

JAMES E. CLYBURN  
CHAIRMAN

MAXINE WATERS  
CAROLYN B. MALONEY  
NYDIA M. VELÁZQUEZ  
BILL FOSTER  
JAMIE RASKIN  
RAJA KRISHNAMOORTHY

ONE HUNDRED SEVENTEENTH CONGRESS

# Congress of the United States

## House of Representatives

STEVE SCALISE  
RANKING MEMBER

JIM JORDAN  
MARK E. GREEN, M.D.  
NICOLE MALLIOTAKIS  
MARIANNETTE MILLER-MEEKS, M.D.

SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Phone (202) 225-4400

<https://coronavirus.house.gov>

July 26, 2021

Nina Witkofsky  
Atlanta, Georgia

Dear Ms. Witkofsky:

The Select Subcommittee on the Coronavirus Crisis has been conducting investigations into the federal government's response to the coronavirus pandemic. We have sought to better understand what went wrong, identify ways to improve the country's response, and determine what corrective steps are necessary to ensure our nation is better prepared for any future public health crisis. These investigations have revealed, among other failures, that Trump Administration officials engaged in a persistent pattern of political interference in the nation's pandemic response—overruling and bullying our nation's scientists and making decisions that allowed the virus to spread more rapidly in an attempt to advance former President Trump's electoral prospects.<sup>1</sup> In light of the senior positions you held at the Centers for Disease Control and Prevention (CDC) and your involvement in key events under investigation by the Select Subcommittee, we write today to request documents and a transcribed interview regarding these issues.

To date, the Select Subcommittee has identified at least 88 instances in which you and other Trump Administration officials injected politics into public health decisions—including attempting to alter, delay, or block the release of scientific reports and guidance on the coronavirus, pressuring public health experts to adopt politically motivated talking points that downplayed the threat of the virus and conflicted with science, and seeking to retaliate against CDC officials who provided truthful information to the public. For instance, the Select Subcommittee has obtained evidence showing that Trump Administration officials promoted policies that would purposely allow the virus to spread in a dangerous attempt to achieve herd immunity without a vaccine, changed the CDC's testing guidance for the explicit purpose of

---

<sup>1</sup> See, e.g., Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Chief of Staff Ronald A. Klain, White House (Feb. 8, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2021-02-08.Clyburn%20to%20Klain%20re%20WH%20Failures%20on%20Pandemic%20.pdf>); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary Alex. M. Azar II, Department of Health and Human Services and Director Robert R. Redfield, 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 Secretary Alex. M. Azar II, Department of Health and Human Services and Director Robert R. Redfield, 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>).

reducing testing while reopening the country, and pursued questionable coronavirus treatments over the objections of scientists. These incidents—many of which occurred while you were Senior Advisor and Acting Chief of Staff to then-CDC Director Robert Redfield—degraded every major facet of the prior Administration’s public health response and severely hindered the country’s ability to respond effectively to the pandemic.<sup>2</sup>

Evidence previously uncovered by the Select Subcommittee shows that you worked closely with political appointees in the Department of Health and Human Services (HHS), including then-HHS Assistant Secretary for Public Affairs Michael Caputo and then-HHS Senior Advisor Paul Alexander, to facilitate their efforts to obtain and review CDC’s Morbidity and Mortality Weekly Report (MMWR) articles prior to their release. Documents also show that you were aware of HHS political appointees’ attempt to refute the findings of an MMWR on a coronavirus outbreak at a Georgia summer camp, and that you were copied on multiple emails in which Dr. Alexander attempted to alter MMWRs and Mr. Caputo bullied CDC career staff.<sup>3</sup>

The Select Subcommittee has also obtained new documents regarding your role in specific events actively under investigation. For example, a recently obtained document indicates that you and other top CDC officials—including then-CDC Director Redfield and Dr. Michael Iademarco, Director of CDC’s Center for Surveillance, Epidemiology, and Laboratory Services—were contacted by a CDC employee to discuss how to address an email sent by Dr. Alexander, in which Dr. Alexander called for an “immediate stop on all CDC MMWR reports” to allow him to review and make changes to articles prior to publication.<sup>4</sup> During a December 7, 2020, transcribed interview of Dr. Charlotte Kent, Chief of the Scientific Publications Branch and Editor-in-Chief of CDC’s MMWR series, Dr. Kent stated that she was instructed to delete this email, and that she understood the direction came from Director Redfield.<sup>5</sup>

---

<sup>2</sup> Select Subcommittee on the Coronavirus Crisis, *The Trump Administration’s Pattern of Political Interference in the Nation’s Coronavirus Response* (July 26, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/7.26.2021%20Timeline%20of%20Political%20Interference%20-%20final.pdf>); *see also* *White House Puts “Political” at CDC to Try to Control Info*, Associated Press (Oct. 16, 2020) (online at <https://apnews.com/article/election-2020-virus-outbreak-pandemics-public-health-new-york-b279b4ead51e0871059df4c03ad8df6e>).

<sup>3</sup> *See* Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Senior Advisor Paul E. Alexander, Department of Health and Human Services (Apr. 9, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2021-04-08.Clyburn%20to%20Alexander%20re%20COVID%20Response%20.pdf>); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary Alex M. Azar II, Department of Health and Human Services and Director Robert R. Redfield, 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)).

<sup>4</sup> Email from Staff, Centers for Disease Control and Prevention, to Director Robert R. Redfield, Centers for Disease Control and Prevention, et al. (Aug. 9, 2020) (SSCC-0022285 – 86) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Link%201%20-%20New%20CDC%20Email%20to%20Redfield.pdf>).

<sup>5</sup> *See* Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary Alex M. Azar II, Department of Health and Human Services and Director Robert R. Redfield, Centers for Disease Control and Prevention (Dec. 10, 2020) (online at

Specifically, in her interview, Dr. Kent stated that she received the instruction to delete Dr. Alexander's email on Sunday, August 9, 2020, after Director Redfield and Dr. Iademarco discussed the email earlier that day.<sup>6</sup> Consistent with Dr. Kent's statements, early in the morning on Sunday, August 9, a CDC official forwarded Dr. Alexander's email to you, Director Redfield, Dr. Iademarco, and other CDC officials, offering "to discuss next steps with you and OD [Office of the Director] leadership (copied) in the morning."<sup>7</sup> As a member of the Office of the Director leadership team and a recipient of this email, you appear to have firsthand knowledge of this troubling incident, including who may have participated in relevant conversations, whether Director Redfield may have told CDC staff to delete this email, and what steps may have been taken to effectuate such an instruction.

Although the Select Subcommittee was scheduled to interview you last year, the Trump Administration abruptly canceled the interview after this troubling information came to light.<sup>8</sup> The full extent of your knowledge and involvement in this act of obstruction and in other instances of political interference with public health decisions—and their impact on the coronavirus response—remain unclear because the prior Administration refused to cooperate with the Select Subcommittee's inquiries.

Given the senior positions you held at CDC and your active involvement in matters under investigation by the Select Subcommittee, you likely possess material information relevant to the Select Subcommittee's investigation. This may include, but may not be limited to, information on the Trump Administration's early monitoring of and response to the coronavirus; coronavirus testing, treatments, or vaccines; the public health policies pursued by the Trump Administration to combat the coronavirus; consideration of 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; the extent and impact of the political interference in public health agencies' work; any effort to delete, conceal, or withhold information, documents, or testimony; data collection practices; or 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.

\* \* \*

---

<https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-12-10.Clyburn%20to%20HHS%20re%20Redfield%20%281%29.pdf>.

<sup>6</sup> Transcribed Interview of Dr. Charlotte Kent at 70:1716–72:1763, 74:1811–75:1833 (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)).

<sup>7</sup> Email from Staff, Centers for Disease Control and Prevention, to Director Robert R. Redfield, Centers for Disease Control and Prevention, et al. (Aug. 9, 2020) (SSCC-0022285 – 86) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Link%201%20-%20New%20CDC%20Email%20to%20Redfield.pdf>).

<sup>8</sup> See Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary Alex M. Azar II, Department of Health and Human Services and Director Robert R. Redfield, 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)).

Our public health institutions must never be compromised again by decision makers more concerned with politics than keeping Americans safe. It is therefore imperative that the Select Subcommittee's investigations into the prior Administration's response to the pandemic provide full accountings of what occurred. The Select Subcommittee's investigations have raised concerns that Trump Administration officials may have communicated about key elements of the coronavirus response on personal accounts or private devices.<sup>9</sup>

For all of these reasons, please produce by August 16, 2021, all documents and communications in your possession, custody, or control related to your involvement in the federal government's response to the coronavirus. We also request your participation in a transcribed interview on Friday, August 27, 2021, at 9:00 a.m. E.T.

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>10</sup>

In responding to this request, responsive communications should include, but not be limited to, electronic messages sent to or from your government-issued or personal email account(s); voicemails, text messages, or instant messages on mobile applications on your government-issued or personal cell phone(s); and data located on any other messaging applications, software, hard drive, or in any other form, including but not limited to instant messages, encrypted messages, and social media accounts.

Please confirm by August 2, 2021, that you have received our letter and will comply with these requests. 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.

---

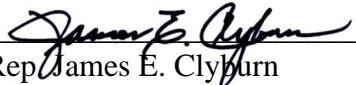
<sup>9</sup> See, e.g., Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Paul E. Alexander, Assistant Professor, McMaster University (Apr. 9, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2021-04-08.Clyburn%20to%20Alexander%20re%20COVID%20Response%20.pdf>); *Kushner Coronavirus Team Sparks Confusion, Plaudits Inside White House Response Efforts*, Washington Post (Mar. 18, 2020) (online at [www.washingtonpost.com/politics/kushner-coronavirus-team-sparks-confusion-plaudits-inside-white-house-response-efforts/2020/03/18/02038a16-6874-11ea-9923-57073adce27c\\_story.html](http://www.washingtonpost.com/politics/kushner-coronavirus-team-sparks-confusion-plaudits-inside-white-house-response-efforts/2020/03/18/02038a16-6874-11ea-9923-57073adce27c_story.html)); see also *But Their Emails: Seven Members of Trump's Team Have Used Unofficial Communication Tools*, Washington Post (Mar. 21, 2019) (online at [www.washingtonpost.com/politics/2019/03/21/their-emails-seven-members-trumps-team-have-used-unofficial-communications-tools/](http://www.washingtonpost.com/politics/2019/03/21/their-emails-seven-members-trumps-team-have-used-unofficial-communications-tools/)).

<sup>10</sup> H.Res. 8, sec. 4(f), 117th Cong. (2021); H.Res. 935, 116th Cong. (2020).


Ms. Nina Witkofsky

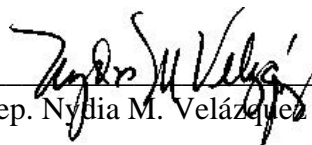
Page 5


Sincerely,

  
Rep. James E. Clyburn  
Chairman

  
Rep. Maxine Waters

  
Rep. Carolyn B. Maloney

  
Rep. Nydia M. Velázquez

  
Rep. Bill Foster

  
Rep. Jamie Raskin

  
Rep. Raja Krishnamoorthi

Enclosure

cc: The Honorable Steve Scalise, Ranking Member

## 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.