

Congress of the United States

Washington, DC 20515

May 11, 2021

Dr. Rochelle Walensky
Director
Centers for Disease Control and Prevention
395 E. Street, S.W., Suite 9100
Washington, D.C. 20201

Dear Dr. Walensky:

We are conducting oversight over reported improper outside influence on the Centers for Disease Control and Prevention (CDC) guidance entitled “*Operational Strategy for K-12 Schools through Phased Prevention*” (Operational Strategy) by the American Federation of Teachers (AFT), a political union representing teachers nationwide. The AFT does not represent scientists and is a political group, not a group committed to medical science.

President Joe Biden set a goal of fully reopening the majority of K-12 schools five days a week during his first 100 days in office.¹ As of April 19, 2021, 47 percent of school districts are educating America’s children in the classroom five days a week, which means President Biden is failing to stand up and fight for the educational needs of children in more than half of America’s schools.² What is just as alarming is that this failure was preceded by—and perhaps aided by—the AFT apparently pressuring the CDC to amend its school reopening guidance to exclude full reopening of classrooms.³ President Biden promised his Administration would follow “science and truth.”⁴ Again, President Biden failed America’s children when he bowed down to the bosses at the AFT rather than following the science and standing up for what is best for young students. The lives and education of America’s children must be governed by medical science, not political science.

On February 12, 2021, the CDC released the Operational Strategy.⁵ Unfortunately, this guidance did not prioritize the return to full in-person learning but, at the time, advised keeping

¹ Morgan Chalfant, *Bidens says goal is to reopen schools five days a week in first 100 days*, THE HILL (Feb. 16, 2021), <https://thehill.com/homenews/administration/539134-biden-says-goal-is-to-reopen-schools-five-days-a-week-in-first-100>.

² *Return 2 Learn Tracker*, AMERICAN ENTERPRISE INSTITUTE (last accessed May 3, 2021), https://www.returntolearnt tracker.net/?mkt_tok=NDc1LVBCUS05NzEAAAF8t_gpZbLCDa3DHCiHar4_Dhc6fdWUe0NafLWIdgOZYt0OUf6lLpwH8xKAy88chlWwAXkzKkDB8jORDxO3Z1SIRK0aWHTkH-3sgZV3nspQBtu5.

³ Jon Levine, *Powerful teachers union influenced CDC on school reopenings, emails show*, N.Y. POST (May 1, 2021), <https://nypost.com/2021/05/01/teachers-union-collaborated-with-cdc-on-school-reopening-emails/>.

⁴ Adam Cancryn & Tyler Pager, *Biden’s follow-the-science mantra on school meets political reality*, POLITICO (Feb. 13, 2021), <https://www.politico.com/news/2021/02/13/biden-covid-schools-468979>.

⁵ OPERATIONAL STRATEGY FOR K-12 SCHOOLS THROUGH PHASED PREVENTION, U.S. CENTS. FOR DISEASE CONTROL & PREVENTION (last accessed May 3, 2021), https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html#anchor_1616080121423.

more than 90 percent of schools closed.⁶ This absurdity was primarily driven by the CDC’s decision to tie reopening schools to the severity of community transmission, a decision widely criticized by medical professionals.⁷

On April 15, 2021, Dr. Anthony Fauci, President Biden’s Chief Medical Advisor, testified, “[t]he psychological effects of keeping children out of school are well known. It definitely is not something that is favorable for children. It is much to their advantage to be in school.”⁸ Dr. Syra Madad, Senior Director of the Systemic Special Pathogens Program at New York City Health + Hospitals, said, “[s]omething we know one year out in this pandemic is that you can keep schools safe even if you have high rates of community transmission...those benchmarks will probably put more pressure on schools than needed.”⁹ Dr. Marty Makary, Chief of the Johns Hopkins University Islet Transplant Surgery Center, said the CDC guidance “further harm[s] children by creating overly burdensome recommendations” and “def[ies] science.”¹⁰ Additionally, Dr. Bill Schaffner, an epidemiologist at Vanderbilt University and member of the CDC’s Morbidity and Mortality Weekly Report (MMWR) editorial board, said the community transmission metrics were overly restrictive and schools needed to reopen immediately.

Yet many local jurisdictions refuse to fully re-open, citing the CDC guidance as a crutch. We now know this guidance, was influenced, and possibly even written, by the AFT.¹¹

Education professionals—though not, apparently, the AFT—also agree that in-person learning is critical for American students. Just last week the U.S. Education Secretary, Miguel Cardona, stated “[i]n-person learning offers our young people the best opportunity to develop their passions, bond with their peers, and thrive.”¹² Dr. Cardona also issued a challenge to “every state and every school district to embrace that shared goal and provide as many students as possible with safe in-person learning this spring.”¹³

According to emails obtained by Americans for Public Trust, the AFT was provided a pre-release copy of the Operational Strategy.¹⁴ The pre-release version, written prior to the influence of the AFT, stated that schools could provide in-person education *regardless of*

⁶ Will Feuer, *CDC’s classroom guidance would keep 90% of schools at least partially closed*, CNBC (Feb. 18, 2021), <https://www.cnbc.com/2021/02/18/cdcs-classroom-guidance-would-keep-90percent-of-schools-at-least-partially-closed.html>.

⁷ *Id.*

⁸ *Reaching the Light at the End of the Tunnel: A Science-Drive Approach to Swiftly and Safely Ending the Pandemic: Hearing Before the Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform*, 117th (Apr. 15, 2021) (statement by Dr. Anthony Fauci, Chief Medical Advisor, President Biden).

⁹ *Id.*

¹⁰ Marty Makary, *CDC’s new COVID school guidelines are scientifically flawed and our kids will pay the price*, FOX NEWS (Feb. 18, 2021), <https://www.foxnews.com/opinion/cdc-covid-school-guidelines-flawed-kids-marty-makary>.

¹¹ Levine, *supra* note 4.

¹² Secretary Miguel Cardona (@SecCardona), Twitter (Apr. 27, 2021, 12:02 P.M.), <https://twitter.com/SecCardona/status/1387074560193744902>.

¹³ Secretary Miguel Cardona (@SecCardona), Twitter (Apr. 30, 2021, 10:20 A.M.), <https://twitter.com/SecCardona/status/1388136262389964801>.

¹⁴ *Id.*

community transmission.¹⁵ But the AFT was able to successfully bully the public health experts at the CDC into politicizing the guidance—in fact, the AFT’s exact suggested language appeared in CDC’s final guidance.¹⁶ Dr. Monica Gandhi, a professor of medicine at the University of California–San Francisco said this peddling of influence by the AFT, and the willingness to accept it by the CDC, is “very, very troubling.”¹⁷ We agree.

It is unclear how many children were locked out of classrooms and negatively impacted by this disturbing change.

When the Operational Strategy was released, you said, “I can assure you [the Operational Strategy] is free from political meddling.”¹⁸ That, however, does not appear to be the case. The AFT’s mission statement includes “political activism” and the AFT has routinely lobbied for and donated to Democrats.¹⁹ During the 2020 election cycle, the AFT spent nearly \$20 million, including more than \$5 million to the Senate Democrats’ Political Action Committee (PAC) and more than \$4.5 million to the House Democrats’ PAC.²⁰ In fact, the top 300 recipients of AFT donations are all Democrat groups or candidates.²¹ Any AFT involvement in official CDC health guidance, such as the Operational Strategy, is the very definition of political meddling and should not be tolerated. It is shocking that Democrats are allowing special interest groups, like the AFT, to alter scientific guidance to the detriment of our nation’s children.

Since the formation of the Select Subcommittee on the Coronavirus Crisis (Select Subcommittee) last Congress, Chairman Clyburn and Select Subcommittee Democrats have unilaterally issued seven oversight letters and a subpoena regarding alleged political interference at the CDC during the Trump Administration.²² The Democrats claimed predicate for this review was “attempt[s] [by government officials] to alter...critical scientific reports from [the] CDC.”²³ Here, Select Subcommittee Democrats are conspicuously silent regarding this example of influence by an outside political donor. Republicans will not stand by and allow Democrats to play politics with the educational future of our children’s education.

We request the following documents and information as soon as possible but no later than May 25, 2021:

¹⁵ *Id* (emphasis added).

¹⁶ *Id*.

¹⁷ *Id*.

¹⁸ Levine, *supra* note 4.

¹⁹ *Take Action*, AMERICAN FEDERATION OF TEACHERS (last accessed May 3, 2021), <https://www.aft.org/action>; *American Federation of Teachers PAC Profile*, OPENSECRETS (last accessed May 3, 2021), <https://www.opensecrets.org/political-action-committees-pacs/american-federation-of-teachers/C00028860/summary/2020>

²⁰ *Id*.

²¹ *Id*.

²² *See generally Letters*, SELECT SUBCOMM. ON THE CORONAVIRUS CRISIS (last accessed May 3, 2021), <https://coronavirus.house.gov/news/letters>.

²³ Letter from James E. Clyburn, et. al., Chairman, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Alex M. Azar II, Sec’y, U.S. Dep’t of Health & Human Services, and Robert R. Redfield, Director, U.S. Cents. for Disease Control and Prevention (Sep. 14, 2020).

Dr. Rochelle Walensky

May 11, 2021

Page 4

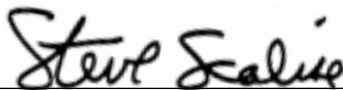
1. All communications sent or received by Director Walensky regarding the February 12, 2021 guidance entitled “*Operational Strategy for K-12 Schools through Phased Prevention*” released by CDC;
2. All communications sent or received between any employee of the CDC and any employee of the AFT;
3. All drafts of the Operational Strategy including, but not limited to, any draft provided to non-federal government entities or CDC stakeholders for comment;
4. A complete list of all non-federal government entities or CDC stakeholders that were provided a draft or pre-release copy of the Operational Strategy;
5. All documents and communications in preparation for, and resulting from, any phone call between Director Walensky and the AFT; and
6. A complete list, including name, date, and full list of attendees, of all non-federal government entities or CDC stakeholders that met²⁴ with Director Walensky or any employee of the CDC regarding the Operational Strategy.

In addition to the above documents and information, we request a staff-level briefing on the drafting, formulation, and publication of the February 12, 2021 version of the Operational Strategy as soon as possible but no later than May 18, 2021.

The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Further, the Select Subcommittee on the Coronavirus Crisis is empowered to investigate the “preparedness for and response to the coronavirus crisis, including...containment, mitigation, and surveillance activities.”²⁵

Thank you in advance for your cooperation with this inquiry.

Sincerely,



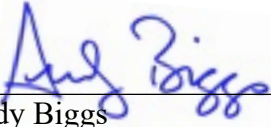
Steve J. Scalise
Ranking Member
Select Subcommittee on the Coronavirus Crisis



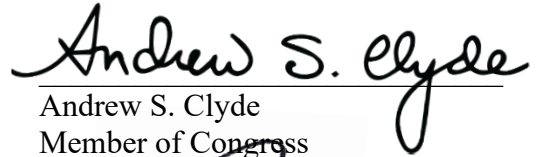
James R. Comer
Ranking Member
Committee on Oversight and Reform

²⁴ “Met with” includes any in person meeting, telephonic meeting, or video conference meeting.

²⁵ H. Res. 935 § 3(a)(4) (2020).



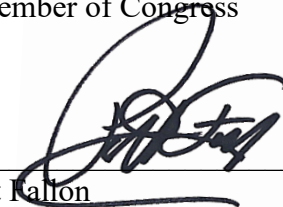
Andy Biggs
Member of Congress



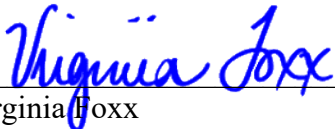
Andrew S. Clyde
Member of Congress



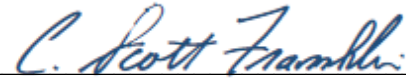
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Member of Congress



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Member of Congress



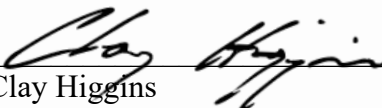
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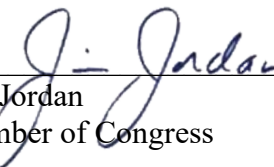
Yvette Herrell
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Dr. Rochelle Walensky

May 11, 2021

Page 6



Fred Keller
Member of Congress



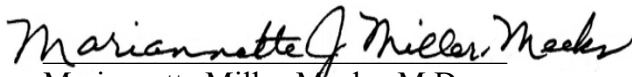
Jake LaTurner
Member of Congress



Nancy Mace
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Nicole Malliotakis
Member of Congress



Mariannette Miller-Meeks, M.D.
Member of Congress



Ralph Norman
Member of Congress



Pete Sessions
Member of Congress

cc: The Honorable James E. Clyburn, Chairman
Select Subcommittee on the Coronavirus Crisis

The Honorable Carolyn B. Maloney
Committee on Oversight and Reform