

February 13, 2026

VIA ELECTRONIC DELIVERY

The Honorable Doug Collins
Secretary of Veterans Affairs
U.S. Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, D.C. 20420

Dear Secretary Collins:

We write to express our extreme concern regarding your final rule (“Reproductive Health Services,” 90 FR 61310) banning the U.S. Department of Veterans Affairs (VA) from providing abortion counseling and care to Veterans and their families including in cases of rape, incest or health endangerment. In light of the devastating harm this will cause to Veterans and their loved ones, especially those living in states with extreme abortion bans, we urge you to rescind this policy without delay.

Women are the fastest growing segment of the Veteran population and approximately 462,000 women Veterans of reproductive age are enrolled in VA healthcare. More than half of these women Veterans live in states with abortion bans or restrictions. Further, about 62,000 reproductive-age women enrolled in the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA) also live in such states.

In response to the devastating *Dobbs v. Jackson Women’s Health Organization* ruling in 2022, which erroneously overturned the nearly five decades of precedent establishing a constitutional right to abortion, VA promulgated an [interim final rule](#) allowing the Department to offer abortion counseling and abortion care in cases of rape, incest, life or health endangerment of the pregnant Veteran or CHAMPVA beneficiary. For Veterans living in abortion ban states, this rulemaking acknowledged that the VA might have been their only opportunity to access urgently needed abortion care. It also removed the Department’s full, no-exceptions ban on abortion care and counseling. VA [finalized](#) this rule in March 2024.

The United States is facing a healthcare crisis. This is especially true for Veterans living in states that are hostile to abortion who depend on their local VA facility for their healthcare. As such, we were disturbed by your August 2025 decision to publish a proposed rule to reinstate the ban on abortions and abortion counseling at VA—a failure for all who have served our country. We were similarly concerned by the U.S. Department of Justice’s (DOJ) December 2025 slip opinion [memo](#) rolling back this essential healthcare and VA’s subsequent [internal directive](#) to comply with the DOJ opinion immediately. VA took these actions *before* issuing its final rule regarding this policy change, which VA [published](#) on December 31, 2025.

Veterans are particularly vulnerable to health complications during pregnancy and are at [higher risk of certain factors](#) associated with maternal morbidity and mortality compared to non-Veterans. For example, in 2024, the Government Accountability Office [reported](#) that mental

health conditions, such as depression or post-traumatic stress disorder (PTSD), are more common among pregnant Veterans than non-pregnant Veterans and pregnant women in the general population. These conditions may put Veterans at increased risk for gestational diabetes and hypertensive disorders such as preeclampsia—a pregnancy-related high blood pressure disorder that can lead to the onset of seizures or coma. Providing abortion care only when, purportedly, Veterans’ lives are in danger and forcing VA providers to decipher this uncodified policy on their own, fails to address pregnant Veterans’ health risks in such situations. Your chaotic, unclear and negligent directive will require VA providers to make the impossible determination of whether a Veteran is close enough to death to be covered under the “threat to life” exception before providing needed medical care.

Refusing to provide abortion care in cases of rape and incest is cruel and can compound existing mental health conditions for Veterans, who are already at an elevated risk for experiencing sexual assault and rape. An estimated one in three women Veterans [report](#) experiencing sexual assault or harassment while serving in the military, and military sexual trauma is associated with a range of mental health and other medical conditions that can result in devastating maternal health outcomes.

Before your cruel change to VA’s abortion policy, the Department allowed abortion care only in certain, limited circumstances. Your policy will now ban VA providers from even discussing abortion with their Veteran patients. It will block pregnant Veterans whose health is in danger, or who are survivors of rape or incest, from getting the basic counseling or care that they need and deserve.

Our Veterans put their lives on the line to safeguard our freedoms, yet you and President Trump—who has never served a day in his life—are denying our heroes the care they have earned. Implementing this shameful and indefensible policy over the winter holidays, without public notice, and before finalizing your proposed rule adds further insult to injury. We vehemently oppose your actions and demand the final rule, the DOJ slip opinion and VA’s internal directive be rescinded immediately.

Sincerely,



Tammy Duckworth
United States Senator



Patty Murray
United States Senator



Mazie K. Hirono
United States Senator



Elizabeth Warren
United States Senator



Richard Blumenthal
United States Senator
Ranking Member, Senate
Committee on Veterans'
Affairs



Charles E. Schumer
United States Senator



Martin Heinrich
United States Senator



Catherine Cortez Masto
United States Senator



Jack Reed
United States Senator



Angela D. Alsobrooks
United States Senator



Ruben Gallego
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Sheldon Whitehouse
United States Senator



Adam B. Schiff
United States Senator



Alex Padilla
United States Senator



Tammy Baldwin
United States Senator



Jeanne Shaheen
United States Senator



Tina Smith
United States Senator



Mark Kelly
United States Senator



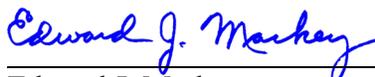
Jeffrey A. Merkley
United States Senator



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Edward J. Markey
United States Senator



Amy Klobuchar
United States Senator



Kirsten Gillibrand
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Michael F. Bennet
United States Senator



Elissa Slotkin
United States Senator



Peter Welch
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Maria Cantwell
United States Senator



Jacky Rosen
United States Senator



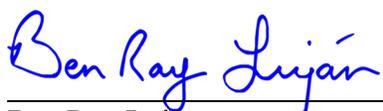
Chris Van Hollen
United States Senator



Christopher A. Coons
United States Senator



Andy Kim
United States Senator



Ben Ray Lujan
United States Senator

CC: The Honorable Pamela Bondi, United States Attorney General