Congress of the United States

Washington, DC 20515

November 20, 2006

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

Dear Mr. Secretary:

We are writing about your recent appointment of Dr. Eric Keroack to the office of Deputy Assistant Secretary for Population Affairs at HHS. In this role he would oversee the Title X Family Planning Program, which provides family planning services as well as other critical health services such as breast and cervical cancer screening, HIV counseling and screening, and pregnancy tests and counseling.[1] We are concerned that Dr. Keroack has promoted policies — including the refusal to distribute contraception even to married women — that directly conflict with the mission of the federal program.

Misinformation on Women's Health

Women who receive medical care through the Title X program deserve high-quality, medically accurate information. Dr. Keroack has not displayed a commitment to providing accurate information in the area of reproductive health.

Until his appointment, Dr. Keroack served as Medical Director of a network of "crisis pregnancy centers" in Massachusetts. Along with other distortions and misleading statements, the pamphlet on abortions published by these centers tells women that an abortion increases the risk of breast cancer by 50%, and that abortions can multiply the risk of breast cancer by as much as a factor of eight for teens.[2]

These statements are false. The scientific consensus that abortion does not cause breast cancer is based on several well-designed studies, the largest of which was published in the New England Journal of Medicine in 1997.[3] A panel convened by the National Cancer Institute in 2003 reviewed all existing population-based, clinical, and animal data and concluded that

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[1] HHS, Office of Population Affairs, Office of Family Planning (online at http://opa.osophs.dhhs.gov/titlex/ofp.html).

[2] A Woman's Concern Pregnancy Health Services, *Health and Safety Checklist for Women Considering Abortion* (online at www.awomansconcern.org/images/health_and_safety_2006.pdf).

[3] Mads Melbye et al., *Induced Abortion and the Risk of Breast Cancer*, 336 NEW ENG. J. MED. 81, 84 (1997).

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"[i]nduced abortion is not associated with an increase in breast cancer risk," ranking this conclusion as "[w]ell-established."[4]

Opposition to Contraception for Married and Unmarried Women

We are also concerned because Dr. Keroack has actively opposed women's access to contraception. The network of "crisis pregnancy centers" where he has been serving as Medical Director explicitly refuses to distribute contraception or referrals for contraception. This applies even to married women.

The network's policy statement on contraception reflects a complete opposition to contraceptive drugs or devices. It states that "the crass commercialization and distribution of birth control is demeaning to women, degrading of human sexuality, and adverse to human health and happiness." [5]

According to the policy statement:

> 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.[6]

The network's policies against providing contraception or referrals to contraception "apply to both married and unmarried couples."[7]

This policy is entirely at odds with the mission of the Title X program that Dr. Keroack has been appointed to administer. According to its website, the Title X program "is designed to provide access to contraceptive supplies and information to all who want and need them .... A

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[4] National Cancer Inst., *Summary Report: Early Reproductive Events and Breast Cancer* (Mar. 4, 2003) (available online at www.cancer.gov/cancerinfo/ere-workshop-report).

[5] A Woman's Concern Pregnancy Health Services, *Policy on Contraception and "Emergency Contraception"* (online at http://partners.awomansconcern.org/images/misc/birth_control_policy.pdf).

[6] *Id.*

[7] *Id.*

broad range of effective and acceptable family planning methods and related preventive health services are available."[8]

Conclusion

Someone who oversees the provision of inaccurate medical information about an issue as crucial to women's health as breast cancer should not be responsible for overseeing the federal program that provides health services, including breast cancer detection services, for 5 million women a year. The medical director of a network whose policy was not to provide contraception or referrals for contraception — even to married couples — is not the appropriate person to administer a federal program designed to provide birth control and other reproductive services to American women.

We urge you to rescind this appointment and appoint a professional who is committed to medical accuracy and access to safe and effective contraception.

Sincerely,

Henry A. Waxman
Member of Congress

Carolyn B. Maloney
Member of Congress

Louise McIntosh Slaughter
Member of Congress

Lois Capps
Member of Congress

Nita M. Lowey
Member of Congress

Jay Inslee
Member of Congress

Diana DeGette
Member of Congress

[8] HHS, Office of Population Affairs, Office of Family Planning (online at http://opa.osophs.dhhs.gov/titlex/ofp.html).