

**NOTE:** In January 2021, the National Family Planning & Reproductive Health Association (NFPRHA), Planned Parenthood Federation of America (PPFA), and the Guttmacher Institute, along with 57 other organizations submitted the below statement of endorsement of Title X strategy to the transition team, and later to officials within the Biden administration. These undersigned organizations applaud the Biden-Harris' administration's speed in developing proposed rulemaking aimed at rescinding the Trump rule within three months of the January 28 presidential memorandum. Additionally, Congress was successful in including \$50 million of supplementary funding for Title X in the American Rescue Plan, and we hope that these funds will be used to bring back grantees who left the Title X program due to the Trump rule this calendar year.

The timeline recently outlined by HHS for finalizing that rulemaking by the fall and issuing a funding announcement in December 2021 will mean that current and former Title X entities will largely see no relief from the Trump rule until mid 2022. For family planning and sexual health provider networks already devastated by the impact of the Trump rule and also facing a global pandemic, this is simply not soon enough. We urge the Biden-Harris administration to continue moving this process forward with the urgency warranted by the situation and take all necessary actions to offer relief in 2021.

## **Statement of Endorsement of Title X Strategy**

The National Family Planning & Reproductive Health Association (NFPRHA), Planned Parenthood Federation of America (PPFA), and the Guttmacher Institute, along with the 57 undersigned organizations, endorse the below strategy with respect to the Title X family planning program.

In 2019, the Trump administration finalized regulations that have devastated the Title X family planning program and communities across the country that rely on the program to access affordable family planning and sexual health care. The Trump Rule, often referred to as the domestic gag rule, caused family planning providers, including Planned Parenthood affiliates which had previously served 40% of Title X patients, in 34 states to leave the program. Following the rule's implementation, the Title X program's reach in California alone decreased by an estimated 750,000 patients, and there are currently six states with no active Title X service providers,<sup>1</sup> and ten additional states with significantly reduced access.<sup>2,3</sup> At least 1.5 million people, many of whom are low-income or are people of color who experience disproportionate barriers to care due in part to systemic racism and oppression, have lost access to Title X-funded care. This is particularly harmful in the midst of the COVID-19 pandemic which has disproportionately affected Black and Indigenous communities, and other people of color.

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<sup>1</sup> Hawaii, Maine, Oregon, Utah, Vermont and Washington.

<sup>2</sup> In Connecticut, Illinois, and New York, the Title X network capacity has been reduced by 90-99 percent; in California, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey and Ohio, the Title X network capacity has been reduced by 50-89 percent.

<sup>3</sup> Dawson, Ruth. "Trump Administration's Domestic Gag Rule Has Slashed the Title X Network's Capacity by Half." Guttmacher Institute, February 26, 2020. <https://www.guttmacher.org/article/2020/02/trump-administrations-domestic-gag-rule-has-slashed-title-x-networks-capacity-half>.

Fortunately, there are immediate steps the Biden-Harris administration can and should take to reverse the damage. Reinstating the program as intended is directly in line with the Biden-Harris top priorities related to COVID, racial justice, and economic justice.

Specifically, the administration should do the following.

1. **Day 1: Executive Action.** In addition to issuing an Executive Order to protect and expand access to sexual and reproductive health care, President Biden should issue a presidential memorandum directing the Department of Health and Human Services (HHS) to:
  - a. Immediately take all lawful steps to cease applying the Trump Rule and issue an Interim Final Rule within 30 days that rescinds the Trump Rule and reinstates the regulations that previously governed the program; and
  - b. Reinforce the Title X program's alignment with the US clinical standards for family planning (known as the "QFP," short for quality family planning) developed in partnership by the Centers for Disease Control and Prevention (CDC) and the Office of Population Affairs (OPA).
2. **First 30 Days: HHS should issue an Interim Final Rule** that rescinds the Trump Rule, reinstates the regulations that governed Title X prior to 2019, and reinforces the program's superior quality standards, in accordance with President Biden's presidential memorandum on Title X.
3. **Award New Grants.** The current service grant period ends in March 2022, meaning that no new competitions for funding are set to run until late 2021. It is important to get Title X funds to those jurisdictions and providers that lost their funding due to the gag rule as soon as possible through a nearly immediate funding competition to restore services to those areas.

## **Conclusion**

As the Biden-Harris administration seeks to bring the COVID-19 pandemic under control, restoring the Title X network and once more ensuring Title X-funded providers offer the best possible care to their patients will be essential. Current and former Title X-funded providers, and more importantly their patients, are disproportionately shouldering the burdens of the pandemic—medically as well as financially—while simultaneously shouldering the burdens of the havoc wrought by the Trump Rule, which will continue without timely executive action. Fortunately, there are immediate and simple steps the Biden-Harris administration can—and should—take to begin to restore the Title X program and community.

## **Endorsing Organizations**

NFPRHA  
PPFA  
Guttmacher Institute  
Abortion Care Network  
Advocates for Youth  
American Academy of Nursing  
American Academy of Pediatrics  
American Atheists  
American Civil Liberties Union  
American College of Nurse-Midwives  
American College of Obstetricians and Gynecologists  
Asian & Pacific Islander American Health Forum  
Association of Schools and Program of Public Health  
Association of Women's Health, Obstetric and Neonatal Nurses  
Big Cities Health Coalition  
Catholics for Choice  
Center for Reproductive Rights  
Community Catalyst  
Endocrine Society  
Healthy Teen Network  
Human Rights Watch  
Ibis Reproductive Health  
In Our Own Voice: National Black Women's Reproductive Justice Agenda  
Ipas  
Jacobs Institute of Women's Health  
Jewish Women International  
March of Dimes  
Medical Students for Choice  
MomsRising  
NARAL Pro-Choice America  
NASTAD  
National Abortion Federation  
National Asian Pacific American Women's Forum (NAPAWF)  
National Association of County and City Health Officials  
National Birth Equity Collaborative  
National Center for Lesbian Rights  
National Coalition of STD Directors  
National Council of Jewish Women  
National Health Law Program  
National Latina Institute for Reproductive Justice  
National Organization for Women  
National Partnership for Women & Families

National Women's Health Network  
National Women's Law Center  
Nurses for Sexual and Reproductive Health  
PAI  
Physicians for Reproductive Health  
Population Connection Action Fund  
Population Institute  
Positive Women's Network-USA  
Power to Decide  
Raising Women's Voices for the Health Care We Need  
Religious Coalition for Reproductive Choice  
Reproductive Health Access Project  
SIECUS: Sex Ed for Social Change  
Society for Adolescent Health and Medicine  
Society for Maternal-Fetal Medicine  
Union for Reform Judaism  
URGE: Unite for Reproductive & Gender Equity  
Women of Reform Judaism