

Congress of the United States
Washington, DC 20515

February 8, 2020

Mr. Norris Cochran
Acting Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Acting Secretary Cochran:

Since its establishment by the House of Representatives in April 2020, the Select Subcommittee on the Coronavirus Crisis has been investigating the federal government's response to the pandemic. These investigations have shown that the previous Administration engaged in a persistent pattern of political interference in the nation's public health response—interfering with the work of scientists and making decisions that allowed the virus to spread more rapidly in order to advance President Trump's partisan agenda. The Select Subcommittee is continuing these critical investigations in the 117th Congress in order to understand what went wrong over the last year and determine what corrective steps are necessary to control the virus and save American lives.

I commend the Biden-Harris Administration for taking immediate steps to devise and implement a national plan to respond to the pandemic and making a commitment to transparency and to science. This marks an urgently needed departure from the prior Administration, which refused to acknowledge the danger posed by the virus, warn the American people of the threat, advise on appropriate precautions, and mobilize a coordinated national response. The Trump Administration's refusal to take responsibility for defeating the virus and politicization of the public health response had devastating consequences: more than 462,000 Americans dead, 26 million infected, and tens of millions of jobs lost.

The previous Administration refused to cooperate with the Select Subcommittee's inquiries, with the Department of Health and Human Services (HHS) blocking documents and witnesses related to the politicization of public health information, testing and supply shortages, vaccine development and distribution, and other critical aspects of the nation's virus response. Under the Trump Administration, Department officials failed to fully comply with two subpoenas and at least 20 document requests issued by the Select Subcommittee.

Documents recently obtained by the Select Subcommittee raise further questions about political interference with the coronavirus response during the previous Administration. For example, an internal email shows that the Trump Administration took steps to end testing of "asymptomatic infections in low risk people" because these tests were causing infected people to quarantine, which HHS appointee Paul Alexander complained was "preventing the workforce

from working” and would not allow schools and colleges to “optimally re-open.”¹ Documents also show that Dr. Alexander pressured Food and Drug Administration (FDA) officials to quickly approve emergency use of convalescent plasma and advised them to disregard concerns from National Institutes of Health (NIH) Director Francis Collins and Dr. Anthony Fauci, arguing that “NIH has stepped out of their lane.”²

I write today to seek your assistance in obtaining the documents and information the Select Subcommittee requires to complete these investigations and help improve our nation’s response to this ongoing public health crisis.

Efforts to Suppress Science for Political Gain

In September 2020, the Select Subcommittee launched an investigation into efforts by Trump Administration appointees to interfere in the scientific reports and guidance issued by the Centers for Disease Control and Prevention (CDC) during the pandemic.³ The Select Subcommittee found that HHS officials sought to suppress accurate scientific information they felt could be “use[d] against the president” including attempting to alter or block at least 13 scientific reports related to the coronavirus and attempting to retaliate against CDC officials who provided truthful information to the press.⁴

Recently obtained documents indicate that White House officials also played a role in efforts to suppress science during the pandemic. For example, Dr. Alexander—who repeatedly

¹ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, et al. (Aug. 27, 2020) (SSCC-0014920 – 22) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.27.2020%20SSCC-0014920_Redacted.pdf).

² Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, et al. (Aug. 19, 2020) (SSCC-0015402 – 25) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.19.2020%20SSCC-0015402_Redacted.pdf); see also *Report: FDA Halted Move to Authorize Convalescent Plasma for Covid-19 over Evidence Concerns*, MedCityNews (Aug. 20, 2020) (online at <https://medcitynews.com/2020/08/report-fda-halted-move-to-authorize-convalescent-plasma-for-covid-19-over-evidence-concerns/>).

³ Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II (Sept. 14, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-14.Majority%20to%20Azar%20and%20Redfield%20re%20HHS%20and%20CDC%20on%20Political%20Interference%20.pdf>).

⁴ Memorandum from Majority Staff to Members of the Select Subcommittee on the Coronavirus Crisis, *Supplemental Memorandum on Investigation into Political Interference with Coronavirus Response* (Dec. 16, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20re%20Political%20Messaging%20and%20Herd%20Immunity.pdf>); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II and Robert R. Redfield, Director, Centers for Disease Control and Prevention (Dec. 10, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-10.Clyburn%20to%20HHS%20re%20Redfield%20%281%29.pdf>); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II and Robert R.

pressed career CDC officials to change or eliminate scientific documents about the virus—communicated directly with White House Coronavirus Response Coordinator Deborah Birx and Special Advisor to the President Scott Atlas about his proposed revisions to CDC reports and White House Coronavirus Task Force guidance.⁵ Similarly, documents show that Dr. Alexander and HHS Assistant Secretary Michael Caputo worked with officials at the White House—possibly at the direction of President Trump—to construct rationales to justify reopening businesses in Spring 2020, contradicting recommendations from CDC and the nation’s top public health officials.

On May 16, 2020, Mr. Caputo wrote to Dr. Alexander:

I know the President wants us to enumerate the economic cost of not reopening. We need solid estimates to be able to say something like: 50,000 more cancer deaths! 40,000 more heart attacks! 25,000 more suicides! 155,000 more trauma deaths! 240,000 hospitals will close! 400,000 health [sic] care workers jobless! 170,000 more high school dropouts! Etc⁶

The following day, May 17, 2020, Dr. Alexander reported to Mr. Caputo and HHS Senior Advisor Brad Traverse that he had found a way to project 300,000 excess deaths for the year “based on the lockdown and deaths of despair due to COVID-19.”⁷ In a separate email, Dr. Alexander admitted that his model was “crude” and projected two to four times the number of deaths predicted by forecasts developed by CDC and others. He acknowledged the apparent discrepancy between his forecast and other models, noting, “it is a model and we each can build our own assumptions.”⁸

Redfield, Director, Centers for Disease Control and Prevention (Dec. 21, 2020) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-21.Clyburn%20to%20Redfield%20and%20Azar%20re%20Subpoena%20FINAL%20_0.pdf).

⁵ See, e.g., Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to White House Coronavirus Response Coordinator Deborah L. Birx (July 13, 2020) (SSCC0006025 – 30) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/07.13.2020%20SSCC-0006025_Redacted.pdf); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Scott Atlas, Senior Advisor, The White House (Sept. 11, 2020) (SSCC-0015141 – 43) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.11.2020%20SSCC-0015141_Redacted.pdf).

⁶ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services (May 17, 2020) (SSCC-0014242 – 48) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014242_Redacted.pdf).

⁷ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, and Brad Traverse, Senior Advisor, Department of Health and Human Services (May 17, 2020) (SSCC-0014477 – 78) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014477_Redacted.pdf).

⁸ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Patrick Brennan, Director of Speechwriting, Department of Health and Human Services, et al. (May 18, 2020) (SSCC-0014384 – 87) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.18.2020%20SSCC->

Also on May 17, 2020, Dr. Alexander wrote to Mr. Caputo and Mr. Traverse: “I have given Patrick [Brennan, Director of Speechwriting at HHS] stuff he is using for Peter Navarro [sic] e.g. 40,000 cancer deaths for 2020 etc.; do I give him this too or do you want this for the President?”⁹

This effort apparently culminated in the May 21, 2020, release of an op-ed entitled “We Have to Reopen – for Our Health” by then-HHS Secretary Alex Azar asserting:

We cannot allow the virus to impose intolerable costs in terms of drug, suicide and alcohol deaths; forgone health care; and more lost jobs. Under the President’s leadership, we can safely reopen our country, protecting every American’s overall health and well-being today and in the years ahead.¹⁰

In August 2020, Dr. Alexander admitted that he believed models regarding viral outbreaks could be manipulated to serve political goals, writing: “Ah models, I can manipulate models to make it what I want...we all do and this is the issue with models.”¹¹

The Select Subcommittee has identified numerous other instances of political interference by the Trump Administration.¹² However, the full scope of these efforts remains unknown because the Trump Administration refused to cooperate with the Select Subcommittee’s inquiries. HHS withheld documents and witnesses the Select Subcommittee requested in connection with its inquiry into political interference at CDC. In addition, a career CDC official stated in a transcribed interview that she was instructed to delete an email in which Dr. Alexander demanded that CDC alter or rescind truthful scientific reports he believed were

0014384_Redacted.pdf); *see also* Well Being Trust & The Robert Graham Center, *Projected Deaths of Despair During COVID-19* (online at <https://wellbeingtrust.org/areas-of-focus/policy-and-advocacy/reports/projected-deaths-of-despair-during-covid-19/>) (“the additional deaths of despair range from 27,644 (quick recovery, smallest impact of unemployment on deaths of despair) to 154,037 (slow recovery, greatest impact of unemployment on deaths of despair), with 75,000 being the most likely.”).

⁹ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, and Brad Traverse, Senior Advisor, Department of Health and Human Services (May 17, 2020) (SSCC-0014477–78) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014477_Redacted.pdf).

¹⁰ Alex M. Azar II, *We Have to Reopen – for Our Health*, Washington Post (May 21, 2020) (online at www.washingtonpost.com/opinions/reopening-isnt-a-question-of-health-vs-economy-when-a-bad-economy-kills-too/2020/05/21/c126deb6-9b7d-11ea-ad09-8da7ec214672_story.html).

¹¹ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Robinson, Department of Health and Human Services, et al. (Aug. 2, 2020) (SSCC-0003511–13) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.02.2020%20SSCC-0003511_Redacted.pdf).

¹² *See* Select Subcommittee on the Coronavirus Crisis, *Inefficient, Ineffective, and Inequitable: The Trump Administration’s Failed Response to the Coronavirus Crisis*, Appendix B (Oct. 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/InterimStaffReport10.30.20.pdf>) (describing the Trump White House’s political interference in the nation’s coronavirus response).

damaging to President Trump. She understood that the direction to delete the email came from then-CDC Director Robert Redfield.¹³

The previous Administration's obstruction continued even after the Select Subcommittee issued subpoenas to Secretary Azar and Director Redfield on December 21, 2020.¹⁴ The Select Subcommittee is continuing this inquiry because important questions remain regarding the extent and impact of the political interference at CDC and other agencies, who in the Trump Administration led this effort, and whether additional documents were deleted or hidden at the instruction of Trump Administration officials.

Consideration of a Dangerous Herd Immunity Strategy

On October 9, 2020, the Select Subcommittee launched an inquiry into the Trump Administration's consideration of a dangerous "herd immunity" strategy in response to the pandemic.¹⁵ Initial findings from this investigation were laid out in a memorandum released by the Select Subcommittee in December 2020, which showed that Dr. Alexander wrote multiple emails to then-FDA Commissioner Stephen Hahn, Director Redfield, and other senior HHS officials advocating for policies that would purposely allow the virus to spread quickly among millions of Americans in a misguided attempt to achieve herd immunity without a vaccine.¹⁶ The views expressed in these private communications were later echoed by President Trump and other Administration officials.¹⁷

¹³ Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II and Robert R. Redfield, Director, Centers for Disease Control and Prevention (Dec. 10, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-10.Clyburn%20to%20HHS%20re%20Redfield%20%281%29.pdf>).

¹⁴ Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II and Robert R. Redfield, Director, Centers for Disease Control and Prevention (Dec. 21, 2020) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-21.Clyburn%20to%20Redfield%20and%20Azar%20re%20Subpoena%20FINAL%20_0.pdf).

¹⁵ Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II (Oct. 9, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-10-09.Clyburn%20and%20Raskin%20to%20Azar%20re%20Herd%20Immunity.pdf>).

¹⁶ Memorandum from Majority Staff to Members of the Select Subcommittee on the Coronavirus Crisis, *Supplemental Memorandum on Investigation into Political Interference with Coronavirus Response* (Dec. 16, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20re%20Political%20Messaging%20and%20Herd%20Immunity.pdf>).

¹⁷ See, e.g., *Trump Says with 'a Herd Mentality' Covid-19 Coronavirus Will Go Away*, Forbes (Sept. 16, 2020) (online at www.forbes.com/sites/brucelee/2020/09/16/trump-says-with-a-herd-mentality-covid-19-coronavirus-will-go-a-way/).

On October 2, 2020, Secretary Azar testified before the Select Subcommittee: “Herd immunity is not the strategy of the U.S. government with regard to coronavirus.”¹⁸ However, just days later, Secretary Azar met with Dr. Atlas and three outspoken proponents of advancing a herd immunity strategy in response to the coronavirus, writing afterwards that the meeting provided “strong reinforcement of the Trump Administration’s strategy.” On October 9, 2020, the Select Subcommittee wrote to Secretary Azar asking him to clarify his previous testimony and to provide documents and information regarding the meeting.¹⁹ In response, HHS denied that herd immunity is the policy of the United States, but failed to respond to the Select Subcommittee’s requests.²⁰

Despite these disavowals, Dr. Atlas and other senior Trump Administration officials continued to suggest publicly in the Fall of 2020 that the Trump Administration was pursuing a herd immunity strategy.²¹ The Select Subcommittee is seeking to understand whether Trump Administration officials deliberately pursued a herd immunity strategy and to what extent political appointees at HHS, CDC, and FDA were involved in that plan.

Suppression of Testing

In June 2020, the Select Subcommittee wrote to Vice President Pence and Secretary Azar to request information regarding testing shortages and President Trump’s instruction to “slow the testing down.”²² The Select Subcommittee never received a response from the White House, and HHS refused to produce most of the requested documents.

On August 24, 2020, CDC issued new guidance that asserted—contrary to the scientific consensus—that most asymptomatic people should not be tested, even if they were exposed to

¹⁸ Select Subcommittee on the Coronavirus Crisis, Testimony of Former Secretary Alex M. Azar II, Department of Health and Human Services, *Hybrid Hearing with Secretary of Health and Human Services Alex M. Azar II* (Oct. 2, 2020) (online at <https://coronavirus.house.gov/subcommittee-activity/hearings/hybrid-hearing-secretary-health-and-human-services-alex-m-azar-ii>).

¹⁹ Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II (Oct. 9, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-10-09.Clyburn%20and%20Raskin%20to%20Azar%20re%20Herd%20Immunity.pdf>).

²⁰ Letter from Sarah Arbes, Assistant Secretary for Legislation, Department of Health and Human Services, to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (Nov. 16, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/11.16.2020%20Final%20Response%20re%20herd%20immunity.pdf>).

²¹ See, e.g., *Scientists Push Back on Herd-Immunity Approach to Covid-19*, Wall Street Journal (Oct. 18, 2020) (online at www.wsj.com/articles/white-house-touts-document-calling-for-herd-immunity-approach-to-covid-19-crisis-11603051550); *Infectious-Disease Expert: Scott Atlas’ Herd Immunity Claims Are “Pseudoscience,”* Axios (Oct. 18, 2020) (online at www.axios.com/scott-atlas-herd-immunity-coronavirus-c8511115-0f39-4d0a-a1a8-44dd7560c7f1.html).

²² Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Vice President Michael R. Pence, Secretary of Health and Human Services Alex M. Azar II, and Centers for Disease Control and Prevention Robert R. Redfield (June 22, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-06-22.Clyburn%20to%20Task%20Force%20re%20Testing.pdf>).

someone with the virus. The Select Subcommittee raised serious concerns about the change, noting that it was “reportedly pursuant to instructions ‘coming from the top down.’”²³ On August 26, Assistant Secretary for Health at HHS Brett Giroir “flatly denied any political involvement in the decision,” and claimed that “the new guidelines are a CDC action.”²⁴

However, recently obtained evidence shows that political appointees were involved in the decision to change CDC’s guidance, and that the Trump Administration changed the guidance for the explicit purpose of reducing testing and allowing the virus to spread while quickly reopening the economy. In an August 27, 2020, email recently obtained by the Select Subcommittee, Dr. Alexander wrote that the new guidance followed “extensive debate amongst the White House Task Force members.” He also explained that the Trump Administration changed the guidance to avoid identifying infections among “low risk” people, apparently because the Trump Administration believed that an accurate count of coronavirus infections would prevent businesses and schools from immediately reopening:

We seek to add some more clarity here to help explain our thinking in this update. ... Testing is not to find asymptomatic infections in low risk people.... Testing asymptomatic people to seek asymptomatic cases is not the point of testing, for in the end, all this accomplishes is we end up quarantining asymptomatic, low risk people and preventing the workforce from working. In this light, it would be unreasonable based on the prevailing data to have widespread testing of schools and colleges/universities. This will not allow them to optimally re-open.²⁵

Following criticism from the Select Subcommittee and others, the Trump Administration reversed this change to CDC’s guidance on September 18, 2020. However, Administration officials continued to advocate limiting testing.²⁶ The Select Subcommittee is seeking to understand the full scope and impact of efforts by the Trump White House to suppress coronavirus testing.

²³ Select Subcommittee on the Coronavirus Crisis, Press Release: *Chairman Clyburn Questions Updated CDC Guidelines on Coronavirus Testing* (Aug. 26, 2020) (online at <https://coronavirus.house.gov/news/press-releases/chairman-clyburn-questions-updated-cdc-guidelines-coronavirus-testing>).

²⁴ *In Stunning Reversal, CDC Abruptly Changes Position on When to Get Tested*, ABC News (Aug. 26, 2020) (online at <https://abcnews.go.com/Politics/stunning-reversal-cdc-abruptly-position-tested/story?id=72621714>).

²⁵ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, et al. (Aug. 27, 2020) (SSCC-0014920 – 22) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.27.2020%20SSCC-0014920_Redacted.pdf).

²⁶ *See, e.g., A Top White House Coronavirus Adviser Has Resisted Widespread Testing, Pushing for a Form of Herd Immunity Instead*, New York Times (Oct. 16, 2020) (online at www.nytimes.com/live/2020/10/16/world/covid-coronavirus/a-top-white-house-coronavirus-adviser-has-resisted-widespread-testing-pushing-for-a-form-of-herd-immunity-instead).

Political Interference in Coronavirus Vaccines and Treatments

The Select Subcommittee raised concerns last year about the previous Administration's pattern of political interference in coronavirus treatments and vaccines.²⁷ Documents recently obtained by the Select Subcommittee have raised further questions about efforts by HHS political appointees to pressure top officials at FDA to approve hydroxychloroquine, convalescent plasma, and other potential coronavirus treatments. These documents also show that Trump Administration appointees criticized scientists who objected to expedited approvals or shared truthful information with the public.²⁸

These documents show that after FDA revoked its emergency use authorization (EUA) for hydroxychloroquine on June 15, 2020, Dr. Alexander repeatedly reached out to top Trump Administration officials to promote the drug as a treatment for coronavirus. For instance, on July 19, he wrote to Dr. Hahn and another top FDA official about a study purporting to show benefits of hydroxychloroquine when used in combination with other treatments. Dr. Alexander stated that he was sharing the study prior to publication, explaining, "I want to help the administration," and complaining, "we are being fought by the other side and media which is horrendous."²⁹ On August 18, Dr. Alexander wrote to Mr. Caputo to chide Dr. Fauci for publicly stating that there is a lack of evidence to indicate that hydroxychloroquine is an effective coronavirus treatment. Dr. Alexander wrote: "he is very wrong. He misspoke. He knows it."³⁰ On August 30, he wrote to Mr. Caputo, CDC Acting Chief of Staff Nina Witkofsky, and other political appointees at HHS and FDA to reiterate his support for the drug, stating:

²⁷ See, e.g., Select Subcommittee on the Coronavirus Crisis, Press Release: *Chairman Clyburn Addresses Trump Administration's Authorization of Use of Plasma to Treat Coronavirus* (Aug. 23, 2020) (online at <https://coronavirus.house.gov/news/press-releases/chairman-clyburn-addresses-trump-administration-s-authorization-use-plasma-treat>).

²⁸ See, e.g., Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, et al. (July 19, 2020) (SSCC-0005448-76) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/07.19.2020%20SSCC-0005448_Redacted.pdf); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, and John Wagner, Associate Commissioner for External Affairs, Food and Drug Administration (Aug. 21, 2020) (SSCC-0015926-28) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.21.2020%20SSCC-0015926_Redacted.pdf); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, et al. (Aug. 19, 2020) (SSCC-0015402-25) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.19.2020%20SSCC-0015402_Redacted.pdf); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, and Anand Shah, Deputy Commissioner for Medical and Scientific Affairs, Food and Drug Administration (Sept. 2, 2020) (SSCC-0013589-92) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.02.2020%20SSCC-0013589_Redacted.pdf).

²⁹ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, et al. (July 19, 2020) (SSCC-0005448-76) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/07.19.2020%20SSCC-0005448_Redacted.pdf).

³⁰ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, et al. (Aug. 18, 2020) (SSCC-0016420-22) (online at

[T]he research community, and ONLY to hurt the administration, has been and is producing garbage research and their conclusions and statements are pure politics and not the truth. I also believe strongly that the administration is not pushing snake oil...³¹

On August 19, 2020, Dr. Alexander wrote to Commissioner Hahn and other top officials to urge them to grant an EUA for convalescent plasma and to disregard objections from NIH Director Collins and Dr. Fauci. Dr. Alexander attached a summary of “the current 18 studies on Convalescent,” writing:

Hi Dr. Hahn and Anand, see this table as per our discussion today. ... I share this to help give us cover in our decisions. It to me is well positioned. My view is that CP should be used and is showing to be safe, and an EUA as an example, if one is ever contemplated, is well credible and has merit. NIH has stepped out of their lane based on what I am reading...³²

Three days later, on August 23, 2020, FDA granted an EUA for convalescent plasma. Commissioner Hahn was later forced to apologize and the FDA’s chief spokesperson was removed after it became clear that Dr. Hahn, along with President Trump and Secretary Azar, cited grossly inaccurate statistics on the effectiveness of convalescent plasma at a press conference.³³

The Select Subcommittee also raised concerns last year about the Trump Administration’s inadequate planning for vaccine distribution.³⁴ On September 8, 2020, the

https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.18.2020%20SSCC-0016420_Redacted.pdf.

³¹ Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, et al. (Aug. 30, 2020) (SSCC-0014811 – 12) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.30.2020%20SSCC-0014811_Redacted.pdf).

³² Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Stephen Hahn, Commissioner, Food and Drug Administration, et al. (Aug. 19, 2020) (SSCC-0015402 – 25) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.19.2020%20SSCC-0015402_Redacted.pdf); see also Report: *FDA Halted Move to Authorize Convalescent Plasma for Covid-19 over Evidence Concerns*, MedCityNews (Aug. 20, 2020) (online at <https://medcitynews.com/2020/08/report-fda-halted-move-to-authorize-convalescent-plasma-for-covid-19-over-evidence-concerns/>).

³³ See Select Subcommittee on the Coronavirus Crisis, *Inefficient, Ineffective, and Inequitable: The Trump Administration’s Failed Response to the Coronavirus Crisis*, Appendix B (Oct. 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/InterimStaffReport10.30.20.pdf>).

³⁴ See, e.g., Letter from Chairman James E. Clyburn, Rep. Mark E. Green, M.D., and Rep. Bill Foster, Select Subcommittee on the Coronavirus Crisis, to Comptroller General Gene L. Dodaro, Government Accountability Office (July 24, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-24.Select%20Cmte%20to%20Dodaro-GAO%20re%20OWS%20.pdf>); Select Subcommittee on the Coronavirus Crisis, Press Release: *Chairman Clyburn Addresses Trump Administration’s Authorization of Use of Plasma to Treat Coronavirus* (Aug. 23, 2020) (online at <https://coronavirus.house.gov/news/press-releases/chairman-clyburn->

Select Subcommittee sent a joint letter with the Oversight and Reform Committee to Secretary Azar requesting detailed information on “plans or frameworks for vaccine distribution and deployment, including prioritization” and warning that the Trump Administration’s “[l]ack of preparation becomes more concerning each day.”³⁵ On December 16, following reports that the Trump Administration missed repeated opportunities to purchase additional vaccine doses, the Select Subcommittee sent a letter to Secretary Azar and Acting Secretary of Defense Christopher Miller requesting additional documents and information and warning that these failures “could lead to significant delays in vaccinations across the United States.”³⁶ However, HHS failed to provide a meaningful response to these requests.

The Select Subcommittee is seeking to understand the full scope and impact of the Trump Administration’s political interference in vaccine and treatment approvals and its failure to implement an effective national plan to procure and distribute vaccines.

* * *

For all of these reasons, we are requesting the following documents by March 1, 2021, covering the period from January 1, 2020, to January 20, 2021:

1. All documents and communications relating to any formal or informal public health guidance, plans, or proposals related to the coronavirus, including but not limited to the Coronavirus Guidelines for America – 30 Days to Slow the Spread, the Guidelines for Opening Up America Again, and any other guidance regarding mask usage, social distancing, stay-at-home orders, reopening the economy, or other measures to control the spread of the coronavirus.
2. All documents and communications relating to coronavirus testing, including the development, production, acquisition, supply, and distribution of coronavirus diagnostic and serology tests and testing supplies, any steps taken to increase laboratory capacity to process tests, and any efforts, plans, instructions, or proposals to limit or reduce the number of tests for the coronavirus performed in the United States or any state or territory.

addresses-trump-administration-s-authorization-use-plasma-treat); Select Subcommittee on the Coronavirus Crisis, Press Release: *As Vaccinations Begin, U.S. Coronavirus Deaths Reach 300,000, Clyburn Calls for Action to Save Lives and Livelihoods* (Dec. 14, 2020) (online at <https://coronavirus.house.gov/news/press-releases/vaccinations-begin-us-coronavirus-deaths-reach-300000-clyburn-calls-action-save>).

³⁵ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, Chairman Raja Krishna moorthi, Subcommittee on Economic and Consumer Policy, and Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II (Sept. 8, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-09-08.CBM%20RK%20JC%20to%20HHS%20re%20Vaccine%20Priority.pdf>).

³⁶ Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II and Acting Secretary of Defense Christopher C. Miller (Dec. 16, 2020) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-16.Majority%20to%20Azar%20and%20Miller%20re%20OWS%20Pfizer%20Letter_.pdf).

3. All documents and communications relating to data collection practices related to the coronavirus, including the decision to transfer hospital coronavirus data authority from CDC to HHS, the decision to use the TeleTracking data collection platform to report hospitalization and other data related to the coronavirus instead of the National Healthcare Safety Network platform, and the decision to remove data from public view on CDC's website.
4. All documents and communications relating to potential coronavirus treatments and vaccines, including contracts for the development and purchase of potential coronavirus treatments and vaccines, consideration of granting emergency use authorizations for hydroxychloroquine, oleandrin, convalescent plasma, and vaccine candidates, and plans related to vaccine distribution.
5. All documents and communications relating to pursuing a herd immunity strategy or allowing the virus to spread among any portion of the U.S. population prior to the development and distribution of a vaccine.
6. All documents and communications relating to any effort by political appointees or White House personnel to review, revise, edit, delay, or prohibit publication of any Morbidity and Mortality Weekly Report or other CDC report, recommendation, or guidance related to the coronavirus.
7. All documents and communications related to efforts to delete, conceal, or withhold information, documents, or testimony, including but not limited to Paul Alexander's August 8, 2020, email with the subject line "Follow up on CDC report on COVID-19 in children hospitalized; see link below."
8. All documents and communications relating to any adverse employment action taken or considered against any employee, official, or contractor of the federal government for actions taken in the course of their employment related to the coronavirus.
9. All documents and communications sent to or received by Alex M. Azar II, Brian Harrison, Michael Caputo, Paul Alexander, Brad Traverse, or others related to any public messaging related to the coronavirus, including any strategies or plans for mass advertising, public service advertisements, or social media campaigns such as the contracts awarded by HHS to Fors Marsh Group, Atlas Research and DD&T Group for an advertising campaign to "defeat despair and inspire hope" prior to the election, and any effort to review, revise, edit, delay, or prohibit the release of public advisories, press releases, media statements, op-eds, and interviews.

In responding to the above-referenced requests, custodians should include, but not be limited to, the following individuals: Amy Abernethy, Jerome Adams, Paul Alexander, Alex M. Azar II, Tammy Beckham, Patrick Brennan, Rick Bright, Jay Butler, Amanda Campbell, Michael Caputo, Christine Casey, Kate Galatas, Brett Giroir, Catherine Granito, Stephen Hahn,

Mr. Norris Cochran

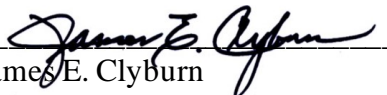
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William Hall, Brian Harrison, Gordon Hensley, Madeleine Hubbard, Michael Iademarco, Daniel Jernigan, Robert Kadlec, Charlotte Kent, Paul Mango, Peter Marks, Kyle McGowan, Katherine McKeogh, Nancy Messonnier, Emily Miller, Chester Moeller, Ryan Murphy, Caitlin Oakley, Laura Pence, Ashton Pollard, Michael Pratt, Robert Redfield, Colin Rom, Anne Schuchat, Erica Schwartz, Anand Shah, Moncef Slaoui, Judy Stecker, Brad Traverse, John Wagner, Mark Weber, and Nina Witkofsky.

The House of Representatives established the Select Subcommittee on the Coronavirus Crisis “to conduct a full and complete investigation” of “issues related to the coronavirus crisis,” including the “preparedness for and response to the coronavirus crisis” and “executive branch policies, deliberations, decisions, activities and internal and external communications related to the coronavirus crisis.”³⁷

An attachment to this letter provides additional instructions for responding to the Select Subcommittee’s request. If you have any questions regarding this request, please contact Select Subcommittee staff at (202) 225-4400.

Sincerely,


James E. Clyburn
Chairman
Select Subcommittee on the Coronavirus Crisis

Enclosure

cc: The Honorable Steve Scalise, Ranking Member
Select Subcommittee on the Coronavirus Crisis

³⁷ H.Res. 935, 116th Cong. (2020); H.Res. 8, sec. 4(f), 117th Cong. (2021).

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.