

**June 30, 2020**

**To:**

**From:** David Crow, Laurie-Ann Flanagan, David Beaudreau

**Re: Senate Health, Education, Labor and Pensions Committee: "COVID-19: Update on Progress Toward Safely Getting Back to Work and Back to School."**

On Tuesday June 30, the Senate Health, Education, Labor and Pensions Committee convened to ask the panel for updates on progress made towards safely returning to work and school in the near future.

**Members Attended:**

Chairman Lamar Alexander (R-TN)

Ranking Member Patty Murray (D-WA)

Senator Richard Burr (R-NC)

Senator Bernard Sanders (D-VT)

Senator Rand Paul (R-KY)

Senator Robert Casey (D-PA)

Senator Susan Collins (R-ME)

Senator Tammy Baldwin (D-WI)

Senator Bill Cassidy (R-LA)

Senator Chris Murphy (D-CT)

Senator Lisa Murkowski (R-AK)

Senator Elizabeth Warren (D-MA)

Senator Tim Scott (R-SC)

Senator Tim Kaine (D-VA)

Senator Mitt Romney (R-UT)

Senator Maggie Hassan (D-NH)

Senator Mike Braun (R-IN)

Senator Tina Smith (D-MN)

Senator Kelly Loeffler (R-GA)

Senator Doug Jones (D-AL)

Senator Jacky Rosen (D-NV)

**Opening Statements:**

Chairman Alexander began by noting the importance of wearing a mask and disparaging the non-issue’s introduction into political debates. He noted that among the casualties of the virus are the 75 M students, teachers, and parents who were ill-equipped to transition to online-education platforms, citing the 135,00 public and private K-12 institutions as well as the 6,00 universities that shut down in the Spring. He discussed research on the importance of in-person schooling and the damages to the impacted demographics that manifest in the forms of social isolation, food and mental health insecurity, sexual and drug abuse, and even suicidal ideation. He asked the witnesses to place themselves in the shoes of the school administrators who are responsible for safely reopening schools, highlighting three areas of focus for the questioning period. He identified the issues as: use of the $150 B allocated in CARES Act for contract tracing, alleviation of confusion about who pays for tests which has contributed to reduced testing from fear of cost, and increased flu shots so that doctors can differentiate between the common flu and COVID.

Ranking Member Murray stated that the Senate must hold the Trump administration accountable for its role in addressing the crisis, calling for comprehensive testing and vaccination plans including free and equitable distribution of treatment. In light of the errors witnessed in the past months, she focused on the need for resolving the observed bottlenecks in the supply chain by compelling the administration to cooperate with experts’ advice and strategies. She also noted the need to address vaccine hesitancy and misinformation that has been promoted by the President, stating that the political division of common-sense practices has been detrimental to the nation’s recovery.

**Witnesses:**

* **Anthony Fauci, MD,** Director, National Institute of Allergy and Infectious Diseases National Institutes of Health
  + Dr. Fauci’s testimony overviewed the NIAID’s strategic plan to date. He mentioned improvement of fundamental response to diagnostics with respect to vaccination efforts, development of animal models, studies into the determining incidents of the virus’s transmissibility amongst children, diagnostics targeting underserved populations via the RADx program, and ongoing exploration of alternative therapeutics to validate the efficacy of potential drug treatments. He touched on the importance of assuring public confidence in any vaccines developed at the national and global level, referencing [the approach recommended by him](https://science.sciencemag.org/content/368/6494/948) and other experts, which was published by the AAAS. Summarizing the publication, he noted the efforts to harmonize the numerous vaccine trials across the various stages and that multiple platforms were being pursued with a few ready for phase 3 trials by next month. He concluded his statement by echoing the chairman’s sentiment regarding the ongoing necessity of wearing a mask, frequently washing hands, and practicing social distancing.
* **Robert Redfield, MD**,Director, United States Centers for Disease Control and Prevention
  + Dr. Redfield began by assessing the current state of affairs, identifying declines in the number of cases in the South- Eastern and Western regions, but increasing figures in the majority of the 55 jurisdictions, specifically in nursing homes and occupational settings. He informed the committee that the CDC has been working with state, tribal, and territorial governments to develop their response plans with respect to the goal of reopening education systems. He noted that hospitalization and fatality rates are 6 and 12 times higher amongst those with underlying conditions including Chronic Kidney Disease, obesity, heart disease, Type 2 Diabetes, Sickle Cell disease, and others. He underscored the importance of helping minority communities who are at increased risk due to the commonality of the above conditions. He concluded his statement by reviewing the CDC’s assistance towards frontline efforts via $12 B in support of the jurisdictions’ data monitoring and contact tracing efforts, also strongly encouraging the practices echoed by Dr. Fauci and the Chairman.
* **ADM Brett Giroir, MD**,Assistant Secretary for Health United States Department of Health and Human Services
  + Admiral Giroir stated that in order to get back to work and school, folks need to control the virus by rapidly extinguishing outbreaks and minimizing transmission. He voiced his concern about recent figures in exposure and hospitalization corresponding to states’ reopening procedures, asserting that it will be impossible to reverse the worsening trends if individuals do not claim personal responsibility and discipline about their actions. He referenced the Opening Up America Again plan as the benchmark guideline for educational administrators in their decision-making, as well as the forthcoming comprehensive strategy for K-12 institutions. He mentioned that it is imperative that institutions communicate with their state governments to ensure that their needs are incorporated in the state-level testing strategy, which should align with the National Testing Strategy. He stated his optimism about surveillance testing and pool testing, both of which could be performed in university labs.
* **Stephen Hahn, MD**,Commissioner of Food and Drugs United States Food and DrugAdministration
  + Dr. Hahn outlined some of the FDA’s recent strides to aid in the development of treatments while emphasizing the importance of the agency’s regulatory independence from the decision-making processes of manufacturers. He stated that the FDA had authorized use of 150 diagnostics tests, PPE designs, medical devices, and drug products in recent weeks, and that their current efforts were focused on ensuring the timely development of a safe vaccine by providing regulatory guidance to manufacturers to streamline development for clinical testing and approval. He affirmed the need for diverse involvement throughout the development process, especially in light of the disproportionate impacts on –and the prevalence of apprehension towards vaccination within– minority communities. He noted that rapid testing and therapeutic development could aid with a safe return to school, college and work, and that the FDA will continue to promote safe testing means while removing unreliable products from the market.

**Questions:**

Chairman Alexander asked Dr. Fauci what he would recommend to superintendents who conclude that risks to education outweigh risk of exposure. Endorsing the relevant CDC guidelines, Dr. Fauci stated that recommended decisions are dependent on the dynamics of outbreaks on a location-specific basis.

Ranking Member Murray asked Dr. Fauci what the 30+ state governments with increasing cases need to do in order to reverse the trends. He answered that when states do reopen, they must follow the guidelines with checkpoints. Many of the states have gone too quickly or skipped vital checkpoints.

In light of the poor initial testing rollout, Senator Burr asked Dr. Redfield what could be expected for the coming months of heightened demand as schools begin to reopen. Dr. Redfield attributed the poor initial response to consistent under-investment in the country’s public health system, implying the need for additional relief funding to ensure robust core capabilities like data monitoring, lab resilience, and workforce support. He further noted that, with the funds provided, the CDC had been working to make testing available for premier, state, local, and tribal health institutes.

Referencing a study, which found that if 95% of people wore masks, 30,000 lives could be saved, Senator Sanders asked the panel if they support distribution of high-quality masks to all households. All panel members agreed. Similarly, he asked if they support end-to-end funding for vaccination from development-to-household to which all of the witnesses agreed as well.

Senator Paul challenged the fatal conceit that experts have definitive knowledge about all facets of the pandemic, referencing studies in European countries which demonstrated no spike in cases having reopened schools, and zero cases of child-to-adult transmission. He mentioned the silencing of a WHO scientist who spoke out about the lack of asymptomatic spread from children, asking Dr. Fauci to comment on the potential overreach of central planning efforts to micromanage the public’s lives. Defending his responsibility to advise based on extrapolations, Dr. Fauci agreed with Senator Paul’s calls to reopen schools and the need for humility from those in positions of authority like him.

Senator Casey asked Dr. Hahn what steps the FDA could take to bolster public confidence in vaccination. Dr. Hahn remarked that all efforts are being taken to use the extent of scientific knowledge within the agency’s regulatory framework to ensure that all treatments meet the stringent standards of safety and effectiveness. He further noted that increased transparency about those regulations improves both public confidence as well as manufacturing and development timelines. Referencing alarming reports of people foregoing testing for fear of incurring personal cost, Senator Casey asked Admiral Giroir if the DHHS would fulfill the intent of the Family First Bill and CARES Act to ensure that Americans do not have to pay for testing. Admiral Giroir agreed that there should be no disincentives to testing and that the department had been actively pursuing dissemination of information and testing funds.

Senator Collins asked Dr. Fauci to describe pool testing. He explained that multiple samples from low-prevalence groups can be combined in order to confirm negative test results for batches of people at once which saves time and resources for other efforts unless the test returns positive, in which case that group must be individually examined to find the positive source.

Senator Baldwin asked if the Federal government should pursue enforceable CDC and OSHA standards for businesses, like those in the airline industry, which are ignoring guidelines. Dr. Redfield agreed, stating that the government should support businesses that adhere to CDC guidelines and level the playing field.

Senator Murphy asked Admiral Giroir to clarify his position within the WHO in light of the President’s reported termination of the United States’ relationship with the institution. The Admiral responded that he had not received instruction to resign his position from the Executive Board and intended to continue to participate until ordered otherwise.

Senator Murkowski questioned the existing mechanisms for contact tracing which, in many states, takes the form of faxing spreadsheets. Dr. Redfield reiterated the underfunded infrastructure for data monitoring which needs to handle integrated public health records, real time processing, and predictive capacities in order to meaningfully perform contact tracing.

Senator Scott asked what steps can be taken at every level of government and private sector to ensure a proactive campaign and outreach strategy to advocate for vaccination. Dr. Fauci responded that operation Warpspeed contains a boots-on-the-ground community engagement program involving notable figures as well as people within the communities to be targeted.

Senator Kaine asked if the DHHS will reach the 1.3 - 1.7 M tests per day needed to ensure safety. Admiral Giroir indicated that the DHHS was on target to meet the increased demand with surplus testing for surge outbreak areas, not accounting for test pooling which will only increase efficacy.

Senator Romney asked Dr. Fauci and Dr. Redfield where risk is greatest, and where Americans can safely return. Dr. Redfield lamented the lack of data on granular transmission kinetics, stating that until that data is accessible, only the familiar, general-level guidance about social distancing is available. Dr. Fauci responded that outdoors is better than indoors, and that bars are really not good, urging the public not to treat public health endeavors as an obstruction to reopening as much as a vehicle.

Senator Braun asked how many cases there actually are using extrapolations from available testing, and how many vaccinations and herd immunity combinations are needed in terms of total population to guarantee safety. Dr. Redfield stated that, according to best estimates of a 10:1 infection rate, fewer than 30 M people are infected. Dr. Fauci added that a minimum of 70% immunity would be needed to see a positive impact.

Senator Loeffler asked what steps policymakers can take to boost production capability within the domestic pharmaceutical sector. Dr. Hahn noted the need for redundancy in the domestic supply chain as well as diversification to protect national security and minimize reliance on China.

Senator Rosen asked about development of monoclonal antibody treatments as well as which of the five most common antibodies indicate protection against reinfection. Dr. Fauci said that research into monoclonal antibody treatments is both ongoing and promising, but that the relationship between the neutralizing and binding antibodies, as well as between the antibody titer and the durability of its protection are still not well understood.

In his conclusion, Chairman Alexander asked the witnesses to briefly identify the priorities that need to be taken to prepare for future disasters. Dr. Fauci emphasized the importance of unified national response at the individual level to be proactively aggressive in preventing exposure. Dr. Redfield reiterated his calls for investment in the health systems’ core capabilities and infrastructure. Admiral Giroir echoed the sentiments of his colleagues, calling for increased resiliency within the healthcare system as many non-COVID procedures fell to the wayside during pandemic response as well as the need for investment in general health systems to alleviate the disparities in both severity of impact and access to treatment observed in the past three months. Dr. Hahn affirmed the need for data monitoring and collection on-demand so that the supply chain could respond in real time, as well as for redundancy within pharmaceutical supply and manufacturing.

The record will remain open for 10 days for members to submit additional questions and information.