



United States Conference of Catholic Bishops

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April 18, 2023

Dear Senator/Representative:

The care of those men and women who serve or have served in our armed forces is a serious responsibility that should never include the deliberate taking of life in the womb. Time and again, Congress has directed our government not to facilitate or fund abortion in health programs for the armed forces and veterans. The Department of Defense (DOD) with its directive on “Ensuring Access to Reproductive Health Care,” and the Department of Veterans Affairs (VA), with its Interim Final Rule on Reproductive Health Services, have now ignored Congress’s express direction, and in recent weeks the DOD has released policies for facilitating abortion. This is a radical and harmful shift in military policy. We urge you to overturn the DOD and VA decisions, and to direct the DOD and VA to offer real support to women, children, and families in need to empower them to have a positive future—and not use federal resources, or compel our military personnel, to facilitate, promote, or provide abortion.

The DOD’s new policy, including provision of administrative leave and paid travel allowances for servicemembers to obtain elective abortions, announced without notice and comment rulemaking, violates the Administrative Procedure Act as well as the text and intent of 10 U.S.C. 1093, which forbids taxpayer funding of elective abortions. We oppose the DOD policy, which incentivizes abortion, and strongly urge Congress to overturn it through the appropriations process, the National Defense Authorization Act (NDAA), or congressional regulatory review. Military readiness does not require the intentional destruction of innocent preborn children. To assert that it does is antithetical to the purpose of defense itself.

The policy also fails to respect the conscience of commanders who are obliged to grant the necessary administrative leave and funding to those seeking to end a human life. Thus, the First Amendment rights of the same commanders are completely ignored. Finally, the new policy is inconsistent with military practice. Current military practice, aimed at ensuring the welfare of service members, and in-turn military readiness, requires junior service members to seek counsel within the chain of command and chaplaincy, and to obtain legal review before undertaking important life decisions, such as entering into a marriage in many cases, or even renting an apartment. The DOD policy’s divorce of fundamental consultation, such as medical or chaplain care, from a service member’s decision to end a human life – a decision which has enduring, life-long effects – is inconsistent with military practice for other important decisions and threatens the long-term wellbeing and readiness of service members.

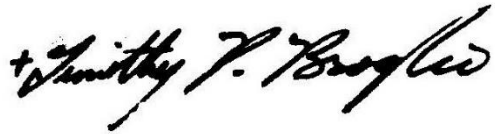
The VA’s interim final rule inserts elective abortion into the health benefits package for veterans and dependents despite Congress’s express command that VA health programs not include the taking of preborn human life.¹ The VA rule would allow abortions up until birth even in states where they are illegal. The VA rule also places the rights of conscience of VA employees at risk, which recent informal guidance from the Department does not adequately

¹ See https://www.usccb.org/sites/default/files/about/general-counsel/rulemaking/upload/2022.9.21.comments.VA_regs_final.pdf.

address. Our heroes are in need of authentic health care. Responding by turning veterans' hospitals into illegal abortion providers is unconscionable. We urge you to overturn or defund implementation of this interim final rule.

Please work together to better serve those women and men who serve us all, and their families, and know of our prayers for your important work, and for our military personnel.

Sincerely,

Handwritten signature of Timothy P. Broglio in black ink.

Most Reverend Timothy P. Broglio
Archbishop for the Military Services, USA
President, United States Conference of
Catholic Bishops

Handwritten signature of Michael F. Burbidge in blue ink.

Most Reverend Michael F. Burbidge
Bishop of Arlington
Chairman, Committee on Pro-Life Activities