

# CORD

## Inefficient, Ineffective, and Inequitable: The Trump Administration's Failed Response to the Coronavirus Crisis

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SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS

INTERIM STAFF REPORT

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# INEFFICIENT, INEFFECTIVE, AND INEQUITABLE:

## The Trump Administration's Failed Response to the Coronavirus Crisis

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OCTOBER 2020

A field of numerous American flags planted in a grassy field, stretching into the distance under a clear sky.

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## **EXECUTIVE SUMMARY**

The Select Subcommittee on the Coronavirus Crisis was established by the House of Representatives on April 23, 2020. Modeled after the Truman Committee that saved lives and taxpayer dollars by preventing waste, fraud, and abuse during World War II, the panel is charged with investigating the effectiveness, efficiency, and equity of the nation's response to the public health and economic crises caused by the coronavirus pandemic.<sup>1</sup>

This report describes some of the Select Subcommittee's key findings during its first six months. In that time, the Subcommittee launched 30 investigations—many of them ongoing—sent more than 120 letters, and reviewed hundreds of thousands of pages of documents. The Subcommittee held 15 public hearings and briefings with senior Administration officials, experts in public health and economics, and Americans personally impacted by the pandemic. The Subcommittee also published seven staff reports detailing its initial findings.

The Select Subcommittee's findings demonstrate that the Trump Administration's response to the coronavirus pandemic is among the worst failures of leadership in American history. The virus is a global scourge, but it has been an American fiasco, killing more people in the United States than in any other country. President Trump's decision to mislead the public about the severity of the crisis, his failure to listen to scientists about how to keep Americans healthy, and his refusal to implement a coordinated national plan to stop the coronavirus have all contributed to devastating results: more than 227,000 Americans dead, more than 8.8 million Americans infected, and a dangerous virus that continues to spread out of control nine months after it reached our nation's shores.

The Trump Administration's failure to contain the coronavirus also exacerbated and extended an economic collapse of historic proportions, with tens of millions of Americans losing their jobs and at least six million Americans falling into poverty. The Administration's response to this economic crisis has benefited larger companies and wealthy Americans, while leaving behind many disadvantaged communities and struggling small businesses. The Administration's implementation of relief programs passed by Congress has also been marred by fraud, waste, and abuse. As described below and in Appendix A, the Select Subcommittee's investigations identified more than \$4 billion in potential fraud in small business programs, led the Administration to halt a potentially wasteful \$765 million loan, and returned more than \$100 million in taxpayer dollars to the U.S. Treasury.

### **The Trump Administration's Failed Response to the Pandemic Caused a Public Health Catastrophe**

As of October 28, 2020, more than 227,000 Americans have died from the coronavirus, and 8.8 million have been infected.<sup>2</sup> The coronavirus is set to be the third-highest cause of death in the United States this year, behind only heart disease and cancer.<sup>3</sup> The country appears to be entering a third wave of the crisis, with cases on the rise in 45 states. Hospitalizations are up 46 percent in the past month, with more than 43,000 Americans currently hospitalized with the coronavirus.<sup>4</sup> The nation hit a single-day record of more than 85,000 new cases on October 23,

2020.<sup>5</sup> Experts predict another 90,000 Americans are likely to die from the virus before the end of 2020.<sup>6</sup>

The United States has the highest number of cases and highest number of deaths from the coronavirus of any country in the world.<sup>7</sup> It has fared worse than most other countries, even when accounting for differences in population size. The United States has the eleventh highest per capita coronavirus death rate among 168 countries reporting cases.<sup>8</sup>

The loss of life from the coronavirus—more American deaths than the battles of World War I, the Korean War, Vietnam War, Afghanistan War, and Iraq War combined<sup>9</sup>—could have been significantly reduced by an effective federal response. Instead, as described in Part I of this report, the Select Subcommittee’s investigations show that the Trump Administration downplayed the threat of the virus and undermined the nation’s public health:

- **The Trump Administration Refused to Take Responsibility and Implement a National Plan to Defeat the Virus.** At the Select Subcommittee’s first public briefing in May 2020, top scientific experts—including a former Food and Drug Administration (FDA) Commissioner appointed by President Trump—urged the Administration to develop and implement a coordinated national strategy to respond to the crisis.<sup>10</sup> Since then, the Select Subcommittee has held three more public hearings to call on the Administration to implement a national plan on testing, contact tracing, public health measures, and protective equipment.<sup>11</sup> Yet the Administration has refused to lead, pushing the burden to state and local governments instead. At a July 31, 2020, Select Subcommittee hearing, Dr. Anthony Fauci testified that the government’s failed response led the United States to have a far worse virus outbreak than in Europe.<sup>12</sup> On October 2, 2020, Secretary of Health and Human Services Alex Azar shrugged off the Administration’s failed leadership, telling the Subcommittee, “We wish we didn’t have this unprecedented coronavirus pandemic but people do die in pandemics,” and saying: “The disease spreads. It’s dependent on all of us acting with individual responsibility.”<sup>13</sup>
- **The President Downplayed the Crisis, Contradicting Internal White House Reports.** Since June 2020, the White House Coronavirus Task Force has privately sent weekly reports to states that track the growing outbreak and urge swift action to contain the virus. These private reports contradict the rosy public statements from the President, Vice President, and other political appointees. The Select Subcommittee released 14 weeks of these private reports, which show that the number of states in the “red zone” due to severe outbreaks grew from seven states on June 23, 2020, to 31 states on October 18, 2020. The reports also show that all 50 states need to do more testing to contain the virus—contrary to the President’s efforts to “slow the testing down.”<sup>14</sup> The Select Subcommittee also found that after months of political pressure from President Trump, the Task Force weakened some public health recommendations, including calls for mask mandates in certain states.<sup>15</sup>
- **Political Appointees Have Improperly Interfered in the Nation’s Public Health Response More Than 60 Times.** The Select Subcommittee has identified at least 61 instances in which Trump Administration officials injected politics into public health

decisions. As shown in Appendix B, President Trump and others in his Administration engaged in a persistent pattern of political interference, repeatedly overruling and sidelining top scientists and undermining Americans' health to advance the President's perceived political interests. These incidents degraded efforts to provide Americans access to testing and protective equipment, develop treatments and vaccines, and provide scientifically sound public health advice. The Subcommittee's investigations led the Administration to reverse some of these actions, including correcting inaccurate Centers for Disease Control and Prevention (CDC) guidance on testing, removing senior appointees from the Department of Health and Human Services (HHS) who tried to alter accurate scientific reports, and committing to revise CDC school reopening guidance that does not reflect the best science.<sup>16</sup>

- **The Administration Directed Funding for Critical Supplies, Often Without Competition, to Companies that Have Political Connections, Lack Experience, and Failed to Perform.** The Select Subcommittee is investigating questionable contracts and loans that may be hindering the nation's ability to quickly produce and distribute protective equipment and other supplies needed to contain the virus. In August 2020, the Subcommittee launched an investigation into a planned \$765 million loan to the Eastman Kodak Company (Kodak) to produce pharmaceutical ingredients—even though the company lacked any pharmaceutical experience and its executives and directors reaped huge stock windfalls before the deal was announced.<sup>17</sup> The Trump Administration put the loan on hold after the investigation was announced, potentially saving taxpayers three-quarters of a billion dollars.<sup>18</sup> The Subcommittee is also investigating other multimillion contracts that four federal agencies issued to seven different contractors that raise significant red flags.<sup>19</sup>
- **The Administration Has Failed to Address Conflicts of Interest in Vaccine Development.** The Select Subcommittee launched an investigation into potential conflicts of interest among scientific advisors to Operation Warp Speed (OWS), the Administration's program to develop and manufacture coronavirus vaccines and treatments. The Select Subcommittee's investigation revealed that top advisors to this project have potential conflicts of interest—including financial interests in companies being funded by the federal government to develop vaccines—that do not appear to be resolved.<sup>20</sup>
- **The Administration and Some States Have Not Done Enough to Help Americans Vote Safely During the Pandemic.** Problems during the 2020 primary elections—including closed polling places, long lines, and poll worker shortages—highlighted the risk that some states were not prepared to carry out a free, fair, and safe general election during the pandemic. The Select Subcommittee investigated impediments to voting during the pandemic in four states: Florida, Georgia, Texas and Wisconsin. The Subcommittee found that voters in these states may face long lines and limited polling places and urged swift state action and federal financial support.<sup>21</sup>

## The Trump Administration Failed to Protect Millions of Americans in Financial Distress

The nation's economic crisis is a direct result of the ongoing public health crisis, and the Trump Administration's failures to contain the coronavirus made the economic crisis more severe and protracted. On September 23, 2020, Federal Reserve (Fed) Chairman Jerome Powell testified before the Select Subcommittee that "the path of the economy is going to depend on our ability to retain control, to get control of the virus and keep control."<sup>22</sup>

The economic contraction has taken a heavy toll on American workers and families. Since February 2020, the economy has lost \$16 trillion due to lost economic output, premature deaths, and health impairments caused by the pandemic.<sup>23</sup> More than 60 million unemployment claims have been filed—more than at any other time in American history.<sup>24</sup> Since May, between six and eight million Americans have fallen into poverty.<sup>25</sup> In October, 12 percent of households with children did not have enough food to eat in the last week.<sup>26</sup> At least one-third of adults are concerned that "eviction or foreclosure in the next two months is either very likely or somewhat likely."<sup>27</sup> The job losses from the coronavirus pandemic have disproportionately impacted minority communities and workers earning lower wages, resulting in the most unequal recession in modern U.S. history.<sup>28</sup>

As described in Part II of this report, the Select Subcommittee's investigations reveal how the Trump Administration's response to this crisis has often failed to help the most vulnerable Americans:

- **The Treasury Department and Internal Revenue Service Delayed Delivery of Economic Impact Payments to Nine Million Americans.** In the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Congress provided for Economic Impact Payments (EIPs) of up to \$1,200, but nine million disproportionately low-income Americans were still waiting to receive their checks in September—more than six months after the CARES Act was enacted. In response to the Select Subcommittee's investigation and repeated follow-up efforts, Treasury and IRS admitted these EIPs were still outstanding,<sup>29</sup> sent notices to the nine million Americans waiting for their checks, and extended the deadline for them to claim their EIPs.<sup>30</sup>
- **The Administration Has Not Provided Critical Housing Protections to Struggling Americans.** Following the expiration of the CARES Act eviction moratorium and enhanced unemployment benefits in late July 2020, millions of Americans have faced the danger of losing their homes. The Select Subcommittee obtained data showing that in August 2020, more than 31,000 homeowners were over 60 days delinquent on their federally backed mortgage but had not received forbearance and therefore could be at risk of foreclosure in January 2021. This data also shows lower-income borrowers were less likely than those with higher incomes to get forbearance. The Subcommittee has urged the Federal Housing Finance Agency (FHFA) to provide automatic forbearance to homeowners who miss two or more payments.<sup>31</sup>
- **The Administration Refused to Extend Enhanced Unemployment Insurance, Hurting the Economy.** At a Select Subcommittee's hearing in July 2020, Former Fed

Chair Janet Yellen testified that failure to extend the enhanced federal jobless benefits from the CARES Act “would be a catastrophe.”<sup>32</sup> Yet the Trump Administration refused to agree to comprehensive legislation extending the benefits before they expired on July 26, 2020.<sup>33</sup> In October 2020, unemployment remained unacceptably high, and a growing number of people have been unemployed for more than six months.<sup>34</sup>

### **The Trump Administration Prioritized Wall Street Over Main Street and Left Federal Relief Programs Vulnerable to Fraud**

Congress enacted relief programs to support Americans workers and small businesses during the pandemic. These programs, many of which have now expired, were critical in preventing the economic crisis in Spring and Summer 2020 from getting even worse. Yet, as described in Part III of this report, the Select Subcommittee’s investigations show that the Trump Administration weakened these programs by prioritizing larger and wealthier businesses over truly struggling small businesses, exacerbating inequity in the economic downturn. The Administration also failed to institute adequate financial controls, leading to significant fraud, waste, and abuse.

- **Treasury and the Small Business Administration Neglected Underserved Communities and Allowed Billions of Dollars in Potential Fraud in the Paycheck Protection Program.** The Select Subcommittee’s investigation found that Treasury and SBA ignored the CARES Act’s call to issue guidance to prioritize small businesses in underserved markets, including minority and women-owned businesses.<sup>35</sup> Documents obtained by the Select Subcommittee show that Treasury privately encouraged banks to limit their Paycheck Protection Program (PPP) lending to existing customers, thereby excluding many minority-owned businesses who were less likely to have existing banking relationships.<sup>36</sup> The Administration also failed to implement robust fraud controls, and a Subcommittee analysis identified more than 22,500 loans worth \$4 billion that may have been subject to fraud.<sup>37</sup>
- **The Fed Bought Corporate Bonds Issued by Large Companies that Laid Off or Furloughed More Than a Million Workers—and Sent Billions of Dollars to Shareholders.** During the pandemic, the Fed—for the first time in its history—directly purchased corporate debt.<sup>38</sup> This action lowered the cost of raising capital for large corporations, leading to record bond issuances.<sup>39</sup> But the Fed failed to protect workers at these companies. The Select Subcommittee found the Fed bought bonds issued by companies that laid off or furloughed more than one million workers between March and September 2020, and from 383 companies that issued dividends to shareholders during the pandemic.<sup>40</sup>
- **The Fed’s Programs to Help Smaller Businesses and States Were Not Effective.** The Fed set up the Main Street Lending Program to help small and medium-sized businesses but set restrictive terms that drastically limited the program’s usefulness. The program has \$600 billion in lending capacity, but the Fed has issued just 252 loans totaling less than 0.4 percent of available capital.<sup>41</sup> The Fed’s Municipal Liquidity Facility failed to deliver relief to state and local governments, issuing only two notes totaling \$1.7 billion

out of the available \$500 billion,<sup>42</sup> largely because of onerous interest rates and a short repayment period.<sup>43</sup> Large corporations are awash in cheap credit, but cities, states, and small businesses—which employ tens of millions of Americans and provide critical services—continue to struggle.<sup>44</sup>

- **The Administration Weakened the Payroll Support Program, Allowing Thousands of Aviation Workers to Lose their Jobs.** Congress created the Payroll Support Program (PSP) to “preserve aviation jobs,” but the Select Subcommittee’s investigation found that the Trump Administration weakened the program by delaying funding, allowing companies to conduct massive layoffs while their applications were pending without losing any funding, and failing to impose a deadline to spend PSP funds. Treasury permitted aviation contractors to lay off or furlough more than 16,500 workers before receiving funding.<sup>45</sup> As a result of the Select Subcommittee’s inquiries, four aviation contractors committed to preserve over 30,000 jobs until their PSP funding is exhausted.<sup>46</sup>

This report identifies several recommendations to address the Select Subcommittee’s preliminary findings and improve the Administration’s failed response to the pandemic. Four elements are critical: (1) the federal government needs a coordinated national plan to defeat the coronavirus, save American lives, and revive our economy; (2) this plan must be guided by the best available science, not political expediency; (3) Americans need Congress to pass and the President to sign comprehensive relief legislation to tackle the virus and support workers, families, and communities; and (4) economic relief legislation must be implemented in a manner consistent with Congress’s intent to target assistance to the most vulnerable Americans rather than wealthy corporations.

## I. THE TRUMP ADMINISTRATION'S FAILED RESPONSE TO THE PANDEMIC CAUSED A PUBLIC HEALTH CATASTROPHE

### 1. The President Downplayed the Crisis, Contradicting Internal White House Reports

Since June 23, 2020, the White House Coronavirus Task Force has been privately sending states weekly reports describing the spread of the coronavirus and making recommendations to improve states' public health responses to the pandemic, including specific advice on testing, mask mandates, social distancing, and other measures. These reports—which the Select Subcommittee released after the White House refused to share them with the public—show that the coronavirus outbreak has been far more severe than the White House publicly admitted and recommend public health measures far stronger than those the Trump Administration has called for in public. The reports also directly contradict rhetoric from President Trump on masks, testing, and the growth in infections. Unfortunately, some states have chosen to follow the White House's inaccurate public statements rather than the private Task Force recommendations, allowing the virus to spread.<sup>47</sup>

#### a. Investigative Steps and Results

On July 29, 2020, the Select Subcommittee sent letters to Vice President Mike Pence and Coronavirus Response Coordinator Dr. Deborah Birx requesting a full set of the Task Force reports as well as the communications in which these reports or related guidance have been transmitted to states. The Subcommittee also sent letters to the governors of Georgia, Florida, Oklahoma, and Tennessee, calling on them to comply with science-based protective measures recommended by the White House Coronavirus Task Force.<sup>48</sup>

On August 31, 2020, the Select Subcommittee released an initial set of eight reports obtained in this investigation, covering the period from June 23, 2020, to August 9, 2020.<sup>49</sup> The reports showed that the White House's private advice directly contradicted the Administration's public statements downplaying the threat of the virus. For example, on June 16, 2020, Vice President Pence claimed in an op-ed that "panic" over a resurgence of coronavirus infections was "overblown." But on June 23, 2020, the Task Force concluded that seven states were in the "red zone," indicating the highest risk of coronavirus spread. Similarly, on July 7, 2020, President Trump claimed, "We've done a good job. I think we are going to be in two, three, four weeks, by the time we next speak, I think we're going to be in very good shape." Yet just two days earlier, the Task Force found 15 states were in the "red zone." The July 5, 2020, report said Florida "has seen a significant increase in new cases and a significant increase in testing positivity over the past week continuing from the previous 4 weeks."<sup>50</sup>

On September 16, 2020, Chairman Clyburn wrote to the White House again, calling for the Administration to make Task Force reports available to the public or provide them to the Select Subcommittee on an ongoing basis. The Chairman's letter noted that after months of political pressure from President Trump, the Task Force appeared to have weakened some of the public health recommendations in the reports, including for states that failed to follow prior guidance and are now facing severe outbreaks. For example, the Task Force warned Nebraska on August 23, 2020, "A mask mandate needs to be implemented statewide." Following

Nebraska Governor Pete Ricketts' refusal to implement a statewide mask mandate and attempts to block local jurisdictions from enacting mask requirements, cases surged across the state. Yet, on September 6, the Task Force dropped its recommendation for a statewide mask mandate and instead only recommended requiring masks in "metro areas and counties with COVID-19 cases among students or teachers in K-12 schools."<sup>51</sup>

On October 20, 2020, the Select Subcommittee released six more weeks of reports obtained from the White House, dated from August 16, 2020, to September 20, 2020. The reports, along with others leaked in recent weeks, showed that states in the "red zone" had increased from seven states in June to 31 states in mid-October, even as the President has continued to downplay the threat and hold large, potentially superspreading rallies in states hard hit by the virus. Contrary to the President's claim that the country "has done too good a job" on testing, the Task Force reports recommended that all 50 states increase testing to contain the coronavirus. The reports also urged some—but not all—states facing severe outbreaks to adopt mask mandates.<sup>52</sup>

#### **b. Recommendations**

Instead of privately providing health guidance to governors, the Trump Administration should publicly release its weekly reports at the time they are issued so that the American public has full transparency into the spread of the virus in each state and recommended public health measures. The Administration should clearly and consistently communicate public health advice to the public as part of a national plan to contain the virus, and the President should cease making contradictory statements that downplay the virus and undermine the public health measures recommended by scientists.

## **2. Political Appointees Have Improperly Interfered in the Nation's Public Health Response More Than 60 Times**

Trump Administration officials have repeatedly injected election-year politics into public health decisions over the course of the pandemic—overruling and muzzling top scientists and undermining Americans' health to advance the President's perceived political interests. The Administration's interference has occurred both in public view and in private, led by President Trump, Vice President Pence, White House officials, and political appointees at HHS and other agencies. The apparent goal of this unprecedented, coordinated attack on our nation's public health agencies during the pandemic was, in the President's words, to "play it down."<sup>53</sup>

As detailed in Appendix B, political appointees in the Trump Administration have interfered in a wide variety of public health measures, hampering efforts to contain the virus and leading to the preventable deaths of tens of thousands of Americans. In June 2020, President Trump stated that he had ordered people to "slow the testing down please," raising concerns that the Administration has taken steps to suppress testing.<sup>54</sup> In July 2020, political officials removed the reporting of hospitalization data from CDC and placed it in the control of HHS, raising concerns that data would be altered or suppressed.<sup>55</sup> Political appointees have tried to suppress the publication of accurate public health information due to its perceived impact on the President's political interests and sought to alter scientific reports published by CDC.<sup>56</sup> Rather than use public resources to disseminate accurate public health advice, officials planned a public relations campaign to "defeat despair" just weeks before the election.<sup>57</sup>

### **a. Investigative Steps and Results**

The Select Subcommittee has opened ongoing investigations into several instances of inappropriate political interference by the Trump Administration and has succeeded in pushing the Administration to roll back some of these politically motivated decisions.

On June 22, 2020, the Select Subcommittee sent letters to the White House, HHS, and CDC regarding possible efforts by the Administration to limit coronavirus testing after President Trump stated that he had directed people to "slow the testing down."<sup>58</sup> Three days later, Chairman Clyburn and Representatives from Texas, Colorado, Illinois, New Jersey, and Pennsylvania sent a follow-up letter to Secretary Azar urging him to reverse the Administration's decision to end federal funding and support for 13 coronavirus testing sites across five states.<sup>59</sup> Following these letters, the Administration agreed on July 12, 2020, to restore temporary support for five Texas testing sites for another month.<sup>60</sup> During an October 2, 2020, hearing, Secretary Azar refused to say whether the President had directed him to "slow the testing down."<sup>61</sup>

On August 26, 2020, Chairman Clyburn demanded that CDC reverse a recent change to its coronavirus testing guidelines that claimed—contrary to the scientific consensus—that most asymptomatic individuals exposed to a person with the virus do not need to be tested.<sup>62</sup> On September 19, 2020, CDC reversed this dangerous and overtly political guidance, reaffirming that all Americans exposed to a person with the coronavirus should be tested.<sup>63</sup>

On September 11, 2020, the Select Subcommittee, the Oversight and Reform Committee, and the Subcommittee on Economic and Consumer Policy sent letters to HHS and a federal contractor regarding a \$250 million federal contract for an advertising campaign to “defeat despair and inspire hope” to be launched just weeks before Election Day. On October 1, 2020, the Select Subcommittee sent joint follow-up letters to two other contractors involved in a \$15 million contract related to this effort.<sup>64</sup> During his testimony before the Select Subcommittee the following day, Secretary Azar announced that he had placed these contracts under “strategic review” to “determine whether the campaign serves important public health purposes.”<sup>65</sup>

On September 14, 2020, the Select Subcommittee sent a letter to Secretary Azar and CDC Director Robert Redfield regarding reports of interference by HHS political appointees in CDC’s scientific reports and guidance related to the coronavirus. The letter sought documents and transcribed interviews with five CDC employees and two HHS appointees: Assistant Secretary for Public Affairs Michael Caputo and senior advisor Paul Alexander.<sup>66</sup> Two days later, on September 16, 2020, HHS announced that both HHS officials were leaving their roles. Dr. Caputo took a leave of absence, while Dr. Alexander left HHS permanently.<sup>67</sup> On September 22, 2020, and October 22, 2020, the Select Subcommittee sent letters seeking compliance with its requests, including documents and interviews with the remaining CDC employees.<sup>68</sup>

On October 2, 2020, the Select Subcommittee released a staff analysis identifying 47 instances of political interference in the Administration’s response to the coronavirus pandemic from February through September 2020.<sup>69</sup> As shown in Appendix B, in October 2020, the Subcommittee identified 14 additional examples of interference, for a total of 61.

The Select Subcommittee’s investigations demonstrate that the Administration engaged in a persistent pattern of political interference during the pandemic, repeatedly overruling and sidelining top scientists and undermining Americans’ health in an attempt to benefit the President politically. These incidents have degraded every major facet of the Administration’s public health response, including efforts to provide Americans access to testing and personal protective equipment (PPE), develop treatments and vaccines, and provide scientifically sound advice to the public on masks, social distancing, and other steps to stay safe.

## **b. Recommendations**

The Trump Administration must cease politicizing the nation’s pandemic response and implement a science-based national plan to combat the coronavirus and prevent thousands of more needless deaths. Specifically, the Administration should end efforts to silence or punish federal employees who insist on following the science; prevent political appointees from altering, delaying, or suppressing accurate scientific reports and guidance; and allow public health agencies to make independent, transparent decisions on the authorization and approval of coronavirus treatments or vaccines based on scientific decision-making processes and guidelines.

The Administration should also cease its efforts to obstruct legitimate oversight by Congress and other watchdogs into the federal response to the coronavirus crisis. This oversight is critical to identifying and remedying deficiencies in the government’s response and enhancing

public trust. The Administration should respond promptly and cooperatively to requests for documents, information, and witnesses.

### **3. The Trump Administration's \$765 Million Loan to Kodak**

The Select Subcommittee is investigating a \$765 million federal loan to Kodak announced by the Trump Administration to manufacture generic drug ingredients, despite the company's lack of pharmaceutical experience and significant financial windfalls gained by company executives due to stock activity prior to the loan's announcement.<sup>70</sup> The loan was put on hold after the Select Subcommittee announced its investigation.<sup>71</sup>

On July 28, 2020, U.S. International Development Finance Corporation (DFC) announced it had signed a letter of interest to award Kodak a \$765 million federal loan to support the production of pharmaceutical ingredients. The loan was announced pursuant to a May 14, 2020, executive order authorizing DFC to exercise authority under the Defense Production Act of 1950 in connection with the coronavirus pandemic.<sup>72</sup>

Kodak executives and members of the board of directors, including Executive Chairman James Continenza, acquired significant amounts of Kodak shares and options in the months prior to the loan announcement, including during the period when Kodak was reportedly engaged in confidential negotiations for the loan award.<sup>73</sup> Following the announcement of the loan, Kodak's stock increased by nearly 1,500 percent, and Mr. Continenza's holdings reportedly gained about \$83 million in value in less than two days.<sup>74</sup>

#### **a. Investigative Steps and Results**

On August 4, 2020, the Select Subcommittee launched an investigation into the proposed loan agreement and the unusual trading activity by Kodak directors and executives. Along with the Committee on Oversight and Reform and Committee on Financial Services, the Select Subcommittee sent document requests to Kodak and DFC.<sup>75</sup>

On August 7, 2020, Kodak announced it would conduct an internal review of the company's efforts to obtain the loan and associated securities activity.<sup>76</sup> The next day, the Trump Administration announced it was putting the loan to Kodak on hold, potentially saving taxpayers \$765 million.<sup>77</sup>

On September 16, 2020, Kodak's counsel released a report denying wrongdoing but identifying "several flaws in the process" and stating that activities of at least one board member raised "significant concerns from a corporate governance perspective." The report recommended enhancements to the legal department and board of directors' policies and amendments to the company's insider trading policies and processes. The report also highlighted the significant role played by the White House, including Assistant to the President Peter Navarro, in promoting this loan despite Kodak's lack of relevant experience.<sup>78</sup>

On September 28, 2020, the Committees sent follow-up letters to Kodak's outside directors, requesting documents and information regarding their involvement in efforts to obtain the loan as well as associated securities activity.<sup>79</sup> The Select Subcommittee's investigation is continuing.

#### 4. **The Administration Has Failed to Address Conflicts of Interest in Vaccine Development**

The Select Subcommittee is investigating potential conflicts of interest among senior advisors in Operation Warp Speed, the Trump Administration's program to develop, manufacture, and distribute coronavirus vaccines, therapeutics, and diagnostics.<sup>80</sup> Addressing these potential conflicts of interest is critical to ensuring that the public can trust that the development of coronavirus vaccines and treatments is being conducted with the utmost integrity.

On May 15, 2020, the Trump Administration announced OWS, and revealed that it would be led by former GlaxoSmithKline (GSK) executive Dr. Moncef Slaoui.<sup>81</sup> On the same day, the National Institutes of Health (NIH) awarded a contract to Advanced Decision Vectors (ADV) to "provide expert advice regarding development and mass production of new COVID-19 vaccine candidates, therapeutics, and diagnostics." On May 29, 2020, this contract was increased from \$100,000 to \$611,000.<sup>82</sup> The company also received a related award for \$465,000 on July 28, 2020.<sup>83</sup>

ADV's contract was used in part to compensate Dr. Slaoui and at least three other former pharmaceutical company executives brought on to advise OWS, including former Teva executive Dr. Carlo de Notaristefani and former Pfizer executives Dr. William Erhardt and Dr. Rachel Harrigan.<sup>84</sup> Because these advisors were hired as independent contractors rather than as federal employees, they were able to avoid publicly disclosing their financial holdings and potential conflicts of interest.<sup>85</sup>

##### **a. Investigative Steps and Findings**

On August 12, 2020, the Select Subcommittee sent document requests to HHS, ADV, and Dr. Slaoui regarding potential conflicts of interest and the selection of vaccine candidates for funding through OWS.<sup>86</sup> On September 21, 2020, Chairman Clyburn sent a follow-up letter to ADV urging compliance with the Select Subcommittee's requests.<sup>87</sup>

HHS, ADV, and Dr. Slaoui have produced only a small fraction of responsive documents.<sup>88</sup> Yet these few documents are enough to raise significant concerns. On September 22, 2020, the Select Subcommittee released documents revealing that advisors to OWS have potential conflicts of interest that could undermine the integrity of the Administration's process for developing coronavirus vaccines.<sup>89</sup>

The documents obtained by the Select Subcommittee show that contrary to previous assurances, Dr. Slaoui has not resolved a conflict of interest stemming from holdings of approximately \$10 million of GSK securities, despite the company's selection by OWS for federal investment.<sup>90</sup> The Administration claimed that Dr. Slaoui is required to "donate any increase in the value" of these holdings to NIH,<sup>91</sup> but the documents released by the Select Subcommittee showed that Dr. Slaoui is not required to donate any profits from companies involved in OWS during his lifetime. Instead, he can postpone his donation until the "last death" of Dr. Slaoui or his spouse.<sup>92</sup>

The documents also revealed several other unresolved conflicts of interest. For example, Dr. Slaoui reported holdings in Lonza Group, a biotechnology company that in May 2020 entered into a ten-year agreement to manufacture Moderna's experimental coronavirus vaccine.<sup>93</sup>

In addition, both Dr. Erhardt and Dr. Harrigan reported holdings in Pfizer, which in July 2020 received a \$1.95 billion order from the federal government for 100 million doses of an experimental coronavirus vaccine.<sup>94</sup> Dr. Erhardt also listed holdings in Thermo Fisher Scientific, Inc., which has received millions of dollars from the federal government for coronavirus testing materials;<sup>95</sup> PhaseBio Pharmaceuticals, which has initiated two clinical trials of drugs that may be used to treat coronavirus patients;<sup>96</sup> and Incyte Pharmaceuticals, which is working with FDA to study a product for patients with cytokine storm associated with the coronavirus.<sup>97</sup> Dr. de Notaristefani listed a financial interest in Teva Pharmaceuticals, which has been involved in manufacturing hydroxychloroquine, a drug that has been studied as a potential treatment for the coronavirus.<sup>98</sup>

The Administration appears to have allowed these advisors to keep these holdings, along with any profits, by certifying that "the Government has determined" the companies "are not involved in vaccines, therapeutics and diagnostic products developed to combat pandemic COVID-19," despite clear evidence to the contrary.<sup>99</sup>

#### **b. Recommendations**

For Operation Warp Speed to be worthy of full public confidence, the Trump Administration should take steps to ensure that all advisors have disclosed and addressed potential conflicts of interest. The Administration and other participants in OWS also must cooperate with the Select Subcommittee's inquiry so Congress and the American people can understand the full scope of potential conflicts of interest, the steps that have been taken to address them, and whether additional actions are needed.

## 5. The Administration and Some States Have Not Done Enough to Help Americans Vote Safely During the Pandemic

The Select Subcommittee investigated states' efforts to ensure a free, fair, and safe general election during the coronavirus pandemic, after problems during the 2020 primary elections—including closed polling places, long lines, and poll worker shortages—raised concerns about whether states would be prepared to accommodate anticipated high voter turnout and protect voters' health in the general election.<sup>100</sup> The Select Subcommittee found that several states and the federal government must take further steps to address obstacles to voting safely during the pandemic.

Although many states removed barriers to absentee voting during the pandemic,<sup>101</sup> in-person voting remains critical for many voters.<sup>102</sup> In the 2020 primaries, states faced shortages of poll workers because of the pandemic, and shortages are expected to occur again during the general election. Nearly six in ten poll workers in 2018 were 61 or older, with over a quarter of poll workers over 70 years old—putting them at higher risk if exposed to the coronavirus.<sup>103</sup> Some states closed polling places during the primaries because they lacked enough volunteers to staff them.<sup>104</sup>

To prevent the spread of the coronavirus during the election, CDC issued guidelines aimed at helping election officials establish and expand voting options. The guidance states: “The more an individual interacts with others, and the longer that interaction, the higher the risk of COVID-19 spread. Elections with only in-person voting on a single day are higher risk for COVID-19 spread because there will be large crowds and longer wait times.” CDC’s guidance calls for “a wide variety of voting options,” including mail-in ballots, early voting, and precautions for in-person Election Day voting to protect voters and poll workers.<sup>105</sup>

### a. Investigative Steps and Results

On August 14, 2020, the Select Subcommittee and the Committee on House Administration sent letters to the top election officials in four states—Texas, Georgia, Florida and Wisconsin—where voters faced serious impediments to voting in the 2020 primary elections. The Committees sought information on the states' efforts to prevent similar problems in the general election and to follow CDC recommendations to provide alternatives to in-person voting such as voting by mail or dropbox, extended early voting, and safe polling places with distancing and sanitization precautions.<sup>106</sup>

On September 9, 2020, the Select Subcommittee held a remote hearing on “Ensuring a Free, Fair, and Safe Election During the Coronavirus Pandemic” with civil rights advocates and public health experts. Witnesses urged states to take immediate action to provide options to voters for safely casting their ballot.<sup>107</sup>

Also on September 9, 2020, the Select Subcommittee released a staff memorandum showing that Florida, Georgia, Texas and Wisconsin face the risk of serious problems in the general election, including inadequate polling places and shortages of poll workers. In some of

these states, these risks are exacerbated by state policies restricting mail-in voting and early voting.<sup>108</sup>

- **Texas** is one of just six states refusing to expand mail-in voting during the pandemic, forcing most voters to vote in person. Documents obtained by the Select Subcommittee show many Texas counties may not have enough poll workers or polling locations for the general election, with county officials warning, “Voters could be waiting in lines for hours.”
- Before the 2020 primary, **Georgia** sent absentee ballot applications to all voters. Georgia reversed this policy for the general election, even though the state’s coronavirus infection rates have increased dramatically since the primary. Georgia also faced a poll worker shortage as of September 2020, telling the Select Subcommittee it needed 20,000 poll workers but had identified just 5,000 possible candidates.
- In **Florida**, the Governor refused to expand early voting despite long lines and hundreds of poll closures in the 2020 primaries. The state lacked statewide projections of voter turnout, absentee ballots, and poll workers needed.
- **Wisconsin** engaged in recruitment efforts but lacks statewide recruiting data, so it remains unclear whether Wisconsin will have a sufficient number of poll workers in the general election.

On October 6, 2020, Chairman Clyburn, along with Rep. Zoe Lofgren, Chairperson of the Committee on House Administration, and Rep. Carolyn B. Maloney, Chairwoman of the Committee on Oversight and Reform, wrote to Texas Governor Greg Abbott urging him to rescind a proclamation requiring early vote-by-mail ballots that are returned in-person to be delivered to “a single early voting clerk’s office” location in each county.<sup>109</sup> Because most voters returning their mail-in ballots are over 65 years old or disabled, the burden of traveling potentially long distances to one location will fall on those most vulnerable to the health risks of the coronavirus.

## b. Recommendations

Chairman Clyburn concluded at the Select Subcommittee’s September 9, 2020, hearing: “Holding a free, fair, and safe election under these circumstances is a challenge. But let there be no doubt: if we all do our part, America is up to the challenge.”<sup>110</sup> States and cities have the tools to provide adequate voting by mail and dropbox, extended early voting, and safe polling places as recommended by CDC. States cannot simply defer to local election officials but must move swiftly and proactively to address these problems.

The federal government also must support cash-strapped states and localities as they seek to protect public health during the general election. While the CARES Act provided \$400 million to states to prepare for the 2020 election, experts have estimated that \$4 billion is needed.<sup>111</sup> On May 15, 2020, and again on October 1, 2020, the House of Representatives passed bills to provide an additional \$3.6 billion.<sup>112</sup>

In an October 22, 2020, op-ed in the *New York Times*, Chairman Clyburn urged voters to follow CDC's advice on voting safely during the pandemic by making a plan to vote, casting their ballot early, and taking basic health precautions like wearing a mask.<sup>113</sup>

## II. THE TRUMP ADMINISTRATION FAILED TO PROTECT MILLIONS OF AMERICANS IN FINANCIAL DISTRESS

### 1. Treasury and IRS Delayed Delivery of Economic Impact Payments to Nine Million Americans

The Select Subcommittee is investigating significant problems with the delivery of EIPs, and successfully pressed Treasury and IRS to correct several problems, helping up to nine million Americans receive desperately needed federal support.

The CARES Act included a provision designed to swiftly put money in the pockets of struggling Americans to help them meet their essential needs while supporting the nation's economy. EIPs of up to \$1,200 per person were provided automatically to Americans who filed tax returns in 2018 or 2019 or participated in certain federal benefit programs. In June 2020, Treasury and IRS announced they had distributed 159 million individual payments, worth more than \$267 billion, through direct deposit, checks, and prepaid debit cards.<sup>114</sup>

A June 2020 report of the National Taxpayer Advocate—an independent watchdog within the IRS—stated that many people had either not received their full EIP amount or had not received an EIP at all and may not receive payment until 2021.<sup>115</sup> These Americans are disproportionately low-income and many face an acute need for financial relief.

Media reports also indicated some EIP recipients may have thrown away EIP debit cards received in the mail because the envelopes resembled junk mail or scams instead of official government mail.<sup>116</sup> Additionally, some Americans may have unknowingly blocked their Earned Income Tax Credit (EITC) payment when they claimed their EIP online through the IRS's online tool.<sup>117</sup> Fixing the problem required the taxpayer to send in a tax return in hard copy and face months-long delays in IRS processing.

#### a. Investigative Steps and Results

On July 8, 2020, the Select Subcommittee sent a document request to Treasury and IRS and urged them to identify how many people were still waiting to receive their EIP and to conduct outreach to instruct them how to claim it.<sup>118</sup> On August 3, 2020, the Select Subcommittee pressed Treasury and IRS again to identify those who had not received their EIP, many of whom are low-income or homeless, and to speed up distribution.<sup>119</sup>

On September 8, 2020, IRS announced that it had identified approximately nine million non-filers who had not yet received an EIP and planned to notify them and give them until October 15, 2020, to apply online to receive their payment this year.<sup>120</sup>

On September 11, 2020, Chairman Clyburn pressed the Administration to “send these notices out quickly and to extend the deadline to apply online beyond October 15, 2020.”<sup>121</sup> On September 25, 2020, Treasury staff informed Subcommittee staff that it had expedited the notices to those non-filers of their potential EIP eligibility. On October 2, 2020, Chairman Clyburn again pressed Treasury Secretary Steven Mnuchin to extend the deadline following

Secretary Mnuchin's testimony before the Select Subcommittee.<sup>122</sup> Three days later, IRS agreed to extend the deadline for non-filers to claim their EIP from October 15 to November 21.<sup>123</sup>

Following the Select Subcommittee's inquiry, Treasury and IRS also made improvements in other aspects related to EIP distribution. After the Subcommittee pressed to expedite a fix for EIP filers who were blocked from making online EITC claims, Treasury and IRS acquiesced, announcing those individuals could e-file rather than requiring them to make a hard-copy filing.<sup>124</sup>

Treasury also agreed to make changes to the distribution via debit card of any future EIP or similar payment. Consistent with media reports indicating that some recipients mistook their EIP debit card for a fraud or scam, Treasury disclosed that months after EIP debit cards had been sent, nearly 20 percent had never been activated. Treasury acknowledged that its process resulted in some debit cards being "inadvertently discarded" and committed to "take additional steps to minimize the possibility that EIP Cards are discarded."<sup>125</sup>

#### **b. Recommendations**

The Select Subcommittee has called on Treasury and IRS to seek to ensure that every American eligible for an EIP receives one. On October 7, 2020, Chairman Clyburn stated: "I urge the IRS to ensure that these Americans, who are disproportionately low-income, are aware of the extension so they can access the federal relief they are eligible to receive."<sup>126</sup>

## 2. The Administration Has Not Provided Critical Housing Protections to Struggling Americans

The Select Subcommittee is investigating steps taken by FHFA, Fannie Mae, and Freddie Mac to prevent Americans from losing their homes during the pandemic and has urged further actions to prevent evictions and foreclosures.

In March 2020, Congress passed the CARES Act, which included protections for renters and homeowners, such as a prohibition against requiring a tenant to vacate a residential unit until 30 days after they receive a notice to vacate, a moratorium on eviction, and an expansion of the availability of forbearance for homeowners who are behind on their mortgage payments.<sup>127</sup> The Act's eviction moratorium expired on July 25, 2020, shortly before the expiration of enhanced federal unemployment benefits. In June, according to the Census Bureau, nearly nine million homeowners had missed a payment on their mortgage in the prior month.<sup>128</sup> Data suggests that people of color are at disproportionate risk of losing their homes yet are receiving federal housing assistance during the pandemic at the lower rates than white homeowners.

### a. Investigative Steps and Results

On July 27, 2020, Chairman Clyburn sent letters to the chief executive officers of Fannie Mae and Freddie Mac urging the government-sponsored enterprises (GSEs) to take immediate steps to help homeowners and renters in homes with federally-backed mortgages avoid foreclosure and eviction.<sup>129</sup> To prevent evictions of tenants who are past due on their rent, Chairman Clyburn requested that the GSEs direct mortgage servicers to notify borrowers of the CARES Act notice requirement prior to evicting a tenant. The Chairman also requested that the GSEs direct mortgage servicers to notify all borrowers of the terms and availability of mortgage forbearance and provide data on financially distressed borrowers.

On the same day the Chairman sent these letters, the FHFA Inspector General issued a report showing that only 10 percent of mortgage servicers provided clear and complete information on forbearance and other options.<sup>130</sup> Despite this troubling finding, Fannie Mae and Freddie Mac insisted there was no need for them to ensure borrowers were informed of protections for financially distressed households.<sup>131</sup>

On October 16, 2020, Chairman Clyburn sent a letter to Mark Calabria, Director of the FHFA, urging FHFA to take action to prevent foreclosures. The letter included new information the Select Subcommittee obtained from FHFA showing that more than 31,000 homeowners who were over 60 days delinquent on their mortgage in August 2020 did not receive forbearance.<sup>132</sup> Mortgage delinquencies nearly tripled between January and June 2020—from 559,424 in January 2020 to 1,579,566 in June 2020. Delinquencies in June exceeded 7 percent in seven states, and nearly 20 percent of homeowners were delinquent in Puerto Rico.<sup>133</sup> The Select Subcommittee is continuing to seek information, including more recent delinquency and forbearance data, that FHFA has withheld.

## **b. Recommendations**

On September 1, 2020, CDC imposed a moratorium on evictions for tenants with an income of \$99,000 or less.<sup>134</sup> However, the order does not stop landlords from beginning the eviction process,<sup>135</sup> and landlords have already filed thousands of eviction complaints in court.<sup>136</sup> The CDC moratorium also does nothing to address the long-term financial challenges for tenants who simply do not have enough income to pay their rent. By contrast, the Health and Economic Recovery Omnibus Emergency Solutions (Heroes) Act passed by the House of Representatives on October 1, 2020, would provide emergency financial assistance for renters, as well as extend and expand the eviction moratorium.<sup>137</sup>

FHFA must take stronger action to address deficiencies in the forbearance programs of Fannie Mae and Freddie Mac. Homeowners in financial distress who have not received forbearance or other relief could face foreclosure on January 1, 2021, immediately after the foreclosure moratorium expires. Forbearance prevents homeowners from losing their home by allowing them to pause or reduce their mortgage payments to an amount that reflects their ability to pay during the pandemic.<sup>138</sup> Making this forbearance automatic for homeowners who are 60 days behind in their payments would ensure homeowners get the relief they need even if servicers fail to accurately inform them of their options.

The Heroes Act would require any borrower who is 60 days delinquent to automatically be granted forbearance.<sup>139</sup> It would also provide emergency financial assistance to homeowners for mortgage payments and other costs. With this legislation stalled in the Senate and homeowners in need of relief, FHFA should take action to ensure that delinquent homeowners benefit from the forbearance programs intended to help keep them in their homes. Such action would be consistent with FHFA's earlier actions during the coronavirus crisis, including the suspension of foreclosures and the creation of a new payment deferral option for homeowners in forbearance.<sup>140</sup>

### III. THE TRUMP ADMINISTRATION PRIORITIZED WALL STREET OVER MAIN STREET AND LEFT FEDERAL RELIEF PROGRAMS VULNERABLE TO FRAUD

#### 1. Treasury and SBA Neglected Underserved Communities and Allowed Billions of Dollars in Potential Fraud in the Paycheck Protection Program

Congress established the PPP to help small businesses and non-profit organizations survive the coronavirus crisis by providing forgivable loans to cover payroll, rent, and utility payments. The CARES Act urged SBA to issue guidance “to ensure that the processing and disbursement of covered loans prioritizes small business concerns and entities in underserved and rural markets,” including businesses owned by veterans, members of the military community, socially and economically disadvantaged individuals, and women.<sup>141</sup>

Despite Congress’s clear intent, the Select Subcommittee found that the Trump Administration and many big banks failed to prioritize small businesses in underserved markets, including minority and women-owned businesses. As a result, small businesses that were truly in need of financial support during the economic crisis often faced longer waits and more obstacles to receiving PPP funding than larger, wealthier companies.

The Select Subcommittee also found that even as the intended recipients struggled to access these funds, Treasury and SBA’s failure to institute safeguards may have led to billions of dollars being diverted to fraud, waste, and abuse.

##### a. Investigative Steps and Results

On June 15, 2020, the Select Subcommittee launched an investigation into the Trump Administration’s implementation of the PPP, following reports that the program favored large companies over the neediest small businesses.<sup>142</sup> The Select Subcommittee sent letters to SBA, Treasury, two banking industry associations,<sup>143</sup> and eight financial institutions: JPMorgan Chase, Citibank, PNC Bank, Bank of America, U.S. Bank, Truist, Wells Fargo, and Santander.<sup>144</sup> The Subcommittee obtained over 30,000 pages of documents, conducted briefings, and interviewed community lenders and other stakeholders. The Subcommittee also obtained aggregate loan data from seven financial institutions and detailed data from SBA and Treasury on all 5.2 million loans approved by SBA.

The Select Subcommittee released reports detailing its findings on September 1, 2020, and October 16, 2020.<sup>145</sup> The Subcommittee found that Treasury, SBA, and several large financial institutions failed to implement PPP as Congress intended, resulting in minority and women-owned businesses facing obstacles to access PPP loans. Treasury privately encouraged banks to limit their PPP lending to existing customers—excluding many minority and women-owned small businesses that are less likely to have a pre-existing banking relationship. SBA and Treasury also failed to issue guidance called for by Congress to prioritize underserved markets. In addition, several lenders processed bigger PPP loans for wealthy customers at more than twice the speed of smaller loans for the neediest small businesses.<sup>146</sup>

The Select Subcommittee's analysis of nonpublic loan data revealed a total of 22,529 PPP loans worth more than \$4.2 billion issued by the Administration could be subject to fraud, waste, or abuse. These loans included: (1) over \$1 billion in loans that went to companies that received multiple loans; (2) more than 600 loans totaling over \$96 million that went to companies excluded from doing business with the government and therefore prohibited from obtaining a PPP loan; (3) more than 350 loans worth \$195 million that went to government contractors with significant performance and integrity issues; and (4) more than 11,000 borrowers and \$2.98 billion in loans that raise potential fraud concerns when compared against the federal government's System for Award Management database.<sup>147</sup> On September 1, 2020, Chairman Clyburn referred these potentially fraudulent loans to the Inspectors General at Treasury and SBA for examination and called for the Inspectors General to conduct a review of the program's oversight and accountability mechanisms.<sup>148</sup>

#### **b. Recommendations**

To ensure that relief funds reach those who need them most, the Select Subcommittee recommends that, if the PPP is extended as part of a comprehensive coronavirus relief package, SBA and Treasury should (1) issue clear and detailed guidance to ensure lenders prioritize underserved markets, as well as minority and women-owned business; (2) invest in Community Development Financial Institutions and Minority Depository Institutions to fully equip them to handle the demand for loan applications; and (3) include a demographic questionnaire on the PPP application form.

To mitigate the risk of fraud, waste, and abuse in the PPP, the Select Subcommittee recommends that SBA and Treasury (1) improve the internal controls for loan forgiveness; (2) improve the audit plan for PPP borrowers; and (3) cooperate with oversight from Congress, Inspectors General, and other watchdogs.

## 2. Fed and Treasury Lending Facilities Prioritized Big Corporations and Investors Over Small Businesses, Workers, and States

Monetary policy can be a critical tool in enabling an equitable economic recovery from the coronavirus pandemic. Unfortunately, the manner in which Treasury and the Fed have set up and administered emergency lending facilities pursuant to the CARES Act has exacerbated economic inequality by benefitting big corporations and investors over smaller businesses, workers, and state and local governments.

### a. Investigative Steps and Results

To understand the economic impact—particularly the distributional impact—of these facilities, the Select Subcommittee held hearings with former Fed Chairs Ben Bernanke and Janet Yellen on July 17, 2020, Treasury Secretary Mnuchin on September 1, 2020, and Fed Chair Powell on September 23, 2020. On August 6, 2020, the Select Subcommittee launched an investigation into the Main Street Lending Program’s failures.<sup>149</sup> Staff conducted briefings with the Fed and Treasury, consulted with outside experts, and reviewed thousands of pages produced by the Fed and Treasury.

On September 23, 2020, the Select Subcommittee published a staff report documenting how the Fed’s corporate bond purchases prioritized Wall Street over workers.<sup>150</sup> The report found that the Fed responded quickly to bail out the corporate bond market from the pandemic-induced economic crisis, announcing on March 23, 2020, that it would directly purchase corporate bonds.<sup>151</sup> The Fed’s actions led to record-breaking bond issuances and dramatically cheaper credit available to large corporations.<sup>152</sup> Yet these facilities provided no assistance to the small businesses that employ most Americans. The facilities also lack taxpayer and worker protections. The Select Subcommittee found that the Fed has purchased corporate bonds issued by 140 companies that laid off or furloughed workers during the pandemic—more than one million workers total—and 383 companies that paid dividends to their shareholders during the pandemic. Ninety-five of the companies whose bonds the Fed purchased both dismissed workers and paid dividends.<sup>153</sup>

While many large corporations have flourished, the Fed’s facilities for smaller businesses and state and local governments have failed to help their intended beneficiaries or support a wider economic recovery. The Main Street Lending Program—a \$600 billion group of lending facilities backstopped by CARES Act funds—has issued only 252 loans totaling less than 0.4 percent of available capital.<sup>154</sup> Public reporting indicates that bureaucratic infighting delayed the program’s launch and constrained its ability to reach small and medium-sized businesses in need.<sup>155</sup> The Select Subcommittee’s investigation confirmed substantial policy disagreements between Treasury and the Fed about the program’s risk tolerance, with the Fed advocating for a higher level of acceptable loss in order to be able to help more small businesses. As Treasury explained during a staff briefing on September 11, 2020, the Department was concerned that they would be responsible for “the first dollar” of any loan losses to the program and therefore limited the program, placing it out of reach for many small businesses.<sup>156</sup>

The Municipal Liquidity Facility—a \$500 billion lending facility backstopped by CARES Act funds—has similarly failed to help state and local governments, with only two notes purchased.<sup>157</sup> The Fed has imposed onerous interest rates and a short repayment period on loans, rendering the facility useless to most jurisdictions.<sup>158</sup>

#### **b. Recommendations**

The Fed should expand lending to more small and medium-sized businesses and municipal governments as Congress intended under the CARES Act. The Fed's lending facilities should, to the extent possible, include protections for taxpayers and workers. But expanded loan facilities are no substitute for direct aid. Significant direct assistance—like that provided in the Heroes Act—remains critical for small businesses, workers, and state and local governments.

### **3. The Administration Weakened the Payroll Support Program, Allowing Thousands of Aviation Workers to Lose Their Jobs**

Congress created the PSP to “preserve aviation jobs” by providing taxpayer-funded wage assistance to companies in exchange for keeping workers on the payroll.<sup>159</sup> Contrary to Congress’s intent, Treasury provided PSP funds to more than a dozen airline industry contractors that had engaged in mass layoffs.<sup>160</sup> The Select Subcommittee opened an investigation into Treasury’s implementation of the PSP to determine how aviation contractors laying off thousands of employees nevertheless received hundreds of millions of dollars in payroll assistance as part of a program designed to save jobs.

#### **a. Investigative Steps and Results**

The Select Subcommittee launched its investigation into Treasury’s implementation of the PSP on July 29, 2020, seeking documents and information from Treasury and four of the top aviation contractor recipients of PSP funds.<sup>161</sup> Staff reviewed thousands of documents and held briefings to determine how the PSP was implemented and how Treasury’s decisions impacted contractors’ decision-making.

The Select Subcommittee released a staff report on October 9, 2020, which identified four key decisions by Treasury that undermined the job-retention purpose of the program: (1) Treasury’s disregard of the CARES Act mandate to begin distributing payroll assistance within ten days, and months-long delays in executing PSP agreements; (2) Treasury’s decision to permit layoffs up to the execution date of a PSP agreement; (3) Treasury’s decision to permit companies to spend PSP funds without a deadline; and (4) Treasury’s failure to reduce the amount of funding awarded despite mass layoffs, giving companies payroll support for jobs that no longer existed.<sup>162</sup>

As a direct result of Treasury’s delays in executing PSP agreements and permission to contractors to conduct layoffs while their applications were pending, the Select Subcommittee calculated that more than 16,500 aviation workers, over 15 percent of the aviation contractor workforce, lost their jobs.<sup>163</sup> Despite the mass layoffs, Treasury provided payroll support to these companies calculated based on pre-pandemic workforce numbers, so the companies received the same amount they would have if they had not fired a single worker. Treasury also removed any incentive to use the funds to rehire workers—as a result, two of the biggest contractors did not rehire a single worker upon receipt of hundreds of millions of taxpayer dollars. The investigation found that these the contractors are instead slowly spending PSP funds to pay a vastly reduced workforce.

On October 9, 2020, the Select Subcommittee sent follow-up letters to several aviation contractors that received PSP funds urging them to halt any further layoffs or furloughs until the companies had spent all remaining PSP funds. Four companies agreed to the request. These companies collectively employ more than 30,000 workers and received approximately \$595 million in federal payroll support.<sup>164</sup>

On October 19, 2020, the Select Subcommittee sent letters to four cargo carriers that received a total of more than \$630 million from Treasury through PSP, despite reports of the companies' financial success during the pandemic.<sup>165</sup> The letters request that the carriers return the money or demonstrate that they needed the funds to keep workers on the payroll, as Congress intended.

**b. Recommendations**

To preserve aviation jobs, Congress should pass a second round of payroll support with additional protections to prioritize saving jobs as part of a broader, comprehensive response to the coronavirus crisis such as the Heroes Act. Congress should also amend the CARES Act to prohibit involuntary layoffs and furloughs for as long as contractors still have PSP funds.

## Appendix A

### Key Select Subcommittee Actions

This appendix highlights key public actions by the Select Subcommittee on the Coronavirus Crisis from its establishment on April 23, 2020, through October 2020, including taxpayer savings, hearings and briefings, staff reports, and investigations. This list does not include every action taken by the Select Subcommittee during this period. Many of the Select Subcommittee's investigations are ongoing.

#### Examples of Taxpayer Funds and Jobs Saved

- **\$4 billion in potential Paycheck Protection Program fraud identified.** On [September 1, 2020](#), the Select Subcommittee identified more than \$4 billion in potentially fraudulent PPP loans, and referred them to the Inspectors General at Treasury and SBA for further examination.
- **30,000 aviation jobs preserved.** On [October 21, 2020](#), the Select Subcommittee secured commitments from four aviation contractors that collectively received \$595 million in Payroll Support Program funds to retain all current employees until after they have exhausted remaining program funds.
- **\$765 million questionable pharmaceutical loan on hold.** On [August 10, 2020](#), the Administration put on hold a \$765 million loan to Kodak, after the Select Subcommittee launched an inquiry into the loan in light of Kodak's lack of pharmaceutical experience and stock windfalls received by Kodak executives and directors.
- **\$109 million in nursing home funds returned to the Treasury.** On [August 5, 2020](#), the Select Subcommittee announced Ensign Group, Inc. returned \$109 million it had received from the HHS Provider Fund after the Select Subcommittee launched an investigation into nursing homes.
- **\$10 million in PPP funds returned to the Treasury.** On [May 11, 2020](#), MiMedx Group, Inc. returned \$10 million in PPP funds after the Select Subcommittee opened an investigation into larger, publicly traded companies receiving PPP funds.

#### Hearings and Briefings

The Select Subcommittee held 15 public hearings and briefings during this period:

- [May 13, 2020](#): Briefing on “Testing, Tracing, and Targeted Containment.”
- [May 21, 2020](#): Briefing on “Heroes of the Coronavirus Crisis: Protecting Frontline and Essential Workers During the Pandemic.”

- [May 29, 2020](#): Briefing on “Supporting America’s Cities: What Mayors Need to Safely Reopen.”
- [June 4, 2020](#): Briefing on “An Unequal Burden: Addressing Racial Health Disparities in the Coronavirus Pandemic.”
- [June 11, 2020](#): Briefing on “The Devastating Impact of the Coronavirus Crisis in America’s Nursing Homes.”
- [June 18, 2020](#): Hearing on “The Unemployment Pandemic: Addressing America’s Jobs Crisis.”
- [June 26, 2020](#): Hearing on “Accountability in Crisis: GAO’s Recommendations to Improve the Federal Coronavirus Response.”
- [July 2, 2020](#): Hearing on “The Administration’s Efforts to Procure, Stockpile, and Distribute Critical Supplies.”
- [July 17, 2020](#): Hearing on “Former Federal Reserve Chairs on Responding to Our Nation’s Economic Crisis.”
- [July 31, 2020](#): Hearing on “The Urgent Need for a National Plan to Contain the Coronavirus” with National Institute of Allergy and Infectious Diseases Director Dr. Anthony Fauci, CDC Director Dr. Robert Redfield, and HHS Assistant Secretary for Health Admiral Brett Giroir.
- [August 6, 2020](#): Hearing on “Challenges to Safely Reopening K-12 Schools.”
- [September 1, 2020](#): Hearing with Treasury Secretary Steven T. Mnuchin.
- [September 9, 2020](#): Hearing on “Ensuring a Free, Fair, and Safe Election During the Coronavirus Pandemic.”
- [September 23, 2020](#): Hearing with Federal Reserve Chair Jerome H. Powell.
- [October 2, 2020](#): Hearing with Secretary of Health and Human Services Alex M. Azar II.

### **Staff Reports and Analyses**

- [August 6, 2020](#): **A Failure to Lead: The Trump Administration’s Disastrous Response to the Coronavirus Pandemic** (joint staff report).
- [September 1, 2020](#): **Preliminary Analysis of Paycheck Protection Program Data** (staff memorandum showing billions of dollars in PPP loans may have been diverted to fraud, waste, and abuse).

- [September 9, 2020](#): **Examination of States' Preparedness for the November Election** (staff memorandum showing Texas, Georgia, Florida, and Wisconsin face risks to free, fair, and safe voting in the general election).
- [September 23, 2020](#): **Prioritizing Wall Street: The Fed's Corporate Bond Purchases During the Coronavirus Pandemic** (staff analysis showing the Fed bought corporate bonds from companies that laid off workers and paid dividends during the pandemic).
- [October 2, 2020](#): **The Trump's Administration Pattern of Political Interference in the Nation's Coronavirus Response** (staff analysis identifying 47 instances of political interference in the Administration's public health response to the pandemic).
- [October 9, 2020](#): **Unnecessary Costs: How the Trump Administration Allowed Thousands of Aviation Workers to Lose Their Jobs** (staff analysis showing how Treasury allowed companies to lay off workers and still receive full funding under the Payroll Support Program).
- [October 16, 2020](#): **Underserved and Unprotected: How the Trump Administration Neglected the Neediest Small Businesses in the PPP** (staff report showing how Treasury, SBA, and big banks prioritized larger and wealthier companies over truly struggling small businesses in the PPP).

## Investigations

The Select Subcommittee launched 30 investigations during this period, many of which are ongoing, related to the coronavirus public health crisis and the economic crisis that it has caused. Several of these investigations have already resulted in taxpayer savings and improvements in the federal government's response to the pandemic. For example:

### *Public Health Matters*

- **HHS Vaccine and Treatment Contracts**: On [June 2, 2020](#), the Select Subcommittee, along with the Committee on Oversight and Reform, launched an investigation into HHS's use of more than \$3.5 billion in taxpayer dollars to fund contracts with private companies to research and manufacture coronavirus vaccines and therapeutics.
- **Nursing Homes**: On [June 16, 2020](#), the Select Subcommittee sent letters to the Centers for Medicare and Medicaid Services (CMS) and the nation's five largest for-profit nursing home companies seeking documents and information about how CMS and major nursing home companies have responded to the coronavirus pandemic. On [August 5, 2020](#), one of the nursing home companies under investigation agreed to return approximately \$109 million in taxpayer funds.

- **Testing Shortages:** On [June 22, 2020](#), Chairman Clyburn sent letters to the White House, HHS, and CDC regarding possible efforts by the Administration to limit coronavirus testing after President Trump stated that he told his staff to “slow the testing down.” The Subcommittee also sought supply and demand projections, but the Administration did not provide any projections generated by federal agencies. At a [hearing](#) on July 31, 2020, Admiral Giroir conceded that major testing labs are “strained” and that 40 percent of tests takes three days or more, a length of time that, according to Dr. Fauci, “obviates the whole purpose of doing it.”
- **Closure of Federal Testing Sites:** On [June 25, 2020](#), Chairman Clyburn and Representatives from Texas, Colorado, Illinois, New Jersey, and Pennsylvania, sent a letter to HHS Secretary Azar urging him to reverse the Administration’s decision to end federal funding and support for 13 coronavirus testing sites across five states. Following this letter, the Administration [agreed](#) to restore temporary support for five Texas testing sites for another month.
- **PPE Shortages and Questionable Contracts:** On [July 14, 2020](#), the Select Subcommittee sent letters to Secretary Azar, Defense Secretary Mark Esper, Acting Homeland Security Secretary Chad Wolf, and Veterans Affairs Secretary Robert Wilkie, along with seven private companies seeking documents about contracts to procure PPE and medical supplies as well as steps the Administration has taken to address supply shortages. In response, the Administration has not identified any projections of supply and demand for PPE, consistent with the July 2, 2020, testimony before the Select Subcommittee by the head of the Federal Emergency Management Agency’s Supply Chain Stabilization Task Force that he has “no visibility” into “what states, local municipalities and private institutions have bought” and that, “States at this time are not reporting on that” to the Administration.
- **Diverting Hospital Data Away From CDC:** On [July 17, 2020](#), the Select Subcommittee sent a joint letter to HHS and CDC seeking information regarding the Administration’s decision to direct hospitals to stop reporting coronavirus data to CDC—which has collected the information since the beginning of the pandemic—and instead to send information to a portal run by a private company selected by HHS. On [July 28, 2020](#), the Select Subcommittee sent a request to the contractor, TeleTracking Technologies.
- **Safely Reopening Schools:** On [July 17, 2020](#), Chairman Clyburn requested records from Education Secretary Betsy DeVos about the Administration’s threat to defund schools that do not immediately reopen for full-time, in-person education. In response, the Department of Education [conceded](#) it does not have the authority to put conditions on pandemic relief funds.
- **Bipartisan Oversight of Vaccine Development:** On [July 24, 2020](#), Chairman Clyburn led a bipartisan letter, along with Rep. Bill Foster and Rep. Mark Green, to Comptroller General Gene Dodaro calling on the Government Accountability Office (GAO) to conduct ongoing oversight of Operation Warp Speed and other vaccine-development

initiatives. On July 28, 2020, GAO accepted the engagement. On [September 15, 2020](#), the Select Subcommittee wrote to HHS and the Department of Defense (DOD) calling for the Departments to comply with this review.

- **White House Coronavirus Task Force Reports:** On [July 29, 2020](#), the Select Subcommittee sent letters to Vice President Mike Pence and Dr. Deborah Birx regarding private reports the White House Coronavirus Task Force sent to states that contradicted rosy public statements from the President. The Subcommittee also sent letters to the governors of Georgia, Florida, Oklahoma, and Tennessee, calling on them to comply with recommendations from the Task Force. On [August 31, 2020](#), the Subcommittee released eight weeks of reports that the White House did not disclose to the public. On [September 16, 2020](#), the Subcommittee raised concerns that the Task Force had weakened previous recommendations following political pressure from the President. On [October 20, 2020](#), the Subcommittee released another six weeks of private reports showing the President had downplayed the threat and held rallies in “red zone” states while the virus surged around the country.
- **Questionable Loan to Kodak:** On [August 4, 2020](#), the Select Subcommittee launched a joint investigation into the Trump Administration’s planned \$765 million federal loan to Kodak to support the production of ingredients for generic drugs, despite the company’s lack of pharmaceutical experience and trading activity that resulted in windfalls for company executives and directors. The Administration [put the loan on hold](#) after this investigation was announced.
- **Conflicts of Interest in Operation Warp Speed:** On [August 12, 2020](#), the Select Subcommittee launched an investigation potential conflicts of interest in OWS, as well as the Administration’s process to select vaccine candidates. On [September 22, 2020](#), the Select Subcommittee released documents revealing that at least four top advisors to OWS, including top advisor Dr. Moncef Slaoui, [have potentially unresolved conflicts of interest](#).
- **Holding Elections During a Pandemic:** On [August 14, 2020](#), the Select Subcommittee, along with the House Administration Committee, launched an investigation into preparations by Florida, Georgia, Texas, and Wisconsin to hold free, fair, and safe elections. On [September 9, 2020](#), the Subcommittee issued a staff analysis identifying election risks in all four states. On [October 6, 2020](#), the Subcommittee sent a joint letter to the Governor of Texas, urging him to reverse his closure of ballot return locations.
- **Equitable Vaccine Distribution:** On [September 8, 2020](#), the Select Subcommittee sent a joint letter to Secretary Azar requesting information regarding the process HHS plans to use to determine the distribution of any coronavirus vaccines and the importance of achieving fairness and equity in vaccine prioritization and targeting.
- **HHS Advertising Campaign to “Defeat Despair”:** On [September 11, 2020](#), the Select Subcommittee launched a joint investigation into a \$250 million contract for an advertising campaign to “defeat despair” just weeks before Election Day. On [October 1,](#)

[2020](#), the Committees expanded the inquiry to a related contract. On [October 2, 2020](#), Secretary Azar testified before the Select Subcommittee that the advertising campaign was under review at HHS.

- **Political Interference with Scientists:** On [September 14, 2020](#), the Select Subcommittee sent a letter to Secretary Azar and Dr. Redfield regarding political interference in CDC's scientific publications related to the coronavirus. The Subcommittee sought documents and transcribed interviews with two HHS officials and five CDC employees. On [September 16, 2020](#), HHS announced that both HHS officials were leaving their roles. Chairman Clyburn sent additional letters seeking compliance on [September 22, 2020](#), and [October 22, 2020](#).
- **CDC Guidance on School Reopening:** On [September 30, 2020](#), the Select Subcommittee called on the Administration to end its political interference with CDC guidance on reopening schools during the coronavirus pandemic and revise it to accurately reflect the science. At a briefing on [October 21, 2020](#), CDC conceded that its guidance was outdated and confirmed the agency will update the guidance to reflect the current science on risks to children.
- **DOD Use of CARES Funds:** On [October 2, 2020](#), the Select Subcommittee launched a joint investigation into DOD's diversion of CARES Act funds intended for the manufacturing and distribution of PPE and medical supplies.
- **Misuse of Education CARES Act Funds:** On [October 5, 2020](#), the Select Subcommittee and Committee on Education and Labor launched an investigation into South Carolina's misuse of CARES Act education funds to develop a voucher program. Shortly thereafter, the South Carolina Supreme Court ruled that the state's planned use of CARES funds violated state law.
- **Herd Immunity:** On [October 9, 2020](#), the Select Subcommittee launched an investigation into whether Trump Administration is pursuing a "herd immunity" strategy in response to the pandemic, which public health experts have warned could lead to the death of more than two million Americans.

### *Economic Matters*

- **Paycheck Protection Program – Loans to Larger Companies:** On [May 8, 2020](#), the Select Subcommittee launched an investigation into large, public corporations that received PPP funds, requesting that they return the funds or produce a range of documents, which resulted in the return of \$10 million.
- **Paycheck Protection Program – Equity, Accountability, and Transparency:** On [June 15, 2020](#), the Select Subcommittee launched an investigation into whether Treasury and banks prioritized wealthier small businesses at the expense of truly struggling small businesses, and called on the Administration to release loan data. Four days later, [Treasury and SBA agreed](#) to release a portion of this loan data publicly and to provide

additional data to the Select Subcommittee. On [September 1, 2020](#), the Select Subcommittee released a staff memo on more than \$4 billion in potential PPP fraud. On [October 16, 2020](#), the Select Subcommittee released a staff report finding that the Trump Administration and many big banks failed to prioritize small businesses in underserved markets, including minority and women-owned businesses.

- **Unemployment and Economic Projections:** The Select Subcommittee sent letters on [June 18, 2020](#), and [July 1, 2020](#), seeking the release of key unemployment and economic projections. In response, the Administration stated that it had not calculated the projections, stating “the Administration has little or no confidence” in them.
- **Paycheck Protection Program - Duplicate Loans:** On [June 23, 2020](#), the Select Subcommittee asked the SBA Inspector General to investigate problems with SBA’s implementation of PPP that allowed many businesses to receive duplicate loans. On June 29, 2020, the SBA Inspector General agreed to conduct this review as part of its oversight of the PPP.
- **Equitable Distribution of Economic Impact Payments:** On [July 8, 2020](#), the Select Subcommittee launched an investigation into why millions of Americans were still waiting to receive their EIPs. Following this inquiry, IRS announced on September 8, 2020, that it would mail notices to Americans who had not yet received their stimulus check. After further pressure from the Subcommittee on [August 3, 2020](#), [September 11, 2020](#), and [October 2, 2020](#), Treasury agreed to [extend the deadline](#) for non-filers to claim their EIP.
- **Compliance with Paid Leave Protections:** On [July 21, 2020](#), the Select Subcommittee launched an investigation into the Department of Labor’s implementation of paid leave in the Families First Coronavirus Response Act (FFCRA).
- **Protecting Homeowners and Renters:** On [July 27, 2020](#), the Select Subcommittee launched an investigation into the impact of the pandemic on homeowners and renters and urged the FHFA, Fannie Mae, and Freddie Mac to take immediate steps to help homeowners and renters avoid foreclosure and eviction. On [October 16, 2020](#), the Select Subcommittee released new data showing the financial distress of homeowners and urged FHFA to grant automatic forbearance to homeowners who are late on their mortgages.
- **Aviation Layoffs:** On [July 29, 2020](#), the Select Subcommittee launched an investigation into the disbursement of federal funds from the Payroll Support Program to aviation contractors that recently laid off thousands of workers. On [October 9, 2020](#), the Select Subcommittee issued a reporting finding that, contrary to congressional intent, Treasury permitted aviation contractors to lay off thousands of workers and receive full payroll support calculated based on the companies’ pre-pandemic workforce. On [October 20, 2020](#), the Subcommittee sent letters to several cargo carriers that received a total of more than \$630 million in PSP funds despite having financial success during the pandemic. On [October 21, 2020](#), the Select Subcommittee secured commitments from four aviation

contractors that collectively received \$595 million in PSP funds to retain all current employees until after they have exhausted remaining program funds.

- **SBA Emergency Loan Program**: On [July 30, 2020](#), the Select Subcommittee launched an investigation into a \$500 million contract awarded by SBA to process Emergency Injury Disaster Loan applications.
- **Main Street Lending Program**: On [August 6, 2020](#), the Select Subcommittee launched an investigation into the Fed's Main Street Lending Program, seeking changes to help workers and businesses as Congress intended.
- **Farmers to Families Food Box Program**: On [August 24, 2020](#), the Select Subcommittee launched an investigation into reported mismanagement in the Department of Agriculture's pandemic food assistance program.

## Appendix B

### The Trump Administration's Pattern of Political Interference in the Nation's Coronavirus Response

The Select Subcommittee on the Coronavirus Crisis examined the Trump Administration's failed public health response to the coronavirus crisis, which has led to the deaths of more than 227,000 Americans. On October 2, 2020, the Subcommittee published a list of 47 separate instances of political interference by the Administration from February through September 2020—including repeatedly overruling and sidelining top scientists and undermining Americans' health to advance the President's partisan agenda. The apparent goal of this unprecedented, coordinated attack on our nation's public health agencies during the pandemic was, in the President's words, to “play it down.”

The Select Subcommittee has now documented a total of 61 separate incidents of political interference in the Administration's coronavirus response spanning from February through October 2020. These incidents have degraded every major facet of the Administration's public health response, including efforts to provide Americans access to testing and PPE, develop treatments and vaccines, and provide scientifically sound advice to the public on masks, social distancing, and other steps to stay safe. As Election Day approaches, documented examples of political interference have increased, with at least 27 instances in August, September, and October alone.

For example, political appointees have:

- **Pressured health experts to adopt the Administration's talking points**, even when they conflict with the science;
- **Criticized, sidelined, and fired experts** who insisted on sharing accurate scientific information with the public;
- **Altered, delayed, and suppressed guidance and scientific reports** on testing, protecting children, reopening schools, voting safely, and other topics;
- **Authorized questionable virus treatments** over the objections of scientists;
- **Resisted efforts to ensure the safe development of a vaccine**; and
- **Diverted \$265 million from CDC and FDA for an ad campaign** to “defeat despair and inspire hope” weeks before Election Day.

The Select Subcommittee's analysis is based on public reporting and the Subcommittee's investigations. It includes instances where the Administration actively interfered in the nation's public health response through executive action or public or private pressure. It does not capture each instance in which President Trump or his appointees downplayed the danger of the virus to the public, made false and misleading statements about the science, and misstated key facts about the Administration's response.

	Date	Political Interference
1.	February 20, 2020	<b>The Administration Ignores CDC Advice to Separate Infected Cruise Ship Passengers.</b> The <i>Washington Post</i> reports that following a coronavirus outbreak on the Diamond Princess cruise ship outside of Japan, a top Trump Administration official overruled CDC's recommendation to separate infected and non-infected passengers onto different flights. <sup>166</sup>
2.	February 25, 2020	<b>President Trump Threatens to Fire a CDC Official for Sharing Accurate Information.</b> Dr. Nancy Messonnier, Director of CDC's National Center for Immunization and Respiratory Diseases, warned that the American public should "prepare with the expectation that this could be bad." <sup>167</sup> The <i>Wall Street Journal</i> reports the comments prompted President Trump to call HHS Secretary Alex Azar threatening to fire Dr. Messonnier. Later that day, Secretary Azar tried to walk back Dr. Messonnier's statements. <sup>168</sup>
3.	March – April 2020	<b>The White House Blocks a National Testing Plan Because "Blue States" Appear Most Impacted.</b> <i>Vanity Fair</i> reports that White House senior advisor Jared Kushner convened a working group at the White House in March and April that designed a national testing plan, but the Administration ultimately dropped the plan because political aides felt it was more advantageous to blame Democratic governors. <sup>169</sup>
4.	March 5, 2020	<b>The Administration Delays a CDC Travel Alert.</b> <i>CNN</i> reports that CDC planned to post a global travel alert on March 5 that would have urged precautions for international travel anywhere in the world, but the Trump Administration delayed the alert by nearly a week. <sup>170</sup>
5.	March 7, 2020	<b>The Administration Overrules CDC Officials on a Travel Advisory for the Elderly.</b> The <i>Associated Press</i> reports that the White House overruled CDC officials who sought to recommend that the elderly and others more susceptible to the virus should avoid flying on commercial flights during the pandemic. While the Administration later suggested that vulnerable populations should consider not traveling, it resisted the stricter guidance proposed by CDC. <sup>171</sup>
6.	March 9 – May 29, 2020	<b>The White House "Muzzled" CDC Briefings.</b> Following a March 9 briefing in which Dr. Messonnier accurately warned that coronavirus would rapidly spread in the United States, CDC stopped providing public briefings about the pandemic for more than two months. <i>CNN</i> reports that "CDC officials said they've been 'muzzled' and that their agency's efforts to mount a coordinated response to the Covid-19 pandemic were hamstrung by a White House whose decisions are driven by politics rather than science." <sup>172</sup> A senior CDC official told <i>Pro Publica</i> : "The threat is clear. If we want to ever be able to talk tomorrow or next week or next month—or whatever is being dangled in front of us, you stay inside the lines." <sup>173</sup> A former HHS official confirmed to the <i>Wall Street Journal</i> that White House officials routinely denied CDC's requests to brief reporters. <sup>174</sup>

	<b>Date</b>	<b>Political Interference</b>
7.	March 17 – 20, 2020	<b>The Administration Misrepresents Virus Data to Close Border.</b> The <i>New York Times</i> reports that White House senior advisor Stephen Miller led an effort to aggressively use public health laws as a pretext to reduce immigration. <sup>175</sup> <i>Pro Publica</i> reports that on March 17, Mr. Miller urged Administration officials to use CDC’s quarantine powers to close the border with Mexico and deport unaccompanied children seeking asylum even if they tested negative for the coronavirus. The next day, a lawyer at HHS circulated a proposed order to close the borders with Mexico and Canada, which a CDC official stated relied upon a “misrepresented and incomplete piece of data” to overstate the threat noting that cases “are far fewer [in Canada and Mexico] than the # of cases in the US now due to community spread.” CDC Director of Global Migration and Quarantine Martin Cetron refused to sign off on the order, telling a colleague: “I will not be a part of this. It’s just morally wrong to use a public authority that has never, ever, ever been used this way. It’s to keep Hispanics out of the country. And it’s wrong.” Dr. Redfield signed the order over Dr. Cetron’s objections on March 20. <sup>176</sup>
8.	March 19 – 21, 2020	<b>The White House Refuses to Coordinate Procurement and Distribution of PPE to Address Shortages.</b> As HHS’s Strategic National Stockpile was depleted of PPE in March, <sup>177</sup> calls arose for the federal government to take a central role in procuring and distributing supplies. President Trump refused, saying on March 19 that the federal government is “not a shipping clerk.” <sup>178</sup> <i>Vanity Fair</i> reports that, on March 21, Mr. Kushner rebuffed offers from private sector groups to help address supply problems, stating: “The federal government is not going to lead this response. It’s up to the states to figure out what they want to do.” Despite widespread concerns that states were bidding against each other for PPE and calls to invoke the Defense Production Act, Mr. Kushner said: “Free markets will solve this. That is not the role of government.” <sup>179</sup>
9.	April 2020	<b>The White House Quashes Plan to Have the Postal Service Send Masks to Every U.S. Household.</b> The White House blocked plans to send 650 million reusable masks to all U.S. households through the Postal Service in April, instead deciding to privately send masks to the private sector, schools, and other community organizations. An Administration official told the <i>Washington Post</i> this change was due to the “concern from some in the White House Domestic Policy Council and the Office of the Vice President that households receiving masks might create concern or panic.” <sup>180</sup>

	Date	Political Interference
10.	April 2020	<b>The Administration Weakens Cruise Ship Restrictions.</b> <i>USA Today</i> reports that the Office of the Vice President instructed CDC to revise its guidance for cruise ships to shorten a no-sail order and soften language, including removing a warning that the order may be extended. <sup>181</sup> <i>Pro Publica</i> reports that the Department of Homeland Security also weakened criticism from CDC of the cruise ship industry's response to the coronavirus pandemic in the draft order. <sup>182</sup>
11.	April 2020	<b>The Administration Pressures CDC to Reopen Theme Parks and Overnight Camps.</b> <i>NBC News</i> reports that White House officials exerted pressure on CDC to reopen theme parks and overnight camps in April, which CDC officials described as "strange" and premature in light of the public health crisis. <sup>183</sup>
12.	April – May 2020	<b>President Trump Contradicted Experts and Pushed to Reopen the Economy Without a Plan to Stay Safe.</b> President Trump repeatedly pushed to reopen and lift shutdown orders—despite warnings from White House Coronavirus Task Force members Dr. Anthony Fauci and Dr. Deborah Birx that containment measures were still needed in hot spots. The <i>New York Times</i> reports that most states that started to reopen in early May did not meet the Task Force's recommended criteria for reopening. <sup>184</sup> In pushing to reopen, President Trump downplayed the risk from the virus, saying "People die from the flu. But we've never closed down the country from the flu." <sup>185</sup> Bob Woodward later revealed that President Trump acknowledged privately on February 7 that the coronavirus was "more deadly than even your strenuous flus" and that "You just breathe the air and that's how it's passed." <sup>186</sup>
13.	April 14, 2020	<b>The Administration Halts Funding to the World Health Organization (WHO).</b> <i>Politico</i> reports that the Administration halted funding to WHO, following President Trump's criticism of the organization. Defunding WHO is counter to the pandemic preparedness plan the Trump Administration drafted in 2017, which advocated for "expanded international coordination on pandemic preparedness and response" and called for "continued support" for WHO. <sup>187</sup>
14.	April 17 – 20, 2020	<b>President Trump Removes an HHS Official for Seeking Rigorous Vetting of a Potentially Dangerous Drug, Hydroxychloroquine.</b> The <i>New York Times</i> reports that Dr. Rick Bright was ousted as Director of the Biomedical Advanced Research and Development Authority (BARDA) for refusing to push hydroxychloroquine. Dr. Bright stated that the Administration put "politics and cronyism ahead of science." <sup>188</sup>

	<b>Date</b>	<b>Political Interference</b>
15.	April 21 – 22, 2020	<b>CDC Weakens Safety Protocols for Meat Processing Plants Following Intervention by the USDA Secretary.</b> <i>MSNBC</i> reports that following a meeting with Agriculture Secretary Sonny Purdue, CDC Director Robert Redfield’s office directed CDC staff to revise the language on its own coronavirus safety protocols for a South Dakota Smithfield meat processing plant to make the public health guidance appear as optional suggestions. <sup>189</sup> The <i>New York Times</i> reports that Vice President Pence’s chief of staff, Marc Short, directed Dr. Redfield to soften the language and reduce the agency’s recommendations to suggestions. Dr. Redfield reportedly confided to one of the Vice President’s aides immediately afterward that he felt that he was in an impossible position. <sup>190</sup>
16.	Early May 2020	<b>Administration Officials Shelve CDC Guidance on Safe Reopening.</b> The <i>Associated Press</i> reports that CDC intended to release its Guidance for Implementing the Opening Up America Again Framework on May 1, but the White House blocked them, calling the document “overly prescriptive.” CDC scientists were told the guidance “would never see the light of day” amid concerns from political appointees about damage to the economy. <sup>191</sup>
17.	May 2020	<b>Secretary Azar and Other HHS Officials Seek to Influence CDC Morbidity and Mortality Weekly Reports (MMWR).</b> <i>Politico</i> reports that Secretary Azar and other HHS political appointees believed an accurate CDC report about the spread of the coronavirus was “implying that the Trump administration moved too slowly to respond to the outbreak.” Around this time, HHS Assistant Secretary for Public Affairs Michael Caputo and his advisor, Dr. Paul Alexander, began pushing to influence CDC’s MMWRs. <sup>192</sup>
18.	May 1, 2020	<b>The Administration Cancels NIH Grant for Coronavirus Research Due to Conspiracy Theory.</b> <i>ABC News</i> reports this grant existed for more than a decade and stems from the researchers’ partnership with Wuhan Institute of Virology. <sup>193</sup> President Trump has claimed—without any evidence—that the coronavirus was created and released by this biomedical lab, despite statements to the contrary made by both Dr. Fauci and WHO. <sup>194</sup>
19.	May 6, 2020	<b>The White House Council of Economic Advisers Publicize a Misleading Projection of Deaths.</b> The <i>New York Times</i> reports the White House Council of Economic Advisers publicized a projections chart that suggested that Americans will stop dying of the coronavirus by the middle of May. Outside experts said the “dotted line in the chart could only mislead people into believing it was a forecast for a rapid decline in deaths.” <sup>195</sup>

	Date	Political Interference
20.	May 16, 2020	<b>HHS Hires Ex-Pharma Executives with Financial Interests in Vaccine Makers to Oversee Vaccine Development Process.</b> <i>Politico</i> reports that by hiring Dr. Moncef Slaoui as an independent contractor, HHS let him maintain millions of dollars of pharmaceutical company securities. The Select Subcommittee’s investigation shows that Dr. Slaoui and other Operation Warp Speed advisers maintained stock holdings that pose serious, unresolved conflicts of interest that could undermine the integrity of the Administration’s vaccine development and review process. <sup>196</sup>
21.	May 19, 2020	<b>The Administration Ignores Warnings About Mass Outbreaks at ICE Detention Centers.</b> <i>CNN</i> reports that the Administration was warned in March about the “imminent risk to the health and safety of immigrant detainees.” <sup>197</sup> A study conducted in late-April found that between 72% and 100% of detainees will be infected. However, the Administration refused to take recommended measures to protect the health of detainees. <sup>198</sup>
22.	May 23, 2020	<b>The White House Alters Guidance to Faith Communities.</b> The <i>Wall Street Journal</i> reports that President Trump and top White House officials pressured Dr. Redfield to declare houses of worship essential and allow them to reopen. <sup>199</sup> <i>ProPublica</i> reports that White House officials later provided comments on draft CDC guidance for faith communities, but CDC rejected revisions that conflicted with science, including a suggestion to delete CDC’s recommendation to “consider suspending or at least decreasing” choir singing. CDC released the guidance on May 22. The following day, the Vice President’s staff communicated to CDC that the failure to accept White House comments was insubordinate. CDC then replaced the agency’s version of the guidance with the White House version. <sup>200</sup> The <i>Washington Post</i> reports that despite the evidence underlying CDC’s initial recommendations, the White House and some members of the Task Force were reportedly “resistant to establishing limits on religious institutions” and “did not want to alienate the evangelical community.” <sup>201</sup>
23.	June 2020	<b>The Administration Installs Partisans in Nonpolitical CDC Posts.</b> The <i>Associated Press</i> reports that the White House installed two political operatives—lacking public health backgrounds—to key positions at CDC to try to control the information the agency releases about the coronavirus pandemic. The positions are typically filled by nonpolitical civil servants. <sup>202</sup>
24.	June 15, 2020	<b>The Administration Tells Governors to Repeat Misleading Claims About Outbreak.</b> The <i>New York Times</i> reports Vice President Pence encouraged governors to adopt the Administration’s inaccurate claim that a recent increase in cases was due to increased testing. The Vice President went on to “encourage people with the news that we’re safely reopening the country.” At this time, many states were experiencing surges in cases. <sup>203</sup>

	<b>Date</b>	<b>Political Interference</b>
25.	June 22, 2020	<b>CDC Weakens Its Mail-in Voting Guidance.</b> The <i>New York Times</i> reports that CDC quietly changed its guidance on voting during the pandemic. As of March 9, 2020, CDC's elections website specifically recommended that election officials: "Encourage mail-in methods of voting if allowed in the jurisdiction." Around June 22, CDC updated its elections guidance, removing any mention of mail-in voting as a safer alternative to in-person voting and instead highlighting risks of mail-in voting. <sup>204</sup>
26.	June 22, 2020	<b>The Administration Ends Funding for 13 Testing Sites.</b> After President Trump announced his intention to "slow the testing down" at a June 20 rally, the Administration announced on June 22 that its funding and support for 13 testing centers in Texas, Colorado, Illinois, New Jersey, and Pennsylvania would end on June 30. The Administration refused requests from local officials to open testing sites in hotspots, but later reversed course and kept a few sites in Texas open until the end of July. <sup>205</sup>
27.	June 23, 2020 – Present	<b>The White House Issues Secret Public Health Recommendations to States.</b> The Select Subcommittee's investigation shows that the Task Force sent private reports to state and local governments warning about surges in new coronavirus infections and making recommendations to improve states' responses to the pandemic. The White House has refused to publicly support many of these private recommendations, including requiring face masks, closing bars and gyms, and strictly limiting gatherings. <sup>206</sup>
28.	June 28, 2020	<b>The Administration Pressures CDC to Downplay Risks to Pregnant Women.</b> The <i>Washington Post</i> reports that Dr. Alexander wrote an email to Director Redfield accusing CDC of "undermining the President" by putting out an accurate report warning about the potential risks to pregnant women from the coronavirus. The email noted that the guidance "reads in a way to frighten women ... as if the President and his administration can't fix this and it is getting worse." <sup>207</sup>
29.	June 30, 2020	<b>Political Appointees Target Top CDC Scientist Following an Interview.</b> The <i>New York Times</i> reports that Dr. Alexander emailed Mr. Caputo a scathing critique of scientifically accurate statements about the coronavirus made by CDC Principal Deputy Director Anne Schuchat during an interview. Dr. Alexander accused Dr. Schuchat of trying to "embarrass the President here" and claimed that "It is very false her statement that it causes death in children." <sup>208</sup> On October 2, Secretary Azar told the Select Subcommittee: "I do not support" Dr. Alexander's statements. <sup>209</sup>

	Date	Political Interference
30.	Early July 2020	<b>The Administration Attacks Dr. Fauci for Sharing Contrary Views on Reopening.</b> <i>CNN</i> reports that the White House made a concerted effort to discredit Dr. Fauci after he expressed concerns over reopening the country amid a national surge in coronavirus cases. “One senior administration official told <i>CNN</i> that some officials within the White House do not trust Fauci. According to the source, those officials think Fauci doesn’t have the best interest of the President.” <sup>210</sup> After President Trump claimed Dr. Fauci “made a lot of mistakes,” Assistant to the President Peter Navarro, who has no public health expertise, published an op-ed in <i>USA Today</i> stating that Dr. Fauci “has been wrong about everything I have interacted with him on.” <sup>211</sup>
31.	July 2020	<b>President Trump Overrides CDC on School Reopening Guidance.</b> President Trump pushed for schools to fully reopen, even though CDC guidance warned that “Full sized, in-person classes” presented the “Highest Risk” of transmitting coronavirus to students, teachers, and community members. <sup>212</sup> CDC then issued revised guidelines that were “substantially edited by White House officials” and included misleading language downplaying the risks, over the objection of CDC scientists. <sup>213</sup> Senior White House staff, including Mark Meadows, Mr. Kushner, Larry Kudlow, and Mr. Miller, were involved in the review process. <sup>214</sup>
32.	July – August 2020	<b>President Trump Pressures FDA to Review Oleandrin as a Potential Coronavirus Treatment.</b> <i>Axios</i> reports that President Trump pressured FDA to review the unproven botanical extract as a potential coronavirus cure, after a meeting with Phoenix Biotechnology Vice Chairman Andrew Whitney arranged by My Pillow founder and CEO Mike Lindrell, a supporter of President Trump’s campaign. <sup>215</sup>
33.	July – August 2020	<b>The Administration Installs Partisans in Nonpolitical FDA Posts.</b> <i>Stat News</i> reports that President Trump installed a number of political operatives—some lacking scientific backgrounds—to key positions at FDA that are typically filled by nonpolitical civil servants. <sup>216</sup>
34.	July 10, 2020	<b>The Administration Redirects Hospitalization Data Away from CDC.</b> The <i>New York Times</i> reports that the Administration abruptly directed hospitals across the country to stop sending data on coronavirus hospitalizations to the CDC platform that hospitals had used to report data for over a decade, and instead to report the data directly to HHS through a new portal maintained by a private company. <sup>217</sup> Dr. Redfield testified to the Select Subcommittee that he “wasn’t involved in the decision” to transfer the data away from CDC and that “the Secretary’s office made the decision.” <sup>218</sup>
35.	August 2020	<b>President Trump Criticizes NIH for Moving Too Slowly on Vaccines and Therapeutics.</b> The <i>Washington Post</i> reports that the President accused NIH of moving too slowly to approve a vaccine or other treatments, including convalescent plasma, during an August call with NIH Director Francis Collins. <sup>219</sup>

	<b>Date</b>	<b>Political Interference</b>
36.	August – September 2020	<b>Administration Officials Delay Accurate Article on Hydroxychloroquine in CDC’s MMWR.</b> <i>Politico</i> reports Mr. Caputo’s team tried to halt the release of a CDC report that found “the potential benefits of [hydroxychloroquine] do not outweigh their risks.” The article was held for about a month after Mr. Caputo’s team raised questions about its authors’ political leanings, but it was finally released on September 4. <sup>220</sup>
37.	August – September 2020	<b>The Administration Pressures Dr. Fauci to Echo Administration Talking Points on Children and the Coronavirus.</b> <i>Politico</i> reports that Dr. Alexander repeatedly attempted to pressure Dr. Fauci and other NIH officials to adopt the Administration’s talking points. On August 27, Dr. Alexander made clear that he objected to Dr. Fauci’s planned interview responses, stating: “I continue to have an issue with kids getting tested and repeatedly and even university students in a widespread manner...and I disagree with Dr. Fauci on this. Vehemently.” On September 8, Dr. Alexander asked, “Can you ensure Dr. Fauci indicates masks are for the teachers in schools. Not for children.” <sup>221</sup>
38.	August 2, 2020	<b>The White House Exerts Political Pressure to Finish Vaccine Before Election Day.</b> The <i>New York Times</i> reports that Mr. Kushner directly pressured Secretary Azar to accelerate the vaccine development process, and that the White House insisted on the production of a vaccine by October 2020, prior to Election Day. <sup>222</sup>
39.	August 8, 2020	<b>An HHS Political Appointee Demands CDC Alter or Retract Scientific Articles on Children.</b> <i>Politico</i> reports that Dr. Alexander demanded that CDC Director Redfield change two published reports that Dr. Alexander claimed inflated coronavirus risks to children and undermined President Trump’s push to reopen schools. Dr. Alexander called on CDC to insert new language in a report or “pull it down and stop all reports immediately.” He also wrote: “CDC tried to report as if once kids get together, there will be spread and this will impact school re-opening. .... Very misleading by CDC and shame on them. Their aim is clear. ... This is designed to hurt this President for their reasons which I am not interested in.” <sup>223</sup> On October 2, Secretary Azar disavowed Dr. Alexander’s statements in testimony before the Select Subcommittee. <sup>224</sup>

	<b>Date</b>	<b>Political Interference</b>
40.	August 8, 2020	<b>An HHS Political Appointee Demands Changes to MMWR Publication Process to Allow for Political Interference.</b> <i>Politico</i> reports that Dr. Alexander called on CDC Director Redfield to put an “immediate stop” to all new MMWR reports, so that the agency could change its publication process to allow for Dr. Alexander to personally review the report before publication. Dr. Alexander stated, “The reports must be read by someone outside of CDC like myself, and we cannot allow the reporting to go on as it has been, for it is outrageous. Its lunacy. Nothing to go out unless I read and agree with the findings how they CDC, wrote it and I tweak it to ensure it is fair and balanced and ‘complete.’” <sup>225</sup>
41.	August 23, 2020	<b>FDA Grants an Emergency Use Authorization (EUA) for Plasma Over the Objections of Top Scientists, While Citing Misleading Evidence.</b> The <i>New York Times</i> and <i>Washington Post</i> report that the EUA for convalescent plasma occurred over the objections of Dr. Fauci and Dr. Collins, who believed insufficient data was available to determine if convalescent plasma provided a benefit. <sup>226</sup> FDA’s EUA qualified the preliminary findings regarding convalescent plasma and called for clinical trials. <sup>227</sup> FDA rushed the EUA over objections to appease President Trump, who had expressed frustration that FDA was not moving quickly enough to develop coronavirus treatments. FDA Commissioner Stephen Hahn was later forced to apologize, and the FDA’s chief spokesperson was removed after it became clear that Dr. Hahn, along with President Trump and Secretary Azar, cited grossly inaccurate statistics on the effectiveness of plasma therapy at a press conference. <sup>228</sup>
42.	August 24, 2020	<b>The Administration Alters CDC Testing Guidelines.</b> CDC abruptly changed its testing guidelines to assert, contrary to the scientific consensus, that most asymptomatic individuals exposed to a person with the virus do not need to be tested. <i>CNN</i> asked a senior CDC official whether this change was made at the direction of the White House or HHS, and the official stated, “It’s coming from the top down.” <sup>229</sup> CDC’s original guidance was later restored after the Select Subcommittee and others objected.
43.	August 24, 2020	<b>President Trump Accuses the “Deep State” FDA of Slowing Vaccine Trials Until After Election.</b> After repeatedly suggesting that a coronavirus vaccine may be released before Election Day, President Trump pressured FDA Commissioner Hahn to deliver, tweeting: “The deep state, or whoever, over at the FDA is making it very difficult for drug companies to get people in order to test the vaccines and therapeutics. Obviously, they are hoping to delay the answer until after November 3rd. Must focus on speed, and saving lives! @SteveFDA” <sup>230</sup>

	<b>Date</b>	<b>Political Interference</b>
44.	August 28, 2020	<b>HHS Cancels Contract of Consultant Who Advised FDA to Correct Misleading Statements.</b> <i>Politico</i> reports that HHS canceled the contract of consultant Wayne Pines after he advised FDA Commissioner Hahn to correct misleading statements made regarding the effectiveness of plasma therapy. HHS officials were reportedly angered by Dr. Hahn’s apology and began the process of severing Mr. Pines’ contract after learning that he aided the decision, with one official stating that Mr. Pines’ removal was “not routine.” <sup>231</sup>
45.	August 31, 2020	<b>The Administration Redirects \$265 million from CDC and FDA Budgets for a “Boondoggle” PR Campaign to “Defeat Despair” Before Election.</b> <i>Politico</i> reports the ad campaign—which Mr. Caputo said was directly ordered by President Trump—sought to release an ad blitz before Election Day featuring senior Administration officials and celebrities and highlighting the Administration’s pandemic response. <sup>232</sup> The <i>New York Times</i> reports that CDC was not been consulted on the substance of the campaign. <sup>233</sup> HHS directed a subcontract to a former business partner of Mr. Caputo. An HHS official called the effort a “boondoggle.” <sup>234</sup> After the Select Subcommittee launched an investigation, Secretary Azar testified before the Select Subcommittee on October 2, “I have ordered a strategic review of this public health education campaign that will be led by top HHS public health and communication experts to determine whether the campaign serves important public health purposes.” <sup>235</sup>
46.	Late August 2020	<b>HHS Overrides FDA and Increases the Risk of Inaccurate Coronavirus Tests Flooding the Market.</b> <i>Politico</i> reports that Secretary Azar overruled objections from FDA Commissioner Hahn to revoke the FDA’s ability to check the quality of tests developed by labs for their own use. The decision removed safeguards designed to prevent inaccurate tests from flooding the market during a public health crisis. A former HHS official told <i>Politico</i> that, “I’ve never seen such a complete political overruling of the agency.” <sup>236</sup>
47.	September 2020	<b>White House Blocks Order Requiring Masks on Public and Commercial Transit.</b> The <i>New York Times</i> reports that the White House Coronavirus Task Force blocked an order drafted by CDC requiring all passengers and employees to wear masks on all forms of public and commercial transportation, including airplanes, trains, buses, and subways, and in transit hubs such as airports, train stations, and bus depots. <sup>237</sup> CDC ultimately issued guidance on October 19 that strongly recommends the use of masks on public transit. <sup>238</sup>

	<b>Date</b>	<b>Political Interference</b>
48.	September – October 2020	<b>NIH Sidelines Dr. Bright and Rejects National Coronavirus Testing Strategy.</b> The <i>New York Times</i> reports that on October 6, Dr. Bright resigned from NIH—where he was transferred following his ouster from BARDA—after the Administration sidelined him and refused to give him meaningful work. Dr. Bright accused NIH of rejecting his proposal to develop a robust national testing infrastructure, including a plan to greatly expand testing of asymptomatic people, “because of political considerations.” <sup>239</sup> In an interview with <i>NBC News</i> , Dr. Bright stated that Dr. Collins praised his “great ideas” but told him he could not put them forward out of fear of “stepping on the toes of others in the administration who may not be ready for that.” Dr. Bright stated: “The political interference has not stopped at all. I believe it’s intensified.” <sup>240</sup>
49.	September 2, 2020	<b>President Trump Undermines FDA Independence on Vaccine Approval.</b> FDA announced guidelines to be followed before authorizing a vaccine-related EUA, including a minimum two-month period after a clinical trial and five cases of severe coronavirus in the placebo group. President Trump rejected the FDA’s attempt to implement a rigorous vaccine approval process, asserting without evidence that the plan “sounds like a political move” and that it “has to be approved by the White House. We may or may not approve it.” <sup>241</sup> The <i>New York Times</i> reported that top White House officials were blocking the guidelines and that, on September 23, Mr. Meadows “questioned the need for two months of follow-up data” and “suggested that Dr. Hahn was overly influenced by his agency’s career scientists.” <sup>242</sup> On October 6, FDA released the guidance. <sup>243</sup>
50.	September 6, 2020	<b>The White House Weakens Task Force Public Health Recommendations.</b> After months of recommending that states with active outbreaks implement mask mandates, close bars and gyms, and strictly limit gatherings, an analysis by the Select Subcommittee shows the Task Force weakened its recommendations in states where the virus is still spreading rapidly. <sup>244</sup>
51.	September 6, 2020	<b>OMB Pressures CDC to Alter Guidance for Bars and Restaurants.</b> The <i>Wall Street Journal</i> reports that Office of Management and Budget (OMB) Director Russell Vought and other OMB officials urged Dr. Redfield to remove or change social distancing guidance to bars and restaurants. The final version retained a recommendation to social distance but removed more specific language advising people to stay six feet apart if possible. <sup>245</sup>

	Date	Political Interference
52.	September 11, 2020	<b>HHS Pressures CDC to Alter Scientific Article on Mortality Rates in Children.</b> <i>Politico</i> reports that Dr. Alexander pressured CDC to alter an MMWR article regarding death rates from the coronavirus in children. Dr. Alexander wrote to Dr. Charlotte Kent, the editor-in-chief of the MMWR, claiming that defining teenagers aged 18 and older as “pediatric” was “misleading,” asserting that the document conflated the risks of the coronavirus to young children and older adolescents, and calling for multiple revisions. The final version published on September 15 contained revisions in line with those sought by Dr. Alexander. <sup>246</sup>
53.	September 15, 2020	<b>Secretary Azar Restricts the Authority of FDA and Other Health Agencies.</b> The <i>New York Times</i> reports that Secretary Azar signed a memorandum prohibiting FDA and other health agencies from signing any new rules regarding medicines, medical devices, and other products, writing that the power to do so “is reserved to the Secretary.” It is unclear what Secretary Azar intends to do with this power, but experts have raised alarm that the change could impact vaccines and therapeutics. <sup>247</sup>
54.	September 16, 2020	<b>President Trump Publicly Rebukes Dr. Redfield on Mask and Vaccine Effectiveness.</b> The <i>New York Times</i> reports that President Trump publicly rebuked Dr. Redfield after he provided scientifically accurate testimony that a vaccine would not be widely available until Summer 2021 or later and that face masks are “more guaranteed” to protect against the coronavirus than a vaccine. President Trump stated that Dr. Redfield’s comments contained “incorrect information.” Subsequently, Dr. Redfield and CDC issued statements walking back Dr. Redfield’s testimony to more closely align with the President’s views. <sup>248</sup>
55.	September 21, 2020	<b>The Administration Removed a Report on Airborne Transmission from the CDC Website.</b> On Friday, September 18, new guidance appeared on CDC’s website concluding that the coronavirus is transmitted through small particles in the air. By Monday, September 21, this guidance was removed. The sudden appearance and disappearance of scientific information has raised concerns that officials may have found the conclusions politically inconvenient. <sup>249</sup> On October 5, CDC published a statement on its website citing new evidence that the virus can “sometimes be spread by airborne transmission” beyond six feet indoors. However, the new guidance softened a previous statement referring to the coronavirus as “an airborne virus” and states that it is much more common for the virus to spread through close contact with an infected person than through airborne transmission. <sup>250</sup>

	Date	Political Interference
56.	September 29, 2020	<b>The Vice President Overrules the CDC Director on Extending Cruise Ship Ban.</b> <i>Axios</i> reports that CDC Director Redfield was overruled by Vice President Pence when he pushed to extend a no-sail order on passenger cruises until February 2021: “Public health officials have privately complained that the thwarting of Redfield on the cruise ship ban is politically motivated because the industry is a major economic presence in Florida—a key battleground state where the polls are statistically tied.” <sup>251</sup>
57.	Early October 2020	<b>President Trump Pressures FDA to Grant EUAs for Antibody Treatments.</b> The <i>Washington Post</i> reports that President Trump and Mr. Meadows have pushed FDA Commissioner Hahn to accelerate the agency’s review and grant EUAs for monoclonal antibody treatments made by Regeneron and Eli Lilly & Co. A senior official told the <i>Washington Post</i> that Dr. Hahn received multiple calls from the White House in early October, saying: “The message is clear. Let’s get it done.” On October 8, President Trump claimed that the Regeneron drug is a “cure” and “a gift from heaven” and stated, “We’re going to make them available immediately; we have an emergency use authorization that I want to get signed immediately.” <sup>252</sup>
58.	October 2020	<b>The Trump Administration Pressures FDA to Call a Vaccine EUA “Pre-Licensure.”</b> <i>Politico</i> reports that officials at HHS pressured FDA to alter the agency’s terminology to refer to an emergency use authorization of a vaccine as a “pre-licensure”—despite concerns that such terminology might mislead the public into believing that the shot was fully licensed by the FDA and had met significantly higher standards for safety and effectiveness. FDA Commissioner Hahn reportedly resisted the change in terminology, but <i>Politico</i> reported that “some believe the White House could still get involved and demand changes.” <sup>253</sup>
59.	October 2020	<b>White House Aides Press Dr. Slaoui to Echo Administration Talking Points on Vaccines.</b> The <i>Washington Post</i> reports that White House aides pressured Dr. Slaoui to speak more positively about vaccines. Two officials told the <i>Washington Post</i> that Dr. Slaoui sometimes has pushed back on the Administration’s talking points. <sup>254</sup>
60.	October 2020	<b>The Administration Pressures CDC to Endorse the Use of Border Hotels to Hold Migrant Children.</b> The <i>Washington Post</i> reports that the Trump Administration pressured career CDC officials to sign a legal declaration affirming that the use of hotels to detain migrant children is the best way to protect them from the spread of the coronavirus—even though experts say this is inaccurate. According to the <i>Washington Post</i> , CDC officials in several different offices have declined to sign the declaration, and the request was sent to Dr. Redfield. It is not clear whether Dr. Redfield signed it. <sup>255</sup>

	<b>Date</b>	<b>Political Interference</b>
61.	October 11, 2020	<p><b>White House Blocks Task Force Members from Television Appearances.</b> <i>Huffington Post</i> reports that the White House blocked Dr. Fauci and other Task Force members from appearing on multiple television news programs.<sup>256</sup> These rejections came shortly after Dr. Fauci stated, “We had a superspreader event in the White House,”<sup>257</sup> and amid reports that he did not consent to being featured in a new Trump campaign ad touting the President’s response to the coronavirus crisis.<sup>258</sup> On October 13, President Trump publicly disparaged Dr. Fauci, tweeting, “Actually, Tony’s pitching arm is far more accurate than his prognostications.”<sup>259</sup></p>

## ENDNOTES

<sup>1</sup> H. Res. 935.

<sup>2</sup> *Covid in the U.S.: Latest Map and Case Count*, New York Times (Oct. 28, 2020) (online at [www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html](http://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html)).

<sup>3</sup> *COVID-19 Is Likely to Be the Third-Leading Cause of Death in the U.S. This Year*, Healthline (Aug. 3, 2020) (online at [www.healthline.com/health-news/covid-19-third-leading-cause-of-death-in-the-united-states-this-year](http://www.healthline.com/health-news/covid-19-third-leading-cause-of-death-in-the-united-states-this-year)).

<sup>4</sup> *Hospitals Are Reeling Under a 46 Percent Spike in Covid-19 Patients*, New York Times (Oct. 27, 2020) (online at [www.nytimes.com/2020/10/27/us/coronavirus-hospitals-capacity.html](http://www.nytimes.com/2020/10/27/us/coronavirus-hospitals-capacity.html)); *U.S. Coronavirus Infections Hit Record Levels, with Hospitalizations and Deaths on the Rise*, Washington Post (Oct. 27, 2020) (online at [www.washingtonpost.com/nation/2020/10/27/coronavirus-covid-live-updates-us/](http://www.washingtonpost.com/nation/2020/10/27/coronavirus-covid-live-updates-us/)).

<sup>5</sup> *Covid in the U.S.: Latest Map and Case Count*, New York Times (Oct. 28, 2020) (online at [www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html](http://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html)).

<sup>6</sup> University of Washington, Institute for Health Metrics and Evaluation, *Total Deaths, United States of America* (online at [covid19.healthdata.org/united-states-of-america?view=total-deaths&tab=trend](http://covid19.healthdata.org/united-states-of-america?view=total-deaths&tab=trend)) (accessed Oct. 28, 2020).

<sup>7</sup> Johns Hopkins University School of Medicine, *COVID-19 Dashboard* (online at [coronavirus.jhu.edu/map.html](http://coronavirus.jhu.edu/map.html)) (accessed Oct. 28, 2020).

<sup>8</sup> Johns Hopkins University School of Medicine, *Mortality Analyses* (online at [coronavirus.jhu.edu/data/mortality](http://coronavirus.jhu.edu/data/mortality)) (accessed Oct. 28, 2020).

<sup>9</sup> *Coronavirus Has Killed More Americans than Vietnam, Korea, Iraq, Afghanistan and World War I Combined*, Newsweek (Oct. 6, 2020) (online at [www.newsweek.com/coronavirus-has-killed-more-americans-vietnam-korea-iraq-afghanistan-world-war-i-combined-1536883](http://www.newsweek.com/coronavirus-has-killed-more-americans-vietnam-korea-iraq-afghanistan-world-war-i-combined-1536883)).

<sup>10</sup> Select Subcommittee on the Coronavirus Crisis, *Briefing on “Coronavirus Testing, Tracing, and Targeted Containment: Steps to Reopen the Country”* (May 13, 2020) (online at [coronavirus.house.gov/subcommittee-activity/briefings/member-briefing-testing-tracing-and-targeted-containment](http://coronavirus.house.gov/subcommittee-activity/briefings/member-briefing-testing-tracing-and-targeted-containment)).

<sup>11</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: At Hearing on Supply Shortages, Top Officials Acknowledge Country Is Failing to Control Coronavirus* (July 2, 2020) (online at [coronavirus.house.gov/news/press-releases/hearing-supply-shortages-top-officials-acknowledge-country-failing-control](http://coronavirus.house.gov/news/press-releases/hearing-supply-shortages-top-officials-acknowledge-country-failing-control)); Select Subcommittee on the Coronavirus Crisis, *Press Release: At Hearing, White House Task Force Members Confirm Failed U.S. Response Made Coronavirus Crisis Worse* (July 31, 2020) (online at [coronavirus.house.gov/news/press-releases/hearing-white-house-task-force-members-confirm-failed-us-response-made](http://coronavirus.house.gov/news/press-releases/hearing-white-house-task-force-members-confirm-failed-us-response-made)); Select Subcommittee on the Coronavirus Crisis, *Press Release: At Hearing, Secretary Azar Refuses to Accept Trump Administration Responsibility for Deaths of Over 200,000 Americans* (Oct. 2, 2020) (online at [coronavirus.house.gov/news/press-releases/hearing-secretary-azar-refuses-accept-trump-administration-responsibility-deaths](http://coronavirus.house.gov/news/press-releases/hearing-secretary-azar-refuses-accept-trump-administration-responsibility-deaths)).

<sup>12</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: At Hearing, White House Task Force Members Confirm Failed U.S. Response Made Coronavirus Crisis Worse* (July 31, 2020) (online at [coronavirus.house.gov/news/press-releases/hearing-white-house-task-force-members-confirm-failed-us-response-made](http://coronavirus.house.gov/news/press-releases/hearing-white-house-task-force-members-confirm-failed-us-response-made)).

<sup>13</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: At Hearing, Secretary Azar Refuses to Accept Trump Administration Responsibility for Deaths of Over 200,000 Americans* (Oct. 2, 2020) (online at [coronavirus.house.gov/news/press-releases/hearing-secretary-azar-refuses-accept-trump-administration-responsibility-deaths](http://coronavirus.house.gov/news/press-releases/hearing-secretary-azar-refuses-accept-trump-administration-responsibility-deaths)).

<sup>14</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: As Coronavirus Surges, Select Subcommittee Releases White House Reports Contradicting President Trump on Testing, Masks* (Oct. 20, 2020) (online at [coronavirus.house.gov/news/press-releases/coronavirus-surges-select-subcommittee-releases-white-house](http://coronavirus.house.gov/news/press-releases/coronavirus-surges-select-subcommittee-releases-white-house)).

reports); Select Subcommittee on the Coronavirus Crisis, *Press Release: Select Subcommittee Releases Eight Weeks of Coronavirus Task Force Reports Kept Secret by the White House* (Aug. 31, 2020) (online at [coronavirus.house.gov/news/press-releases/select-subcommittee-releases-eight-weeks-coronavirus-task-force-reports-kept](https://coronavirus.house.gov/news/press-releases/select-subcommittee-releases-eight-weeks-coronavirus-task-force-reports-kept)).

<sup>15</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Select Subcommittee Finds White House Task Force Weakened Recommendations as Infection Rates Rose* (Sept. 16, 2020) (online at [coronavirus.house.gov/news/press-releases/select-subcommittee-finds-white-house-task-force-weakened-recommendations](https://coronavirus.house.gov/news/press-releases/select-subcommittee-finds-white-house-task-force-weakened-recommendations)).

<sup>16</sup> See, e.g., Select Subcommittee on the Coronavirus Crisis, *Press Release: Following Committee Action, CDC Reverses Course on Dangerously Inaccurate Coronavirus Testing Guidelines* (Sept. 19, 2020) (online at [coronavirus.house.gov/news/press-releases/following-committee-action-cdc-reverses-course-dangerously-inaccurate](https://coronavirus.house.gov/news/press-releases/following-committee-action-cdc-reverses-course-dangerously-inaccurate)); Select Subcommittee on the Coronavirus Crisis, *Press Release: Chair Clyburn Issues Statement on Senior Trump Administration Officials Leaving Roles at HHS* (Sept. 16, 2020) (online at [coronavirus.house.gov/news/press-releases/chair-clyburn-issues-statement-senior-trump-administration-officials-leaving](https://coronavirus.house.gov/news/press-releases/chair-clyburn-issues-statement-senior-trump-administration-officials-leaving)); Select Subcommittee on the Coronavirus Crisis, *Press Release: At Briefing, CDC Official Acknowledges School Guidance Fails to Capture Accurate Science on Coronavirus Risks to Children* (Oct. 22, 2020) (online at [coronavirus.house.gov/news/press-releases/briefing-cdc-official-acknowledges-school-guidance-fails-capture-accurate](https://coronavirus.house.gov/news/press-releases/briefing-cdc-official-acknowledges-school-guidance-fails-capture-accurate)).

<sup>17</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Chairs Clyburn, Waters, Maloney Seek Documents on Kodak Loan and Windfall for Executives* (Aug. 5, 2020) (online at [coronavirus.house.gov/news/press-releases/chairs-clyburn-waters-maloney-seek-documents-kodak-loan-and-windfall-executives](https://coronavirus.house.gov/news/press-releases/chairs-clyburn-waters-maloney-seek-documents-kodak-loan-and-windfall-executives)).

<sup>18</sup> *Eastman Kodak's \$765 Million U.S. Loan Agreement on Hold After Recent Allegations*, Reuters (Aug. 8, 2020) (online at [www.reuters.com/article/us-usa-eastman-kodak-deals/eastman-kodaks-765-million-u-s-loan-agreement-on-hold-after-recent-allegations-idUSKCN2540XV](https://www.reuters.com/article/us-usa-eastman-kodak-deals/eastman-kodaks-765-million-u-s-loan-agreement-on-hold-after-recent-allegations-idUSKCN2540XV)).

<sup>19</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: As Coronavirus Cases Rise, Panel Launches Investigation into Problematic Contracts for Critical Supplies* (July 15, 2020) (online at [coronavirus.house.gov/news/press-releases/coronavirus-cases-rise-panel-launches-investigation-problematic-contracts](https://coronavirus.house.gov/news/press-releases/coronavirus-cases-rise-panel-launches-investigation-problematic-contracts)).

<sup>20</sup> Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Secretary of Health and Human Services Alex M. Azar II (Aug. 12, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-08-12.Clyburn%20to%20Azar%20re%20Operation%20Warp%20Speed.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-08-12.Clyburn%20to%20Azar%20re%20Operation%20Warp%20Speed.pdf)); Select Subcommittee on the Coronavirus Crisis, *Press Release: Select Subcommittee Seeks Transparency on Conflicts of Interest and Vaccine Selection in Operation Warp Speed* (Aug. 13, 2020) (online at [coronavirus.house.gov/news/press-releases/select-subcommittee-seeks-transparency-conflicts-interest-and-vaccine-selection](https://coronavirus.house.gov/news/press-releases/select-subcommittee-seeks-transparency-conflicts-interest-and-vaccine-selection)).

<sup>21</sup> Memorandum from Majority Staff to Members of the Select Subcommittee on the Coronavirus Crisis, *Examination of States' Preparedness for the November Election* (Sept. 9, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/20200909%20Select%20Subcmte%20Staff%20Memo\\_Examination%20of%20States%27%20Preparedness%20for%20the%20November%20Election.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/20200909%20Select%20Subcmte%20Staff%20Memo_Examination%20of%20States%27%20Preparedness%20for%20the%20November%20Election.pdf)).

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<sup>120</sup> Internal Revenue Service, *News Release: IRS to Mail Special Letter to Estimated 9 Million Non-Filers, Urging Them to Claim Economic Impact Payment by Oct. 15 at IRS.gov* (Sept. 8, 2020) (online at [www.irs.gov/newsroom/irs-to-mail-special-letter-to-estimated-9-million-non-filers-urging-them-to-claim-economic-impact-payment-by-oct-15-at-irsgov](https://www.irs.gov/newsroom/irs-to-mail-special-letter-to-estimated-9-million-non-filers-urging-them-to-claim-economic-impact-payment-by-oct-15-at-irsgov)).

<sup>121</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Clyburn to Treasury and IRS: Give 9 Million Americans More Time to Claim Stimulus Checks* (Sept. 11, 2020) (online at [coronavirus.house.gov/news/press-releases/clyburn-treasury-and-irs-give-9-million-americans-more-time-claim-stimulus](https://coronavirus.house.gov/news/press-releases/clyburn-treasury-and-irs-give-9-million-americans-more-time-claim-stimulus)).

<sup>122</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Following Select Subcommittee Investigation, IRS Gives 9 Million Americans More Time to Claim Stimulus Checks* (Oct. 7, 2020) (online at [coronavirus.house.gov/news/press-releases/following-select-subcommittee-investigation-irs-gives-9-million-americans-more](https://coronavirus.house.gov/news/press-releases/following-select-subcommittee-investigation-irs-gives-9-million-americans-more)).

<sup>123</sup> Internal Revenue Service, *News Release: IRS Extends Economic Impact Payment Deadline to Nov. 21 to Help Non-filers* (Oct. 5, 2020) (online at [www.irs.gov/newsroom/irs-extends-economic-impact-payment-deadline-to-nov-21-to-help-non-filers](https://www.irs.gov/newsroom/irs-extends-economic-impact-payment-deadline-to-nov-21-to-help-non-filers)).

<sup>124</sup> Internal Revenue Service, *News Release: Now Available: IRS Form 1040-X Electronic Filing* (Aug. 17, 2020) (online at [www.irs.gov/newsroom/now-available-irs-form-1040-x-electronic-filing](https://www.irs.gov/newsroom/now-available-irs-form-1040-x-electronic-filing)).

<sup>125</sup> Letter from Principal Deputy Assistant Secretary for Legislative Affairs Frederick W. Vaughan, Department of the Treasury, to Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis (July 22, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-22%20UST%20Reply%20to%20Clyburn.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-22%20UST%20Reply%20to%20Clyburn.pdf)).

<sup>126</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Following Select Subcommittee Investigation, IRS Gives 9 Million Americans More Time to Claim Stimulus Checks* (Oct. 7, 2020) (online at [coronavirus.house.gov/news/press-releases/following-select-subcommittee-investigation-irs-gives-9-million-americans-more](https://coronavirus.house.gov/news/press-releases/following-select-subcommittee-investigation-irs-gives-9-million-americans-more)).

<sup>127</sup> Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, §§ 4022, 4024 (2020).

<sup>128</sup> Census Bureau, *Week 11 Household Pulse Survey: July 9–July 14* (July 22, 2020) (online at [www.census.gov/data/tables/2020/demo/hhp/hhp11.html](https://www.census.gov/data/tables/2020/demo/hhp/hhp11.html)).

<sup>129</sup> Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Chief Executive Officer Hugh Frater, Fannie Mae (July 27, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-27%20Clyburn%20to%20Frater.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-27%20Clyburn%20to%20Frater.pdf)).

27.Clyburn%20to%20Fannie%20Mae%20re%20CARES%20Act.pdf); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Chief Executive Officer David Brickman, Freddie Mac (July 27, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-27.Clyburn%20to%20Freddie%20Mac%20re%20CARES%20Act.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-07-27.Clyburn%20to%20Freddie%20Mac%20re%20CARES%20Act.pdf)).

<sup>130</sup> Federal Housing Finance Agency, Office of Inspector General, *Oversight by Fannie Mae and Freddie Mac of Compliance with Forbearance Requirements Under the CARES Act and Implementing Guidance by Mortgage Servicers* (July 27, 2020) (online at [www.fhfa.ig.gov/sites/default/files/OIG-2020-004.pdf](https://www.fhfa.ig.gov/sites/default/files/OIG-2020-004.pdf)).

<sup>131</sup> Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Director Mark A. Calabria, Federal Housing Finance Agency (October 16, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-10-16.Clyburn%20to%20Calabria%20re%20FHFA%20MEKC.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-10-16.Clyburn%20to%20Calabria%20re%20FHFA%20MEKC.pdf)).

<sup>132</sup> *Id.* (including homeowners with federally-backed mortgages who missed at least one monthly payment).

<sup>133</sup> *Id.*

<sup>134</sup> *U.S. Orders Eviction Moratorium for Most Through Year's End*, New York Times (Sept. 1, 2020) (online at [www.nytimes.com/2020/09/01/business/eviction-moratorium-order.html](https://www.nytimes.com/2020/09/01/business/eviction-moratorium-order.html)).

<sup>135</sup> Centers for Disease Control, *HHS/CDC Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19: Frequently Asked Questions* (Oct. 9, 2020) (online at [www.cdc.gov/coronavirus/2019-ncov/downloads/eviction-moratoria-order-faqs.pdf](https://www.cdc.gov/coronavirus/2019-ncov/downloads/eviction-moratoria-order-faqs.pdf)).

<sup>136</sup> *Corporate Landlords Are Still Filing Eviction Cases After CDC Order, Data Show*, Vice News (Sept. 28, 2020) (online at [www.vice.com/en/article/m7jz43/corporate-landlords-are-still-filing-eviction-cases-after-cdc-order-data-show](https://www.vice.com/en/article/m7jz43/corporate-landlords-are-still-filing-eviction-cases-after-cdc-order-data-show)); *Pittsburgh-Area Apartment Complex the Alden South Hills Seeking Large-Scale Evictions*, Pittsburgh City Paper (Oct. 21, 2020) (online at [www.pghcitypaper.com/pittsburgh/pittsburgh-area-apartment-complex-the-alden-south-hills-seeking-large-scale-evictions/Content?oid=18223682](https://www.pghcitypaper.com/pittsburgh/pittsburgh-area-apartment-complex-the-alden-south-hills-seeking-large-scale-evictions/Content?oid=18223682)).

<sup>137</sup> H.R. 6800; H.R. 925.

<sup>138</sup> See National Community Reinvestment Coalition, *NCRC Joins with over 50 Groups in Support of Mortgage Relief in Next Covid-19 Relief Package* (July 30, 2020) (online at [nrc.org/letter-to-congress-letter-from-over-50-groups-in-support-of-mortgage-relief-in-next-covid-19-relief-package/](https://nrc.org/letter-to-congress-letter-from-over-50-groups-in-support-of-mortgage-relief-in-next-covid-19-relief-package/)).

<sup>139</sup> H.R. 925.

<sup>140</sup> Federal Housing Finance Agency, *News Release: FHFA Suspends Foreclosures and Evictions for Enterprise-Backed Mortgages* (Mar. 18, 2020) (online at [www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Suspends-Foreclosures-and-Evictions-for-Enterprise-Backed-Mortgages.aspx](https://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Suspends-Foreclosures-and-Evictions-for-Enterprise-Backed-Mortgages.aspx)); Federal Housing Finance Agency, *News Release: FHFA Announces Payment Deferral as New Repayment Option for Homeowners in COVID-19 Forbearance Plans* (May 13, 2020) (online at [www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Announces-Payment-Deferral-as-New-Repayment-Option-for-Homeowners-in-COVID-19-Forbearance-Plans.aspx](https://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Announces-Payment-Deferral-as-New-Repayment-Option-for-Homeowners-in-COVID-19-Forbearance-Plans.aspx)).

<sup>141</sup> Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, §§ 1102, 1106 (2020).

<sup>142</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Select Subcommittee Launches Investigation into Disbursement of PPP Funds* (June 15, 2020) (online at [coronavirus.house.gov/news/press-releases/select-subcommittee-launches-investigation-disbursement-ppp-funds](https://coronavirus.house.gov/news/press-releases/select-subcommittee-launches-investigation-disbursement-ppp-funds)).

<sup>143</sup> Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Greg Baer, President and Chief Executive Officer, Bank Policy Institute (Sept. 10, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-10.Clyburn%20to%20Baer%20re%20BPI\\_.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-10.Clyburn%20to%20Baer%20re%20BPI_.pdf)); Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Richard Hunt, President and Chief Executive Officer, Consumer Bankers Association (Sept. 10, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-10.Clyburn%20to%20Hunt%20re%20CBA\\_.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-10.Clyburn%20to%20Hunt%20re%20CBA_.pdf)).

<sup>144</sup> The Select Subcommittee sent letters to the largest PPP lenders as well as lenders that were the subject of public reporting indicating that they created a two-tier system for processing PPP loan applications.

<sup>145</sup> See Staff, Select Subcommittee on the Coronavirus Crisis, *Preliminary Analysis of Paycheck Protection Program Data* (Sept. 1, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-01.PPP%20Interim%20Report.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-01.PPP%20Interim%20Report.pdf)); Staff, Select Subcommittee on the Coronavirus Crisis, *Underserved and Unprotected: How the Trump Administration Neglected the Neediest Small Businesses in the PPP* (Oct. 16, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/PPP%20Report%20Final%20%283%29.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/PPP%20Report%20Final%20%283%29.pdf)).

<sup>146</sup> See Staff, Select Subcommittee on the Coronavirus Crisis, *Underserved and Unprotected: How the Trump Administration Neglected the Neediest Small Businesses in the PPP* (Oct. 16, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/PPP%20Report%20Final%20%283%29.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/PPP%20Report%20Final%20%283%29.pdf)).

<sup>147</sup> See Staff, Select Subcommittee on the Coronavirus Crisis, *Preliminary Analysis of Paycheck Protection Program Data* (Sept. 1, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-01.PPP%20Interim%20Report.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-01.PPP%20Interim%20Report.pdf)). The total number and value of potentially fraudulent identified include all loans referenced in this report, excluding any duplicate loans.

<sup>148</sup> Letter from Chairman James E. Clyburn, Select Subcommittee on the Coronavirus Crisis, to Inspector General Hannibal “Mike” Ware, Small Business Administration, and Acting Inspector General Richard K. Delmar, Department of the Treasury (Sept. 1, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-01.Clyburn%20to%20Ware%20and%20Delmar%20re%20SBA%20OIG%20.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-09-01.Clyburn%20to%20Ware%20and%20Delmar%20re%20SBA%20OIG%20.pdf)).

<sup>149</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Clyburn to Mnuchin, Powell: “Implement Main Street Lending Program to Support Economic Recovery”* (Aug. 6, 2020) (online at [coronavirus.house.gov/news/press-releases/clyburn-mnuchin-powell-implement-main-street-lending-program-support-economic](https://coronavirus.house.gov/news/press-releases/clyburn-mnuchin-powell-implement-main-street-lending-program-support-economic)).

<sup>150</sup> Staff, Select Subcommittee on the Coronavirus Crisis, *Prioritizing Wall Street: The Fed’s Corporate Bond Purchases During the Coronavirus Pandemic* (Sept. 23, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20%289-23-2020%29\\_FINAL.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20%289-23-2020%29_FINAL.pdf)).

<sup>151</sup> Board of Governors of the Federal Reserve System, *Press Release: Federal Reserve Announces Extensive New Measures to Support the Economy* (Mar. 23, 2020) (online at [www.federalreserve.gov/newsevents/pressreleases/monetary20200323b.htm](https://www.federalreserve.gov/newsevents/pressreleases/monetary20200323b.htm)).

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<sup>153</sup> Staff, Select Subcommittee on the Coronavirus Crisis, *Prioritizing Wall Street: The Fed’s Corporate Bond Purchases During the Coronavirus Pandemic* (Sept. 23, 2020) (online at [coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20%289-23-2020%29\\_FINAL.pdf](https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/Staff%20Report%20%289-23-2020%29_FINAL.pdf)).

<sup>154</sup> Board of Governors of the Federal Reserve System, *Periodic Report: Update on Outstanding Lending Facilities Authorized by the Board Under Section 13(3) of the Federal Reserve Act (PDF), MSNLF Transaction-Specific Disclosures (XLSX)* (Oct. 8, 2020) (online at [www.federalreserve.gov/monetarypolicy/mainstreetlending.htm](https://www.federalreserve.gov/monetarypolicy/mainstreetlending.htm)).

<sup>155</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Clyburn to Mnuchin, Powell: “Implement Main Street Lending Program to Support Economic Recovery”* (Aug. 6, 2020) (online at [coronavirus.house.gov/news/press-releases/clyburn-mnuchin-powell-implement-main-street-lending-program-support-economic](https://coronavirus.house.gov/news/press-releases/clyburn-mnuchin-powell-implement-main-street-lending-program-support-economic)).

<sup>156</sup> Briefing by Andreas Lehnert, Director, Division of Financial Stability, Board of Governors of the Federal Reserve System, and Adam Lerrick, Counselor to the Secretary, Department of the Treasury, to Staff, Select Subcommittee on the Coronavirus Crisis (Sept. 11, 2020).

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<sup>159</sup> Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, § 4112(a) (2020).

<sup>160</sup> Select Subcommittee on the Coronavirus Crisis, *Press Release: Committees Launch Investigation into Waste and Abuse in Treasury's Payroll Support Program* (July 29, 2020) (online at [coronavirus.house.gov/news/press-releases/committees-launch-investigation-waste-and-abuse-treasury-s-payroll-support](http://coronavirus.house.gov/news/press-releases/committees-launch-investigation-waste-and-abuse-treasury-s-payroll-support)).

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<sup>164</sup> 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 [coronavirus.house.gov/news/press-releases/clyburn-secures-commitment-aviation-contractors-preserve-over-30000-jobs](http://coronavirus.house.gov/news/press-releases/clyburn-secures-commitment-aviation-contractors-preserve-over-30000-jobs)).

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<sup>168</sup> *Health Chief's Early Missteps Set Back Coronavirus Response*, Wall Street Journal (Apr. 22, 2020) (online at [www.wsj.com/articles/health-chiefs-early-missteps-set-back-coronavirus-response-11587570514](http://www.wsj.com/articles/health-chiefs-early-missteps-set-back-coronavirus-response-11587570514)).

<sup>169</sup> *How Jared Kushner's Secret Testing Plan "Went Poof into Thin Air,"* Vanity Fair (July 30, 2020) (online at [www.vanityfair.com/news/2020/07/how-jared-kushners-secret-testing-plan-went-poof-into-thin-air](http://www.vanityfair.com/news/2020/07/how-jared-kushners-secret-testing-plan-went-poof-into-thin-air)).

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<sup>171</sup> *Official: White House Didn't Want to Tell Seniors Not to Fly*, Associated Press (Mar. 7, 2020) (online at [apnews.com/article/921ad7f1f08d7634bf681ba785faf269](http://apnews.com/article/921ad7f1f08d7634bf681ba785faf269)).

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