

# FOREIGN POLICY

## FOR AMERICA

### Senator Tuberville's Hold on DoD Nominees Background & Talking Points Memo

September 2023

#### **Background**

Since February 2023, Sen. Tommy Tuberville (R-AL) has used the Senate's cloture rule to put a blanket hold on Department of Defense (DoD) nominees, in protest of the department's leave-reimbursement policy (which is consistent with federal law) to support reproductive health.

To date, Sen. Tuberville has blocked 301 DoD nominations, including nominations for generals, admirals, and other senior military positions, and by the end of the year that could rise to [650](#). The blockade has forced many officers to delay their retirements and has created vacancies in key leadership positions across the department, disrupting the development of the DoD's next generation of leaders.

Sen. Tuberville's shortsighted politicking will leave the [DoD without a replacement for Gen. Mark Milley](#), the Chairman of the Joint Chiefs of Staff, when he is required by law to retire on Oct. 1. The U.S. Army, Navy, and Marine Corps are already operating without Senate-confirmed leadership for the first time in history. At this rate, it will be impossible to confirm the nearly 650 general and flag officers who need to pass through the Senate for promotion or reassignment by the end of the year, [which could take more than 700 hours of nonstop voting by the Senate](#).

The DoD leave-reimbursement policy that Sen. Tuberville is protesting covers paid leave and travel costs associated with accessing non-covered reproductive health care services, including In vitro fertilization (IVF) and abortion. The policy is intended to ensure that all service members have equal access to the health care they and their families need, regardless of where they live or serve.

#### **Talking Points**

##### ***Impact on National Security***

- Bipartisan support for the military is essential for our allies, adversaries, and the American people to understand that we take national security and defense seriously. Sen. Tuberville's unprecedented blanket hold instead projects to our adversaries an image of weakness and division, while also undermining military readiness.
- The hold has created a dangerous and unsustainable staffing shortage within the DoD, with some generals and admirals being forced to perform two roles simultaneously. This limits the bandwidth of leadership in critical roles across the defense enterprise and injects uncertainty into the Joint Force's ability to plan and operate.

- Delayed promotions will affect the entire joint force for years to come by disrupting the timing of personnel systems that manage promotions, deployments, and assignments.
- Keeping the military non-partisan is vital to national security. Sen. Tuberville's outright politicization contributes to degraded civil-military relations by reducing our service members and their families to a political bargaining chip.
- The holds have a direct, negative impact on our military readiness and recruitment. Service members often do not have a say in where they are stationed, and many potential recruits may decide that they are not willing to risk enlisting and being stationed in a location without access to comprehensive health care.

### ***Impact of the Hold on Nominees***

- More than 300 U.S. military families have had their lives put on hold by Sen. Tuberville's politically motivated blockade. Examples:
  - Parents trying to enroll their kids in school and sports for the new academic year
  - Spouses who have quit their jobs in preparation for planned moves
  - Families paying out of pocket for dual housing
  - Service members whose career trajectories and promotions have been thrown into question by the lack of open assignments
- Even as the Senate is considering procedural workarounds to force the consideration of a few senior military nominations. Senator Tuberville's statements in support of these nominations are simply inadequate when he is the one holding up these nominations in the first place.
- [One family impacted](#) by the holds is currently paying \$10,000 a month for an assisted living facility for an aging family member, unsure when they will be able to relocate and reunite under one roof.

### ***Reproductive Care for Military Families***

- Military members do not get to choose where they live or when they move. Access to necessary reproductive health care is not guaranteed in every location.
  - Roughly 450,000 service members live in states where abortion is restricted.
  - Studies indicate that [infertility rates among veterans of the Global War on Terror](#) may be twice as high as the civilian population.
- Adequate leave and travel reimbursement for service members seeking necessary reproductive care ensures that the military meets the medical, psychological, and economic needs of service members to achieve maximum readiness.
- By holding up the Senate nominations of military leaders, Sen. Tuberville is making it clear that he values his own political power above the needs of military families.

### **Reactive Q&As**

**Q. Senator Tuberville has expressed willingness to consider promotions and nominations on an individual basis. Why won't Democrats work with him on such an important issue?**

**A.** It is unacceptable to hold our service members and their families hostage to try and score political points. After all Sen. Tuberville has put our military through, giving in to his demands would set a very dangerous precedent. What's more, it wouldn't even make a huge difference—reviewing individual nominations would be incredibly time-consuming and costly for the DoD and Congress alike. If the Senate did nothing other than military nominations, [it would take the Senate until December to tackle just the first 250 nominations](#)—and there are hundreds more that would need to be passed by the end of the year.

**Q. Should the Department of Defense really be funding abortions?**

**A.** DoD is *not* funding abortions for service members. What this policy does is allow service members to use their *own* leave to access necessary health care, and the DoD reimburses the cost of their travel, so that members of the military and their families don't have to choose between financial security and good health.

**Q. Is there any end in sight? How does Congress break through this eight-month impasse?**

**A.** Senate leaders need to hold Senator Tuberville accountable and end his obstruction, which is putting partisan gains ahead of military readiness and the well-being of our service members. Congress must not play politics with national security and our service members' lives.

**Q. How could allies (and adversaries) be viewing Senator Tuberville's hold on military leadership?**

**A.** The unparalleled strength of America's professional military has been our enduring advantage, but Sen. Tuberville's hold on military leadership and nominations is giving America's allies and partners a reason to question our capacity to be a global leader. It also plays into our adversaries' false narrative that democracy and U.S. leadership are in decline.

**Items to Amplify**

- **Joint Op-Ed from Army, Navy, and Air Force Secretaries:** [Opinion | Army, Navy, Air Force bosses to Tuberville: Stop hold on promotions - The Washington Post](#)
- **GOP HFAC Chair says Tuberville 'paralyzing' Pentagon:** [Tuberville 'paralyzing' Pentagon, House Foreign Affairs chair Michael McCaul says - POLITICO](#)
- **Vote Vets:** <https://twitter.com/votevets/status/1704118143528951955>
- **ADM Stavridis (Ret.):** <https://twitter.com/stavridisj/status/1699781464068608329>
- **Secure Families Initiative:** <https://securefamiliesinitiative.org/tuberville-toolkit/>

**Have more questions? Contact:**

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