay.”

The behind-the-scenes negotiations on NDAA threaten to force you to back down on your promise to cover the costs of IVF for *all* Americans. In fact, one of the few Republican Members of Congress audacious enough to go on the record *opposing* your pro-family view on IVF voted against passing the NDAA, saying he could not support TRICARE covering IVF services for U.S. servicemembers and military families because he believes it is a “life destroying practice.”

Fortunately, a clear and simple declaration of your support for preserving Section 701 of H.R. 8070 in the final NDAA should be sufficient to ensure the Republican Ranking Member of the Senate Armed Services Committee and the Republican Chairman of the House Armed Services Committee are loyal to you *and* your ability to fulfill your August 29, 2024 promise to the American people that:

“Under the Trump administration, we are going to be paying for that treatment. Or we’re going to be mandating that the insurance company pay.”

Covering IVF for members of the U.S. Armed Forces and military families *should* boast unanimous support from Democrats and Republicans alike—especially given your clear and repeated declaration that Americans will be able to access IVF at no cost. Period. Thank you for taking this bold stance for our servicemembers and their families, who deserve nothing less.

Sincerely,



Tammy Duckworth
United States Senator