

**EQUITY**

**FORWARD**

**MEMORANDUM**

**To: Interested Parties**

**From: Mary Alice Carter, Executive Director of Equity Forward**

**Date: May 8, 2018**

**Re: 100 Days of Alex Azar Empowering Anti-Reproductive Health Activists**

May 9, 2018 marks Alex Azar's 100th day as Secretary of the Department of Health and Human Services. During his confirmation hearings, Azar presented himself as an agency veteran, industry insider, and policy wonk who would be a thoughtful and transparent steward of the agency.

**In his first 100 days at the helm of HHS, Azar has proven to be as disastrous as other members of Trump's cabinet. Much like Betsy DeVos, Ben Carson and Scott Pruitt, he is more than willing to destroy proven programs that protect Americans.**

Azar has allowed right-wing and anti-reproductive health extremists to shape reproductive health policy and depart from long-held legal and medically grounded policies. While Azar himself may not have a long history in the anti-reproductive health movement, he has no problem standing up for and protecting the actions of those who are influencing the HHS agenda based on an extremist anti-choice ideology.

**In 100 Days, Azar has...**

**Failed to live up to his "commitment to transparency":**

This Wednesday, on his 100th day in office, Equity Forward will sue HHS to obtain copies of Azar's schedule, visitor logs, and other materials related to meetings scheduled with the Secretary and other HHS staff.

We know Azar has publicly stood up on behalf of right-wing extremists in the department. But what don't we know? Who has he been meeting with outside of HHS? Who is influencing policy for the lives of millions of Americans who rely on HHS for their health care? What is he hiding?

Lack of transparency runs rampant at HHS. Equity Forward has filed more than 60 FOIAs requesting basic information that should be available to the public under the law. Not a single one has produced documents.

Repeatedly, there has been no sufficient action or response from HHS, until it is sued for action. The schedule request suit will mark the fourth suit Equity Forward has been forced to file. Equity Forward has three other active suits - [one](#) concerning the Office of Refugee Resettlement (ORR), [another](#) the Office of Civil Rights, and [a third](#) regarding the Office of Population Affairs. This is not transparency.

According to court documents from the ORR suit, the oldest of the four filings, HHS estimated that due to the potential volume of records, it will take 28 [years](#) to produce the requested records regarding the pregnancies of unaccompanied immigrant minors. By that time, the young women in ORR custody will be 40+ years old. Did Azar promise transparency in 2018 or 2046?

### **Supported staff as they violated constitutional principles and stood in the way of people accessing health care:**

[Scott Lloyd](#): For decades the Office of Refugee Resettlement has provided “new populations with the [opportunity](#) to achieve their full potential in the United States” but as director under Azar, Scott Lloyd, an anti-abortion, anti-LGBT advocate, has used his power to further his personal agenda and try to block at least twelve women from accessing abortions.

In February 2018, it was revealed that Lloyd has intervened in the cases of at least seven immigrant women. This number has since increased to 12. Three of the women filed suits against the Trump administration and a [federal](#) judge ordered that officials at the Office of Refugee Resettlement are forbidden from interfering with pregnant minors’ access to abortion counseling and care. Lloyd has violated women’s constitutional rights, ignored the rule of law, and racked up legal bills on the taxpayers’ dime.

[Roger Severino](#): The HHS Office of Civil Rights is [dedicated](#) to protecting people’s “fundamental rights of nondiscrimination, conscience, religious freedom, and health information privacy”. But Azar has allowed Roger Severino, a man who has [argued](#) that ‘gender identity and sexual orientation ... are changeable, self-reported, and entirely self-defined characteristics’ that do not deserve the protected-class status given to sex, race, and several other categories under federal civil-rights statutes,” and advocated against legalizing same-sex marriage and accommodations for transgender individuals in school locker rooms or public bathrooms, to run the Office of Civil Rights. In this role, Severino has spearhead the Trump Administration’s “[conscience protection](#)” efforts at HHS. He also took a strong stance against the previous administration’s ruling on Section 1557 of the Affordable Care Act, which prohibits discrimination in health coverage and care.

### **Appointed, promoted, and empowered far-right political activists who are limiting women’s access to quality health care:**

[Maggie Wynne](#): Wynne currently serves as Counselor for Human Services Policy at HHS and has a deep background in anti-reproductive health initiatives. In March 2017, Wynne was

responsible for sending ORR Director Scott Lloyd a list of four “pregnancy care centers offering free ultrasounds” in San Antonio, Texas for an unnamed minor in an attempt to manipulate her into keeping her pregnancy. These anti-abortion centers offer no information on abortion or birth control.

**Valerie Huber:** Empowered by Azar, Huber, a lifelong abstinence only advocate, has directed HHS to [cut roughly](#) \$200 million in grants from the Teenage Pregnancy Prevention Program (TPPP). A federal judge in Washington issued a [permanent injunction](#) blocking HHS from cutting TPPP grants in a decision stating: “the Court finds that HHS arbitrarily and capriciously terminated the (teen pregnancy prevention) Program.” Politico recently reported that, as acting OPA Deputy Assistant Secretary, Huber will have [final sign off](#) on every dollar allocated within the Title X family planning program.

**Steven Valentine:** With Azar and Huber’s support, Valentine [directed the effort](#) to gut the TPPP, which has since been blocked by [three different courts](#). A federal judge in Washington issued a [permanent injunction](#) blocking HHS from cutting TPPP grants in a decision stating: “the Court finds that HHS arbitrarily and capriciously terminated the (teen pregnancy prevention) Program.”

### **Elevated policies and ideas that promote far-right ideological views at the expense of sound science:**

**Title X** has provided low- or no-cost birth control to low-income people across the U.S. for nearly 50 years in Republican and Democratic administrations. However, the Trump Administration, along with key players at HHS, are letting their extreme anti-reproductive health views [move Title X away](#) from scientifically-based birth control, to natural family planning, also known as “fertility awareness” or the rhythm method. The [delayed](#) Title X guidance released in February includes a points system for evaluating grantee applications that had been radically altered in ways that are both politically motivated and allow for less qualified applicants to become grantees. The new system lowered grant applicants’ potential points for factors - such as the adequacy of staff and facilities and the extent to which family planning services are needed locally - that are critical in providing high quality health care to underserved individuals. At the same time, it increased the weight in areas that invite both political and extremist views into the process.

[A new item](#) in the grant’s application review criteria worth 25 points gives priority to “natural family planning methods (also known as fertility awareness based methods)”, promotion of abstinence and to “not normalize sexual risk behaviors.” No other forms of birth control are listed as priorities or key issues.

Additionally, the Regional Health Administrators were stripped of their power to make final grant award decisions, which previously existed to ensure that need, not politics, drove the process. They were replaced by the acting Deputy Assistant Secretary for Population Affairs, Valerie

Huber, a political appointee who has spent nearly two-decades promoting abstinence-only, anti-contraception programs.

**The Office on Women's Health website** has long been a resource for women in the U.S. but in the [fall of 2017](#), important pages regarding bisexual and lesbian women's health as well as breast cancer pages, were removed. HHS claims the pages were outdated and the information has been folded into other pages within the site, but this lack of transparency and utter disregard for women's health continues to prove that under Azar, HHS has made sweeping changes to reflect his and other HHS officials' ideological views.

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