

Congress of the United States
Washington, DC 20515

June 11, 2021

The Honorable Steve Scalise
Ranking Member
Select Subcommittee on the Coronavirus
Crisis
U.S. House of Representatives
Washington, D.C. 20515

The Honorable James Comer
Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Ranking Member Scalise and Ranking Member Comer:

Thank you for your recent letters requesting that the Select Subcommittee on the Coronavirus Crisis and the Committee on Oversight and Reform (the Committees) investigate the origins of the coronavirus. We share your desire to understand the origins of the pandemic. As you noted in your letter, the Biden Administration has taken up this matter. President Biden recently ordered the Intelligence Community to “redouble their efforts to collect and analyze information that could bring us closer to a definitive conclusion” by August 24, 2021. The President also reaffirmed his Administration’s commitment to “keep working with like-minded partners around the world to press China to participate in a full, transparent, evidence-based international investigation and to provide access to all relevant data and evidence.”¹ We have confidence in the ability of the Intelligence Community and our diplomatic partners to conduct a robust inquiry into this important issue, which must follow the facts and must not be manipulated for partisan purposes.

Our Committees are focused on ensuring that the federal government’s response to the pandemic is effective, efficient, and equitable. We are concerned that your request may be designed not to obtain new information to protect Americans’ health, but to deflect accountability for the Trump Administration’s failed response to this crisis. In early 2020, President Trump applauded China’s “efforts and transparency”² as the coronavirus spread around the globe, and said he wanted to “thank President Xi” for his handling of the virus.³ When asked if China was covering up the full extent of the outbreak, he stated: “No. China is working very hard.”⁴ Even as President Trump praised China’s handling of the virus, he refused to take action to stop the spread of the virus across the United States, telling Americans, “One day—it’s like a

¹ The White House, *Statement by President Joe Biden on the Investigation into the Origins of COVID-19* (May 26, 2021) (online at www.whitehouse.gov/briefing-room/statements-releases/2021/05/26/statement-by-president-joe-biden-on-the-investigation-into-the-origins-of-covid-19/).

² *Trump: U.S. Appreciates China’s ‘Efforts and Transparency’ on Coronavirus*, Reuters (Jan. 24, 2020) (online at www.reuters.com/article/us-china-health-usa-trump/trump-u-s-appreciates-chinas-efforts-and-transparency-on-coronavirus-idUSKBN1ZN2IK).

³ *The Many Times Trump Has Praised China’s Handling of the Coronavirus Pandemic*, CNN (May 19, 2020) (online at www.cnn.com/2020/04/21/politics/trump-china-praise-coronavirus-timeline/index.html).

⁴ *Press Gaggle: Donald Trump Speaks to the Press Before Marine One Departure* (Feb. 7, 2020) (online at www.youtube.com/watch?v=f1ScLK06AoY).

miracle—it will disappear.”⁵ No investigation into the origins of the coronavirus in China would absolve the former President of this dereliction of duty, which contributed to the deaths of more than half a million of our fellow Americans—more deaths from the coronavirus than in any other country in the world.

In light of the many challenges of investigating the origin of the coronavirus in a foreign country, we believe inquiries into this issue will be well served by entities with direct access to intelligence tools and diplomatic channels.⁶ Moreover, other congressional committees, including the House Committee on Science, Space, and Technology, have indicated they intend to perform work related to the origins of the coronavirus.⁷

As these inquiries proceed, a major focus of our Committees’ oversight activities will remain our government’s response to the coronavirus crisis, so that our country can be better equipped to prevent and respond to future global pandemics. We know that the threat was well documented before the coronavirus crisis began. For years before the coronavirus hit our shores, experts warned that the world faced significant risk from the threat of a global pandemic. The Intelligence Community’s 2019 Worldwide Threat Assessment warned:

We assess that the United States and the world will remain vulnerable to the next flu pandemic or large-scale outbreak of a contagious disease that could lead to massive rates of death and disability, severely affect the world economy, strain international resources, and increase calls on the United States for support.⁸

The report also said that there will be “more frequent outbreaks of infectious diseases” than in the past and that health security improvements by the international community “may be inadequate.”⁹ A similar assessment in 2018 found that a “novel strain of a virulent microbe that is easily transmissible between humans continues to be a major threat”—specifically listing another coronavirus, Middle East Respiratory Syndrome Coronavirus, as one with “pandemic potential.”¹⁰ Despite these clear warnings, the Trump Administration made decisions that

⁵ *In His Own Words, Trump on the Coronavirus and Masks*, New York Times (Oct. 2, 2020) (online at www.nytimes.com/2020/10/02/us/politics/donald-trump-masks.html).

⁶ See, e.g., Andrew McCanse Wright, *Extraterritorial Congressional Oversight*, Wayne Law Review (Feb. 17, 2018) (online at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3125554) (noting that “Congress’s standing rules do not authorize extraterritorial subpoenas” and “there have been a handful of unsuccessful efforts to serve and enforce subpoenas abroad in the absence of express authority”) (internal citations omitted).

⁷ See, e.g., *COVID-19 Wuhan Lab Theory Gets More Serious Look*, The Hill (May 24, 2021) (online at <https://thehill.com/policy/healthcare/555178-covid-19-wuhan-lab-theory-gets-more-serious-look>); *Republicans Dive into Politically Fraught Push for Covid’s Origin Story*, Politico (June 4, 2021) (online at www.politico.com/news/2021/06/04/republicans-covid-origin-theory-491825).

⁸ Director of National Intelligence, *Worldwide Threat Assessment of the U.S. Intelligence Community* (Jan. 29, 2019) (online at www.dni.gov/files/ODNI/documents/2019-ATA-SFR---SSCI.pdf).

⁹ *Id.*

¹⁰ Director of National Intelligence, *Worldwide Threat Assessment of the U.S. Intelligence Community* (Feb. 13, 2018) (online at www.dni.gov/files/documents/Newsroom/Testimonies/2018-ATA---Unclassified-

weakened our country's ability to respond to a pandemic regardless of its origin, including authorizing an 80 percent budget cut for the Centers for Disease Control and Prevention's (CDC) epidemic prevention activities in China and other viral hot-spot countries,¹¹ and disbanding the National Security Council's pandemic response team.¹²

Even when the spread of the coronavirus became well known in January and February 2020, the Trump Administration failed to take basic steps to ensure that the country was prepared. While his own advisers privately warned him that the country was facing "what may be a very serious public health emergency" and that urgent action was needed to "stay ahead of virus curve,"¹³ President Trump downplayed the threat to the public and prioritized political considerations over public health—refusing to implement a coordinated national plan or listen to scientists on the steps needed to slow the virus's spread.¹⁴ The Committees' investigations have shown that these critical blunders left the United States woefully unprepared for the onslaught of the pandemic.¹⁵

Dr. Deborah Birx, the White House Coronavirus Task Force Coordinator during the Trump Administration, has acknowledged that hundreds of thousands of American lives could have been saved if the previous Administration had implemented a more aggressive response, saying: "There were about a hundred thousand deaths that came from that original surge. All of

SSCI.pdf).

¹¹ *CDC to Cut 80 Percent Efforts to Prevent Global Disease Outbreak*, Washington Post (Feb. 1, 2018) (online at www.washingtonpost.com/news/to-your-health/wp/2018/02/01/cdc-to-cut-by-80-percent-efforts-to-prevent-global-disease-outbreak/).

¹² *I Ran the White House Pandemic Office. Trump Closed It*, Washington Post (Mar. 13, 2020) (online at www.washingtonpost.com/outlook/nsc-pandemic-office-trump-closed/2020/03/13/a70de09c-6491-11ea-acca-80c22bbee96f_story.html).

¹³ Memorandum from Peter Navarro through NSA O'Brien to the President, *Move in 'Trump Time' to Stay Ahead of Virus Curve* (Mar. 1, 2020) (PHLOW_SSCC_0017388 – 97) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/PHLOW_SSCC_0017388_Redacted.pdf); *He Could Have Seen What Was Coming: Behind Trump's Failure on the Virus*, New York Times (Apr. 11, 2020) (online at www.nytimes.com/2020/04/11/us/politics/coronavirus-trump-response.html).

¹⁴ *See, e.g., Select Subcommittee on the Coronavirus Crisis, Ineffective, Inefficient, and Inequitable: The Trump Administration's Failed Response to the Coronavirus Crisis* (Oct. 30, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/InterimStaffReport10.30.20.pdf>).

¹⁵ *See, e.g., Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Alejandro Mayorkas, Secretary, Department of Homeland Security, and Acting Administration Bob Fenton, Federal Emergency Management Agency* (Mar. 30, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2021-03-30.Select%20Sub%20to%20Mayorkas%20Fenton%20re%20DHS%20FEMA%20.pdf>); *Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, et al., to Secretary of Health and Human Services Alex M. Azar II and Director Robert R. Redfield, Centers for Disease Control and Prevention* (Mar. 19, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-03-19.CBM%20RK%20GEC%20JR%20SFL%20to%20Azar-HHS%20and%20Redfield-CDC%20re%20Testing%20Plan%20%28002%29.pdf>).

the rest of them, in my mind, could have been mitigated or decreased substantially.”¹⁶ A February 2021 analysis in *The Lancet* similarly concluded that, if the Trump Administration had implemented policies similar to those adopted in other developed countries, American coronavirus deaths could have been reduced by as much as 40 percent.¹⁷

The Committees’ investigations have shown that the previous Administration’s response to the virus exacerbated the pandemic’s toll. For example, documents released by the Select Subcommittee revealed that several high-level Trump appointees advocated pursuing a “herd immunity” strategy, a reckless policy of purposely allowing large numbers of Americans to become infected with the coronavirus.¹⁸ These same appointees downplayed the threat of the pandemic to protect President Trump’s re-election effort, including by attempting to alter or suppress accurate scientific information in at least 13 CDC coronavirus-related reports, preparing op-eds to attack CDC reports in order to justify President Trump’s push to reopen, and retaliating against officials from CDC and other agencies who provided truthful information to the public.¹⁹ The Trump Administration awarded multi-million-dollar contracts for critical supplies—often without competition—to companies that had political connections, lacked experience, and failed to perform, thereby contributing to supply shortages.²⁰ They also mismanaged economic recovery programs, leading to nearly \$84 billion in potentially fraudulent loans and delayed delivery of economic relief payments to nine million Americans.²¹

We take issue with your assertion that the Select Subcommittee’s “credibility” would be placed into question unless we were to conduct the investigation you propose. Not only have our Committees’ investigations exposed the Trump Administration’s failures, but they have saved

¹⁶ *The Covid-19 War in the Trump White House*, CNN (Mar. 29, 2020) (online at www.cnn.com/2021/03/29/world/coronavirus-newsletter-intl-03-29-21/index.html).

¹⁷ *Public Policy and Health in the Trump Era*, *The Lancet* (Feb. 10, 2020) (online at [www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)32545-9/](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)32545-9/)).

¹⁸ Memorandum from Majority Staff to Members of the Select Subcommittee on the Coronavirus Crisis, *Supplemental Memorandum on Investigation into Political Interference with Coronavirus Response* (Dec. 16, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20re%20Political%20Messaging%20and%20Herd%20Immunity.pdf>).

¹⁹ *Id.*; Select Subcommittee on the Coronavirus Crisis, *Press Release: Chair Clyburn Seeks Interviews with Trump Administration Advisors on Roles in Pandemic Response* (Apr. 9, 2021) (online at <https://coronavirus.house.gov/news/press-releases/chair-clyburn-seeks-interviews-trump-administration-advisors-roles-pandemic>).

²⁰ Select Subcommittee on the Coronavirus Crisis, *Ineffective, Inefficient, and Inequitable: The Trump Administration’s Failed Response to the Coronavirus Crisis* (Oct. 30, 2020) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/InterimStaffReport10.30.20.pdf>).

²¹ See Memorandum from Majority Staff to Members of the Select Subcommittee on the Coronavirus Crisis, *Lowering the Guardrails: How the Trump Administration Failed to Prevent Billions in Pandemic Small Business Fraud* (Mar. 25, 2021) (online at <https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-03-25%20Staff%20Memo%20-%20Small%20Business%20Fraud.pdf>).

American taxpayers hundreds of millions of dollars,²² preserved tens of thousands of American jobs,²³ and identified billions of dollars in potential fraud.²⁴ Our work continues to identify how our nation's response could have been and can still be more effective, efficient, and equitable.²⁵

Your apparent effort to use the issue of the origin of the virus in order to shift accountability from President Trump and his top political advisers to Dr. Anthony Fauci, a respected civil servant who has served with distinction under seven Presidents, is an irresponsible gambit that we urge you to abandon. Your demand that the Committees invite Dr. Fauci to testify fails to acknowledge that he has previously testified twice before the Select Subcommittee, most recently less than two months ago, and once before the Oversight Committee.²⁶ During those hearings, Republican Members of the Committees had the opportunity to question Dr. Fauci for hours. In fact, one of our Republican colleagues questioned Dr. Fauci about the exact issues that you now demand the Committees invite him to address.²⁷

Rather than seek to obscure the previous Administration's missteps, we would welcome your constructive collaboration on our vitally important work of identifying and remedying

²² See, e.g., Select Subcommittee on the Coronavirus Crisis, *Press Release: Following Select Subcommittee Inquiry, Nursing Home Chain Returns \$109 Million in Federal Coronavirus Funds* (Aug. 5, 2020) (online at <https://coronavirus.house.gov/news/press-releases/following-select-subcommittee-inquiry-nursing-home-chain-returns-109-million>); Select Subcommittee on the Coronavirus Crisis, *Press Release: Following Committees' Inquiry, Trump Administration Puts \$765 Million Kodak Loan on Hold* (Aug. 10, 2020) (online at <https://coronavirus.house.gov/news/press-releases/following-committees-inquiry-trump-administration-puts-765-million-kodak-loan>).

²³ Select Subcommittee on the Coronavirus Crisis, *Press Release: Clyburn Secures Commitment from Aviation Contractors to Preserve Over 30,000 Jobs* (Oct. 21, 2020) (online at <https://coronavirus.house.gov/news/press-releases/clyburn-secures-commitment-aviation-contractors-preserve-over-30000-jobs>).

²⁴ Select Subcommittee on the Coronavirus Crisis, *Press Release: Select Subcommittee Releases Preliminary Analysis of Paycheck Protection Program Data* (Sept. 1, 2020) (online at <https://coronavirus.house.gov/news/press-releases/select-subcommittee-releases-preliminary-analysis-paycheck-protection-program>).

²⁵ See, e.g., Select Subcommittee on the Coronavirus Crisis, *Press Release: At Briefing, Experts Warn Disparities in Vaccinations Could Put Pandemic Recovery at Risk* (Feb. 19, 2021) (online at <https://coronavirus.house.gov/news/press-releases/briefing-experts-warn-disparities-vaccinations-could-put-pandemic-recovery-risk>).

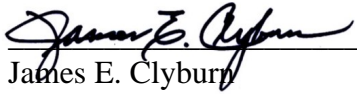
²⁶ Committee on Oversight and Reform, *Hearing on "Coronavirus Preparedness and Response"* (Mar. 11-12, 2020) (online at <https://docs.house.gov/meetings/GO/GO00/20200312/110713/HHRG-116-GO00-Transcript-20200312.pdf>); Select Subcommittee on the Coronavirus Crisis, *Hearing on "The Urgent Need for a National Plan to Contain the Coronavirus"* (July 31, 2020) (online at <https://coronavirus.house.gov/subcommittee-activity/hearings/hybrid-hearing-urgent-need-national-plan-contain-coronavirus>); Select Subcommittee on the Coronavirus Crisis, *Hearing on "Reaching the Light at the End of the Tunnel: A Science-Driven Approach to Swiftly and Safely Ending the Pandemic"* (Apr. 15, 2021) (online at <https://coronavirus.house.gov/subcommittee-activity/hearings/hybrid-hearing-reaching-light-end-tunnel-science-driven-approach>).

²⁷ Select Subcommittee on the Coronavirus Crisis, *Hearing on "The Urgent Need for a National Plan to Contain the Coronavirus"* (July 31, 2020) (online at <https://coronavirus.house.gov/subcommittee-activity/hearings/hybrid-hearing-urgent-need-national-plan-contain-coronavirus>).

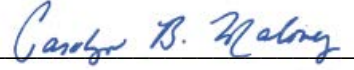
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The Honorable James Comer
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weaknesses in the federal response so we can end this pandemic, continue to rebuild our economy, and protect Americans from future threats.

Sincerely,



James E. Clyburn
Chairman
Select Subcommittee on the Coronavirus
Crisis



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform