

United States Senate

WASHINGTON, DC 20510

February 27, 2020

The Honorable Alex Azar
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Azar:

Last week, press reports revealed inter- and intradepartmental disagreement regarding the process for repatriating American passengers infected by the 2019 Novel Coronavirus (COVID-19) on the Diamond Princess cruise ship. We are concerned the expertise of public health officials may not have been given necessary and appropriate weight, resulting in the potential exposure of uninfected passengers to this highly contagious disease. We therefore seek your assurance that public health considerations are driving decision-making around the response to COVID-19 and to understand how disputes within your Department and between your Department and other Departments are being resolved. In the midst of this domestic and global public health emergency, it is critical that public health officials and their expertise guide any and all decisions about COVID-19 preparedness and response efforts.

According to press reports, 328 passengers on the Diamond Princess cruise ship were awaiting repatriation to the United States when test results revealed 14 passengers were infected with COVID-19.¹ Centers for Disease Control and Prevention (CDC) officials, including the Principal Deputy Director, reportedly urged against flying the infected and uninfected passengers on the same plane, arguing doing so risked spreading the virus to uninfected passengers. The Director of the National Institute for Allergy and Infectious Diseases at the National Institutes of Health (NIH) urged other officials to heed the CDC's advice. Yet, press reports indicate the Assistant Secretary for Preparedness and Response (ASPR) at the Department of Health and Human Services (HHS) and a member of the coronavirus task force pushed to include the infected passengers on the flight, arguing they were asymptomatic and could be segregated on the plane in a plastic-lined enclosure. Ultimately, the State Department made the call to repatriate the passengers on the same plane. The passengers from the ship are currently in quarantine and are considered at high risk of infection.

The nation looks to you, as the Chairman of the President's Coronavirus Task Force, and to your Department and sub-agencies, to provide them with evidence-based guidance to prevent and treat this infectious disease and to consistently prioritize the public health as the U.S. response continues and evolves. In an effort to understand the inter- and intradepartmental decision-making process around COVID-19, please answer the following questions by no later than March 12, 2020:

¹ https://www.washingtonpost.com/health/coronavirus-diamond-princess-cruise-americans/2020/02/20/b6f54cae-5279-11ea-b119-4faabac6674f_story.html

1. Why was the decision made to fly infected and uninfected passengers from the Diamond Princess together back to the United States? What factors were considered in making that decision?
2. What was the rationale, if any, for disregarding the advice of leading CDC and NIH public health officials about how to transport the Diamond Princess passengers?
3. Were uninfected passengers notified they would be traveling with infected passengers? If so, when and how?
4. Please explain the process by which the federal government is making decisions in response to the COVID-19 outbreak.
5. How are disagreements among HHS operating and/or staff divisions, and disagreements between federal agencies, resolved?
6. Is the President's Coronavirus Task Force the main channel through which federal agencies and officials are communicating on and making decisions regarding the response to the COVID-19 outbreak?
7. The President had reportedly agreed on the plan not to fly the infected and uninfected passengers on the same plane and was not informed of the decision to repatriate all the passengers together.² Is the President involved in all decisions related to COVID-19 preparedness and response efforts? Why was the President unaware of the final decision in this case?

Thank you in advance for your attention to this matter.

Sincerely,



Patty Murray
Ranking Member
Senate Committee on Health, Education, Labor,
and Pensions



Gary C. Peters
Ranking Member
Senate Committee on Homeland Security and
Governmental Affairs

² https://www.washingtonpost.com/politics/trump-was-not-told-coronavirus-infected-americans-would-be-flown-home-from-cruise-ship/2020/02/21/ae58b24c-54be-11ea-b119-4faabac6674f_story.html