

United States Senate

WASHINGTON, DC 20510

April 10, 2017

The Honorable Thomas E. Price, M.D.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Price:

We are deeply troubled to learn you have hired Roger Severino as the Director of the Office of Civil Rights at the U.S. Department of Health and Human Services (“the Department”). Mr. Severino has a long history of making bigoted statements toward lesbian, gay, bisexual, and transgender people and attacking women’s access to health care services and reproductive rights. His appointment raises deep concerns about the employment decisions and hiring practices being established by the Trump Administration.

President Trump ran a divisive campaign filled with dangerous rhetoric, and we are disappointed to see that this rhetoric appears to be continuing into his presidency. We are committed to fighting discrimination of any kind and to ensuring that political appointees and career employees at the Department—and throughout the Administration—will respect and serve all people, including people of color, women, LGBTQ Americans, immigrants, people with disabilities, people experiencing homelessness, and people of all religious backgrounds and beliefs. This is the purpose of the Office of Civil Rights, which is charged with enforcing, among other civil rights laws, the non-discrimination protections under Section 1557 of the Affordable Care Act (“ACA”).

We are concerned that Mr. Severino’s past statements, writings, and affiliations make him unqualified to lead an office whose purpose is to ensure that “people have equal access and opportunities to participate in certain health care and human services programs without unlawful discrimination.” He has openly disparaged the efforts by the Obama Administration to protect all Americans from discrimination, writing, “The radical left is using government power to coerce everyone, including children, into pledging allegiance to a radical new gender ideology over and above their right to privacy, safety, and religious freedom.”^[1] He has praised government officials—including Kentucky clerk Kim Davis for refusing to provide marriage licenses to same-sex couples—who Mr. Severino said undertook “creative efforts” to avoid obeying the Supreme Court.^[2] He blamed the Supreme Court for putting “abortion industry profits over women’s safety” in its decision holding that Texas law unconstitutionally imposed an undue burden on women seeking abortions.^[3] He has accused Planned Parenthood—which provides healthcare services to nearly 2.5 million women and men each year—of using “every trick in the book to get federal money by trying to pretend that its core business is anything but industrial-

^[1] <http://dailysignal.com/2016/05/09/dojs-lawsuit-against-north-carolina-is-abuse-of-power/>

^[2] <http://dailysignal.com/2015/09/15/lessons-learned-from-kim-davis-about-religious-liberty-and-government-accommodation/>

^[3] <http://dailysignal.com/2016/06/27/supreme-court-strikes-down-commonsense-abortion-clinic-safety-standards/>

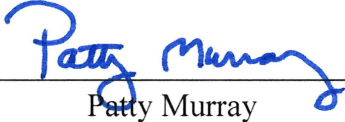
scale abortion.”^[4] His offensive statements raise serious questions about his ability to oversee the Office of Civil Rights.

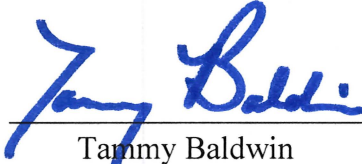
We are therefore writing to request answers to the following questions by no later than April 21, 2017:

1. How does the Department plan to promote a diverse and inclusive workforce free of prejudice or malice?
2. What are the Department’s vetting procedures for political appointees?
3. What are the Department’s plans to handle reports of inappropriate communications or behavior from staff?
4. Will Mr. Severino, as well as any other Department appointee who has worked against the ACA’s nondiscrimination protections, be asked to recuse him- or herself from any decisions related to the enforcement of Section 1557?


Thank you in advance for your prompt attention to this critical matter. If you have any questions, or would like to further discuss compliance with this request, please contact Beth Stein, General Counsel for the Ranking Member of the Health, Education, Labor, and Pensions Committee, at (202) 224-2931.

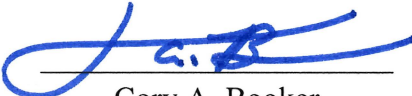
Sincerely,



Patty Murray
United States Senator


Tammy Baldwin
United States Senator

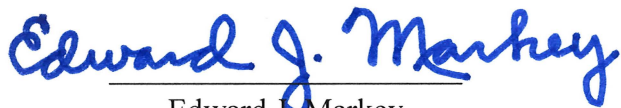

Kirsten Gillibrand
United States Senator


Richard Blumenthal
United States Senator


Cory A. Booker
United States Senator


Sherrod Brown
United States Senator

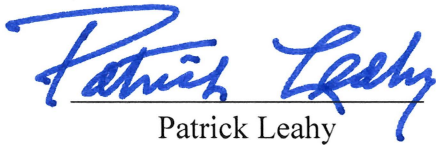
^[4] <https://www.plannedparenthood.org/about-us/who-we-are/planned-parenthood-at-a-glance;>
<http://dailysignal.com/2016/09/23/a-gop-congress-should-not-give-planned-parenthood-another-dime-of-taxpayer-money/>



Edward J. Markey
United States Senator



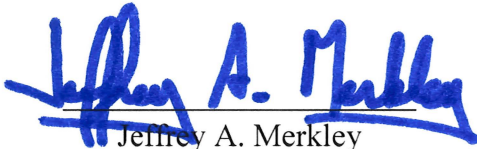
Bernard Sanders
United States Senator



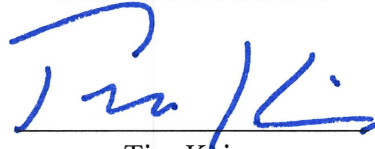
Patrick Leahy
United States Senator



Sheldon Whitehouse
United States Senator



Jeffrey A. Merkley
United States Senator



Tim Kaine
United States Senator