



House Select Subcommittee on the Coronavirus Crisis

Hybrid Hearing with Health and Human Services Secretary Alex M. Azar II

October 2, 2020

9:00 AM Hybrid in person/remote hearing

2154 Rayburn House Office Building

Purpose

The purpose of this hearing is to examine actions taken by the Secretary of HHS in response to the COVID-19 pandemic.

Members Present

Chairman Clyburn, Ranking member Scalise, Representatives Green, Waters, Luetkemeyer, Maloney, Walorski, Velazquez, Foster, Jordan, Raskin, Kim

Witnesses

The Honorable Alex M. Azar II, Secretary, Department of Health and Human Services

Opening Statements

Chairman Clyburn said that President Trump's response to the COVID-19 pandemic has been a failure of epic proportions. While the President claims that he has saved millions of lives, the US has lost more citizens than any other country in the world. The response has been simply unacceptable. Chairman Clyburn gave a tribute to several Americans who have lost their lives as a result of COVID-19. Since the beginning of the pandemic, President Trump has tried to play down the severity. Rather than implement a national testing strategy, the White House deferred to the states. This is because it is easier to blame Democratic governors for COVID-19 deaths as part of a political messaging campaign. The White House also refused to procure and distribute personal protective equipment (PPE) to areas in need. Thus, states were forced to compete with each other, creating a ruthless marketplace. HHS then went on to recommend that asymptomatic individuals forgo testing even when coming into contact with a known positive case. Now, the administration seems intent on politicizing a vaccine.

Ranking member Scalise said that Republicans will be releasing Trump's 'Whole of America' response plan. Many people choose to believe that this plan does not exist, but that is simply not true. The plan covers so many things, from how to protect yourself as an individual to how to reopen schools. Just because someone does not want to read a plan, does not mean that the plan does not exist. This administration has taken quick and decisive action to combat the pandemic. This includes actions to distribute PPE, secure additional diagnostic tests, and invoke the Defense Production Act (DPA). It is also true that many of the nation's failures have occurred at the state level. Democratic Governors ignored guidelines set by the Trump Administration and forced sick patients into residential nursing homes. These actions led to the unnecessary loss of so many lives. Unfortunately,

details around this decision are still murky. The Democratic Governors must be held accountable. President Trump and the plan created by his administration have led Americans to be safer and healthier. This plan is the gold standard of plans.

Testimony

Secretary Azar said that Congress has provided tremendous support during these unprecedented times. Thanks to the heroism of so many front line health care workers, the nation is making progress. The highest priority is to ensure that all of the efforts undertaken by HHS are data driven and follow the rule of law. No institution is infallible, but Americans deserve to know that actions coming out of the agencies are grounded in science and evidence. Of course, this extends to the approval of a COVID-19 vaccine. The nation is getting closer and closer to being able to distribute a vaccine, all thanks to American scientists. This development started early, and it is clear that that was a good thing. Industrial scale manufacturing has begun for all of the vaccines in which the US has invested. The Department and this Administration remain dedicated to providing relief to the American people. None of the progress that has been made would be possible without the American people.

Questions and Answers

Chairman Clyburn asked why the United States has ranked so poorly in its coronavirus response, when compared to other countries. **Secretary Azar** said that this administration regrets any loss of life. But people do die in pandemics. What motivates everyone in this administration is the possibility to save any of those lives. If this administration had not taken early and decisive action, more people would have died. Meanwhile, excess death rates since April have been substantially lower in the US than in many other European countries.

Ranking member Scalise asked if decisions made by this administration were based on scientific input. **Secretary Azar** said that he worked with Trump early on while tough decisions were being made. All of the decisions that were made were based on sound science. **Ranking member Scalise** asked if any corners have been cut when developing a vaccine. **Secretary Azar** said no. **Ranking member Scalise** asked if more deaths would occur if people were suspicious of the vaccine. **Secretary Azar** said yes. It would be a terrible disservice to public health.

Rep. Waters asked Secretary Azar to describe the increase of COVID-19 in the US. **Secretary Azar** said most of the increases are occurring in the upper mid-west and further west. These states include Montana, Wisconsin, North Dakota, and Nebraska. All of the data is available at coronavirus.gov. **Rep. Waters** asked if Trump rallies, where individuals do not practice social distancing and mask wearing contributes to the spread of COVID-19. **Secretary Azar** said that he recommends everyone wear a mask and practice social distancing. **Rep. Waters** asked if Secretary Azar has ever encouraged President Trump to be a role model and wear a mask. **Secretary Azar** said that he will not discuss his conversations with the President. **Rep. Waters** asked if Secretary Azar was proud of his response to the COVID-19 pandemic. **Secretary Azar** said he does not like to speak in those terms. **Rep. Waters** asked why money has been diverted from DPA to build ships rather than PPE. **Secretary Azar** said he is not in charge of that decision. But the DPA has been utilized.

Rep. Luetkemeyer asked if the initial shut downs saved lives. **Secretary Azar** said yes. **Rep. Luetkemeyer** asked what the current testing positivity rate is. **Secretary Azar** said about 4.4%. **Rep. Luetkemeyer** asked if this is an increase or a decrease. **Secretary Azar** said decrease. **Rep. Luetkemeyer** asked what percentage of patients who require hospitalization pass away. **Secretary Azar** said it depends on the age group. For those aged 70 and above, the mortality rate is about 5.5%. **Rep. Luetkemeyer** asked if that is an increase or a decrease since the beginning of the pandemic. **Secretary Azar** said it is a decrease. **Rep. Luetkemeyer** asked if the guidance's set by the administration are effective. **Secretary Azar** said yes.

Rep. Maloney asked if Secretary Azar authorized the publication of a guidance published on the CDC website that advised asymptomatic people who have some into contact with a known positive case to not get tested. **Secretary Azar** said that the guidance simply stated that asymptomatic close contacts 'do not necessarily' need to get tested. No one was ever told to not get tested. The point is that a negative test is not a get out of jail card. **Rep. Maloney** asked who was responsible for that guidance. **Secretary Azar** said that Dr. Redfield is the head of the CDC.

Rep. Walorski asked if it is safe to say that every American will be able to get a vaccine once it is approved. **Secretary Azar** said yes. Everyone who it is indicated for will be able to get one. **Rep. Walorski** asked if Operation Warp Speed has skipped any safety steps in vaccine development. **Secretary Azar** said no. **Rep. Walorski** asked if the vaccine approval process will be interfered with politically. **Secretary Azar** said no. **Rep. Walorski** asked if Joe Biden's statements on the vaccine approval process sow doubt among American citizens. **Secretary Azar** said that he does not want to make any political comments, but it is inappropriate to undermine confidence in the FDA. **Rep. Walorski** asked if Joe Biden should be undermining the confidence in public health experts. **Secretary Azar** said no.

Rep. Velazquez asked if there is a value in wearing masks. **Secretary Azar** said yes. **Rep. Velazquez** asked what Secretary Azar's opinion is of the fact that the first family does not wear a mask. **Secretary Azar** said that his advice is the same to everyone. Masks are important. Of course, there are sensitivities around the first family. **Rep. Velazquez** asked if President Trump asked Secretary Azar to slow down testing. **Secretary Azar** said that he will not discuss his conversations with the president. **Rep. Velazquez** asked what the situation is right now regarding infections in nursing homes. **Secretary Azar** said that HHS has published a list of nursing homes that have an excess amount of cases. **Rep. Velazquez** asked if it is true that half of the cases in nursing homes have occurred in states with Republican governors. **Secretary Azar** said that he did not know.

Rep. Foster asked if HHS will commit to providing full and prompt access by the GAO to conduct real time oversight into Operation Warp Speed. **Secretary Azar** said yes. **Rep. Foster** asked if vaccine hesitancy was made worse by political interference over hydroxychloroquine. **Secretary Azar** said that he will not discuss that matter. **Rep. Foster** asked if vaccine hesitancy was made worse by a recent mistake made over convalescent plasma. **Secretary Azar** said there was an honest statistical mistake that was made. **Rep. Foster** asked if government scientists are trying to delay the production of a vaccine. **Secretary Azar** said no.

Rep. Jordan asked if states can safely open up their economy. **Secretary Azar** said yes, and states should do this. **Rep. Jordan** asked if Florida or New York have more people. **Secretary Azar** said they are roughly the same. **Rep. Jordan** asked which state has more seniors. **Secretary Azar** said Florida. **Rep. Jordan** asked which state has more seniors in nursing homes. **Secretary Azar** said New York. **Rep. Jordan** asked which state has more seniors in the hospital as a result of COVID-19. **Secretary Azar** said New York. **Rep. Jordan** asked which state had more of their residents pass away from COVID-19. **Secretary Azar** said New York. **Rep. Jordan** asked if that is because New York did not follow the guidelines put out by the Trump Administration. **Secretary Azar** said that it could be.

Rep. Raskin asked if the administration's plan has been a success or a failure. **Secretary Azar** said that it is not useful or appropriate to categorize this situation as either a success or a failure. **Rep. Raskin** asked here is anything more the administration could have done to save lives. **Secretary Azar** said that he wakes up every day thinking about how he can help save lives. **Rep. Raskin** asked if masks are an important public health tool. **Secretary Azar** said yes. **Rep. Raskin** asked if Secretary Azar was aware of the efforts to stop the plan to send masks to every single American. **Secretary Azar** said masks were sent out but they were sent out in a targeted manner.

Rep. Kim asked how many Americans have lost their health insurance since the start of the pandemic. **Secretary Azar** said several million. **Rep. Kim** asked if it is a critical part of Secretary Azar's job to make sure Americans have health insurance. **Secretary Azar** said yes. **Rep. Kim** asked if Secretary Azar would consider opening up the ACA right now for those that did not lose insurance due to employment changes. **Secretary Azar** said no, the provider relief fund pays for COVID-19 treatment for those who are uninsured. **Rep. Kim** asked if the ACA should be repealed. **Secretary Azar** said that his view is not relevant. **Rep. Kim** asked why the administration is moving forward with its effort to repeal the ACA. **Secretary Azar** said the litigation position is a statutory construction of constitutional position.

Round II

Chairman Clyburn asked if HHS has fulfilled its mission during the pandemic. **Secretary Azar** said yes. **Chairman Clyburn** asked if Secretary Azar will renounce political interference and guarantee that it will not happen. **Secretary Azar** said yes.

Ranking member Scalise asked if there is an increase in the ability to treat people who are COVID positive. **Secretary Azar** said yes. The new treatments available have been nothing short of revolutionary. **Ranking member Scalise** asked if it is a part of Trump's plan that vaccines are being developed in preparation of distribution upon approval. **Secretary Azar** said this is unique to Trump's vaccine plan. **Ranking member Scalise** asked if a vaccine has ever been developed this quickly. **Secretary Azar** said no. **Ranking member Scalise** asked if Secretary Azar has seen New York's vaccine approval process. **Secretary Azar** said that he is alarmed by Governor Cuomo's comments on having a separate vaccine approval process. **Ranking member Scalise** asked if New York has an individual state testing plan. **Secretary Azar** said no. There is one federal testing plan.

Rep. Velazquez asked if Secretary Azar was involved in instructing the CDC to issue new guidance on opening schools. **Secretary Azar** said that he was not aware of any instruction. **Rep. Velazquez** asked if it is appropriate for political advisors to write public health guidance.

Secretary Azar said that it is appropriate for everyone to contribute to the best of their ability. **Rep. Velazquez** asked if children can transmit the coronavirus. **Secretary Azar** said yes. **Rep. Velazquez** asked if the coronavirus spreads faster in poorly ventilated areas. **Secretary Azar** said he is not sure. **Rep. Velazquez** asked if Secretary Azar was aware that many schools needed an upgraded ventilation system. **Secretary Azar** said that he has heard this before. **Rep. Velazquez** asked if there is enough money to upgrade every schools ventilation system. **Secretary Azar** said that he is not sure. **Rep. Velazquez** asked what testing guidelines are recommended for schools. **Secretary Azar** said that HHS recommends the testing of asymptomatic close contacts.

Rep. Luetkemeyer asked how to improve telehealth services. **Secretary Azar** said that telehealth has been a truly patient centered change. These services connect people to care and reduce the cost of care. Congress needs to act on this because not everything can be enshrined in regulation. **Rep. Luetkemeyer** asked what therapies are being created now. **Secretary Azar** said there are new developments surrounding monoclonal antibodies. **Rep. Luetkemeyer** asked what an Emergency Use Authorization (EUA) is. **Secretary Azar** said that an EUA can bring a product to market faster with enhanced long-term safety studies.

Rep. Waters asked what contradictions around the timeline of a vaccine does to the credibility of the process. **Secretary Azar** said that the president is trying to inspire hope in Americans. To be clear, nothing will be approved without clear scientific data. **Rep. Waters** asked if it is helpful when the president makes vaccine timeline predictions. **Secretary Azar** said that the results will all be driven by data. **Rep. Waters** asked if Secretary Azar believes Moderna when they say that they will not be ready to seek EUA until the latter part of November. **Secretary Azar** said yes, because of their study timeline. **Rep. Waters** asked if there is a contradiction between what President Trump says versus what Moderna says. **Secretary Azar** said no.

Rep. Maloney asked if it is true that the President demanded that Michael Caputo divert funds from HHS and CDC to pursue ad campaign contracts. **Secretary Azar** said that he has ordered a strategic review of this campaign. **Rep. Maloney** asked if it is inappropriate for political appointees to pursue contracts with former coworkers. **Secretary Azar** said these contracts are designed to promote a public health campaign.

Rep. Walorski asked if fewer Americans would have died if China shared the virus sequence earlier. **Secretary Azar** said yes. **Rep. Walorski** asked if fewer Americans would have died if China didn't lie about human transmission. **Secretary Azar** said yes. **Rep. Walorski** asked if fewer Americans would have died if China did not hoard PPE. **Secretary Azar** said yes. **Rep. Walorski** asked if fewer Americans would have died if China had not corrupted the World Health Organization. **Secretary Azar** said yes.

Rep. Foster asked what the signature chain is on a document settling the criteria for EUA of a vaccine. **Secretary Azar** said that document was really a guidance. **Rep. Foster** asked who has the final approval to give an EUA for a vaccine. **Secretary Azar** said President Trump. **Rep. Foster** asked how it possible to give credit to President Trump credit for the work done by scientists when he has repeatedly cut their budget. **Secretary Azar** said that President Trump is responsible for many of the developments taking place in Operation Warp Speed.

Rep. Raskin asked if it is true that it is a good thing when young and healthy people get sick with COVID-19. **Secretary Azar** said no. **Rep. Raskin** asked if Herd Immunity is a part of the plan to combat COVID-19. **Secretary Azar** said that the individual who made that claim is no longer with the department. **Rep. Raskin** asked if Secretary Azar ever told President Trump to stop praising President Xi. **Secretary Azar** said that he will not discuss conversations had with President Trump.

Rep. Kim asked if it is true that there will be a health care plan created based on the Supreme Court decision surrounding the ACA. **Secretary Azar** said that the president is committed to protecting people with preexisting conditions. **Rep. Kim** asked if there is a plan right now. **Secretary Azar** said there are a multitude of options right now. It will depend on the makeup of Congress. **Rep. Kim** asked if Secretary Azar will play a role in the approval of a vaccine. **Secretary Azar** said the best minds will be harnessed in this process. As the Secretary, he brings 20 years of expertise and knowledge to the table. He will participate in the approval process. But at the end of the day the FDA scientists will make the final approval decision.
