



Written by [Dave Bohon](#) on August 24, 2012

Federal Court Rules for Texas' Defunding of Planned Parenthood

A federal appeals court has ruled that the state of Texas may move ahead with a law it passed to defund abortion giant Planned Parenthood. On August 21 the 5th U.S. Circuit Court of Appeals reversed an injunction imposed by a federal judge that would have allowed the state funding to continue pending the results of a lawsuit Planned Parenthood had filed to challenge the law. The [Associated Press](#) reported that the measure, passed by the Republican-controlled Texas state legislature in early 2012, will block Planned Parenthood clinics and other abortion providers from receiving funds for "family planning" services dispersed through the state's Women's Health Program.



"We appreciate the court's ruling and will move to enforce state law banning abortion providers and affiliates from the Women's Health Program as quickly as possible," said Stephanie Goodman, a spokeswoman for the state Health and Human Services Commission.

The federal ruling is the latest move in the state's effort to circumvent the Obama administration's aggressive campaign to protect the abortion giant's conduit to tax money. "Federal funds paid for 90 percent, or about \$35 million, of the \$40 million Women's Health Program until the new rule went into effect," reported the AP. "Federal officials are now phasing out support for the program."

Pro-life Texas Governor Rick Perry called the ruling "a win for Texas women, our rule of law, and our state's priority to protect life," and has promised that the state will make up for the loss of federal funding to ensure that the Women's Health Program can continue. "Texas will continue providing important health services for women through this program in spite of the Obama administration's disregard for our state law and unilateral decision to defund this program," he said.

Planned Parenthood head Cecile Richards, whose late mother served as the governor of Texas in the 1990s, insisted that the case "has never been about Planned Parenthood — it's about the women who rely on Planned Parenthood for cancer screenings, birth control, and well-woman exams." She added that it is "shocking that politics would get in the way of women receiving access to basic health care." In its lawsuit Planned Parenthood argued that the funding ban violated its First Amendment free speech guarantees, a charge that the state's attorney general, Greg Abbott, countered by pointing out that state lawmakers are empowered by voters to decide which organizations receive state funds. While a federal judge in Austin ruled that the funding must continue pending the lawsuit's October 2012 trial, the three-judge panel for the appeals court overruled that injunction, predicting that Planned Parenthood's free speech strategy would ultimately fail.

Abbott applauded the ruling, saying that it "rightfully recognized that the taxpayer-funded Women's Health Program is not required to subsidize organizations that advocate for elective abortion."



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The AP noted that the federal ruling comes as other state legislatures committed to pro-life principles “try to pass and enforce laws to put Planned Parenthood out of business and make getting an abortion more difficult. Earlier this year the same court upheld a new Texas law requiring doctors to perform a sonogram and provide women with a detailed description of the fetus before carrying out an abortion.” Matt Staver of [Liberty Counsel](#), a conservative legal advocacy group, said that the ruling, which could influence the efforts of other states to defund the abortion giant, represents “a win for the unborn, for states’ rights, and for taxpayers.” Staver noted that the first right given by God is “the right to life. Without life, no other constitutional rights matter.” He added that “our founding fathers ensured that our state representatives would control state spending. The Texas legislature decides how to appropriate Texas revenues, not the courts, not powerful lobbying organizations, and not the President of the United States.”

According to pro-life research, Planned Parenthood, which is the nation’s top abortion provider, is responsible for the death of a pre-born baby approximately every 96 seconds. The U.S. Government Accountability Office (GAO) reported that between 2002 and 2009 pro-abortion groups such as Planned Parenthood received over one billion dollars in federal funding, not to mention state and local grants. Planned Parenthood alone received \$657.1 million in federal grants and contracts during that time period.

Photo: The Texas State Capitol building, Austin



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