

GARY C. PETERS, MICHIGAN, CHAIRMAN
THOMAS R. CARPER, DELAWARE
MAGGIE HASSAN, NEW HAMPSHIRE
KYRSTEN SINEMA, ARIZONA
JACKY ROSEN, NEVADA
ALEX PADILLA, CALIFORNIA
JON OSSOFF, GEORGIA
ROB PORTMAN, OHIO
RON JOHNSON, WISCONSIN
RAND PAUL, KENTUCKY
JAMES LANKFORD, OKLAHOMA
MITT ROMNEY, UTAH
RICK SCOTT, FLORIDA
JOSH HAWLEY, MISSOURI

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

DAVID M. WEINBERG, STAFF DIRECTOR
PAMELA THIESSEN, MINORITY STAFF DIRECTOR
LAURA W. KILBRIDE, CHIEF CLERK

December 14, 2021

Dr. Eric Rubin
Editor-in-Chief
New England Journal of Medicine
860 Winter Street
Waltham, MA 02451

Dear Dr. Rubin:

I write to request information regarding the publication and subsequent retraction of a study published in the *New England Journal of Medicine* (“*NEJM*”) titled, “Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19” (“the study” or “the paper”).¹ This study, which first appeared in *NEJM* on May 1, 2020, reportedly found that, “taking certain blood pressure drugs, including angiotensin-converting enzyme (ACE) inhibitors, didn't appear to increase the risk of death among COVID-19 patients, as some researchers had suggested.”²

On June 2, 2020, you issued an “expression of concern” regarding the study based on “substantive concerns [that had] been raised about the quality of the information in [the study’s] database.”³ The company that had provided the database in question was the Surgisphere Corporation (“Surgisphere”), a Chicago-based company, whose owner and founder, Dr. Sapan Desai, coauthored the study.⁴

On June 4, 2020, the authors of the study, including Dr. Desai, published a statement retracting their paper.⁵ Shortly after the retraction, you reportedly stated, “[w]e shouldn’t have

¹ Mandeep Mehra, et al., *RETRACTED: Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19*, *New England Journal of Medicine*, May 1, 2020, <https://www.nejm.org/doi/full/10.1056/NEJMoa2007621>.

² Charles Piller and Kelly Servick, *Two elite medical journals retract coronavirus papers over data integrity questions*, *Science*, June 4, 2020, <https://www.science.org/content/article/two-elite-medical-journals-retract-coronavirus-papers-over-data-integrity-questions>.

³ Eric Rubin, *Expression of Concern: Mehra MR et al. Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19*, *New England Journal of Medicine*, June 2, 2020, <https://www.nejm.org/doi/full/10.1056/NEJMe2020822>.

⁴ Mandeep Mehra, et al., *RETRACTED: Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19*, *New England Journal of Medicine*, May 21, 2020, <https://www.nejm.org/doi/full/10.1056/NEJMoa2007621>. A study published in *The Lancet* also used a dataset supplied by Surgisphere and was retracted. Mandeep Mehra, et al., *RETRACTED: Hydroxychloroquine or chloroquine with or without a macrolide for treatment of COVID-19: a multinational registry analysis*, *The Lancet*, May 22, 2020, [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)31180-6/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)31180-6/fulltext).

⁵ Mandeep Mehra, et al., *Retraction: Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19*, *New England Journal of Medicine*, June 4, 2020, <https://www.nejm.org/doi/full/10.1056/nejmc2021225>.

published this.”⁶ Although this questionable study was ultimately retracted, it is concerning and shameful that, in the midst of a pandemic, *NEJM* published a paper on COVID-19 based on problematic data. In order to better understand *NEJM*'s actions regarding this study, I request the following:

1. The preservation of all records⁷ referring or relating to the study titled, “Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19.”⁸
2. All documents and communications between and among employees or representatives of *NEJM* and U.S. government employees referring or relating to the study.
3. All documents and communications between and among *NEJM* employees or representatives who reviewed this study, including any comments, ratings, findings and recommendations of the peer reviewers.
4. All documents and communications between and among employees or representatives of *NEJM* and individuals or organizations encouraging *NEJM* to publish the study.
5. All documents and communications between and among employees or representatives of *NEJM* and the study's authors, or their representatives.
6. All documents and communications between and among employees or representatives of *NEJM* and employees or representatives of Surgisphere.

Please provide this information as soon as possible but no later than January 4, 2022.
Thank you for your attention to this matter.

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations

⁶ Roni Caryn Rabin, *The Pandemic Claims New Victims: Prestigious Medical Journals*, NY Times, June 14, 2020, <https://www.nytimes.com/2020/06/14/health/virus-journals.html>.

⁷ “Records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

⁸ Mandeep Mehra, et al., *RETRACTED: Cardiovascular Disease, Drug Therapy, and Mortality in Covid-19*, New England Journal of Medicine, May 1, 2020, <https://www.nejm.org/doi/full/10.1056/NEJMoa2007621>.