

May 24, 2016

The Honorable Virginia Foxx
Chair
Subcommittee on Higher Education and
Workforce Training
Committee on Education and the Workforce
2176 Rayburn House Office Building
Washington, DC 20515

The Honorable Rubén Hinojosa
Ranking Member
Subcommittee on Higher Education and
Workforce Training
Committee on Education and the Workforce
2176 Rayburn House Office Building
Washington, DC 20515

RE: Subcommittee Hearing “Demanding Accountability at the Corporation for National and Community Service”

Dear Chairwoman Foxx and Ranking Member Hinojosa:

The undersigned organizations submit this letter for the record of today’s hearing, “Demanding Accountability at the Corporation for National and Community Service.” We oppose further restrictions on women’s health care for those served by AmeriCorps members.

This hearing follows a recent investigation¹ by the Office of Inspector General (OIG) of the Corporation for National and Community Service (CNCS), which reported that a few AmeriCorps members provided emotional support to women during abortion procedures at several New York City community health centers. CNCS OIG came to the flawed conclusion that the support in question violated the Serve America Act’s (SAA) restriction on “providing abortion services or referrals for receipt of such services.”²

We oppose abortion restrictions wherever they exist. Unfortunately, in this case, a harmful restriction has been exacerbated by an overly broad OIG interpretation. The SAA should not be read to restrict AmeriCorps members from supporting, accompanying, or comforting patients receiving any health care service, including an abortion. The law’s legislative history demonstrates that Congress intended to include only a narrow and specific restriction. In fact, in adopting the final bill on a bipartisan basis, Congress rejected an earlier version of the bill that included a broader restriction.³ The OIG’s misinterpretation of the SAA’s restriction is not only harmful to women, it also stigmatizes abortion care and threatens the underlying goals of the program.

Unfortunately, the fact that a few AmeriCorps members provided compassionate emotional support to women seeking abortion is now being used to justify broad restrictions on

¹ Major AmeriCorps Grantee Allowed Members to Provide Abortion-Related Services Prohibited by Law; CNCS Management Undertakes Robust Actions in Response, Apr. 26, 2016, <https://www.cncoig.gov/sites/default/files/nachc.pdf>.

² 42 U.S.C. § 12584(a)(9).

³ An early version of the bill that became the SAA prohibited members from placement at “organizations that provide or promote abortion services, including referral for such services.” In the final SAA, that language was deleted and replaced with the much more limited prohibition on members “providing” or “referring for” abortion services. *Compare* H.R. 1388, 111th Cong. (2009) and 42 U.S.C. § 12584(a)(9).

reproductive health care.⁴ AmeriCorps members serve in clinics that provide care to underserved patient populations with a high need for quality reproductive health information and services. Restricting care to these patients hurts women and undermines the important role of AmeriCorps.

We urge members of the subcommittee to stand up for the communities that AmeriCorps serves. We oppose the OIG's misconstruction of the law and urge members of the subcommittee to ensure that these communities do not face additional obstacles to getting the health care they need.

Sincerely,

Advocates for Youth
American Civil Liberties Union
Catholics for Choice
Center for Reproductive Rights
Institute for Science and Human Values, Inc.
NARAL Pro-Choice America
National Abortion Federation
National Center for Lesbian Rights
National Council of Jewish Women
National Latina Institute for Reproductive Health
National Network of Abortion Funds
National Organization for Women
National Women's Law Center
Physicians for Reproductive Health
Planned Parenthood Federation of America
Religious Institute
Reproductive Health Technologies Project
Unitarian Universalist Women's Federation
URGE: Unite for Reproductive & Gender Equity

cc: Members of the Subcommittee

⁴ In response to the CNCS OIG investigation, the National Association of Community Health Centers (NACHC) recently updated contract language and training materials for AmeriCorps members to include restrictions that improperly go far beyond the scope of what Congress intended and what the statute actually prohibits, including a ban on providing services to patients seeking or considering abortion, even if the services are unrelated to the abortion, as well as on providing neutral, non-directive counseling and information regarding abortion to patients.