



# American Public Health Association

*Working for a Healthier World*

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September 26, 2006

Dear Representative:

On behalf of the American Public Health Association (APHA), the oldest, largest and most diverse organization of public health professionals in the world, dedicated to protecting all Americans and their communities from preventable, serious health threats and assuring community-based health promotion and disease prevention activities and preventive health services are universally accessible in the United States, I write in strong opposition of S.403, The Child Custody Protection Act. This legislation would make it a federal crime for any person, other than a parent, to accompany a young woman to an out-of-state doctor for family planning services if the home state's parental-involvement law has not been met. We urge you to vote against this measure today.

Teens who decide they cannot involve a parent – for whatever reason – often seek help and guidance from other trusted adults. Unfortunately, this bill would deter them from doing so. The Child Custody Protection Act would make criminals of grandparents, adult siblings, and even clergy members for helping young women obtain medical care. Even if that person does not know that the home state parental-involvement law has been violated. If passed, this bill would force these young women to face these situations alone, rather than with the guidance and council of a trusted adult.

Additionally, this legislation is unconstitutional and tramples on some of the most basic principles of federalism. In the words of legal scholars Laurence Tribe of Harvard University and Peter Rubin of Georgetown University, the legislation “violates the rights of states to enact and enforce their own laws governing conduct within their territorial boundaries, and the rights of the residents of each of the United States and of the District of Columbia to travel to and from any state of the Union for lawful purposes, a right strongly affirmed by the Supreme Court....”

As part of the Association's continuing effort to inform our members on the nation's public health policies, APHA annually publishes a record of how members of Congress voted on particular issues of importance to public health. APHA will include the House's vote on this bill in our 2006 summary.

For these reasons, we urge you to oppose this dangerous legislation. Thank you for your vote in opposition to the Child Custody Protection Act.

Sincerely,

A handwritten signature in black ink that reads "Georges C. Benjamin". The signature is written in a cursive, flowing style.

Georges C. Benjamin, MD, FACP  
Executive Director