

United States Senate

WASHINGTON, DC 20510-2509

April 2, 2026

The Honorable Robert F. Kennedy Jr.
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Secretary Kennedy:

I write to express my alarm at the recent decision to release another year of Title X grant funding to abortion providers. These grants, originally approved by the Biden Administration, will now directly subsidize organizations like Planned Parenthood that perform hundreds of thousands of abortions each year. I urge you to reverse course.

As you know, Congress has long intended to protect taxpayer monies from funding abortions. During the first Trump Administration, HHS finalized the “Protect Life Rule” in 2019, which required federal grant recipients to maintain clear physical and financial separation between Title X-funded projects and abortion services. It worked. Planned Parenthood voluntarily withdrew from the program rather than comply, and tens of millions of dollars in Title X funds were redirected to community health centers and other providers that offer family planning services without promoting abortion. In its zeal to pacify the abortion industry, the Biden Administration rescinded that rule. Your predecessor at HHS then gave unprecedented 5-year grants to abortion providers under the family planning grant program.

During your confirmation hearing last January, I asked if you would reinstate the first Trump Administration’s rule preventing Title X funding for entities that perform abortions. To your credit, you answered unequivocally: “yes.” But to my knowledge, no rulemaking process appears to have yet begun. And taxpayer money continues to flow to abortion providers.

So that Congress can conduct appropriate oversight, please provide written responses to the following questions by April 30, 2026.

1. Please explain in detail what specific steps HHS has taken since your confirmation to initiate notice-and-comment rulemaking to reinstate the Protect Life Rule. Please provide a timeline for when a proposed rule will be published in the Federal Register.
2. What court orders, judgments, or consent decrees compel HHS to fund abortion providers, or otherwise represent the “significant legal challenges” cited by HHS spokespersons?
3. In *California v. Azar*, the *en banc* Ninth Circuit upheld the first Trump Administration’s Protect Life Rule.¹ After the Fourth Circuit took a contrary position, the Supreme Court granted *certiorari*,

¹ *California v. Azar*, 950 F.3d 1067 (9th Cir. 2020).

but dismissed the petition after subsequent Biden Administration actions mooted the issue.² What specific legal developments since that decision does HHS believe would impede successful reimplementation of a substantially similar rule?

4. HHS has indicated that the forthcoming FY2027 Title X Notice of Funding Opportunities will “prioritize life and promote the pro-family agenda.” How does HHS ensure, in practice, that Title X funds do not subsidize abortion operations at grantee organizations that co-locate abortion and family planning services in the same facilities, given that money is fungible and every federal dollar offsets other operational costs?

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is written in a cursive, flowing style with a large initial "J" and "H".

Josh Hawley
United States Senator

² https://www.supremecourt.gov/orders/courtorders/051721zor_6537.pdf