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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To establish leave policies of the Armed Forces for a member to seek an
abortion.

IN THE HOUSE OF REPRESENTATIVES

Mr. CROW introduced the following bill; which was referred to the Committee
on _____

A BILL

To establish leave policies of the Armed Forces for a member
to seek an abortion.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Access to Reproductive
5 Care for Servicemembers Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Following the Supreme Court’s decision to
9 eliminate the right to abortion, States across the

1 country are moving swiftly to ban abortion access,
2 leading to even greater barriers to care for military
3 families.

4 (2) Access to abortion care is essential to a per-
5 son's health and central to their economic and social
6 well-being. Bans and restrictions on abortion delay
7 access to abortion care and therefore increase costs
8 for members of the Armed Forces seeking care. The
9 consequence of these delays and barriers could mean
10 that a person is forced to carry a pregnancy against
11 their will.

12 (3) The Armed Forces have a large presence in
13 many States poised to ban or restrict access to abor-
14 tion, many of which also neighbor States that would
15 likely ban abortion.

16 (4) Members of the Armed Forces seeking care
17 off-base may be limited in their ability to do so due
18 to restrictions on leave or travel restrictions imposed
19 by their unit.

20 (5) Restrictions on receiving approval to take
21 leave for abortion care interfere with a member of
22 the Armed Forces' health, well-being, and right to
23 access the care they need. The decision to terminate
24 a pregnancy should not depend on the discretion or
25 judgment of a military commander.

1 (6) The Army has recognized that abortion is
2 a time sensitive-procedure and access should not be
3 delayed for members or military families.

4 (7) When a member of the Armed Forces de-
5 cides to obtain an abortion, it should be available,
6 affordable, private, and free from punishment, re-
7 prisal, or judgment by the member's chain of com-
8 mand.

9 (8) The harms of abortion-specific restrictions
10 fall most heavily on people who already face barriers
11 to accessing health care including people with low in-
12 comes, such as junior members, and Black, Indige-
13 nous, and people of color, immigrants, young people,
14 people with disabilities, the LGBTQI+ community,
15 and those stationed in rural and other medically un-
16 derserved areas.

17 (9) Equal access to abortion care, everywhere,
18 is essential to social and economic participation,
19 equality, reproductive autonomy, and the right to de-
20 termine a person's own life.

21 (10) The denial of leave for an abortion or any
22 other reproductive health service violates the rights
23 of members of the Armed Forces. Access to care for
24 military families should not be determined by the
25 personal beliefs of others.

1 (11) In addition to the health and well-being
2 implications for members of the Armed Forces and
3 their families, the failure to address these issues will
4 contribute to the challenges that the Armed Forces
5 faces in attracting and retaining personnel, thereby
6 negatively affecting military strength and readiness.

7 **SEC. 3. LEAVE FOR A MEMBER OF THE ARMED FORCES FOR**
8 **ABORTION.**

9 (a) IN GENERAL.—The Secretary concerned (as such
10 term is defined in section 101 of title 10, United States
11 Code) shall, with regards to abortion care for a member
12 of the Armed Forces—

13 (1) consider such care to be time-sensitive and
14 therefore approve leave for such abortion care; and

15 (2) not require the member to disclose to a
16 commanding officer the time-sensitive care or proce-
17 dure being received during such leave.

18 (b) REIMBURSEMENT FOR TRAVEL.—In a jurisdic-
19 tion where abortion is prohibited or inaccessible, the Sec-
20 retary concerned shall reimburse the member for costs in-
21 curred by the member to travel to a different jurisdiction
22 for an abortion.

23 (c) PRIVACY.—Health care providers of the Defense
24 Health Agency and commanding officers shall, to the
25 greatest extent practicable, protect the privacy of a mem-

1 ber who takes leave under this section, including when
2 such member makes a request for such leave and when
3 such member returns to duty.

4 (d) PROHIBITION.—No member of the Armed Forces
5 may be subject to any adverse action for requesting or
6 taking leave under this section.