



Women's Human Rights Campaign

Dr. Francis Collins
Agency NIH
Acting Director of National Institutes of Health
Building 1, Room 126, Duty station
Bethesda, MD 20892

March 17, 2021

RE: Executive Order 13988 on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation

Dear Dr. Francis Collins,

As Chair of the Women's Human Rights Campaign USA, I am writing to express my organization's concerns regarding President Biden's Executive Order 13988, 86 C.F.R. 7023 (2021), on Preventing and Combatting Discrimination on the Basis of Gender Identity or Sexual Orientation, and to ask that it be implemented in such a way that does not conflict with the sex-based rights of women and girls. We have not, as a country, taken the time to carefully evaluate exactly what the impact will be on women and girls of defining the word sex to include "gender identity." We must now take the opportunity to have this important conversation.

The Women's Human Rights Campaign (WHRC) is a global nonpartisan group of volunteer women dedicated to protecting women's sex-based rights, and WHRC USA is the U.S. chapter of WHRC. Our volunteers include academics, writers, organizers, activists, lawyers, and health practitioners. The Declaration on Women's Sex-Based Rights was created by the founders of WHRC to lobby nations to maintain language protecting women and girls on the basis of sex rather than 'gender' or 'gender identity.' The Declaration, which has more than 2,000 signatories in the United States and more than 15,000 worldwide, re-affirms women and girls' sex-based rights and challenges the discrimination we experience from the replacement of the category of sex with that of 'gender identity.'

As you conduct your review ordered by President Biden, the US chapter of the Women's Human Rights Campaign (WHRC-USA) requests that the National Institutes of Health pause any proposed changes to regulations, policies, and guidelines pending a thorough impact assessment. The National Institutes of Health (NIH) is responsible for medical and behavioral research for the United States. But how does this Executive Order affect the citizens of this country?

Sex is defined as either of the two main categories--male and female—into which

humans and most other living things are categorized on the basis of their reproductive functions. 'Gender identity' is an individual, subjective feeling about oneself. It has no basis in material reality and is not scientifically quantifiable. 'Gender identity' negates the fact that certain diseases affect the two sexes differently. According to the NIH's website, there are at least twenty-eight diseases and conditions that affect female humans ranging from Turner Syndrome to pelvic floor disorders. During 2017 in Washington, a 33-yr-old male who claimed to be female presented to the emergency room with ear pain and was diagnosed with stage 3 chronic kidney failure. Because legal documents such as medical records had been altered to match 'gender identity' instead of disclosing the sex of the patient, the wrong dosage was given to stabilize the eGFR levels; the patient was put on a list for renal transplant. The harms of replacing sex with 'gender identity' in medicine are real.

The August 2020 study "Sex Differences in Immune Responses that Underlie COVID-19 Disease Outcomes" by Takehiro Takahasi et. al showed different immune responses between the sexes. Female subjects had a higher T cell activation rate but the greater their IL-8 and IL-18 levels, the worse the disease outcome; male subjects had higher plasma levels of IL-8 and IL-18 and the lower the T cell levels in males, the worse the disease outcome. Ignoring these sex-based factors would put all patients at risk, regardless of how they identify.

WHRC USA appreciates the opportunity to share with you our concerns, and I would be happy to answer any questions you might have about the necessity of protecting the sex-based rights of women and girls. Please contact me at info@womensdeclaration-usa.com if I can be of further assistance.

To learn more about our organization, visit www.womensdeclaration.com

Best regards,



Chair, Women's Human Rights Campaign USA

WHRC-USA is the US chapter of an international organization dedicated to protecting women's sex-based rights. Our founding document, the Declaration on Women's Sex-Based Rights, reaffirms women and girls' sex-based rights as enumerated in the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and subsequent international agreements, and challenges the discrimination we experience from the replacement of the category of sex with that of 'gender identity'. The Declaration is a clear call to law and policymakers to retain the sex-based biological definition of woman. WHRC is a nonpartisan organization.