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House of Representatives

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SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS

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<https://coronavirus.house.gov>

June 18, 2020

The Honorable Steven Mnuchin
Secretary
U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

The Honorable Tomas Philipson
Acting Chairman
Council of Economic Advisers
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

The Honorable Russell T. Vought
Acting Director
Office of Management and Budget
725 17th Street, N.W.
Washington, D.C. 20500

Dear Secretary Mnuchin, Mr. Philipson, and Mr. Vought:

The Select Subcommittee on the Coronavirus Crisis, which was modeled after the Truman Committee during World War II, was established by the House of Representatives on April 23, 2020, pursuant to House Resolution 935, “to conduct a full and complete investigation” of “issues related to the coronavirus crisis,” including the “efficiency, effectiveness, equity, and transparency of the use of taxpayer funds and relief programs to address the coronavirus crisis” and “the economic impact of the coronavirus crisis.”

To that end, the Select Subcommittee is investigating the record levels of unemployment in the United States during the pandemic. With more than 40 million Americans out of work—more than any time since the Great Depression—federal leadership to address this crisis is critical. That starts with an open and honest assessment of the scope of the jobs crisis and how long it is likely to last. I write today to request that you release the unemployment and economic projections that the White House has reportedly decided to omit from the annual mid-session review budget update so Congress can seek effective solutions to help struggling Americans and prevent further economic damage.

Independent experts, including Federal Reserve Chairman Jerome Powell, have expressed concern that high levels of unemployment could last for many months and that a meaningful economic recovery is unlikely until the federal government advances a clear, comprehensive plan to address the ongoing public health crisis.¹ The Trump Administration has advanced a rosier outlook, with the President’s top economic advisor asserting the economy is at a “turning point” and “is now in the recovery stage,”² and the President stating, “Jobs are rapidly coming back” and the economic recovery is “happening very quickly, way ahead of schedule.”³ Yet the Administration is withholding underlying economic and employment projections that every other modern President, Democrat and Republican, has released to the public.

The President is required by law to send Congress a mid-session review of the nation’s budget that includes, among other data, information the President determines is “advisable to provide Congress with complete and current information about the budget and current estimates of the functions, obligations, requirements, and financial condition of the United States Government.”⁴

On May 28, 2020, the *Washington Post* reported that the White House is planning to withhold economic and unemployment projections when it submits its mid-session review this summer—despite the longstanding, bipartisan precedent of including this information. For the last four decades, the White House has provided mid-year projections on economic trends such as unemployment, inflation and economic growth—including during the financial crisis in 2007 and 2008.⁵ This year, however, a senior Administration official reportedly said that the information will be withheld because releasing it “may mislead the public.”⁶

¹ *Federal Reserve Predicts Slow Recovery With Unemployment At 9.3 Percent By End Of 2020*, Washington Post (June 10, 2020) (online at www.washingtonpost.com/business/2020/06/10/fed-forecasts-economy/); *Unemployment To Remain Above 9 Percent into 2021: CBO*, The Hill (May 19, 2020) (online at <https://thehill.com/policy/finance/498568-unemployment-to-remain-above-9-percent-into-2021-cbo>).

² *White House Economic Adviser Larry Kudlow Downplays Concern About Second Coronavirus Wave*, MarketWatch (June 14, 2020) (online at www.marketwatch.com/story/white-house-economic-advisor-kudlow-downplays-fear-of-second-coronavirus-wave-2020-06-14).

³ The White House, *Remarks by President Trump at Signing of an Executive Order on Safe Policing for Safe Communities* (June 16, 2020) (online at www.whitehouse.gov/briefings-statements/remarks-president-trump-signing-executive-order-safe-policing-safe-communities/).

⁴ 31 U.S.C. 1106.

⁵ Office of Management and Budget, *Fiscal Year 2009 Midsession Review: Budget of the U.S. Government* (July 28, 2008) (online at www.whitehouse.gov/sites/whitehouse.gov/files/omb/assets/OMB/budget/fy2009/pdf/09msr.pdf); Office of Management and Budget, *Fiscal Year 2008 Midsession Review: Budget of the U.S. Government* (July 11, 2007) (online at www.govinfo.gov/content/pkg/BUDGET-2008-MSR/pdf/BUDGET-2008-MSR.pdf).

⁶ *Breaking Precedent, White House Won’t Release Formal Economic Projections This Summer That Would Forecast Extent Of Downturn*, Washington Post (May 28, 2020) (online at www.washingtonpost.com/business/2020/05/28/white-house-coronavirus-economic-projections/).

Concealing economic forecasts from the American people during a jobs crisis is counterproductive, in conflict with bipartisan precedent, and contrary to the intent of Congress. Now is not the time to ignore difficult facts about the direction of our economy or hard truths about the record-high unemployment across the country. Faced with job losses unmatched since the Great Depression, we should avail ourselves of the expertise of career federal officials to seek a path forward—not hide their analyses for short-term political gain. The federal government’s economic forecasts are the product of taxpayer dollars, and the government has a duty to share its analyses with Congress and the public. Many temporary economic assistance programs passed by Congress to address the pandemic—including the \$600 weekly increase in unemployment insurance benefits and the moratorium on evictions—will expire next month.⁷ It is essential to have comprehensive data in order to assess the effectiveness of enacted programs in ameliorating economic pain and to determine what more Congress should do.

For these reasons, the Select Subcommittee requests that you inform the Subcommittee by June 21, 2020, whether the Administration will include a comprehensive set of economic and employment forecasts in this year’s mid-session review covering the same categories of information provided in previous years.

If you do not confirm that you will include these forecasts in this year’s mid-session review, the Select Subcommittee requests that you provide the Subcommittee with the following documents and information by July 2, 2020:

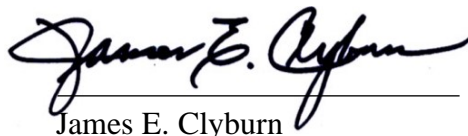
1. All economic projections for calendar years 2020 to 2030, including drafts and underlying data and analyses, related to:
 - a. The unemployment rate, including for the third quarter and fourth quarter of 2020;
 - b. Gross domestic product;
 - c. Domestic corporate profits;
 - d. Employee compensation;
 - e. Wages and salaries;
 - f. Housing starts;
 - g. Motor vehicle sales;

⁷ Congressional Research Service, *CARES Act Eviction Moratorium* (Apr. 7, 2020) (online at <https://crsreports.congress.gov/product/pdf/IN/IN11320>); Letter from Phillip Swagel, Director, Congressional Budget Office, to Chairman Charles Grassley, Senate Committee on Finance (June 4, 2020) (online at www.cbo.gov/system/files/2020-06/56387-CBO-Grassley-Letter.pdf).

- h. Industrial production;
 - i. The vacancy rate for rental housing units; and
 - j. Outstanding consumer credit;
2. All projections by industry or sector, for calendar years 2020 to 2030, of the unemployment rate, employee compensation, or wages and salaries;
 3. All documents and communications related to evaluations and assessments of the actual or potential impact of legislation related to the coronavirus crisis on the unemployment rate, employee compensation, or wages and salaries; and
 4. All documents and communications regarding whether to issue economic forecasts this year, including but not limited to whether to include economic forecasts in the mid-session review.

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

Sincerely,



James E. Clyburn
Chairman

Enclosure

cc: The Honorable Steve Scalise, Ranking Member

Responding to Oversight Committee Document Requests

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

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

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

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

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

Definitions

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

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

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