

Congress of the United States

Washington, DC 20515

March 3, 2023

The Honorable Lloyd J. Austin, III
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Austin:

We write today with grave concerns about three memos issued on February 13, 2023, by the U.S. Department of Defense (DOD) to implement your October 20, 2022 memo, “Ensuring Access to Reproductive Health Care.” Many of us have already expressed our dismay at your initial memo, but sadly, DOD has ignored our opposition. It is unconscionable that it is now the official policy of the DOD to spend taxpayer dollars on supporting abortions.

The most egregious of the new policies is UTD for MAP 86-22(R), “Travel for Non-Covered Reproductive Health Care Services.” This is an offensive expansion of abortion-related services that calls into question the DOD’s desire to respect the spirit of long-standing federal law prohibiting the Department from paying for abortions (10 U.S.C. § 1093) in all instances except to save the life of the mother or if the pregnancy was the result of rape or incest. The memo details how DOD will use taxpayer funds to cover the entire cost of round-trip transportation, meals, and lodging for a Service member, his or her dependent, or an escort for the sole purpose of obtaining an abortion. We are shocked that the DOD would use our tax dollars for this purpose.

American taxpayers have supported federal abortion funding prohibitions for decades. A 2023 Marist poll¹ found that 60% of respondents either opposed or strongly opposed using tax dollars to pay for an abortion. While there is certainly a distinction between paying a physician to perform an abortion and paying for all travel costs for someone to obtain the abortion; we believe that it is a distinction without a difference. Paying all travel costs for obtaining an abortion is directly aiding in the performance of the abortion. Reasonable Americans understand that the DOD is now actively supporting abortion.

We are also dismayed by the DOD’s capricious change in the role of commanders and chaplains in working with Service members. In the memo titled “Administrative Absence for Non-Covered Reproductive Health Care,” section 3a(3) states: “Commanders or approval authorities will not levy additional requirements on the eligible Service member (including, but not limited to, consultations with a chaplain, medical testing, or other forms of counseling) prior to approving or denying the administrative absence request.” With this section, the DOD has purposely eliminated the role of the chaplain in providing spiritual care and counseling prior to allowing a Service member or dependent to use taxpayer dollars to cross state lines to get an abortion. This is antithetical to the purpose of having Service member support personnel, like military chaplains, non-religious counselors, and other medical personnel who are supposed to work with commanders in providing necessary counsel and care to Service members experiencing difficulties of all types for which an administrative absence is needed. The DOD seems more interested in supporting abortion than it does in providing holistic care to Service members and their dependents who are struggling with monumental life decisions.

The 2022 National Defense Strategy clearly states that the DOD’s focus is on safeguarding and advancing U.S. national interests. “We will work alongside other agencies and departments to: protect the security of the

¹ <https://www.kofc.org/en/resources/communications/polls/2023-kofc-marist-poll-cross-tabs.pdf>. Accessed February 17, 2023.

American people, expand economic prosperity and opportunity, and realize and defend the values at the heart of [the] American way of life.”² Aiding in the performance of an abortion by using taxpayer funds is the opposite of defending the values at the heart of the American way of life.

We respectfully ask that you reassess and rescind these most recent memos, primarily UTD for MAP 86-22(R), “Travel for Non-Covered Reproductive Health Care Services,” and ensure that the Department of Defense is acting in the spirit of the law and protecting the deeply held values of the American people to stop spending their money on abortion. We look forward to your prompt response.

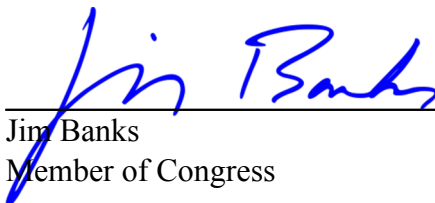
Sincerely,



Bruce Westerman
Member of Congress



Robert B. Aderholt
Member of Congress



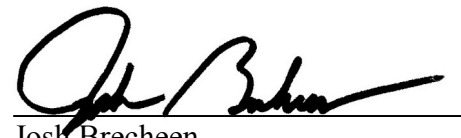
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² <https://media.defense.gov/2022/Oct/27/2003103845/-1/-1/1/2022-NATIONAL-DEFENSE-STRATEGY-NPR-MDR.PDF>. Accessed February 17, 2023.



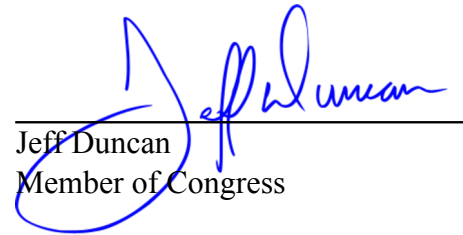
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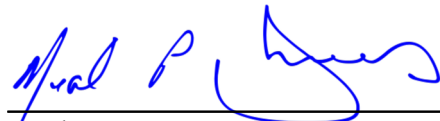
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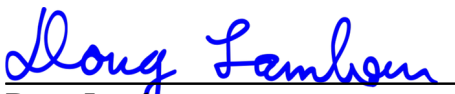
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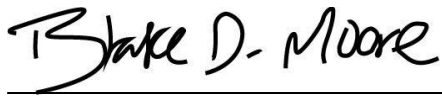

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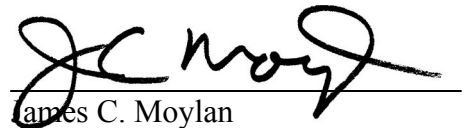

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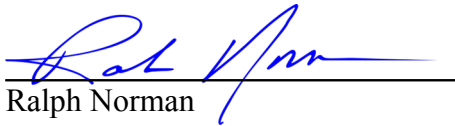

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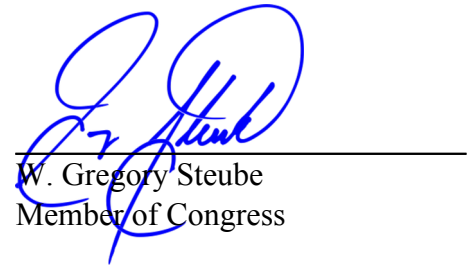
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