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ONE HUNDRED SEVENTEENTH CONGRESS  
*Congress of the United States*  
*House of Representatives*  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

February 18, 2021

Rochelle P. Walensky, MD, MPH  
Director  
Centers for Disease Control and Prevention  
395 E St SW  
Washington, DC 20024

Director Walensky:

We write to express our concerns with the Operational Strategy for Reopening Schools recently released by the Centers for Disease Control and Prevention (CDC).<sup>1</sup> We are concerned the updated guidance will lead to more school closures than openings, which are having devastating effects on our Nation's children.

One of the essential elements of the Operational Strategy is the consideration of community spread.<sup>2</sup> Under the updated guidance, schools are to "assess the level of risk in the community," which the CDC ranks by designating communities as blue, yellow, orange, and red.<sup>3</sup> Each designation corresponds to low, moderate, substantial, and high transmission. If a school is located in a community that is ranked red and is unable to offer routine testing and adhere to the CDC's extensive mitigation strategies, the CDC recommends closing the school for in-person learning and offering virtual or hybrid learning.<sup>4</sup> According to news reports, over 65.3 million children, or about 89 percent of the U.S. population under the age of 18, live in communities that are currently designated as red.<sup>5</sup>

Contrary to the CDC's guidelines, there is a significant body of scientific evidence that viral transmission within schools can be kept low regardless of the level of community spread. The CDC acknowledges that there is evidence to suggest that K-12 in-person school attendance is not a primary driver of community transmission. Specifically, the CDC notes that although "children can be infected with SARS-CoV-2, can get sick from COVID-19, and can spread the

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<sup>1</sup> Centers for Disease Control and Prevention, K-12 School Operational Strategy (updated Feb. 12, 2021), *available at* <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Deidre McPhillips, *Nearly all US kids live in red zones under new CDC school guidance*, CNN (Feb. 15, 2020), *available at* <https://www.cnn.com/2021/02/12/health/us-kids-red-zones-cdc-school-guidelines/index.html>.

virus to others, evidence indicates that children are less susceptible than adults, and may be less infectious.”<sup>6</sup> Further, on a recent CDC media call, it was noted that “[i]n-person learning in schools has not been associated with a substantial, community transmission. SARS-CoV-2 transmission among students is relatively rare.”<sup>7</sup>

Additionally, *The New York Times* recently surveyed 175 pediatric disease experts who “largely agreed that it [is] safe enough for schools to be open to elementary students for full-time and in-person instruction.”<sup>8</sup> Some of these health experts disagree with the new CDC model, suggesting further that it is safe for such schools to be open “even in communities where COVID-19 infections were widespread, as long as basic safety measures were taken.”<sup>9</sup> Moreover, between 48 percent and 72 percent of the experts said that community spread is “not an important indicator of whether schools should be open.”<sup>10</sup>

Until recently, it appeared that you and other Biden administration officials agreed that schools can and should open. Specifically, President Biden pledged to open schools by his 100th day in office.<sup>11</sup> In addition, you stated that “[t]here is increasing data to suggest that schools can safely reopen.”<sup>12</sup> Further, for some time, Dr. Fauci agreed, stating on November 29, 2020, that we should “close the bars and keep the schools open” and again on December 31, 2020, stating that “[w]hat we should do is to do everything to support the maintenance of the children in school.”<sup>13</sup>

However, recent public statements appear to contradict those positions. President Biden has now significantly walked back the pledge he made to the American people.<sup>14</sup> Notably, you now say “we have work to do” before we can reopen schools after being publicly undermined by the White House,<sup>15</sup> and Dr. Fauci now believes that President Biden’s budget reconciliation bill

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<sup>6</sup> Centers for Disease Control and Prevention, K-12 School Operational Strategy (updated Feb. 12, 2021), *available at* <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/operation-strategy.html>.

<sup>7</sup> Centers for Disease Control and Prevention, CDC Newsroom, Transcript: CDC Update on COVID-19 (Feb. 12, 2021), *available at* <https://www.cdc.gov/media/releases/2021/t0212-cdc-update-covid-19.html>.

<sup>8</sup> Claire Cain Miller, Margot Sanger-Katz, and Kevin Quealy, *We Asked 175 Pediatric Disease Experts if It Was Safe Enough to Open School*, *THE NEW YORK TIMES* (Feb. 11, 2021), *available at* <https://www.nytimes.com/2021/02/11/upshot/schools-reopening-coronavirus-experts.html>.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> Adam Cancryn and Tyler Pager, *Biden’s follow-the-science mantra on school meets political reality*, *Politico* (Feb. 13, 2021), *available at* <https://www.politico.com/news/2021/02/13/biden-covid-schools-468979>.

<sup>12</sup> Berkeley Lovelace Jr., *CDC director says schools can safely reopen without vaccinating teachers*, *CNBC* (Feb. 3, 2021), *available at* <https://www.cnn.com/2021/02/03/cdc-director-says-schools-can-safely-reopen-without-vaccinating-teachers.html>.

<sup>13</sup> Adia Robinson and Adam Kelsey, *Don’t want to frighten people, but we may see ‘surge upon surge’: Fauci*, *ABC NEWS* (Nov. 29, 2020), *available at* <https://abcnews.go.com/Politics/americans-understand-importance-furthering-spread-covid-19-fauci/story?id=74435984>; Rong-Gong Lin II, Luke Money, *Fauci’s 2021 COVID California forecast: School reopenings, vaccines and some normalcy by fall*, *LOS ANGELES TIMES* (Dec. 31, 2020), *available at* <https://www.latimes.com/california/story/2020-12-31/fauci-2021-covid-forecast-school-reopenings-vaccines>.

<sup>14</sup> Adam Cancryn and Tyler Pager, *Biden’s follow-the-science mantra on school meets political reality*, *Politico* (Feb. 13, 2021), *available at* <https://www.politico.com/news/2021/02/13/biden-covid-schools-468979>.

<sup>15</sup> Ayesha Rascoe, *Should Schools Reopen if Teachers Aren’t Yet Vaccinated? CDC Will Soon Weigh In*, *NPR* (Feb. 5, 2021), *available at* <https://www.npr.org/sections/coronavirus-live-updates/2021/02/05/964534341/should-schools-reopen-if-teachers-arent-yet-vaccinated-cdc-will-soon-weigh-in>.

is necessary<sup>16</sup> to reopen schools, that the President's 100 day-goal "may not happen,"<sup>17</sup> and just yesterday he directly contradicted recent statements by President Biden and Vice President Harris stating that "access to vaccination should not be considered a condition for reopening schools for in-person instruction."<sup>18</sup>

The shifting positions and contradictory statements from the Biden administration concern us because parents need certainty. We are also concerned that politics may be overtaking science in the Biden administration, which is leading to unnecessary, prolonged school closures. President Biden has repeatedly pledged that "science and truth" would be guiding principles to his administration, but your updated guidance seems to abandon those principles. As the Director of the CDC, you have an obligation to our Nation's children to follow the "science and truth." Accordingly, please respond to the following requests no later than March 5, 2021:

1. Please provide a list of the studies and reports that the CDC used in preparing the guidance that related to the implementation of basic safety measures, outlined in the Operational Strategy, such as the universal and correct use of masks, physical distancing, handwashing and respiratory etiquette, cleaning, and contact tracing that would be needed for such schools to be safely reopened. Please also provide copies of these studies and reports.
2. Please provide the names and positions/affiliations of all the subject matter experts at the CDC, or outside of the CDC, that were consulted in preparing the updated CDC guidance.
3. Please provide the names and positions/affiliations of any stakeholders contacted or engaged by the CDC during the preparation of the updated CDC guidance.
4. Please provide the studies, data, reports, and recommendations that the CDC relied upon from other Department of Health and Human Services (HHS) operating divisions when creating the most recent updated guidance, including but not limited to the following:
  - a. Substance Abuse and Mental Health Administration (SAMHSA), including all data and reports about the increased mental health care and substance abuse during the pandemic; and all reports regarding the change in healthcare rendered by school-based health centers from 2019 to 2020.
  - b. Administration for Children and Families (ACF), including all data and reports related to:

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<sup>16</sup> 'This Week' Transcript 2-14-21: Sen. Bill Cassidy, Rep. Madeleine Dean, Sen. Chris Coons, Dr. Anthony Fauci, ABC News (Feb. 14, 2021), available at <https://abcnews.go.com/Politics/week-transcript-14-21-sen-bill-cassidy-rep/story?id=75888634>.

<sup>17</sup> Andrea Diaz and Paul LeBlanc, *Fauci says Biden's push to reopen schools in 100 days 'may not happen,'* CNN (Jan. 28, 2021), available at <https://www.cnn.com/2021/01/28/politics/fauci-biden-schools-coronavirus/index.html>.

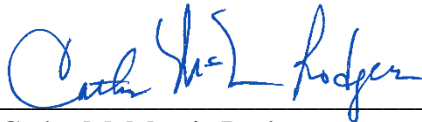
<sup>18</sup> Alex Thompson, Theodor Meyer, and Adam Cancryn, *Biden Gets Fauci'd*, available at <https://www.politico.com/newsletters/transition-playbook/2021/02/17/biden-gets-faucid-491786>

- i. The decrease of child abuse reports during the pandemic due to removal of mandatory reporters, including teachers, from the front line of child abuse detection; and
  - ii. Changes in reporting of child abuse, including the rise of reports directly from victims, the decrease of reports overall, and the rise in emergency room visits of child admission due to severe injuries from family violence.
5. What was the basis for your statement at the February 3, 2021, White House press briefing that not all teachers needed to be vaccinated for schools to safely reopen? Please provide a list of the studies or risk assessments that provided the basis for your statement, and please provide copies of these studies and risk assessments.
6. What data has the CDC gathered or obtained over the last year related to whether K-12 schools can operate with in-person learning and that they can do it safely? Please provide the data or studies.
7. What data has the CDC gathered or obtained over the last year related to whether K-8 schools can operate with face-to-face learning and that they can do it safely? Please provide the data or studies.
8. What data has the CDC gathered or obtained over the last year related to whether high schools can operate with face-to-face learning and that they can do it safely? Please provide the data or studies.
9. What data has the CDC gathered or obtained over the last year related to whether K-12 schools can operate with face-to-face learning five days a week and that they can do it safely? Please provide the data or studies.
10. What data has the CDC gathered or obtained related to the risk assessment of reopening schools based on the rates of community transmission of COVID-19? Please provide the risk assessments.
11. What data has the CDC gathered or obtained about the safety of transporting children to school in buses during COVID-19 emergency? Please provide the data or studies.
12. What data has the CDC gathered related to children spreading COVID-19 within schools? Please provide the data or studies.
13. What state guidelines on reopening schools did the CDC review in preparing the CDC guidance? Please provide a list of the states and copies of the guidelines.
14. What are the CDC's risk assessments of mitigation measures so that schools can reopen safely? Please provide the risk assessments. Specifically, does the CDC have a risk assessment for the taking of temperatures of students and teachers to prevent transmission of COVID-19? If yes, please provide the risk assessment.

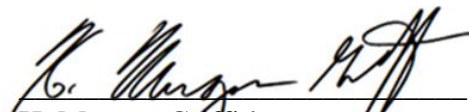
15. What is the CDC's risk assessment of how teachers can minimize COVID-19 risks in the classroom? Please provide the risk assessment.
16. What is the CDC's risk assessment for teachers and children leaving home, going to school, and then returning home? Please provide the risk assessment, and the evidence and analysis supporting the risk assessment.
17. The release of CDC's latest guidance was qualified with the claim, "[a]s science and data on COVID-19 continue to evolve, guidance and recommendations will be updated to reflect new evidence." Please identify all of the new evidence that the CDC is considering for updating the guidance and a projected date for when the updated guidance will be issued.

If you have any questions, please contact Bijan (BJ) Koochmaraie or Grace Graham at (202) 225-3641. Thank you for your prompt attention to this request.

Sincerely,



Cathy McMorris Rodgers  
Republican Leader  
Committee on Energy and Commerce



H. Morgan Griffith  
Republican Leader  
Subcommittee on Oversight and  
Investigations



Brett Guthrie  
Republican Leader  
Subcommittee on Health