

Congress of the United States

House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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June 1, 2023

Ms. Rochelle Walensky, M.D., M.P.H.
Director
Centers for Disease Control & Prevention
395 E. Street, S.W.
Washington, D.C. 20024

Dear Dr. Walensky:

On March 28, 2023, we wrote to you regarding potential political interference at the Centers for Disease Control (CDC).¹ The CDC sought input from the American Federation of Teachers (AFT) regarding the CDC's February 12, 2021, COVID-19 school reopening guidance titled, "Operational Strategy for K-12 Schools through Phased Prevention" (Operational Strategy).² Since that request, we have also learned that President of the AFT, Ms. Randi Weingarten, has a direct line to you. This raises serious questions of potential political interference in the CDC's scientific guidance process.

It has now been more than two months since our request, and, to date, we have not received a single document responding to our request. This is unacceptable.

This stonewalling of legitimate Congressional oversight appears to be in line with the U.S. Department of Health and Human Services' (Department) new stated position regarding Select Subcommittee requests. While negotiating your upcoming testimony, the Department, apparently on your behalf, wrote that the negotiation was "counterproductive to the [S]elect [S]ubcommittee's broader dealings with the Department."³ The Department's—and its agencies—continued obstruction will not be tolerated. The American people deserve transparency.

To date, the Department and CDC have chosen to frustrate Congressional oversight rather than participate in the process. You are now less than one month away from departing federal

¹ Letter from Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. on Oversight & Accountability, to Rochelle Walensky, M.D., M.P.H., Dir., U.S. Cents. for Disease Control & Prevention (Mar. 28, 2023).

² OPERATIONAL STRATEGY FOR K-12 SCHOOLS THROUGH PHASED MITIGATION, U.S. CENTS. FOR DISEASE CONTROL & PREVENTION (Archived Feb. 12, 2021), *available at* <https://web.archive.org/web/20210212214028/https://www.cdc.gov/coronavirus/2019-ncov/downloads/community/schools-childcare/K-12-Operational-Strategy-2021-2-12.pdf>.

³ Letter from Hon. Melanie Anne Egorin, Ass't Sec'y for Legislation, U.S. Dept. of Health & Human Servs., to Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. on Oversight & Accountability (May 24, 2023).

service, obstruction is not the legacy you should wish to leave behind. Further, your impending departure does not shield the CDC—or the Biden Administration—from Congressional oversight.

We hope that you do not agree with and do not follow the Department’s direction, and instead cooperate with the Select Subcommittee’s legitimate oversight interests. As such, we reiterate our requests from March 28 to be produced as soon as possible but no later than June 8, 2023.

For your ready reference the requests were as follows:

1. All documents and communications between or among employees of the CDC regarding the preparation, drafting, or publication of the February 12, 2021, guidance entitled “Operational Strategy for K-12 Schools through Phased Prevention.”
2. A complete list of all non-governmental entities or CDC stakeholders that were consulted regarding the Operational Strategy.
3. All drafts of the Operational Strategy including, but not limited to, any draft provided for comment, revision, or consultation to non-federal government entities or CDC stakeholders.
4. All documents and communications between or among employees of the CDC and AFT employees regarding the Operational Strategy.
5. A complete list—including date and full list of attendees—of any meetings— virtual, telephonic, in-person, or otherwise—that included any employee of the CDC, including Director Walensky, and employees of the AFT regarding the Operational Strategy.
6. All documents and communications regarding the planning of, produced in preparation for, or resulting from, any meetings—virtual, telephonic, in-person, or otherwise—that included any employee of the CDC, including Director Walensky, and employees of the AFT Operational Strategy.

In addition to the requested documents, the Select Subcommittee may request employees of the CDC to sit for transcribed interviews.

The Select Subcommittee on the Coronavirus Pandemic is authorized to investigate “the societal impact of decisions to close schools, how the decisions were made and whether there is evidence of widespread learning loss or other negative effects as a result of these decisions” and “executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus pandemic” under H. Res. 5.⁴

⁴ H. Res. 5 § 4(a)(2023).

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Thank you for your prompt attention to this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad R. Wenstrup", with a stylized flourish at the end.

Brad Wenstrup, D.P.M.

Chairman

Select Subcommittee on the Coronavirus Pandemic

cc: The Honorable Raul Ruiz, M.D., Ranking Member
Select Subcommittee on the Coronavirus Pandemic