

**COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515**

November 30, 2020

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

Dear Secretary Azar,

We write in strong objection to the Notice of Proposed Rule Making (NPRM or “proposed rule”), entitled *Securing Updated and Necessary Statutory Evaluations Timely*, as posted to the Federal Register on November 4, 2020.

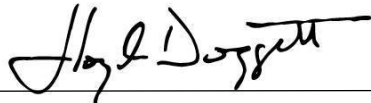
Relying on a dubious interpretation of the *Regulatory Flexibility Act* and the *Administrative Procedure Act*, the NPRM seeks to allow most Department of Health & Human Services (HHS) regulations to expire unless HHS affirmatively reviews the regulation and decides it should be maintained. This sweeping and improper change would waste resources, undermine smooth program operation, and force the next Administration to divert resources away from addressing the COVID-19 pandemic.

The Committee on Ways & Means has jurisdiction over a significant number of HHS programs and policies that promote the health, safety, wellbeing, and economic security of millions of Americans. The proposal to automatically sunset a host of HHS regulations is deeply troubling and contrary to Congressional intent, as carried out through long- and properly- established regulations implementing laws passed by Congress in the past. If Congress desired to change the operations of HHS programs under current regulations, Congress would pass new laws to be enacted by the President.

Furthermore, this NPRM is unnecessarily burdensome as the abrupt sunset of rules governing program operations could impose substantial new requirements or eliminate requirements currently ensuring smooth operation, which would be disruptive to stakeholders currently providing care and harmful to the American people who rely on key programs that HHS administers. As such, this proposed rule is neither in the best interest of our constituents nor the beneficiaries of these many programs. We ask that you immediately rescind the NPRM.

Secretary Azar
November 30, 2020
Page 2

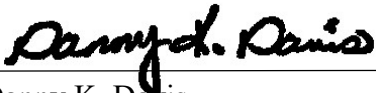
Sincerely,



Lloyd Doggett
Chairman
Subcommittee on Health
Committee on Ways and Means



Bill Pascrell, Jr.
Chairman
Subcommittee on Oversight
Committee on Ways and Means



Danny K. Davis
Chairman
Subcommittee on Worker and Family Support
Committee on Ways and Means