

Congress of the United States
Washington, DC 20515

April 30, 2018

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Azar,

The Title X Family Planning Program is in dire need of review and updated regulations that ensure program integrity with respect to elective abortion. Authorized in 1970, the program is intended to assist in “voluntary family planning projects,” offering “a broad range of acceptable and effective family planning methods and services,” and may not fund “programs where abortion is a method of family planning.”¹ The regulations governing this program have been largely unchanged for nearly two decades and are sorely in need of reform.

While the authorizing statute drew a bright line between family planning and abortion, the regulations governing the Title X program have blurred that line by requiring all grantees to refer for abortion.² This mandate has deterred program applicants who do not consider abortion to be a method of family planning. It also runs counter to the program’s statutory prohibition on funding programs “where abortion is a method of family planning.”³ New regulations should remove abortion referrals from the program.

The separation between abortion and family planning has further been weakened by permitting Title X clinics to be “co-located” within the same facility as an entity that provides abortion. In these instances, the location of the Title X service site, as listed in the 2018 Office of Population Affairs Directory, is also the location of a Planned Parenthood abortion clinic. Such an arrangement raises concerns about program integrity. Co-located centers may be vulnerable to misuse of funds in support of abortion activities and send a message that abortion is considered a method of family planning in federally funded family planning programs. To ensure that the federally funded family planning services offered by Title X grant recipients are unquestionably separate and distinct from abortion, Title X service sites should be physically, as well as financially, separate from facilities that provide abortion.

¹ 42USC, 300

² 42 CFR 59.5

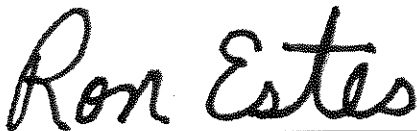
³ 42 USC, 300a-6

Our requests are not unprecedented. In 1991, the Supreme Court upheld Title X regulations issued in 1988 by the Reagan Administration to set a standard of compliance with the statutory requirement that none of the funds appropriated under Title X may be used in programs where abortion is a method of family planning.⁴ Those regulations required, in part, the physical separation of abortion activities from Title X service sites, and did not permit grantees to make abortion referrals.

In conclusion, we must note our deep concern over a recent GAO report, which found that, between 2013 and 2015, Planned Parenthood received \$170 million from the Title X program, an average of nearly \$60 million annually.⁵ This Congress has made multiple attempts to divest taxpayers from being forced to underwrite Planned Parenthood, the nation's largest abortion provider. Planned Parenthood has described abortion as "a necessary service that's as vital to our mission as birth control..."⁶ It is time for the Title X funding stream for Planned Parenthood to be turned off.

We urge you to move swiftly to issue regulations for the Title X program that will stop funding for programs where abortion is a method of family planning.

Sincerely,



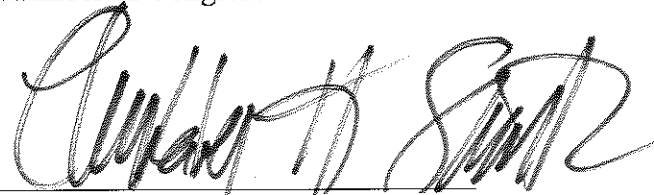
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Diane Black
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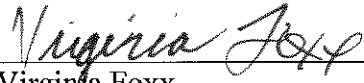


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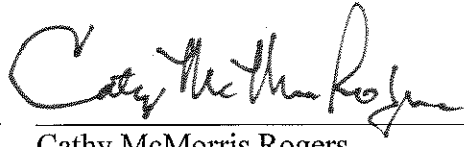
⁴ *Rust v. Sullivan*, 500 US 173, (1991)

⁵ <https://www.gao.gov/products/GAO-18-204R>

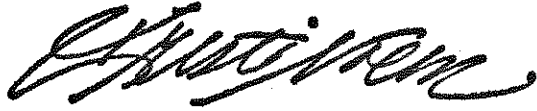
⁶ <https://twitter.com/CecileRichards/status/838870624097419270>



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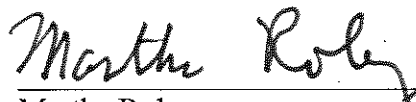
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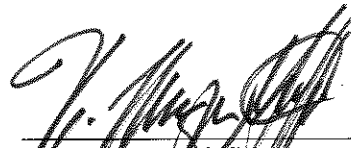
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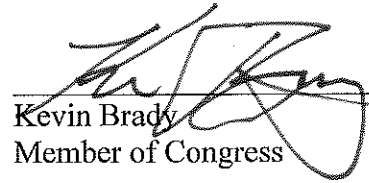



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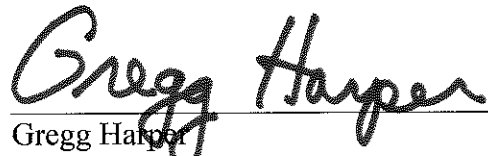
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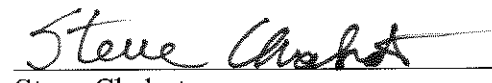

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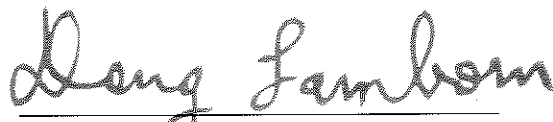

Kevin Brady
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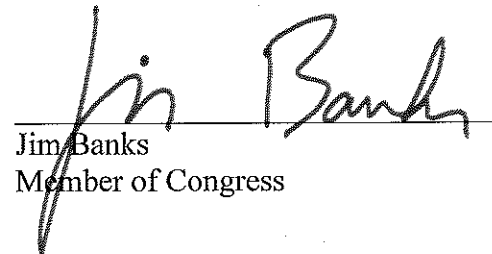

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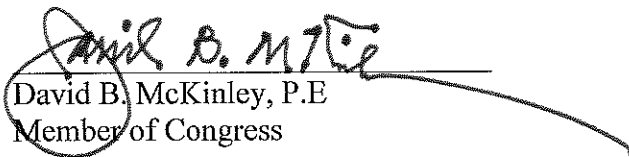

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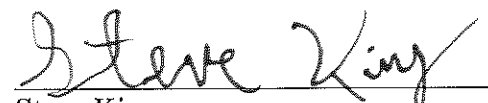

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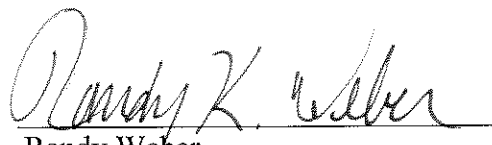

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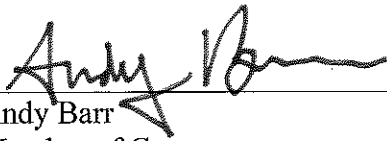

James Comer
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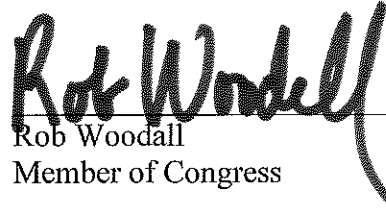

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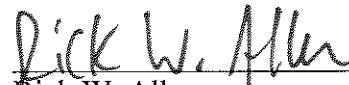
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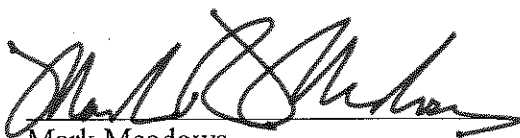
Adrian Smith
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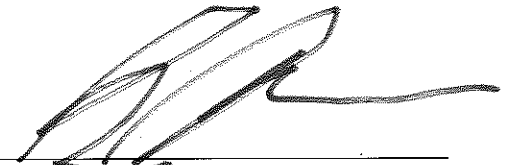
Gus M. Bilirakis
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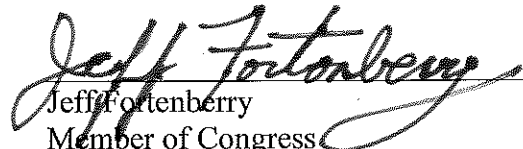
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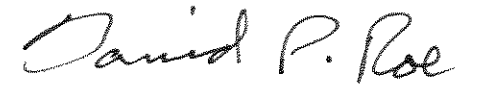
Andy Harris
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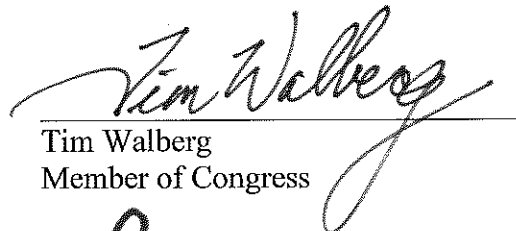
Robert J. Wittman
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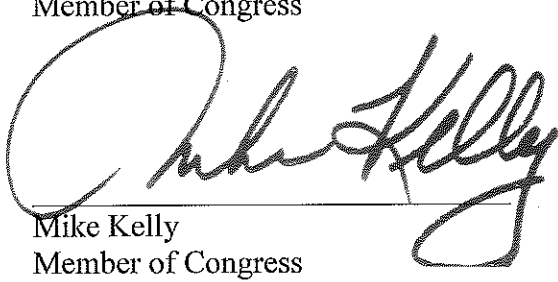
Francis Rooney
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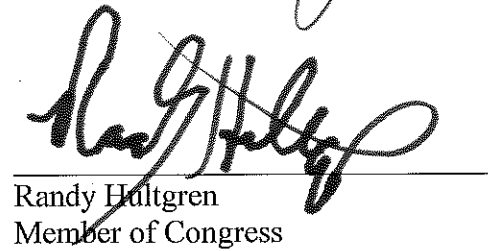
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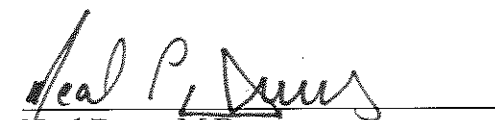
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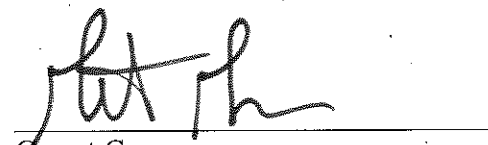
Mike Kelly
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Randy Hultgren
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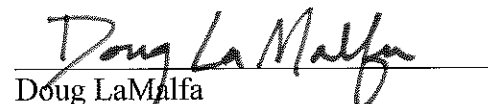
Neal Dunn, M.D.
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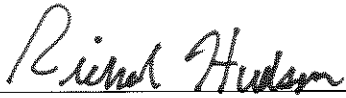
Garret Graves
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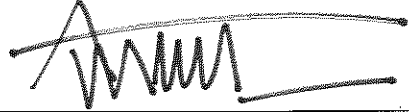
Joe Wilson
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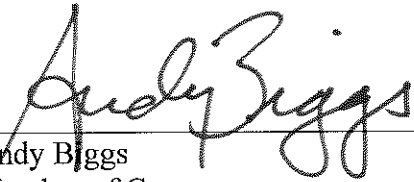
Ted Poe
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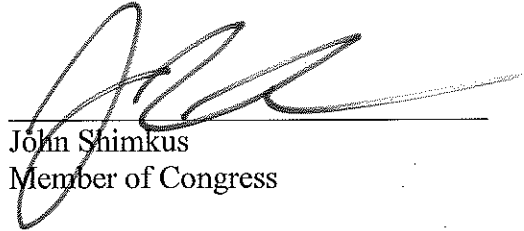
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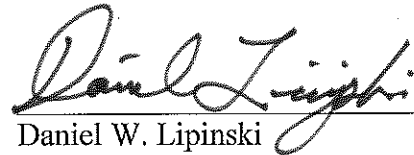
Andy Biggs
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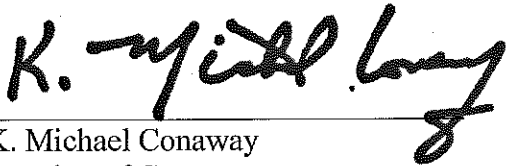
John Shimkus
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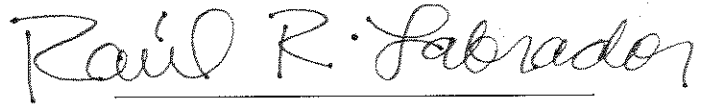
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Ted Budd
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Clay Higgins
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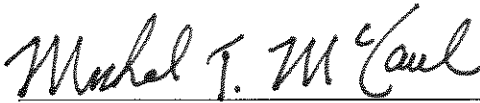
Daniel Webster
Member of Congress



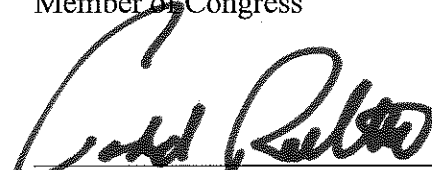
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Bruce Westerman
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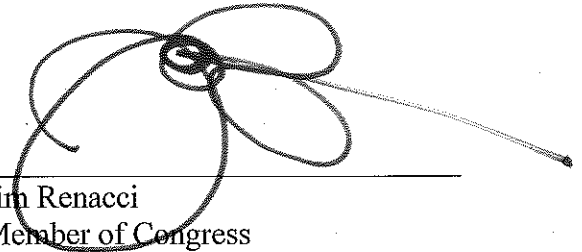
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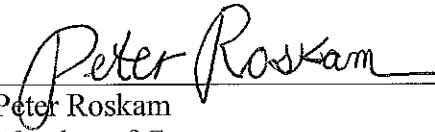
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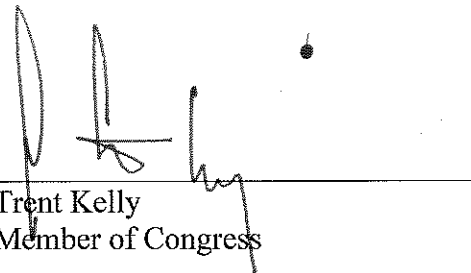
John Ratcliffe
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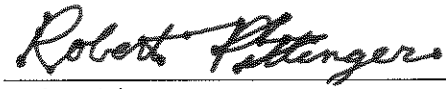
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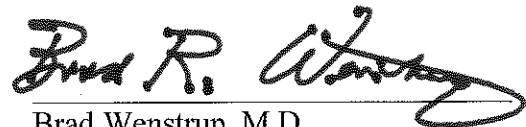
Bill Johnson
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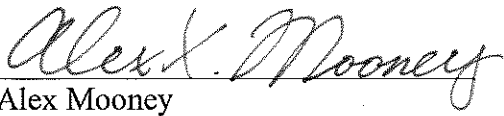
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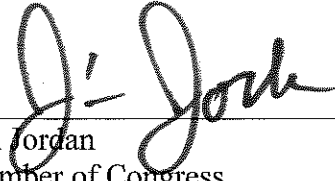
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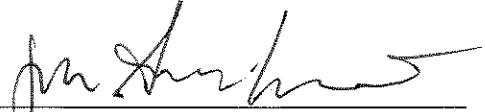
Alex Mooney
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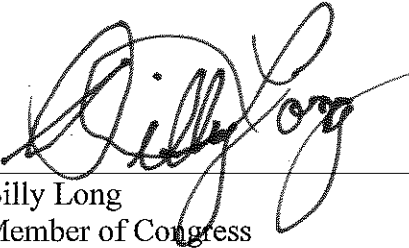
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Dave Brat
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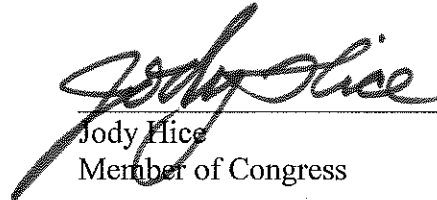
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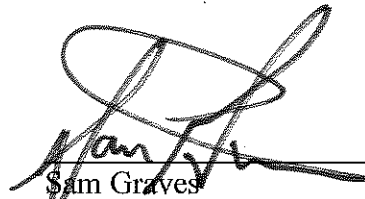
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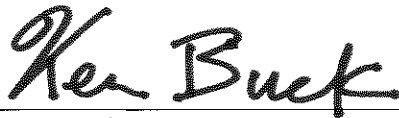
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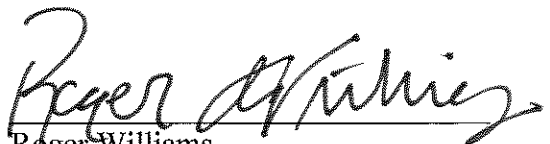
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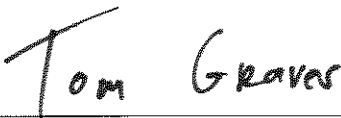
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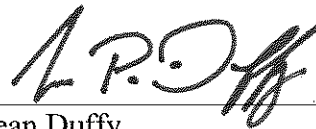
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Tom Graves
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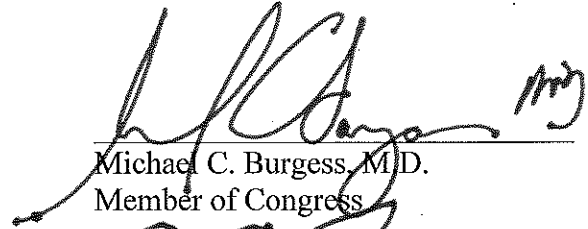
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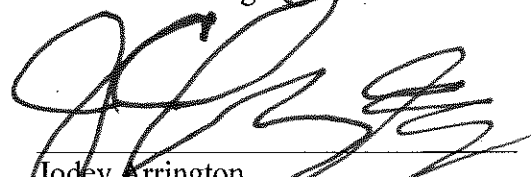
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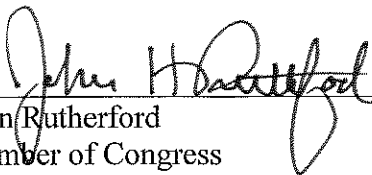
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Jodey Arrington
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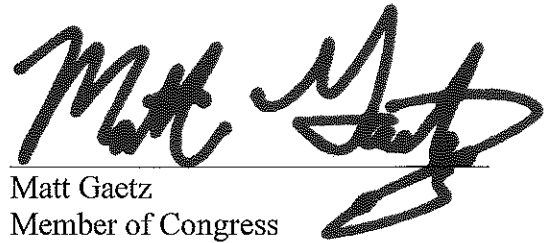
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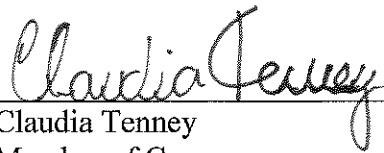
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Kenny Marchant
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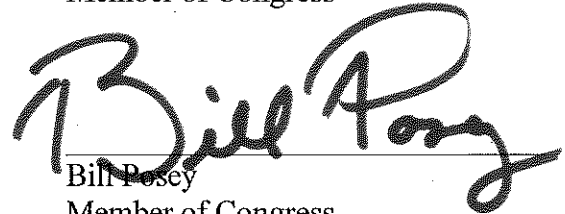
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Tom Cole
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Kevin Yoder
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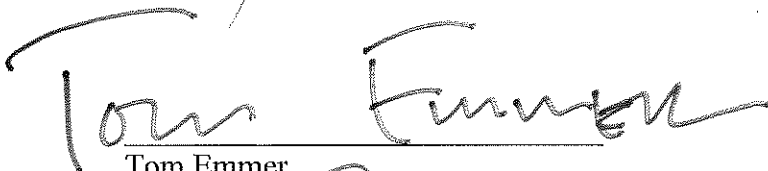
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Evan Jenkins
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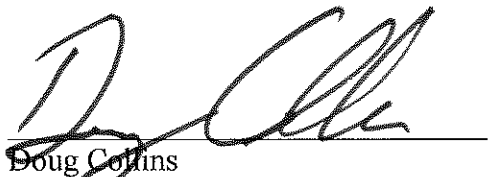
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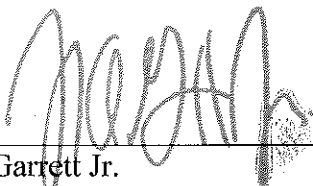
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Mike Bishop

Mike Bishop
Member of Congress

Gary Palmer

Gary Palmer
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Lou Barletta

Lou Barletta
Member of Congress

Tom McClintock

Tom McClintock
Member of Congress

Chris Stewart

Chris Stewart
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Paul Gosar

Paul Gosar
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Lloyd Smucker

Lloyd Smucker
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Jeb Hensarling

Jeb Hensarling
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Rodney Davis

Rodney Davis
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Mike Johnson

Mike Johnson
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Walter B. Jones
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