

United States Senate  
WASHINGTON, DC 20510

October 23, 2020

The Honorable James M. Inhofe  
Chairman  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Jack Reed  
Ranking Member  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, D.C. 20510

Dear Chairman Inhofe and Ranking Member Reed:

We write to request that the Senate Armed Services Committee (SASC or “the Committee”) hold a hearing regarding the Department of Defense’s (DoD) role in Operation Warp Speed (OWS), the public-private partnership established to “accelerate the development, manufacturing, and distribution of [coronavirus disease 2019 (COVID-19)] vaccines, therapeutics, and diagnostics.”<sup>1</sup> Recent reports revealed previously unknown details about DoD’s extensive involvement in the project, and some public health experts have expressed concerns over the perceived marginalization of public health officials as a result.<sup>2</sup> With the exception of June 18, 2020 a nomination hearing for the OWS Chief Operating Officer,<sup>3</sup> SASC has yet to hold a public hearing dedicated exclusively to DoD’s efforts to respond to the COVID-19 pandemic, and an October 9, 2020, DoD/Department of Health and Human Services OWS telebriefing for Members and staff did not even include a DoD official to brief Members or answer their questions.<sup>4</sup> Given the outsized role DoD appears to be playing in vaccine development and distribution, we request the Committee immediately hold a hearing on this matter.

On May 15, 2020, President Trump announced the creation of OWS in response to the rapidly accelerating COVID-19 pandemic.<sup>5</sup> OWS is a public-private partnership between several federal agencies, including the Centers for Disease Control and Prevention (CDC), the Food and Drug

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<sup>1</sup> U.S. Department of Health and Human Services, “Trump Administration Announces Framework and Leadership for ‘Operation Warp Speed,’” press release, May 15, 2020, <https://www.hhs.gov/about/news/2020/05/15/trump-administration-announces-framework-and-leadership-for-operation-warp-speed.html>.

<sup>2</sup> Stat News, “New document reveals scope and structure of Operation Warp Speed and underscores vast military involvement,” Nicolas Florko, September 28, 2020, <https://www.statnews.com/2020/09/28/operation-warp-speed-vast-military-involvement/>.

<sup>3</sup> U.S. Senate Committee on Armed Services, “Hearing to Consider the Nominations of: Lieutenant General Daniel R. Hokanson, ARNG, to be General and Chief of the National Guard Bureau; and General Gustavo F. Perna, USA for Reappointment to the Grade of General and to be Chief Operating Officer, Project Warp Speed,” June 18, 2020, [https://www.armed-services.senate.gov/imo/media/doc/20-31\\_06-18-2020.pdf](https://www.armed-services.senate.gov/imo/media/doc/20-31_06-18-2020.pdf).

<sup>4</sup> U.S. Senate Armed Services Committee, “Hearings,” <https://www.armed-services.senate.gov/hearings>; DoD/HHS Telebriefing for Members and Staff, October 9, 2020.

<sup>5</sup> White House, “Remarks by President Trump on Vaccine Development,” May 15, 2020, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-vaccine-development/>.

Administration (FDA), the National Institutes of Health (NIH), the Biomedical Advanced Research and Development Authority (BARDA), DoD, and private firms collaborating to “produce and deliver 300 million doses of safe and effective vaccines with the initial doses available by January 2021,” – an enormous scientific and logistical undertaking.<sup>6</sup> To date, Congress has authorized more than \$10 billion in supplemental funding for OWS through the *Coronavirus Aid, Recovery, and Economic Security Act* (CARES Act) and hundreds of people across several federal agencies and private companies are involved with the project.<sup>7</sup>

While the innerworkings and many details of OWS are largely unknown, recent reports have shed light on the structure and hierarchy of the partnership.<sup>8</sup> Most notably, a leaked organizational chart revealed that OWS was “a highly structured organization in which military personnel vastly outnumber civilian scientists,” and that about 60 of the approximately 90 OWS leaders are employed by DoD.<sup>9</sup> Public health agencies such as FDA and CDC are surprisingly underrepresented with just a few members of each organization present in OWS’s reported organizational structure.<sup>10</sup> DoD’s outsized involvement in this public health crisis is a stark departure from similar operations used to combat past public health crises such as H1N1 and the outbreak of Ebola,<sup>11</sup> and public health experts have questioned the appropriateness of the preponderance of military staff who “won’t be familiar with the health resources available in a community,” and cautioned that their overrepresentation may come at the expense of public health officials.<sup>12</sup>

There may well be a valuable role for DoD officials in OWS – particularly given the department’s logistical capacity. But it is important that Congress conduct appropriate oversight of, and understand, DoD’s activities in this area. The Senate Health, Education, Labor, and Pensions Committee has held two hearings with administration officials from FDA, CDC, and other public health agencies.<sup>13</sup> The Committee should similarly hear from DoD officials about their role in OWS.

It is particularly important that we hear testimony from DoD officials to gain more transparency into how DoD is using congressionally appropriated funds for OWS and DoD’s processes for the

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<sup>6</sup> U.S. Department of Health and Human Services, “Fact Sheet: Explaining Operation Warp Speed,” <https://www.hhs.gov/coronavirus/explaining-operation-warp-speed/index.html>.

<sup>7</sup> U.S. Department of Health and Human Services, “Trump Administration Announces Framework and Leadership for ‘Operation Warp Speed,’” press release, May 15, 2020, <https://www.hhs.gov/about/news/2020/05/15/trump-administration-announces-framework-and-leadership-for-operation-warp-speed.html>.

<sup>8</sup> Stat News, “New document reveals scope and structure of Operation Warp Speed and underscores vast military involvement,” Nicolas Florko, September 28, 2020, <https://www.statnews.com/2020/09/28/operation-warp-speed-vast-military-involvement/>; NPR, “How Operation Warp Speed’s Big Vaccine Contracts Could Stay Secret,” Sydney Lupkin, September 29, 2020, <https://www.npr.org/sections/health-shots/2020/09/29/917899357/how-operation-warp-speeds-big-vaccine-contracts-could-stay-secret>.

<sup>9</sup> Stat News, “New document reveals scope and structure of Operation Warp Speed and underscores vast military involvement,” Nicolas Florko, September 28, 2020, <https://www.statnews.com/2020/09/28/operation-warp-speed-vast-military-involvement/>.

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

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*


<sup>13</sup> Senate Health, Education, Labor, and Pensions Committee, “Hearings,” <https://www.help.senate.gov/hearings?mode=calendar>.

administration and distribution of those funds through contacts and procurement. DoD is reportedly awarding more than \$6 billion of OWS's contracts through defense contractor Advanced Technologies' International, Inc., which then contracts with companies working on COVID-19 vaccines.<sup>14</sup> Awarding contracts in this fashion bypasses regulatory requirements and limits transparency, raising numerous questions and ethical concerns.<sup>15</sup>

OWS is a unique and historic initiative to respond to an unprecedented public health crisis that may benefit from the logistical expertise of the DoD, but Congress must exercise its oversight responsibilities and should have the opportunity to question and hear from DoD officials regarding its COVID-19 response efforts, particularly OWS. We, therefore, request that you hold a hearing as soon as possible to examine DoD's role in OWS.

We appreciate your consideration of this important request.

Sincerely,

  
Elizabeth Warren  
United States Senator

  
Mazie K. Hirono  
United States Senator

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<sup>14</sup> NPR, "How Operation Warp Speed's Big Vaccine Contracts Could Stay Secret," Sydney Lupkin, September 29, 2020, <https://www.npr.org/sections/health-shots/2020/09/29/917899357/how-operation-warp-speeds-big-vaccine-contracts-could-stay-secret>.

<sup>15</sup> *Id.*