



National Latina/o Psychological Association

Asociación Nacional de Psicología Latina

11/19/18

Alex M. Azar II
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D. C. 20201

Dear Secretary Azar:

The National Latinx Psychological Association (new name effective 1/1/19) denounces any attempts by the Trump administration to eradicate federal recognition of the over one million transgender and non-binary people living in the United States. We see this is a blatant attack to deny an already marginalized group of individuals of their civil rights protections.

Transgender and non-binary people have existed throughout history in communities worldwide, but have become a topic of current discourse because of the challenges they pose to more recent colonial and patriarchal structures of power. Recent scientific findings from multiple disciplines have refuted the gender/sex dimorphic nature of the brain and challenged the idea that there are gender dimorphic hormonal systems that would mean sex is biologically fixed (Hyde, Bigler, Joel, Tate, & van Anders, 2018).

Transgender and non-binary people of color often experience complex forms of discrimination in the United States due to the racial intersection of their transgender identities (Harrison-Quintana, Pérez, & Grant, 2012). These challenges are particularly complex for Latinx transgender people due to the multiple layers of marginality they hold. The National Center for Transgender Equality and the TransLatin@ Coalition reported the following findings about Latinx transgender and gender non-binary people from a national survey to investigate anti-transgender discrimination in the United States (James & Salcedo, 2017):

- **45%** of Trans Latinx respondents, and **60%** of Trans Latinx respondents with disabilities, reported having attempted suicide in their lifetimes; these rates were almost **10 times higher** than rates in the general U.S. population;
- **45%** of Latinx respondents experienced serious psychological distress in the month prior to completing the survey, **9 times higher** than the rates in the general and Latinx U.S. population;
- **48%** of Latinx respondents reported experiences of unequal treatment, harassment, and physical assault due to their transgender identities

- **66%** of Latinx respondents also experienced some form of mistreatment while interacting with law enforcement officers who thought or knew they were transgender; **59%** of Latinx respondents reported that they would feel somewhat or very uncomfortable seeking aid from the police;
- **74%** of Latinx respondents who expressed a transgender identity or gender non-conformity during childhood or adolescence reported experiencing mistreatment including: verbal harassment (**52%**), physical assault (**24%**), and sexual assault (**16%**).

The proposed policy would disproportionately affect Latinxs, particularly Latinxs seeking asylum due to discrimination in their home countries, where frequently there are no protections for transgender and non-binary individuals. Once transgender Latinx immigrants arrive to the U.S., they are frequently placed in detention facilities that do not match their gender identity, are subject to harmful treatment, and are not provided gender-affirming care. There is consensus in the health care community that the Trump administration's proposed definition would have long lasting negative psychological and health consequences, which is completely antithetical to the President's assertion that he is "protecting everyone." We strongly urge you to reconsider this proposal as it is the mission of HHS "to enhance and protect the health and well-being of all Americans.... by providing for effective health and human services and fostering advances in medicine, public health, and social services." We ask that you place public health over politics and protect the rights of transgender and nonbinary individuals.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred Millán". The signature is fluid and cursive, with a large initial "F" and "M".

Fred Millán, Ph.D., ABPP, NCC
President

References

- Harrison-Quintana, J., Pérez, D., & Grant, J. (2012). *Injustice at every turn: A look at Latino/a respondents in the National Transgender Discrimination Survey*. Washington, DC: National Gay and Lesbian Task Force, 2012. Available at:
http://www.thetaskforce.org/downloads/reports/reports/ntds_latino_english_2.pdf
- Hyde, J. S., Bigler, R. S., Joel, D., Tate, C. C., & van Anders, S. M. (2018, July 19). The future of sex and gender in psychology: Five challenges to the gender binary. *American Psychologist*. Advance online publication. <http://dx.doi.org/10.1037/amp0000307>
- James, S. E. & Salcedo, B. (2017). *2015 U.S. Transgender Survey: Report on the experiences of Latino/a respondents*. Washington, DC and Los Angeles, CA: National Center for Transgender Equality and TransLatin@ Coalition.