

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
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November 19, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear Mr. President:

I urge you to direct your Administration to begin the presidential transfer of power to preserve the United States' democratic process and to protect the health and well-being of all Americans as we face a surging coronavirus disease of 2019 (COVID-19) pandemic. With the results of the 2020 presidential election now clear, the American people have entrusted President-elect Joe Biden with stewardship of the nation's COVID-19 response efforts moving forward. As you continue to deny the will of the American people and delay transition efforts, experts warn your obstruction may "endanger public health by risking a delay in a vaccine roll-out, a national strategy for testing, and the distribution of crucial supplies."¹

To date, more than 11 million people have contracted COVID-19 in the United States.² One million of these cases occurred in the last week alone as the number of new daily infections continues to climb, reaching more than 194,000 new cases last Thursday.³ At least 250,000 Americans have died due to the virus and 1,000 or more people die as each day passes.⁴ As Dr. Anthony Fauci, Director of the National Institutes of Health's National Institute of Allergy and

¹ *Health officials sound alarm over impact of Trump's transition blockade*, Politico (Nov. 15, 2020).

² Centers for Disease Control and Prevention, *CDC COVID Data Tracker: United States COVID-19 Cases and Deaths by State* (www.covid.cdc.gov/covid-data-tracker/#cases_casesper100klast7days) (accessed Nov. 17, 2020).

³ Centers for Disease Control and Prevention, *CDC COVID Data Tracker: Trends in Number of COVID-19 Cases and Deaths in the US Reported to CDC, by State/Territory* (www.covid.cdc.gov/covid-data-tracker/#trends_dailytrendscases) (accessed Nov. 17, 2020).

⁴ *Coronavirus deaths: U.S. map shows number of fatalities compared to confirmed cases*, NBC News (Nov. 19, 2020); See note 3.

Infectious Diseases, said earlier this week, “The virus is not going to stop and call a time out while things change. The virus is just going to keep going.”⁵

As the virus continues to spread throughout the United States, the urgent need for a coordinated presidential transition was made abundantly clear by recent encouraging preliminary results of two potential COVID-19 vaccines. While the news provides hope that vaccine distribution might begin before the end of this year, the incoming Biden Administration will be responsible for further implementing a nationwide COVID-19 vaccination program. Even without the barriers posed by your persistent obstruction, distributing and administering COVID-19 vaccines will be logistically difficult and could strain states’ already limited resources.⁶ Yet reportedly, key details of the Operation Warp Speed vaccine distribution plans have not been made available to President-elect Biden’s team of medical and science advisors.⁷

While you continue to prohibit your Administration from coordinating with President-elect Biden’s staff, his Administration will inherit other COVID-19 pandemic response challenges that may further harm the American people. For instance, last week, the American Clinical Laboratory Association warned that the current surge of COVID-19 infections is causing an increased demand for testing.⁸ As a result, labs are experiencing delays or cancellations of critical testing supplies and anticipate reaching or exceeding testing capacity in the coming days.⁹

Meanwhile, as COVID-19 cases continue to increase, some regions report nearing 90 percent of their hospital capacity.¹⁰ Further, health systems are reportedly facing personal protective equipment (PPE) shortages and are preparing for inevitable staff shortages as more health care providers are forced to quarantine due to COVID-19 exposure or illness.¹¹ Yet according to reports, the Biden transition team is “unable to consult with federal health officials or access real-time data on available hospital beds, the status of the National Strategic Stockpile

⁵ *Fauci warns that White House transition delays could slow vaccine rollout*, Politico (Nov. 16, 2020).

⁶ *Pfizer's COVID-19 vaccine distribution will be a "logistical nightmare,"* CBS News (Nov. 17, 2020); *Missing From State Plans to Distribute the Coronavirus Vaccine: Money to Do It*, New York Times (Nov. 14, 2020).

⁷ *Trump Rebuffs Biden Transition Team, Setting Off Virus and National Security Risks*, New York Times (Nov. 12, 2020).

⁸ American Clinical Laboratory Association, *ACLA Update on PCR Testing Capacity for COVID-19* (Nov. 12, 2020) (press release).

⁹ *Id.*

¹⁰ *Hospitals feel staffing crunch as Covid cases hit new highs*, Politico (Nov. 16, 2020)

¹¹ *Id.*; *Face Masks Are Again in Short Supply as Covid-19 Cases Surge*, Wall Street Journal (Nov. 4, 2020).

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and therapeutics.”¹² Dr. Rebecca Lissner, a professor at the Naval War College’s Strategic and Operational Research Department, compared this lack of information sharing to “one general taking over from another general without an understanding of what’s ongoing” as the nation faces its largest crisis since World War II.¹³

Amid these challenges, the American people will turn to the Biden Administration to begin to stem the tide of COVID-19 infections on January 20, 2021. But by blocking critical coordination now, you are dangerously undermining the nation’s ability to contain the pandemic and placing more American lives at risk. Because of this risk, leading national organizations representing America’s hospitals, doctors, and nurses urged you this week to share information related to COVID-19 with the Biden transition team, stating, “We see families who have lost both parents from COVID-19; we see children suffering from long-term effects due to a COVID-19 infection; and we see minority populations disproportionately suffering from the devastation of the COVID-19 pandemic. It is from this front line human perspective that we urge you to share critical data and information as soon as possible.”¹⁴

This stonewalling is unacceptable. Ultimately, the American people will be the ones to suffer should your intransigence continue. Therefore, I urge you to prioritize the lives of Americans and the health of the nation by immediately directing your Administration to begin transitioning power to the 46th President of the United States.

Sincerely,



Frank Pallone, Jr.
Chairman

¹² *Biden Covid advisers say transition delay hurts pandemic prep beyond vaccines*, Politico (Nov. 17, 2020).

¹³ *Trump delays transition to Biden as COVID-19 pandemic worsens*, Boston Globe (Nov. 9, 2020).

¹⁴ Letter from Richard J. Pollack, President and CEO, American Hospital Association, James L. Madera, CEO and EVP, American Medical Association, and Debbie Dawson Hatmaker, Acting CEO, American Nursing Association to President Donald J. Trump (Nov. 17, 2020).