

## COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

December 9<sup>th</sup>, 2019

The Honorable Alex M. Azar II  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue SW  
Washington, DC 20201

Dear Secretary Azar:

As Members of the Committee on Ways & Means, we are writing in response to proposed changes at the U.S. Department of Health & Human Services (HHS) that appear to allow discrimination and abdicate the federal government's responsibility to serve all Americans regardless of faith, who they are, or who they love.

Specifically, we have concerns regarding the Notice of Proposed Rulemaking (NPRM) to amend certain HHS regulations pertaining to Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards, and the associated Notification of Nonenforcement of Health & Human Services Grants Regulation (Nonenforcement Notice), both of which were published in the Federal Register on Tuesday, November 19, 2019.

**We ask that HHS immediately rescind the Nonenforcement Notice and resume enforcement of all anti-discrimination laws.**

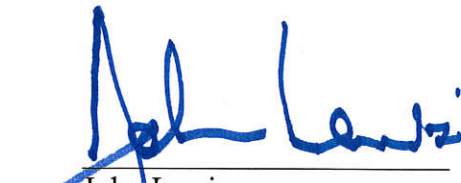




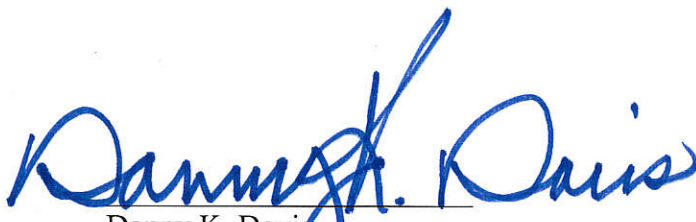

The Committee on Ways & Means has jurisdiction over a host of federal grant programs which are affected by this policy change, including Health and Human Services grants within titles IV, V, XI Part B, XVIII, XIX, and XX of the Social Security Act. These programs are absolutely critical to the health and well-being of American children, adults, and families.

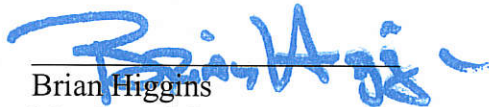
We ask that HHS provide to the Committee on Ways & Means an analysis of the scope to which the changes proposed in the NPRM would affect racial and ethnic minorities, gender minorities, children, parents, people with disabilities, the aging population, LGBTQ people, children in the child welfare system, parents in the child welfare system, and all groups of people considered a "protected class" under the law.

Additionally, based on the Nonenforcement Notice citing concerns about how the Department complied with the Regulatory Flexibility Act (RFA), please provide a description of the process through which HHS identified its concerns with RFA compliance, a brief outline of any other rules captured in that review, and an analysis of the economic impact on affected entities.

Please provide all responses *no later than December 31, 2019*. In the meantime, we expect HHS to resume providing vulnerable children, seniors, persons with disabilities, and families with full protections against discrimination.

Sincerely,

  
Richard E. Neal  
Chairman  
John Lewis  
Member of Congress  
Lloyd Doggett  
Member of Congress  
Mike Thompson  
Member of Congress  
John B. Larson  
Member of Congress  
Earl Blumenauer  
Member of Congress  
Ron Kind  
Member of Congress  
Bill Pascrell, Jr.  
Member of Congress  
Danny K. Davis  
Member of Congress  
Linda T. Sánchez  
Member of Congress



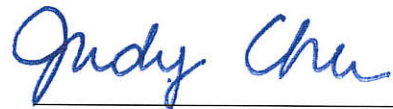
Brian Higgins  
Member of Congress




Terri Sewell  
Member of Congress



Suzan DelBene  
Member of Congress



Judy Chu  
Member of Congress



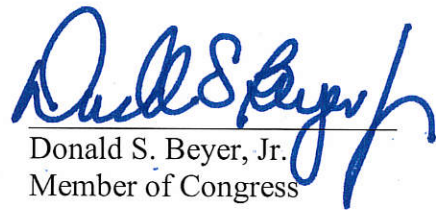
Gwen S. Moore  
Member of Congress



Daniel T. Kildee  
Member of Congress



Brendan F. Boyle  
Member of Congress



Donald S. Beyer, Jr.  
Member of Congress



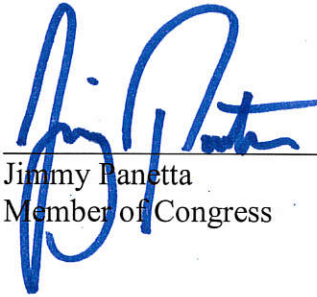
Dwight Evans  
Member of Congress



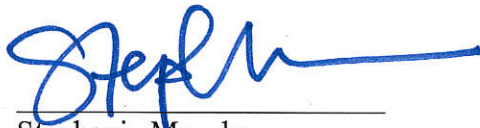
Bradley S. Schneider  
Member of Congress



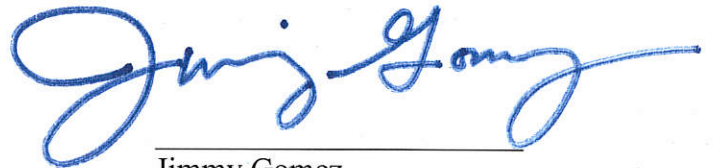
Thomas R. Suozzi  
Member of Congress



Jimmy Panetta  
Member of Congress



Stephanie Murphy  
Member of Congress



Jimmy Gomez  
Member of Congress



Steven Horsford  
Member of Congress