



August 25, 2026

The Honorable Elizabeth Warren
United States Senator
U.S. Senate
Washington, DC 20510

Dear Senator Warren:

Thank you for your July 28 and August 24, 2026, letters concerning the Gardasil-Merck litigation and Secretary Kennedy's ethics agreement. I am pleased to respond on behalf of the Secretary.

Secretary Kennedy, like all Senate-confirmed officials, underwent an exhaustive pre-appointment conflict-of-interest review and executed an ethics agreement, as is customary, as a condition of his appointment. With respect to WisnerBaum, Secretary Kennedy's amended ethics agreement, dated February 1, 2025, provided that, before assuming the duties of his position, he would divest his interest in payments from pending contingency-fee cases.

At the time, Secretary Kennedy intended to assign those interests to a non-dependent adult family member. Under applicable conflicts-of-interest law, only the interests of a spouse and minor children are imputed to Executive Branch officials. Accordingly, it would be incorrect to characterize any financial interests held by an independent adult child as conflicts of interest for the Secretary.

Regardless, on February 11, 2025, after further consideration, Secretary Kennedy irrevocably assigned his outstanding contingency-fee interests in the Gardasil cases directly to WisnerBaum. These interests were not assigned to a non-dependent adult family member.

On May 14, 2025, the HHS Designated Agency Ethics Official reported, pursuant to Section 110(a) of the Ethics in Government Act, 5 U.S.C. § 13111, to the Chairmen and Ranking Members of the Senate Committees on Finance and Health, Education, Labor & Pensions that Secretary Kennedy had provided evidence of his compliance with the terms of his ethics agreement.

We appreciate your interest in this important topic. If you or your staff have any questions, please feel free to contact the Office of the Assistant Secretary for Legislation at (202) 690-7627.

Sincerely,

A handwritten signature in cursive script that reads "Gary Andres".

Gary Andres
Assistant Secretary for Legislation

cc:

The Hon. Richard Blumenthal

The Hon. Ron Wyden

The Hon. Angela D. Alsobrooks

The Hon. Andy Kim