Congress of the United States Washington, DC 20515

October 28, 2020

The Honorable Alex M. Azar II Secretary Department of Health and Human Services 200 Independence Avenue, S.W. Washington, D.C. 20201

Dear Secretary Azar:

We write today regarding your complete failure to comply with our previous requests for documents regarding a \$250 million contract awarded by the Trump Administration to launch a massive advertising campaign just weeks before the election to "defeat despair and inspire hope" amid the coronavirus pandemic.¹

We first wrote to the Department of Health and Human Services (HHS) seeking documents about this massive contract with Fors Marsh Group on September 10, 2020.² On October 1, 2020, we sought additional documents from your contractors on a \$15 million communications contract awarded to Atlas Research LLC.³

² Letter from Chairwoman Carolyn Maloney, Committee on Oversight and Reform; James Clyburn, Chairman, Select Subcommittee on the Coronavirus Crisis; and Chairman Raja Krishnamoorthi, Economic and Consumer Policy Subcommittee to the Honorable Alex Azar, Secretary, Department of Health and Human Services (Sept. 10, 2020) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-09-10.CBM% 20JEC% 20RK% 20to% 20Azar-HHS% 20re% 20Defeat% 20Despair% 20Contract.pdf).

³ Letter from Chairwoman Carolyn Maloney, Committee on Oversight and Reform; James Clyburn, Chairman, Select Subcommittee on the Coronavirus Crisis; and Chairman Raja Krishnamoorthi, Economic and Consumer Policy Subcommittee to Den Tolmor, Manager, D&T Group (Oct. 1, 2020) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-10-01.CBM%20Clyburn%20to%20Tolmor%20re%20DD%26T%20Group.pdf); Letter from Chairwoman Carolyn Maloney, Committee on Oversight and Reform; James Clyburn, Chairman, Select Subcommittee on the Coronavirus Crisis; and Chairman Raja Krishnamoorthi, Economic and Consumer Policy Subcommittee to Dr. Ryung Suh, Chief Executive Officer, Atlas Research LLC (Oct. 1, 2020) (online at https://coronavirus.house.gov/sites/democrats.coronavirus.house.gov/files/2020-10-01.CBM%20Clyburn%20RK%20to%20Atlas%20Research%20re%20Coronavirus-

Related%20Communications%20Contract.pdf).

¹ See, e.g., Fors Marsh Group Wins \$250M-Plus HHS Contract for Campaign to 'Defeat Despair,' PRWeek (Sept. 1, 2020) (online at www.prweek.com/article/1693206/fors-marsh-group-wins-250m-plus-hhscontract-campaign-defeat-despair); HHS Hands D.C. Consultants \$250M to 'Inspire Hope' with Pandemic Campaign, FiercePharma (Sept. 2, 2020) (online at www.fiercepharma.com/marketing/hhs-awards-d-c-consultancy-250-million-coronavirus-public-health-effort); HHS Bids \$250 Million Contract Meant to 'Defeat Despair and Inspire Hope' on Coronavirus, Politico (Aug. 31, 2020) (online at www.politico.com/news/2020/08/31/hhscontract-coronavirus-despair-hope-406361).

You have not provided any documents in response to our requests.

In the meantime, however, we have obtained documents from the contractors involved, and these documents include extremely troubling revelations. They show Trump Administration official Michael Caputo inserting partisan political interests into the ad campaign, they show contractor employees and career staff at the Food and Drug Administration pushing back on these inappropriate efforts, and they show the Trump Administration and its contractors vetting celebrities for the ad campaign based on whether they support gay rights and same-sex marriage or have ever disagreed with President Trump in the past.

After we launched this investigation, you testified before the Select Subcommittee on the Coronavirus Crisis that HHS had begun a "strategic review" of this advertising campaign to "determine whether the campaign serves important public health purposes."⁴

Your failure to provide the documents we requested—especially in light of the information we have learned from the contractors—appears to be part of a cover-up to conceal the Trump Administration's misuse of hundreds of millions of taxpayer dollars for partisan political purposes ahead of the upcoming election, and to direct taxpayer funds to friends and allies of Trump Administration officials.

Evidence of Attempted Wrongdoing by Top Administration Official

On September 10, 2020, we sent you a letter expressing serious concerns that Michael Caputo, the Assistant Secretary for Public Affairs at HHS and a former campaign operative for President Trump, was using this contract "as a vehicle for taxpayer-funded political propaganda."⁵ We now know that Mr. Caputo attempted to do exactly that before taking a leave of absence from his position.

On September 15, 2020—after we launched our investigation—Mr. Caputo spoke with executives of Atlas and a subcontractor, Burson, Cohn & Wolfe LLC (Burson), to discuss potential themes for the media campaign. According to contemporaneous notes prepared by Burson, Mr. Caputo proposed during the meeting that one of the themes of the ad campaign should be: "Helping the President will Help the Country."⁶

⁴ Select Subcommittee on the Coronavirus Crisis, *Press Release: At Hearing, Secretary Azar Refuses to Accept Trump Administration Responsibility for Deaths of Over 200,000 Americans* (Oct. 2, 2020) (online at coronavirus.house.gov/news/press-releases/hearing-secretary-azar-refuses-accept-trump-administration-responsibility-deaths).

⁵ Committee on Oversight and Reform, *Press Release: Maloney, Clyburn, and Krishnamoorthi Call on Trump Administration to Suspend \$250 Million Coronavirus PR Contract* (Sept. 11, 2020) (online at https://oversight.house.gov/news/press-releases/maloney-clyburn-and-krishnamoorthi-call-on-trump-administrationto-suspend-250).

⁶ Burson, Cohn & Wolfe LLC, Notes of Call with Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services (Sept. 17, 2020) (online https://oversight.house.gov/sites/democrats.oversight.house.gov/files/1.pdf).

Of course, it is completely inappropriate to frame a taxpayer-funded ad campaign around "helping" President Trump in the weeks and days before the election. This theme also ignores the reality that more than 220,000 Americans have died from coronavirus—a fact that should not be whitewashed in a legitimate public health message.

Mr. Caputo also attempted to insert himself into the process for reviewing public service announcements (PSAs). Documents produced by the contractors show that he and another political appointee at HHS, Michael Pratt, "reached out" to employees at Grapeseed, a subcontractor working on the campaign. According to the prime contractor, the Grapeseed employees reported: "it sounded like they wanted to be a part of the review process."⁷

Mr. Caputo's efforts to influence the PSA campaign for partisan political purposes eventually provoked FDA career staff to warn contractors against compliance with his unauthorized and unethical interference. On an email exchange between FDA contract officers and employees of Atlas and another subcontractor, DD&T Group, about getting approval to approach certain celebrities for the PSA campaign, Mr. Caputo improperly claimed: "I approve [Antonio] Sabato, [Mark] Anthony, Ludacris and Shulem [Lemmer]." He also instructed the contractors to "finish with the missing vets as soon as you can," stating that "we must film them ASAP—we need content in the can now."⁸

In response to Mr. Caputo's orders, the FDA contract officer removed Mr. Caputo from the email chain and commended Atlas for "navigating a complex environment." The FDA official made it clear that Mr. Caputo's interjections were "challenging" and cautioned the contractor to "please keep in mind that only the CORs (myself and Janell) [FDA contract officers] can provide actionable direction." She explained in the email that she "felt the need to clarify given some of the emails over the last several days."⁹

HHS and its contractors knew exactly what concern this PSA campaign was going to invoke. An early planning document prepared by Fors Marsh for HHS laid out four "crisis scenarios." Scenario 1 prepared for a "negative story about the campaign," specifically anticipating the following situation: "Questions are raised about motivations behind the Campaign, including accusations of using a public health campaign to promote a political message, instead of a scientific one."¹⁰

https://oversight.house.gov/sites/democrats.oversight.house.gov/files/12%20%28redacted%29.pdf).

⁹ Id.

⁷ Email from Stefanie Lehmann, Vice President, Atlas Research, to April Brubach, Director, COVID-19 Media Campaign (Detail from FDA), Department of Health and Human Services (Sept. 12, 2020) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2%20%28redacted%29.pdf).

⁸ Emails between Michael Caputo, Assistant Secretary for Public Affairs, Department of Health and Human Services, Food and Drug Administration Staff, Atlas Research Staff, and DD&T Staff (Sept. 13-14, 2020) (online at

¹⁰ Department of Health and Human Services, *HHS ASPA COVID-19 Medica Campaign* (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/8.pdf).

Partisan Politics Played a Role in Selecting the PSA's Celebrity Spokespeople

Spokespeople for public service campaigns should be chosen on their ability to reach the target audience, not their political affiliation. Yet, documents produced by the contractors indicate that the Trump Administration vetted spokespeople based on their political positions and whether they support President Trump.

Comedian George Lopez was excluded from participating in the PSA campaign because of critical statements he has made about President Trump. Atlas' notes of a September 29, 2020, meeting with Trump Administration officials state, "George Lopez PSA—Not moving forward due to previous concerns regarding his comments regarding the President."¹¹

One document produced by the contractors indicates that the Trump Administration tasked them with closely tracking the political views and the views of President Trump for at least 274 celebrities who were being considered for the PSA campaign. For example, the document states:

- Zach Galifianakis "refused to host President Trump on talk show";
- Judd Apatow "believes Trump does not have the intellectual capacity to run as President";
- Billie Eilish is "not a Trump Supporter, stated he is 'destroying our country and everything we care about'";
- Russell Simons said "Trump is the epitome of white supremacy";
- Bryan Cranston "called out Trump's attacks on journalists";
- Margaret Cho "accused Trump and Ted Cruz of being guilty of sexism, homophobia, and racism";
- Jennifer Lopez "made a political statement during her Super Bowl performance to address Trump's immigration policies;" and
- George Lopez made a "controversial statement on President Trump in 2020."¹²

The document also shows that the Trump Administration and its contractors criticized celebrities who support gay rights, same-sex marriage, and other positions they characterize as part of the "liberal left," despite the fact that the Supreme Court has ruled that these positions are the law of the land. For example, the document states:

• Christina Aguilera "is an Obama-supporting Democrat and a gay-rights supporting liberal";

¹¹ Atlas Research, *Client Twice Weekly Meeting Notes, COVID-19 PSA & Awareness Campaign* (Sept. 29, 2020) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/4.pdf).

¹² Atlas Research, *Celebrity Participant Tracker for PSA Campaign* (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/5.pdf) (not indicating whether the celebrities were aware they were being considered or had agreed to participate).

- Adam Levine is a "liberal democrat who supported Obama and fights for gay rights";
- Johnny Depp "appears to be aligned with the liberal left";
- Jack Black is "known to be a classic Hollywood liberal"; and
- Justin Timberlake "publicly endorsed Obama and supports gay marriage."¹³

See Appendix A for excerpted entries from that document.

All Celebrities Have Now Refused to Participate in the Ad Campaign

Out of 274 celebrities under consideration, the Administration appears to have approved only ten to participate in the PSA program, and only three sat for a videotaped interview: actor Dennis Quaid, singer CeCe Winans, and singer Shulem Lemmer. A document referred to as the Celebrity Participant Status Chart sets forth the ten approved celebrities:¹⁴

Celebrity	Status	Medical Luminar	Questions Subm	Questions Appro	Filming Date	POC	Notes
Dennis Quaid	Approved	Dr. Fauci	complete	complete	Sept. 10, 2020		Completed (PSA #1)
CeCe Vinans	Approved	Surgeon General	complete	complete	Sept. 18, 2020, 2:30PM	Chaz Corzine, Manager	initial submission to gov 9/23 PM; Atlas to make additional recommendations based on government feedback
Marc Anthony	Approved	Dr. Fauci	complete	complete	Beingrescheduled	DeniMadeleine	cancelled 9/23 filming due to Family
Shulem Lemmer	Approved	ADM Giroir	complete	complete	September 24, 2020, 5:00	Madeleine	filming complete - Atlas to submit submit proposed outs end of
Dr. Oz	Approved	Surgeon General	complete	Atlas updating with Dr. Kizer (mtg 9/24)	TEO	Den	Den/Madeleine working schedules of Oz/SG
Billy Ray Cyrus	Approved	Schwartz or Riedfield	complete			Den	Den recommended per 9/17 email. Den identifying times Cyrus is available, then will approach DS/SRe-dield
Miranda Lambert	Approved	Schwartz or Redfield	complete	complete		Den	Den recommended per 9/17 email. Den identifying times that Lambert is available, then Madeleine or Janell vill coordinate with luminaries
Ganh Brooks	Approved	Dr. Redfield	complete	complete		DeniMadeleine	Den recommended per first list of proposed celebrities. Den identifying times that Brooks is available, then Madeleine or Janell vill coordinate with Bedfield
Dwagne Wade	Approved	Surgeon General	complete	complete		Den	Den recommended per 9/17 email. Den is identify times that Wade is available, then Madeleine or Janell vill coordinate with Juminaries
Enrique Iglesias	Approved	Schwartz or Redfield	complete			Den	Den recommended per 9/17 email. Den is identify times that Iglesias is available, then Madeleine or Janell will coordinate with Juminaries

¹³ *Id*.

¹⁴ Atlas Research, *Celebrity Participant Status Chart* (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/6.pdf).

Before agreeing to participate, singer Marc Anthony sought an amendment to his contract to ensure that his content would not be used for advertisements to re-elect President Trump. The documents do not indicate whether the Trump Administration agreed to that amendment, but they do show that he pulled out of the media campaign.¹⁵

As of October 1, 2020, all celebrities who had agreed to participate in the PSA campaign have withdrawn their consent to do so.¹⁶ Set forth below is a document titled "Challenges & Proposed Actions" describing alternatives after celebrities pulled out:

CHALLENGES & PROPO	SED ACTIONS	
CHALLENGE	PROPOSED ACTION	STATUS
Ludacris declined, 9/15	N/A	CLOSED
CeCe Winans retracted consent to participate, 9/26	Leverage footage/audio of the SG	OPEN
Dennis Quaid retracted consent to participate, 9/28	Leverage footage/audio of Dr. Fauci	OPEN
Celebrities identified and approved as of 9/26 declined to participate due to negative press	Present alternative concepts (9/29)	CLOSED

The Administration Encouraged Atlas to Select Preferred Subcontractors, Including DD&T, Run by a Close Associate of Caputo

The Trump Administration encouraged Atlas to subcontract with DD&T, a company run by Michael Caputo's long-time business associate, Den Tolmor. On September 4, 2020, Atlas sent an email to HHS stating that, "with the Government's encouragement, Atlas Research (Atlas) added DD&T Group (DD&T) and two other firms to the *FDA COVID-19 Immediate Surge* contract (prime contract) as 'preferred subcontractors."¹⁷ This raises serious questions about whether there has been a violation of federal contracting law related to conflicts of interest.

¹⁵ Emails between Stefanie Lehmann, Vice President, Atlas Research, and Tatiana Chelysheva, DD&T (Sept. 21-22, 2020) (online at

https://oversight.house.gov/sites/democrats.oversight.house.gov/files/7%20%28redacted%29.pdf).

¹⁶ Atlas Research, *COVID-19 PSA & Awareness Campaign, Monthly Plan & Deliverables Report: Aug. & Sep. 2020* (Oct. 1, 2020) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/3.pdf).

¹⁷ Email from Vanessa Downes, Senior Director of Contracts, Atlas Research, to April Brubach, Director, COVID-19 Media Campaign (Detail from FDA), Department of Health and Human Services (Sept. 4, 2020) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/9%20%28redacted%29.pdf).

In addition to DD&T, the Administration encouraged Atlas to use Grapeseed Media and Co/efficient.¹⁸ Atlas brought all three subcontractors aboard despite concerning information Atlas discovered when doing due diligence on the three companies. Atlas's President Mark Chichester wrote that he "did what diligence I could on the subs, and found little. Small shops with little on them in the public domain." Mr. Chichester went on to describe his findings on each company:

- "Could find nothing at all on DD&T Group as a corporate entity, which I understand is an LLC platform owned by Den Tolmor, a Russian-born business associate of Caputo's who was a co-founder of the apparently defunct Bond Film Platform.";
- "co/efficient likewise looks like a one-man shop run by a state-level Republican pollster (Ryan Munce) with some ties to higher ed."; and
- "The only one we could even get a D&B hit on is Grapeseed, which appears to be a small—perhaps one-man (Bill Updegraff)—shop."¹⁹

Request for Information and Documents

It is critical that HHS provide accurate, nonpolitical public health information to the American people that encourages mask wearing, social distancing, and other sciencebacked public health recommendations. Yet, the documents we have obtained indicate that HHS political appointees sought to use taxpayer dollars to advance a partisan political agenda and direct taxpayer money to their friends and allies. To assist in our review of this matter, please produce by November 10, 2020:

- 1. All documents and information we requested in our September 10, 2020, letter:
- 2. All documents and information referring or relating to the recommendation to Atlas to include DD&T Group, Grapeseed Media, and Co/efficient as subcontractors on Atlas' prime contract; and
- 3. All communications between current or former Department officials or employees and any employee, contractor, or representative of DD&T Group, Grapeseed Media, or Co/efficient.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. House Resolution 935 established the Select Subcommittee on the Coronavirus

¹⁸ Emails between Vanessa Downes, Senior Director of Contracts, Atlas Research, and Noah Wills, Contract Specialist, Food and Drug Administration (Aug. 4, 2020) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/10%20%28redacted%29.pdf).

¹⁹ Email from Mark Chichester, President, Atlas Research, to Vanessa Downes, Senior Director of Contracts, Atlas Research (Aug. 14, 2020) (online at

https://oversight.house.gov/sites/democrats.oversight.house.gov/files/11.pdf).

Crisis "to conduct a full and complete investigation" of "issues related to the coronavirus crisis," including "executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus crisis."

An attachment to this letter provides additional instructions for responding to the Committee's request. Consistent with these instructions, these requests are to be construed as continuing in nature. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Carolyn B. Maloney

Chairwoman Committee on Oversight and Reform

Raja Krishnamoorthi Chairman Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable James R. Comer, Ranking Member, Committee on Oversight and Reform

> The Honorable Steve Scalise, Ranking Member, Select Subcommittee on the Coronavirus Crisis

The Honorable Michael Cloud, Ranking Member, Subcommittee on Economic and Consumer Policy

s E. Clyburn Janhe

Chairman Select Subcommittee on the Coronavirus Crisis

Appendix A

Celebrity Name	Status 💌	Additional Notes	Demographic
George Lopez	Pending Answer	Endorsed presidential candidate Bernie Sanders in 2016. Controversial statement on President Trump in 2020.	Latinx. General public.
Christina Aguilera	Pending Answer	Arrested for public intoxication in 2011. She is an Obama- supporting Democrat and a gay- rights supporting liberal	General population, super spreaders
Maroon 5/Adam Levine	Pending Answer	Liberal democrat who supported Obama and fights for gay rights	General population, super spreaders
Johnny Depp	Pending Answer	Arrested in 1994 and 1989 for violence; appears to be aligned with the liberal left	General population, super spreaders
Julianna Moore	Pending Answer	Liberal Democrat, pro-choicer, LGBT rights supporter, gun control campaigner	General population
Bryan Cranston	Pending Answer	Cranston called out Trumps attacks on journalists during his Tony Awards speech in 2019	general population
Jack Black	Pending Answer	Used his Hollywood Walk of Fame star ceremony to speak out against Trump in 2018; known to be a classic Hollywood Liberal	General population, super spreaders
Judd Apatow	Pending Answer	Believes Trump does not have the intellectual capacity to run as President, want him to be removed out of office in 2020.	
Robert Downey Jr	Pending Answer	Not a Trump supporter, identifies as a conservative	General population, super spreaders
Mark Ruffalo	Pending Answer	During a 2015 interview, Ruffalo says he is a liberal Democrat	General population
Jennifer Lawrence	Pending Answer	Not a Trump supporter, but supporter Hillary Clinton	General population, super spreaders
Scarlett Johansson	Pending Answer	Identifies as a Democrat, supports Elizabeth Warren	General population, super spreaders
Brad Pitt	Pending Answer	Slammed GOP and Trumps impeachment during Oscars speech	General population, super spreaders

Kristin Bell	Pending Answer	Not a Trump supporter	General population, super spreaders
Cardi B	Pending Answer	Arrested with misdemeanor assault and two counts of reckless endangerment in 2018, Endorsed Biden for President	Black Americans, Super spreaders, General population
Eminem	Pending Answer	Arrested in 2001 for gun charge, songs reflect his political views, against Republicans	Black Americans, Super spreaders, General population
Garth Brooks	Pending Answer	Stayed politically silent, confidently said "its always about serving" when reporter asked him if he would perform during Trumps inauguration	General population
Justin Timberlake	Pending Answer	Publicly endorsed Obama and supports gay marriage	General population, super spreaders
Billy Joel	Pending Answer	Not a fan of Trump but not going to be politically involved in 2020	General population
Jennifer Lopez	Pending Answer	Made a political statement during her Super Bowl performance to address Trump's immigration policies	Latinx, General population
Taylor Swift	Pending Answer	Endorsed Phil Predesen, Democratic candidate in 2018, wrote a letter to her senator to support the Equality Act, says Trumps presidency is "autocracy" and says she is pro- choice	General population
Bruno Mars	Pending Answer	Not much on political views, but it is believed he is a liberal Democrat	General population, super spreaders
Sophia Vergara	Pending Answer	Vergara's ex-fiancé is Republican environmental businessman Nick Loeb. She supported his 2012 run for the Florida US Senate seat. Does not have any individual political involvement	Latinx, General population

Chrissy Teigan	Pending Answer	Teigan is a vocal critic of	General population, super
		President Trump; Endorsed Elizabeth Warren during the Democratic Party presidential	spreaders
		primaries in 2020	
Neil Patrick Harris	Pending Answer	Performed at the Republican National Convention in 2016 but appears to be a liberal Democrat	LGBTQ, General population
Dakota Johnson	Pending Answer	Has not publicly expressed political views. In 2017 she wore a pin to support planned parenthood in protest of Trump and other Republicans who vowed to defund planned parenthood	Women, General population
Billie Eilish	Pending Answer	Made a political statement on gun control in 2019; will be a first time voter in 2020; not a Trump supporter, stated he "is destroying our country and everything we care about"	General population, super spreaders
Sarah Silverman	Pending Answer	Liberal Democrat; supports gay marriage and is an environmentalist and animal rights activist	General population
Russell Simons	Pending Answer	-	
Margaret Cho	Pending Answer	Open Bernie and Hillary supporter; accused Trump and Ted Cruz of being guilty of sexism, homophobia, and racism	Asian American, general population
Jon Voight	Pending Answer	Publicly critical of President Obama. Publicly supported Republican candidates including President Trump.	Elderly. General public.
Bruce Springsteen	Pending Answer	Publicly supported President Obama. LGBT rights activist. Publicly critical of President Trump.	Elderly. LGBTQ. General public.

Owen Wilson	Pending Answer	Negative public statement about President Trump in 2015.	General public.
Sarah Jessica Parker	Pending Answer	Publicly supported President Obama including hosting a fundraiser. LGBTQ supporter including marriage equality. Identities as Jewish - non- practicing.	Women. General public.
Kelsey Grammer	Pending Answer	Publicly supports Republican Party including President Trump. History of alcoholism and drug use. Sexual misconduct trial in 1995. Defamation lawsuit by ex- girlfriend in 1996. Sexual video issue in 1998.	Elderly. General public.
James Woods	Pending Answer	Some personal lawsuits. Publicly supports President Trump. Publicly supported some conspiracy theories on Twitter.	Elderly. General public.
Mary Hart	Pending Answer	Son special assistant to President Trump for legislative affairs. Converted to Judaism. Has publicly supported Republican Party candidates, most recently Marco Rubio. Has participated in recent President Trump reelection campaign event - for 4th of July.	Women. HTR. General public.
Isaiah Washington	Pending Answer	Has made public messages related to conspiracy theories including Qanon and 5G-COVID- 19.	African Americans. General public
Mariano Rivera	Pending Answer	Child support lawsuits. President Trump supporter, has participated in fundraiser events. Naturalized citizen, from Panama.	
Conor McGregor	Pending Answer	Lives in Ireland. Public supporter of President Trump. Arrested for sexual assault/exposure allegation in Sept 2020.	General public. Super spreaders.

John Travolta	Pending Answer	Scientologist. A few sexual assault allegations in 2012, dropped.	Scientologists. General public.
Zach Galifianakis	Pending Answer	Publicly raised money for pro- choice organization in Texas - the Texas Abortion Fund. Refused to host President Trump on talk show.	Rural populations - has farm where he spends time. General public.

Responding to Oversight Committee Document Requests

- 1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
- 2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
- 3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
- 4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
- 5. Documents produced in electronic format should be organized, identified, and indexed electronically.
- 6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

- 7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
- 8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
- 9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
- 10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
- 11. The pendency of or potential for litigation shall not be a basis to withhold any information.
- 12. In accordance with 5 U.S.C.§ 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
- 13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
- 14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
- 15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
- 16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
- 17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

- 18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
- 19. All documents shall be Bates-stamped sequentially and produced sequentially.
- 20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
- 21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

- 1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
- 2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

- 3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
- 4. The term "including" shall be construed broadly to mean "including, but not limited to."
- 5. The term "Company" means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
- 6. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; (b) the individual's business or personal address and phone number; and (c) any and all known aliases.
- 7. The term "related to" or "referring or relating to," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
- 8. The term "employee" means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
- 9. The term "individual" means all natural persons and all persons or entities acting on their behalf.