

United States Senate
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July 5, 2022

The Honorable Kiran Ahuja
Director
U.S. Office of Personnel Management
1900 E Street NW
Washington, D.C. 20415

Dear Director Ahuja:

I write with concern regarding the Office of Personnel Management's (OPM) recently released Frequently Asked Questions (FAQ) document titled, "Availability of Sick Leave for Travel to Access Medical Care." Shortly after the United States Supreme Court overturned *Roe v. Wade*, President Biden made it clear that "if any state or local official, high or low, tries to interfere with a woman's exercising her basic right to travel [for abortion], I will do everything in my power to fight that deeply un-American attack."

Following this statement, OPM released clarifying guidance, which provides sick leave to federal employees and their families to travel to "receive medical examination or treatment." Your newly-released FAQ explicitly notes that "an employee may find it necessary to travel longer distances, including out of state, to obtain medical care," and "[i]n such instances, sick leave may be used to cover necessary travel time." It is obvious given the timing of the announcement that the purpose of the OPM guidance is to facilitate federal employees traveling out-of-state to obtain an abortion.

It is noticeable, therefore, given the obvious intent of the guidance, that nowhere in the guidance is the phrase "reproductive services," "abortion" or any other abortion-related language. One is left to believe these phrases were intentionally omitted in this guidance by lawyers in the executive branch to circumvent Congressionally-mandated Hyde protections, which bars federal funds from being used to pay for most abortions. The Biden Administration's actions and statements over the last several days are focused on undermining pro-life states and now they are even willing to violate longstanding federal law prohibiting the use of taxpayer monies to fund abortions or abortion services.

The federal government has no business promoting the killing of unborn children. I demand that the agency clarify that the federal government will not provide sick leave for travel related to abortion services. I look forward to your prompt response and action on this important matter.

Sincerely,



Marco Rubio
U.S. Senator

CC:

Attorney General Merrick Garland, U.S. Department of Justice
Mrs. Dana Remus, White House Counsel