Research and Engineering

UNDER SECRETARY OF WAR
3030 DEFENSE PENTAGON
WASHINGTON, DC 20301-3030

October 20, 2026

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
DEFENSE AGENCY DIRECTORS

SUBJECT: Directive-type Memorandum 26-005 – Prohibition of DoW-funded Research Using Human Fetal Tissue Obtained via Elective Abortion

References: See Attachment 1.

Purpose. In accordance with the authority in DoD Directive 5137.02 and pursuant to Sections 289g-1 and 289g-2 of Title 42, United States Code (U.S.C.), this directive-type memorandum (DTM):

- Establishes policy and assigns responsibilities regarding the use of human fetal tissue (HFT) obtained via elective abortion in DoW-conducted or -supported research.

- Is effective October 20, 2026; it must be incorporated into DoD Instructions (DoDIs) 3216.01 and 3216.02. This DTM will expire effective October 20, 2028.

Applicability. This DTM applies to OSW, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of War, the Defense Agencies, and all other organizational entities within the DoW (referred to collectively as the "DoW Components").

Definitions. See Glossary.

Policy.

- DoW practices regarding research using HFT will align with the National Institutes of Health standards for HFT references in Attachment 1. No DoW-appropriated funds will be used, and no DoW-conducted or -supported research will be performed, that involves the use of HFT obtained via an elective abortion.

- This restriction applies to both human subject research governed by DoDI 3216.02 and non-human subject research governed by DoDI 3216.01.

Responsibilities.

- The Under Secretary of War for Research and Engineering oversees DoW-wide implementation of this DTM.

- The DoW Component heads confirm all their research protocols, notices of funding opportunity, and awards (including grants and contracts) comply with this funding prohibition, ensuring that animal study protocols are screened for restricted human tissue usage.

Releasability. Cleared for public release. Available on the Directives Division Website at https://www.esd.whs.mil/DD/



Emil Michael
Under Secretary of War for Research and Engineering

Attachment:
As stated

ATTACHMENT 1

REFERENCES

NATIONAL INSTITUTES OF HEALTH STANDARDS FOR HFT

National Institutes of Health Grants Policy Statement, Section 4.1.15, "Human Fetal Tissue Research," current edition

National Institutes of Health Guide Notice NOT-OD-15-143, "Reminder of Legal Requirements Regarding the Acquisition and Use of Human Fetal Tissue for Research Purposes," August 14, 2015

National Institutes of Health Guide Notice NOT-OD-16-033, "NIH Policy on Informed Consent for Human Fetal Tissue Research," February 11, 2016

National Institutes of Health Guide Notice NOT-OD-26-028, "NIH Policy on Research Involving Human Fetal Tissue," January 22, 2026

OTHER REFERENCES

DoD Directive 5137.02, "Under Secretary of Defense for Research and Engineering (USD(R&E))," July 15, 2020

DoD Instruction 3216.01, "Use of Animals in DoD-Conducted and -Supported Research and Training," March 20, 2019, as amended

DoD Instruction 3216.02, "Protection of Human Subjects and Adherence to Ethical Standards in DoD-Supported Research," April 15, 2020, as amended

United States Code, Title 10, Section 1093

United States Code, Title 42

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ACRONYM	MEANING
DoDI	DoD instruction
DoW	Department of War
DTM	directive-type memorandum
HFT	human fetal tissue
OSW	Office of the Secretary of War
U.S.C.	United States Code

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this DTM.

TERM	DEFINITION
elective abortion	The purposeful interruption of a pregnancy for reasons other than where the life of the mother would be endangered if the fetus were carried to term, or in a case in which the pregnancy is the result of an act of rape or incest, consistent with the statutory restrictions on the use of DoW funds outlined in Section 1093 of Title 10, U.S.C.
HFT	Defined in Section 289g-1 of Title 42, U.S.C.