

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

Majority (202) 225-5051
Minority (202) 225-5074
<https://oversight.house.gov>

January 21, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Madam Chairwoman:

I write regarding the series of letters you sent last week to tourism and travel industry businesses demanding they begin “identifying and preventing the ongoing and extreme threat of further violent attacks” posed by their customers.¹ Your letters imply these business should temporarily shut down their services around the Washington D.C. metro area to prevent them from being co-opted by violent extremists.² The scope of these letters—void of any investigatory or legislative purpose—is far outside the Committee’s jurisdiction. In addition, the letters present serious civil liberties concerns and likely inhibit the ability of all Americans to exercise multiple First Amendment rights.³

For the past ten months, businesses have suffered under the weight of both government-ordered restrictions and the dramatic drop in demand for their services precipitated by the COVID-19 pandemic. Your demands of hotels, bus companies, car rental services, and booking services are particularly disturbing given the unique hardships these industries have already faced due to the ongoing COVID-19 pandemic.

Although I certainly share your concerns about the violence committed on January 6 and the potential for additional disturbances, it is the job of law enforcement to investigate, interrupt, and thwart such conduct, not private businesses. Congress should examine the January 6 attacks

¹ E.g. Letter from Hon. Carolyn Maloney, Chairman, H. Comm. on Oversight & Gov’t Reform, to Mark S. Hoplamazian, President and CEO, Hyatt Hotels Corp., et. al. (Jan. 14, 2021), *available at* <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2021-01-14.CBM%20Combined%20Letters%20regarding%20Jan%206%20Attacks.pdf>.

² *Id.*

³ U.S. Const. amend. I.

to help determine what procedural or legislative changes may be needed to prevent a similar intrusion from ever happening again. We must not, however, let the passions resulting from those events justify government overreach at the expense of our core values, embedded in the Constitution for over 230 years.

Law enforcement is already investigating and identifying those involved in the January 6 attack, having already opened hundreds of case files and charging scores of individuals.⁴ In addition to supporting those efforts, we need to determine whether additional measures from Congress can better prevent and respond to threats of violence against our government and our cities as both have been under attack over the past nine months. But our response should not instill fear in private sector businesses by requiring them to perform law enforcement duties upon their guests or customers. Your letter is a veiled threat to private business—no matter how large or how small—that they may be hauled before Congress unless they deputize themselves as law enforcement and start to surveil, censor, and police their customers.

Your letters are a threat to civil liberties at a time when we should be doubling down on protecting the rights to freedom of speech and peaceably assemble—especially in the District of Columbia, the seat of the people's government. They will no doubt chill the tourism industry in and around the District of Columbia for the foreseeable future and have created a slippery slope by opening the door to private business excluding vast swaths of the population from utilizing their services based merely on stereotypes of unpopular political views or because their travel may correspond with political events. Your letters are also an attempt to usurp the law enforcement and prosecutorial functions squarely reserved to the executive branch of government. Lastly, these letters are not about uniting the country together to address the unprecedented challenges of our time—a message echoed by every government leader including the House Minority Leader and the President-Elect—but instead are about pitting businesses against their customers.

I urge you to reconsider this misguided approach.

Sincerely,

A handwritten signature in black ink that reads "James R. Comer". The signature is written in a cursive, slightly stylized font.

James R. Comer
Ranking Member
Committee on Oversight and Reform

⁴ Briefing by Michael Sherwin, Acting U.S. Attorney for the Dist. of Columbia with Comm. staff (Jan. 12, 2021).

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January 25, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

We write regarding your letter to FBI Director Christopher Wray requesting an FBI “examination” of the social media site Parler and any role it may have played in the January 6 breach of the U.S. Capitol Building.¹ Like you, we were disturbed and angered by the riot and we believe those responsible should be prosecuted to the fullest extent of the law. But casting blame on a single social media company known for its conservative userbase while simply ignoring other social media companies known for sympathizing with liberal causes is blatantly and overtly partisan. Moreover, your letter is additional evidence of the growing alliance between Big Tech and Democrats to muzzle certain viewpoints, opinions, and perspectives.

First, you claim Parler is “a potential facilitator of planning and incitement related to the violence.”² This accusation completely omits the fact that other social media platforms were also facilitators of the January 6 riot. In fact, a cursory search of other social media platforms yields identical, disturbing posts, from across the political spectrum, advocating for a wide swathe of positions, demonizing an equally diverse group of people.

Though your letter highlights several examples of disturbing, malignant posts made by extremists on Parler, it conveniently ignores messages sent on Facebook instructing people to “seal . . . in” Members of Congress in the tunnels below the Capitol and to “turn [the] gas on”³—horrendous tactics reminiscent of humanity’s darkest time. In one of the only conspiracy cases⁴ charged thus far stemming from the January 6 riot, the underlying facts show weeks of using Facebook to plan for the January 6 event. For example, Facebook posts, comments, and

¹ Letter from Hon. Carolyn Maloney, Chairwoman, H. Comm. on Oversight & Gov’t Reform, to Christopher Wray, Director, Federal Bureau of Investigations (Jan. 21, 2021), *available at* <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2021-01-21.CBM%20to%20Wray-%20FBI%20re%20Parler.pdf>.

² *Id.*

³ Kyle Cheney and Josh Gerstein, *Feds preparing to charge woman with felony theft laptop from Pelosi’s office*, POLITICO (Jan. 19, 2021), *available at* <https://www.politico.com/news/2021/01/19/pelosi-stolen-laptop-felony-charges-460474>.

⁴ 18 U.S.C. § 371, “Conspiracy to commit offense or to defraud United States.”

messages from between December 24, 2020 and January 5, 2021 indicate detailed planning about where to lodge and how to mobilize for January 6, including multiple references to “night hunting.”⁵ One of the individuals involved in these Facebook activities was likely wearing paramilitary equipment during the attack on the Capitol.⁶

A search of Twitter immediately after the riot found that accounts related to the QAnon conspiracy theory had referred to the January 6 date roughly 20,800 times prior to the attacks.⁷ After the riot, renewed calls to action from extremists online occurred on Twitter, encouraging events such as an “Armed March on All State Capitals” across the country.⁸

Indeed, both Facebook and Twitter appear to have *profited* off of the January 6 riot, as “political turmoil drives increased engagement on social media . . . that generates more revenue for Facebook and Twitter,” creating a “rocket ship for their ad business.”⁹ Committee Member Alexandria Ocasio-Cortez recognizes that “Mark Zuckerberg and Facebook bear partial responsibility for [January 6’s] events. Period.”¹⁰ Rather than limiting its investigation to Parler, then, perhaps the Committee should include Facebook and other social media companies in its request for an investigation into the antecedents of the January 6 Capitol riot.

Of course, doing so may upset Big Tech, which in turn could turn off the spigot of campaign contributions to Democrats. During the 2020 election cycle Facebook employees contributed over \$5 million in federal elections—92.79% of which went to Democrats.¹¹ Twitter employees were even more generous to Democrats, with 98.41% of all federal contributions in the 2020 cycle going to Democrats.¹² While Facebook, Twitter, and Parler seem to all share blame in allowing their platforms to be used to plan for the January 6 riot, one main difference between the three platforms is that Parler is the only one that hasn’t given generously to the Democrats.

Your letter also casts Parler as “a potential conduit for foreign governments who may be financing civil unrest in the United States.”¹³ This claim—pushed without one iota of

⁵ *U.S. v. Caldwell, et al.*, 1:21-mj-0119, *Affidavit in Support of Criminal Complaint* at 22 (D.D.C. 2021).

⁶ *Id.* at 12.

⁷ Isobel Asher Hamilton, *Plans to Storm the Capitol Were Circulating on Social Media Sites, Including Facebook, Twitter, and Parler, for Days Before the Siege*, BUSINESS INSIDER (Jan. 2021), available at <https://www.businessinsider.com/plans-to-storm-the-capitol-circulated-on-social-media-2021-1>.

⁸ Craig Timberg, Drew Harwell, and Marissa J. Lang, *Capitol Siege was Planned Online. Trump Supporters Now Planning the Next One*, WASH. POST (Jan. 2021), available at <https://www.washingtonpost.com/technology/2021/01/09/trump-twitter-protests/>.

⁹ Emily DeCiccio, *Capitol Riot a ‘Rocket Ship’ for Twitter and Facebook, Ad Media Expert Says*, CNBC (Jan. 7, 2021), available at <https://www.cnbc.com/2021/01/07/capitol-riot-a-rocket-ship-for-twitter-and-facebook-ad-media-expert-says.html>.

¹⁰ Joseph Choi, *Facebook Has No Current Plan to End the Trump Suspension*, THE HILL (Jan. 2021), available at <https://thehill.com/policy/technology/technology/534879-facebook-has-no-current-plan-to-end-the-trump-suspension-report>.

¹¹ See <https://www.opensecrets.org/orgs/facebook-inc/recipients?toprecipcycle=2020&id=D000033563&candcycle=2020>.

¹² See <https://www.opensecrets.org/orgs/twitter/recipients?id=D000067113>.

¹³ *Id.*


The Honorable Carolyn Maloney
January 25, 2021
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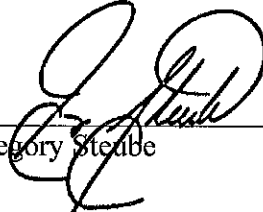
evidence—is reckless. The letter notes the founder of Parler, John Matze, has traveled in Russia, and his wife is Russian. Such irrelevant claims' intended implications are nothing short of offensive. It is neither illegal nor suspect to either travel to Russia or have a Russian spouse. After four years of peddling bogus—and later disproven—conspiracy theories about Russia, Committee Democrats are now resorting to outright xenophobia to deride both conservatives and social media platforms not approved by Democrats.

Your call for an investigation into Parler is a transparently political ploy taking advantage of the tragedy that occurred on January 6 to shut down speech Democrats dislike. Perhaps more disturbing is a Silicon Valley willing to oblige these impulses.¹⁴ Parler has been forced off the Internet, to the applause of Democrats and media commentators, and similarly forced to engage a Russian service to continue its platform. Consequently, Parler is deemed by this Committee to now merit investigation by the FBI while Facebook and Twitter are blameless.

We request you amend your request for an FBI investigation to include Facebook and Twitter and the roles those companies played to contribute to the January 6 riot.

Sincerely,


James Comer
Ranking Member
Committee on Oversight and Reform


W. Gregory Steube

cc: The Honorable Christopher Wray, Director
Federal Bureau of Investigation

¹⁴ Ryan Miller, *Capitol riot live updates: Air Force veteran fired after reported participation; Apple suspends Parler from App Store*, USA TODAY (Jan. 9, 2021), available at <https://www.usatoday.com/story/news/nation/2021/01/09/dc-capitol-riot-updates-officer-pinned-arrests-fbi/6607757002/>.

Congress of the United States

Washington, DC 20515

February 11, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

We write to urge you to immediately schedule a hearing before the House Oversight and Reform Committee to investigate recent reports and revelations of between \$11 - \$31 billion in fraudulent unemployment benefits granted by the California Employment Development Department (EDD), which administers California's unemployment insurance (UI) program.¹

The federal government's response to COVID-19 has included significant funding toward administering and enhancing unemployment benefits, including \$117 billion from the Families First Coronavirus Relief Act and \$12 billion in Coronavirus Aid, Relief, and Economic Security (CARES) Act.² In December 2020, Congress further extended the Pandemic Unemployment Assistance and Pandemic Emergency Unemployment Compensations by an additional 11 weeks, and Federal-State Extended Duration (FED-ED) for up to 20 weeks of benefits.³

According to reports issued on January 26 and January 28, 2021, by California State Auditor Elaine Howle,⁴ EDD was unprepared to prevent payment for fraudulent claims filed under the names of incarcerated individuals—which the EDD estimated to total about \$810 million.⁵ The reports also stated that “[e]ven as late as December 2020, EDD was allowing claimants to continue to collect benefits using suspicious addresses because it did not establish payment blocks

¹ *CA EDD admits paying as much as \$31 billion in unemployment funds to criminals*, ABC7NEWS, Jan. 25, 2021, available at <https://abc7news.com/california-edd-unemployment-fraud-ca-scam-insurance/10011810/>.

² *Federal COVID-19-Related Funding to California*, Legislative Analyst's Office, Apr. 28, 2020, available at <https://lao.ca.gov/Publications/Report/4226>.

³ *Federal Provisions for Unemployment*, Employment Development Department, Jan. 6, 2021, available at [https://www.edd.ca.gov/about_edd/coronavirus-2019/cares-act.htm#:~:text=Pandemic%20Emergency%20Unemployment%20Compensation%20\(PEUC,available%20beginning%20December%2027%2C%202020](https://www.edd.ca.gov/about_edd/coronavirus-2019/cares-act.htm#:~:text=Pandemic%20Emergency%20Unemployment%20Compensation%20(PEUC,available%20beginning%20December%2027%2C%202020).

⁴ See, e.g., *Employment Development Department: EDD's Poor Planning and Ineffective Management Left It Unprepared to Assist Californians Unemployed by COVID-19 Shutdowns*, Auditor of the State of California, Jan. 2021, available at <https://www.bsa.ca.gov/pdfs/reports/2020-128and628.1.pdf>.

⁵ *Significant Weaknesses in EDD's Approach to Fraud Prevention Have Led to Billions of Dollars in Improper Benefit Payments* at 23, Auditor of the State of California, Jan. 2021, available at <http://auditor.ca.gov/pdfs/reports/2020-628.2.pdf>.

for their claims.”⁶ Therefore, there is every reason to be concerned that this unprecedented fraud may be ongoing even today. Improper payments have long been a direct concern of this Committee, and identifying waste, fraud, and abuse of taxpayer money is at the core of this Committee’s mission.

Additional reports verify the state paid more than 35,000 claims under state prisoners’ names,⁷ with one inmate collecting nearly \$49,000. California also paid more than \$421,000⁸ to 133 Death Row inmates—including Scott Peterson,⁹ a San Quentin prisoner found guilty of killing his wife and unborn child. Still more fraudulent payouts went to organized crime sources in Russia, China and other countries.¹⁰ The Sacramento County District Attorney called it “perhaps the biggest fraud of taxpayer dollars in California history.”¹¹

According to the Howle audit, “these payments happened despite warnings from the U.S. Department of Labor (DOL).” The DOL Inspector General cautioned EDD that California was likely to see at least \$1.2 billion in potential fraud. The real amount of fraud, however, appears to be ten to twenty times that amount. The oversight California conducted was by all accounts too late and wholly insufficient. In fact, on New Year’s Day, the EDD paused benefits to 1.5 million claims, haphazardly looking to correct months of neglect. As a result, unsuspecting law-abiding Californians, locked at home by Governor Newsom, were no doubt put through additional stress.

Needless to say, the evidence of unprecedented fraud, waste, mismanagement and incompetence is too voluminous to briefly reference. By any objective measure, we believe this Committee is obligated to schedule a public hearing to comprehensively examine what went wrong in California, the steps being taken to recover the improper payments, and the steps being taken to prevent it from happening again.

We look forward to your prompt response.

⁶ *Id.* at 9.

⁷ *Id.* at 27.

⁸ Adam Beam, *‘The Inmates are mocking us’: California OK’d unemployment aid in name of more than 20K prisoners, including Scott Peterson*, USA TODAY, Nov. 24, 2020, available at <https://www.usatoday.com/story/news/nation/2020/11/24/california-unemployment-aid-prisoners-death-row-inmates/6417711002/>.

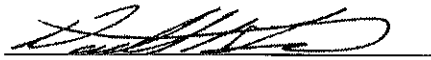
⁹ Adam Beam, *At Least 35,000 Unemployment Claims Filed on Behalf of California Prison Inmates – Including Scott Peterson*, NBC, Nov. 24, 2020, available at <https://www.nbclosangeles.com/news/local/at-least-35000-unemployment-claims-filed-on-behalf-of-california-prison-inmates-including-scott-peterson/2470169/>.

¹⁰ *California COVID-19 benefits fraud could reach \$9.8 billion*, ASSOC. PRESS, Jan. 16, 2021, available at [https://apnews.com/article/coronavirus-pandemic-crime-california-china-russia-b8674c13a031af41efdde1282a8976aa#:~:text=LOS%20ANGELES%20\(AP\)%20%E2%80%94California,hired%20to%20investigate%20the%20fraud..](https://apnews.com/article/coronavirus-pandemic-crime-california-china-russia-b8674c13a031af41efdde1282a8976aa#:~:text=LOS%20ANGELES%20(AP)%20%E2%80%94California,hired%20to%20investigate%20the%20fraud..)

¹¹ Beam, *supra* note 9.

The Honorable Carolyn Maloney
February 11, 2021
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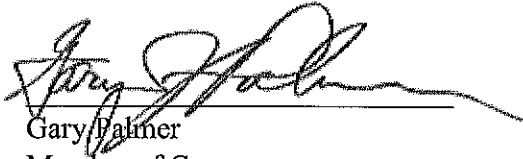
Sincerely,



Darrell Issa
Member of Congress



James Comer
Ranking Member
Committee on Oversight and Reform



Gary Palmer
Member of Congress

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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February 24, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

The Committee on Oversight and Reform must examine the link between New York Governor Andrew Cuomo's March 25, 2020, "must-admit" order and nursing home fatalities, the extent of his cover-up, and if any crimes were committed in the process. The Committee must hear the truth, under oath, directly from Governor Cuomo.

On February 11, 2021, a top aide to Governor Cuomo, Melissa DeRosa, told New York Senate Democrats that the Cuomo Administration intentionally "froze" the state's nursing home death toll out of fear the truth would be "used against [the Cuomo Administration]" by the U.S. Department of Justice.¹ Given this admission that Governor Cuomo and his Administration engaged in a cover-up affecting those most vulnerable to COVID-19, we request that you immediately notice a full committee hearing with Governor Cuomo as the sole witness. Additionally, we formally request a thorough investigation by the Oversight Committee. We owe it to the thousands of families who lost loved ones because of Governor Cuomo's alleged recklessness.

At least two of your Democratic colleagues in the New York congressional delegation—including one on our Committee—agree that Governor Cuomo's decision-making should be investigated. Representative Antonio Delgado said, "[Melissa DeRosa]'s remarks are beyond troubling and warrant a full investigation. [New Yorkers] deserve answers and accountability."² Representative Alexandria Ocasio-Cortez said, "I...stand with our local officials calling for a full investigation of the Cuomo Administration's handling of nursing homes during COVID-19. [Melissa DeRosa]'s remarks warrant a full investigation."³ Both Representatives Delgado and

¹ Shannon young & Anna Gronewold, *Coverup claims engulf Cuomo as scandal over nursing home deaths grows*, POLITICO (Feb. 12, 2021), <https://www.politico.com/states/new-york/albany/story/2021/02/12/coverup-claims-engulf-cuomo-as-scandal-over-nursing-home-deaths-grows-1363353>.

² Antonio Delgado (@DelgadoforNY19), Twitter (Feb. 14, 2021 10:55 a.m.), <https://twitter.com/DelgadoforNY19/status/1360980993457463299>.

³ Katie Glueck (@katieglueck), Twitter (Feb. 19, 2021 01:49 p.m.), <https://twitter.com/katieglueck/status/1362836605937930241>.

Ocasio-Cortez emphasized the need for transparency and accountability. We hope you will heed these calls and join your colleagues in demanding transparency and accountability.

For more than nine months, Republicans on the Select Subcommittee on the Coronavirus Crisis (Select Subcommittee) have demanded accountability and transparency while blowing the whistle on Governor Cuomo's reckless actions. On June 15, 2020, Republican Whip and Select Subcommittee Ranking Member Steve Scalise asked Select Subcommittee Democrats—including yourself—to join Select Subcommittee Republicans in requesting nursing home infection and fatality data from Governor Cuomo—you and all other Democrats declined.⁴ Since then, Select Subcommittee Republicans have sent three subsequent document requests to Governor Cuomo.⁵ The Governor ignored every request and instead resorted to calling Members of Congress "craven political hacks."⁶

Further, recent reporting from *CNN* and the *New York Times* suggests that Governor Cuomo's attempts to cover-up the truth and conceal his culpability extend beyond obstruction of the Select Subcommittee to threats of retaliation toward anyone who might cross him.⁷ Democrat New York State Assemblyman Ron Kim—whose uncle died in a New York nursing home from COVID-19—stated that Governor Cuomo "threatened to destroy [Assemblyman Kim's] life," if he did not participate in the Governor's scheme to conceal the true nursing home data.⁸ According to New York City Mayor Bill De Blasio, this behavior is "classic Andrew Cuomo."⁹ The Mayor continued, "[t]he bullying is nothing new. [N]o person, who is telling the truth, should be treated that way."¹⁰ Governor Cuomo appears to engage in a pattern and practice of using threats to shield himself from exposure.

Today, we respectfully request that you subpoena the documents, information, and communications previously requested by Select Subcommittee Republicans. For almost ten months, Governor Cuomo has been actively obstructing Congress' access to this information. Additionally, we request that you issue a subpoena for Governor Cuomo's testimony before the

⁴ Letter from Steve J. Scalise, et. al., Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andre M. Cuomo, Governor, N.Y. (June 15, 2020).

⁵ Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andrew M. Cuomo, Governor, N.Y. (July 9, 2020); Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andrew M. Cuomo, Governor, N.Y. (Jan. 28, 2021); Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andrew M. Cuomo, Governor, N.Y. (Feb. 19, 2021).

⁶ Bernadette Hogan % Bruce Golding, *Congress demands documents, briefing on Cuomo's deadly nursing-home order*, N.Y. POST (June 16, 2020), <https://nypost.com/2020/06/16/congress-demands-documents-briefing-on-cuomos-nursing-home-order/>.

⁷ MJ Lee, *Cuomo said 'he can destroy me': NY assemblyman alleges governor threatened him over nursing homes scandal*, CNN (Feb. 17, 2021), <https://www.cnn.com/2021/02/17/politics/cuomo-ron-kim-nursing-home/index.html>; Luis Ferre-Sadurni & Jesse McKinley, *Cuomo Attacks a Fellow Democrat Over Nursing Home Criticism*, N.Y. TIMES (Feb. 17, 2021), <https://www.nytimes.com/2021/02/17/nyregion/nursing-homes-cuomo-ron-kim.html>.

⁸ *Id.*

⁹ Nolan Hicks & Lia Eustachewich, *De Blasio slams governor's threats to assemblyman as 'classic' Cuomo bullying*, N.Y. POST (Feb. 18, 2021), <https://nypost.com/2021/02/18/de-blasio-slams-govs-threats-as-classic-cuomo-bullying/>.

¹⁰ *Id.*

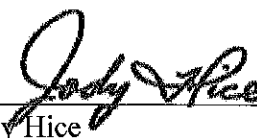
full Oversight Committee. The Governor has a documented track record of misleading the public about his lethal March 25 order, including orchestrating a cover-up to conceal the truth from the New York State Legislature, the U.S. Congress, and, possibly, the U.S. Department of Justice. The only way to bring the truth to light and inform future public health decisions is to conduct a full investigation of Governor Cuomo's actions.

Thank you for your attention to this important request.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



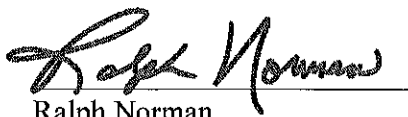
Jody Hice
Ranking Member
Subcommittee on Government
Operations



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



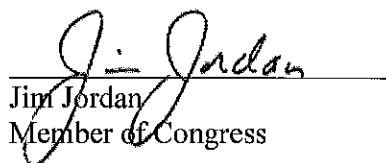
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Ralph Norman
Ranking Member
Subcommittee on Environment



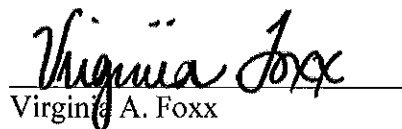
Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



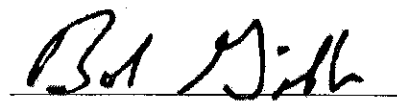
Jim Jordan
Member of Congress



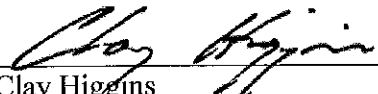
Paul A. Gosar, D.D.S.
Member of Congress




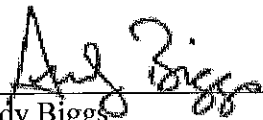
Virginia A. Foxx
Member of Congress

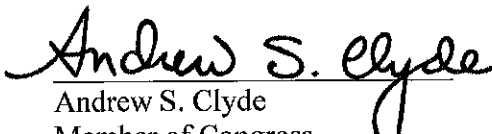


Bob Gibbs
Member of Congress

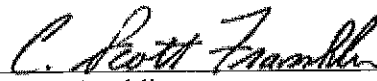

Clay Higgins
Member of Congress

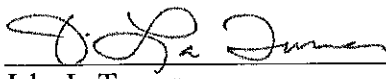

Fred Keller
Member of Congress

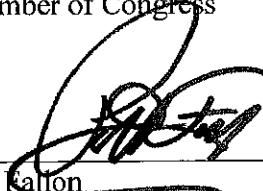

Andy Biggs
Member of Congress

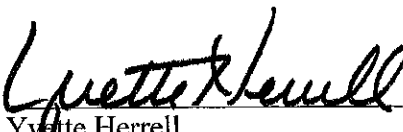

Andrew S. Clyde
Member of Congress

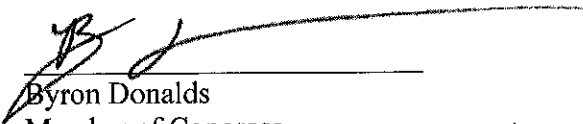

Nancy Mace
Member of Congress


Scott Franklin
Member of Congress


Jake LaTurner
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Pat Fallon
Member of Congress


Yvette Herrell
Member of Congress


Byron Donalds
Member of Congress

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

February 25, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

The Committee on Oversight and Reform must examine the school reopening process in light of the recently revised Centers for Disease Control and Prevention (CDC) guidance, which would in effect keep ninety percent of schools shuttered as our nation's children experience knowledge loss, mental health challenges, and social and emotional disruption.¹ This guidance was a "big step backwards," according to parent advocacy groups working on the issue of school reopening.² We hope to work with you to conduct a series of hearings on child welfare and school reopening. Today, we are calling on you to work with us to provide solutions for school districts currently shuttered. This is not and should not be a partisan issue. The science is clear—schools are not vectors for viral spread.³

On May 11, 2020, author and journalist David Zweig began covering the plight of our nation's children. Zweig correctly pointed out that as both Republican and Democrat governors closed schools, children "appear to be bearing an undue burden for society" since early observations and CDC data indications were that children were less susceptible to COVID-19.⁴ Now, with a great deal of data, studies, and international evidence we know that kids are safer in school. The American Academy of Pediatrics, the National Academies, the Journal of the American Medical Association, researchers from esteemed U.S. universities, and the majority of American moms and dads understand that children can safely return to school without it costing outlandish sums of money. On October 9, 2020, after the initial data from states like Georgia and Florida was in, Dr. Emily Oster of Brown University wrote: "We are starting to get an evidence-based picture of how school reopenings and remote learning are going (those photos of

¹ 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>.

² Open Schools US, *Parents Respond to CDC Guidelines Which Impede School Opening*, MEDIUM (Feb. 14, 2021), <https://openschoolsus.medium.com/parents-respond-to-cdc-guidelines-which-impede-school-opening-9bfb18649e5>.

³ Emily Oster, *Schools Aren't Super-Spreaders*, THE ATLANTIC (Oct. 9, 2020), <https://www.theatlantic.com/ideas/archive/2020/10/schools-arent-superspreaders/616669/>.

⁴ David Zweig, *The Case for Reopening Schools*, WIRED (May 11, 2020), <https://www.wired.com/story/the-case-for-reopening-schools/>.

hallways don't count), and the evidence is pointing in one direction. Schools do not, in fact, appear to be major spreaders of COVID-19.”⁵

The refusal to open schools has had devastating consequences. Las Vegas has lost 19 students to suicide since schools shutdown in March.⁶ Although a number of factors can lead to suicide, the CDC and health professionals across the country are sounding the alarm on the need for schools to reopen. According to the CDC, “[b]eginning in April 2020, the proportion of children’s mental health–related [emergency department or ED] visits among all pediatric ED visits increased and remained elevated through October. Compared with 2019, the proportion of mental health–related visits for children aged 5–11 and 12–17 years increased approximately 24% and 31%, respectively.”⁷ Students are dropping out in shocking numbers. According to a study by the national nonprofit Bellwether Education Partners, since March 2020, three million students are missing from school.⁸ The reasons for these numbers vary but undoubtedly, the most vulnerable are those students with special needs.

Those with special disabilities and English learners are not receiving the service to which they are entitled causing them to fall even further behind. Another in Fairfax, Virginia recently pleaded with elected leaders to open schools and investigate localities compliance with the Individuals with Disabilities Education Act. Her child who has special needs has not received so much as a learning device from her school district much less the service their family is entitled under federal law. Another D.C. mom, whose children’s school is open, has already been told there will be no room for her third grader this year or in the fall of 2021. As a result, she is contemplating sending her youngest child—her baby—to live with his grandparents in Florida so he can be in-person school. A mother of three in Oregon shared this heart-wrenching testimonial about her daughter, Lizzie, who has Down Syndrome:

In September, our daughter Lizzie started online learning with more than 500,000 Oregon children. They gave us a Chromebook, a Zoom link and Google classroom. Like her peers, Lizzie would receive all instruction online and the school buildings would remain shut.

Unlike her peers, Lizzie has Down Syndrome and her cognitive delays make online learning impossible. She is still learning site words. She needs speech and physical therapy. She was never taught to use a Chromebook.

⁵ Oster, *supra* note 3.

⁶ Rhitu Chatterjee, *Child Psychiatrists Warn That the Pandemic May Be Driving Up Kids' Suicide Risk*, NAT’L PUB. RADIO (Feb. 2, 2021), <https://www.npr.org/sections/health-shots/2021/02/02/962060105/child-psychiatrists-warn-that-the-pandemic-may-be-driving-up-kids-suicide-risk>.

⁷ Rebecca T. Leeb, et. al., *Mental Health-Related Emergency Department Visits Among Children Aged <18 Years During the COVID-19 Pandemic—United States, January 1–October 17, 2020*, U.S. CTRS. FOR DISEASE CONTROL & PREVENTION (Nov. 13, 2020), <https://www.cdc.gov/mmwr/volumes/69/wr/mm6945a3.htm>.

⁸ Hailly T.N. Korman, et. al., *Missing in the Margins: Estimating the Scale of the COVID-19 Attendance Crisis*, BELLWETHER EDUCATION PARTNERS (Oct. 21, 2020), <https://bellwethereducation.org/publication/missing-margins-estimating-scale-covid-19-attendance-crisis>.

We got started, but she was confused about the teacher not hearing her because the mute button was permanently on. Her peers weren't waving hello to her. They couldn't see her.

We hired a nanny so that I could continue working as a CPA and my husband in his law practice. But it took three of us to support 2.5 hours of daily Zoom learning. We also have two other kids in 2nd and 7th grades.

Lizzie's frustrations maxed out quickly. By the third week, she threw the Chromebook away without us knowing and asked for "far away school with her friends," as she called in-person learning.

We sent video clips to the principal, the superintendent and school board members. They said their hands were tied. But we pushed and pried open the doors in mid-October. Lizzie was the first student in our district (and the entire metro area) to return to something called "limited in-person" by the Oregon Department of Education.

But it was (and is) "limited." No friends. No teachers. No therapies.

Classified aides deliver two hours of instruction a couple times a week. Today, only about 200 of our district's 8,000 students are provided limited in-person instruction in Lake Oswego. The Portland Public School district never got it off the ground for any of their 50,000 students.

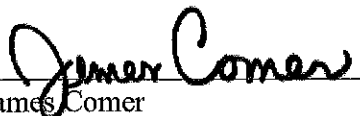
And that's where we've been EVER since.

Lizzie's story is not unique. It is happening across our country. Even where schools are "open" they are not truly open, if they are operating the "concurrent" model. Even where teachers have been vaccinated, schools are just starting to consider reopening, and then, only for two days per week. This is not enough.

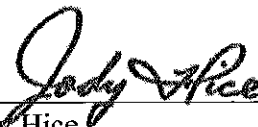
Children, especially our most vulnerable, are falling behind. Please work with Republicans to find solutions for America's families. We are not advocating a return to school without proper mitigation. There is a wealth of knowledge, information, strategies, and innovations to protect students and teachers. Let us work together to make a difference in the trajectory of our nation's schools and children. Please ask your staff to contact our staff as soon as possible to develop a hearing plan that will assist states and localities in this effort.

Thank you for your attention to this important request.

Sincerely,



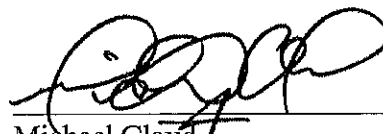
James Comer
Ranking Member
Committee on Oversight and Reform



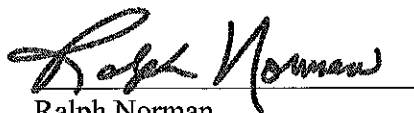
Jody Hice
Ranking Member
Subcommittee on Government
Operations



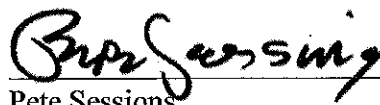
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



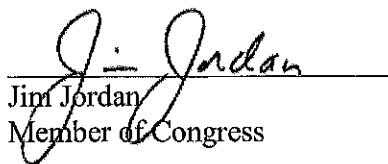
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Ralph Norman
Ranking Member
Subcommittee on Environment



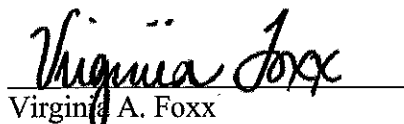
Pete Sessions
Ranking Member
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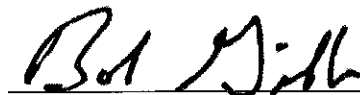
Jim Jordan
Member of Congress



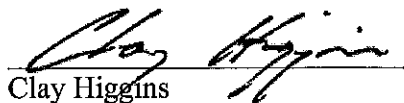
Paul A. Gosar, D.D.S.
Member of Congress



Virginia A. Foxx
Member of Congress



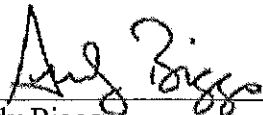
Bob Gibbs
Member of Congress

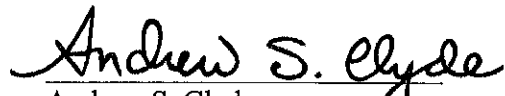


Clay Higgins
Member of Congress

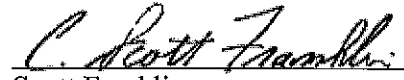


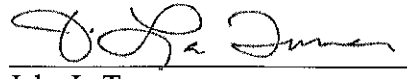
Fred Keller
Member of Congress

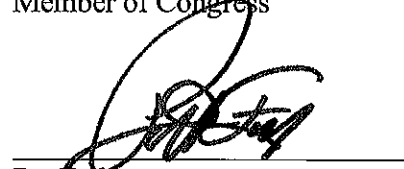

Andy Biggs
Member of Congress


Andrew S. Clyde
Member of Congress

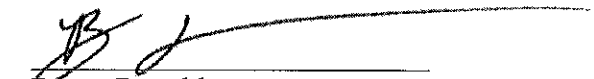

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The Honorable Jamie Raskin, Chairman
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Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<https://oversight.house.gov>

March 4, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

The Committee on Oversight and Reform must hold a hearing to examine the current crisis occurring on our southern border. Thirteen thousand unaccompanied children are projected to cross the border in May alone.¹ This “projection would exceed the height of the 2019 crisis.”² In just one week in February, the Border Patrol stopped more than 2,000 unaccompanied children crossing the southern border.³ The border facilities holding these migrant children are nearly overflowing. Members of your own party have raised concerns about the Biden Administration perpetuating a policy of housing children in containers—something Democrats renounced during the prior administration.⁴ The Committee must hear from Biden Administration officials about their plans to mitigate this crisis, since it is a direct result of President Biden’s unraveling of the prior administration’s strict, deterrent-focused border policies.

On February 25, 2021, we requested that you hold a hearing on the devastating effect of school closures on American children and today we request a hearing on the children being confined at the border. Since President Biden’s election, both American children and migrant children are in crisis. We must act. You and your colleagues previously decried the humanitarian crisis on the border in 2019, blaming “the Trump Administration’s inhumane

¹ Stef W. Kight, *Scoop: Border officials project 13,000 child migrants in May*, AXIOS (Feb. 26, 2021), <https://www.axios.com/biden-migrant-children-border-dcc5df38-b9cd-4053-bee4-3642c4c215bf.html>.

² *Id.*

³ Miriam Jordan, *Thousands of Migrant Children Detained in Resumption of Trump-Era Policies*, N.Y. TIMES (Feb. 26, 2021), <https://www.nytimes.com/2021/02/26/us/migrant-children-border-detained.html>.

⁴ Lexi Lonas, *Ocasio-Cortez criticizes opening of migrant facility for children under Biden*, THE HILL (Feb. 23, 2021), <https://thehill.com/homenews/house/540174-ocasio-cortez-criticizes-opening-of-migrant-facility-for-children-under-biden>; Silvia Foster-Frau, *First migrant facility for children opens under Biden*, WASH. POST (Feb. 22, 2021), https://www.washingtonpost.com/national/immigrant-children-camp-texas-biden/2021/02/22/05dfd58c-7533-11eb-8115-9ad5e9c02117_story.html.

policies” for creating it.⁵ Countless Democrats assailed the Trump administration as keeping children in “cages.” Former Chairman Cummings held a hearing on July 18, 2019 with then Acting Secretary of Homeland Security Kevin McAleenan to examine “the treatment of immigrants detained in U.S. government facilities.”⁶

According to press reports, on March 1, 2021, President Biden spoke over video conference to the President of Mexico regarding migration issues. Also, on March 1, 2021, Secretary Mayorkas announced the principles of a Family Reunification Task Force which will work with private nonprofit groups to reunite families. These overtures and bureaucratic constructs will not change what Press Secretary Jen Psaki said: “[t]here are no — there are very few good options here, and we chose the one we thought was best.”⁷ Ms. Psaki is referencing the holding facilities for children—facilities which the Biden Administration is quickly reopening and quickly filling.

As you are aware, unaccompanied alien children who arrive at our borders and are not from contiguous countries are required by law to remain in Department of Homeland Security (DHS) custody until they can be transferred into the custody of Health and Human Services (HHS).⁸ HHS finds shelter spaces for those children while looking to release them to potential family members or other sponsors in the United States.⁹

However, the capacity of HHS to receive unaccompanied children is strained under an increasing number of arrivals during the COVID-19 pandemic, leading to longer time in custody in DHS facilities. It was recently reported that more than 700 children were backed up in DHS custody as of February 21, several for longer than 72 hours.¹⁰ More than 400 children were referred from DHS to HHS shelters on February 23 alone, well more than the 30-day average during the 2019 crisis.¹¹ In January alone, 5,871 unaccompanied children were apprehended by DHS crossing the border while there are over 7,000 unaccompanied children currently in HHS custody as shelter space becomes scarce.¹² To increase capacity, the Biden administration is

⁵ Press Release, Maloney Statement on Voting to Pass the Humanitarian Supplemental Bill, H. Comm. on Oversight & Reform (Jun 26, 2019), <https://maloney.house.gov/media-center/press-releases/maloney-statement-on-voting-to-pass-the-humanitarian-supplemental-bill>.

⁶ Memorandum from Majority Staff, H. Comm. on Oversight & Reform, to Members of the H. Comm. on Oversight & Reform, *Hearing with Acting Secretary of Homeland Security Kevin K. McAleenan* (July 15, 2019).

⁷ Press Briefing, The White House (Feb. 25, 2021), <https://www.whitehouse.gov/briefing-room/press-briefings/2021/02/25/press-briefing-by-press-secretary-jen-psaki-february-25-2021/>.

⁸ Fact Sheet: Unaccompanied Alien Children (UAC) Program, U.S. Dep’t of Health & Human Serv., Admin. for Children & Families (Sept. 30, 2019), <https://www.hhs.gov/sites/default/files/Unaccompanied-Alien-Children-Program-Fact-Sheet.pdf>.

⁹ *Id.*

¹⁰ Stef W. Kight & Jonathan Swan, *Exclusive: Hundreds of kids held in Border Patrol stations*, AXIOS (Feb. 25, 2021), <https://www.axios.com/kids-border-patrol-custody-767cb87d-d757-4c11-842e-2a5dd9db9839.html>.

¹¹ *Id.*

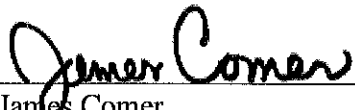
¹² Julia Ainsley & Jacob Soboroff, *Uptick in minors crossing border may result in Biden administration's building more shelters*, NBC NEWS (Feb. 24, 2021), www.nbcnews.com/politics/immigration/uptick-minors-crossing-border-may-result-biden-administration-building-more-n1258746.

expected to reopen the Homestead influx facility in Florida, and has already reopened an influx shelter at Carrizo Springs, Texas.¹³

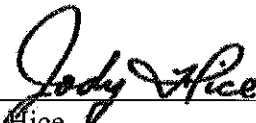
This Committee must schedule a hearing to conduct oversight of the welfare of migrant children being held in these container facilities. The Committee should also examine the Biden Administration's plan for reducing the overall numbers of unaccompanied children arriving illegally at the southern border, as well as its plans for handling the current surge. We urge you to hold a hearing on this matter after you schedule a hearing on U.S. school reopening.

Thank you for your attention to this important request.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations



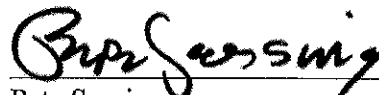
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



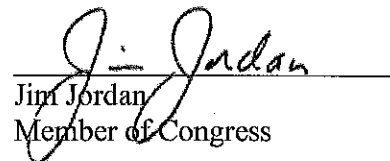
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Ralph Norman
Ranking Member
Subcommittee on Environment



Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
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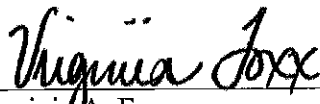


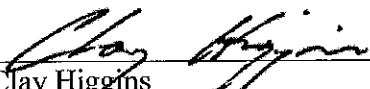
Jim Jordan
Member of Congress

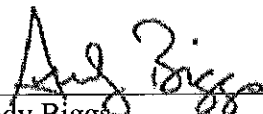


Paul A. Gosar, D.D.S.
Member of Congress

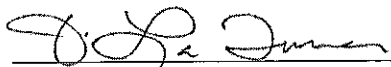
¹³ Stef W. Knight, *Biden's brewing child migrant crisis*, AXIOS (Feb. 2, 2021), <https://www.axios.com/border-migrant-child-crisis-biden-coronavirus-8bce4ec4-a881-4974-abdb404c39b1030f.html>.

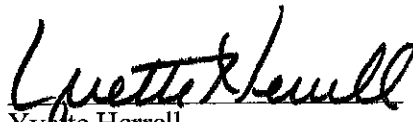

Virginia A. Foxx
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Clay Higgins
Member of Congress



Andy Biggs
Member of Congress

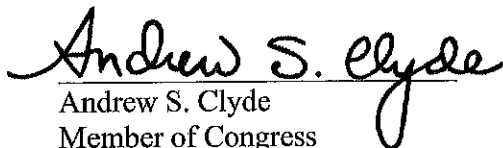

Nancy Mace
Member of Congress

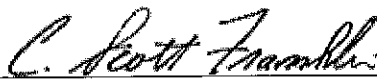

Jake LaTurner
Member of Congress

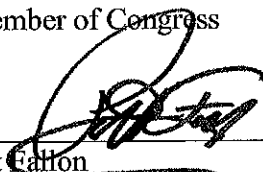

Yvette Herrell
Member of Congress

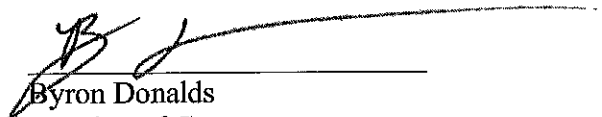

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Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States
Washington, DC 20515

March 5, 2021

Chairman Richard Neal
Committee on Ways and Means
1102 Longworth House Office Building
Washington, DC 20515

Chairwoman Carolyn Maloney
Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, DC 20515

Chairman Frank Pallone
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Chairman James Clyburn
Select Subcommittee on the Coronavirus Crisis
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairs Neal, Maloney, Pallone and Clyburn,

Given news reports that political aides to New York Governor Andrew Cuomo deliberately interfered with the work of state public health officials in order to mask the true magnitude of COVID-19 nursing home deaths in the state, we write again to request you schedule a joint hearing before the committees on this issue in the next 15 days. Specifically, the *Wall Street Journal* and the *New York Times* reported top aides to Governor Cuomo—none of whom have any health care experience—including Secretary to the Governor Melissa DeRosa, doctored a report on COVID-19 in nursing homes to intentionally conceal the true number of nursing home fatalities in New York and shield themselves, including Governor Cuomo, from any wrongdoing attributable to the March 25, 2020 “must admit” order.¹

¹ Joe Palazzolo, et. al., *Cuomo Advisors Altered Report on Covid-19 Nursing-Home Deaths*, WALL ST. J. (Mar. 4, 2021), <https://www.wsj.com/articles/cuomo-advisers-altered-report-on-covid-19-nursing-home-deaths-11614910855>; J. David Godman & Danny Hakim, *Cuomo Aides Rewrote Nursing Home Report to Hide Higher Death Toll*, N.Y. TIMES (Mar. 4, 2021), <https://www.nytimes.com/2021/03/04/nyregion/cuomo-nursing-home-deaths.html>.

Congressional Republican leaders have made several hearing requests without response. Yet, despite the Democrat leaders' abdication of their oversight responsibilities, more facts have emerged from Albany via the national press.

On March 4, 2021, the *Wall Street Journal* reported, "New York Gov. Andrew Cuomo's top advisers successfully pushed state health officials to strip a public report of data showing that more nursing-home residents had died of Covid-19 than the administration had acknowledged, according to people with knowledge of the report's production...."²

The *New York Times* likewise reported "[t]he extraordinary intervention, which came just as Mr. Cuomo was starting to write a book on his pandemic achievements, was the earliest act yet known in what critics have called a monthslong effort by the governor and his aides to obscure the full scope of nursing home deaths."³

On June 15, 2020, the Republicans on the Select Subcommittee on the Coronavirus Crisis wrote Governor Cuomo requesting all documents and communications relating to the March 25 "must admit" order and nursing home fatalities. The apparent cover-up and data manipulation began shortly thereafter with the issuance of this doctored report.

Given this timeline and publicly available information — which seems to confirm that a politically-driven data cover-up occurred — and the oversight authority entrusted to you as Democrat leaders of the relevant committees, it is unclear what more the majority needs to know in order to deploy all the tools at your disposal, including hearings and subpoenas, to determine if Governor Cuomo's administration deliberately provided false data to the federal government and the public.

A hearing examining what happened in New York is a necessary first step. Concerns surrounding state actions, COVID-19, nursing homes, and data integrity are not limited to New York. The Department of Justice (DOJ) has requested data from the governors of Pennsylvania, New Jersey and Michigan, to determine "...if the state orders requiring admission of COVID-19 patients to nursing homes is responsible for the deaths of nursing home residents.... [T]he department is also investigating the Soldiers' Home in Holyoke, Massachusetts, where COVID-19 has taken the lives of at least 76 residents."⁴

Clearly there is bipartisan interest in making sure nursing home data, particularly related to COVID-19, is accurately reported. For instance, Chairman Neal has repeatedly stated his interest in the safety of those living in nursing homes.⁵ We believe there is a congressional

² *Id.*

³ Godman, *supra* note 1.

⁴ Press Release, Department of Justice Requesting Data From Governors of States that Issued COVID-19 Orders that May Have Resulted in Deaths of Elderly Nursing Home Residents, U.S. Dep't of Justice (Aug. 26, 2020), <https://www.justice.gov/opa/pr/departments-justice-requesting-data-governors-states-issued-covid-19-orders-may-have-resulted>.

⁵ In an August 2020 letter to the then-Administrator of the Centers for Medicare and Medicaid Services, Seema Verma, Chairman Neal wrote "[a]ccess to timely, robust, and reliable data is critical in understanding the magnitude of the COVID-19 crisis in nursing homes and appropriately allocating resources to the hardest hit facilities as well as those at greatest risk for outbreaks." In a July 2020 letter to Administrator Verma,

imperative to investigate a cover-up directed from the highest office of state government and executed to prop up the image of a governor in order to sell books during a pandemic.

We request transcribed interviews or depositions of, at a minimum, the following witnesses in advance of a hearing:

- Dr. Eleanor Adams, the Special Advisor to the Commissioner at New York State
- Dr. Howard Zucker, Commissioner of New York Department of Health
- Ms. Melissa DeRosa, Secretary to the Governor
- Ms. Linda Lacewell, Superintendent of the New York Department of Financial Services
- Dr. Jim Malatras, Chancellor of the State University of New York and a former policy adviser to Governor Cuomo
- Any McKinsey & Company staff who worked on the report, including those who developed the chart comparing New York nursing home deaths with other states

Additionally, we request that you immediately issue a subpoena for the documents repeatedly requested by Select Subcommittee Ranking Member Scalise.⁶ These requests are reiterated here for your ready reference:

1. The total number of COVID-19 related nursing home deaths, including deaths that occurred at the nursing home and deaths of a registered nursing home patient at a hospital, by day between January 1, 2020 and present.
2. All State issued guidance, directives, advisories, or executive orders regarding hospital discharges to nursing homes or any and all other types of assisted living facilities, including those previously superseded, in chronological order.
3. All underlying information, documents, and research used by the New York State Department of Health (NYSDOH) to draft the July 6, 2020, report entitled “Factors Associated with Nursing Home Infections and Fatalities in New York State During the COVID-19 Global Health Crisis.”

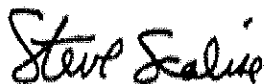
Chairman Neal wrote there was a “...clear congressional imperative for nursing facility surveys and reliable data, as well as the concerns for families and patients around the country about long-term care facilities and COVID-19...” In a February 2021 letter to Acting Administrator Richter, Chairman Neal summarized concerns about data reporting in nursing homes writing, “[d]ata issues must be reconciled to best inform public health officials responding to COVID-19 outbreaks.”

⁶ Letter from Steve J. Scalise, et. al., Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andre M. Cuomo, Governor, N.Y. (June 15, 2020); Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andrew M. Cuomo, Governor, N.Y. (July 9, 2020); Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andrew M. Cuomo, Governor, N.Y. (Jan. 28, 2021); Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, to Andrew M. Cuomo, Governor, N.Y. (Feb. 19, 2021).

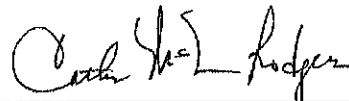
4. All information, documents, and communications between the Office of the Governor and the NYSDOH regarding COVID-19 mitigation in nursing homes and other long-term care facilities, including but not limited to:
 - a. All drafts of the report titled "Factors Associated with Nursing Home Infections and Fatalities in New York State during the COVID-19 Global Health Crisis;" and
 - b. Any and all communications or correspondence between New York state officials discussing any draft or any edits of the report.
5. All information, documents, and communications between the NYSDOH and any and all of the State's Nursing Home Administrators relating to the implementation of any state COVID-19 guidance, particularly the March 25 "must-admit" order, the NYSDOH report, or the methodology for calculating COVID-19 deaths in nursing homes.

Given the urgency of our request, the information emerging day by day through the press, and the continued desire of families to get answers, we ask you confirm the scheduling of a joint committee hearing examining the accuracy of New York's nursing home COVID-19 deaths data reporting and the subsequent coverup by Tuesday, March 9, 2020. We look forward to a reply.

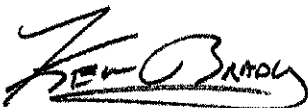
Sincerely,



Steve Scalise
Ranking Member
Select Subcommittee on the
Coronavirus Crisis



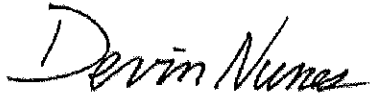
Cathy McMorris Rodgers
Republican Leader
Committee on Energy and Commerce



Kevin Brady
Republican Leader
Committee on Ways and Means



James Comer
Republican Leader
Committee on Oversight and Reform



Devin Nunes
Republican Leader
Subcommittee on Health
Committee on Ways and Means



Brett Guthrie
Republican Leader
Subcommittee on Health
Committee on Energy and Commerce



Tom Reed
Committee on Ways and Means

Congress of the United States

Washington, DC 20515

March 8, 2021

The Honorable James E. Clyburn
Chairman
Select Subcommittee on the Coronavirus Crisis
House of Representatives
Washington, D.C. 20515

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
House of Representatives
Washington, D.C. 20515

The Honorable Robert C. Scott
Chairman
Committee on Education and Labor
House of Representatives
Washington, D.C. 20515

The Honorable Frank J. Pallone
Chairman
Committee on Energy and Commerce
House of Representatives
Washington, D.C. 20515

Dear Chairman Clyburn, Chairwoman Maloney, Chairman Scott, and Chairman Pallone:

We write to request a full, thorough, and bipartisan investigation into the effects school closures are having on our Nation's children with disabilities, and state and local compliance with federal special education requirements. Ensuring America's children are not left behind by state and local leaders afraid to stand up for what is right should be a bipartisan goal. We urge you to join us in following the science to get children back in the classroom.

The *Individuals with Disabilities Education Act* (IDEA) requires that each school provide students with disabilities a "free appropriate public education" (FAPE).¹ While distance learning is acceptable under IDEA, state-wide or district-wide policies that reduce or limit services specifically for students with disabilities without reasonable modifications or services are not.² Additionally, school districts must make every effort to provide distance learning consistent with the child with a disability's Individualized Education Program (IEP).³ In some cases, prioritizing students with disabilities for in-person instruction is required to provide a FAPE or avoid discrimination based on disability.⁴

Unfortunately, students with disabilities are falling behind. States and localities are not meeting even the minimal requirements. We are hearing from parents across the U.S. whose children with disabilities are bearing the greatest burden as schools remain closed. Below are just

¹ 20 U.S.C. § 1401(9), 20 U.S.C. § 1412(a)(1).

² Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak, U.S. Dep't of Educ. (March 12, 2020), <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/qa-covid-19-03-12-2020.pdf>.

³ *Id.*

⁴ Questions and Answers for K-12 Public Schools In the Current COVID-19 Environment, Office for Civil Rights, U.S. Dep't of Educ. (Sept. 28, 2020), <https://www2.ed.gov/about/offices/list/ocr/docs/qa-covid-20200928.pdf>.

a few of the stories from concerned parents. These are not unique. This is happening around the country.

1. A mother of three in Oregon shared this story about her daughter, Lizzie, who has Down Syndrome:

Lizzie's frustrations maxed out quickly. By the third week, she threw the Chromebook away without us knowing and asked for "far away school with her friends," as she called in-person learning.

We sent video clips to the principal, the superintendent and school board members. They said their hands were tied. But we pushed and pried open the doors in mid-October. Lizzie was the first student in our district (and the entire metro area) to return to something called 'limited in-person' by the Oregon Department of Education.

But it was (and is) "limited." No friends. No teachers. No therapies.

Maybe this is a temporary experience and hardship for some but not for Lizzie. Today we completed the paperwork to hold Lizzie back in the third grade; she will be forced to make all new friends. We have hired a behavior specialist to rebuild the lost routines and tutors because the school refused to help. We are spending \$3,000 a month on these supports. This has permanently altered her life.

2. Another mother in Oregon shared this story about her 4-year-old son with Autism:

My 4-year-old has Autism, and he did NOT receive the services at all last spring. Just 3 emails. And his district wanted to do a virtual preschool this fall.

Because I am a teacher and know the rules, I was able to force the issue and they are paying [for] him to attend a private preschool in person.

3. A mother from Maryland shared this story about her twin sons and daughter:

We are an active-duty military family that had to do a cross country move during the pandemic. Our children have not been able to start school or make many friends since moving.

The Honorable James E. Clyburn
The Honorable Carolyn B. Maloney
The Honorable Robert C. Scott
The Honorable Frank J. Pallone
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I have twin boys with IEPs that have not had services for almost a year now.

I also have an older daughter who is on the Spectrum and significantly behind. She is going to private school part time which has wiped out 12 years of college savings for her.

Our kids need to go back to school.

My children cannot handle virtual and are homeschooling now, but it is a battle daily. They have been getting more and more angry and aggressive due to being stuck home with no social or academic improvement.

Open schools for the full five days.

There are more than seven million students with disabilities in the U.S.—about 14 percent of national public school enrollment.⁵ Many special needs children benefit from consistent and attentive, in-person instruction. Many special needs children also receive afternoon in-school therapy sessions. The lack of access to these services raises serious concerns about the impact on their mental health. These children would also benefit from seeing their friends in school and from recreation. As noted by the Centers for Disease Control and Prevention's (CDC) guidance, the absence of in-person education options may disadvantage students with disabilities.

We urge a bipartisan oversight request to CDC and the National Institutes of Health (NIH) to provide data related to experiences of special education schools that have reopened or special education students that are attending school in person. Further, the CDC and the NIH should provide studies on the impact of the COVID-19 pandemic on children with disabilities in the U.S. and other countries.

We are particularly disappointed the Biden administration is not more forcefully recommending schools open because the science is clear. A recent study, published by CDC scientists, found that “there has been *little evidence* that schools have contributed meaningfully to increased community transmission.”⁶ It went further and stated, “schools [are] *not associated*

⁵ Department of Education FY 2021 Budget Proposal, Vol. I: Special Education, Page I-23, <https://www2.ed.gov/about/overview/budget/budget21/justifications/i-special.ed.pdf>.

⁶ Margaret Honein, et. al., *Data and Policy to Guide Opening Schools Safely to Limit the Spread of SARS-CoV-2 Infection*, JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION (Jan. 26, 2021), <https://jamanetwork.com/journals/jama/fullarticle/2775875?guestAccessKey=9961f22d-99e6-4861-8fa6->

The Honorable James E. Clyburn
The Honorable Carolyn B. Maloney
The Honorable Robert C. Scott
The Honorable Frank J. Pallone
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with accelerating community transmission.”⁷ Finally, the study states, “the type of rapid spread that was frequently observed in congregate living facilities or high-density worksites has *not* been reported in education settings in schools.”⁸

This study strongly suggests that schools can reopen safely and not pose a serious threat to community spread. Dr. Anthony Fauci, President Biden’s Chief Medical Advisor, said, “I would back the CDC recommendations...it’s less likely for a child to get infected in the school setting than if they were just in the community.”⁹ Dr. Rochelle Walensky, Director of the CDC, said, “[t]here is increasing data to suggest that schools can safely reopen and that safe reopening does not suggest that teachers need to be vaccinated.”¹⁰ Unfortunately, both Dr. Fauci and Dr. Walensky have walked back these positions, likely due to political pressure,¹¹ and the CDC’s updated guidance may lead to more closures.

The science is clear—it is safe to reopen schools. Getting all children back to full time, in-person instruction, especially those with special needs and disabilities, must be a bipartisan priority. If states or localities are violating federal civil rights laws to the detriment of students, they must be investigated, and their actions corrected.

We call on you to put children over unions and science over politics. We must open an immediate, bipartisan investigation to ensure students’ needs are met and federal law is followed.

Sincerely,



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



James R. Comer
Ranking Member
Committee on Oversight and
Reform

cf0b3463ef92&utm_source=For_The_Media&utm_medium=referral&utm_campaign=ftm_links&utm_content=tf1
&utm_term=01262 (*emphasis added*).

⁷ *Id* (*emphasis added*).

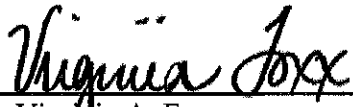
⁸ *Id* (*emphasis added*).

⁹ Marisa Schultz, *Fauci backs CDC research on reopening schools dismissed by Biden chief of staff*, FOX NEWS (Jan. 28, 2021), <https://www.foxnews.com/politics/fauci-backs-cdc-research-reopening-schools-dismissed-biden-chief-of-staff>.

¹⁰ Press Briefing by White House COVID-19 Response Team and Public Health Officials, White House (Feb. 3, 2021) available at <https://www.whitehouse.gov/briefing-room/press-briefings/2021/02/03/press-briefing-whitehouse-covid-19-response-team-and-public-health-officials/>.

¹¹ Transcript: CDC Update on COVID-19 (Feb. 12, 2021), <https://www.cdc.gov/media/releases/2021/t0212-cdc-update-covid-19.html>.

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The Honorable Carolyn B. Maloney
The Honorable Robert C. Scott
The Honorable Frank J. Pallone
March 8, 2021
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A handwritten signature in cursive script, reading "Virginia Foxx", written over a horizontal line.

Dr. Virginia A. Foxx
Ranking Member
Committee on Education and
Labor

A handwritten signature in cursive script, reading "Cathy McMorris Rodgers", written over a horizontal line.

Cathy McMorris Rodgers
Ranking Member
Committee on Energy and
Commerce

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

March 25, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

Since we first wrote to you on March 4, 2021, the crisis at the southwest border has only worsened, particularly with respect to increasing arrivals of unaccompanied minors. However, you have continued to remain silent and have not scheduled any hearings despite the Committee holding several hearings on border issues during the previous Administration. In light of this ongoing crisis, which has no end in sight¹ given the Administration's current policies, we again request that you hold a hearing with Biden Administration officials. It is imperative that the Oversight Committee examine how the Administration intends to address the crisis at the border.

Since his first day in office, President Biden and his Administration have issued a series of executive orders and actions that have signaled to the world the southwest border is open and illegal immigration will have little, if any consequence.² Human smugglers are taking advantage of and profiting from this administration's open borders agenda and families and children are arriving in droves with the near guarantee they will be released into the interior of the United States—some without court dates to appear for adjudication.³ We have repeatedly called on the Biden Administration to provide documents and information on how it plans to address this crisis, but to date, it has refused to do so. So far, it appears the only plan the Biden Administration has is to run radio and social media advertisements.⁴ A hashtag is not going to make this crisis go away.⁵

¹ Parker, Ashley, et. al., 'No end in sight': Inside the Biden administration's failure to contain the border surge, WASH. POST. (Mar. 20, 2021), available at https://www.washingtonpost.com/politics/biden-border-surge/2021/03/20/21824e94-8818-11eb-8a8b-5cf82c3dffe4_story.html.

² Bedard, Paul, List: 27 steps to worst border crisis in 20 years, WASH. EXAMINER (Mar. 19, 2021), available at <https://www.washingtonexaminer.com/washington-secrets/list-27-steps-to-worst-border-crisis-in-20-years>.

³ Ainsley, Julia, et. al., Amid surge, border agents in Rio Grande Valley are releasing migrants without court dates, NBC NEWS (Mar. 22, 2021), available at <https://www.nbcnews.com/politics/immigration/amid-surge-border-agents-rio-grande-valley-now-releasing-migrants-n1261720>.

⁴ Psaki, Jen, White House Daily Press Briefing, The White House (Mar. 22, 2021), available at <https://www.c-span.org/video/?510134-1/white-house-children-coming-border-fleeing-violence-persecution-is-crisis>.

⁵ See e.g. Tweet by U.S. Embassy Guatemala, (Mar. 23, 2021) available at <https://twitter.com/usembassyguate/status/1374375604582187008> (#UnViajeEnVano)

The facts are startling. As of March 15, 2021, there were more than 4,000 children, many of whom had been detained longer than 72 hours in the custody of Customs and Border Protection (CBP) awaiting placements in Health and Human Services (HHS) shelters.⁶ FEMA has been activated to attend to the crisis.⁷ Meanwhile, HHS continues to seek to expand its emergency influx bedspace capacity to receive those children languishing in CBP facilities while preparing for expected arrivals of even more children. According to HHS officials, the Department is in the process of occupying a site formerly used by oil field workers as well as the Dallas Convention Center to house the children flooding into America.⁸ In total, there are now more than 13,000 children in U.S. custody.⁹ As noted above, Border Patrol agents in the Rio Grande Valley sector are so overwhelmed that they are now releasing illegal immigrants without issuing them a court date.¹⁰ Since the Biden Administration has refused to engage in deterrent border enforcement policies, it is the Committee's responsibility to conduct oversight of this urgent situation that worsens by the day.

You and your colleagues previously decried the humanitarian crisis on the border in 2019, blaming "the Trump Administration's inhumane policies" for creating it.¹¹ During the Trump Administration, this Committee held multiple hearings on the treatment of children at the border.¹² In addition to hearings on the zero tolerance policy that ended in 2018, this Committee focused on conditions in custody during the Trump Administration, particularly with respect to children. The Subcommittee on Civil Rights and Civil Liberties even held a hearing entitled "Kids in Cages: Inhumane Treatment at the Border" on July 10, 2019.¹³ The full Committee also held a hearing with then Acting Secretary of Homeland Security Kevin McAleenan on July 18, 2019, which examined "the treatment of immigrants detained in U.S. government facilities, and related issues."¹⁴ Democrats also organized multiple staff inspection visits to border detention

⁶ Information provided to Committee Staff by HHS via teleconference call regarding the opening of an Emergency Influx Facility in Midland, Texas (Mar. 15, 2021).

⁷ Press Release: *Homeland Security Secretary Mayorkas Directs FEMA to Support Response for Unaccompanied Children*, Dep't of Homeland Security (Mar. 13, 2021), available at <https://www.dhs.gov/news/2021/03/13/homeland-security-secretary-mayorkas-directs-fema-support-response-unaccompanied>.

⁸ Information provided to Committee Staff by HHS via teleconference call regarding the opening of an Emergency Influx Facility at the Dallas Convention Center (Mar. 16, 2021).

⁹ Yilek, Caitlin, *More than 13,000 migrant children in U.S. custody, sources say*, CBS News (Mar. 17, 2021), available at <https://www.cbsnews.com/news/immigration-migrant-children-border-patrol-custody/>.

¹⁰ Kight, Stef. W., *Rio Grande Valley border patrol releasing migrants without court date*, AXIOS NEWS (Mar. 21, 2021), available at <https://www.axios.com/border-patrol-rio-grande-valley-release-migrant-families-67e8cdc1-d549-47e1-aba3-8baca26025d8.html>.

¹¹ Press Release, Maloney Statement on Voting to Pass the Humanitarian Supplemental Bill, H. Comm. on Oversight & Reform (Jun 26, 2019), <https://maloney.house.gov/media-center/press-releases/maloney-statement-on-voting-to-pass-the-humanitarian-supplemental-bill>.

¹² *Kids in Cages: Inhumane Treatment at the Border: Hearing Before the H. Comm. on Oversight & Reform, Subcommittee on Civil Rights & Civil Liberties*, 116th Cong. (Jul. 10, 2019); *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment: Hearing Before the H. Comm. on Oversight & Reform*, 116th Cong. (Jul. 12, 2019); *With the Acting Secretary of Homeland Security Kevin K. McAleenan: Hearing Before the H. Comm. on Oversight & Reform*, 116th Cong. (Jul. 18, 2019).

¹³ Hearing Materials available at <https://oversight.house.gov/legislation/hearings/kids-in-cages-inhumane-treatment-at-the-border>.

¹⁴ Hearing Materials available at <https://oversight.house.gov/legislation/hearings/with-the-acting-secretary-of-homeland-security-kevin-k-mcaleenan>.

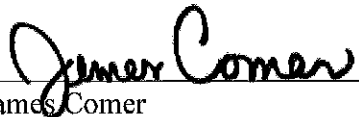
facilities.¹⁵ Unfortunately, the border no longer appears to be an important issue for Democrats—with the exception of Congressman Cuellar, who in a bid for transparency, released alarming photos of children in a crowded facility sleeping on the floor.¹⁶

Under President Biden's watch, there are currently historically high levels of unaccompanied children arriving at the southwest border, yet this Committee continues taking no action. Department of Homeland Security Secretary Alejandro Mayorkas even recently stated "we are on pace to encounter more individuals on the southwest border than we have in the last 20 years."¹⁷ It appears that Committee Democrats only care about these issues when there is a Republican in the White House. However, securing our border and ending this humanitarian crisis should be a priority for this Committee regardless of party affiliation.

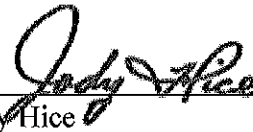
The Committee must hold the Biden Administration accountable for its policies that have created a crisis at the border. These inhumane policies are fueling the human smuggling industry and placing untold lives in danger. We, again, urge you to schedule a hearing to conduct oversight of the crisis at the southwest border and this Administration's plans for handling the current surge.

Thank you for your attention to this important request.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations

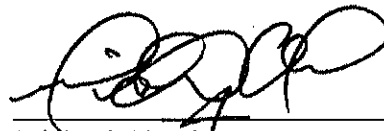
¹⁵ See Letter from Elijah Cummings, Chairman, H. Comm. on Oversight & Gov't Reform to Kevin McAleenan, DHS Acting Secretary, Aug. 29, 2019, *available at* <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2019-08-29.EEC%20to%20McAleenan-%20DHS%20re%20StaffDels.pdf>.

¹⁶ CBS DFW Staff, *Photos Of Migrant Children Detention Highlighting Biden's Border Secrecy Shared By Texas Democratic Congressman Henry Cuellar*, CBS NEWS DALLAS FT. WORTH (Mar. 22, 2021) *available at* <https://dfw.cbslocal.com/2021/03/22/texas-congressman-henry-cuellar-photos-migrant-detention-president-joe-biden-border-secrecy/>.

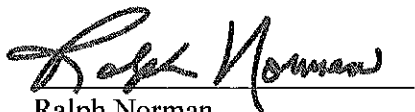
¹⁷ *Statement by Homeland Security Secretary Alejandro N. Mayorkas Regarding the Situation at the Southwest Border*, Dep't of Homeland Security (Mar. 16, 2021), *available at* <https://www.dhs.gov/news/2021/03/16/statement-homeland-security-secretary-alejandro-n-mayorkas-regarding-situation>.



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



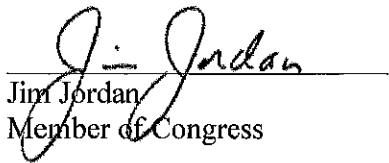
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Ralph Norman
Ranking Member
Subcommittee on Environment



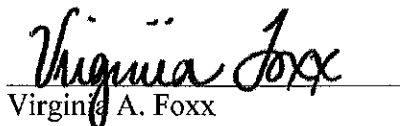
Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



Jim Jordan
Member of Congress



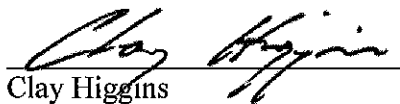
Paul A. Gosar, D.D.S.
Member of Congress



Virginia A. Foxx
Member of Congress



Bob Gibbs
Member of Congress



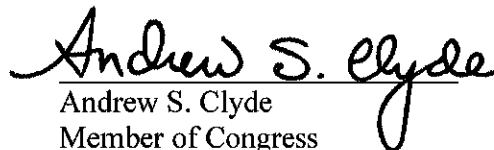
Clay Higgins
Member of Congress



Fred Keller
Member of Congress



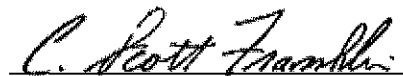
Andy Biggs
Member of Congress



Andrew S. Clyde
Member of Congress

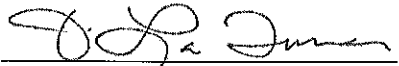


Nancy Mace
Member of Congress



Scott Franklin
Member of Congress

The Honorable Carolyn Maloney
March 25, 2021
Page 5 of 5



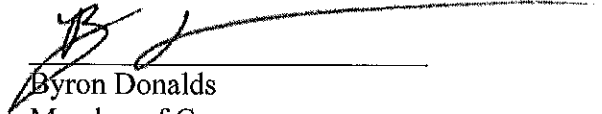
Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress



Byron Donalds
Member of Congress

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

April 26, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

Last week, I requested a briefing from Mayor Muriel Bowser about reporting that 1,500 people incarcerated in the District of Columbia (D.C.) jail have been subjected to over a year of COVID-19 lockdowns for 23 hours a day in their cells.¹ As reported by the *Washington Post*, D.C.'s local incarcerated residents have grown beards and long hair due to being unable to visit a barber; sleep at odd hours due to their one hour per day outside of their cell—sometimes coming at 3 a.m.—and talk to themselves due to solitary confinement.² Not until this month have inmates even been allowed outside.³

Due to the disturbing nature of this reporting—potentially a grave human rights abuse by the D.C. government—I expected Mayor Bowser to respond promptly to my request for information. However, she has ignored this issue, seemingly hoping it will simply go away. This morning, however, we learned that the D.C. government appears to have double downed on its alleged abuse of its inmates. According to the *Post*, D.C. officials have said “they have no plans to relax the virtually around-the-clock confinement of 1,500 jail inmates to their cells[.]”⁴ In fact, a week after this reporting became public, D.C. officials have failed to even begin to plan how it will end this unprecedented and cruel treatment of its own residents.⁵

The conduct of D.C.'s government in perpetuating these human rights abuses is unacceptable. Likewise, it is unacceptable that the Mayor continues to ignore all congressional inquiries. Therefore, I am requesting an emergency hearing before the Committee on Oversight and Reform to examine D.C.'s alleged human rights violations. Let us use the power of our Committee to shine a spotlight on, and bring an end to, these gross abuses that are happening right at our doorstep.

¹ Letter to Hon. Muriel Bowser, Mayor, Washington, D.C. from Hon. James Comer, Ranking Member, H. Comm. on Oversight and Reform (Apr. 19, 2021), available at <https://republicans-oversight.house.gov/wp-content/uploads/2021/04/4-19-2021-Mayor-Bowser-re-D.C.-Prisoners.pdf>.

² Peter Jamison, *An ‘Insane’ Covid Lockdown Two Miles from the Capitol, with No End in Sight*, WASH. POST (Apr. 19, 2021), available at <https://www.washingtonpost.com/dc-md-va/2021/04/19/dc-jail-lockdown-covid/>.

³ *Id.*

⁴ Peter Jamison, *D.C. Officials Ignore Growing Pressure to End 23-Hour Coronavirus Lockdown at Jail*, WASH. POST (Apr. 23, 2021), available at <https://www.washingtonpost.com/dc-md-va/2021/04/23/dc-jail-covid-lockdown-officials/>.

⁵ *Id.*

The Honorable Carolyn Maloney
April 26, 2021
Page 2

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, prominent "C" at the end.

James Comer
Ranking Member

Congress of the United States

Washington, DC 20515

May 24, 2021

The Honorable James E. Clyburn
Chairman
Select Subcommittee on the Coronavirus Crisis
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Clyburn and Chairwoman Maloney:

Last year, House Republicans repeatedly called for Democrats on the Select Subcommittee on the Coronavirus Crisis and the Committee on Oversight and Reform to join our effort to hold the Chinese Communist Party (CCP) accountable for its role in causing the global COVID-19 pandemic. In light of new evidence, and your ongoing refusal to acknowledge legitimate questions related to the CCP, we are writing to renew our long-standing request for a full investigation of China's liability.

In a series of letters and statements at public meetings, we shared evidence that the CCP obscured the virus' origins, manipulated the World Health Organization (WHO) to cover up the severity of the initial outbreak, and leveraged the crisis to steal American medical research, among other things. Repeatedly, we called for a full investigation to address those questions. Repeatedly, you ignored our requests.

In fact, at the very first meeting of the Select Subcommittee on May 13, 2020, Republicans called on Democrats to hold the CCP accountable for the spread of COVID-19.¹ Then, in a letter dated May 19, 2020, we stated House Democrats should bring investigative resources to bear on questions related to "why the Chinese government denied and downplayed the severity of the COVID-19 outbreak, and how China is now attempting to exploit the pandemic it caused."² That letter followed an April 30, 2020 request from Republican leaders on the Committee on Oversight and Reform for "immediate briefings, and hearings next month, on the [World Health Organization's] relationship with the Communist Party of China and its widely criticized response to the ongoing COVID-19 crisis."³ Those letters are enclosed for your ready reference—they contain extensive evidence that the CCP denied and downplayed the severity of the COVID-19 outbreak, and exploited the pandemic to gain a strategic advantage.

¹ *Testing, Tracing, And Targeted Containment: Briefing Before Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform*, 116th Cong. (May 13, 2020) (statement by Steve J. Scalise, Ranking Member).

² Letter from Steve J. Scalise, et. al., Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. On Oversight & Reform, to James E. Clyburn, Chairman, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform (May 19, 2020).

³ Letter from Jim Jordan, et. al., then-Ranking Member, H. Comm. On Oversight & Reform, to Carolyn Maloney, Chairwoman, H. Comm. on Oversight & Reform (Apr. 30, 2020).

This matter is more urgent in light of a report yesterday that three researchers from China's Wuhan Institute of Virology became ill and sought hospital care in November 2019, according to U.S. intelligence sources.⁴ It should concern Subcommittee Democrats that the Wuhan Institute is withholding "raw data, safety logs and lab records on its extensive work with coronaviruses in bats."⁵ Indeed, the Biden Administration is concerned: regarding the intelligence report, a National Security Council spokesman said, "We continue to have serious questions about the earliest days of the COVID-19 pandemic, including its origins within the People's Republic of China."⁶

The calls for a full and complete investigation of China's role are not limited to President Biden's National Security Council. Several senior Biden Administration officials have joined Republican calls for an impartial investigation of China and the WHO:

- Secretary of Health and Human Services Xavier Becerra said, "we have to understand how COVID-19 surfaced, we have to understand how it spread so we can try to make sure we are prepared for next time."⁷
- Chief Medical Advisor to President Biden Dr. Anthony Fauci, when asked if he was confident COVID-19 developed naturally, said, "no actually, I am not convinced about that, I think we should . . . investigate what went on in China."⁸
- After the WHO said a laboratory accident was "extremely unlikely," Director of National Intelligence Avril Haines said, "that is not [the Biden Administration's] assessment."⁹
- Secretary of State Antony Blinken expressed similar concerns stating, "[w]e've got real concerns about the methodology and the process that went into [the WHO] report, including the fact that the government in Beijing apparently helped write it."¹⁰

In short, there is evidence the CCP started the pandemic, covered it up, and is responsible for the deaths of almost 600,000 Americans and millions more worldwide. These questions are

⁴ Michael R. Gordon, Warren P. Strobel, and Drew Hinshaw, *Intelligence on Sick Staff at Wuhan Lab Fuels Debate on Covid-19 Origin*, WALL ST. J., May 23, 2021, <https://www.wsj.com/articles/intelligence-on-sick-staff-at-wuhan-lab-fuels-debate-on-covid-19-origin-11621796228>.

⁵ *Id.*

⁶ *Id.*

⁷ *The Fiscal Year 2022 HHS Budget: Hearing Before H. Comm. on Energy and Commerce*, 117th Cong. (May 12, 2021) (statement by Xavier Becerra, Sec'y, Dep't of Health & Human Servs.).

⁸ Morgan Phillips, *Fauci 'not convinced' COVID-19 developed naturally*, FOX NEWS (May 23, 2021), <https://www.foxnews.com/politics/fauci-not-convinced-covid-19-developed-naturally>.

⁹ Bill Gertz, *DNI Avril Haines knocks WHO report that dismissed theory COVID-19 escaped from lab*, WASH. EXAMINER (Apr. 15, 2021), <https://www.washingtontimes.com/news/2021/apr/15/avril-haines-william-burns-rip-who-report-covid-19/>.

¹⁰ Javier Hernandez, *The U.S. is concerned about China's influence over a report on the pandemic's origins*, N.Y. TIMES (Mar. 29, 2021), <https://www.nytimes.com/2021/03/29/world/the-us-is-concerned-about-chinas-influence-over-a-report-on-the-pandemics-origins.html>.

The Honorable James E. Clyburn
The Honorable Carolyn B. Maloney
May 24, 2021
Page 3

not a diversion as Speaker Pelosi has stated—they get to truth and accountability. The House Democrat majority’s refusal to follow the science, listen to the experts, and investigate the origins of COVID-19 raises serious questions about the credibility of the Select Subcommittee because we are uniquely positioned to find the truth, and seeking those answers is squarely within our mandated jurisdiction. In an apparent attempt to justify turning a blind eye to China’s role in the COVID-19 pandemic, you claimed the Select Subcommittee “is not directed to focus on the origins of the virus.”¹¹ This is not accurate. H. Res. 935, the Select Subcommittee’s authorizing document, instructs the Select Subcommittee to “prepare for future pandemics” and investigate “any . . . issues related to the coronavirus crisis.”¹² Investigating the origins of COVID-19 is clearly within the scope of this Subcommittee’s jurisdiction, and we would be letting the American people down if we did not get answers to these critical questions. Even President Biden and others in the Biden Administration are now expressing the need for a full investigation into the CCP’s actions.

The Democrat House majority’s inactions, since the formation of the Select Subcommittee within the Committee on Oversight and Reform, appear intended to advance a political narrative at the expense of accountability for the CCP. We hope you will abandon this partisan agenda and join our investigation into the origins of COVID-19. This is one of the most important questions that demands answers. Thank you for your attention to this important request.

Sincerely,



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



James Comer
Ranking Member
Committee on Oversight and Reform

Enclosures:

1. Letter from Hon. Steve J. Scalise, et. al., to Hon. James E. Clyburn (May 19, 2020).
2. Letter from Hon. Jim Jordan and Hon. James Comer, et. al., to Hon. Carolyn Maloney (Apr. 30, 2020).

¹¹ Steven Nelson, *Republicans on House coronavirus panel want China ambassador to testify*, N.Y. POST (May 19, 2020), <https://nypost.com/2020/05/19/republicans-on-house-coronavirus-panel-want-china-ambassador-to-testify/>.

¹² H. Res. 935(3)(a)(3), (10).

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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June 2, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

When we first wrote to you on March 4, 2021 about the crisis on the southwest border, there were about 7,000 unaccompanied children in U.S. custody.¹ When we last wrote to you on March 25, 2021, there were 13,000.² Recently, there were over 22,000.³ Hundreds more children are arriving by the day⁴ while the costs to taxpayers for providing adequate care are skyrocketing.⁵ Once again, we request that you hold a full Committee hearing with Biden Administration officials in order for them to account for the effects of their policies in fueling the border crisis and scrutinize what plans, if any, they have to remedy this dire situation that places vulnerable children into the hands of human smugglers.

Although the Administration reports lower numbers of children in Customs and Border Protection (CBP) custody, those children have simply been transferred into emergency shelters opened by the Department of Health and Human Services (HHS).⁶ U.S. Representative Henry Cuellar, a Democrat from a border district, has correctly highlighted that the Administration is simply moving children “from one tent to the other tent.”⁷

¹ Julia Ainsley & Jacob Soboroff, *Uptick in minors crossing border may result in Biden administration's building more shelters*, NBC NEWS (Feb. 24, 2021), www.nbcnews.com/politics/immigration/uptick-minors-crossing-border-may-result-biden-administration-building-more-n1258746.

² Yilek, Caitlin, *More than 13,000 migrant children in U.S. custody, sources say*, CBS NEWS (Mar. 17, 2021), available at <https://www.cbsnews.com/news/immigration-migrant-children-border-patrol-custody/>.

³ Shaw, Adam, *DHS chief Mayorkas says hundreds of migrant kids still coming in daily*, FOX NEWS (May 8, 2021), available at <https://www.foxnews.com/politics/alejandro-mayorkas-dhs-chief-border-facility-unaccompanied-minors-a-day>.

⁴ *Id.*

⁵ Sullivan, Eileen, Zolan Kanno-Youngs & Luke Broadwater, *Overcrowded Border Jails Give Way to Packed Migrant Child Shelters*, N.Y. TIMES (May 7, 2021), available at <https://www.nytimes.com/2021/05/07/us/politics/migrant-children-shelters.html>.

⁶ *Id.*

⁷ Giaritelli, Anna, *Border Democrats slamming Biden for 'failed' response to border crisis*, WASH. EXAMINER (May 9, 2021), available at <https://www.washingtonexaminer.com/news/border-democrats-slamming-biden-for-failed-response-to-border-crisis>.

In recent months, HHS has opened more than a dozen emergency intake shelters to house these children on sites ranging from army bases to convention centers.⁸ Conditions in these emergency intake facilities are concerning. HHS was recently forced to shut down one warehouse-like facility in April for failing to meet agency standards.⁹ Conditions were so bad at that particular facility that children were forced to use plastic bags to toilet due to a staffing shortage.¹⁰ In addition to activating the Federal Emergency Management Agency (FEMA),¹¹ federal employees from across the government have been called to leave their positions to come to the border and assist HHS in caring for unaccompanied children.¹²

Meanwhile, costs are skyrocketing. The Biden Administration has already awarded \$3 billion to contractors to house the unaccompanied children, the majority of which were comprised of no-bid contracts awarded to just three entities.¹³ Documents obtained by the *New York Times* indicate that the Administration estimates that it will need another \$4 billion before the end of the fiscal year to cover the costs of caring for unaccompanied children in custody. This is in addition to money already transferred within HHS for that purpose.¹⁴ *Politico* reports that HHS is reprogramming funds intended for the Strategic National Stockpile and coronavirus testing, indicating that the Biden border policies are having a detrimental effect on the government's ability to respond to the current pandemic or future pandemics.¹⁵ This is not a problem that will simply solve itself. Secretary of Homeland Security Alejandro Mayorkas recently confirmed that hundreds of children are still arriving per day.¹⁶ The Committee must take action to fulfill our oversight responsibility.

⁸ Hackman, Michelle & Alicia A. Caldwell, *U.S. Reduces Migrant Children in Border Patrol Custody, but Emergency Shelters Pose New Concerns*, WALL STREET JOURNAL (May 5, 2021), available at <https://www.wsj.com/articles/u-s-reduces-migrant-children-in-border-patrol-custody-but-emergency-shelters-pose-new-concerns-11620234355>

⁹ Vega, Cecilia et. al., *'Unbearable' conditions push Biden administration to close Houston migrant center*, ABC NEWS (Apr. 19, 2021), available at <https://abcnews.go.com/US/unbearable-conditions-push-biden-administration-close-houston-migrant/story?id=77156939#:~:text=A%20Houston%20warehouse%20providing%20shelter.it%20after%20just%2017%20days>.

¹⁰ *Id.*

¹¹ Press Release: *Homeland Security Secretary Mayorkas Directs FEMA to Support Response for Unaccompanied Children*, Dep't of Homeland Security (Mar. 13, 2021), available at <https://www.dhs.gov/news/2021/03/13/homeland-security-secretary-mayorkas-directs-fema-support-response-unaccompanied>.

¹² Memorandum for Heads of Executive Departments and Agencies from Kathleen M. McGettigan, Acting Director, U.S. Office of Personnel Management re: Detail Opportunity (Mar. 25, 2021), available at <https://chcoc.gov/content/detail-opportunity-information-departmentagency-leadership>.

¹³ Shaw, Adam, *Biden administration has spent \$3B on migrant facility contracts: report*, FOX NEWS (May 9, 2021), available at <https://www.foxnews.com/politics/biden-administration-border-migrant-facility-contracts-spending>

¹⁴ *Overcrowded Border Jails Give Way to Packed Migrant Child Shelters*, *supra* note 5.

¹⁵ Cancryn, Adam, *Biden admin reroutes billions in emergency stockpile, Covid funds to border crunch*, POLITICO (May 15, 2021), available at <https://www.politico.com/news/2021/05/15/hhs-covid-stockpile-money-border-migrants-488427>.


¹⁶ *DHS chief Mayorkas says hundreds of migrant kids still coming in daily*, *supra* note 3.

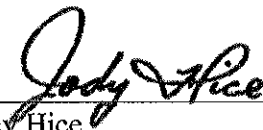
As we noted in our previous letter, this Committee held multiple hearings during the Trump Administration on the treatment of children at the border.¹⁷ It is surprising that you have failed to schedule a hearing during the current border crisis created by the Biden Administration, especially as conditions continue to deteriorate and more and more taxpayer funds are required. Even as you remain silent, members of your own party in both the Senate and the House have decried the Biden Administration's response to the border crisis.¹⁸

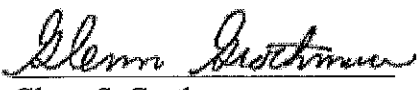
Yet again, we urge you to schedule a hearing to conduct oversight of the crisis at the southwest border and the Biden Administration's plans to get control of the situation and stem the surge. Our Committee should not stand on the sidelines simply because a Democrat occupies the White House. The Committee must hold the Biden Administration accountable for the effects of its policies and their role in exacerbating the border crisis.

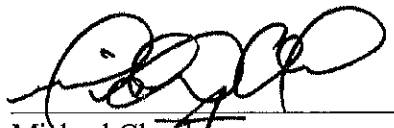
Thank you for your attention to this important request.

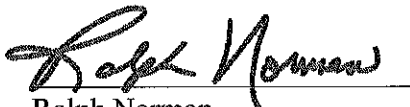
Sincerely,

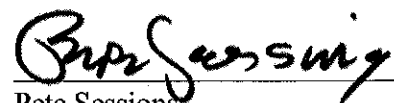

James Comer
Ranking Member
Committee on Oversight and Reform


Jody Hice
Ranking Member
Subcommittee on Government
Operations


Glenn S. Grothman
Ranking Member
Subcommittee on National Security



Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy


Ralph Norman
Ranking Member
Subcommittee on Environment



Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties

¹⁷ *Kids in Cages: Inhumane Treatment at the Border: Hearing Before the H. Comm. on Oversight & Reform, Subcommittee on Civil Rights & Civil Liberties*, 116th Cong. (Jul. 10, 2019); *The Trump Administration's Child Separation Policy: Substantiated Allegations of Mistreatment: Hearing Before the H. Comm. on Oversight & Reform*, 116th Cong. (Jul. 12, 2019); *With the Acting Secretary of Homeland Security Kevin K. McAleenan: Hearing Before the H. Comm. on Oversight & Reform*, 116th Cong. (Jul. 18, 2019).

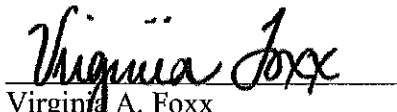
¹⁸ *Border Democrats slamming Biden for 'failed' response to border crisis*, *supra* note 7.



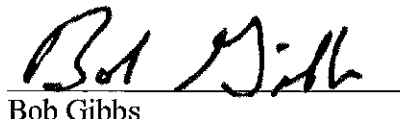
Jim Jordan
Member of Congress



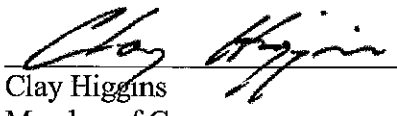
Paul A. Gosar, D.D.S.
Member of Congress




Virginia A. Foxx
Member of Congress



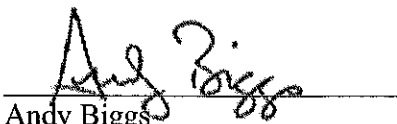
Bob Gibbs
Member of Congress



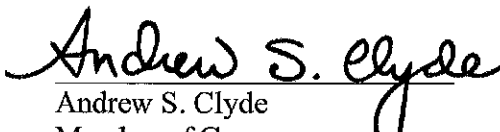
Clay Higgins
Member of Congress



Fred Keller
Member of Congress



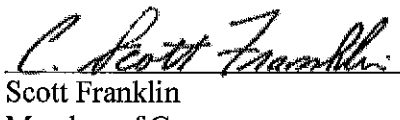
Andy Biggs
Member of Congress



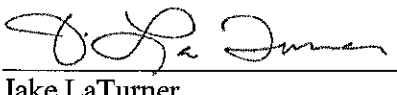
Andrew S. Clyde
Member of Congress



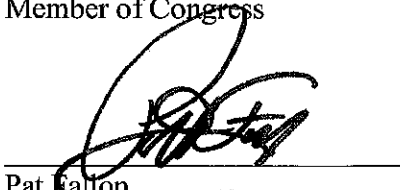
Nancy Mace
Member of Congress



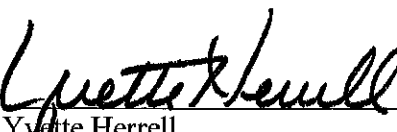
Scott Franklin
Member of Congress



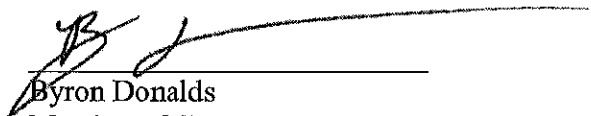
Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress



Byron Donalds
Member of Congress

The Honorable Carolyn Maloney

June 2, 2021

Page 5 of 5

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States

Washington, DC 20515

June 3, 2021

The Honorable James E. Clyburn
Chairman
Select Subcommittee on the Coronavirus Crisis
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Clyburn and Chairwoman Maloney:

On May 24, 2021, we wrote to you requesting you to join House Republican efforts to hold the Chinese Communist Party (CCP) accountable for its role in unleashing the COVID-19 pandemic.¹ You have ignored that request.

Recent reporting makes this request even more urgent. Just yesterday, thousands of Dr. Anthony Fauci's emails were released via the Freedom of Information Act.² His emails debunk many Democrats' claims from the past year that he and other Administration scientists were "muzzled" by the Trump Administration.³ More importantly, the emails contain new evidence regarding the origins of COVID-19, including the possibility it leaked from a U.S. taxpayer funded laboratory.

It is now imperative that Dr. Fauci come before our Committees to provide information related to the origins of the novel coronavirus as well as the U.S. government's role in funding research that may have contributed to the development of the novel coronavirus. The American people have a right to know what our government knew about the origins of the pandemic and when it was known.

Therefore, we renew our request that you immediately convene hearings to examine the origins of COVID-19, the possibility that it leaked from a CCP-controlled laboratory, and any involvement of U.S. taxpayer funds. Additionally, we request that you demand unredacted versions of all of Dr. Fauci's recently released emails. Your continued inaction while facing

¹ Letter from Steve J. Scalise, Ranking Member, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, & James R. Comer, Ranking Member, H. Comm. on Oversight & Reform, to James E. Clyburn, Chairman, Select Subcomm. on the Coronavirus Crisis, H. Comm. on Oversight & Reform, & Carolyn B. Maloney, Chairwoman, H. Comm. on Oversight & Reform (May 24, 2021).

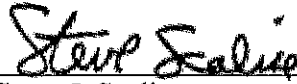
² See Natalie Bettendorf & Jason Leopold, *Anthony Fauci's Emails Reveal The Pressure That Fell on One Man*, BUZZFEED NEWS (June 1, 2021), <https://www.buzzfeednews.com/article/nataliebettendorf/fauci-emails-covid-response>.

³ Email from Anthony Fauci to Mark Shlomchik (Mar. 2, 2020) (on file with Comm. staff).

The Honorable James E. Clyburn
The Honorable Carolyn B. Maloney
June 3, 2021
Page 2

mounting evidence of the CCP's malicious conduct is concerning. Thank you for your attention to this important inquiry.

Sincerely,



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



James Comer
Ranking Member
Committee on Oversight and Reform

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-6051
MINORITY (202) 225-6074
<https://oversight.house.gov>

June 16, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

The Committee on Oversight and Reform must hold a hearing to examine a recent massive leak of the sensitive tax information of thousands of Americans from the Internal Revenue Service (IRS). Leaks of tax information, particularly by government officials entrusted with caring for that sensitive information, are completely unacceptable and this Committee must conduct oversight to determine who is responsible and how to prevent something like this from ever happening again.

On June 8, 2021, ProPublica published an article relying on “a vast cache of IRS information.”¹ In a gross breach of public trust, it appears someone illegally leaked this information. The article contains details of federal tax filings going back more than a decade involving individuals from across the business and political spectrum, including Jeff Bezos, Elon Musk, Bill Gates, Warren Buffett, Rupert Murdoch, Michael Bloomberg, and George Soros.² In fact, ProPublica alleges it obtained data “on the tax returns of thousands of the nation’s wealthiest people, covering more than 15 years.”³

Tax returns are filled with personal, private, and sensitive information including social security numbers and intimate details of one’s financial situation. “Returns and return information shall be confidential”⁴ except as otherwise authorized by limited exceptions in federal law. “[N]o officer or employee of the United States... shall disclose any return or return information obtained by him in any manner in connection with his service...”⁵ Furthermore, it is a felony for a federal officer or employee to unlawfully disclose tax return information.⁶ Given

¹ See Eisinger, Jesse et. al., *The Secret IRS Files: Trove of Never-Before-Seen Records Reveal How the Wealthiest Avoid Income Tax*, PRO PUBLICA (Jun. 8, 2021), available at <https://www.propublica.org/article/the-secret-irs-files-trove-of-never-before-seen-records-reveal-how-the-wealthiest-avoid-income-tax>.

² *Id.*

³ *Id.*

⁴ 26 U.S.C. § 6103(a).

⁵ *Id.*

⁶ 26 U.S.C. § 7213(a)(1).

the nature of this data, it is very likely that a federal officer or employee leaked that protected information to ProPublica.

Whether it is George Soros or Rupert Murdoch, every American should have confidence that their personal tax information is secure and safe from privacy violations. Especially as the Biden Administration's proposed budget would vastly increase the size and staffing of the IRS,⁷ we are concerned about the potential for future leaks of sensitive tax information, particularly if such leaks are politically motivated and/or targeted against those who may take unpopular positions. Such leaks will continue to deteriorate the American people's trust in the IRS, and our federal government.

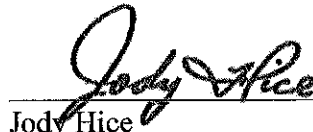
This Committee has a history of conducting strong oversight over government officials at the IRS who abused their position for political gain while thwarting Congressional accountability and oversight.⁸ We therefore urge you to hold a hearing with Biden Administration officials to understand who is responsible for these leaks of sensitive tax information from the IRS. The Committee must also determine what efforts, if any, the Administration is taking to prevent this from ever happening again.

Thank you for your attention to this important request.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



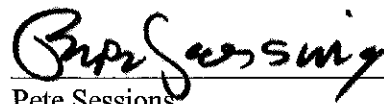
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy

⁷ See The White House, Office of Management and Budget, *Budget of the U.S. Government, FY 2022*, available at https://www.whitehouse.gov/wp-content/uploads/2021/05/budget_fy22.pdf.

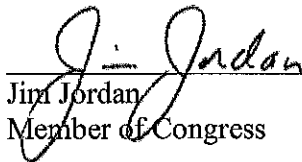
⁸ See H. Comm. on Oversight & Gov't Reform, *Resolution Recommending that the House of Representatives find Lois G. Lerner, Former Director, Exempt Organizations, Internal Revenue Service, In Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Government Reform*, 113th Cong. (Apr. 14, 2014) (H. Rep. 113-415), available at <https://www.congress.gov/113/crpt/hrpt415/CRPT-113hrpt415.pdf>.



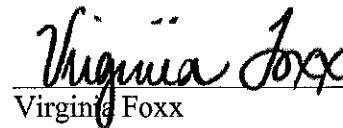
Ralph Norman
Ranking Member
Subcommittee on Environment



Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



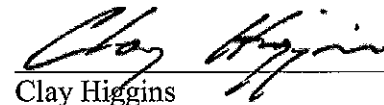
Jim Jordan
Member of Congress



Virginia Foxx
Member of Congress



Bob Gibbs
Member of Congress



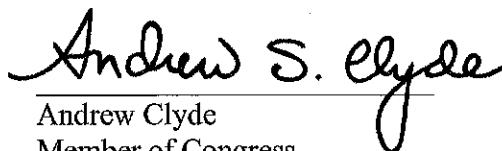
Clay Higgins
Member of Congress



Fred Keller
Member of Congress



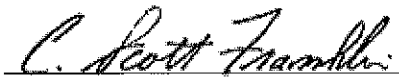
Andy Biggs
Member of Congress



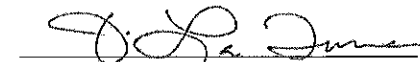
Andrew Clyde
Member of Congress



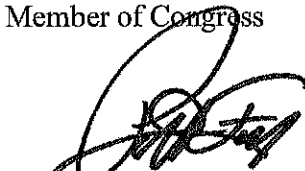
Nancy Mace
Member of Congress



Scott Franklin
Member of Congress



Jake LaTurner
Member of Congress

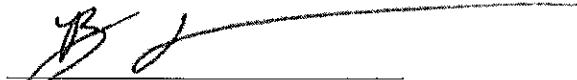


Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress

The Honorable Carolyn Maloney
June 16, 2021
Page 4 of 4



Byron Donalds
Member of Congress

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States

Washington, DC 20515

June 17, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

Four months ago, on February 11, 2021, we wrote to you requesting a hearing on fraudulent unemployment benefits in California, which at the time were estimated to be between \$11 - \$31 billion.¹ We noted that fraudulent payouts had gone to “organized crime sources in Russia, China, and other countries.”² You did not schedule a hearing.

This week we learned that “[c]riminals may have stolen as much as half of the unemployment benefits the U.S. has been pumping out over the past year.”³ This amount may be “more than \$400 billion”⁴—a simply staggering number, and more than the gross domestic product of 35 states.⁵ To make matters worse, “the bulk of the money likely ended in the hands of foreign crime syndicates – making this not just theft, but a matter of national security.”⁶ One journalist has called this the “heist of the century.”⁷ In short, what we warned you in February was happening in California, appears to have happened on a national scale.

Overseeing proper stewardship of taxpayer funds is one of the most critical functions the Oversight Committee can perform. Indeed, it is at the core of the Committee’s mission of ferreting out waste, fraud, and abuse in our government. House Rule X, clause 3(i) provides that the Committee shall “review and study on a continuing basis the operation of Government at all levels with a view to determining their economy and efficiency.” There can be no doubt that this Committee should be steadfastly committed and driven to investigating the \$400 billion stolen from American taxpayers since the beginning of the pandemic—nearly \$1 billion per day.

¹ Letter from Hon. Darrell Issa, et al. to Hon. Carolyn Maloney, Chair., H. Comm. on Oversight and Reform, Feb. 11, 2021.

² *Id.*

³ Felix Salmon, *Half of the pandemic’s unemployment money may have been stolen*, AXIOS, June 10, 2021, available at https://www.axios.com/pandemic-unemployment-fraud-benefits-stolen-a937ad9d-0973-4aad-814f-4ca47b72f67f.html?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosam&stream=to_p.

⁴ *Id.*

⁵ *GDP by State*, U.S. Bureau of Economic Analysis, available at <https://www.bea.gov/data/gdp/gdp-state>.

⁶ Salmon, *supra* note 2.

⁷ Mike Allen, *Axios AM: Heist of the Century*, AXIOS, June 10, 2021.

The Honorable Carolyn Maloney
June 17, 2021
Page 2

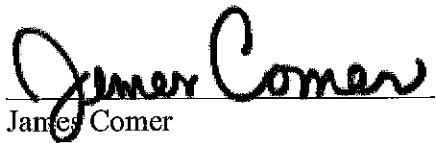
There is no telling how much lower this \$400 billion may have been had the Committee held a timely hearing on fraudulent unemployment benefits to alert people across the country of these criminal schemes. However, it is not too late. The Committee still has the power to find out what happened to this money to help prevent more fraud in the future. We therefore write again today urging you to hold a hearing on fraudulent claims of pandemic-assistance unemployment benefits.

We look forward to receiving your timely response.

Sincerely,



Darrell Issa
Member of Congress



James Comer
Ranking Member
Committee on Oversight and Reform



Gary Palmer
Chairman
Republican Policy Committee

Enclosure

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House of Representatives

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July 12, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

The Committee on Oversight and Reform must hold a hearing to address the records request backlog at the U.S. National Archives and Records Administration's (NARA) National Personnel Records Center (NPRC). Because of reductions in on-site personnel during the pandemic, a massive backlog of nearly 500,000 requests for records has been created to the detriment of veterans who desperately need access to these records to obtain the benefits to which they and their family members are entitled. As the Committee with legislative jurisdiction over NARA, we must not only conduct rigorous oversight to determine how the backlog arose but also consider legislative solutions to ensure that NARA maintains an adequate in-person workforce so veterans are never again unable to obtain timely benefits.

The NPRC is a "repository of millions of military personnel, health, and medical records of discharged and deceased veterans of all services."¹ Veterans and their family members need access to these records to provide evidence to substantiate a Department of Veterans Affairs (VA) claim for benefits or overturn a prior decision on VA benefits and services. Unfortunately, some veterans are waiting a year to receive a response from the NPRC. This is unacceptable.

On June 9, 2021, NARA provided the Committee with a bipartisan briefing. While helpful and appreciated, NARA informed us that the current backlog stands at nearly 500,000 requests for records. About half are related to requests for DD-214 separation forms, which veterans need to obtain benefits. The NPRC sent most of its employees home in March 2020 because of the COVID-19 pandemic, yet veterans records are not accessible remotely.² Unfortunately, at the time of the briefing on June 9, there was no timeline for getting the workforce back in-person to pre-pandemic levels.

¹ The Nat'l Archives, Nat'l Personnel Records Center, *Military Personnel Records*, available at <https://www.archives.gov/personnel-records-center/military-personnel>.

² Noah Pransky, *Veterans Across U.S. Can't Access Benefits Because Key Agency Hasn't Returned to Work*, NBCLX, Mar. 16, 2021, available at https://www.lx.com/politics/veterans-across-u-s-cant-access-benefits-becausekey-agency-hasnt-returned-to-work/32884/?osource=sm_npd_nbc_lx_eml_gen.

While it appears that NARA will increase the number of employees onsite by July 19, 2021, it is troubling that the workforce is still not back to work at full capacity even though the backlog stands at nearly 500,000. As such, we urge you to hold a hearing to conduct oversight on why there was not a plan to address records request effectively during the pandemic, how the agency plans to resolve the backlog, and why the workforce has taken so long to return to pre-pandemic levels. The Committee should also examine legislative solutions to ensure that there is a sufficient number of employees working in-person to process records requests, including Committee Member Keller's H.R. 3710, the RECORDS Act of 2021, a bill which would require a comprehensive plan to address adequate in-person staffing levels at the NPRC. We must ensure that veterans are never again unable to receive the records they need for benefits earned while serving the country. Veterans fought for our nation and it is times like these that we must fight for them.

Thank you for your attention to this important request.

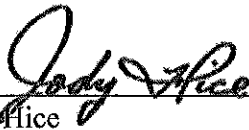
Sincerely,



Fred Keller
Member of Congress



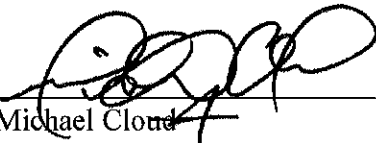
James Comer
Ranking Member
Committee on Oversight and Reform



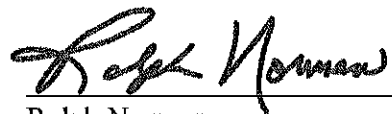
Jody Hice
Ranking Member
Subcommittee on Government
Operations



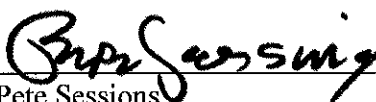
Glenn Grothman
Ranking Member
Subcommittee on National Security



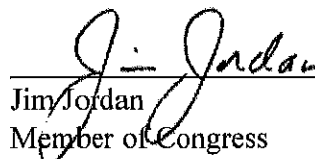
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy




Ralph Norman
Ranking Member
Subcommittee on Environment

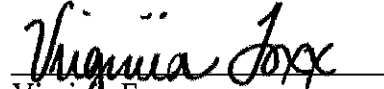



Pete Sessions
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties





Jim Jordan
Member of Congress

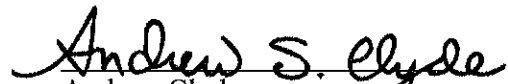

Paul A. Gosar, D.D.S.
Member of Congress


Virginia Foxx
Member of Congress

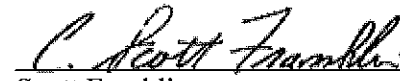

Bob Gibbs
Member of Congress



Clay Higgins
Member of Congress

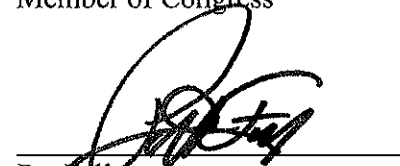

Andy Biggs
Member of Congress

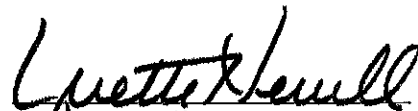

Andrew Clyde
Member of Congress

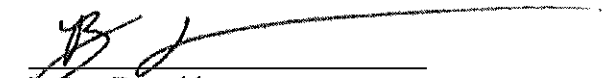

Nancy Mace
Member of Congress


Scott Franklin
Member of Congress


Jake LaTurner
Member of Congress


Pat Fallon
Member of Congress


Yvette Herrell
Member of Congress


Byron Donalds
Member of Congress

The Honorable Carolyn Maloney
July 12, 2021
Page 4 of 4

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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August 18, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform

The Honorable Stephen F. Lynch
Chairman
Subcommittee on National Security

Dear Chairwoman Maloney and Chairman Lynch:

Beginning on August 15, 2021—for the first time in nearly two decades—the Taliban are the ruling party in Afghanistan.¹ Over 20 years, we defeated al Qaeda, won social gains for women and girls, increased economic security for all Afghans, and decreased the illicit drug trade. These gains dissolved in a matter of hours. The current state of Afghanistan is a national security crisis. It is a humanitarian crisis. And it is a crisis of leadership. Today, Americans and their allies are less secure than yesterday. Congress must understand the scope of the failures that led to the fall of Kabul.

Over the past two Congresses, this Committee has held seven hearings on a range of issues relating to Afghanistan. But surprisingly, you have not announced plans to conduct congressional oversight of the dramatic and deteriorating situation in Kabul. We call on you to immediately convene a hearing of the full Committee. This Committee has a responsibility to continue to conduct robust oversight of Afghanistan as well as the Biden Administration's decision-making over the past eight months. To not schedule a hearing is a dereliction of duty and an abdication of congressional authority and responsibility.

We all have questions that must be addressed. These include:

1. Will U.S. financial or other assistance to Afghanistan continue considering it could be construed as providing material support to a foreign terror organization?
2. What is the location of U.S. assets and military equipment that was left to the Afghan government or abandoned during the withdrawal?
3. Will President Biden commit to ensuring the safe return of all U.S. citizens currently located in Afghanistan?
4. Did U.S. intelligence predict that Afghanistan would fall so rapidly?

¹ Scott Neuman, *Afghanistan Falls To The Taliban Again As The U.S.-Backed Government Collapses*, NPR (Aug. 15, 2021), <https://www.npr.org/2021/08/15/1027860324/the-taliban-win-control-of-afghanistan-as-the-u-s-backed-government-collapses>.

5. Did President Biden and his Administration conceal any intelligence from Congress and relay different information to the American people than the intelligence suggested related to the U.S. withdrawal from Afghanistan?
6. Was President Biden briefed on the likelihood that the Afghan Security Forces would succumb to the Taliban so easily or would be likely to take bribes to lay down arms?
7. Will more U.S. or U.S. allied servicemembers be deployed?
8. How long will the current number of servicemembers be deployed?
9. When did President Biden notify our allies of the plans to withdraw and did our allies express concerns?
10. Did President Biden attempt to negotiate any agreements between the Afghan government and the Taliban before the complete withdrawal?
11. Did President Biden attempt to negotiate a cease fire with the Taliban in lieu of a complete withdrawal?
12. How many Afghans to whom we promised to provide shelter and that assisted the U.S. efforts have been kidnapped or murdered?
13. For those Afghans that we successfully extricated from the country, how did the Administration decide who to extricate and where were they relocated?
14. How many Afghan civilians have been killed by the Taliban during the ensuing chaos?
15. Was President Biden briefed by either military or diplomatic leaders that the evacuation of U.S. and U.S. allied personnel posted at the Embassy should have begun sooner?
16. Why didn't the evacuation begin before the Taliban entered Kabul?
17. Have any U.S. servicemembers been injured or killed thus far?
18. Was President Biden briefed on possible military actions against the Taliban as they made their way to Kabul?
19. Was President Biden briefed on possible military actions to destroy U.S. owned assets in Afghanistan?
20. Is the U.S. Embassy in Kabul secure?
21. Was all sensitive information within the embassy and any other U.S. buildings destroyed?

The Honorable Carolyn B. Maloney
The Honorable Stephen F. Lynch
August 18, 2021
Page 3

These are just a few of the many questions that must be answered by the Biden Administration. As we have done over the past 20 years, this Committee is in a unique position to investigate and conduct oversight over every aspect of this predictable tragedy. It is imperative we continue to do so. We respectfully request that you convene a hearing immediately.

Thank you for your attention to this serious matter.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



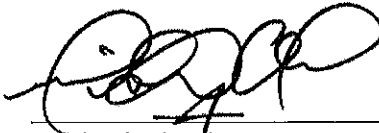
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



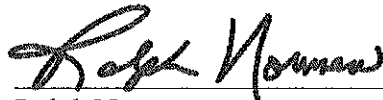
Bob Gibbs
Member of Congress



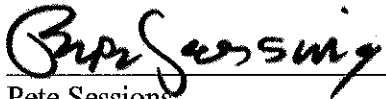
Jody Hice
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Subcommittee on Government
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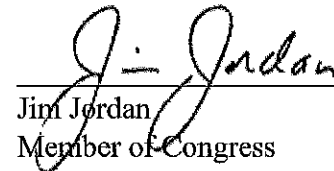
Michael Cloud
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Ralph Norman
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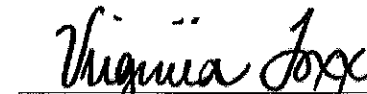
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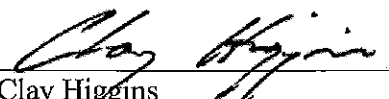



Paul A. Gosar, D.D.S.
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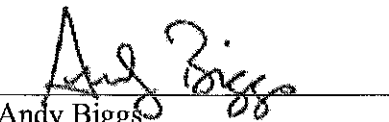


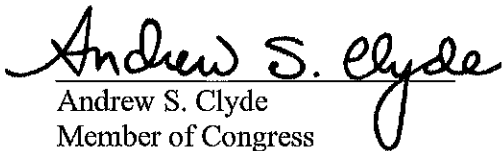
Virginia A. Foxx
Member of Congress

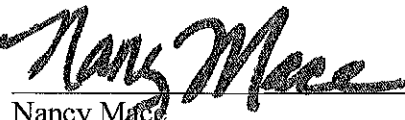
The Honorable Carolyn B. Maloney
The Honorable Stephen F. Lynch
August 18, 2021
Page 4

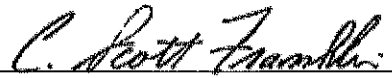

Clay Higgins
Member of Congress

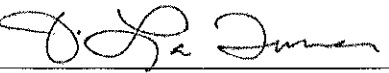

Fred Keller
Member of Congress

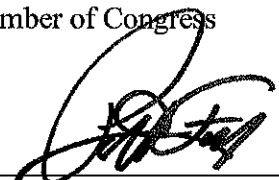

Andy Biggs
Member of Congress


Andrew S. Clyde
Member of Congress

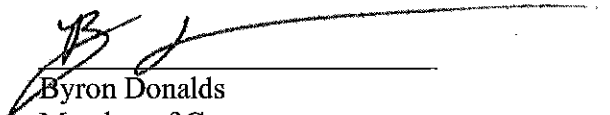

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Cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Majority (202) 226-5051
Minority (202) 226-5074
<https://oversight.house.gov>

August 25, 2021

The Honorable Carolyn Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

Over the past two and a half months, *ProPublica* has published a series of articles containing detailed tax information of some of America's wealthiest citizens.¹ This information, which *ProPublica* acknowledges "is among the most zealously guarded secrets in the federal government," has been used to slander successful entrepreneurs who have created millions of jobs around this country over the past several decades. Indeed, 26 U.S.C § 6103 states "[r]eturns and return information shall be confidential" and that "no other person (or officer or employee thereof) who has had access to returns or return information . . . shall disclose any return or return information obtained by him in any manner in connection with his service[.]"

An investigation conducted by Committee Republicans has revealed that this information was likely provided to *ProPublica* by an "IRS Snowden." This has allowed *ProPublica* to capitalize on criminal behavior and encourage future acts of criminal conduct—all in the name of serving the public interest.

Moreover, though federal investigations have been ongoing for two months, no progress has been publicly reported on how *ProPublica* was able to obtain this information or its original source. This is likely because the IRS's audit trail system, which is intended to provide an account of every person accessing an individual's tax file, is woefully inadequate.²

This breach of privacy should be alarming to the hundreds of millions of Americans who pay federal taxes. In addition, many of America's wealthiest citizens, whose tax information *ProPublica* has been splashing across its pages for months, live in Manhattan, Queens, and

¹ See, e.g., Jesse Eisinger, Jeff Ernsthausen, and Paul Kiel, *The Secret IRS Files: Trove of Never-Before-Seen Records Reveal How the Wealthiest Avoid Income Tax*, PROPUBLICA (June 8, 2021), available at <https://www.propublica.org/article/the-secret-irs-files-trove-of-never-before-seen-records-reveal-how-the-wealthiest-avoid-income-tax>.

² *Most Internal Revenue Service Applications Do Not Have Sufficient Audit Trails to Detect Unauthorized Access to Sensitive Information*, Treasury Inspector Gen. for Tax Admin. (July 31, 2020), available at <https://www.treasury.gov/TIGTA/auditreports/2020reports/202020033fr.pdf>.

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Kings Counties in New York. Indeed, the Twelfth Congressional District has the highest per capita income by congressional district in the entire country.³

I therefore call on you to hold hearings with IRS officials, the Treasury Inspector General for Tax Administration, and others, to gather information on this massive data leak and to ensure such failures at the IRS do not occur again. Americans expect and deserve better from the Internal Revenue Service, and it should not allow itself to be used by criminal elements or partisan publications. I urge you to work with Republicans on this matter and conduct hearings that shed further light on this compromising of the IRS.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is fluid and cursive, with the first name "James" and last name "Comer" clearly distinguishable.

James Comer
Ranking Member

³ *Highest Income Per Capita in the United States by Congressional District*, Biggest U.S. Cities, available at <https://www.biggestuscities.com/demographics/us/income-per-capita-by-congressional-district> (last accessed Aug. 18, 2021).

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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September 16, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform

The Honorable Stephen F. Lynch
Chairman
Subcommittee on National Security

Dear Chairwoman Maloney and Chairman Lynch:

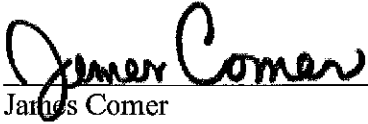
On August 18, 2021, we wrote you requesting a hearing on the situation in Afghanistan; you failed to respond.

Since then, Committee Republicans have secured the commitment of the Special Inspector General for Afghanistan Reconstruction (SIGAR) and all three components of the Lead Inspector General for Overseas Contingency Operations (Lead IG) to testify before our Committee. Both SIGAR and Lead IG recently published Quarterly Reports on the situation in Afghanistan. These reports—particularly their classified annexes—present new information and valuable context regarding the security situation in Afghanistan. These IGs are willing to testify about their findings and provide unvarnished and balanced facts to the Committee. Therefore, we again request you convene a hearing of the full Committee as soon as possible with the following witnesses:

1. The Honorable John Sopko
Special Inspector General for Afghanistan Reconstruction
2. Mr. Sean O'Donnell
Acting Inspector General, Department of Defense
3. Ms. Diana Shaw
Acting Inspector General, Department of State
4. Mr. Thomas Ullom
Acting Inspector General, Agency for International Development

We look forward to your timely response, and thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, prominent "J" and "C".

James Comer
Ranking Member
Committee on Oversight and Reform

A handwritten signature in black ink that reads "Glenn Grothman". The signature is written in a cursive style with a large, prominent "G" and "G".

Glenn Grothman
Ranking Member
Subcommittee on National Security

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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September 30, 2021

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform

The Honorable Stephen F. Lynch
Chairman
Subcommittee on National Security

Dear Chairwoman Maloney and Chairman Lynch:

On August 18, 2021, we wrote to you requesting a hearing with Secretary of State Antony Blinken and Secretary of Defense Lloyd Austin. You never responded.

On September 22, 2021, you held a highly classified, closed door, Members-only briefing that did not include either Secretary Blinken or Secretary Austin. This briefing did not answer our questions, did not answer the American people's questions, and did not absolve you of your duty to conduct public oversight over the ongoing national security and humanitarian crises in Afghanistan. We therefore renew our August 18 request for a public hearing as soon as possible.

While you have refused to address Committee Republican requests for a public hearing, the crises in Afghanistan have continued to deepen. Since our initial request:

1. Radical terrorists killed 13 U.S. servicemen and women and dozens of Afghans outside of Harmed Karzai International Airport;¹
2. The Biden Administration conducted a drone strike that killed ten Afghan civilians, including seven children, and kept the truth from the public for over two weeks;²
3. The Biden Administration stranded hundreds of American citizens and American green card holders in Afghanistan to meet its self-imposed withdrawal deadline;³

¹ Meghann Myers, et. al., *US troop death toll now at 13, with 18 wounded, in HKIA attack: CENTCOM*, MILITARY TIMES (Aug. 26, 2021), <https://www.militarytimes.com/news/pentagon-congress/2021/08/26/explosion-outside-kabul-airport-casualties-unknown/>.

² Alex Horton, et. al., *Examining a 'righteous' strike*, WASH. POST (Sept. 10, 2021), <https://www.washingtonpost.com/investigations/interactive/2021/kabul-drone-strike-questions/>.

³ Julie Watson & Bernard Condon, *Rescue groups: US tally misses hundreds left in Afghanistan*, ASSOCIATED PRESS (Sept. 4, 2021), <https://apnews.com/article/afghanistan-immigration-a56824dbd3e9953e65589d30924d9435>.

4. The Taliban-formed Afghan government includes U.S.-recognized terrorists, including some from the lethal Haqqani Network;⁴
5. The Taliban threw a military parade with their newly acquired U.S.-made military arsenal;⁵
6. The Taliban invited China, Russia, and Iran to its official event recognizing its takeover;⁶
7. Osama bin Laden's security chief was welcomed back into Afghanistan to applause after 20 years of exile;⁷
8. The Taliban have violently beaten women protesting for equal rights;⁸
9. The Taliban formed an all-male government;⁹
10. The Taliban eliminated the Women's Affairs Ministry and replaced it with the Ministry for Preaching and Guidance and the Propagation of Virtue and the Prevention of Vice;¹⁰
11. The Taliban banned women and girls from attending secondary education institutions;¹¹
12. The Biden Administration shared intelligence with the Taliban, potentially allowing them to warn their allies of upcoming U.S. evacuation or military efforts;¹²

⁴ Sudarsan Raghavan, *The U.S. branded the Haqqani's terrorists and issued \$5 million bounties. Now they're in power in the Taliban government.*, WASH. POST (Sept. 11, 2021), https://www.washingtonpost.com/world/asia_pacific/haqqanis-afghanistan-taliban/2021/09/10/71f82620-123b-11ec-baca-86b144fc8a2d_story.html.

⁵ Emily Crane, *Taliban throws victory parade with US military equipment*, N.Y. POST (Sept. 1, 2021), <https://nypost.com/2021/09/01/taliban-throws-victory-parade-with-us-military-equipment/>.

⁶ *Taliban invite Turkey, China, Russia, Iran, Pakistan, and Qatar for govt formation event*, THE WEEK (Sept. 6, 2021), <https://www.theweek.in/news/world/2021/09/06/taliban-invite-turkey-china-russia-iran-pakistan-and-qatar-for-govt-formation-event.html>.

⁷ Emily Crane, *Bin Laden's al Qaeda security chief back in Afghanistan, videos show*, N.Y. POST (Aug. 30, 2021), <https://nypost.com/2021/08/30/bin-ladens-al-qaeda-security-chief-back-in-afghanistan-videos/>.

⁸ Yogita Limaye & Aakriti Thapar, *Afghanistan: Women beaten for demanding their rights*, BBC (Sept. 8, 2021), <https://www.bbc.com/news/world-asia-58491747>.

⁹ Kathy Gannon, *Taliban form all-male Afghan government of old guard members*, ASSOCIATED PRESS (Sept. 7, 2021), <https://apnews.com/article/middle-east-pakistan-afghanistan-arrests-islamabad-d50b1b490d27d32eb20cc11b77c12c87>.

¹⁰ *Taliban replaces ministry for women with 'guidance' ministry*, AL JAZEERA (Sept. 18, 2021), <https://www.aljazeera.com/news/2021/9/18/taliban-replace-ministry-for-women-with-guidance-ministry>.

¹¹ Emma Graham-Harrison, *Taliban ban girls from secondary education in Afghanistan*, THE GUARDIAN (Sept. 17, 2021), <https://www.theguardian.com/world/2021/sep/17/taliban-ban-girls-from-secondary-education-in-afghanistan>.

¹² Kyle Morris, *CENTCOM commander says U.S. sharing intel with Taliban*, FOX NEWS (Aug. 26, 2021), <https://www.foxbusiness.com/politics/centcom-commander-says-u-s-sharing-intel-with-taliban>.

13. The Biden Administration shared a list of Americans and American allies with the Taliban, providing the Taliban with a potential “kill list;”¹³
14. The Taliban beat and detained journalists reporting on equal rights protests;¹⁴
15. The Biden Administration failed to properly vet Afghans fleeing the country, allowing multiple violent felons into the U.S.;¹⁵
16. The Taliban held six planes hostage, carrying hundreds of evacuees, and refused to allow them to leave Afghanistan;¹⁶
17. The World Bank and International Monetary Fund froze aid and Afghan accounts, while the Biden Administration sent millions to Taliban-controlled Afghanistan;¹⁷
18. All Afghan evacuation flights were halted after a measles outbreak in U.S.-run refugee camps;¹⁸
19. The Taliban brought back executions and strict punishments, including amputations and beheadings, most recently exemplified by hanging a dead body by a crane in Herat;¹⁹
20. The Biden Administration has not yet publicly objected to the recognition of the Taliban as the government of Afghanistan.

We should have had a hearing a month ago. What are you waiting for? Because as we continue to wait for transparency and accountability, the Biden Administration continues making disastrous decisions with deadly consequences.

¹³ Lara Seligman, et. al., *U.S. officials provided Taliban with names of Americans, Afghan allies to evacuate*, POLITICO (Aug. 26, 2021), <https://www.politico.com/news/2021/08/26/us-officials-provided-taliban-with-names-of-americans-afghan-allies-to-evacuate-506957>.

¹⁴ *Taliban fighters detain, flog, and beat journalists covering protests in Afghanistan*, COMM. TO PROTECT JOURNALISTS (Sept. 8, 2021), <https://cpj.org/2021/09/taliban-fighters-detain-flog-and-beat-journalists-covering-protests-in-afghanistan/>.

¹⁵ Stephen Dinan, *Second major felon found on Afghan evacuation flight*, WASH. TIMES (Sept. 16, 2021), <https://www.washingtontimes.com/news/2021/sep/16/second-major-felon-found-on-afghan-evacuation-flig/>.

¹⁶ Mark Moore, *Taliban keeping Americans ‘hostage’ by not allowing flights to depart: Rep. McCaul*, N.Y. POST (Sept. 5, 2021), <https://nypost.com/2021/09/05/taliban-holding-6-us-flights-hostage-in-afghanistan-rep-mccaul/>.

¹⁷ *Afghanistan: World Bank halts aid after Taliban takeover*, BBC (Aug. 25, 2021), <https://www.bbc.com/news/business-58325545>; Monique Beals, *US sending \$64M in humanitarian aid to Afghanistan*, THE HILL (Sept. 13, 2021), <https://thehill.com/policy/international/middle-east-north-africa/572038-us-sending-64m-in-humanitarian-aid-to>.

¹⁸ Zolan Kanno-Youngs, *Measles Cases Bring Temporary Halt to Afghan’s Arrival in U.S.*, N.Y. TIMES (Sept. 10, 2021), <https://www.nytimes.com/2021/09/10/us/politics/measles-afghanistan-refugees.html>.

¹⁹ Noah Garfinkle, *Taliban: Executions and strict punishments will return*, AXIOS (Sept. 23, 2021), <https://www.axios.com/taliban-afghanistan-executions-punishments-ae174220-c2ec-41e4-8b40-6e3f06cec9ad.html>; The Associated Press, *Witness Says Taliban Hanged Dead Body in Afghan City’s Main Square*, NPR (Sept. 25, 2021), <https://www.npr.org/2021/09/25/1040671998/witness-says-taliban-hanged-dead-body-in-afghan-citys-main-square>.

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The Honorable Stephen F. Lynch
September 30, 2021
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Sincerely,



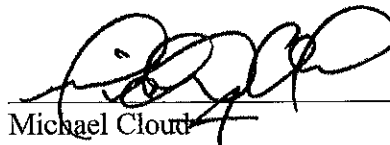
James Comer
Ranking Member
Committee on Oversight and Reform



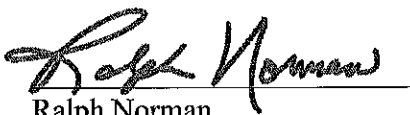
Jody Hice
Ranking Member
Subcommittee on Government
Operations



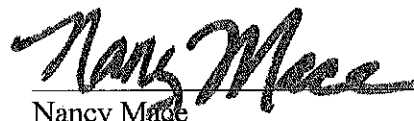
Glenn S. Grothman
Ranking Member
Subcommittee on National Security



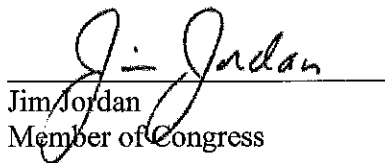
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Ralph Norman
Ranking Member
Subcommittee on Environment



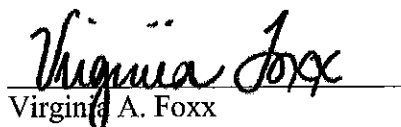
Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



Jim Jordan
Member of Congress



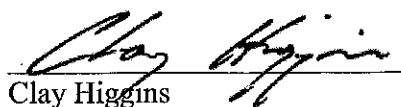
Paul A. Gosar, D.D.S.
Member of Congress



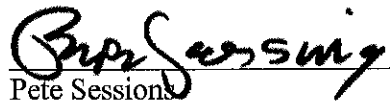
Virginia A. Foxx
Member of Congress



Bob Gibbs
Member of Congress



Clay Higgins
Member of Congress



Pete Sessions
Member of Congress

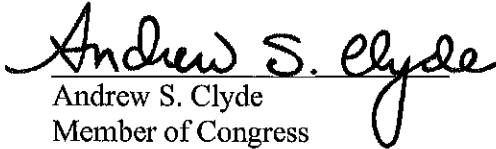
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September 30, 2021
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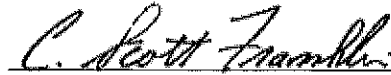
Fred Keller
Member of Congress



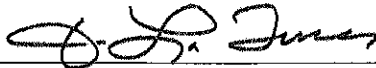
Andy Biggs
Member of Congress



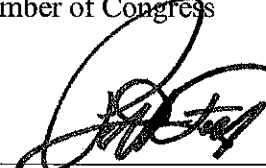
Andrew S. Clyde
Member of Congress



Scott Franklin
Member of Congress



Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress



Byron Donalds
Member of Congress

cc: The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties