

United States Senate

WASHINGTON, DC 20510

March 11, 2020

Vice President Mike Pence
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Vice President Pence:

We write to you in your capacity as head of the White House Task Force on Coronavirus (Task Force) to request information on the steps the Task Force will take to ensure that the federal response to the coronavirus outbreak is grounded in scientific fact and based on evidence-based public health principles. Based on the White House's response to the coronavirus outbreak thus far, it appears this may not be the case, and we are concerned that the administration has followed a decision-making process marred by political influence, resulting in increased risks for Americans and the frontline workers combatting coronavirus.

Since the World Health Organization (WHO) declared a "Public Health Emergency of International Concern" on January 30, 2020,¹ the novel coronavirus, which causes COVID-19, has spread around the world. The WHO now reports more than 121,000 confirmed cases worldwide, including more than 1,000 cases in the United States.² In Washington State, at least 19 individuals have died from COVID-19, raising concerns that the virus has been spreading undetected over the last few weeks.³ The Centers for Disease Control and Prevention (CDC) currently warns that the virus is likely to cause a global pandemic.⁴

In the midst of this public health crisis, the Administration's decision-making process regarding coronavirus containment efforts has appeared at several times to ignore the advice of public health experts and officials. During the evacuation of Americans from the Diamond Princess cruise ship in Japan, for example, an unclear chain of command led to scientific advice from the CDC being overruled by other federal agencies, leading to the evacuation of passengers

¹ World Health Organization, "Statement on the second meeting of the International Health Regulations (2005) Emergency Committee regarding the outbreak of novel coronavirus (2019-nCoV)," press release, January 30, 2020, <https://www.who.int/news-room/detail/30-01-2020-statement-on-the-second-meeting-of-the-international-health-regulations-%282005%29-emergency-committee-regarding-the-outbreak-of-novel-coronavirus-%282019-ncov%29>.

² Johns Hopkins Center for Systems Science and Engineering, "Coronavirus COVID-19 Global Cases," accessed March 9, 2020, <https://gisanddata.maps.arcgis.com/apps/opsdashboard/index.html#/bda7594740fd40299423467b48e9ecf6>.

³ Q13 Fox, "Coronavirus death toll climbs to 10 in Washington state," March 4, 2020, <https://q13fox.com/2020/03/04/coronavirus-death-toll-climbs-to-10-in-washington-state/>.

⁴ Centers for Disease Control and Prevention, "Coronavirus Disease 2019 (COVID-19) Situation Summary," Updated March 7, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/summary.html#risk-assessment>.

who tested positive for the virus on the same plane as those who had not been infected.⁵ And when Department of Health and Human Services (HHS) employees met the infected passengers upon their arrival to the United States, they reportedly did so – despite raising objections - “without proper training for infection control or appropriate protective gear,” and then “returned to their normal duties, some taking commercial airline flights to return to their offices around the country,” without being tested for coronavirus.⁶ In addition, an initial plan to evacuate the American passengers to a FEMA Center for Domestic Preparedness was changed after President Trump personally requested that the passengers be moved to an alternate location.⁷

As it becomes clear that the virus is spreading more widely in the United States, it is imperative that decisions on how to handle and treat infected patients be made based on the best scientific information available and guided by public health considerations, not politics.

In addition to the need for a fact-based decision-making process, clear, honest, and non-politicized communication from experts is also essential to preparing the public in a public health emergency. However, the White House recently moved to centralize all communications through your office, requiring experienced infectious disease experts to clear their remarks with you before sharing them with the public.⁸ While coordinating messages can help to avoid public confusion, this policy runs the risk of muzzling public health experts’ warnings out of concern for their political or economic consequences.

For example, last week White House officials reportedly overruled CDC officials who wanted to recommend that elderly and physically fragile people refrain from commercial air travel⁹ (although the CDC later moved forward with issuing similar guidance).¹⁰ In addition, earlier this month, Director of the National Economic Council Larry Kudlow appears to have downplayed the severity of the crisis in order to boost the stock market.¹¹ At the same time, National Institute of Allergy and Infectious Diseases Director Anthony Fauci abruptly canceled several television appearances, apparently based on directives from the Task Force or other

⁵ Letter from Sen. Elizabeth Warren to Secretary Michael Pompeo, Secretary Alex Azar, and Dr. Robert Redfield, February 26, 2020, <https://www.warren.senate.gov/imo/media/doc/2020.02.26%20Letter%20toState%20HHS%20CDC%20re%20coronavirus%20decision-making.pdf>.

⁶ Washington Post, “U.S. workers without protective gear assisted coronavirus evacuees, HHS whistleblower says,” Lena Sun and Yasmeen Abutaleb, February 27, 2020, <https://www.washingtonpost.com/health/2020/02/27/us-workers-without-protective-gear-assisted-coronavirus-evacuees-hhs-whistleblower-says/>.

⁷ WHNT News, “Senator Richard Shelby says Trump administration will not send Wuhan Coronavirus patients from cruise ship to Alabama,” February 23, 2020, <https://whnt.com/news/alabama-news/senator-richard-shelby-says-trump-administration-will-not-send-coronavirus-victims-from-cruise-ship-to-alabama/>.

⁸ New York Times, “Pence Will Control All Coronavirus Messaging From Health Officials,” Michael D. Shear and Maggie Haberman, February 27, 2020, <https://www.nytimes.com/2020/02/27/us/politics/us-coronavirus-pence.html>.

⁹ Associated Press, “Official: White House didn’t want to tell seniors not to fly,” Mike Stobbe, March 8, 2020, <https://apnews.com/921ad7f1f08d7634bf681ba785faf269>.

¹⁰ Politico, “CDC warns against long plane trips and cruises as coronavirus cases mount,” Tanya Snyder and Brianna Gurciullo, March 8, 2020, <https://www.politico.com/news/2020/03/08/cdc-warns-plane-trips-cruises-coronavirus-124153>

¹¹ The Intercept, “Cronyism and Conflicts of Interest in Trump’s Coronavirus Task Force,” Sharon Lerner, February 29, 2020, <https://theintercept.com/2020/02/29/cronyism-and-conflicts-of-interest-in-trumps-coronavirus-task-force/>.

White House officials.¹² Task Force meetings last week did not allow audio or video recording, preventing unfiltered communication from experts from reaching the broadest public audience.¹³ Additionally, recent reports indicate that military commanders in affected areas are being asked to seek approval from Washington before taking action to keep their troops safe, in order to avoid “surprising” or contradicting President Trump.¹⁴ Last week, as the nation learned that there had been multiple coronavirus deaths in Washington state, and as new questions emerged about how long the virus had been circulating in the United States, your office spent time and resources compiling and sending, via your press email list, a page of tweets praising the President’s response.¹⁵ As your office coordinates public messaging, we strongly urge you to develop guardrails to ensure that the public receives clear and unbiased information about the threat and that scientific and health data and facts are not withheld, altered, or compromised for political reasons.

Our concerns are exacerbated by the composition of the White House Coronavirus Task Force, which includes only six members (out of twenty total) with medical backgrounds, and also includes both the Secretary of the Treasury and the Director of the National Economic Council, who has primarily served as a cheerleader for the stock market during the crisis.¹⁶ In addition, the Task Force includes two members who are former pharmaceutical lobbyists, including HHS Secretary Alex Azar, who was an executive and lobbyist for Eli Lilly before being appointed to lead HHS, and Joseph Grogan, who lobbied for Gilead Sciences before joining the Domestic Policy Council,¹⁷ and several other members with previous ties to the big corporations that could present significant conflicts of interest. The pharmaceutical industry in particular has a significant financial interest in the government’s response, and the panel members’ ties to the pharmaceutical industry could raise questions about the Task Force’s ability to prioritize the needs of patients and the public.

The global coronavirus emergency may be the most significant health and safety challenge to confront your Administration. Elevating public health expertise over political interests is crucial to crafting an effective response and maintaining public confidence in the administration's response to the crisis.

¹² NPR, “Lawmakers Press Administration For More Transparency About Coronavirus Response,” Kelsey Snell, Claudia Grisales, and Miles Park, February 28, 2020, <https://www.npr.org/2020/02/28/810339057/lawmakers-press-administration-for-more-transparency-about-coronavirus-response>

¹³ Business Insider, “The White House prohibited audio and video coverage of a critical briefing on coronavirus,” Sonam Sheth, March 3, 2020, <https://www.businessinsider.com/white-house-barred-audio-video-coverage-coronavirus-briefing-2020-3>.

¹⁴ New York Times, “Defense Secretary Warns Commanders Not to Surprise Trump on Coronavirus,” Eric Schmitt and Helene Cooper, March 2, 2020, <https://www.nytimes.com/2020/03/02/us/politics/esper-trump-military-coronavirus.html>.

¹⁵ The Week, “Coronavirus czar Mike Pence is now apparently bundling tweets praising his, Trump’s coronavirus response,” March 2, 2020, <https://theweek.com/speedreads/899558/coronavirus-czar-mike-pence-now-apparently-bundling-tweets-praising-trumps-coronavirus-response>.

¹⁶ White House, “Vice President Pence and Secretary Azar Add Key Administration Officials to the Coronavirus Task Force,” March 1, 2020, <https://www.whitehouse.gov/briefings-statements/vice-president-pence-secretary-azar-add-key-administration-officials-coronavirus-task-force-2/>.

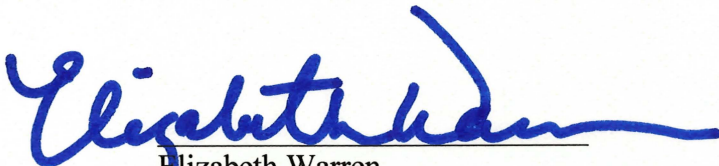
¹⁷ The Intercept, “Cronyism and Conflicts of Interest in Trump’s Coronavirus Task Force,” Sharon Lerner, February 29, 2020, <https://theintercept.com/2020/02/29/cronyism-and-conflicts-of-interest-in-trumps-coronavirus-task-force/>.

To understand how you plan to ensure that political interests do not override public health concerns, we request answers to the following questions by March 24, 2020:


1. What is the division of responsibilities and chain of command between you, Secretary Azar, and White House Coronavirus Response Coordinator Deborah Birx?
2. Please describe the process for reviewing public communications from CDC and HHS officials, including any safeguards you have put in place to protect scientific information or guidance from political interference.
3. Please describe the protocol for decisions regarding relocating patients across national borders or state lines, if necessary, including any role that political representatives of the relevant states will play in the process and who has final decision-making authority.
4. Please describe what role the Coronavirus Task Force will play in the development of a COVID-19 vaccine or treatment.
 - a. Have any commitments been made to pharmaceutical companies related to their financial compensation for a vaccine or treatment?
 - b. What plans are in place to ensure access to a vaccine or treatment for everyone for whom these treatments are recommended?
 - c. What conflict of interest or recusal policies are in place for Task Force members who have financial or employment ties to pharmaceutical companies?

Thank you for your attention to this important matter.

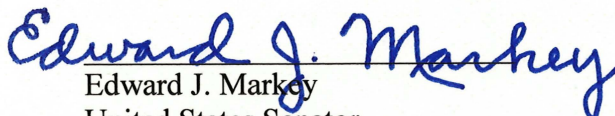
Sincerely,



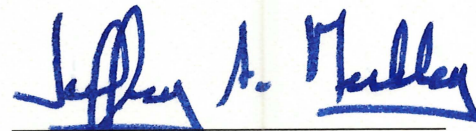
Elizabeth Warren
United States Senator



Mazie K. Hirono
United States Senator



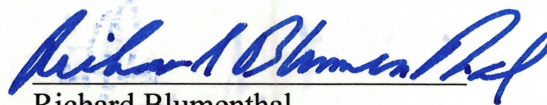
Edward J. Markey
United States Senator



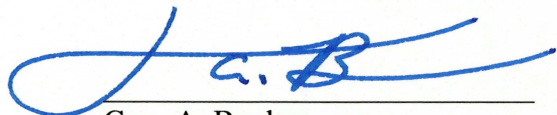
Jeffrey A. Merkley
United States Senator



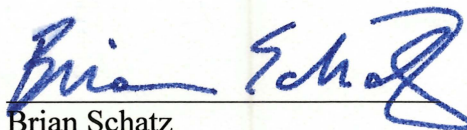
Bernard Sanders
United States Senator



Richard Blumenthal
United States Senator



Cory A. Booker
United States Senator



Brian Schatz
United States Senator