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

May 19, 2021

VIA EMAIL (Jennifer.Schmalz@hhs.gov)

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
Washington, D.C. 20201

Rochelle P. Walensky, MD, MPH
Director
Centers for Disease Control and Prevention
395 E Street SW
Washington, D.C. 20024

Dear Secretary Becerra and Director Walensky:

Pursuant to 5 U.S.C. § 2954 we, as members of the Committee on Homeland Security and Governmental Affairs write to request information regarding the Centers for Disease Control and Prevention's (CDC) guidance entitled "Operational Strategy for Reopening Schools." Recently released emails show close coordination between the CDC and teachers unions on the language of school reopening guidance. Political interference from administration-friendly special interest groups that is divorced from science harms children who have been lacking in-person instruction for prolonged periods of time.

Emails obtained by Americans for Public Trust show a close "partnership" with the American Federation of Teachers (AFT) and collaboration with the National Educational Association (NEA) on the drafting of the CDC's school reopening guidance. On February 1, 2021, CDC and White House staff received an email from senior staff at AFT. The email read,

Thank you again for Friday's rich discussion about forthcoming CDC guidance and for your openness to the suggestions made by our president, Randi Weingarten, and the AFT. We are hopeful that lines of communications will remain open, and that we can serve as a true thought partner as you continue the important work toward safe reopening of schools.¹

The email further reveals that AFT received a copy of the draft guidance document and that they were grateful that the guidance included materials that AFT had been calling for since last year.²

¹ Americans for Public Trust, *CDC Responsive Records*, at 210 (May 3, 2021) available at <https://americansforpublictrust.org/document/cdc-responsive-records/>.

² *Id.*

Finally, AFT included suggested language for inclusion into the draft guidance document. CDC included AFT's language nearly word for word.³

On February 3, Director Walensky wrote to AFT to inform them of the inclusion of their language in the guidance document and to commit to a "partnership" with the special interest group. Director Walensky's email read:

Dear All, I just wanted to circle back and extend my gratitude for the language you have provided us below. *Regrets for my delay in reply but I wanted to be certain you knew it is being worked into (with just a few small tweaks) the school opening guidance.* We have also included the executive summary you suggested. *Please know we are listening and working hard to ensure your confidence and partnership in this endeavor.*⁴

AFT replied later that day:

Dr. Walensky, [t]hank you so much for your responsiveness to the suggestions made by Randi and our team. *We are immensely grateful for your genuine desire to earn our confidence and your commitment to partnership.* We will pass this message along to Randi. She will certainly be most grateful. We look forward to continued dialogue and partnership as we continue our respective focus on safe reopening of schools and society.⁵

Once CDC issued the guidance, AFT issued a press release praising it.⁶ CDC's close coordination with ideologically-aligned interest groups raises serious concerns about the scientific integrity of the guidance documents. In order to assist Congress in performing its oversight function, please provide the following information:

1. How many drafts of the school reopening guidance did CDC share with AFT?
2. When did CDC share each draft of the school reopening guidance with AFT?
3. A list of all non-governmental organizations CDC and/or the Department of Health and Human Services (HHS) communicated or consulted with in drafting and updating the guidance. For this request, please provide the date of communication, whether the non-

³ *Id.*, see also *Operations Strategy for K-12 Schools Through Phased Mitigation*, Ctrs. For Disease Control and Prevention (Feb. 12, 2021) available at

https://web.archive.org/web/20210212190653/https://www.cdc.gov/coronavirus/2019-ncov/downloads/community/schools-childcare/K-12-Operational-Strategy-2021-2-12.pdf?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcommunity%2Fschools-childcare%2Foperation-strategy.html.

⁴ Americans for Public Trust, *supra* note 1 at 216 (emphasis added).

⁵ *Id.* at 215 (emphasis added).

⁶ American Federation of Teachers Press Release (Feb. 12, 2021) available at <https://www.aft.org/press-release/afts-weingarten-cdcs-schools-reopening-guidelines>.

governmental organization received a draft of the guidance, and whether CDC implemented suggested changes to the draft guidance.

4. All documents and communications with AFT referring or relating to the guidance.
5. All documents and communications with NEA referring or relating to the guidance.

5 U.S.C. § 2954 states, “An Executive agency, on request of the Committee on [Oversight and Reform] of the House of Representatives, or of any seven members thereof, or on request of the Committee on [Homeland Security and] Governmental Affairs of the Senate, or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee.”⁷

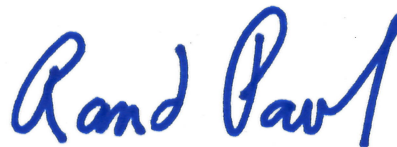
The Senate Committee on Homeland Security and Governmental Affairs is charged with studying the “the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government, and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and the Government's relationships with the public.”⁸

Please provide this information as soon as possible, but no later than 5:00 PM on June 2, 2021. Thank you for your attention to this matter.

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations



Rand Paul, M.D.
U.S. Senator

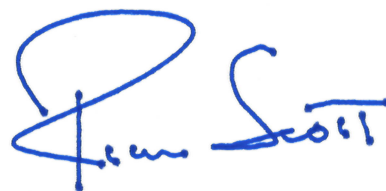
⁷ 5 U.S.C. § 2954.

⁸ S. Res. 70 (117th Cong.).

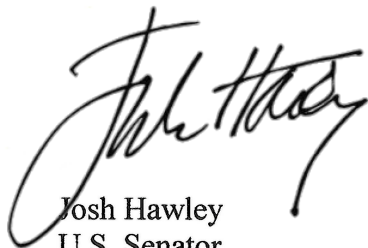
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James Lankford
U.S. Senator



Rick Scott
U.S. Senator



Josh Hawley
U.S. Senator