

United States Senate

WASHINGTON, DC 20510

October 28, 2020

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

Dear Secretary Azar,

We write with significant concern regarding a new report¹ that the U.S. Department of Health and Human Services (HHS) is considering eliminating millions of dollars in federal funding for critical public health programs, including federal coronavirus relief, amid the deadly COVID-19 pandemic. This is a clear and unconscionable attempt by President Trump and his Administration to choose winners and losers for public health funds based on whether or not the politics of American cities align with the politics of the President.

These potential funding cuts were reportedly compiled in response to President Trump's September 2, 2020 memorandum entitled *Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds that Are Permitting Anarchy, Violence, and Destruction in American Cities.*² President Trump announced this policy allegedly “. . . to ensure that Federal funds are neither unduly wasted nor spent in a manner that directly violates our Government's promise to protect life, liberty, and property.”

The policy further states, “it is imperative that the Federal Government review the use of Federal funds by jurisdictions that permit anarchy, violence, and destruction in America's cities.” In a September 21, 2020 memorandum, the White House directed the Office of Management and Budget (OMB) and the United States Department of Justice to review federal funding to state and local governments. This memorandum specifically targets Portland, Oregon; New York City, New York; and Seattle, Washington. The White House later added Washington, D.C. to the list.

Tying federal funds for local public health efforts to an arbitrary definition of “anarchist jurisdictions” is of questionable legality and an appalling abuse of power—particularly in the midst of a deadly pandemic and economic recession. According to a report, HHS has identified numerous public health programs and funding mechanisms for potential cuts, including those related to HIV treatment, the opioid crisis, addiction and recovery services, lung disease, hearing screenings for newborns, nutrition and mental health for the elderly, hospital preparedness, child support enforcement, care for COVID-19 patients at community and migrant health centers, and more. Any arbitrary funding cuts to these programs would have detrimental effects on the vulnerable communities they serve, as well as negatively affect the delivery of crucial health care services during a historic crisis this Administration has utterly failed to mitigate. Additionally, these cuts could further exacerbate the health inequities already made worse by this pandemic.

¹ <https://www.politico.com/news/2020/10/20/white-house-cuts-city-funds-coronavirus-430498?nname=playbook&nid=0000014f-1646-d88f-a1cf-5f46b7bd0000&nrid=00000165-484b-db9f-a3ff-68cb8bc10001&nlid=630318>

² <https://www.govinfo.gov/content/pkg/FR-2020-10-08/pdf/2020-22316.pdf>

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Due to the grave implications of such decisions, we request the following information and responses to questions from your Department:

1. A copy of the reported list HHS compiled identifying the federal grants, funding awards, and health programs from all agencies the Department oversees.
2. An explanation for how HHS plans to implement the President's memorandum in regard to funding decisions for public health programs.
3. Will the President's September 2, 2020 memorandum influence any HHS decisions regarding the granting or withholding of coronavirus relief funds to the above-named cities?

We respectfully request this information within fourteen days of receipt of this letter.

Sincerely,



Jeffrey A. Merkley
United States Senator



Patty Murray
United States Senator



Kirsten Gillibrand
United States Senator



Charles E. Schumer
United States Senator



Ron Wyden
United States Senator



Cory A. Booker
United States Senator



Maria Cantwell
United States Senator