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HOUSE COMMITTEE ON OVERSIGHT AND REFORM,  
SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS,  
U.S. HOUSE OF REPRESENTATIVES,  
WASHINGTON, D.C.

INTERVIEW OF: CHARLOTTE KENT, PH.D., MPH

Monday, December 7, 2020

Washington, D.C.

The interview in the above matter was held via Webex,  
commencing at 10:03 a.m.

26 Appearances:

27

28 For the DEMOCRATIC STAFF (MAJORITY):

29

30 JENNIFER GASPAR, CHIEF INVESTIGATIVE COUNSEL

31 RUSSELL ANELLO, DEPUTY STAFF DIRECTOR AND CHIEF COUNSEL

32 ALEX KILES, COUNSEL

33 BETH MUELLER, COUNSEL

34

35 For the REPUBLICAN STAFF (MINORITY):

36

37 ASHLEY CALLEN, DEPUTY STAFF DIRECTOR

38 MITCHELL BENZINE, SENIOR POLICY COUNSEL

39 CARLTON DAVIS, CHIEF COUNSEL FOR INVESTIGATIONS

40

41 For the DEPARTMENT OF HEALTH AND HUMAN SERVICES:

42

43 JACK BOYD, OFFICE OF ASSISTANT SECRETARY FOR LEGISLATION

44 KYLE BROSINAN, OFFICE OF ASSISTANT SECRETARY FOR LEGISLATION

45 SEAN KEVENEY, OFFICE OF GENERAL COUNSEL

46 JENNIFER SCHMALZ, OFFICE OF ASSISTANT SECRETARY FOR

47 LEGISLATION

48 JOHN STROM, OFFICE OF GENERAL COUNSEL

49

50 Appearances:

51

52 For the CENTERS FOR DISEASE CONTROL AND PREVENTION:

53

54 DEBORAH TRESS, HHS OFFICE OF GENERAL COUNSEL, CDC BRANCH

55 BARBARA ROGERS, CDC OFFICE OF LABORATORY SCIENCE AND SAFETY

56

57 Ms. Gaspar. Good morning, everyone. This is a  
58 transcribed interview of Charlotte Kent conducted by the  
59 House Select Subcommittee on the Coronavirus Crisis.

60 This interview was requested by Chairman James Clyburn  
61 as part of the committee's oversight of the Department of  
62 Health and Human Services and the Centers for Disease Control  
63 and Prevention.

64 I would like to ask the witness to state her full name  
65 and spell her last name for the record.

66 Ms. Kent. Yes, my full name is Charlotte Kathleen Kent.  
67 K-e-n-t.

68 Ms. Gaspar. Thank you, Dr. Kent. My name is Jennifer  
69 Gaspar. I'm majority counsel for the Select Subcommittee. I  
70 want to thank you for coming in today for this interview. We  
71 recognize that you are here voluntarily, and we sincerely  
72 appreciate your time.

73 Under the committee's rules, you are allowed to have an  
74 attorney present with you. Do you have an attorney present,  
75 representing you in your personal capacity today?

76 Ms. Kent. No.

77 Ms. Gaspar. Is there an attorney with you today?

78 Ms. Kent. Yes.

79 Ms. Gaspar. Representing the agency?

80 Ms. Kent. Yes.

81 Ms. Gaspar. Will counsel in the room please state their

82 names for the record?

83 Mr. Strom. John Strom, HHS Office of General Counsel.

84 Ms. Tress. Deborah Tress, HHS Office of General  
85 Counsel, CDC Branch.

86 Ms. Gaspar. Can we just get a spelling on that name?

87 Mr. Strom. Strom, S-t-r-o-m.

88 Ms. Gaspar. Sorry, the other OGC?

89 Ms. Tress. It's D-e-b-o-r-a-h T-r-e-s-s.

90 Ms. Gaspar. Thank you. Okay. I recognize that there  
91 are a number of people here on the videoconference this  
92 morning. So if we could just go through and have everyone  
93 who is participating in any active way or observing, rather,  
94 state their names for the record one at a time. If you could  
95 unmute yourself and maybe let's just start at the top of the  
96 list with Alex Kiles?

97 Mr. Kiles. Hi. Alex Kiles, counsel for the majority  
98 staff.

99 Ms. Callen. I don't know where we're going. I feel  
100 like I might be the next person. Ashley Callen, with  
101 minority staff.

102 Ms. Gaspar. There is an alphabetical list on the right-  
103 hand side of the Webex. I think the next person is Barbara  
104 Rogers, who I understand is with CDC.

105 Ms. Rogers. That's correct. R-o-g-e-r-s.

106 Ms. Mueller. Hi. Beth Mueller, M-u-e-l-l-e-r, with the

107 majority staff.

108 Mr. Davis. Hi. This is Carlton Davis, with the  
109 Republican staff.

110 Ms. Gaspar. I think the next person is Jack Boyd, who I  
111 believe is with the Department of Health and Human Services.

112 Mr. Boyd. Yes. Jack Boyd, HHS ASL.

113 Mr. Anello. Folks should just jump in if they haven't  
114 announced themselves. That might be the fastest way at this  
115 point.

116 I'm Russ Anello, with the majority staff.

117 Mr. Brosnan. Kyle Brosnan, HHS ASL.

118 Mr. Benzine. This is Mitch Benzine, with the minority  
119 staff.

120 Ms. Schmalz. Jennifer Schmalz, with HHS ASL.

121 Ms. Gaspar. I think I only see one other name. Sean?  
122 Sean, is it Keveney. I'm not sure how to pronounce it, but I  
123 think with HHS. But maybe he stepped away as well.

124 Mr. Keveney. It's pronounced Keveney.

125 Ms. Gaspar. Keveney, okay.

126 Mr. Keveney. With HHS OGC.

127 Ms. Gaspar. Okay. All right. Well, thank you,  
128 everyone. Thanks for bearing with us with the Webex.

129 So before we dive into questions, I just want to go over  
130 a few ground rules. So the way we will structure this  
131 interview is that the majority and minority staff will

132 alternate asking questions, 1 hour per side per round,  
133 roughly. We will go two rounds each, according to our prior  
134 agreement, up to 4 hours of questioning. The majority staff  
135 will begin. We will proceed for an hour, and then the  
136 minority staff will have an hour.

137 We have agreed, of course, that if we are in the middle  
138 of a line of questioning, we may end a few minutes before or  
139 go a few minutes past an hour just to wrap up any particular  
140 topic.

141 In the interview, while one member of the staff may lead  
142 the questioning, additional staff may ask questions from time  
143 to time. However, just given the logistics of the Webex, we  
144 will try to limit that as much as possible.

145 As you're aware, there is a court reporter taking down  
146 everything I say and everything that you say to make a  
147 written record of the interview. For the record to be clear,  
148 please wait until I finish each question before you begin  
149 your answer. And I will wait until I finish each question  
150 before you begin your answer and so forth.

151 The court reporter -- and particularly the case given  
152 the Webex, the court reporter cannot record nonverbal  
153 answers, such as nodding or shaking your head yes or no. So  
154 it's very important to answer each question with an audible  
155 verbal answer.

156 Dr. Kent, do you understand?

157 Ms. Kent. Yes, I do.

158 Ms. Gaspar. Thank you.

159 We want you to answer our questions in the most --

160 [Audio interruption.]

161 Ms. Gaspar. As I was saying, Dr. Kent, if I ask you  
162 about a conversation or events in the past and you are unable  
163 to recall the exact words or details, you should testify to  
164 the substance of those conversations or events to the best of  
165 your recollection.

166 If you recall only a part of a conversation, you should  
167 give us your best recollection of those events or parts of  
168 conversations that you do recall. Do you understand?

169 Ms. Kent. Yes.

170 Ms. Gaspar. If you need to take a break at any time,  
171 please let us know. We would be happy to accommodate you.  
172 But ordinarily, what we will plan to do is take a 5-minute  
173 break at the end of each hour as we're switching questioning.  
174 But if you need a break before that, please let us know.

175 I would just ask that if there is a question pending,  
176 you answer the question and finish answering before you take  
177 a break. Do you understand?

178 Ms. Kent. Yes, I do.

179 Ms. Gaspar. Great. Although you are here voluntarily,  
180 and we are not going to swear you in under oath, you are  
181 required by law to answer questions from Congress truthfully.



182 This also applies to questions posed by congressional staff  
183 in an interview. Do you understand?

184 Ms. Kent. Yes.

185 Ms. Gaspar. In other words, if at any time you  
186 knowingly make a false statement, you could be subject to  
187 criminal prosecution. Do you understand?

188 Ms. Kent. Yes.

189 Ms. Gaspar. Just a moment. [REDACTED], are you still  
190 able to hear?

191 Court Reporter. Yes.

192 Ms. Gaspar. Dr. Kent, is there any reason that you are  
193 unable to provide truthful answers in today's interview?

194 Ms. Kent. Did you ask -- I'm sorry. You asked if there  
195 was any reason I could not provide truthful answers? There  
196 is no reason.

197 Ms. Gaspar. Okay, thank you.

198 Okay. Finally, I would just like to address privilege.  
199 The Select Subcommittee on the Coronavirus Crisis is a  
200 subcommittee of the Committee on Oversight and Reform. The  
201 committee follows the rules of the Committee on Oversight and  
202 Reform. So please note that if you wish to assert a  
203 privilege over any statement today, the assertion must comply  
204 with the rules of the Committee on Oversight and Reform.

205 Committee Rule 16(c)(1) states, "For the chair to  
206 consider assertions of privilege over testimony or

207 statements, witnesses or entities must clearly state the  
208 specific privilege being asserted and the reason for the  
209 assertion on or before the scheduled date of testimony or  
210 appearance." Do you understand?

211 Ms. Kent. Yes, I do.

212 Ms. Gaspar. Do you have any other questions before we  
213 begin?

214 Ms. Kent. No, I have no other questions.

215 EXAMINATION

216 BY MS. GASPAR:

217 Q So let's just start out talking a little bit,  
218 very briefly, about your background. How long have you  
219 worked at the Centers for Disease Control and Prevention?

220 Mr. Davis. Hey, Jen. I'm sorry. This is  
221 Carlton Davis. Are we starting the hour now? I'm sorry.

222 Ms. Gaspar. Correct, yeah. We'll start the hour  
223 from here.

224 Mr. Davis. Okay, thanks.

225 Ms. Kent. Okay. So your question was how long  
226 I've worked at CDC? I've worked at CDC for 13 years, and I  
227 initially came to CDC as a branch chief in the Division of  
228 STD Prevention. I worked a few years over in the Chronic  
229 Center, and then I came to MMWR in late April of 2014 in a  
230 leadership role.

231 BY MS. GASPAR:

232 Q Is that the same role that you're in now?

233 A Yes. It was initially an acting role, and I'm  
234 now the permanent editor-in-chief.

235 Q Who do you report to in your current role?

236 A I report to Admiral Iademarco, the Center  
237 Director.

238 Q Anyone else?

239 A No.

240 Q And who does he report to?

241 A He currently reports to the Deputy Director,  
242 Ileana Arias.

243 Q And does that person report up to the Director?

244 A I believe that she reports to the Principal  
245 Deputy Director, Dr. Anne Schuchat.

246 Q Got it. How many direct reports do you have?

247 A In my -- direct reports? I think it's six. I  
248 supervise three -- well, three kind of editors, science  
249 editors, a managing editor. We recently, with COVID-19, have  
250 a guest associate science editor, and then there's one other  
251 person over Vital Signs, which is a component of our  
252 communications.

253 Q And how many people are on the MMWR team or in  
254 your division in total?

255 A Within the -- we've just been hiring some extra  
256 additional staff with the response, and so between

257 contractors and CDC FTE, we have a team of a little more than  
258 30 people.

259 Q I'd like to talk briefly about the process for  
260 drafting, editing, reviewing, and approving the MMWR, which I  
261 understand stands for the Morbidity and Mortality Weekly  
262 Report. Can you just give us sort of a basic overview in  
263 general terms how -- how an MMWR, how an article that goes  
264 into it is developed from beginning to end? Can you just  
265 walk us through it briefly?

266 A So, so there's a lot more attention on what's  
267 published in MMWR because it does not have a disclaimer. If  
268 something is published in another publication, there is a  
269 disclaimer. And so MMWR is considered the voice of CDC. So  
270 there is extensive review that happens, and then we also have  
271 within the team of the 30-odd people who work at MMWR, we  
272 have this commitment where we have this where we say "get it  
273 right."

274 So that's like so those are kind of two things  
275 that are fundamental. We serve as the voice of CDC, and then  
276 we have this commitment of our -- you know, our thing of "get  
277 it right."

278 So with that in mind, we -- do you want me to  
279 just -- there are some things that are a little bit different  
280 with COVID-19 than with in general. So I'm going to first  
281 talk about in general and then talk about COVID-19. Does

282 that make sense?

283 Q That would be great. Thank you.

284 A Okay. So, in general, you know, programs within  
285 the agency or externally, you know, develop an idea. If it's  
286 a CDC product, it would be reviewed by the team lead of, you  
287 know, the authors. It would then go to the branch chief,  
288 then go to the division. And then it goes to the center for  
289 review. So there's all these layers.

290 If it's something that's related to another part  
291 of the agency, then it goes for what's called "cross-  
292 clearance." So that say something that has a relationship  
293 between, you know, sexually transmitted diseases and family  
294 and reproductive health, so if it originated in Sexually  
295 Transmitted Diseases, it would go up all the way to that  
296 center, and then it would go over for cross-clearance in the  
297 center that has reproductive health. So that's what we mean  
298 by cross-clearance.

299 So any time there's a topic that touches on  
300 multiple different parts of the agency, it's cross-cleared.  
301 And then once it is cross-cleared at the center level, then  
302 it is submitted to MMWR, and then we review it to see -- for  
303 clarity and style. And we may still have some scientific  
304 questions. So that is a process that we go through.

305 It's been provisionally accepted, and before  
306 production, there is a summary that has just a short abstract

307 of the report that is sent internally within CDC, and then  
308 only the titles of the report are sent outside of CDC. And  
309 then the proof, which is the full report -- so much, much  
310 longer than the summary -- is then sent for senior reviewer  
311 review for the first proof.

312           And the senior reviewers include potentially the  
313 Director of the agency, Dr. Redfield; the Principal Deputy  
314 Director of the agency, Dr. Anne Schuchat; and then Deputy  
315 Directors, such as I mentioned, Ileana Arias, and the  
316 Director of the Office of Science, and then the Director of  
317 my center, Dr. Iademarco. And then based on their comments,  
318 the authors receive those comments, and then a determination  
319 is made if it can move forward.

320           During the period of the senior-level reviewers,  
321 the reviewers are supposed to label their comments with  
322 "Level 1, Level 2, or Level 3." And Level 1 is something  
323 that must be addressed or an explanation must be provided  
324 before it can move forward. Level 2 are like "please  
325 consider this." And Level 3 usually are sort of more  
326 editorial comments.

327           So, and you know, it's after all those levels of,  
328 you know, review that I've talked about from, you know, the  
329 beginning of the team lead all the way to the, you know,  
330 highest level of the agency, then it is ready to be published  
331 and can be considered to be the voice of CDC. So that's the

332 general principle.

333           With the response, there is a little bit  
334 different where the response is serving like a specific  
335 program within the agency that's stood up just for the -- you  
336 know, the COVID-19 response, and it involves people from all  
337 across the agency, you know, to create this kind of new  
338 program. And because it's so important to assure and there's  
339 so much content potentially coming to MMWR and to other  
340 journals, we have required that there is a proposal process  
341 that authors, when they have an idea of something they think  
342 would be important to convey related to the response, they  
343 create a proposal that's in a standard format that is  
344 reviewed by their team -- because like there's teams within  
345 the response -- and by the Deputy Incident Manager.

346           Then the proposals are put forward, and those  
347 proposals are reviewed by myself and part of my team, we look  
348 at it; by the response Associate Director of Science, so the  
349 response has its own scientific oversight; and then by the  
350 Principal Deputy Incident Manager. So that's the person who  
351 is sort of like "second in command" for the response.

352           And we make a determination. If we think that  
353 this proposal should move forward as an MMWR or should it  
354 move forward as for publication in another journal because  
355 not everything may be appropriate for MMWR, say if the date  
356 is a little old or something. And then we -- so that's the

357 beginning. So that's a formal process that's part of the  
358 response.

359           Otherwise, once something has been developed, it  
360 kind of goes through all of the levels like, you know, the  
361 task force, the cross-clearance. Something that's a little  
362 bit different because we're moving so quickly, normally MMWR,  
363 without a response, publishes once per week, one time. And  
364 with the response, we've been publishing usually about three  
365 times a week. So, and that's in order to get information out  
366 quickly.

367           So because everything is going so quickly and we  
368 want to make sure that everything is as clear as possible, we  
369 do -- after it's gone through the task force and cross-  
370 clearance, which is the subject matter experts looking at it  
371 -- then we do a review, which we call pre-clearance review.  
372 And that's not something we typically do for outside of a  
373 response, but we do it as part of it makes it go faster later  
374 when things are in the proper format and such and the right  
375 word limit.

376           And then the thing specific to the response is  
377 then it goes through many more layers of review. It goes  
378 through -- the Chief Health Equity Officer reviews it, then  
379 the Office of the Response Associate Director of Science.  
380 Then one of the Deputy Incident Managers reviews it. Then  
381 the Principal Deputy Incident Manager or the Incident Manager



382 reviews it, and then it's reviewed by the Office of Science.

383                   And it's only after it's gone through all of  
384 those layers that it can be submitted to MMWR. And then like  
385 we do with all reports, then we review it again for clarity,  
386 and things tend to get a little long when everyone is  
387 reviewing it so we try to get it cut back down to our word  
388 limit. And then it goes through the process I described  
389 earlier of being provisionally accepted and then going for  
390 senior-level review, you know, with the highest level like  
391 the Principal Deputy of the agency and such.

392           Q       Thank you. And just to clarify, I take it that  
393 when you refer to "the response," you're talking about the  
394 coronavirus response?

395           A       Yes.

396           Q       Okay.

397           A       When I talk about the response, I'm talking about  
398 the COVID-19 response.

399           Q       Understood. Is any of this memorialized in any  
400 policies or protocols?

401           A       I'm sorry. I'm having some trouble.

402           Q       Sure. Is any of the process that you just  
403 described, is it memorialized in any policy or protocol?

404           A       There is a -- I think we shared with you the  
405 outline of the process. So, yeah. So there is -- you know,  
406 it is described.

407 Q Yes. Actually, let me refer you to what has been  
408 marked as Exhibit 1, which I think references what you're  
409 talking about.

410 [Kent Exhibit No. 1 was marked  
411 for identification.]

412 BY MS. GASPAR:

413 Q So this is -- do you have it in front of you?  
414 This is a September 18th letter to Chairman James Clyburn,  
415 signed by Sarah Arbes, Assistant Secretary for Legislation.

416 If you look at the attachment, the document title  
417 -- the two-page document title is "Information on the  
418 Morbidity and Mortality Weekly Report from the Centers for  
419 Disease Control and Prevention." Is this what you are  
420 referring to?

421 A Yes.

422 Q I guess my question was just more general. Other  
423 than this, is there any policy document or any protocol that  
424 references this process?

425 A I think that there certainly are -- for the  
426 response, there's a document that describes the clearance  
427 process, and that's part of our standard operating procedure.

428 Q Okay. A written standard operating procedure?

429 A Yes, mm-hmm. Yes.

430 Q And is there one separate from the response or  
431 just specifically written for this occasion?

432 A I believe in our instruction for authors  
433 describes some of the clearance process, and so -- you know,  
434 so it is not in the level of detail that I provided you, but  
435 it is in our instructions for authors.

436 Q Okay. So referring back to this document,  
437 Exhibit 1, the attachment, did you draft this, by the way?

438 A Yes. I -- I went through the -- well, I think  
439 that both Dr. Schuchat and I drafted something, and then this  
440 is what was created.

441 Q Understood. So you're familiar with it?

442 A Yes.

443 Q And is the topic described here accurate?

444 A Yes.

445 Q Okay. I just have a few questions about a few  
446 statements written here. It says, going all the way to the  
447 end, "Concurrence: Starting in late spring 2020, concurrence  
448 to publish COVID-19 MMWR reports is required from  
449 Drs. Redfield and Birx." And then it says, the last  
450 sentence, "Drs. Redfield and Birx have never withheld  
451 concurrence from a COVID-19 MMWR report."

452 Is that still the case?

453 A Yes, it is.

454 Q Okay. What took place to prompt them to be added  
455 to the concurrence or concurrence be required from them?

456 A I don't -- I mean, I don't know all of the

457 details. The response -- I mean, the COVID-19 response is  
458 something that is unprecedented. We've never had anything  
459 like this in our lifetime. And I think the -- you know, my  
460 impression why requiring this level of concurrence, which is  
461 novel, is because we need -- we needed to function as a full  
462 -- a whole Government. And you know, this response has  
463 required more engagement across the entire Government than  
464 anything, you know, in the last 50 or 60 years.

465                   And so it was in order to make sure that, you  
466 know, Dr. Birx, in her role as the head of the Coronavirus  
467 Task Force, was not caught unaware about something that was  
468 being published.

469           Q       Okay. Is this the first -- is that the first  
470 time concurrence has ever been required from somebody outside  
471 the agency or outside CDC?

472           A       Yes. To my knowledge, that is true.

473           Q       Okay. Working back up the list in reverse order,  
474 Item 7 talks about who reviews the proofs, and there is the  
475 second sentence says that "CDC senior leadership review  
476 assures that no new policy is announced in MMWR."

477                   What -- is there a separate review process,  
478 development process for CDC's policies or CDC guidance?

479           A       I'm sorry. I couldn't quite hear that part of  
480 your question.

481           Q       Sure.

482           A       I understood about which sentence we're referring  
483 to, but it was your question that I would like to rehear,  
484 please.

485           Q       Sure. So this refers to CDC guidance. Is there  
486 a separate review and approval process for CDC guidance?

487           A       Yes. There is a separate review process for CDC  
488 guidance.

489           Q       Are you typically involved in that process?

490           A       No. And with -- no, I'm not typically involved  
491 in the review of guidance. If the guidance is going to be  
492 published in MMWR, then I see it at the time it's, you know,  
493 submitted to MMWR.

494           Q       Okay, understood. Then just going back to one  
495 other point in this document, Item 6 discusses distribution  
496 of the summary.

497           A       Yes.

498           Q       First of all, who typically drafts the summary?

499           A       I typically draft the summary based on the  
500 report, and it's usually I draft it after the report has been  
501 accepted, provisionally accepted by us.

502           Q       Got it. Prior to the COVID-19 response, who was  
503 the summary distributed to?

504           A       Prior to the COVID-19 response, the summaries  
505 were -- which, again, are just these short abstracts of the  
506 report, were distributed internally within CDC. The abstract

507 did not go outside of CDC.

508 Q So prior to the COVID-19 response, did the  
509 abstracts go to anyone at the Department of Health and Human  
510 Services?

511 A No.

512 Q When were individuals from the Department of  
513 Health and Human Services added to the distribution of the  
514 summary?

515 A The first time they were added was in early May,  
516 when Dr. Birx was added and her assistant was added. And  
517 then Laura Pence from HHS was added. So that was early in  
518 May. And then I believe towards the end of May, I think the  
519 date was I got an email on August 27th requesting also that  
520 Admiral Giroir, Admiral Abel, and Dr. Alexander be added to  
521 the summary.

522 Q I'm sorry. I think you said August. Did you  
523 mean May?

524 A I meant May. Yes, I misspoke. Thank you.

525 Q No problem. Do you recall who instructed you to  
526 add those individuals to the distribution?

527 A Yes. On both instances, the Deputy Chief of  
528 Staff, Amanda Campbell, sent me an email with the specific  
529 contact information of the individuals.

530 Q Did she provide any reason why those individuals  
531 were being added on either occasion?

532           A       No. Well, not in the email. I had a -- she  
533 called me before we added Admiral Giroir and Abel and  
534 Dr. Alexander. I don't really recall the conversation. It  
535 was probably just telling me that she was going to add these  
536 names. There was not -- I don't recall specific, you know,  
537 the reasons why for adding them.

538           Q       Did you have any questions or concerns about it  
539 at the time?

540           A       No, not really. Again, it's with the philosophy  
541 that this is an unprecedented time and that we need to be  
542 coordinated in our mission.

543           Q       Thank you. So moving on from that document, in  
544 your general experience at CDC, so prior to the response, how  
545 often would you interact with personnel from the Department  
546 of Health and Human Services?

547           A       I don't recall ever having an interaction with  
548 anyone outside of CDC before.

549           Q       How often would you interact with personnel in  
550 the Director's office? So either the Director him- or  
551 herself, or the Chief of Staff, or otherwise.

552           A       Before the response, I don't recall ever  
553 interacting with the Chief of Staff. Upon occasion, I would  
554 have interactions with Dr. Schuchat because of the review  
555 process, like if she had a question or something about a  
556 report. So upon occasion, you know, I had interaction with

557 her.

558                   So, and for example, with the 2014 Ebola  
559 response, I upon occasion had an interaction with the agency  
560 Director. So it's more common during times when there's a  
561 response that there's more level -- you know, more engagement  
562 with higher levels.

563           Q       How about the CDC Office of Public Affairs or  
564 Communications Office? How often would you interact with any  
565 personnel working in Public Affairs for CDC?

566           A       I have interactions with them fairly often  
567 because they collaborate when developing the communications  
568 product with the report -- for the report. So, generally, my  
569 level -- my level of interaction with them is not that  
570 intensive. I have a team who is a communications team that  
571 works more closely with them, with the Office of the  
572 Associate Director of Communications.

573           Q       So, sorry, is that an MMWR-specific  
574 communications team?

575           A       Yes. So, yes. So MM -- so MMWR has a specific  
576 communications team, and like that's the team that has been  
577 developing the graphics that are related to our report, and  
578 so they work very closely with the communications leads of  
579 the authors and with the Office of the Associate Director of  
580 Communications. For the response, then they would also be  
581 working with the Joint Information -- I can't remember.



582 Joint Information -- well, JIC, which is part of -- is the  
583 communications arm of the response.

584 Q The Joint Information Center.

585 A Thank you.

586 [Laughter.]

587 Q And they sit under you, that communications team?  
588 Not the JIC, but you have a specific group --

589 A Yes. The MMWR, well, it's technically under the  
590 managing editor of MMWR, but she reports to me. And I work  
591 very -- I work closely with them.

592 Q Are there public relations efforts in connection  
593 with every report that goes into the MMWR, or does it tend to  
594 depend? Is it reactive? How does it -- how does it  
595 typically work?

596 A So, typically, the way it works is that we in the  
597 last years have really been working to enhance the scientific  
598 communication of the MMWR report. So we actually have a  
599 process for developing communications materials for every  
600 report that has been enhanced the last several years.

601 So before the response and where we require, you  
602 know, some communications materials for every report, we  
603 don't make, for example, a graphic for every report because  
604 we just don't have the capacity to do that. But, and so we  
605 select some reports that we think will be enhanced by having  
606 that additional communications support of a graphic.

607 Q Okay. Well, thank you. I would typically spend  
608 more time talking to you about these processes, but I think  
609 we should, in the interest of time, start to look at a few of  
610 the specific MMWRs that came out earlier this year.

611 A Okay.

612 Q And some specific correspondence. I want to  
613 actually refer you to Exhibit 2. If you could take a look at  
614 that? This is a -- it appears to be an email chain dated  
615 June 22, 2020. The top email is from you to Paul Alexander,  
616 and it's Bates stamped SSCManual-000106 on the first page.

617 Can you just take a second and look at that? And  
618 let me know whenever you're ready.

619 [Kent Exhibit No. 2 was marked  
620 for identification.]

621 [Pause.]

622 Ms. Kent. Okay.

623 BY MS. GASPAR:

624 Q You mentioned a few minutes ago that you were  
625 asked to add Paul Alexander to the distribution of the  
626 summary. Let's step back for a second. I take it that the  
627 earlier email here on this chain, which is dated June 22nd at  
628 4:15 p.m. from you to a large distribution list, is the  
629 summary that you're referring to?

630 A Yes, that's correct.

631 Q Okay. You said you had added Dr. Alexander. Did

632 you know Paul Alexander before -- before you were asked to  
633 add him to the email distribution list?

634 A No, not at all.

635 Q So in this email here, it looks like in the  
636 second email down the chain, he responded to you and had a  
637 comment about the -- about this MMWR. And you respond to him  
638 saying, "Many thanks for your comments. This is a summary  
639 for situational awareness, and the language in the final  
640 report will be different."

641 Can you recall whether this is the first time  
642 that Dr. Alexander reached out to you in a comment on an MMWR  
643 summary?

644 A I would have to look through all of -- I don't  
645 recall if this is the first time. I -- you know, I receive  
646 so many emails that, you know, I don't know for sure if this  
647 is the first one.

648 Q Fair enough. Do you recall having any sort of  
649 reaction the first time that Dr. Alexander reached out to you  
650 with any sort of comment on an MMWR summary?

651 A I remember that I felt it was important to  
652 respond in some fashion. I -- but you know, I don't -- you  
653 know, and I think I was probably a little surprised that I'd  
654 received a comment, but that's all.

655 Q In your typical practice of distributing  
656 summaries, do you receive many comments regarding the

657 summaries?

658 A No.

659 Q You mentioned a second ago that you didn't know  
660 Dr. Alexander before he was added to the distribution list.  
661 Did you know somebody named Michael Caputo?

662 A I did not.

663 Q I take it you've since become familiar with him?

664 A Yes. I became familiar with him.

665 Q Other than asking you to add Dr. Alexander to the  
666 distribution list, did anyone instruct you -- or sorry, did  
667 anyone introduce you to either Dr. Alexander or Michael  
668 Caputo?

669 A No one introduced me to them. Dr. Alexander  
670 would sometimes "cc" Mr. Caputo on his emails to me, and if I  
671 responded to Dr. Alexander, I would reply, you know, to the  
672 people he had cc'd.

673 Q When Dr. Alexander was added to the email list or  
674 at any other time, did anyone give you any explanation of his  
675 role or why he was being added to the list?

676 A No.

677 Q How about did anyone -- did anyone give you any  
678 instruction about following direction from Mr. Caputo or  
679 Dr. Alexander at any point in time?

680 A No one ever gave me such instructions.

681 Q Okay, let's move on to another document.

682 Exhibit 3, which is an email that's dated June 30, 2020, at  
683 the top of the chain. It looks like Dr. Alexander actually  
684 sent this to himself at the very top, but there's a lower --

685 Mr. Strom. Jen, can we get -- can you give us --  
686 Jen, just for clarity, because we printed them out, can you  
687 give us the Bates range, just to make sure we're --

688 Ms. Gaspar. I was just about to. Yep. I was  
689 just about to.

690 Yeah, so this is Bates stamped SSCC-0007093.

691 Ms. Kent. Okay.

692 Ms. Gaspar. It's an 18-page document.

693 Ms. Kent. Okay.

694 Mr. Strom. Thank you.

695 Ms. Gaspar. Of course.

696 [Kent Exhibit No. 3 was marked  
697 for identification.]

698 BY MS. GASPAR:

699 Q So lower down, let's go back in this email chain.  
700 If you start at an email actually at the bottom of the first  
701 page, you sent an email to three individuals saying, "This  
702 one is now for June 29th. Likely will change a bit."

703 Below that, there is some back-and-forth  
704 discussion of seems to be regarding the pre-clearance review  
705 process for this MMWR and some discussion of the date that  
706 it's going to be published and the topic of the MMWR, which

707 is a draft of which appears to be attached at Bates 7097, is  
708 titled "Hydroxychloroquine Prescribing Patterns by Provider  
709 Specialty in the United States Before and After Initial Media  
710 Reports for COVID-19 Treatment, January - April 2020."

711 Do you recall this MMWR?

712 A Yes, I do.

713 Q So in the email that is at June 15th, that you  
714 sent June 15th at 3:59 p.m. at the bottom of the first page,  
715 you wrote -- this appeared at the top of the second page --  
716 as I just said, "This one is now for June 29th."

717 Did this MMWR end up being published on  
718 June 29th?

719 A No, I don't -- there were delays to the report.  
720 It was not -- no, it was not published on June 29th.

721 Q You mentioned delays. Can you tell us what  
722 happened?

723 A Well, the -- you know, the delay from June 29th,  
724 this report was delayed internally one time, and there was a  
725 decision, as it says here, to add more data. I don't recall  
726 that -- you know, I don't recall the details. And this is  
727 the first time that I have seen that an email I sent was --  
728 you know, that Ms. Witkofsky had sent it. So I was not aware  
729 of this.

730 Q Okay. You referenced internal delays because of  
731 a desire to get more data. I'm just going to look down at

732 the second page. Adi Gundlapalli, I believe it is, writes on

733 --

734 A Mm-hmm.

735 Q -- Saturday, June 13th at 8:54 a.m., that the

736 May 2020 IQVIA data should be received by June 15th.

737 A Mm-hmm.

738 Q And it seems like that was going to cause some

739 delay of a few days. Is that the internal delay that you're

740 referring to, or are you referring to something else?

741 A No. That's the internal delay I was referring

742 to.

743 Q Okay. Is it fair to say it seems like that was

744 just going to result in a delay of a few days or maybe a week

745 or so?

746 A. Yeah. I think -- I think so. I mean, even the

747 email that you showed in the previous exhibit, Exhibit 2, at

748 the beginning of the chain was delayed. And so it's not

749 uncommon for reports to be delayed because of something

750 that's happening internally, where there's a question that

751 comes up. And that's -- and part of that is because of our

752 commitment to get it right.

753 So that if we identify a problem, then we want to

754 make sure it's right. And this, when this report initially

755 was developed, you know, the clearance process took quite a

756 bit of time. And so they wanted to update it with more

757 current data so that it would be more relevant to what was  
758 happening at the time.

759 Q So I guess what I want to figure out is that  
760 seems like that contributed to internal delay, but there was  
761 a sort of second delay that came from external forces. Is  
762 that fair to say?

763 A No. Nothing -- that report was never delayed due  
764 to external forces.

765 Q Okay. So the delay from June 30th -- or  
766 June 29th target to the ultimate publication on  
767 September 4th, can you just tell me a little bit more about  
768 why that happened?

769 A This -- you know, I don't know all of the details  
770 because I don't always participate in all of the internal  
771 deliberations within CDC before something is published. So I  
772 do know that it was delayed internally, and then I -- so I'm  
773 just looking here that the report was ultimately published in  
774 September.

775 I do know that there was a time when it was  
776 originally published in September where there was about a 2-  
777 week delay in publication because during the review process  
778 of the senior-level reviewers, Dr. Schuchat made a comment  
779 about how it was characterized where originally in the first  
780 proof it said that there was like, you know -- and I don't  
781 remember it, but something like an 800 percent increase. And



782 she had suggested that that could be confusing, and she  
783 suggested that it'd be like I think it was like an 81-fold  
784 increase.

785           And that was something that would change every  
786 single table in the report, and we didn't have enough time to  
787 fix that in just a couple of hours and assure that we had  
788 gotten it right. And so we delayed the report. We had  
789 discussion about when would be the best time to publish it,  
790 and at this -- I mean, even now we have so many reports that  
791 are on the docket to be published. And when you delay a  
792 report, it can have this domino effect. And so we had  
793 discussion about should we bump another report that is on the  
794 schedule, or should we delay the report until there's an  
795 opening?

796           And the decision internally was that this report  
797 was not more important than other things that we had because  
798 it wasn't going to -- it was documenting how the drugs were  
799 distributed, but it wasn't talking about a policy change or  
800 something that could impact care. And so that we decided to  
801 publish it 2 weeks later when there was an opening. So it  
802 had nothing to do with any external force.

803           Q       Understood. Thank you.

804           So just looking back at this email chain, you  
805 mentioned a second ago, referring to the June 29th 4:37 p.m.  
806 email from Nina Witkofsky, Michael Caputo, and Paul

807 Alexander, was this -- I take it this was the -- right now is  
808 the first time you're aware that they had taken interest in  
809 this report?

810 A Yes.

811 Q Did you ever hear any feedback from anyone at HHS  
812 about this particular MMWR?

813 A No, I did not.

814 Q Did you ever hear from anyone in the Director's  
815 office about this MMWR?

816 A The only time I heard anything from the office  
817 about this report was when the first proof went out, you  
818 know, in late August, and Dr. Schuchat recommended that we  
819 change the framing. It's the exact same scientific thing,  
820 but it's just 800 percent versus 80-fold increase. So that's  
821 the only time I heard from anyone in the high up about it.

822 Q Okay. So just to clarify, nobody asked you to  
823 delay the publication of this report for any other reason?

824 A No.

825 Q Okay. You actually -- you said a second ago that  
826 external forces did not cause the delay of this report. Did  
827 external forces cause the delay of any other reports?

828 A No. There is one time when there was a request  
829 from a communications perspective to delay one report by  
830 2 days, and that was by Dr. Redfield asked that. And that's  
831 the only time that anyone has asked to delay a report. All

832 the other delays are because we're trying to get it right,  
833 and that time was to assure that there was very clear  
834 communication, and the communication around the report  
835 wouldn't be distracting.

836 Q Understood. Is that -- are you referring to the  
837 report about the Georgia summer camp?

838 A Yes, I am.

839 Q Okay. We'll talk about that in a few minutes.

840 A Okay.

841 Q If you want to just go briefly to -- to the  
842 document that's been marked Exhibit 4, and this is Bates  
843 number SSCC-0007294.

844 A Okay.

845 [Kent Exhibit No. 4 was marked  
846 for identification.]

847 BY MS. GASPAR:

848 Q Sure. Take a second and look it over. It  
849 appears to be an email chain from Paul Alexander or an email  
850 from Paul Alexander to Nina Witkofsky and Michael Caputo that  
851 attaches an article from -- that I believe was to be  
852 published or was published in the Journal of American -- or  
853 in JAMA, titled "Hydroxychloroquine, Chloroquine, and  
854 Azithromycin Outpatient Prescription Trends, United States,  
855 October 2019 - March 2020."

856 A Okay.

857 Q Have you seen this before?

858 A No.

859 Q So at the top of this chain, Paul Alexander says  
860 to Nina Witkofsky and Michael Caputo, "Hi, Michael. Is this  
861 not the article we were shelving?"

862 Do you have any idea what he's talking about  
863 there?

864 A I have no idea.

865 Q This article that's attached here, it seems to be  
866 a similar topic to the MMWR, but I believe it's a separate  
867 publication. Are you familiar with it?

868 A I am not familiar with it. Looking at the title,  
869 it looks like it's data from October 2019 -- you know,  
870 through October 2019 to March 2020. And the data that we  
871 published was, you know, looking at more -- you know, through  
872 June 2020. So there is a difference there.

873 I did not review this. It's not part of -- it's  
874 not in my lane, so to speak.

875 Q Understood. Moving on to Exhibit 5, this is  
876 SSCC-0006952.

877 A Okay.

878 [Kent Exhibit No. 5 was marked  
879 for identification.]

880 BY MS. GASPAR:

881 Q It's a June 30th email chain, starts with an

882 email from Paul Alexander to Madeleine Hubbard.

883 Q And it says, if you look at the second email, the  
884 2:47 p.m. email, Madeleine writes to Nina Witkofsky, "Good  
885 afternoon, Nina. I hope all is well. I am reviewing the  
886 MMWR on hydroxychloroquine you sent to Michael yesterday."  
887 Presumably this references your email that was forwarded.

888 She writes, "There are quite a few edits on it.  
889 I forwarded that Word document to Paul, who is going to look  
890 over the MMWR." So did you ever receive edits to the MMWR  
891 from -- that came from Dr. Alexander?

892 A No.

893 Q Okay.

894 A I did not. And I did not know about this.

895 Q Looking at this now, does it suggest to you that  
896 Dr. Alexander at least expressed -- had attempted to make  
897 edits to the MMWR or had interest in doing so?

898 A In reading this, it would suggest that he  
899 attempted to make edits. I never received those edits.

900 Q Got it. Okay, thank you. We can put these  
901 aside.

902 So I'd like to actually move -- jump ahead in  
903 time to the other MMWR that you were referencing a few  
904 minutes ago about the I think it was published on August 7th.  
905 It's titled "SARS-CoV-2 Transmission and Infection among  
906 Attendees of an Overnight Camp, Georgia, June 2020."

907                   This -- we'll start at Exhibit 7. Exhibits 7  
908 through 12, if you want to pull those out, all refer to this  
909 MMWR.

910           A       So is that 2881?

911           Q       It is exactly. So Exhibit 7 is the July 28th  
912 email.

913   [Kent Exhibit No. 7 was marked  
914   for identification.]

915           Mr. Davis. Hey, Jen. This is Carlton Davis.

916           Ms. Gaspar. Yes.

917           Mr. Davis. Sorry to interrupt. I know you're  
918 going off your exhibit numbers that you sent around this  
919 morning. I think that this is actually, if you're going to  
920 introduce it, it will actually be Exhibit 6 for purposes of  
921 the interview. I don't mean to throw off your numbering  
922 system. I'm just trying to be precise with exhibits that  
923 we're referring to.

924                   It sounds like you're referring to Exhibit 7 from  
925 your numbering, but it's actually interview Exhibit 6.  
926 Unless you're not introducing -- unless you're not  
927 introducing it.

928           Ms. Gaspar. We're just going to go ahead and  
929 stick with our pre-marked numbers. I think it's going to be  
930 a little bit easier for clarity.

931           Mr. Davis. Well, what if I introduce exhibits?

932 How is that going to throw off your numbering if I --

933 Mr. Anello. Why don't you use letters, Carlton?

934 Ms. Gaspar. A, B, C. D.

935 Mr. Anello. You could use letters for your  
936 exhibits.

937 Ms. Gaspar. Yeah.

938 Mr. Davis. Okay.

939 Mr. Strom. This is John Strom. Could we just  
940 have the court reporter note if there is ultimately no  
941 Exhibit 6 listed, that the table of contents or exhibit table  
942 for the transcript have that noted?

943 Ms. Gaspar. We can send around a list later.

944 BY MS. GASPAR:

945 Q Okay. So moving ahead, this is Exhibit 7 is  
946 SSSC-0002881. It's a July 28th email. So if you look down  
947 in the chain here, the bottom of the chain shows that on  
948 July 26th, you shared an early release of this MMWR about the  
949 COVID-19 outbreak at the overnight summer camp.

950 Would this have been the first time that most of  
951 the recipients on the larger email lower in the chain would  
952 have seen or learned about this report?

953 A So, so when I first sent the email on July 26th,  
954 yes, that has the summary in it, that would have been the  
955 first time that most, you know, people on the email -- well,  
956 certainly the senior people would be familiar with it.

957 There's many of the people on the list that are part of the  
958 clearance. So they would be familiar with it.

959 But, and I don't know -- I know that Dr. Walke,  
960 the head of the -- the Incident Manager, the head of the  
961 response, likely had talked to Dr. Birx about the report  
962 because he updates her about things that are coming. I don't  
963 know when he would have done that. So it's possible that she  
964 would have heard about this report before the summary email  
965 was sent.

966 Q Are you -- is that specific to this report, or is  
967 that statement that you just made, would that be true about  
968 all of the MMWRs in this time period?

969 A I would say that that's true of all of the MMWRs.

970 Q Okay. Any reason that it stands out to you for  
971 this particular MMWR?

972 A Yes. Because I had communication from Dr. Walke  
973 that Dr. Birx was very interested in having this published  
974 rapidly. And so there's upon occasion, you know, I hear that  
975 she's very interested in something and moving it along.

976 Q Did you have any understanding why she was  
977 particularly interested in this one?

978 A I mean, that was not discussed with me. I --  
979 yeah. So I -- it was at a time where there was a lot of  
980 interest in general about children.

981 Q Understood. We'll look back at this document,



982 Exhibit 7, in just a moment. So I want to jump ahead to  
983 Exhibit 8. This is Bates stamped SSCCManual-000064 through  
984 70. It starts with a July 27th email from Michael Beach to  
985 you and Dr. Walke, who I think you were just referring to.

986 [Kent Exhibit No. 8 was marked  
987 for identification.]

988 BY MS. GASPAR:

989 Q The lower part of the chain contains the same  
990 email and response that we just saw, but if you turn just to  
991 -- just to the next page at the very top, at 8:34 a.m. on  
992 Monday, July 27th, you wrote to a smaller group, "All,  
993 Michael B. suggested I share with all of you the latest draft  
994 of the Georgia camp report. MMWR will put report into  
995 production this afternoon with proof shared with senior  
996 leadership this evening. To do that, we need a plan to  
997 respond by early afternoon."

998 A Okay.

999 Q And it seems like what you're planning to do is  
1000 respond to an email that you received in reply from  
1001 Dr. Alexander with an eight-point reaction. Is that  
1002 accurate?

1003 A Yes.

1004 Q Okay. Can you just talk me through? So you  
1005 received -- you received Dr. Alexander's email at 1:53 a.m.  
1006 on July 27th. So what happened after you received his

1007 response?

1008           A       So I -- yeah, so this is a long email from him.  
1009       So because this -- to my recollection, this is the longest  
1010       email I had received from him, and so I wanted to make sure  
1011       that we, you know, responded to it in a way that was factual  
1012       and kept, you know -- you know, to the spirit of the report.  
1013       I think one thing that you can see is sometimes comments from  
1014       him would identify areas where communication could be  
1015       challenging about a report because he's not someone who's  
1016       part of the, you know, the environment, and that's one of the  
1017       things that we find is that we really want to make sure that  
1018       we're communicating as clearly as possible to a broad  
1019       audience.

1020                       And so like every single comment, he would be --  
1021       he would make would be taken within the context of that and  
1022       thinking about is this something that we're communicating as  
1023       clearly as we can? So I guess I engaged my colleagues who in  
1024       making sure that anything that I responded to would be  
1025       appropriate and part of the, you know, maintaining the  
1026       scientific integrity of the -- you know, of the report.

1027           Q       At --

1028                       Mr. Strom. And Jen, by my clock, you've got  
1029       about 2, 3 minutes left of this hour. But go ahead.

1030                       Ms. Gaspar. Yeah. So if folks on the minority  
1031       side are okay with it, I would -- I can wrap up this topic in

1032 probably about 10 minutes, and then we can switch, if that  
1033 works for everyone?

1034           Mr. Davis. Yeah, I mean, we're generally fine  
1035 with that. I think we each have an hour and an hour. So if  
1036 you want to run over here and kind of chop that out of your  
1037 second hour, that's no problem, just for continuity.

1038           Ms. Gaspar. Yep. I think that probably works  
1039 better, but I'll try to be efficient here.

1040           BY MS. GASPAR:

1041           Q     So moving on to -- sorry --this email chain, at  
1042 9:57 a.m., Michael Beach writes, "Folks on the HHS  
1043 Secretary's call want to see this MMWR. Do we normally do  
1044 this? How do we do this?"

1045                     First of all, do you know which -- which call  
1046 that you're referring to -- or he's referring to?

1047           A     No, I don't.

1048           Q     Okay.

1049           A     There is a daily call with the Secretary. You  
1050 know, I could assume it's that, but I don't know for sure.

1051           Q     Do you have any sense of who in HHS wanted to see  
1052 it from this email or any other source?

1053           A     I don't really know. You can tell from my emails  
1054 it was not our practice to share the proof outside of the  
1055 agency. I clearly am discovering here that it has -- our  
1056 reports have been shared before. So, you know, so this is

1057 where someone is asking my permission to share. So, because  
1058 that was my understanding is that things did not go outside  
1059 of the agency. I did discuss this with Dr. Schuchat, and she  
1060 said that it was appropriate to share.

1061 Q You referenced here that this had been shared  
1062 once, or the MMWR had been shared once before after  
1063 discussion with her. Do you recall which MMWR had been  
1064 previously shared?

1065 A Yes, it was one in late May that was about the  
1066 early characterization of the pandemic.

1067 Q Do you know what prompted that one being  
1068 shared?

1069 A I know that there was a request from Secretary  
1070 Azar to Dr. Redfield to see it.

1071 Q Anything else about that one?

1072 Mr. Strom. At this point, it -- I think those  
1073 kind of questions implicate executive branch  
1074 confidentiality interests. I think she's answered it  
1075 generally. Beyond that, I'm going to instruct her not to  
1076 answer.

1077 Ms. Gaspar. Okay. So are you asserting a  
1078 privilege?

1079 Mr. Strom. For the purposes of this voluntary  
1080 interview, yes.

1081 Ms. Gaspar. Okay. So as I mentioned at the

1082 outset, our committee rules require, to be valid, an  
1083 assertion of privilege to be in writing pursuant to Rule  
1084 16(c). Are you planning to do that?

1085 Mr. Strom. We will put it in writing.

1086 Ms. Gaspar. Okay.

1087 Mr. Anello. Sorry. Can I ask what privilege  
1088 are you asserting, John?

1089 Mr. Strom. I believe, unless I misheard the  
1090 question, the question was, what did essentially Secretary  
1091 Azar say to Redfield to get the request for this prior --  
1092 this May MMWR. If I misheard it or misunderstood, happy to  
1093 clarify, you know. To the extent Ms. Kent is able to  
1094 answer without implicating the privilege, I've directed her  
1095 to do so, but, I mean, that's my understanding of the  
1096 question.

1097 Mr. Anello. What's the privilege, John? That  
1098 doesn't sound like privileged information to me, so can you  
1099 explain what the privilege is, because, otherwise, I think  
1100 the witness should be allowed to answer.

1101 Mr. Strom. It's a discussion between the  
1102 Secretary and a senior official within the Agency asking  
1103 for the reasons why. And we -- again, if I'm mishearing  
1104 it, if I'm misconstruing it, asking why he requested the  
1105 MMWR. It's delivered --

1106 Ms. Gaspar. So I --

1107                   Mr. Anello. But what's the -- that's to  
1108 requesting -- requesting an MMWR, is that -- is your  
1109 position that's a deliberative process?

1110                   Mr. Strom. If there is a discussion regarding  
1111 why he's requesting it without knowing more about the  
1112 circumstances, yeah.

1113                   Ms. Gaspar. I think we need to back up --

1114                   Mr. Strom. I mean, if she can answer without  
1115 implicating the deliberations between the Secretary and the  
1116 CDC director, to the extent she knows, then, you know, I'll  
1117 invite Ms. Kent to answer it.

1118                   Ms. Kent. I don't know why.

1119                   Mr. Strom. There you go.

1120                   Ms. Gaspar. Okay. Thank you.

1121                   BY MS. GASPAR:

1122                   Q     So I would love to go back to the July 27th  
1123 email chain, the -- or the August MMWR. So I'm going to  
1124 just quickly refer you to Exhibit 9. It is Bates stamped  
1125 SSCC Manual-62.

1126   [Kent Exhibit No. 9 was marked  
1127   for identification.]

1128                   BY MS. GASPAR:

1129                   Q     It's also dated Monday, July 27th. And you  
1130 wrote to Michael -- I'm sorry if I don't get the  
1131 pronunciation right -- Iademarco.

1132 A Iademarco, yeah.

1133 Q Iademarco, that Dr. Birx requested we publish  
1134 quickly. She had questions about it in a meeting with  
1135 Redfield. Are you familiar with the meeting that's being  
1136 referenced here?

1137 A I do not know the contents of that meeting, no.  
1138 I mean, I know that Dr. Birx and Redfield routinely meet to  
1139 discuss things. I don't know anything about the contents  
1140 of this meeting.

1141 Q You referenced this before, but this says,  
1142 "Birx requests that we publish quickly." Do you know why  
1143 she wanted to publish quickly?

1144 A I can -- I do not know precisely. It was  
1145 during a time where there was a lot of interest in  
1146 infections amongst children, but I do not know precisely  
1147 why she wanted it out quickly.

1148 Q I want to skip ahead to Exhibit -- the document  
1149 that's been marked Exhibit 11. This is Bates stamped SSCC  
1150 Manual 86.

1151 [Kent Exhibit No. 11 was marked  
1152 for identification.]

1153 BY MS. GASPAR:

1154 Q This is also from Monday, July 27th from you to  
1155 [REDACTED] copying [REDACTED]. And are they  
1156 authors of this MMWR or some of the authors, by the way?

1157 A So I'm sorry. You mentioned [REDACTED].

1158 So I'm sorry. Can you repeat the question? I don't think

1159 I heard it properly.

1160 Q The recipients of your email here, are they the  
1161 authors?

1162 A At the beginning of the email at the top of the  
1163 page?

1164 Q Yes, at the top of the page. [REDACTED]

1165 A No, those are -- so Admiral Iademarco is my  
1166 director, and the -- Dr. Stephens is the head of science  
1167 for the -- for the Center, and *Abbigail Tumpey* -- Ms.

1168 Tumpey is the head of communications. And Dr. Iademarco  
1169 likes me to keep them informed what -- about anything if  
1170 there's going to be a delay or something.

1171 Q I'm sorry. I think we might be referring to  
1172 different documents now.

1173 A Okay.

1174 Q I had jumped to Exhibit 11.

1175 A What is the number on it?

1176 Q This is 86, SSCC Manual --

1177 A Oh, okay. So that I have as 10. Okay. Okay.  
1178 That'll help. Okay. Okay. So at the top of the page, so,  
1179 no, those are not the authors that -- the part that says  
1180 "to [REDACTED]" and with a "cc" to [REDACTED] --  
1181 [REDACTED], so those are technical writer/editors.



1182 In MMWR, [REDACTED] is the team lead and he  
1183 supervises [REDACTED], and [REDACTED] was the  
1184 technical writer/editor to help with the production of the  
1185 report. She worked directly with the authors, and so I  
1186 don't generally work directly work with the authors. The  
1187 technical writer/editor does in communicating. So, like,  
1188 all of those comments -- all those times in the review  
1189 process where Dr. Redfield -- Iademarco could make  
1190 comments, the technical writer/editor collates all of those  
1191 and shares those with the authors.

1192 Q This email says -- he writes here at the top:  
1193 "Two edits from Dr. Redfield. They're highlighted in  
1194 yellow. They should be incorporated in proof and are L1."  
1195 I think you explained to us earlier that "L1" means must  
1196 implement or something along those lines.

1197 A Yes.

1198 Q We unfortunately have not received a copy of  
1199 the edits. Do you recall what they were?

1200 A I'm sorry. I don't recall, yeah.

1201 Q Do you recall anything just generally about the  
1202 -- whether you had any reaction to receiving the edits?

1203 A I have been very diligent about maintaining the  
1204 scientific integrity of things that are published in MMWR,  
1205 reports published in MMWR, and there was no cause for alarm  
1206 by whatever he -- whatever the comment was. So I feel like

1207 I can say with assurance that that comment did not change  
1208 the scientific integrity of the report, that it was most  
1209 likely a kind of nuanced, you know, statement that didn't  
1210 change the science. So, you know, that's -- I don't  
1211 remember the precise thing, but I don't -- I was not  
1212 concerned by it.

1213 Q Okay. So I just want to ask very quickly a few  
1214 more questions referring to the next few exhibits, and then  
1215 we'll wrap up this topic. Exhibit 12 is Bates Number SSCC  
1216 Manual 59.

1217 A Okay.

1218 [Kent Exhibit No. 12 was marked  
1219 for identification.]

1220 BY MS. GASPAR:

1221 Q And Bates Number 13 is SSCC Manual 46.

1222 [Kent Exhibit No. 13 was marked  
1223 for identification.]

1224 BY MS. GASPAR:

1225 Q These two emails relate to each other. They  
1226 were both sent within about a minute apart. One is from  
1227 you to Michael Iademarco, and it says at the top: "Amanda  
1228 called me to say -- request a delay by Dr. Redfield and  
1229 HHS. Delay will make for better timing." That's Exhibit  
1230 12. On Exhibit 13, four emails down the chain, you write,  
1231 "Just got the call. Request a delay until Friday by Dr.

1232 Redfield. Timing will be better." So in any case, this, I  
1233 think, is the delay that you've already talked to us about.

1234 A Yes.

1235 Q Do you have any understanding of why was the  
1236 timing better?

1237 A The timing was better -- well, one, it was only  
1238 a 2-day delay, so it's not a long delay, and it couldn't be  
1239 -- because of our production processes, it couldn't be --  
1240 it couldn't be released on Thursday because that's when we  
1241 do our regular content. So as I understood, that there was  
1242 a desire to make the communication about this report, you  
1243 know, kind of front and center, that there wouldn't be a  
1244 distraction because of other things that were occurring,  
1245 and so that was why the delay. Like, when we schedule  
1246 reports, we really try to think about the communication  
1247 because generally you can only communicate effectively  
1248 about one topic, you know. And if there's a lot of other  
1249 things that are going to be in the news, then we try to do  
1250 -- you know, kind of do things in a smooth way so that  
1251 there's not a lot of dissonance. So the -- my  
1252 understanding was that they felt it would be more  
1253 effectively communicated if it was delayed until Friday.

1254 Q You said other things that were happening. Do  
1255 you know what other things?

1256 A I think the -- as I understood, on Thursday,

1257 there was an interview with the congressional Oversight  
1258 Committee, and there were some very important things that  
1259 they wanted to convey during that meeting.

1260 Q Is this the only time that you're -- that you  
1261 can recall at any -- at any point in time during your  
1262 response or otherwise where somebody asked you to delay the  
1263 publication of an MMWR, other than for a, you know,  
1264 scientific review and whatnot?

1265 A This is the only time I -- well, you know, this  
1266 is -- I can't say that there wasn't some other time. We  
1267 published 163 reports, and I cannot say that there has  
1268 never been another time where we decided to delay something  
1269 because it would be better from a communications  
1270 perspective to release it a little bit later because there  
1271 was going to be guidance that was coming out that was going  
1272 to be ready, and they, you know, amplified the message. I  
1273 certainly would have discussions about that all the time.  
1274 This is the only time that I recall getting a request, you  
1275 know, that was related to, you know, Dr., you know,  
1276 Redfield and communication around him. Because we do try  
1277 to be -- again, effectively communicate things and to have  
1278 things be -- you know, the timing not be disruptive, it  
1279 didn't stand out especially in my mind that this, you know.  
1280 And, again, it was only delaying it by 2 days, so. You  
1281 know, as we -- as you -- if you go through, we've delayed a

1282 number of reports, but --

1283           Mr. Anello. Jen, do you mind if I just ask one  
1284 quick question? I'm sorry to interrupt, and I know -- I  
1285 know we're about to wrap up. You mentioned -- you said a  
1286 briefing with congressional Oversight. Was that the -- Dr.  
1287 Redfield's testimony before the Select Committee that  
1288 you're mentioning?

1289           Ms. Kent. I am not -- I'm not -- you know, I  
1290 can't recall exactly, you know, if that's the proper, you  
1291 know, thing. It was something that was happening on the  
1292 Thursday.

1293           Ms. Gaspar. Anything else, Russ?

1294           Mr. Anello. Sorry. Just to follow up on that,  
1295 I believe there was a hearing that Friday on July 31st.

1296           Ms. Kent. Oh, okay. So yeah.

1297           Mr. Anello. At which Dr. Redfield testified  
1298 before our committee. So is it possible that's what was  
1299 being referred to? That was -- that was Friday, July 31st  
1300 at 9:00 a.m.

1301           Ms. Kent. Possibly, yeah. Yeah. So, oh,  
1302 that's probably it.

1303           Mr. Anello. Okay. Thank you.

1304           Ms. Kent. And then the report would be  
1305 released afterward.

1306           Mr. Anello. Thank you.

1307 Ms. Gaspar. Okay. Let's go off the record.

1308 [Off the record at 11:33 a.m.]

1309 [On the record at 11:52 a.m.]

1310 Mr. Davis. I just want to make sure that Jen  
1311 and Dr. Kent are ready to go, but we're ready to start  
1312 whenever you are.

1313 Ms. Gaspar. We're ready.

1314 Mr. Davis. Okay, great. Well, I'll just --  
1315 I'll dive in.

1316 EXAMINATION

1317 BY MR. DAVIS:

1318 Q So, Dr. Kent, my name is Carlton Davis. I work  
1319 for the committee Republicans, and I would be remiss if I  
1320 didn't tell you that growing up, my dad made it very clear  
1321 to me there was only one school I was ever allowed to go  
1322 to, and that was Amherst.

1323 A Oh.

1324 Q Yeah, he was Class of 1971, and he loved the  
1325 place. Unfortunately, when I went to visit, it was in  
1326 March and it was too cold, and I settled on Swarthmore.  
1327 But I have a very soft spot in my heart for anybody who  
1328 attends a liberal arts college because there are not that  
1329 many. So just --

1330 A Okay. Well, thank you.

1331 Q Yeah. So that being said, just a couple

1332 questions clarifying from the first hour you had. You  
1333 started at MMWR in 2014 in a leadership role, first acting  
1334 and now permanent. Is that right?

1335 A Yes.

1336 Q Okay. And I believe you said MMWR, you said it  
1337 was the voice of CDC. Is that a fair representation?

1338 A Yes, that's how it's characterized.

1339 Q Okay. And you have told your team of about 30  
1340 you have a commitment to "get it right" is what you want to  
1341 do?

1342 A Yes, correct.

1343 Q Okay. I believe you also said that a lot more  
1344 attention is paid to the MMWR because it does not come with  
1345 a disclaimer. Is that -- is that correct?

1346 A I don't know. It's a lot more internal review  
1347 within the Agency because it doesn't have a disclaimer.

1348 Q Okay. And under your watch, being in charge,  
1349 editor-in-chief of the MMWR, do you ever let anything  
1350 affect the scientific integrity of the MMWR?

1351 A That's correct. I am very committed to  
1352 maintaining the scientific integrity of MMWR.

1353 Q Okay. In the interest of your time, we'll  
1354 forgo the rest of our hour of questioning, and we can move  
1355 on to round two. Thank you very much.

1356 A Thank you.

1357 Mr. Strom. You don't need a break --

1358 Ms. Kent. No, thank you.

1359 Mr. Strom. We're good to continue. I don't  
1360 know if you guys need -- if anybody else needs to take a  
1361 minute.

1362 Ms. Gaspar. No, we are -- I'm happy to pick  
1363 up.

1364 EXAMINATION

1365 Q So if you still have the exhibits in front of  
1366 you --

1367 A Yes.

1368 Q -- let's go ahead and turn to Exhibit 14.

1369 A And could you state the number because we have  
1370 a bit of a problem.

1371 Q Yes. Yes, yes, yes. So this is SSCC 0005298.

1372 A 5298, got it.

1373 [Kent Exhibit No. 14 was marked  
1374 for identification.]

1375 BY MS. GASPAR:

1376 Q This is an August 2nd, 2020 email from Paul  
1377 Alexander to a group of people here.

1378 Ms. Gaspar. And I just want to make sure the  
1379 court reporter is good. I know we are on record, but I  
1380 want to make sure everything is set over there.

1381 Court Reporter. Yes, thank you.



1382 Ms. Gaspar. Okay. Great.

1383 BY MS. GASPAR:

1384 Q Have you seen this before?

1385 A No.

1386 Q If you wouldn't mind, why don't you just take a

1387 -- take a second and look it over?

1388 A Sorry. You'd like me to take a look at it?

1389 Q Yeah.

1390 A Okay. Okay.

1391 Q And let me know when you're ready.

1392 A Okay.

1393 [Pause.]

1394 Okay. I think I have the gist of it.

1395 Q Okay. And actually before turning to this

1396 document, I'd like to refer you to one other. Let's go

1397 back to the document that we've marked as Exhibit 6. It's

1398 Bates stamped 7178, SSCC 7178.

1399 [Kent Exhibit No. 6 was marked

1400 for identification.]

1401 A So you said Number 6?

1402 Q Yeah, so it's going to be much earlier. It's a

1403 July -- it's an attachment to a July 3rd email or, rather,

1404 a July 3rd email --

1405 A Okay.

1406 Q -- from Paul Alexander with an attachment.

1407 A So 7178. Okay. I've got it.

1408 Q 7178. Got it.

1409 A Yeah.

1410 Q And if you could just take a minute and look  
1411 that one over as well.

1412 [Pause.]

1413 A Okay. I have the gist of it.

1414 Q Okay. Have you seen Exhibit 6 before?

1415 A No.

1416 Q It appears to be a document that was written as  
1417 a response to the hydroxychloroquine MMWR that we discussed  
1418 earlier. Does that seem accurate to you?

1419 A Yes.

1420 Q Have you ever seen an occasion before where  
1421 anyone at CDC or HHS has written their response to an MMWR  
1422 in this fashion?

1423 A No, I haven't -- I haven't seen something like  
1424 this before.

1425 Q Looking at Exhibit 6, the second paragraph said  
1426 in the first sentence, "This MMWR presents factual  
1427 information with an agenda." Would you agree with that --  
1428 with that statement?

1429 A I do not agree with MMWR presents factual  
1430 information with an agenda. I do not agree with that  
1431 statement.

1432 Q Why?

1433 A Because that suggests that we are publishing  
1434 things based on something other than trying to characterize  
1435 the science, or characterize the response, or to  
1436 characterize the risk to people, and that we don't -- we  
1437 have -- our mission is to provide information that can --  
1438 you know, this is a totally new disease that we knew  
1439 nothing about before -- well, we still didn't know anything  
1440 really in January. And so trying to understand the disease  
1441 so that we can make informed decisions about how best to  
1442 respond to it.

1443 Q Staying with this document, if you -- if you go  
1444 down to the last paragraph, it says, "An MMWR is known as  
1445 the voice of the CDC," as you -- as you stated earlier.

1446 A Mm-hmm.

1447 Q "The information presented in this MMWR is not  
1448 timely nor does it contain useful public health information  
1449 and recommendations." Do you agree with that?

1450 A I do not agree with that statement that this  
1451 information is not timely nor does it contain useful public  
1452 health information and recommendations.

1453 Q Do you believe that it's appropriate for  
1454 someone else in the Federal Government, whether at CDC or  
1455 HHS, to draft a rebuttal to an MMWR?

1456 A I --

1457 Q Well, let me -- let me actually phrase that  
1458 slightly different.

1459 A Yeah.

1460 Q Does it bother you? Does it bother you?

1461 A It certainly surprises me to see this. It is  
1462 not typical nor does it suggest that we are working as one  
1463 to a similar goal.

1464 Mr. Anello. Could I ask a quick follow-up  
1465 question here, Jen?

1466 Ms. Gaspar. Sure.

1467 Mr. Anello. Thank you. I just wanted to make  
1468 sure I understood --

1469 Ms. Gaspar. For the court reporter, could you  
1470 please state your name?

1471 Mr. Anello. Sorry. This is Russ. Just a  
1472 quick follow up. There are a few other lines in here.  
1473 There's one that says that -- in the first paragraph -- in  
1474 the first paragraph that the article fails to live up to  
1475 CDC's pledges to provide the highest-quality, you know,  
1476 scientific, et cetera. There's also a line that says that  
1477 this is not a good use of tax dollars. The question I have  
1478 for you is, if this document were published or statements  
1479 like this were made publicly, do you think this would help  
1480 or harm CDC's efforts to combat the coronavirus pandemic?

1481 Ms. Kent. I think that it could undermine

1482 confidence in CDC and in the quality of science that is in  
1483 MMWR.

1484 Mr. Anello. Okay. Back to you, Jen. Thank  
1485 you.

1486 Ms. Gaspar. Sure. Thank you.

1487 BY MS. GASPAR:

1488 Q So I'd like to jump ahead and look at some  
1489 other responses that you received from Dr. Alexander.

1490 Let's go to Exhibit 15, which is SSCC Manual 000017.

1491 A Okay. Wait. Wait. Let's see. 17?

1492 Q Mm-hmm.

1493 A 16. Oh, here it is. Okay. I got it, yep.

1494 Okay.

1495 [Kent Exhibit No. 15 was marked  
1496 for identification.]

1497 BY MS. GASPAR:

1498 Q It's an August 27th email chain, and take a --  
1499 please take a moment and look it over and just let me know  
1500 when you're ready.

1501 [Pause.]

1502 A. Okay.

1503 Q So if you turn to the third page, Dr. Alexander  
1504 writes to you. He copies Dr. Redfield and Michael Caputo  
1505 with some comments regarding an MMWR that is -- the topic of  
1506 which was related to four overnight camps in Maine from June

1507 through August 2020. You respond. It appears that you  
1508 provided some clarifying information in response to comments.  
1509 And then if you go to the top of the second page, Dr.  
1510 Alexander writes to you at 10:48 p.m. on August 24th: "Hi,  
1511 Dr. Kent. Is there scope for us to collaborate? For us at  
1512 ASPA to be more involved in your report?" What was your  
1513 reaction to receiving this?

1514 A I think I could say safely that I was surprised  
1515 because he comes from a communications arm and we are a  
1516 science-based publication, and it's the science that leads  
1517 the communication, not the communication that leads the  
1518 science.

1519 Q Thank you. Could you -- well, was this the first  
1520 time that Dr. Alexander asked to collaborate in this direct  
1521 manner, recognizing that he's given you comments on MMWRs  
1522 before?

1523 A This is the first time I recall this sort of  
1524 overture of asking to collaborate early on.

1525 Q Could you tell us what you did in response once  
1526 you received this?

1527 A So I discussed it with, you know, briefly with  
1528 Dr. Iademarco. I crafted a response that you see here that  
1529 just -- you know, that distinguishes that, you know, that  
1530 kind of describes the level of scientific clearance, and that  
1531 because he is part of ASPA, that if he wants to be involved,

1532 that he could -- should go through the appropriate, you know,  
1533 chain through the Office of the Associate Director of  
1534 Communications. We thought it would be better if we were to,  
1535 you know, actually respond to this. I wanted to have Dr.  
1536 Schuchat weigh in. She didn't weigh in, so we never sent the  
1537 response to him. So, in fact, while we -- I had an internal  
1538 discussion and prepared something that I think outlined the  
1539 position that we ended up choosing not to respond to that  
1540 comment.

1541 Q So there was no response ever sent?

1542 A No, so nothing was sent to Dr. Alexander.

1543 Q But you did have phone calls with Dr. Iademarco  
1544 about this?

1545 A Yeah, I briefed -- where we just discussed how to  
1546 lay out a potential response and to -- you know, that he's in  
1547 a different component, that this is -- he's part of the  
1548 communications, and, again, that we began with the science  
1549 and then from there we develop our communication materials,  
1550 not the communications people interjecting.

1551 Q Did you relay concern or surprise to Dr.  
1552 Iademarco during that the phone call or phone calls?

1553 A I'm sorry. That last part I couldn't hear well.

1554 Q During your discussion -- I'm not sure if it was  
1555 one or more discussions with Dr. Iademarco, but did you --  
1556 what concerns did you express to him?

1557                   Mr. Strom. We're happy to accommodate the  
1558 committee's interest. This would generally fall within  
1559 deliberative process. However, to accommodate the facts here  
1560 and your inquiry, we're going to allow her to answer.

1561                   Ms. Gaspar. Okay. We disagree, but I'm happy  
1562 you're allowing her to answer. Thank you.

1563                   Ms. Kent. Okay. So thank you. This is the  
1564 first time I've ever received something coming from --  
1565 externally from a communication chain, you know, asking for  
1566 this. And so it was something novel to me, and I just wanted  
1567 to, you know, discuss it with someone else, you know, to make  
1568 sure that my thinking was in line with the situation. And so  
1569 -- and that's, you know -- and we did discuss that because it  
1570 was an unusual situation, not like his other comments, that  
1571 it would be appropriate for Dr. Schuchat to weigh in. So  
1572 that's it.

1573                   BY MS. GASPAR:

1574                   Q     You referenced earlier something about that Dr.  
1575 Alexander should go through a chain or a different chain to  
1576 give you -- or in order to collaborate. What would that --  
1577 what would that chain be?

1578                   A     Well, because he's part of ASPA, and it's the  
1579 Office of the Associate Director of Communication that really  
1580 has, you know, direct communication, you know, between ASPA  
1581 -- and so, you know, to begin, you know, sharing something --



1582 you know, to begin something earlier, then he needed to be  
1583 engaged with them, and it really needed to only be on the  
1584 communication point. So I don't think that -- you know,  
1585 honestly, I don't think I thought about how this would be  
1586 implemented should he go through that path that was  
1587 recommended --

1588 Q Why didn't you end up responding?

1589 A Because we never heard back from Dr. Schuchat,  
1590 and so it just seemed better not to respond because it wasn't  
1591 -- it wasn't a typical thing that we received from him  
1592 before. So it -- we just chose not to respond.

1593 Q Did he ever raise it again?

1594 A The time when he raised it again was after he was  
1595 no longer part of HHS. He wrote to me twice on his private  
1596 email account suggesting that we collaborate, and I didn't  
1597 respond to those either.

1598 Q Do you know if at the time that you received this  
1599 email, Dr. Iademarco discussed it with anyone or took it to  
1600 anybody else?

1601 A I don't know.

1602 Q Or even sitting here today, does Dr. Alexander's  
1603 proposal raise concern to you about the scientific  
1604 independence of the MMWR?

1605 A No, I was never concerned about the scientific  
1606 independence of MMWR, and that's something that we -- you

1607 know, that's my responsibility to ensure -- well, it's  
1608 complicated. At least the integrity, the scientific  
1609 integrity. So I was never concerned about the scientific  
1610 integrity of MMWR.

1611 Q You weren't concerned because of -- well, I'll  
1612 just ask why.

1613 A Wait. I'm sorry. What was your question?

1614 Q Why? Yeah, you said you were not concerned, so  
1615 what gave you reassurance? Did you think that Dr.  
1616 Alexander's proposal, if followed through on, would raise a  
1617 concern?

1618 A If we -- if we chose to -- oh, actually there is  
1619 one other email. Well, it's not collaboration, but if we  
1620 chose to collaborate with Dr. Alexander, there could be a  
1621 perception that that was influencing the scientific integrity  
1622 of MMWR, and that was something that we were not going to do.

1623 Q Got it. I'm going to move on. Just another  
1624 second. Let's go to Exhibit 16. This is a -- this is Bates  
1625 stamped SSCC Manual, bunch of zeros, 7 is the first page.

1626 A Okay. Got it. Okay.

1627 [Kent Exhibit No. 16 was marked  
1628 for identification.]

1629 BY MS. GASPAR:

1630 Q Okay. So if you look at this email chain, it  
1631 looks like -- at the bottom you circulated a summary of an

1632 early release of MMWR titled, "SARS-Cov-2-Associated Deaths  
1633 Among Children, Adolescents, and Young Adults Aged Under 21  
1634 Years, United States, February 12th through July 31st, 2020,"  
1635 and Dr. Alexander writes to you with some reaction. You then  
1636 forwarded his email to Nina Witkofsky. What prompted you to  
1637 do that?

1638 A Earlier in that -- earlier that day or that --  
1639 probably later that afternoon, she had told me that I was not  
1640 -- that I shouldn't be receiving any further communication  
1641 from Dr. Alexander, and if I should, that to let her know and  
1642 that I shouldn't reply to him.

1643 Q Did she tell you why?

1644 A No.

1645 Q Do you -- do you know why she gave you that  
1646 instruction?

1647 A Pardon?

1648 Q Do you know why she gave you that instruction?

1649 A I honestly don't know precisely why she gave me  
1650 that instruction. So, you know, she did not state why she  
1651 gave me that instruction.

1652 Q Okay. It looks like subsequently she asked you  
1653 to remove him from the MMWR distribution list. Is that  
1654 right?

1655 A I think she probably -- yes, I'm sure she did --  
1656 at the time when she told me I shouldn't communicate with

1657 him, she would have asked me to remove him from the  
1658 distribution list.

1659 Q And you did so?

1660 A To the best of my recollection, that's true.

1661 Q Any reason given for that?

1662 A No, nothing specific.

1663 Q Okay. I would like to refer you to Exhibit 23.

1664 It is an article that came out in *Politico* that same day. It  
1665 does not have a Bates stamp, but it's a September 11th, 2020  
1666 article titled, "Trump Officials Interfered with CDC Reports  
1667 on COVID-19."

1668 [Kent Exhibit No. 23 was marked  
1669 for identification.]

1670 BY MS. GASPAR:

1671 Q Have you seen this before?

1672 A Yes.

1673 Q If you go down to -- it's a 13-page document.

1674 If you go down to the fifth page, there is an email --

1675 Mr. Strom. Jen, did you say 6?

1676 Ms. Gaspar. Five. Page 5.

1677 Ms. Kent. Okay. So it's the one that has an  
1678 image of a -- an email?

1679 BY MS. GASPAR:

1680 Q Exactly.

1681 A Okay.

1682 Q I wanted to refer you to that email. So we  
1683 don't appear to have this email, but it -- so I don't know  
1684 what date it was sent or who it was sent to. But it says  
1685 in this image here, "So I request that CDC go back to that  
1686 report and insert this, else Michael pull it down and stop  
1687 all reports immediately." If you look at the rest of the  
1688 context, it probably refers to the earlier report on  
1689 Georgia, Georgia summer camp, although it could be another  
1690 summer camp-related report. It described the report as  
1691 very misleading by CDC and says this hurts any President or  
1692 Administration. And then it goes on to say, "It's designed  
1693 to hurt this President for their reasons, which I am not  
1694 interested in." First of all, let me just ask you, do you  
1695 agree with those statements that the -- in particular, the  
1696 sentence, "This is designed to hurt this President for  
1697 their reasons, which I'm not interested in?" Even not  
1698 knowing which MMWR this refers to, would that be true about  
1699 any MMWR?

1700 A No MMWR was published with the intent to hurt  
1701 the President.

1702 Q Is there any political intent behind any MMWR?

1703 A No.

1704 Q Why not?

1705 A Because our -- that's not part of our mission.  
1706 Our mission is to produce science, and, in this case, about

1707 a disease that we knew nothing about so that informed  
1708 decisions can be made based on the science.

1709 Q The red site, and if it's -- if it's printed in  
1710 black and white, you might not see this, but the first  
1711 sentence here is in red where it says, "Michael, pull it  
1712 down and stop all reports immediately." I take that as Dr.  
1713 Alexander actually trying to stop the publication of all  
1714 MMWRs. Is that -- was that ever reported to you that he  
1715 wanted to do so before you saw this article?

1716 A While I was on vacation, he sent an email that  
1717 contained this, and it would -- you know, based on the  
1718 content that's presented here, it would suggest that he  
1719 wanted to stop the publication of reports and to change  
1720 reports that had been previously published.

1721 Q Who was that email sent to?

1722 A I don't have a copy. I believe it was sent to  
1723 me and Dr. Redfield, and I'm not exactly sure who -- it  
1724 would -- given, you know, he's addressing Michael, I would  
1725 assume it was also sent to Mr. Caputo.

1726 Q You said -- you said that this was sent while  
1727 you were on vacation. Do you recall when that was  
1728 approximately?

1729 A It was, I think -- I think he sent it -- I  
1730 think it was maybe, like, August. It was -- he sent it, I  
1731 think, on a Saturday in August around -- I can't -- I don't

1732 remember the date exactly, but, like, August 7th, 8th,  
1733 around in there, whatever that Saturday is.

1734 Q You said you don't have a copy. I realized we  
1735 haven't given you one because we don't seem to have one.  
1736 Did you -- do you still have one in your possession?

1737 A I don't have one in my possession.

1738 Q Why is that?

1739 A While I was on vacation, the woman who was  
1740 serving as the acting and editor-in-chief, there was  
1741 discussion with her -- her name is [REDACTED] -- and  
1742 Dr. Iademarco about this. Dr. Iademarco reached out to Dr.  
1743 Redfield, and so Dr. Redfield said we wouldn't be doing  
1744 this according to this -- you know, about what I heard from  
1745 [REDACTED] who heard from, you know, Admiral Iademarco,  
1746 and that we did not -- that I was instructed to delete the  
1747 email because it would be part of Dr. Redfield's, you know,  
1748 the documentation that he has in his email. So actually  
1749 when I went back to delete, it was already gone.

1750 Q Sorry. Who instructed you to delete it?

1751 A I heard from [REDACTED], who, as I understood,  
1752 heard from Dr. Iademarco, who heard from Dr. Redfield to  
1753 delete it.

1754 Q Sorry. I just want to make sure I understand.  
1755 It sounds like you're saying Dr. Redfield told Dr.  
1756 Iademarco --

1757 A Yes.

1758 Q -- who told [REDACTED], who told you.

1759 A Yes, right. Yeah. So I did not have direct --  
1760 that's what I understood, that it came from Dr. Redfield,  
1761 and that it was also stated that it would -- because of Dr.  
1762 Redfield, you know, all of his email are part of the public  
1763 record, that it would be maintained in that.

1764 Q I see. When you say it was already gone, what  
1765 does that mean?

1766 A That means when I went to look for it, it was  
1767 not there.

1768 Q Did you go to look for it in response to a  
1769 request from our -- the select subcommittee to produce  
1770 documents?

1771 A No, I went to look for it after I had been told  
1772 to delete it, and it was already gone.

1773 Q Why did you go to look for it?

1774 A Because I had been instructed to delete it, and  
1775 so I went to look for it to delete it, and it was already  
1776 gone.

1777 Q Oh, I see. You didn't actually delete it  
1778 yourself because it was already gone.

1779 A No. No, uh-huh. It was already -- yes.

1780 Q Do you know -- do you know who deleted it?

1781 A I have no idea.



1782 Q Has that ever happened before with any other  
1783 email that you're aware of?

1784 A Not to me.

1785 Q Has anybody at CDC or in your professional  
1786 capacity there, instructed you to delete emails prior to  
1787 this?

1788 A No, this is the only time.

1789 Q Okay. And it's never happened since, I take  
1790 it.

1791 A No.

1792 Q Did you -- so you learned while you were on  
1793 vacation at this point in August that -- about this email  
1794 and Dr. Alexander's efforts to -- you referenced that he'd  
1795 wanted to change MMWRs. What else -- did anything else  
1796 happen? Did you learn about that through anyone other than  
1797 the conversation you referenced with [REDACTED]?

1798 A I mean -- I mean, we just discussed the content  
1799 of this email, but, you know, I had been assured, you know,  
1800 that Dr. Redfield was not going to -- you know, didn't  
1801 think this was appropriate.

1802 Q He didn't think that what was appropriate?

1803 A To comply with the request in this email.

1804 Q Do you know whether Dr. Alexander or Michael  
1805 Caputo made other efforts to change MMWRs other than this  
1806 email and other emails you received?

1807           A       I am not aware of other things. I mean, you  
1808 all are -- I'm not aware of other things. You're  
1809 presenting me with some things I hadn't seen before, but  
1810 I'm not -- I'm not aware of it.

1811           Q       Do you recall when [REDACTED] told you to  
1812 delete the email?

1813           A       It would be the day after it was sent. So as I  
1814 recall, Dr. Alexander sent it at night, and she called me  
1815 early Sunday morning about it. I think I actually -- I  
1816 read it and told her that I, you know, I would be happy to  
1817 talk to her whenever she was available.

1818           Q       You read what?

1819           A       Oh, so sorry. So I read the email early -- I  
1820 think early Sunday morning. I believe he sent it late  
1821 Saturday, and he -- I just -- and I think she had sent me a  
1822 heads up about it. And so she and I talked early in the  
1823 morning, and then she talked -- and then she just told me  
1824 that Dr. Iademarco and Dr. Redfield will discuss it on  
1825 Sunday --

1826           Q       Yeah.

1827           A       -- at a civil hour, and then I think she  
1828 communicated after that discussion. You know, it was sort  
1829 of down -- you know, back up, like, that she would -- you  
1830 know, after Dr. Redfield talked to Dr. Iademarco, he -- and  
1831 told him that, you know, we would not be complying with

1832 this request, that's when she got back to me with that  
1833 statement and the request to delete the email.

1834 Q Did you discuss any -- did anyone raise any  
1835 concerns to you about the request to delete the email?

1836 A Well, certainly the request is not typical.  
1837 It's not something that we would -- you know, it was clear  
1838 that the director said he would not comply with it. I  
1839 mean, I think it's -- you know, it's surprising, you know,  
1840 when you receive something like this.

1841 Q Are you aware of -- have you received training  
1842 or are otherwise aware of document retention obligations  
1843 for government officials?

1844 A Yes, the -- I'm aware that we are to keep  
1845 documents.

1846 Q So when you were told to delete the email --

1847 A Mm-hmm.

1848 Q -- did you discuss with anyone whether that  
1849 request raised any concerns regarding those obligations?

1850 A I didn't discuss with anyone. I'm also  
1851 familiar with the -- that, you know, the director's email  
1852 is something that, you know, is not tampered with. And so  
1853 when I was -- I considered this to be very unusual. I  
1854 think that the request to -- you know, I do know that, you  
1855 know, certain parts of -- persons in the Agency, like  
1856 Center directors and the director, their email, you know,

1857 cannot be deleted. So I felt like there -- honestly, I  
1858 felt like there were safeguards that if it was needed to  
1859 discover this information, it would be readily  
1860 discoverable.

1861 Q Is this a type of email that you would've  
1862 normally kept under your typical practices?

1863 A Yes, typically it would have been.

1864 Q Okay. Just a second.

1865 [Brief pause.]

1866 Q Are you aware -- you said -- you said before  
1867 that this is the only request you've received to delete an  
1868 email, but are you aware of any other requests going to  
1869 others at CDC to delete emails or other documents?

1870 A No. No.

1871 Q Do you know if anyone other than the people  
1872 that you've described in the -- in the chain that was  
1873 communicated down to you were aware of the request to  
1874 delete that email?

1875 A I am not aware of -- you know, I can't remember  
1876 if I discussed it with -- I might've discussed it with the  
1877 managing editor of MMWR. It's the sort of thing I  
1878 typically would have, but I don't remember if I did for  
1879 sure because, technically, I was on vacation. So, but  
1880 that, you know, that would've been the only people within  
1881 the Agency, other person possibly.

1882 Q I'm sorry. What's the name of that person?

1883 A Her name is Terisa Rutledge.

1884 Q Did anyone ever tell you not to discuss Dr.

1885 Alexander's request?

1886 A I don't recall that. I don't. Yeah, I don't

1887 -- I don't recall that.

1888 Q Did anyone ever tell you how you should address

1889 Dr. Alexander's request? And I'm not talking about prep

1890 for this interview.

1891 A I don't -- I don't recall being given explicit

1892 guidance about, you know, that particular email other than

1893 to delete it.

1894 Mr. Anello. Can I ask one question, Jen, while

1895 you're --

1896 Ms. Gaspar. Yeah. Yeah.

1897 Mr. Anello. -- formulating a question? Was

1898 there ever an instruction or request to you regarding

1899 sharing information with Congress on any of the topics that

1900 we've discussed today or related topics?

1901 Mr. Strom. Russ, you broke up. Can you

1902 repeat?

1903 Mr. Anello. I'm so sorry. I'm sorry, yeah. I

1904 think it's my internet connection here. The question was,

1905 Dr. Kent, whether you were ever given an instruction or

1906 given guidance not to share particular information with

1907 Congress relating to MMWR or relating to the role of HHS or  
1908 Dr. Alexander.

1909 Ms. Kent. I was never given any instruction to  
1910 not share information. I was instructed to tell the truth.

1911 Mr. Anello. Were you ever instructed or asked  
1912 to avoid particular topics or to focus on other topics?

1913 Mr. Strom. Russ, just to clarify, I assume  
1914 you're not trying to get into attorney-client discussions.

1915 Mr. Anello. I think my question stands. I  
1916 mean, I think you -- the background for it is pretty clear.

1917 Mr. Strom. To the extent you can answer that  
1918 without implicating attorney-client discussions, I'll  
1919 direct you to answer that question.

1920 Ms. Kent. You know, the instructions I have  
1921 received, we're to stay on topic, you know, and to tell the  
1922 truth.

1923 Mr. Anello. What do you mean by stay on topic?

1924 Ms. Kent. I mean, I just think that it's --  
1925 you know, if I'm asked about a particular thing, to stay on  
1926 that topic and not go off into other areas, which is  
1927 something scientists like to do sometimes. So I think that  
1928 was the instruction I received. It was never to withhold  
1929 anything from Congress.

1930 Mr. Anello. Were there are any particular  
1931 areas you were asked not to bring up?

1932                   Mr. Strom. Russ, I'm going to stop. This all  
1933 implicates attorney-client, the fact that you're not  
1934 segregating discussions we've had as Agency counsel from  
1935 anything else you may have heard. It's an inappropriate  
1936 line of questioning, and we're going to direct her to stop.  
1937 And I think you know you're at 45 minutes --

1938                   Mr. Anello. John, I --

1939                   Mr. Strom. -- and I suspect it was done  
1940 intentionally at this point.

1941                   Mr. Anello. You suspect what was done  
1942 intentionally?

1943                   Mr. Strom. That you're choosing to -- it  
1944 doesn't matter. That you're choosing to end on this note  
1945 when we've been transparent. We've accommodated your  
1946 questions regarding the clearance processes for MMWR,  
1947 regarding the measures that were in place to ensure that  
1948 the science was accurate. And here we are the 45-minute  
1949 mark, and you're trying to invade attorney-client privilege  
1950 in a line of questions. It's totally inappropriate.

1951                   Mr. Anello. John, I think we all heard the  
1952 same testimony just now, and so if you're instructing the  
1953 witness not to answer whether she was told to avoid  
1954 particular topics, then that's what we will take back. If  
1955 you're going to allow her to answer, then I think you'll  
1956 allow her to answer.

1957 Mr. Strom. Well, her answer -- her answer  
1958 stands. She's provided it 3 or 4 times now.

1959 Mr. Anello. Well, I just asked a new question  
1960 and she was not able to answer, so if you're going to -- if  
1961 you'd like her to answer her a fourth time and you think  
1962 it's the same question, that's fine with me. If you're not  
1963 -- if you're instructing her not to answer, then that is  
1964 the instruction that we'll move forward with.

1965 Mr. Strom. I'm instructing you not to answer  
1966 that question --

1967 Ms. Kent. Okay.

1968 Mr. Strom. -- to the extent that it implicates  
1969 attorney-client privilege. If you can answer that question  
1970 without implicating the privilege --

1971 Ms. Kent. I can repeat what I've said that I  
1972 was never instructed to withhold any information from the -  
1973 - from Congress. I was never instructed to do that.

1974 Mr. Anello. Okay. The precise question that I  
1975 asked, and I appreciate that. The precise question I asked  
1976 was whether you were instructed to avoid any particular  
1977 topics.

1978 Mr. Strom. Is that a yes/no question?

1979 Mr. Anello. I guess it depends what the answer  
1980 is.

1981 Mr. Strom. Russ, you're over your 45 minutes.



1982                   Mr. Anello. That certainly calls for a yes or  
1983 no, and if it can be answered that way, then that's great.  
1984 And if not, then let's --

1985                   Mr. Keveney. -- interrupt for a second. This  
1986 is Sean Keveney. I'm deputy counsel of HHS. I would  
1987 remind all counsel on the call of the professional  
1988 responsibility obligation not to attempt to actually invade  
1989 the attorney-client privilege. That is certainly what it  
1990 sounds like to me is going on here, which is a very  
1991 legitimate --

1992                   Mr. Anello. There's been an instruction to the  
1993 witness to address that issue. That's pretty clear, Sean.

1994                   Mr. Keveney. Wait. Let me finish. I would  
1995 like to finish my statement, okay? I want to make sure the  
1996 court reporter hears me. You can ask about what  
1997 instructions the witness was given by anybody other than  
1998 counsel, but it is incumbent upon the questioner to ask the  
1999 question in a way that makes it clear that you are not  
2000 intentionally trying to invade the attorney-client  
2001 privilege. The witness will answer any question you want  
2002 to pose to her about who gave her instructions other than  
2003 counsel. But I invite you to take additional time if you  
2004 need it to go back over your line of questioning and re-ask  
2005 the questions in a way that makes it clear you're not  
2006 trying to invade the attorney-client privilege. Thank you.

2007                   Mr. Anello. I appreciate the comment, Sean.  
2008 The question was pretty clear. Mr. Strom has allowed the  
2009 witness to say that she was not instructed to withhold  
2010 information from Congress, which I appreciated. The  
2011 question I'm asking is a clarification question, which is  
2012 simply whether she was instructed to avoid particular  
2013 topics. And so I don't -- this probably could be answered  
2014 in one word. I'm struggling to understand why this is an  
2015 issue, and so I'm just trying to get that one  
2016 clarification, and then I think we can move on.

2017                   Mr. Keveney. And I'll tell you exactly how a  
2018 competent litigator would ask the question so as not to run  
2019 afoul of the attorney-client privilege and the Professional  
2020 Responsibility Rules. The way to ask the question is to  
2021 say, other than instructions from counsel, were you  
2022 instructed by anybody not to provide X, Y, and Z. You've  
2023 asked the question in a ham-handed way that violates the  
2024 Rules of Professional Responsibility.

2025                   Mr. Anello. Okay. I've asked my question. It  
2026 sounds like you have instructions for the witness, and I  
2027 think you should feel free to give those instructions to  
2028 the witness, and then the witness can answer the question  
2029 to the extent that she has been instructed to do so.

2030                   Mr. Keveney. That's fine.

2031                   Mr. Anello. I don't think we really need to go

2032 into anything further here.

2033 Mr. Keveney. Can you hear me, ma'am?

2034 Ms. Kent. Yes.

2035 Mr. Keveney. It is entirely inappropriate for  
2036 counsel to ask you questions that call for the substance of  
2037 communications you've had with Mr. Strom. Counsel knows  
2038 that. You can answer his questions, and I ask you to  
2039 provide any clarity that you believe is necessary to make  
2040 clear who gave you instructions regarding your conduct in  
2041 this interview instructions from Mr. Strom. Does that make  
2042 sense?

2043 Ms. Kent. I'm sorry. You're a little bit  
2044 jumbled, and I had some difficulty understanding  
2045 everything, and I would prefer to be very clear about what  
2046 you're stating given this -- given this discussion. Could  
2047 you please restate it?

2048 Mr. Keveney. Absolutely, yeah. I want to make  
2049 sure that I'm being very clear with you as well. I would  
2050 like you to go back and clarify your answers and make sure  
2051 you tell the attorneys who are questioning you complete,  
2052 factual information about any instructions you were given  
2053 in connection with your testimony today by anybody other  
2054 than counsel for the Agency. Does that make sense?

2055 Ms. Kent. Okay. So what I'm -- what I'm  
2056 hearing is the question is, did anyone besides my counsel

2057 give me any instructions about how to answer?

2058 Mr. Strom. Besides Agency counsel.

2059 Ms. Kent. Yeah, that's what I meant, besides  
2060 Agency counsel. Is that the question?

2061 Mr. Keveney. That's right.

2062 Ms. Kent. No one besides Agency counsel gave  
2063 me any instructions.

2064 Mr. Keveney. And you are not to provide any  
2065 information about anything -- any conversations that took  
2066 place between you and Agency counsel. Is that understood?

2067 Ms. Kent. I'm not --

2068 Mr. Strom. -- any conversations that took  
2069 place between Agency counsel and yourself that your  
2070 previous answers did not take into account.

2071 Ms. Kent. Right, yeah. So yeah. So I  
2072 received no instructions outside of my, you know, my  
2073 instructions from, you know, Mr. Strom.

2074 Mr. Keveney. Thank you. Is there anything  
2075 else you need to add to clarify the record in response to  
2076 the previous line of questioning, because I want you to be  
2077 fully candid with the -- with the interviewers here.

2078 Ms. Kent. I'm stating that I was never  
2079 instructed by anyone to withhold anything from Congress.

2080 Mr. Keveney. Thank you, ma'am.

2081 Mr. Anello. Thank you, Dr. Kent. Back to you,

2082 Jen.

2083 Ms. Gaspar. Okay. So I do have a few more  
2084 questions that I would like to get through, but since we're  
2085 going to be wrapping up early anyway --

2086 Mr. Strom. No, Jen --

2087 Ms. Gaspar. Yeah.

2088 Mr. Strom. We're at 51 minutes. This is a  
2089 self-inflicted wound from where I'm sitting.

2090 Ms. Gaspar. No, no, no, not at all. So, first  
2091 of all --

2092 Mr. Strom. That's not at all the discussion  
2093 that we just had, all the minutes that we just burned going  
2094 through that.

2095 Mr. Anello. Why don't you let Jen speak?  
2096 Could you just let Jen finish? You cut her off mid-  
2097 sentence. Please just let her finish for the record, and  
2098 then you can respond.

2099 Mr. Strom. Sure. I apologize.

2100 Ms. Gaspar. What I was going to say is, so you  
2101 agreed to 4 hours. We are not going to be taking 4 hours.  
2102 It doesn't seem like the minority has a significant number  
2103 of questions. I wanted to ask them if they would like time  
2104 to ask more questions. I would like to ask 10 to 15  
2105 minutes' worth of more questions and limit it at that. I  
2106 think we could all avoid a lot of future consternation if

2107 we just ask those questions now instead of having to spend  
2108 weeks fighting about whether we'll be allowed a second  
2109 opportunity to ask, so I would appreciate that. Pretty  
2110 straightforward questions. But before that, I wanted to  
2111 see if the minority wanted to take another turn.

2112           Mr. Davis. Thanks, Jen. I think you said at  
2113 the beginning that the agreement was each side gets 1 hour.  
2114 You've had your 2 hours. I don't -- I'm not familiar with  
2115 any rule where you get more time simply because we haven't  
2116 used our time. We did that strategically, and so the fact  
2117 that you are now bumped up against your 2 hours, I'm not  
2118 quite sure what to tell you.

2119           Ms. Gaspar. Okay.

2120           Mr. Anello. Carlton, I can -- I can address  
2121 that. This is Russ. So these are -- these are committee  
2122 practices, and it's based on our agreements. We agreed to,  
2123 I believe, a 4-hour interview, and we're about an hour and  
2124 a half, hour and a quarter shy of that. So this is all  
2125 based on the agreements of the -- of the folks in the room  
2126 here, and I think what Jen is asking for is additional  
2127 time. It doesn't sound like it's going to be bumping up  
2128 against the time that you're planning to take. And just to  
2129 add, because you mentioned you weren't aware of the rules,  
2130 it's pretty common practice on our committee and other  
2131 committees for each side to give each other the time that

2132 they need to wrap things up. And often that means instead  
2133 of going two rounds, you might go three. Sometimes instead  
2134 of four, you might go five. It happens fairly frequently,  
2135 so in case that's helpful context.

2136           Mr. Davis. Yeah, it is, Russ. Thank you.  
2137 I've been on and off the committee for 10 years now.  
2138 During our logistics phone call with Jen on Friday, she  
2139 made it very clear that the agreement was 1 hour per side,  
2140 not 4 hours total. She made it very clear it was 1 hour  
2141 per side, and you've reached your 2 hours now. I  
2142 understand that it's common practice to, you know, allow  
2143 the other side, you know, more time, but this is an  
2144 agreement that we had coming in, and now you're trying to  
2145 alter the rules. Simply because we did not use our entire  
2146 first hour, you're trying to go until 2:00. If you want to  
2147 take a 10-minute break and you want us to ask an hour of  
2148 questions until we get to 2:00, I'm happy to do that. I  
2149 have a lot of questions I can ask Dr. Kent. But I think in  
2150 the interest of certainly her time, I think that we should  
2151 abide to the agreement that we had, which was 1 hour per  
2152 side, times 2, 2 hours per side, and we should conclude  
2153 today's interview, and we can pick up again tomorrow  
2154 morning.

2155           Ms. Gaspar. Okay. So once again --

2156           Mr. Anello. Carlton, this is not a rule. This

2157 is a request. Go ahead, Jen.

2158 Ms. Gaspar. Yeah. So once again, I'm going to  
2159 ask the Agency and the witness if they would stay around  
2160 for about 10 to 15 more minutes so we can wrap up all the  
2161 questions that we have. We recognize that this is  
2162 voluntary, but hopefully you can accommodate it since we're  
2163 going to be ending well under the time that you had -- that  
2164 we had planned on.

2165 Mr. Strom. The agreement is 2 hours --

2166 Ms. Gaspar. Okay.

2167 Mr. Strom. -- per side.

2168 Ms. Gaspar. Okay. Just to be clear, we have  
2169 --

2170 Mr. Strom. There's no reason you can't submit  
2171 those questions in writing.

2172 Ms. Gaspar. Okay. We will likely be asking  
2173 for additional time with the witness, just so you know, for  
2174 approximately 15 minutes' worth of questions.

2175 Mr. Strom. Okay. We'll look forward to that  
2176 request.

2177 Ms. Kent. Okay.

2178 Mr. Strom. Jen, are you going to call it off  
2179 the record or --

2180 Ms. Gaspar. I would like to dive into  
2181 questions, but I guess we will go off the record.



2182                   Mr. Keveney. I just want to say thank you to  
2183 Dr. Kent.  
2184                   [Whereupon, at 12:51 p.m., the interview  
2185 concluded.]