



November 22, 2006

*
The Honorable Michael O. Leavitt
Secretary of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Leavitt:

On behalf of the American Civil Liberties Union, and its hundreds of thousands of activists, members and fifty-three affiliates nationwide, we write to express our grave concerns about the future stewardship of Title X by Deputy Assistant Secretary for Population Affairs, Dr. Eric Keroack.

As you know, Title X is a federal program devoted solely to the provision of family planning and reproductive health care services and is “designed to provide access to contraceptive supplies and information to all who want and need them with priority given to low-income persons.”¹ By educating women about their reproductive options and providing them with a broad array of family planning services, Title X supports a woman’s constitutionally protected right to control procreation and also empowers women to make responsible decisions about their reproductive capacities. Where access to these services is limited or denied, a woman’s civil liberties are abridged.

Dr. Keroack’s professional associations are alarming because they suggest an antagonism to and disregard for a woman’s fundamental right to control her reproductive future.

Specifically, as Medical Director for A Woman’s Concern (AWC), Dr. Keroack was associated with an organization that opposes and does not disseminate information about contraception.² The ACLU believes that governmental restrictions on dissemination of birth control information, or on advocacy of contraception, are violative of the free speech guarantee of the First Amendment and interfere with the right to reproductive freedom. Thus,

¹ <http://opa.osophs.dhhs.gov/titlex/ofp.html>

² http://partners.awomansconcern.org/images/misc/birth_control_policy.pdf (“AWC staff and volunteers will not distribute brochures, books or other materials that advocate and promote the use of contraception. In those rare and unlikely cases where such materials might be the sole means available to educate a client about a particular point of fact regarding contraception, the leaflet or brochure shall be accompanied by a written and/or verbal disclaimer noting that *A Woman’s Concern* does not distribute, or encourage the use of, contraceptive drugs and devices.”)

AMERICAN CIVIL
LIBERTIES UNION
WASHINGTON
LEGISLATIVE OFFICE
915 15th STREET, NW
WASHINGTON, DC 20005
T/202.544.1681
F/202.546.0738
WWW.ACLU.ORG

CAROLINE FREDRICKSON
DIRECTOR

NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
NADINE STROSSEN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

KENNETH B. CLARK
CHAIR, NATIONAL
ADVISORY COUNCIL

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