

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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July 29, 2022

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Becerra:

As the monkeypox virus continues to spread across the United States, I urge you to immediately declare a public health emergency so that the federal government can use every resource and tool available in its response and rapidly increase availability and access to vaccines, tests, and treatments nationwide. Declaring a public health emergency is a crucial next step in the Administration's efforts to mitigate this outbreak.

Last week, I sent you a letter urging the Department of Health and Human Services to act swiftly to ensure an adequate supply of monkeypox vaccines, testing, and treatment so that every person seeking these crucial resources can access them.¹ I am pleased that following my letter, the Centers for Disease Control and Prevention and the Food and Drug Administration (FDA) streamlined the process for health care providers to prescribe TPOXX (tecovirimat)—a crucial treatment for patients with monkeypox.² I am also encouraged that FDA approved the distribution of 786,000 doses of the JYNNEOS monkeypox vaccine, with doses becoming available to states and jurisdictions today—including an initial additional allocation of more than 80,000 doses for New York City.³

¹ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, Secretary Xavier Becerra, Department of Health and Human Services (July 20, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022-07-20.CBM%20to%20Becerra-HHS%20re%20Monkeypox.pdf>).

² Centers for Disease Control and Prevention, *Information for Healthcare Providers on Obtaining and Using TPOXX (Tecovirimat) for Treatment of Monkeypox* (online at www.cdc.gov/poxvirus/monkeypox/clinicians/obtaining-tecovirimat.html?ACSTrackingID=USCDC_1052-DM85989&ACSTrackingLabel=COCA%20Now%3A%20Steps%20for%20Clinicians%20to%20Order%20Medication%20to%20Treat%20Monkeypox&deliveryName=USCDC_1052-DM85989) (accessed July 29, 2022).

³ Department of Health and Human Services, *Statement by HHS Secretary Becerra on FDA Approval of Additional Bavarian Nordic Monkeypox Vaccine* (July 27, 2022) (online at www.hhs.gov/about/news/2022/07/27/statement-hhs-secretary-becerra-fda-approval-additional-bavarian-nordic-monkeypox-vaccine.html); Department of Health and Human Services, Administration for Strategic Preparedness and Response, *JYNNEOS Monkeypox Vaccine Distribution by Jurisdiction* (online at <https://aspr.hhs.gov/SNS/Pages/JYNNEOS-Distribution.aspx>) (accessed July 29, 2022).

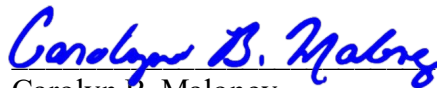
I commend the Administration for taking these crucial steps, but I remain deeply concerned about the state of the monkeypox outbreak. As of yesterday, nearly 5,000 monkeypox cases were reported in the United States—including more than 1,000 cases in New York City alone.⁴

To contain the spread of monkeypox and protect the health of every community in America, I urge you to declare a public health emergency pursuant to your authority under Section 319 of the Public Health Service Act. In doing so, your Department will be able to access crucial emergency funds to empower a more robust response at every level of government. As Secretary, you will be granted the authority to make emergency appointments so that your Department has the personnel necessary for every aspect of the response and empowered to take additional crucial actions to expand access to preventive resources and treatment for monkeypox patients across the country.⁵

The federal government must take every step possible to mitigate the threat monkeypox poses to the health of people in the United States before it is too late.

Thank you for your immediate attention to this matter.

Sincerely,



Carolyn B. Maloney
Chairwoman

cc: The Honorable James Comer, Ranking Member

⁴ Centers for Disease Control and Prevention, *2022 U.S. Map and Case Count* (online at www.cdc.gov/poxvirus/monkeypox/response/2022/us-map.html) (accessed July 29, 2022).

⁵ Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response, *Public Health Emergency Declaration* (online at www.phe.gov/Preparedness/legal/Pages/phdeclaration.aspx) (accessed July 29, 2022).