

UNITED STATES CONFERENCE OF
CATHOLIC BISHOPS, SECRETARIAT
OF PRO-LIFE ACTIVITIES,

Washington, DC, February 14, 2017.

DEAR REPRESENTATIVE: I write on behalf of the U.S. Conference of Catholic Bishops' Committee on Pro-Life Activities to urge your support for H.J. Res. 43. This resolution of disapproval would nullify former President Obama's final rule relating to compliance with Title X requirements by project recipients. 81 Fed. Reg. 91852 (Dec. 19, 2016). The stated purpose of this rule change is to prevent states from excluding providers such as Planned Parenthood from sub-awards based on state criteria, such as a requirement that sub-recipients provide comprehensive primary and preventive care in addition to family planning services.

The Title X rule change is bad public policy and should be nullified for several reasons. First, it is deeply troubling to many Americans that Planned Parenthood, the nation's largest abortion network (performing over a third of all abortions), receives more than half a billion taxpayer dollars per year. This concern has rightly grown with revelations about Planned Parenthood's willingness to traffic in fetal tissue from abortions, and to alter abortion methods not for any reason related to women's health but to obtain more "intact" organs. Additionally, a recent revelation that the vast majority of Planned Parenthood facilities do not provide prenatal services provides additional evidence of its bias toward providing and promoting abortion.

Second, the Department of Health and Human Service's stated objective in preventing states from ensuring the seamless delivery of comprehensive care places the Department in a self-contradictory position. Last year in the Nation's highest court, HHS touted the seamless coverage of health services as a virtue. Indeed, the Department argued that seamlessness is a government interest of the highest order, sufficient to outweigh constitutionally and statutorily protected religious objections.

In this new rule, however, HHS takes the opposite position, saying that the seamless provision of services is an ill to be avoided. The present rule would ensure that the provision of care is fragmented, rather than seamless, because it would undermine state requirements that sub-recipients provide primary and preventive care in addition to family planning. Seamlessness cannot at one and the same time be a government interest of the highest order when it disadvantages religious organizations, but an affirmative ill to be avoided when it disadvantages Planned Parenthood.

Third, states may have other reasonable and persuasive grounds for disqualifying entities from sub-awards that go beyond the ability of such entities to "provide Title X services" as the rule states (81 Fed. Reg. at 91860). For example, a sub-award applicant may have been involved in fraudulent practices, or the applicant or its stakeholders may even have committed a crime, bearing on the applicant's fitness and suitability for a sub-award. Indeed, the requirements for federal awards and sub-awards in general are typically accompanied by all sorts of standards, many of which are imposed by the federal government itself, and those standards often have little or nothing to do with the ability to provide services (governmental guidelines are replete with such requirements). States may also have widely differing standards for sub-awardees based on the states' own policy judgment. Therefore, it should be permissible for states to decline to make a sub-award when the sub-awardee does not meet applicable criteria, whether federal or state, even if the entity is, strictly

speaking, able to "provide Title X services." Those criteria, of course, themselves remain subject to applicable federal and state law.

For each of these reasons, we urge you to support H.J. Res. 43.

Sincerely,

TIMOTHY CARDINAL DOLAN,
*Chairman, Committee
on Pro-Life Activities,
United States
Conference of
Catholic Bishops.*

Mrs. BLACK. Madam Speaker, the 10th Amendment of the Constitution reads pretty clearly to me: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

I understand that there is a diversity of views represented in this Chamber on matters of health care and human life. I am not asking my colleagues to set those views aside with this vote. I am simply asking them not to substitute their judgment for the will of the States.

With this resolution, we are letting States care for their citizens the best way they know, just as they have had that ability for the past 45 years, and we are maintaining access to care for women and families.

I urge a "yes" vote on this resolution.

I yield back the balance of my time.

Ms. ESHOO. Madam Speaker, I rise today in opposition to H.J. Res. 43 which is another baseless and dangerous attack on women's health care providers.

The title X Family Planning Rule, passed almost 50 years ago, already requires states to base title X funding on a provider's ability to provide title X services. This rule protects title X providers from facing unwarranted discrimination and allows them to continue doing the important work 4 million Americans rely on every year. Title X services include family planning services, cancer screenings, birth control, STI testing and basic care. To diminish these services will result in women, men and young people with the greatest need being denied the opportunity to have any health care.

Whether or not a provider provides safe and legal abortions with private funds is irrelevant to their ability and capacity to provide title X services. In fact, it is preventive services and family planning offered through title X programs that help to lower the number of unintended pregnancies. But attacks on these providers and the services they offer in their communities persist.

This resolution rolls back protections that should already be guaranteed, but repeated attacks on family planning providers have resulted in the need for rules like the one this resolution dismantles. That is why I strenuously oppose this resolution. It should be rejected as an unjustified and unnecessary attack on title X programs and the services they provide for millions of low income Americans.

Mrs. DAVIS of California. Madam Speaker, it's been less than two months since the start of the 115th Congress and Republicans have already taken every opportunity to roll back progress made for women.

They have pledged to tear down the Affordable Care Act and block access to Planned Parenthood.

They passed a bill through the House that limits insurance coverage for comprehensive reproductive healthcare.

Now they've turned their sights to title X, a family planning program that is crucial for women's health.

There are serious consequences for scaling back title X: without the contraceptive services provided at these title X sites, pregnancy rates would be 30 percent higher among teens.

We in government should be making it easier for young people to make smart and informed decisions, not depriving them of the ability to be responsible about their health.

Please, Madam Speaker, think about those young women. Their lives and their health should be a concern to all of us.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 123, the previous question is ordered on the joint resolution.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. DEGETTE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Passing H.J. Res. 69;

Passing H.J. Res. 43; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONGRESSIONAL
DISAPPROVAL OF FINAL RULE
OF DEPARTMENT OF THE INTERIOR

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska", on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The vote was taken by electronic device, and there were—yeas 225, nays 193, not voting 12, as follows:

[Roll No. 98]
YEAS—225

Abraham	Goodlatte	Nunes
Aderholt	Gosar	Palazzo
Allen	Gowdy	Palmer
Amash	Granger	Paulsen
Arrington	Graves (GA)	Pearce
Babin	Graves (LA)	Perry
Bacon	Graves (MO)	Peterson
Banks (IN)	Griffith	Pittenger
Barletta	Grothman	Poe (TX)
Barr	Guthrie	Poliquin
Bergman	Harper	Posey
Biggs	Harris	Ratcliffe
Bilirakis	Hartzler	Reed
Bishop (MI)	Hensarling	Renacci
Bishop (UT)	Herrera Beutler	Rice (SC)
Black	Hice, Jody B.	Roby
Blackburn	Higgins (LA)	Roe (TN)
Blum	Hill	Rogers (AL)
Bost	Holding	Rogers (KY)
Brady (TX)	Hollingsworth	Rohrabacher
Brat	Hudson	Rokita
Bridenstine	Huizenga	Rooney, Francis
Brooks (AL)	Hultgren	Rooney, Thomas J.
Brooks (IN)	Hunter	Roskam
Buchanan	Hurd	Ros-Lehtinen
Buck	Issa	Ross
Bucshon	Jenkins (KS)	Rothfus
Budd	Jenkins (WV)	Rouzer
Burgess	Johnson (LA)	Royce (CA)
Byrne	Johnson (OH)	Russell
Calvert	Johnson, Sam	Rutherford
Carter (GA)	Jones	Sanford
Carter (TX)	Jordan	Scalise
Chabot	Joyce (OH)	Schweikert
Chaffetz	Katko	Scott, Austin
Cheney	Kelly (MS)	Sensenbrenner
Coffman	Kelly (PA)	Sessions
Cole	Kind	Shimkus
Collins (GA)	King (IA)	Shuster
Collins (NY)	Kinzinger	Simpson
Comer	Knight	Smith (MO)
Comstock	Kustoff (TN)	Smith (NE)
Conaway	Labrador	Smith (TX)
Cook	LaHood	Smucker
Costello (PA)	LaMalfa	Stefanik
Cramer	Lamborn	Stivers
Crawford	Lance	Taylor
Cuellar	Latta	Tenney
Culberson	Lewis (MN)	Thompson (PA)
Davidson	Long	Thornberry
Davis, Rodney	Loudermilk	Tiberi
Denham	Love	Tipton
Dent	Lucas	Turner
DeSantis	Luetkemeyer	Valadao
DesJarlais	Marchant	Vela
Diaz-Balart	Marino	Wagner
Duffy	Marshall	Walberg
Duncan (SC)	Massie	Walden
Duncan (TN)	Mast	Walker
Dunn	McCarthy	Walorski
Emmer	McCaul	Walters, Mimi
Farenthold	McClintock	Weber (TX)
Faso	McHenry	Webster (FL)
Ferguson	McKinley	Wenstrup
Fleischmann	McMorris	Westerman
Flores	Rodgers	Williams
Fortenberry	Meadows	Wilson (SC)
Fox	Meehan	Wittman
Franks (AZ)	Messer	Womack
Frelinghuysen	Mitchell	Woodall
Gaetz	Moolenaar	Yoder
Gallagher	Mooney (WV)	Yoho
Garrett	Mullin	Young (AK)
Gibbs	Murphy (PA)	Young (IA)
Gohmert	Newhouse	Zeldin
Gonzalez (TX)	Noem	

NAYS—193

Adams	Bonamici	Carbajal
Aguilar	Boyle, Brendan	Cárdenas
Barragán	F.	Carson (IN)
Beatty	Brady (PA)	Cartwright
Bera	Brown (MD)	Castor (FL)
Beyer	Brownley (CA)	Castro (TX)
Blumenauer	Bustos	Chu, Judy
Blunt Rochester	Capuano	Cicilline

Clark (MA)	Johnson (GA)	Pelosi
Clarke (NY)	Johnson, E. B.	Perlmutter
Clay	Kaptur	Peters
Cleaver	Keating	Pingree
Clyburn	Kelly (IL)	Pocan
Cohen	Kennedy	Polis
Connolly	Khanna	Price (NC)
Conyers	Kihuen	Quigley
Cooper	Kildee	Raskin
Correa	Kilmer	Reichert
Costa	King (NY)	Rice (NY)
Courtney	Krishnamoorthi	Ros-Lehtinen
Crist	Kuster (NH)	Rosen
Crowley	Langevin	Roybal-Allard
Cummings	Larsen (WA)	Ruiz
Davis (CA)	Larson (CT)	Ruppersberger
Davis, Danny	Lawrence	Ryan (OH)
DeFazio	Lawson (FL)	Sánchez
DeGette	Lee	Sarbanes
Delaney	Levin	Schakowsky
DeLauro	Lewis (GA)	Schiff
DelBene	Lieu, Ted	Schneider
Demings	Lipinski	Schrader
DeSaulnier	LoBiondo	Scott (VA)
Deutch	Loeb	Scott, David
Dingell	Lofgren	Serrano
Doggett	Lowenthal	Sewell (AL)
Donovan	Lowe	Shea-Porter
Doyle, Michael	Lujan Grisham, M.	Sherman
F.	Lujan, Ben Ray	Sinema
Ellison	Lynch	Sires
Engel	MacArthur	Slaughter
Eshoo	Maloney,	Smith (NJ)
Espallat	Carolyn B.	Smith (WA)
Esty	Maloney, Sean	Soto
Evans	Matsui	Speier
Fitzpatrick	McCollum	Suozi
Foster	McEachin	Swalwell (CA)
Frankel (FL)	McGovern	Takano
Fudge	McNerney	Thompson (CA)
Gabbard	McSally	Thompson (MS)
Gallego	Meeks	Titus
Garamendi	Meng	Tonko
Gottheimer	Moore	Torres
Green, Al	Moulton	Tsongas
Green, Gene	Murphy (FL)	Upton
Grijalva	Nadler	Vargas
Gutiérrez	Napolitano	Veasey
Hanabusa	Neal	Velázquez
Hastings	Nolan	Visclosky
Heck	Norcross	Walz
Higgins (NY)	O'Halleran	Wasserman
Himes	O'Rourke	Schultz
Hoyer	Pallone	Waters, Maxine
Huffman	Panetta	Watson Coleman
Jackson Lee	Pascrell	Welch
Jayapal	Payne	Wilson (FL)
Jeffries		Yarmuth

NOT VOTING—12

□ 1516

Messrs. WALZ and REICHERT changed their vote from “yea” to “nay.”

Mr. ADERHOLT changed his vote from “nay” to “yea.”

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE BY SECRETARY OF HEALTH AND HUMAN SERVICES

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients, on which a recorded vote was ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 188, not voting 12, as follows:

[Roll No. 99]
AYES—230

Abraham	Graves (LA)	Palmer
Aderholt	Graves (MO)	Paulsen
Allen	Griffith	Pearce
Amash	Grothman	Perry
Arrington	Guthrie	Peterson
Babin	Harper	Pittenger
Bacon	Harris	Poe (TX)
Banks (IN)	Hartzler	Poliquin
Barletta	Hensarling	Posey
Barr	Herrera Beutler	Ratcliffe
Bergman	Hice, Jody B.	Reed
Biggs	Higgins (LA)	Reichert
Bilirakis	Hill	Renacci
Bishop (MI)	Holding	Rice (SC)
Bishop (UT)	Hollingsworth	Roby
Black	Hudson	Roe (TN)
Blackburn	Huizenga	Rogers (AL)
Blum	Hultgren	Rogers (KY)
Bost	Hunter	Rohrabacher
Brady (TX)	Hurd	Rokita
Brat	Issa	Rooney, Francis
Bridenstine	Jenkins (KS)	Rooney, Thomas J.
Brooks (AL)	Jenkins (WV)	Ros-Lehtinen
Brooks (IN)	Johnson (LA)	Roskam
Buchanan	Johnson (OH)	Ross
Buck	Johnson, Sam	Rothfus
Bucshon	Jones	Rouzer
Budd	Jordan	Royce (CA)
Burgess	Joyce (OH)	Russell
Byrne	Katko	Rutherford
Calvert	Kelly (MS)	Sanford
Carter (GA)	Kelly (PA)	Scalise
Carter (TX)	King (IA)	Schweikert
Chabot	King (NY)	Scott, Austin
Chaffetz	Kinzing	Sensenbrenner
Cheney	Knight	Sessions
Coffman	Kustoff (TN)	Shimkus
Cole	Labrador	Shuster
Collins (GA)	LaHood	Simpson
Collins (NY)	LaMalfa	Smith (MO)
Comer	Lamborn	Smith (NE)
Comstock	Lance	Smith (NJ)
Conaway	Latta	Smith (TX)
Cook	Lewis (MN)	Smucker
Costello (PA)	Lipinski	Stefanik
Crawford	LoBiondo	Stivers
Culberson	Long	Taylor
Davidson	Loudermilk	Tenney
Davis, Rodney	Love	Thompson (PA)
Denham	Lucas	Thornberry
DeSantis	Luetkemeyer	Tiberi
DesJarlais	MacArthur	Tipton
Diaz-Balart	Marchant	Turner
Donovan	Marino	Valadao
Duffy	Marshall	Wagner
Duncan (SC)	Massie	Walberg
Duncan (TN)	Mast	Walden
Dunn	McCarthy	Walker
Emmer	McCaul	Walorski
Farenthold	McClintock	Walters, Mimi
Ferguson	McHenry	Weber (TX)
Fitzpatrick	McKinley	Webster (FL)
Fleischmann	McMorris	Wenstrup
Flores	Rodgers	Westerman
Fortenberry	McSally	Williams
Fox	Meadows	Wilson (SC)
Franks (AZ)	Meehan	Wittman
Frelinghuysen	Messer	Womack
Gaetz	Mitchell	Woodall
Gallagher	Moolenaar	Yoder
Garrett	Mooney (WV)	Yoho
Gibbs	Mullin	Young (AK)
Gohmert	Murphy (PA)	Young (IA)
Goodlatte	Newhouse	Zeldin
Gosar	Noem	
Gowdy	Nunes	
Granger	Olson	
Graves (GA)	Palazzo	

NOES—188

Adams	Bera	Bonamici
Aguilar	Beyer	Boyle, Brendan
Barragán	Blumenauer	F.
Beatty	Blunt Rochester	Brady (PA)