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United States Senate

COMMITTEES:
ARMED SERVICES

AGRICULTURE, NUTRITION,
AND FORESTRY

HEALTH, EDUCATION,
LABOR, AND PENSIONS

VETERANS' AFFAIRS

9 December 2022

The Honorable Lloyd J. Austin III
U.S. Department of Defense
1300 Defense Pentagon
Washington D.C. 20301-1300

Secretary Austin:

Your 20 October 2022 memo directing the Department of Defense to explore increasing access to reproductive health care will have broad ramifications for the department's readiness, manpower, and budget. On Wednesday, 7 December, my staff received a brief from the (acting) Assistant Secretary of Defense for Health Affairs and learned that you plan to implement these changes by year's end. The brief also revealed estimates of how your plan will expand the number of abortions subsidized by the DoD. The estimates are as exponential as they are immoral.

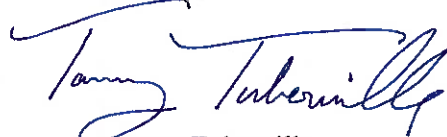
The department's authorities to provide for or fund abortions are governed by 10 U.S.C. § 1093 which limits these to cases of rape, incest, or pregnancies that threaten the life of the mother. For years, the department has averaged less than 20 abortions per year. The brief revealed the policy intentions put forth in your 20 October memo, "Ensuring Access to Reproductive Health Care," would increase DoD-subsidized abortions by as much as 4,100 per year. That estimate does not include dependents, which your policy also intends to cover, who might seek assistance in obtaining an abortion.

This vast expansion of DoD-subsidized abortions is made worse by how your plan will provide unrestricted access to abortion. As six states and the District of Columbia have no abortion restrictions, your policy would force taxpayers to finance access to abortions without protections other states have duly enacted such as waiting periods and prohibitions on late-term abortions. Like me, many Americans find such abortions morally repugnant.

When questioned on these issues, the department could not provide analysis or estimates of how this policy change will impact its budget, readiness, and manpower. It is irresponsible to push forward with such a controversial change to department policy without thorough due diligence on how this will impact the readiness of the force.

Lastly, it is my conviction that this proposed policy change is illegal, circumvents Congress, and exceeds your authority. Should you implement these proposed changes to the department's abortion policies, I will place a hold on all future DoD civilian and general/flag officer nominations.

Sincerely,



Tommy Tuberville
United States Senator