

Congress of the United States  
Washington, DC 20515

May 12, 2021

Rochelle P. Walensky, MD, MPH  
Director  
Centers for Disease Control and Prevention  
395 E Street, SW  
Washington, DC 20201

Dear Director Walensky:

We write regarding the troubling recent report that the Centers for Disease Control and Prevention (CDC) has allowed Democrat special interest groups to influence CDC guidance on school re-opening for in-person education.<sup>1</sup> Despite your assertion that the CDC's guidance is "free from political meddling," recently released emails reportedly show that the CDC has been taking its cues from teachers' unions instead of following the science.<sup>2</sup> This political interference has resulted in months-long delays in the reopening of schools to the detriment of American children. This interference also violates President Biden's stated intention to "be led by health and medical experts" and his promise to open "a majority of K-8 schools . . . in [the Biden Administration's first] 100 days."<sup>3</sup>

Emails obtained by Americans for Public Trust reportedly show that CDC officials—including you—were in regular contact with the American Federation of Teachers (AFT) in the weeks leading up to the CDC issuing guidance for the re-opening of schools on February 12, 2021.<sup>4</sup> The CDC has since acknowledged that it provided the AFT and other special interest unions, like the National Education Association, with nonpublic, draft copies of the guidance for their feedback.<sup>5</sup> These unions took advantage of their special access, with some AFT requests being incorporated into the CDC's guidance nearly word for word.<sup>6</sup> Instead of working toward re-opening schools safely, these emails reportedly show that the CDC was "commit[ed] to partnership" with the AFT to "earn [their] confidence."<sup>7</sup>

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<sup>1</sup> See *Operations Strategy for K-12 Schools Through Phased Mitigation*, CTRS. FOR DISEASE CONTROL AND PREVENTION (Feb. 12, 2021) (on file with the Committee).

<sup>2</sup> Sara Cook & Bo Erickson, *Biden administration releases school reopening guidance with color-coded zones*, CBS NEWS (Feb. 12, 2021), <https://www.cbsnews.com/news/school-reopening-guidelines-cdc-color-coded-zones/>; Jon Levine, *Powerful teachers union influenced CDC on school reopenings, emails show*, N.Y. POST (May 1, 2021), <https://nypost.com/2021/05/01/teachers-union-collaborated-with-cdc-on-school-reopening-emails/>.

<sup>3</sup> Cook & Erickson, *supra* note 2.

<sup>4</sup> Levine, *supra* note 2.

<sup>5</sup> *Id.*

<sup>6</sup> Cook & Erickson, *supra* note 2.

<sup>7</sup> *Id.*

Changes to the CDC guidance made at the request of the AFT appear to depart from the established science, which the CDC and Biden Administration claim to follow. For instance, late last year professors from Harvard University's T.H. Chan School of Public Health argued that "it's past time we recognize that kids are different [than adults when it comes to COVID-19 transmission] and the importance of schools is different, especially for the youngest learners."<sup>8</sup> These public health experts further argued that "[t]he risks from covid-19 in schools are manageable. The risks to kids being out of school, however, are escalating rapidly."<sup>9</sup>

Similarly, the CDC itself has recognized that "[s]everal studies from international settings published in the fall of 2020 reported low levels of transmission with 1 meter (approximately 3.28 feet) between students in schools. . . ."<sup>10</sup> In light of the apparent scientific consensus that it is possible for students to safely return to school with certain minimal precautions, the CDC was reportedly "preparing to [recommend] that schools could provide in-person instruction regardless of community spread of the virus. . . ."<sup>11</sup> However, the CDC instead yielded to the AFT's political demands, including that the CDC recommend certain teachers be allowed to opt out of in-person teaching regardless of whether they had been vaccinated and the prevalence of COVID-19 in their respective communities.<sup>12</sup>

President Biden promised to re-open schools within 100 days of his Administration. He also promised to follow the science regarding COVID-19. Your political obedience to Democrat-aligned special interest groups ahead of our Nation's children breaks both of these promises. In order to assist us in understanding the influence of these special interest groups on the CDC's guidance, please provide the following documents and information:

1. All documents and communications between or among employees, contractors, or representatives of the CDC and representatives of any teachers' union for the period January 20, 2021 to the present;
2. All documents and communications referring or relating to the February 12, 2021 "Operations Strategy for K-12 Schools Through Phased Mitigation" guidance, including all communications with individuals, associations, and other entities unaffiliated with the CDC;
3. All documents and communications referring or relating to any other guidance or updates to existing guidance for schools issued by the CDC since January 20, 2021, including all

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<sup>8</sup> Joseph G. Allen & Sara Bleich, *Why three feet of social distancing should be enough in schools*, WASH. POST (Nov. 12, 2020), <https://www.washingtonpost.com/opinions/2020/11/12/three-feet-social-distancing-schools-coronavirus/>.

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

<sup>10</sup> *Science Brief: Transmission of SARS-CoV-2 in K-12 schools*, CTRS. FOR DISEASE CONTROL AND PREVENTION, [https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/transmission\\_k\\_12\\_schools.html](https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/transmission_k_12_schools.html) (last updated Mar. 19, 2021).

<sup>11</sup> Levine, *supra* note 2.

<sup>12</sup> *Id.*; see also *Operations Strategy for K-12 Schools Through Phased Mitigation*, CTRS. FOR DISEASE CONTROL AND PREVENTION (Feb. 12, 2021) (on file with the Committee).

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communications with individuals, associations, and other entities unaffiliated with the CDC; and

4. All documents and communications referring or relating to CDC's policy regarding ex parte communications during the formulation of public health guidance.

Please produce this material as soon as possible but not later than 5:00 p.m. on May 26, 2021.

If you have any questions about this request, please contact Judiciary Committee staff at (202) 225-6906. Thank you for your attention to this important matter.

Sincerely,



Jim Jordan  
Ranking Member  
Committee on the Judiciary



James Comer  
Ranking Member  
Committee on Oversight  
and Reform



Virginia Foxx  
Ranking Member  
Committee on Education and Labor

cc: The Honorable Jerrold L. Nadler, Chairman  
Committee on the Judiciary

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

The Honorable Bobby Scott, Chairman  
Committee on Education and Labor