



March 4, 2009

United States Senate
Washington, D.C. 20510

OPPOSE DEMINT AMENDMENT No. 649 TO STRIKE A COMMON SENSE, NO COST, TECHNICAL FIX TO RESTORE WOMEN'S ACCESS TO AFFORDABLE BIRTH CONTROL

Dear Senator:

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On behalf of the American Civil Liberties Union (ACLU), a nonpartisan public interest organization dedicated to protecting the constitutional rights of individuals, its 53 affiliates nationwide, and hundreds of thousands of members and activists, we urge you to vote against Senator DeMint's Amendment No. 649 to HR 1105, the Omnibus Appropriations Act of 2009. The amendment would remove a common-sense, no cost provision that would once again provide women access to low-cost birth control supplies.

For nearly twenty years, Congress increased access to affordable prescription drugs at no cost to the federal government by permitting pharmaceutical companies to offer nominally-priced drugs to certain health care providers voluntarily. Unfortunately, a change made under the Deficit Reduction Act of 2005 (DRA) stripped eligibility for these low-cost drugs from hundreds of family planning providers and university and college health centers.

Since January 2007, when the tightened regulations went into effect, birth control prices skyrocketed for over 3 million college students and roughly 750,000 low-income women. Specifically, the cost has increased from \$5 or \$10 per pack to \$40 or \$50 per pill pack. Some colleges can no longer afford to carry birth control at all. Additionally, in an effort to preserve low and no cost birth control for their low-income patients, safety-net providers are cutting back on staff, hours of operation, and services. The consequences of maintaining the DRA's unintended restrictions on college clinics and safety-net providers are as grave as they are predictable.

A bipartisan group of members of Congress has sought to remedy this unintentional and unfortunate error in HR 1105. Senator DeMint's amendment, which mischaracterizes the provision as an earmark, would destroy that effort to the detriment of millions of women across the country.

Access to safe and effective contraception is a critical component of basic health care for women. Since 1965, when the U.S. Supreme Court first protected a woman's access to contraception, maternal and infant mortality

rates have declined. Without contraception, women have more unplanned pregnancies and are less likely to obtain adequate prenatal care in a timely manner. Access to contraception also gives women control of their fertility, enabling them to decide whether and when to become a parent. Contraception not only furthers the health of women and their families but furthers equality as well, allowing women to make educational and employment choices that will benefit themselves and their families. Recognizing these benefits, the Centers for Disease Control and Prevention declared family planning one of the ten most significant public health achievements of the 20th century. It is imperative that the benefits of birth control continue to reach all women.

For all these reasons, we urge you to oppose the DeMint amendment. Should you have additional questions, please contact Vania Leveille at 202.715.0806 or vleveille@dcaclu.org.

Sincerely,



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