



SECRETARY OF THE AIR FORCE  
WASHINGTON

MAR 17 2025

MEMORANDUM FOR ALMAJCOM-ALFLDCOM-FOA-DRU/CC  
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SUBJECT: Non-Covered Assisted Reproductive Technology

References: (a) Executive Order 14182 of January 24, 2025, *Enforcing the Hyde Amendment*  
(b) OUSD(P&R) Memo, February 3, 2025, *Non-Covered Assisted Reproductive Technology*  
(c) SecAF Memo, February 27, 2023, *Ensuring Access to Reproductive Health Care*

In accordance with reference (a) and (b), I hereby rescind reference (c) and provide the following clarifications with respect to Department of the Air Force (DAF) policy on this matter. Effective immediately, administrative leave, travel, and transportation reimbursement for elective abortion will cease. The DAF hereby immediately implements the policies in references (a), (b), and this memorandum. The rescission of prior policies should not be interpreted as the elimination of access to non-covered Assisted Reproductive Technology (ART), such as in vitro fertilization (IVF).

Attachment 1 to reference (b) allows Service members to request an administrative absence without being charged leave to access non-covered ART, which is defined in the Appendix. DAF Instruction 36-3003, *Military Leave Program*, currently supports this requirement and I direct the Deputy Chief of Staff, Manpower, Personnel and Services (AF/A1) to further update this instruction as necessary. DAF Service members will continue to request administrative absence via LeaveWeb, or DAF Form 988, which has the option for the member to select "permissive TDY," attach an attestation (that they have a valid medical condition which meets the requirements for this type of leave), and then submit the request to their commander for decision.

Attachment 2 to reference (b) updates the Joint Travel Regulations to establish travel and transportation allowances for Service members and dependents who must travel to access timely non-covered ART that is not available within the local area of the member's Permanent Duty Station or Temporary Duty Location. The DAF Service member's organization will create a line of accounting within Defense Travel System (DTS) using Emergency and Special Program (ESP) code 83 as designated per the Deputy Assistant Secretary of the Air Force for Budget (Policy and Fiscal Control Directorate) Fiscal Year 2023 Non-Joint Chiefs of Staff ESP Code list. Service members will use this designated line of accounting, along with the substantiating documentation from their licensed medical provider, to request travel. DTS will allow DAF to track travel utilization and reimbursement for all non-covered ART services.

These policies and other related documents, such as the travel template request form, frequently asked questions, and links to the Office of the Secretary of Defense (OSD) reproductive health care site can be found at: <https://www.airforcemedicine.af.mil/Reproductive-Health/>.

A handwritten signature in black ink, appearing to read "Gary Ashworth".

Gary A. Ashworth  
Acting Secretary of the Air Force

# ENFORCING THE HYDE AMENDMENT

## EXECUTIVE ORDER

January 24, 2025

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose and Policy. For nearly five decades, the Congress has annually enacted the Hyde Amendment and similar laws that prevent Federal funding of elective abortion, reflecting a longstanding consensus that American taxpayers should not be forced to pay for that practice. However, the previous administration disregarded this established, commonsense policy by embedding forced taxpayer funding of elective abortions in a wide variety of Federal programs.

It is the policy of the United States, consistent with the Hyde Amendment, to end the forced use of Federal taxpayer dollars to fund or promote elective abortion.

Sec. 2. Revocation of Orders and Actions. The following Executive Orders are hereby revoked:

- (a) Executive Order 14076 of July 8, 2022; and
- (b) Executive Order 14079 of August 3, 2022.

Sec. 3. Implementation. The Director of the Office of Management and Budget shall promulgate guidance to the heads of executive departments and agencies related to implementation of sections 1 and 2 of this order.

Sec. 4. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
  - (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,

January 24, 2025.



PERSONNEL AND  
READINESS

OFFICE OF THE UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

FEB - 3 2025

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.

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.