Congress of the United States
House of Representatives
Washington, D.C. 20515

October 21, 2002

The Honorable Tommy Thompson
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Ave., S.W.
Washington, D.C. 20201

Dear Secretary Thompson:

We are highly concerned by a pattern of events at the Department of Health and Human Services (HHS) suggesting that scientific decisionmaking is being subverted by ideology and that scientific information that does not fit the Administration's political agenda is being suppressed. HHS is our country's most important public health agency. It includes some of the most respected scientific and public health organizations in the nation, including the National Institutes of Health (NIH), the Centers for Disease Control and Prevention (CDC), and the Food and Drug Administration (FDA). HHS has a long tradition of recruiting the nation's most qualified scientific experts to carry out its public health responsibilities and of basing policy decisions affecting the lives and health of Americans on the best available scientific information. Honoring this tradition is critical not only to the credibility of the Department, but to the health of our citizens.

Over the last several months, a series of troubling reports have come out casting doubt on the Administration's commitment to the tradition of scientific excellence and science-based decision-making at HHS, suggesting that the tradition is being substantially undermined. A growing number of cases provide evidence that actions directly affecting the public health are being driven by ideology rather than by science. Scientific information that does not serve the Administration's ideological agenda is being removed from HHS websites. Expert appointments to scientific advisory boards are going to individuals with specific ideological viewpoints rather than scientific credentials. And organizations that provide science-based programs to prevent pregnancy and sexually transmitted diseases in youth, but disagree with the Administration's "abstinence-only" position, are being singled out for discriminatory audits.

Scientific information on both the NIH and CDC websites has been removed, apparently because it does not fit with the Administration's ideological agenda. On the NIH website, information has been removed discussing scientific findings of the National Cancer Institute that, contrary to popular myth, abortions do not increase the risk of breast cancer. On July 9, 2002, a bipartisan group of congressional representatives wrote to you seeking an explanation for the removal and asking that you contact the NIH to have this information re-posted. We agree with

those members, who wrote to you that "women must have access to scientifically accurate and unbiased health information." To date, they have received no reply.

In at least two cases, scientific information has also been removed from the CDC website. First, information concerning educational programs that have been shown through scientific studies to be effective in reducing risky behavior among adolescents has been taken down from the website. At the request of schools, the CDC created a web page, called "Programs that Work," to identify for educators "curricula with credible evidence of effectiveness in reducing health risk behaviors among young people. . . to help inform local and state choices." The website did not recommend any particular program, instead stating that "the choice to adopt a curriculum ultimately rests with local decision makers and must address community standards and needs." Yet despite this objective, science-based approach, the entire "Programs that Work" page has been eliminated.

Second, fact sheets regarding the effectiveness of condoms have been removed from your web site. These fact sheets which were based on an NIH working group report stated the following: "Latex condoms, when used consistently and correctly, are highly effective in preventing transmission of HIV, the virus that causes AIDS. In addition, correct and consistent use of latex condoms can reduce the risk of other sexually transmitted diseases...[and]...has been associated with a reduction in risk of HPV-associated diseases, such as cervical cancer." Having evidence-based information on preventing pregnancy and sexually transmitted diseases is critical to the health of our young people. Removal of this information from the CDC website strongly suggests an ideological, rather than a scientific, agenda at work.

Other HHS actions also signal that ideology has replaced scientific qualifications as the basis for choosing scientific experts to provide advice on critical public health issues. The *Washington Post* reported on September 17, 2002, that the Administration is closing down expert advisory committees whose conclusions are at odds with the Administration's agenda and is seeking to replace well-qualified experts on health-related advisory committees with individuals chosen because of their ties to industry rather than because of their scientific qualifications.[1] According to the *Washington Post*, for example, the Administration has terminated two committees: one that had urged HHS to regulate gene testing kits, and another that was in the process of recommending tighter controls on testing of human subjects. The Post also reported that 15 of 18 members of a CDC committee on environmental health issues were let go and replaced with a large number of individuals with strong ties to the chemical industry. And a highly qualified candidate for another committee was asked about his views on cloning, human embryo research, and assisted suicide, then told that he would not be nominated because his views did not match those of the Administration.

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[1] *HHS Seeks Science Advice to Match Bush Views,* Washington Post, (Sept. 17, 2002).

Similarly, Rep. Ed Markey released a report last week that showed that the Administration has withdrawn the nominations of respected academic experts and instead has moved to appoint consultants of the lead industry to the CDC's advisory committee charged with making recommendations on safe lead levels for children.[2] One administration nominee, who has no background of research in lead poisoning, has testified on behalf of the lead industry that a level of 70 micrograms per deciliter of blood is safe for children. Current guidelines place the safe level at 10 micrograms per deciliter. The idea that seven times this amount is safe is not only contradicted by dozens of scientific studies but also by the expert opinion of every public health and medical organization to have considered the hazards of lead ingestion in the last 25 years.

Time.com has reported that the Administration wants to appoint as Chair of the FDA's important Reproductive Health Drugs Advisory Committee a physician whose most notable contribution to the field of reproductive health is a book recommending the reading of specific Biblical texts as treatments for various conditions, and who is reported to have refused to prescribe contraceptives for unmarried women.[3] According to *Time*, the appointee's resume describes himself as a University of Kentucky professor, but "a university official says his appointment is part time and voluntary and involves working with interns at Lexington's Central Baptist Hospital, not the university itself."

We are deeply concerned that stacking scientific advisory committees with individuals whose qualifications are ideological rather than scientific will fundamentally undermine the integrity of scientific decision-making at our leading public health agencies, jeopardizing the trust that Americans now place in their decisions and actions.

Finally, HHS appears to be using financial audits as a political tool to harass non-profit Department grantees that provide comprehensive education on prevention of sexually transmitted diseases and pregnancy, but do not adhere to the Administration's position that the only acceptable means of achieving this goal is to urge abstinence ("abstinence only"). Three such grantees have been singled out for recent audits. Comprehensive sex education of the kind provided by these grantees is supported by the leading medical and research organizations, including the American Medical Association, the American Academy of Pediatrics, the American Nurses Association, and the NIH. To our knowledge, no "abstinence only" organizations are being audited. These audits appear to follow a pattern of Bush Administration audits and investigations of HIV-prevention groups.[4]

To determine whether there is a sound scientific foundation for the HHS actions described in this letter, we would like you to provide the following information:

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[2] *Turning Lead into Gold: How the Bush Administration is Poisoning the Lead Advisory Committee at the CDC*, Rep. Ed Markey, U.S. House of Representatives, (Oct. 8, 2002).
[3] *Jesus and the FDA*, Time.com, http://www.time.com/time/nation/article/0,8599,361521,00.html, (Oct. 5, 2002).
[4] *HIV prevention groups say Bush Administration is targeting their work*, Associated Press, (Oct. 1, 2002).

1. All instances in which scientific information has been removed from any HHS website since January 2001 on the basis of a request from someone inside or outside the Department, the name of the requester, and the reason for the removal. If there was a scientific basis for the removal, please describe it in detail. For example, if the information was perceived to be scientifically or methodologically flawed, please provide a detailed description of the perceived flaws, and efforts—if any—to correct the flaws and restore the information to public availability on the website.

2. The name of each HHS advisory committee that has been terminated or has not been re-chartered since January 2001, with the basis for each termination or failure to re-charter.

3. The names and scientific qualifications of each expert who was recommended for the position of Chair of the Reproductive Health Drugs Advisory Committee, from whom the recommendation was received, and the reason for the final selection, if any.

4. The names of each HHS advisory committee on which the Administration has replaced, or plans to replace within the next year: (a) members whose terms have not expired, and the names of the members to be replaced; or (b) more than 2 members within a 6-month period. In each case, to the extent known, provide the names and qualifications of the individuals who will replace the removed members, and if they were recommended by any industry groups, or other outside organizations, from whom the recommendation was received.

5. HHS and CDC policies on audits, and a description of the controls in place to ensure that the process is not subject to political abuse.

6. The number of audits HHS or CDC has undertaken or planned of: (a) HIV/AIDS prevention education groups, (b) groups that oppose abstinence-only policies, and (c) abstinence-only programs.

Thank you for your co-operation with these requests. Please provide your responses to these questions by October 30, 2002. If you have any questions, you may call Ann Witt on Mr. Waxman's staff (202-225-3976).

Signed,

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