

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051

MINORITY (202) 225-5074

<http://oversight.house.gov>

April 5, 2019

Lars Fruergaard Jørgensen
President and Chief Executive Officer
Novo Nordisk
800 Scudders Mill Road
Plainsboro, NJ 08536

Dear Mr. Jørgensen:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Lars Fruergaard Jørgensen, President and Chief Executive Officer, Novo Nordisk, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

Lars Fruergaard Jørgensen

April 5, 2019

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We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

⁷ Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Turing Pharmaceuticals (Feb. 2, 2016); Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Valeant Pharmaceuticals (Feb. 2, 2016).

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April 5, 2019

Vasant Narasimhan, M.D.
Chief Executive Officer
Novartis AG
One Health Plaza
East Hanover, NJ 07936-1080

Dear Dr. Narasimhan:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Vasant Narasimhan, M.D., Chief Executive Officer, Novartis AG, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

Vasant Narasimhan, M.D.

April 5, 2019

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While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

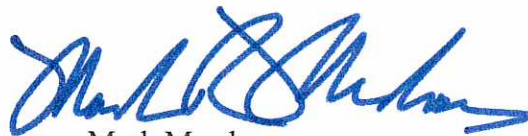
We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

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April 5, 2019

Mark J. Alles
Chairman and Chief Executive Officer
Celgene Corporation
86 Morris Avenue
Summit, NJ 07901

Dear Mr. Alles:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Mark J. Alles, Chairman and Chief Executive Officer, Celgene Corporation, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

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April 5, 2019

Albert Bourla, D.V.M., Ph.D.
Chief Executive Officer
Pfizer Inc.
235 East 42nd Street
New York, NY 10017

Dear Mr. Bourla:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Albert Bourla, D.V.M., Ph.D., Chief Executive Officer, Pfizer Inc., (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

Albert Bourla, D.V.M., Ph.D.

April 5, 2019

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We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

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April 5, 2019

Robert A. Bradway
Chairman and Chief Executive Officer
Amgen Inc.
One Amgen Center Drive
Thousand Oaks, CA 91320-1799

Dear Mr. Bradway:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

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¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Robert A. Bradway, Chairman and Chief Executive Officer, Amgen Inc. (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

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Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

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April 5, 2019

David A. Ricks
Chairman and Chief Executive Officer
Eli Lilly and Company
Lilly Corporate Center
Indianapolis, IN 46285

Dear Mr. Ricks:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

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¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to David A. Ricks, Chairman and Chief Executive Officer, Eli Lilly and Company, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

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David A. Ricks
April 5, 2019
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Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

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April 5, 2019

Olivier Brandicourt
Chief Executive Officer
Sanofi
55 Corporate Drive
Bridgewater, NJ 08807

Dear Mr. Brandicourt:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

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¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Olivier Brandicourt, Chief Executive Officer, Sanofi, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

⁷ Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Turing Pharmaceuticals (Feb. 2, 2016); Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Valeant Pharmaceuticals (Feb. 2, 2016).

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<http://oversight.house.gov>

April 5, 2019

Kåre Schultz
President and Chief Executive Officer
Teva Pharmaceutical Industries Ltd.
1090 Horsham Road
North Wales, PA 19454

Dear Mr. Schultz:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Kåre Schultz, President and Chief Executive Officer, Teva Pharmaceuticals Ltd., (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

⁷ Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Turing Pharmaceuticals (Feb. 2, 2016); Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Valeant Pharmaceuticals (Feb. 2, 2016).

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April 5, 2019

Richard A. Gonzalez
Chairman and Chief Executive Officer
AbbVie Inc.
1 North Waukegan Road
North Chicago, IL 60064

Dear Mr. Gonzalez:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Richard A. Gonzalez, Chairman and Chief Executive Officer, AbbVie Inc., (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

Richard A. Gonzalez
April 5, 2019
Page 2

We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

⁷ Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Turing Pharmaceuticals (Feb. 2, 2016); Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Valeant Pharmaceuticals (Feb. 2, 2016).

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April 5, 2019

Pascal Soriot
Executive Director and Chief Executive Officer
AstraZeneca PLC
PO Box 15437
1800 Concord Pike
Wilmington, DE 19850-5437

Dear Mr. Soriot:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Pascal Soriot, Executive Director and Chief Executive Officer, AstraZeneca PLC., (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

While we cannot speculate about Chairman Cummings’s motives, we believe the Committee should not pursue an investigation to “impact . . . stock prices with regard to drugs”—especially when there is bipartisan interest in real oversight of rising prescription drug prices.

We also feel obliged to alert you to Chairman Cummings’s decision on April 1, 2019, to unilaterally release cherry-picked excerpts from a highly sensitive closed-door interview conducted as part of a partisan investigation.⁶ Chairman Cummings released this information without consulting Republican Members or having a vote of the Committee. This is not the first time that he has released sensitive information unilaterally. In the 115th Congress, then-Ranking Member Cummings unilaterally released a memorandum “detailing internal corporate documents” that companies had submitted to the Committee.⁷

Rather than pursuing a partisan investigation and celebrating the Committee’s impact on company stock prices, the Committee should instead work collaboratively to explore potential bipartisan solutions to the rising costs of prescription drugs. We hope to persuade Chairman Cummings to work with us on this matter but, in the interim, we felt that it was prudent to raise these issues with you directly. If you have any questions, please contact Committee staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

⁷ Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Turing Pharmaceuticals (Feb. 2, 2016); Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Valeant Pharmaceuticals (Feb. 2, 2016).

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April 5, 2019

Mark Trudeau
President and Chief Executive Officer
Mallinckrodt PLC
675 McDonnell Blvd
Saint Louis, MO 63042

Dear Mr. Trudeau:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

The Committee had a history of conducting responsible and bipartisan oversight on the causes of rising costs of prescription drugs. For example, in the 114th and 115th Congresses, the Committee investigated several companies that manipulated government regulations to block competition from other companies and deflate rebates to the federal and state governments.²

As we understand the Chairman's request to you, he is seeking a wide range of highly sensitive business-proprietary information that would likely harm the competitiveness of your company if disclosed publicly.³ The Rules of the House of Representatives grant Chairman Cummings the authority to make such broad requests.⁴ In a recent hearing to request more Committee funding, however, Chairman Cummings said:

¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Mark Trudeau, President and Chief Executive Officer, Mallinckrodt PLC, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

⁴ See House Rule X.

We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

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Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

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April 5, 2019

Alex Gorsky
Chairman, Board of Directors and Chief Executive Officer
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933

Dear Mr. Gorsky:

On January 14, 2019, Chairman Elijah Cummings initiated a broad investigation into the proprietary decisions of pharmaceutical companies in pricing certain products.¹ Although addressing rising drug prices should be a bipartisan issue, Chairman Cummings did not consult with Republican Members before launching his investigation. Now, in light of Chairman Cummings's recent boast that his investigation has affected pharmaceutical "stock prices"—and the Chairman's decision to unilaterally release sensitive information obtained by the Committee in another investigation—we feel obliged to inform you about these matters.

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¹ Letter from Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform, to Alex Gorsky, Chairman, Board of Directors and Chief Executive Officer, Johnson & Johnson, (Jan. 14, 2019).

² Subpoena from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Martin Shkreli, Chief Exec. Off., Turing Pharmaceuticals (Jan. 11, 2016); Letters from Jason Chaffetz, Chairman, H. Comm. on Oversight & Gov't Reform, to Heather Bresch, Chief Exec. Off., Mylan, Inc (Aug. 29, 2016 & Sept. 30, 2016); Letter from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Brenton Saunders, Chairman, President, and Chief. Exec. Off., Allergan plc (Oct. 3, 2017); Letters from Trey Gowdy, Chairman, H. Comm. on Oversight & Gov't Reform, to Hon. Maureen Ohlhausen, Acting Chairman, U.S. Fed. Trade Comm'n, and to Hon. Jeff Sessions, Attorney General, U.S. Dep't of Justice (Aug. 18, 2017).

³ Letter from Elijah E. Cummings, *supra* note 1.

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We have three people, Congressman, on my staff—I call them the “drug team.” And what they deal with is the cost of high price of prescription drugs. If you follow headlines, we have already seen the impact they have had . . . on stock prices with regard to drugs. I mean, it has been astronomical.⁵

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Sincerely,



Jim Jordan
Ranking Member



Mark Meadows
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Elijah E. Cummings, Chairman

⁵ *Committee Funding for the 116th Congress: Hearing Before the H. Comm. on House Administration*, 116th Cong. (2019) (statement of Elijah E. Cummings, Chairman, H. Comm. on Oversight & Reform).

⁶ See Memorandum from Republican Committee Staff of the H. Comm. on Oversight & Reform to Members of the Full Committee (Apr. 1, 2019).

⁷ Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Turing Pharmaceuticals (Feb. 2, 2016); Memorandum from Democratic Staff of the H. Comm. on Oversight & Reform to Democratic Members of the Full Committee Regarding Documents Obtained by Committee from Valeant Pharmaceuticals (Feb. 2, 2016).