



PERSONNEL AND
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE
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MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
COMMANDERS OF THE COMBATANT COMMANDS
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Non-Covered Assisted Reproductive Technology

As the President stated in Executive Order 14182, "Enforcing the Hyde Amendment," January 24, 2025, United States law has long prohibited Federal funding of elective abortions. It is the policy of the Department of Defense that taxpayer dollars shall not be used to fund, promote, or reimburse Service members or dependents for elective abortion-related travel expenses.

Consistent with these principles, effective immediately, Under Secretary of Defense for Personnel and Readiness Memorandum, "Administrative Absence for Non-Covered Reproductive Health Care," February 16, 2023, is rescinded. Additionally, the Director, Defense Human Resources Activity is directed to immediately rescind the policy for travel and transportation allowances for non-covered reproductive health care in paragraph 033113 of the Joint Travel Regulations.

The rescission of these policies should not be interpreted as the elimination of access to non-covered Assisted Reproductive Technology (ART), such as in vitro fertilization (IVF). Service members and their families have benefitted from these procedures to have or grow families. The attachments to this memorandum establish the policy and procedures for Service members to access non-covered ART. This policy is effective immediately.

The Assistant Secretary of Defense for Manpower and Reserve Affairs will coordinate an update to Department of Defense Instruction 1327.06, "Leave and Liberty Policy and Procedures," June 16, 2009, as amended, for me to approve, and the Director, Defense Human Resources Activity will ensure that the Joint Travel Regulations is updated to incorporate this policy, as appropriate.

A handwritten signature in black ink that reads "Darin S. Selnick".

Darin S. Selnick
Performing the Duties of the Under Secretary of
Defense for Personnel and Readiness

Attachments:
As stated

cc:

Commandant of the Coast Guard

Assistant Secretary of Defense for Health Affairs

Assistant Secretary of Defense for Manpower and Reserve Affairs

Deputy Chief of Staff, G-1, U.S. Army

Deputy Commandant for Manpower and Reserve Affairs, U.S. Marine Corps

Chief of Naval Personnel, U.S. Navy

Deputy Chief of Staff for Personnel, U.S. Air Force

Deputy Chief of Space Operations, Personnel

ATTACHMENT 1
Administrative Absence for Non-Covered Assisted Reproductive Technology

1. Policy. It is DoD policy that:

a. Service members should be permitted access to lawfully available Assisted Reproductive Technology (ART).

b. Service members may request an administrative absence from their normal duty station without being charged leave to access non-covered ART.

c. Eligible Service members shall not be granted an administrative absence if their intention is to sell, to offer for sale, or to receive proceeds from a sale resulting from an ART procedure while on, or in connection with taking, such absence.

d. It is the responsibility of commanders or approval authorities to meet operational requirements and protect the health and safety of those in their care. Commanders or approval authorities are expected to display objectivity, compassion, and discretion when addressing all health care matters.

e. Consistent with existing law and Departmental policy, commanders will protect the privacy of protected health information they receive under this policy, as they should with any other protected health information. Such health care information shall be restricted to personnel with a specific need to know; that is, access to the information must be necessary for the conduct of official duties. Personnel shall also be accountable for safeguarding this health care information consistent with existing law and Departmental policy.

2. Applicability. This policy guidance applies to the Office of the Secretary of Defense, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff, the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

3. Non-Covered ART. Eligible Service members, as defined in the appendix, may be granted an administrative absence for a period of up to 21 days per request to receive, or to accompany a dual-military spouse or a dependent who receives, non-covered ART as defined in the glossary. The period of absence will be limited to the minimum number of days essential to receive the required care and travel needed to access the care by the most expeditious means of transportation practicable.

a. Commanders or approval authorities should grant an administrative absence to eligible Service members when a need is identified by the eligible Service member. Requests for administrative absence should be given all due consideration and should be granted to the greatest extent practicable, unless, in the commanding officer's judgment, the Service member's absence would impair proper execution of the military mission. Eligible Service members may need to disclose a minimum amount of health care information that is necessary for commanders or approval authorities to authorize the absence.

(1) It is essential that commanders or approval authorities act promptly and with appropriate discretion when considering a Service member's request for an administrative absence to obtain non-covered ART. To the greatest extent practicable, delay in granting an administrative absence should not result in an eligible Service member being unable to access the non-covered ART that served as the basis for the administrative absence request.

(2) In considering the mission impact of a Service member's request for an administrative absence for non-covered ART -for example, where recurring care may be necessary over a period of time -commanders or approval authorities should coordinate with the eligible Service member to balance operational requirements and the health care schedule.

b. Commanders or approval authorities may also grant a Service member convalescent leave, as permitted under Department of Defense Instruction 1327.06, "Leave and Liberty Policies and Procedures," following receipt of non-covered ART based on a recommendation from a DoD health care provider or a non-DoD health care provider from whom the Service member is receiving care.

ATTACHMENT 2
**Travel and Transportation Allowances for Non-Covered Assisted Reproductive
Technology**

1. Policy. It is Department of Defense policy that:

a. Service members should be permitted to access lawfully available non-covered Assisted Reproductive Technology (ART).

b. It is the responsibility of commanders or approval authorities to meet operational requirements and protect the health and safety of those in their care. Commanders or approval authorities are expected to display objectivity, compassion, and discretion when addressing all health care matters.

(1) Consistent with existing law and Departmental policy, commanders will protect the privacy of protected health information they receive under this policy, as they should with any other protected health information. Such information shall be restricted to personnel with a specific need to know; that is, access to the health information must be necessary for the conduct of official duties. Personnel shall also be accountable for safeguarding this health information consistent with existing law and Departmental policy.

(2) Service members shall not be granted travel and transportation allowances under this paragraph if their intention is to sell, to offer for sale, or to receive proceeds from a sale resulting from an ART procedure.

2. Eligibility. Service members and authorized dependents are eligible for travel and transportation allowances in Chapter 2 to receive non-covered ART when timely access to non-covered ART services is not available within the local area of the member's Permanent Duty Station (PDS), Temporary Duty (TDY) location, or the last location the dependent was transported on Government orders when authorized by the appropriate authority.

a. Non-covered ART. Travel and transportation allowances for Service members (including active duty Service members and Reserve Component Service members on active duty orders for 180 days or more) and spouses of such Service members receiving care may be authorized when the non-covered ART procedure is confirmed by documentation by the licensed health care provider or clinic that will be performing the ART services. Substantiating documentation provided by the traveler to the approving official (AO) must include details of the procedures to be performed, dates of consultation appointments and/or procedures, and include any of the following: identification of a treatment plan schedule, medical diagnosis, and patient names to verify eligibility.

b. Location. The Service member or dependent must certify in writing the location of the closest available, capable medical facility for the non-covered ART service. Certification should be provided to the traveler's AO in advance of travel. When a Service member or dependent uses a different location than the certified closest available, capable medical facility, a cost comparison is done to determine reimbursement. In this situation the certification must

provide details on both the closest facility and the facility to be used. Travel reimbursement is limited to the cost to the closest available medical facility for the non-covered ART procedure if a different location is used. The transportation cost is compared to the constructed cost of transportation to the authorized location and the lesser of the two amounts is reimbursed. The per diem is limited to the lesser of the costs that would have been incurred for travel to the authorized location, or the amount listed in par. 033013-B.

3. Allowances.

a. The Service member is authorized the standard travel and transportation allowances in par. 033001.

b. An eligible dependent may be authorized the following:

(1) The actual cost of lodging (including tax, tips, and service charges) limited to the lodging portion of the locality per diem rate at the non-covered ART service care location.

(2) The actual cost of meals (including taxes and tips, but excluding alcoholic beverages) and incidental expenses, limited to the maximum meal rate and incidental expenses portion of the locality per diem rate at the non-covered ART service care location.

(3) Round-trip transportation between the member's PDS or the last location the dependent was transported on Government orders and the non-covered ART service care location.

(4) An invitational travel authorization (ITA) will be used to reimburse travel and transportation expenses for an authorized dependent and must be issued judiciously to ensure prudent, proper and ethical use of appropriated funds. See section 0305.

c. Attendant or Escort. If a Service member or dependent is incapable of traveling alone, standard travel and transportation allowances in Chapter 2 are authorized for one or more necessary escorts. An attendant may also be authorized round-trip travel and transportation allowances, if required. The authorization for an attendant or escort must be cited on the travel authorization.

(1) An attendant or escort is authorized the standard travel and transportation allowances in Chapter 2.

(2) A Service member or civilian employee serving as an attendant or escort travels under a TDY order.

(3) A non-Government civilian serving as an attendant or escort must be issued an ITA and be legitimately performing a direct service for the Government. See section 0305.

d. Accompanying Dependent.

(1) The AO may authorize an accompanying dependent who is neither an attendant nor escort if all the following conditions apply:

i. The accompanying dependent is a command-sponsored dependent at the PDS outside the continental United States and incapable of self-support.

ii. No suitable care arrangements can be made at the PDS.

iii. The travel is in the Government's interest.

(2) An accompanying dependent is limited to round-trip transportation between the member's PDS or the last location the dependent was transported on Government orders and the non-covered ART care location.

(3) No per diem is payable and any further travel costs are the financial responsibility of the Service member.

(4) This authority should be used as a last resort.

APPENDIX GLOSSARY

These terms and their definitions are for the purposes of this guidance.

ELIGIBLE SERVICE MEMBER. Active duty Service members, including Reserve or National Guard members when on active duty orders for 30 or more consecutive days.

NON-COVERED ASSISTED REPRODUCTIVE TECHNOLOGY (ART). Only the following components of ART are included:

- A. Ovarian stimulation and egg retrieval, including any needed medications and procedures required for retrieval, processing and utilization for ART or cryopreservation.
- B. Sperm collection and processing for ART or cryopreservation.
- C. Intrauterine insemination.
- D. In vitro fertilization.