

# United States Senate

WASHINGTON, DC 20510

April 30, 2020

The Honorable Alex Azar  
Secretary  
U.S. Department of Health & Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Azar:

We write to raise concerns about reports of political interference in the Department of Health and Human Services (HHS) response to the 2019 Novel Coronavirus (COVID-19) pandemic, and whether turmoil and staff turnover are hindering your agency's work. Recent reports about the demotion of the Director of the Biomedical Advanced Research and Development Authority (BARDA) again raise concerns about whether political and ideological influence instead of public health and scientific expertise are driving decisions at the Department and across the federal government.

In the midst of the response to the COVID-19 pandemic, it is of the utmost importance that there be stable leadership within HHS and that decisions are driven by science and the public health. Any leadership changes being made at this time should be executed only to the extent necessary to ensure the Department and its employees are best positioned for the COVID-19 response. Our response to this crisis cannot be steady if its leadership is being constantly shuffled and if experts are being constrained or removed when they insist on following the science and sticking to the facts.

BARDA is responsible for overseeing partnerships to spur development of vaccines, drugs, and diagnostics to respond to infectious diseases and other public health threats. Congress has recently tripled the agency's budget as part of the COVID-19 response.<sup>[1]</sup> Dr. Rick Bright has led BARDA since late 2016 and previously worked in the agency's Influenza and Emerging Infectious Diseases Division, at the Centers for Disease Control and Prevention (CDC), as an advisor to the World Health Organization (WHO), and in the biotechnology industry.

On April 21, Dr. Bright was reportedly removed from his position as BARDA Director within the Office of the Assistance Secretary for Preparedness and Response (ASPR).<sup>[2]</sup> On April 22, Dr. Bright said he had been removed as retaliation for his "insistence that the government invest the billions of dollars allocated by Congress to address the COVID-19 pandemic into safe and scientifically vetted solutions, and not in drugs, vaccines and other technologies that lack

---

<sup>[1]</sup> <https://www.phe.gov/about/barda/Pages/default.aspx>

<sup>[2]</sup> <https://www.statnews.com/2020/04/21/rick-bright-out-at-barda/>

scientific merit.”<sup>[3]</sup> It is our understanding that an investigation has not yet been conducted, and we expect the Department will fully cooperate with any inquiry as required under the law.

Dr. Bright’s removal comes amid a number of troubling actions taken by the Trump Administration to limit the ability of public health officials to share information with the public about the outbreak and to push back against problematic decisions within HHS. Earlier this week, after CDC Director Dr. Robert Redfield warned of subsequent waves of COVID-19 outbreaks, President Trump declared that Dr. Redfield “was totally misquoted in the media,” but Dr. Redfield says the quote was accurate.<sup>[4]</sup> A senior HHS official faced reassignment for raising concerns about the lack of protections for HHS staff receiving passengers repatriated from Wuhan.<sup>[5]</sup> Since raising concerns about the arrival of COVID-19 in the United States, Dr. Nancy Messonnier, Director of CDC’s National Center for Immunization and Respiratory Diseases, has not spoken publicly about the virus.<sup>[6]</sup>

These actions threaten the credibility and effectiveness of the federal COVID-19 response. If employees believe they cannot speak up without facing reprisal, that could have a profound chilling effect—detering employees from providing critical information about the virus and potentially harming efforts to find effective treatments or develop a vaccine. Further, if the American people perceive the information coming from their government as political, they could be less likely to follow public health guidance. Any actions to politicize or silence the civil service put lives at risk.

The Trump Administration’s response to the pandemic has been plagued by challenges in identifying clear leadership and lines of communication, and these latest personnel actions raise yet more concerns about those key components of the response. At the same time, individuals with limited public health expertise are being placed in leadership positions. For example, your chief of staff and the Department’s lead coordinator in the early months of the response has no public health, management, or medical experience.<sup>[7]</sup> It is of the utmost importance that federal leaders instead send a clear message that officials working in the best interest of the public at all ranks of government are experienced, empowered, and entrusted to lead the response, and that retaliation will not be tolerated. We therefore request you respond to the following questions by no later than May 13, 2020:

1. What mechanisms are in place to ensure political and ideological influence play no role in the Department’s COVID-19 response, including personnel decisions?

---

<sup>[3]</sup> <https://www.nytimes.com/2020/04/22/us/coronavirus-live-coverage.html?action=click&module=Spotlight&pgtype=Homepage>

<sup>[4]</sup> [https://www.washingtonpost.com/politics/under-trump-coronavirus-scientists-can-speak-as-long-as-they-toe-the-line/2020/04/22/a0a67c12-84b9-11ea-878a-86477a724bdb\\_story.html](https://www.washingtonpost.com/politics/under-trump-coronavirus-scientists-can-speak-as-long-as-they-toe-the-line/2020/04/22/a0a67c12-84b9-11ea-878a-86477a724bdb_story.html); <https://www.c-span.org/video/?471421-1/president-trump-voices-disagreement-georgia-governor-reopening-plan>

<sup>[5]</sup> <https://www.washingtonpost.com/health/2020/02/27/us-workers-without-protective-gear-assisted-coronavirus-evacuees-hhs-whistleblower-says/>

<sup>[6]</sup> [https://www.washingtonpost.com/politics/under-trump-coronavirus-scientists-can-speak-as-long-as-they-toe-the-line/2020/04/22/a0a67c12-84b9-11ea-878a-86477a724bdb\\_story.html](https://www.washingtonpost.com/politics/under-trump-coronavirus-scientists-can-speak-as-long-as-they-toe-the-line/2020/04/22/a0a67c12-84b9-11ea-878a-86477a724bdb_story.html)

<sup>[7]</sup> <https://www.reuters.com/article/us-health-coronavirus-usa-hhschief-speci/special-report-former-labradoodle-breeder-was-tapped-to-lead-us-pandemic-task-force-idUSKCN2243CE>

2. How does the Department communicate with its employees about how to file complaints about potential waste, fraud, abuse, and risks to public health or safety?
3. What steps is the Department taking to ensure whistleblowers and other civil servants are protected from retaliation and that allegations of retaliation are addressed appropriately?
4. What steps has the Department taken this year to reassure employees they will not be retaliated against for raising issues and concerns in order to protect the public interest?
5. Are there any plans for additional personnel changes in HHS leadership in the coming weeks or months? If so, what measures are in place to ensure staff within any affected offices or agencies have clear information about leadership and communications structures?
6. What actions has the Department taken to ensure BARDA staff have clear information about leadership and communications structures?
7. Why was Dr. Bright removed as BARDA Director? Please explain the role of the Office of the Secretary, Office of the General Counsel, and Office of the Inspector General with respect to Dr. Bright's removal.

Thank you in advance for your attention to this matter. If you have any questions, or would like to further discuss compliance with this request, please contact Elizabeth Letter with Senator Murray's HELP Committee Staff at 202-224-0767.

Sincerely,

/s/  
PATTY MURRAY  
United States Senator

/s/  
GARY C. PETERS  
United States Senator

/s/  
MICHAEL F. BENNET  
United States Senator

/s/  
ROBERT P. CASEY, JR.  
United States Senator

/s/  
TAMMY BALDWIN  
United States Senator

/s/  
SHERROD BROWN  
United States Senator

/s/  
TOM UDALL  
United States Senator

/s/  
BRIAN SCHATZ  
United States Senator

/s/  
KIRSTEN GILLIBRAND  
United States Senator

/s/  
CHRIS VAN HOLLEN  
United States Senator

/s/  
DEBBIE STABENOW  
United States Senator

/s/  
TINA SMITH  
United States Senator

/s/  
EDWARD J. MARKEY  
United States Senator

/s/  
RON WYDEN  
United States Senator

/s/  
JACK REED  
United States Senator

/s/  
CHRISTOPHER S. MURPHY  
United States Senator

/s/  
ELIZABETH WARREN  
United States Senator

/s/  
AMY KLOBUCHAR  
United States Senator

/s/  
KAMALA D. HARRIS  
United States Senator

/s/  
RICHARD BLUMENTHAL  
United States Senator