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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

January 30, 2017

Senator Mitch McConnell
Capitol Building, S-221
Washington, DC 20510

Senator Orrin Hatch
104 Hart Office Building
Washington, DC 20510

Dear Senators McConnell and Hatch:

We write with serious concern about Senate Republicans' rush to confirm Rep. Tom Price as Secretary of Health and Human Services, despite outstanding and significant questions about his qualifications and ethical conduct.

The Senate has a responsibility to thoroughly vet and evaluate each nominee, rather than acting as a rubber stamp for the new Administration. Unfortunately, a vote has been scheduled to advance Rep. Price's nomination even though he has not responded to questions submitted by members of the HELP Committee following his January 18 testimony, and in spite of serious concerns regarding Rep. Price's financial investments. Until Rep. Price responds to the HELP Committee's questions and has provided documents sought in connection with his inappropriate and potentially illegal investment activities, his nomination should not move forward.

The HELP Committee members submitted questions to Rep. Price on January 20, two days after his nomination hearing before the Committee. We have not yet received any responses to our questions. Prior nominees for HHS Secretary have routinely and repeatedly supplied thoughtful and thorough answers on a bipartisan basis to members of the HELP Committee during both the Obama and Bush Administrations.

Rep. Price has failed to respond to Sen. Murray's request, with Senator Wyden, for copies of Rep. Price's brokerage statements in order to determine how much control he actually exercised over his investments in the health care sector. Rep. Price has also not yet responded to a request from Sens. Franken, Baldwin, and Warren for information on his decisions to purchase certain stock and communications surrounding those decisions.¹ We continue to be unsatisfied with Rep. Price's explanation of his stock purchases in Australian biomedical company Innate Immunotherapeutics, which sit in a separate brokerage account from his other investments. Among other concerns, Rep. Price's conversations with Rep. Chris Collins about the company, Rep. Price's purchase of the stock at a discounted price, and the intersection of these purchases

¹ <https://www.baldwin.senate.gov/imo/media/doc/01.15.17%20-%20Signed%20Letter%20to%20Price%20Stock%20Purchases.pdf>

with significant votes on 21st Century Cures – legislation that could benefit Innate Immunotherapeutics – raise the appearance of conflicts of interest.² In addition, Rep. Price’s stock purchases in other pharmaceutical and medical device companies raise suspicion, given his introduction of legislation and outreach to the Centers for Medicare and Medicaid Services (CMS) on issues that would directly affect the companies in which he invested.³ Congressional Democrats and public advocacy groups have called on the Office of Congressional Ethics (OCE) and the Securities and Exchange Commission (SEC) to investigate Rep. Price’s financial investments.

We have previously called for a delay in consideration of Rep. Price’s nomination until questions surrounding his ethical and financial decisions were resolved, but the HELP Committee Republicans have so far ignored our request.⁴ A Senate Finance Committee vote on Rep. Price’s nomination – currently scheduled for tomorrow, Tuesday, January 31 – prior to concerns regarding his actions being fully investigated and addressed is contrary to both the regular practice and the responsibility of the Senate. If confirmed, Rep. Price would have substantial authority over the future of this country’s health care system. It would be a disservice to the American people to put Rep. Price in such a position if these outstanding questions are not answered.

We urge you to postpone the Finance committee’s vote on Rep. Price.

Sincerely,



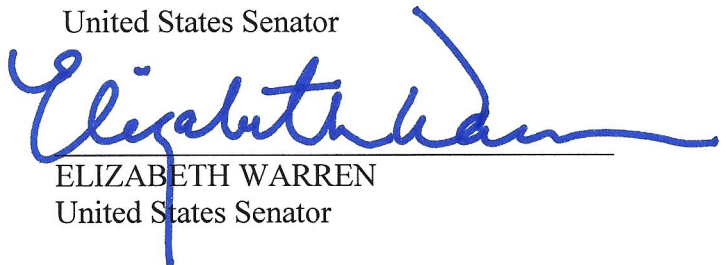
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² <http://www.help.senate.gov/imo/media/doc/012317%20SEC%20Price%20letter.pdf>

³ <http://www.cnn.com/2017/01/16/politics/tom-price-bill-aiding-company/>; <http://time.com/4636351/tom-price-drug-companies-investments/>

⁴ <https://www.franken.senate.gov/files/letter/170117AlexanderLetter.pdf>