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June 20, 2023

Secretary Xavier Becerra
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Secretary Becerra,

I write to you with great concern regarding the revocation of federal Title X family planning funding to the State of Tennessee. This funding has supported Tennessee families for decades, and your decision to revoke this funding to score political points is unacceptable.

In a March 20th letter, the Department of Health and Human Services (HHS) informed the State of Tennessee that it will no longer provide longstanding Title X funding. Your department claims that Tennessee is “out of compliance” with Title X regulations because of an incorrect and outdated 2021 HHS rule that requires abortion referrals upon client request. This rule is deeply troubling because the law has been unequivocally clear since its establishment in 1970: Title X funds may not be used to support abortion as a method of family planning, and any abortion activities must be “separate and distinct” from Title X programs. That is the law.

While your department may struggle to comprehend statutory law and your solemn oaths to uphold said laws, the State of Tennessee is operating well within its constitutional and legal bounds. In the wake of *Dobbs v. Jackson Women’s Health Organization*, which justly ruled that abortion is not a constitutional right, Tennessee passed an abortion ban and required healthcare providers to only share information “regarding all options that are legal in the State of Tennessee.” Not only does the 2021 HHS rule violate Congressional intent in Title X, but it also does not reflect the *Dobbs* decision and the latitude of states to protect life.

Furthermore, revoking Title X funds to Tennessee is arbitrary and malicious. While your letter used smoke and mirrors to coerce Tennessee into submission, Tennesseans are under no illusions. The only recent change in Tennessee law and practice, as it pertains to Title X, is the law to protect life. There were no other intervening circumstances or changes that could have provoked this revocation of funds. Your department is targeting Tennessee because this administration believes that everyone must kowtow to the radical pro-abortion agenda. Using Title X funds as a club to beat states into submission on a political issue is a gross violation of your position, especially when considering that these funds have supported Tennessee families for over 50 years.

This administration has made it clear that it will exploit every opportunity to skirt the laws and push its radical agenda on American citizens. I am extremely disappointed that you chosen this divisive path.

Nevertheless, Tennesseans are strong and resilient. As you may know, the state is planning to backfill the dollars revoked by your department because we believe that these programs matter. Your blatant attempt to use money to coerce Tennessee into submission has failed. You now have two choices: push Tennessee further away by continuing to revoke these funds, or restore its rightful status under Title X.

I look forward to hearing your decision.

Sincerely,

A handwritten signature in black ink that reads "Mark E. Green". The signature is written in a cursive, slightly slanted style.

Mark E. Green, MD
Member of Congress