

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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April 6, 2018

The Honorable Alex M. Azar II
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Mr. Secretary:

I am writing to request information about why the Trump Administration has scrubbed information about breast cancer, preventive services guaranteed by the Affordable Care Act, and various LGBTQ health issues from the Department's website for the Office of Women's Health.

It is unclear why the Trump Administration would want women to have less information about their health care rather than more. Not only do the Trump Administration's actions appear to violate the federal law that requires notice before restricting public information in this way, but they defy common sense.

The Department has not claimed that any of this information was inaccurate or that it was replacing it with more complete or useful materials. Instead, it appears that the Trump Administration simply determined that the Department should no longer make this information available.

A recent investigation by the nonpartisan Sunlight Foundation revealed that the Trump Administration removed an entire website dedicated to breast cancer—the most common cancer diagnosed in women, which will affect 1 in 8 women in their lifetimes. According to the Sunlight Foundation's report, the Department deleted:

- the entire “Breast Cancer” website and six related webpages, including “Breast cancer symptoms,” “Screening and diagnosis,” and “Government in action”;
- multiple webpages containing information about no-cost preventive services that are guaranteed by the Affordable Care Act; and

- information about the Centers for Disease Control and Prevention’s “National Breast and Cervical Cancer Early Detection Program,” which provides screening services to “low-income, uninsured, and underinsured women.”¹

The Sunlight Foundation previously revealed that the Department deleted an entire webpage on “Lesbian and bisexual health” that provided information about challenges that “lesbian and bisexual women face in the health care system.” According to the report, links to this information from elsewhere on the website were also disabled. Although a document containing similar information remains live, it is not accessible unless the user types in the document’s exact web address.²

Politico has reported that a communications firm known as Hager Sharp has maintained the Department’s website since 2012, but that the Department “determines the content.”³ A Department spokesperson claimed that these webpages were deleted because the “content was not mobile-friendly and very rarely used” and that the Department engaged in a “comprehensive audit and use analysis process.”⁴

These deletions may violate federal law. The Paperwork Reduction Act requires agencies to “provide adequate notice when initiating, substantially modifying, or terminating significant information dissemination products.”⁵ It does not appear that the Department gave any such notice before scrubbing this information from its websites.

Request for Information

Any actions that threaten women’s access to information about their health care are extremely troubling. To better understand the decisions to delete these webpages, I request that you provide the following documents by April 20, 2018:

¹ Sunlight Foundation, Web Integrity Project, *Removal of Breast Cancer Website and Related Webpages from within HHS’s Office on Women’s Health Website* (Mar. 29, 2018) (online at <http://sunlightfoundation.com/wp-content/uploads/2018/03/AAR-4-OWH-Breast-Cancer-180329.pdf>). See also Susan G. Komen Breast Cancer Foundation, *Breast Cancer Fact Sheet* (online at https://ww5.komen.org/uploadedFiles/_Komen/Content/About_Breast_Cancer/Facts_and_Statistics/BCFactSheetJan2018.pdf).

² Sunlight Foundation, Web Integrity Project, *Removal of Webpage and Corresponding Links Pertaining to Lesbian and Bisexual Health from HHS’s Office of Women’s Health Website* (Mar. 21, 2018) (online at <http://sunlightfoundation.com/wp-content/uploads/2018/03/AAR-3-OWH-Lesbian-Bisexual-180321.pdf>).

³ *HHS Strips Lesbian, Bisexual Health Content from Women’s Health Website*, *Politico* (Mar. 21, 2018) (online at www.politico.com/story/2018/03/21/hhs-strips-lesbian-bisexual-health-content-from-womens-health-website-430123).

⁴ Think Progress, *Health Department Removes Breast Cancer and Obamacare Info from Women’s Health Website* (Apr. 2, 2018) (<https://thinkprogress.org/health-department-removes-breast-cancer-obamacare-information-womens-health-a75d9c1eb5db/>).

⁵ 44 U.S.C. § 3506(d)(3).

- (1) all documents and communications referring or relating to the removal or relocation of content on websites maintained by the Department or entities contracted by the Department from January 21, 2017, to the present;
- (2) all communications between Department employees and Hager Sharp from January 21, 2017, to the present, including all documents and communications referring or relating to the removal or relocation of content on websites maintained by the Department or entities contracted by the Department;
- (3) all documents and communications referring or relating to any reviews or audits of content on websites maintained by the Department or entities contracted by the Department for three prior calendar years, including all documents and communications referring or relating to a “comprehensive audit and use analysis process” of websites maintained by the Department or entities contracted by the Department; and
- (4) all policies or procedures governing the modification or removal of information from public-facing websites maintained by the Department or entities contracted by the Department.

If you have any questions about this request, please contact Alexandra Golden or Janet Kim of the Committee staff at (202) 225-5051. Thank you for your prompt attention to this request.

Sincerely,



Elijah E. Cummings
Ranking Member

cc: The Honorable Trey Gowdy, Chairman