

# United States Senate

WASHINGTON, DC 20510

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,

We urge you to review and update the regulations governing the Title X Family Planning Program to ensure program integrity with respect to abortion. Section 1008 of the Public Health Service Act clearly states that no federal funds appropriated for Title X for family-planning services “shall be used in programs where abortion is a method of family planning.” However, the program’s current regulations (42 CFR 59) undermine the law.

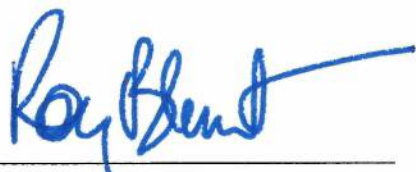
Specifically, the current Clinton-era regulations require grantees to refer pregnant women for abortion (42 CFR 59.5(a)(5)(i)(C)) and allow Title X clinics to co-locate with abortion clinics—in some cases utilizing the same waiting rooms, staff, and facilities. Title X programs which are co-located with abortion clinics or refer for abortion send a message that abortion is considered a method of family planning in federally-funded family planning programs, contrary to the law.

We ask that you restore the regulations issued on February 2, 1988 (53 FR 2922), which clarified that Title X programs may not promote, counsel, or refer clients for abortion or co-locate or combine family planning services with abortion activities. These rules required not only complete financial separation, but also physical separation of abortion activities from Title X service sites and separate personnel. These rules were upheld by the Supreme Court in *Rust v. Sullivan*, 500 U.S. 173 (1991).

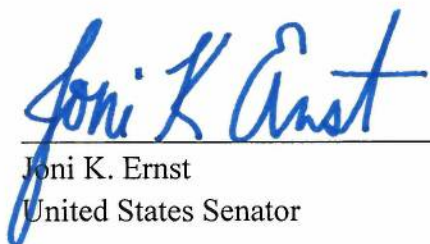
We applaud the states that have acted on Congress’ 2017 legislation overturning an Obama-era Title X rule (P.L. 115-23) by redirecting these funds from abortion entities like Planned Parenthood towards community health centers that provide more comprehensive health services for women, but not abortion. Nevertheless, we urge the administration to do more.

Therefore, we request swift action to issue new regulations for the Title X program. These new regulations should ensure program integrity by requiring a robust and complete separation of abortion activities from federally funded family planning activities. Any programs failing to achieve this standard should not receive federal funding.

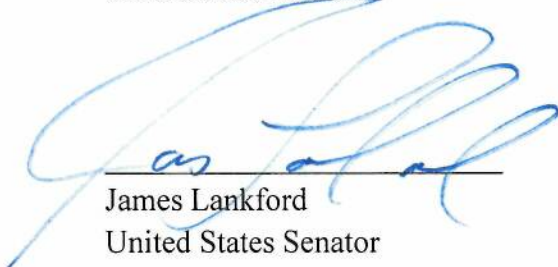
Sincerely,




Roy Blunt  
United States Senator



Joni K. Ernst  
United States Senator



James Lankford  
United States Senator



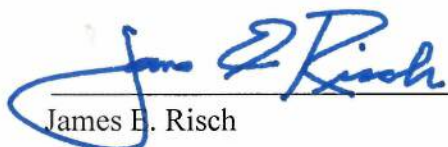
Steve Daines  
United States Senator



Michael B. Enzi  
United States Senator



Michael S. Lee  
United States Senator



James E. Risch  
United States Senator



Tom Cotton  
United States Senator



John Barrasso  
United States Senator



M. Michael Rounds  
United States Senator



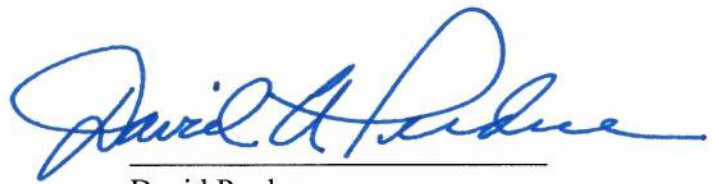
Roger F. Wicker  
United States Senator



James M. Inhofe  
United States Senator



Mike Crapo  
United States Senator



David Perdue  
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Ted Cruz  
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Pat Roberts  
United States Senator



Deb Fischer  
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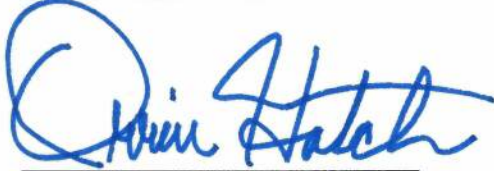
Tim Scott  
United States Senator



Mitch McConnell  
United States Senator



Cindy Hyde-Smith  
United States Senator



Orrin G. Hatch  
United States Senator



Pat Toomey  
United States Senator



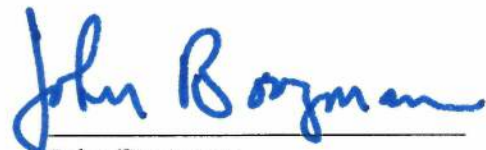
John Thune  
United States Senator



Richard Burr  
United States Senator



John Hoeven  
United States Senator



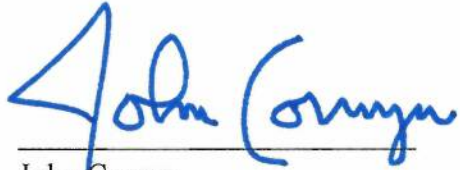
John Boozman  
United States Senator



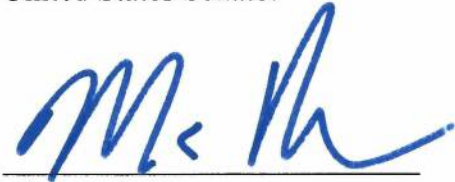
Thom Tillis  
United States Senator



Jerry Moran  
United States Senator



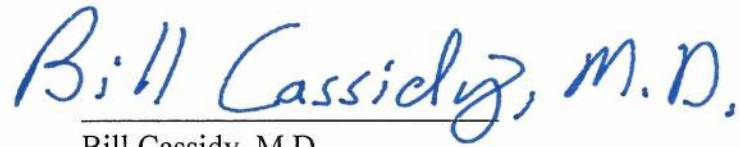
John Cornyn  
United States Senator



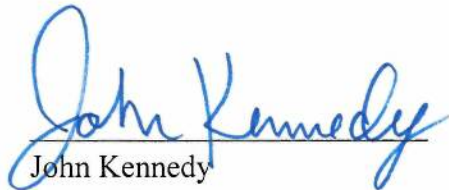
Marco Rubio  
United States Senator



Johnny Isakson  
United States Senator



Bill Cassidy, M.D.  
United States Senator



John Kennedy  
United States Senator



Dan Sullivan  
United States Senator



Ben Sasse  
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Rob Portman  
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Chuck Grassley

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