

**Congress of the United States**  
**Washington, DC 20515**

April 9, 2021

Dr. Paul E. Alexander  
Assistant Professor  
McMaster University  
1280 Main Street West  
Hamilton, Ontario L8S 4L8  
Canada

Dear Dr. Alexander:

The Select Subcommittee on the Coronavirus Crisis is investigating the federal government's response to the pandemic, including key public health decisions made by the previous Administration. Our investigation has shown that Trump Administration officials engaged in a persistent pattern of political interference in the nation's public health response to the coronavirus pandemic, overruling and bullying scientists and making harmful decisions that allowed the virus to spread more rapidly. This investigation has also revealed that you played a role in the Trump Administration's efforts to suppress scientific information you felt could be "use[d] against the president" and advocated for policies that would allow the virus to spread widely among many Americans, asserting "we want them infected."

Documents recently obtained by the Select Subcommittee raise new questions about your role in the Trump Administration's disastrous coronavirus response. Contrary to the previous Administration's claims that your communications "absolutely did not shape department policy or strategy,"<sup>1</sup> these documents suggest you had a direct impact on guidance issued by the Centers for Disease Control and Prevention (CDC). In emails to other political appointees, you bragged that CDC reports showed more "good news" about the pandemic following your intervention, stating, "small victory but a victory nonetheless and yippee!!!" You also made extensive use of a private email account in connection with your work for the Department of Health and Human Services (HHS). For example, you forwarded to your personal email address a request from a senior political appointee to gather information sought by President Trump, writing, "data to research urgently on private laptop."

The Select Subcommittee began this inquiry last year but faced repeated obstruction from the Trump Administration. We are continuing the investigation in order to understand what went wrong and determine what corrective steps are necessary to control the virus, save American lives, and ensure that similar mistakes can never happen again. I write today to seek documents and a transcribed interview with you regarding these issues.

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<sup>1</sup> *Probe: Trump Officials Attacked CDC Virus Reports*, Associated Press (Dec. 21, 2020) (online at <https://apnews.com/article/public-health-james-clyburn-alex-azar-coronavirus-pandemic-f1551a9f40e95c44e944ed93a1cac517>).

### **Evidence of Political Interference**

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 CDC during the pandemic.<sup>2</sup> The Select Subcommittee found that you and other officials at HHS and the White House sought to suppress accurate scientific information believed to be damaging to President Trump, including attempting to alter or block at least 13 CDC reports related to the coronavirus, preparing op-eds to attack CDC reports in order to justify President Trump's push to reopen, and retaliating against officials from CDC and other agencies who provided truthful information to the public.<sup>3</sup>

For example, on August 8, 2020, you sent an email to then-CDC Director Robert Redfield, then-HHS Assistant Secretary for Public Affairs Michael Caputo, and other officials. You demanded that CDC insert new language in a previously published scientific report, known as a Morbidity and Mortality Weekly Report (MMWR), on coronavirus risks to children or "pull it down and stop all reports immediately." You explained:

Michael, I am asking that you put an **immediate stop** on all CDC MMWR reports due to the incompleteness of reporting that is done in a manner to mislead the public. ... CDC to me appears to be writing hit pieces on the administration and meant at this time to impact school re-openings and they then send it to the media knowing it is deceiving. I ask it be stopped now! ... Nothing to go out unless I read and agree with the findings how they CDC, wrote it and I tweak it to ensure it is fair and balanced and 'complete'. And not misleading.<sup>4</sup>

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<sup>2</sup> 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>).

<sup>3</sup> 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. 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](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-21.Clyburn%20to%20Redfield%20and%20Azar%20re%20Subpoena%20FINAL%20_0.pdf)); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Norris Cochran, Acting Secretary, Department of Health and Human Services (Feb. 8, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2021-02-08.Clyburn%20to%20Cochran%20re%20WH%20Failures%20on%20Pandemic%20.pdf>).

<sup>4</sup> Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Robert

In a transcribed interview, a senior CDC official told Select Subcommittee staff that she was “surprised” that you sought to make changes to MMWRs, that your efforts were “not typical,” and that choosing to collaborate with you could cause “a perception that that was influencing the scientific integrity of MMWR.”<sup>5</sup>

The Trump Administration denied that there was any political interference impacting CDC reports, with HHS claiming that your emails “absolutely did not shape department policy or strategy.”<sup>6</sup> At an October 2, 2020, hearing before the Select Subcommittee, then-HHS Secretary Alex Azar similarly denied that you had “authority over determining the final publication of an MMWR.”<sup>7</sup> However, recently obtained documents suggest your efforts to influence CDC’s scientific reports were successful. On August 30, 2020, you wrote to then-CDC Acting Chief of Staff Nina Witkofsky regarding an apparent shift in the tenor of MMWR articles, stating:

The last 2 MMWR reports have been more positive than usual and I find encouraging. ... There are [sic] always good news and they seem to omit these as it pertains to COVID and so these last 2 are showing positives. Have we been able to at last to impress upon them that it is easy to see how they report? And now they are forced to balance? ... So have you seen this shift? Maybe you are having a huge impact and this is tremendous. Well done!<sup>8</sup>

On September 9, 2020, you sent Mr. Caputo an email describing two “[e]xamples of CDC adjusting writing based on my inquiry.” In one example, you noted that a draft report on a coronavirus outbreak at a Georgia summer camp referred to schools and institutions of higher learning, which you claimed “was meant to extrapolate this camp to schools to hit the administration on safe school re-open.” You reported that after you wrote to CDC, the agency altered the report to eliminate the reference to schools, telling Mr. Caputo, “small victory but a victory nonetheless and yippee!!!” You then forwarded the message to your personal email account.<sup>9</sup>

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Redfield, Director, Centers for Disease Control and Prevention, et al. (Aug. 8, 2020) (SSCC-0011473 – 77) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.09.2020%20SSCC-0011473\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.09.2020%20SSCC-0011473_Redacted.pdf)) (emphasis in original).

<sup>5</sup> Transcribed Interview of Charlotte Kent (Dec. 7, 2020) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Kent%20Transcript\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Kent%20Transcript_Redacted.pdf)) at 648 – 654, 1460 – 1463, 1503 – 1518, 1551 – 1572; *see also id.* at 1619 – 1622; 1792 – 1803.

<sup>6</sup> *Probe: Trump Officials Attacked CDC Virus Reports*, Associated Press (Dec. 21, 2020) (online at <https://apnews.com/article/public-health-james-clyburn-alex-azar-coronavirus-pandemic-f1551a9f40e95c44e944ed93a1cac517>).

<sup>7</sup> Select Subcommittee on the Coronavirus Crisis, *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>).

<sup>8</sup> Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Nina Witkofsky, Acting Chief of Staff, Centers for Disease Control and Prevention (Aug. 30, 2020) (SSCC-0011064) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.30.2020%20SSCC-0011064\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.30.2020%20SSCC-0011064_Redacted.pdf)).

<sup>9</sup> Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Michael

In February 2021, CDC Director Rochelle Walensky confirmed the Select Subcommittee’s finding of political interference, stating in an interview that certain coronavirus guidelines released by CDC during the Trump Administration had been “politically swayed” by political appointees.<sup>10</sup> Last month, CDC released the results of an internal review of its public health guidance documents, which found that multiple guidance documents were not “primarily authored by CDC staff,” used “less directive language than ... could be supported by existing evidence,” and were not supported by the latest science.<sup>11</sup> For example, CDC found that August 2020 guidance asserting, contrary to the scientific consensus, that most asymptomatic people should not be tested even if they were exposed to someone with the virus, was “developed or finalized outside of the agency.”<sup>12</sup> This is consistent with evidence previously uncovered by the Select Subcommittee that you and other political appointees were involved in the decision to change the testing guidance in order to reduce testing and allow the virus to spread while quickly reopening the economy.<sup>13</sup>

### **Promotion of Dangerous Herd Immunity Strategy**

The Select Subcommittee’s investigation also uncovered that you wrote multiple emails to then-CDC Director Redfield, then-Commissioner of the Food and Drug Administration (FDA) Stephen Hahn, and other senior officials at HHS, CDC, and FDA 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.<sup>14</sup> The views expressed in these private communications were later echoed by President Trump and other officials, raising the serious

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Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services (Sept. 9, 2020) (SSCC-0003325 – 26) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.09.2020%20SSCC-0003325-36\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.09.2020%20SSCC-0003325-36_Redacted.pdf)).

<sup>10</sup> *CDC Director Says ‘Minority’ of Coronavirus Guidelines Were ‘Politically Swayed’ Under Trump*, Washington Post (Feb. 8, 2021) (online at [www.washingtonpost.com/nation/2021/02/08/coronavirus-covid-live-updates-us/#link-OL6YISXANRHE3LNT3M6E35MX3I](https://www.washingtonpost.com/nation/2021/02/08/coronavirus-covid-live-updates-us/#link-OL6YISXANRHE3LNT3M6E35MX3I)).

<sup>11</sup> Memorandum from Anne Schuchat, Principal Deputy Director, Centers for Disease Control and Prevention, to Rochelle P. Walensky, Director, Centers for Disease Control and Prevention, *Summary of Guidance Review* (Mar. 10, 2021) (online at [www.cdc.gov/coronavirus/2019-ncov/downloads/communication/Guidance-Review.pdf](https://www.cdc.gov/coronavirus/2019-ncov/downloads/communication/Guidance-Review.pdf)).

<sup>12</sup> *See id.*; *see also* 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>).

<sup>13</sup> Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Norris Cochran, Acting Director, Department of Health and Human Services (Feb. 8, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2021-02-08.Clyburn%20to%20Cochran%20re%20WH%20Failures%20on%20Pandemic%20.pdf>).

<sup>14</sup> 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>).

possibility that key Administration officials have pursued a deliberate or reckless policy of allowing Americans to be infected with the coronavirus.<sup>15</sup>

### **Use of Personal Email Accounts for Government Work**

The Select Subcommittee has identified numerous instances in which you forwarded official government records from your employment at HHS to your personal email account, as well as to another non-government email account that may be associated with a former colleague of yours with the initials “S R.”<sup>16</sup> In one instance, you forwarded to your personal email account and S R a document you described as “confidential.”<sup>17</sup> You also forwarded an email chain in which Mr. Caputo told you that President Trump “wants us to enumerate the economic cost of not reopening” and called the task “singularly important to what you and I want to achieve.” You forwarded this email to your personal email account and to S R, writing, “data to research urgently on private laptop.”<sup>18</sup> Separately, you forwarded to senior Trump Administration

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<sup>15</sup> 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-away/](http://www.forbes.com/sites/brucelee/2020/09/16/trump-says-with-a-herd-mentality-covid-19-coronavirus-will-go-away/)); *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-covid19-crisis-11603051550](http://www.wsj.com/articles/white-house-touts-document-calling-for-herd-immunity-approach-to-covid19-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](http://www.axios.com/scott-atlas-herd-immunity-coronavirus-c8511115-0f39-4d0a-a1a8-44dd7560c7f1.html)).

<sup>16</sup> See, e.g., Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (Aug. 11, 2020) (SSCC-0016527 – 29) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.11.2020%20SSCC-0016527\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.11.2020%20SSCC-0016527_Redacted.pdf)); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (Aug. 12, 2020) (SSCC-0016489 – 92) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.12.2020%20SSCC-0016489\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/08.12.2020%20SSCC-0016489_Redacted.pdf)); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (Sept. 13, 2020) (SSCC-0015128 – 29) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.13.2020%20SSCC-0015128\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.13.2020%20SSCC-0015128_Redacted.pdf)); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (Sept. 13, 2020) (SSCC-0011360 – 67) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.13.2020%20SSCC-0011360\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.13.2020%20SSCC-0011360_Redacted.pdf)).

<sup>17</sup> Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (May 13, 2020) (SSCC-0014474 – 75) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.13.2020%20SSCC-0014474\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.13.2020%20SSCC-0014474_Redacted.pdf)).

<sup>18</sup> Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (May 17, 2020) (SSCC-0014479 – 84) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014479\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014479_Redacted.pdf)); see also Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander (May 17, 2020) (SSCC-0014437 – 51) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014437\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014437_Redacted.pdf)) (email from S R with information regarding “deaths of despair as a consequence of COVID-19,” which you subsequently incorporated into a document entitled “Facts for President”); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander (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](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014477_Redacted.pdf)) (forwarding information from S R regarding “deaths of despair as a consequence of

officials a draft op-ed from S R that attempted to rebut a CDC report on an outbreak at a Georgia summer camp. You wrote, “here is the piece to rebut that poor CDC MMWR ... this has very re-assuring information and even for the White House.”<sup>19</sup>

### **Obstruction of the Select Subcommittee’s Investigation**

The Select Subcommittee has identified numerous instances of Trump Administration appointees’ interference in the work of the nation’s public health agencies during the coronavirus pandemic.<sup>20</sup> However, the full extent of this interference and its impact on the nation’s coronavirus response remain unknown because the previous Administration refused to cooperate with the Select Subcommittee’s inquiries, blocking access to documents and witnesses.

On September 14, 2020, the Select Subcommittee requested a transcribed interview with you in a letter to HHS.<sup>21</sup> Two days later, on September 16, HHS announced that you would be leaving your role at the Department.<sup>22</sup> HHS refused to coordinate an interview with you following your departure. The Select Subcommittee later obtained an internal HHS email you sent on September 14 in which you privately expressed a willingness to sit for an interview with

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COVID-19” to Michael Caputo and Brad Traverse).

<sup>19</sup> On July 27, 2020, S R sent you a draft of an op-ed refuting key findings from the MMWR regarding an outbreak at a Georgia summer camp and pushing for school reopening. Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (July 27, 2020) (SSCC-0008103 – 05) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/07.27.2020%20SSCC-008103\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/07.27.2020%20SSCC-008103_Redacted.pdf)). Later that day, you provided an updated version of the rebuttal to Mr. Caputo, Ms. Witkofsky, and Mr. Traverse. 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. (July 27, 2020) (SSCC-0002911 – 13) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020.07.27%20SSCC-0002911-13\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020.07.27%20SSCC-0002911-13_Redacted.pdf)). You also forwarded other material prepared by S R for use in a May 2020 op-ed related to reopening to Administration officials. See Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander and S R (May 17, 2020) (SSCC-0014479 – 84) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014479\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014479_Redacted.pdf)); Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Paul Alexander (May 17, 2020) (SSCC-0014437 – 51) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014437\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/05.17.2020%20SSCC-0014437_Redacted.pdf)).

<sup>20</sup> See, e.g., 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).

<sup>21</sup> 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>).

<sup>22</sup> See Select Subcommittee on the Coronavirus Crisis, *Press Release: Chair Clyburn Issues Statement on Senior Trump Administration Officials Leaving Roles at HHS* (Sept. 16, 2020) (online at <https://coronavirus.house.gov/news/press-releases/chair-clyburn-issues-statement-senior-trump-administration-officials-leaving>).

the Select Subcommittee, stating: “On my part I have no issue being interviewed etc. and await how this is done as per instructions.”<sup>23</sup>

On March 10, 2021, Select Subcommittee staff reached out to you directly to speak about your work at HHS. You declined, stating that you did not believe you could add anything of value to the Select Subcommittee’s investigation. However, the Select Subcommittee has many remaining questions regarding the role played by Trump Administration appointees in the scientific reports and guidance issued by CDC and other public health agencies during the pandemic. As a former senior official at HHS who was actively involved in matters under investigation by the Select Subcommittee, you possess material information that could shed light on the public health policies pursued by the Trump Administration in response to the coronavirus, the extent and impact of the political interference at CDC and other agencies, the rationale underlying attempts to alter or block certain scientific reports and guidance issued by CDC, and who in the Trump Administration led these efforts.

\* \* \*

For all of these reasons, please produce by April 23, 2021, all documents and communications in your possession, custody, or control related to your duties at HHS related to the coronavirus, including but not limited to documents and communications related to:

- any formal or informal public health guidance, plans, or proposals;
- coronavirus testing, treatments, or vaccines;
- re-opening schools or businesses;
- 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;
- public messaging related to the coronavirus;
- any attempt to review, revise, edit, delay, or prohibit publication of any MMWR or other CDC report, recommendation, or guidance;
- data collection practices;
- any effort to delete, conceal, or withhold information, documents, or testimony; or

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<sup>23</sup> Email from Paul Alexander, Senior Advisor, Department of Health and Human Services, to Caitlin Oakley, Deputy Assistant Secretary, National Spokesperson, Department of Health and Human Services (Sept. 14, 2020) (SSCC-0014842 – 45) (online at [https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.14.2020%20SSCC-0014842\\_Redacted.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/09.14.2020%20SSCC-0014842_Redacted.pdf)).

- 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.

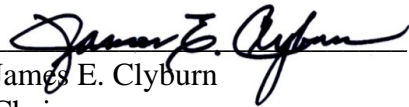
In responding to this request, responsive communications should include, but not be limited to, electronic messages sent to or from your personal email account(s), cell phone(s), or other messaging applications or software (including but not limited to text messages, instant messages, encrypted messages, and social media).

In addition, the Select Subcommittee requests a transcribed interview with you on April 30, 2021. Please confirm by April 16, 2021, that you will appear voluntarily for the interview.

These requests are consistent with the House of Representatives' authorization of 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."<sup>24</sup>

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

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<sup>24</sup> H.R. 8, sec. 4(f); H.R. 935, 116th Cong. (2020).



## **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.