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Office of the Assistant Secretary for Health
200 Independence Avenue, SW
Room 716G
Washington, DC 20201

Nicole Greene
Acting Director
Deputy Director
Office on Women's Health
Department of Health and Human Services
200 Independence Avenue, SW Room 712E
Washington, DC 20201

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Dear Dr. Giroir,

We, the undersigned organizations, thank the Department of Health and Human Services (HHS) for its leadership and support for breastfeeding. The Office on Women's Health has been pivotal in building a landscape of breastfeeding support for our Nation's families over the last several decades. State and local breastfeeding coalitions, breastfeeding organizations, and individual advocates have looked to OWH as a leader in spearheading momentum to improve support for new breastfeeding families.

We are writing to express our concerns about the removal of key breastfeeding content from the Office on Women's Health website that our organizations, public health officials, health care providers, employers, and breastfeeding parents nationwide rely on as an authoritative source on supporting nursing parents at work. Specifically, we are concerned about the temporary removal of all Spanish language content and videos (Spanish language webpages are now published); removal of photographs showing industry-specific solutions to providing time and space accommodations, and removal of the majority of the videos from the Supporting Nursing Moms at Work webpages. We respectfully seek an explanation for the content's removal and request that it be restored without delay.

Recognizing Decades-Long Contributions of OWH

Among its many critical contributions, highlights from OWH breastfeeding support activities over the past decades include:

- Working with Surgeon General David Satcher to release the ***HHS Blueprint for Action on Breastfeeding***.
- Working with the Advertising Council to launch ***Babies Were Born to Breastfeed***, a national public service campaign.
- Providing funding for the Agency for Healthcare Research and Quality to conduct the ***Breastfeeding and Maternal and Infant Health Outcomes in Developed Countries*** systematic review.

- Extensive outreach, dissemination, and training to develop a cadre of community consultants to help businesses implement *The Business Case for Breastfeeding*.
- Working with Surgeon General Regina Benjamin to release *The Surgeon General's Call to Action to Support Breastfeeding*.
- Partnering with the Morehouse School of Medicine and Satcher Health Leadership Institute to sponsor the first ever *Reaching Our Sisters Everywhere (ROSE) Breastfeeding Summit*.
- Implementing the *It's Only Natural: Mother's Love, Mother's Milk* national campaign, developed to address disparities and increase breastfeeding rates among African American mothers and families.
- Launching *Supporting Nursing Moms at Work: Employer Solutions*, an online searchable, solutions-oriented resource detailing time and space accommodation solutions from real businesses in every industry.
- Providing funding to the Agency for Healthcare Research and Quality to complete the *Systematic Review of Breastfeeding Programs and Policies, Breastfeeding Uptake, and Maternal Health Outcomes in Developed Countries*.

Those efforts have paid off: exclusive breastfeeding rates at 6 months have risen from 12.1% in 2004 to 24.9%. Among infants born in 2015 in the United States, the most recent year for which data is available, 4 out of 5 (83.2%) started to breastfeed, showing that most families in the United States want to breastfeed and start out doing so. However, less than 50% of all infants were exclusively breastfed through 3 months, with marked disparities among racial, geographic, and ethnic groups. While the vast majority of babies born in the United States start out breastfeeding, 6 in 10 breastfeeding mothers stop earlier than they intend.

Breastfeeding is a proven primary prevention strategy, building a foundation for life-long health and wellness. The evidence for the value of breastfeeding to both children's and women's health is scientific, solid, and continually being reaffirmed by new research. All major medical authorities, including HHS, recommend exclusive breastfeeding for the first six months of life, followed by continued breastfeeding until at least one year of age.

Families routinely turn to the Office on Women's Health for information and support when they need it, whether calling the OWH Helpline for advice or a referral when learning to breastfeed or accessing examples of common solutions for combining lactation and employment, **the Office on Women's Health has been a steady and reliable source for accurate and comprehensive information in a format that is accessible and culturally relevant, and in some cases, even available in multiple languages.**

Concerns About Recent Changes to OWH Resources

In recent weeks we learned that the **Office on Women's Health has made a significant update to the *Supporting Nursing Moms at Work: Employer Solutions* resource.** This update removed significant portions of content that are otherwise unavailable, **an immense loss for employers, employees, and all who support them.**

We are most urgently concerned with the following revisions:

- **Temporary removal of all Spanish language content.** The original resource featured both English language and Spanish language websites, each of which featured written and video content. For more than a month, no Spanish language content was available. While we recognize that Spanish language content has been incrementally released, this content reflects the significantly reduced version of the resource.
- **Removal of the extensive library of still photographs displaying how businesses have met the needs of both their breastfeeding employees and their businesses.** These images portrayed a wide spectrum of time and space solutions in a variety of settings, searchable by industry. This rich library clearly demonstrated the flexibility and variety of creative and cost-effective solutions to maximize the employers' return on investment.
- **Removal of the searchable solutions for support amenities.** This valued section of the resource provided numerous creative options for businesses such as time and space solutions to meet various needs, options for physical improvements such as ensuring privacy and refrigeration of breast milk, as well as options for lactation support.
- **Removal of the majority of the videos of industries that have implemented creative solutions.** These unique videos were filmed on location with the permission of innovative employers and currently breastfeeding employees interested in sharing their success stories and being featured as leaders.
- **Reduced reading accessibility.** The content in the updated resource requires a much higher reading level than the original version, in direct contradiction to the extensive work done throughout the development phase to meet Federal Plain Language Guidelines.

It is our understanding that these website changes followed the 2017 evaluation of the resource (Docket Number: HHS-OS-0990-New-60D), however the evaluation was conducted before a robust effort to disseminate this resource to the business community. As the recent evaluation showed, many employers were unaware of the existence of the resource until they were asked to evaluate it! However, when the resource was introduced to employers, the reaction was overwhelmingly positive and it was identified as a valuable and useful tool. The evaluation increased awareness of the resource immediately before it was altered, substantially diminishing the impact of this publicly funded initiative.

Public Health and Business Rationale for Restoration

More than half of mothers enter or return to the labor force before their children turn one year old, with as many as one in four women returning within two weeks of giving birth. Lactating employees frequently find that returning to work is a significant barrier. However simple and practical solutions that provide break time and private space have been proven to increase breastfeeding rates.

Workplace breastfeeding support is a simple and inexpensive way to reduce health care spending and improve the health of our nation's mothers and babies. Breastfeeding accommodation is a win-win-win for businesses, families, and the economy. Employers that provide lactation support experience an impressive return on investment, including lower health

care costs, absenteeism, and turnover rates, as well as improved morale, job satisfaction, and productivity. According to the *Business Case for Breastfeeding* created by HRSA/MCHB, companies who have invested in their breastfeeding employees have an almost three-to-one (3:1) return on investment. Translated, for every dollar spent, three are saved.

The *Supporting Nursing Moms at Work: Employer Solutions* resource was a critical link between the need for workplace support for breastfeeding families and the need for implementation guidance for their employers. The resource provided a user-friendly tool that employers could easily navigate to identify and implement potential solutions for their business. It made it easy for businesses and managers to provide support by removing the guesswork and demonstrating simple solutions.

This resource was of particular value to employers because it provided guidance they need to meet their legal obligations under the “Reasonable Break Time for Nursing Mothers” law contained in Section 207(r) of the Fair Labor Standards Act (FLSA). The law requires employers to provide a private-non bathroom space and reasonable break time for breastfeeding employees to express breast milk during the workday. Most employers want to comply with the law, but many need guidance and support for implementation, especially to ensure they are aware of creative, cost-effective solutions that also minimize impact on their operations. The *Supporting Nursing Moms at Work* resource provided simple ways for employers in any industry to proactively comply with the law, however the majority of the identified solutions are no longer featured on the updated website.

The resource also served a critical function for many of the undersigned organizations and our partners in educating nursing parents, health care providers, lactation support specialists, employers, and the general public about supporting nursing parents at work. For example, we have referenced the missing content (typically via hyperlink) in written educational materials, in-person presentations, and online trainings that continue to reach hundreds of thousands of nursing parents and their support providers. The breastfeeding policy and lactation support community relies on the continued existence of these resources, which they helped to create. Access to this critical content must be restored.

Urgent Request for Reinstatement of Access to the Complete Resource

The development of this resource was a multi-year effort involving dozens of stakeholders, including industry experts, the U.S. Breastfeeding Committee and its members, 22 state breastfeeding coalitions, national business and professional associations, private businesses, multiple federal agencies, and HHS Regions. Significant taxpayer dollars and innumerable volunteer hours were dedicated to producing this one-of-a-kind and deeply needed resource, and it is unconscionable to see so much of that investment removed from public access.

The Workplace Support Constellation, an action-focused work team made of up national organizations committed to working to increase support for breastfeeding employees, stands ready to work with the Office on Women's Health to maximize the impact of support efforts and respond to the needs of both employees and employers.

We, the undersigned organizations, write to request an explanation on why this critical content was removed as part of the resource update; to urge the Office on Women's Health to immediately reinstate the original resource with content in both English and Spanish; and to take swift steps to develop a dissemination plan to ensure employers are aware of this valuable resource.

Again, we applaud your leadership in supporting breastfeeding families and look forward to working with you to ensure that this critical resource continues to serve our nation. Please contact the U.S. Breastfeeding Committee's Senior Workplace Program Manager & Policy Analyst and Steward of the Workplace Support Constellation, Cheryl Lebedevitch, at 773.359.1549 x23 or clebedev@usbreastfeeding.org to schedule a time to discuss this matter, or if you have any questions.

SIGNATORY ORGANIZATIONS

International, National, and Tribal Organizations:

1,000 Days
A Better Balance
American Academy of Family Physicians
American Academy of Nursing
American Association of Birth Centers
American College of Osteopathic Pediatricians
American Public Health Association
Association of State Public Health Nutritionists
Association of Women's Health, Obstetric and Neonatal Nurses
Baby Café USA
Baby-Friendly USA, Inc.
Center for Parental Leave Leadership
Center for WorkLife Law, University of California, Hastings College of the Law
HealthConnect One
Healthy Children Project, Inc.
Human Milk Banking Association of North America
ImprovingBirth
Institute for the Advancement of Breastfeeding and Lactation Education
International Board of Lactation Consultant Examiners®
International Childbirth Education Association

La Leche League USA
Lactation Education Accreditation and Approval Review Committee
Lactation Education Resources
Lamaze International
Mom2Mom Global
National Alliance for Breastfeeding Advocacy
National Partnership for Women & Families
National WIC Association
Reaching Our Sisters Everywhere, Inc.
Sargent Shriver National Center on Poverty Law
U.S. Breastfeeding Committee
United States Lactation Consultant Association
URGE: Unite for Reproductive & Gender Equity

Regional, State, and Local Organizations:

Alimentación Segura Infantil
Alliance of Border Collaboratives
Appalachian Breastfeeding Network
Breastfeeding Coalition of Delaware
BreastfeedLA
Coalición para la Lactancia Materna en Puerto Rico, Inc.
Coalition of Oklahoma Breastfeeding Advocates
Colorado Lactation Consultant Association
Connecticut Breastfeeding Coalition
Florida Breastfeeding Coalition

Kansas Breastfeeding Coalition
Maine State Breastfeeding Coalition
Maryland Breastfeeding Coalition
Maternity Care Coalition
Michigan Breastfeeding Network
New Jersey Breastfeeding Coalition, Inc.
New York Statewide Breastfeeding Coalition
Saline County Breastfeeding Coalition
Virginia Council of Nurse Practitioners
Wisconsin Breastfeeding Coalition
Women Employed
Women's Law Project
Worksites for Wellness, Inc.