

RON WYDEN
OREGON

RANKING MEMBER OF COMMITTEE ON
FINANCE

221 DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5244

United States Senate
WASHINGTON, DC 20510-3703

COMMITTEES:

COMMITTEE ON FINANCE
COMMITTEE ON BUDGET
COMMITTEE ON ENERGY & NATURAL RESOURCES
SELECT COMMITTEE ON INTELLIGENCE
JOINT COMMITTEE ON TAXATION

August 30, 2020

Vice President Mike Pence
The White House
Office of the Vice President
1600 Pennsylvania Avenue, NW
Washington, DC 20500

The Honorable Alex M. Azar II
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Vice President Pence and Secretary Azar:

I write, once again, to express my extreme concern with continuing shortages of the materials necessary for robust COVID-19 testing in rural Oregon. I urge the administration to use all of its Defense Production Act (DPA) authorities to the fullest extent to increase production of testing reagents and other supplies and speed up delivery to meet the needs of rural communities.

Rural communities in my home state of Oregon are suffering from a growing wave of COVID-19 infections. In fact, many of the highest per capita COVID-19 case numbers and positivity rates are in our rural counties. According to data from the state of Oregon, the week of August 16, testing positivity rates in a number of rural eastern Oregon counties ranged from 17 percent to 33.7 percent. Health care providers and laboratories in these communities—who desperately want to stem the spread of COVID-19, care for sick individuals and work toward reopening schools and small businesses—are escalating concerns that they could be doing many more tests per day to help contain the current outbreak. They are unable to do so because they lack testing supplies, especially reagents, needed to test for COVID-19.

Despite warnings of the hardships rural medical providers would face, frontline hospitals, clinics and local and regional laboratories in small Oregon communities remain unable to obtain testing reagents and other critical supplies six months into the pandemic. For instance, while St. Anthony's Hospital in Pendleton has a Cepheid testing machine with enhanced reliability and quick turnaround times, they have no cartridges and the machine remains idle. Such material shortages prevent these communities from taking necessary steps to adequately prevent, monitor and treat this public health crisis.

Other examples of the impacts of the testing supply shortage include at the local hospital in Hermiston where it now takes 7-10 days to process tests. With adequate reagents, this hospital could be processing tests in 2-3 days, which would prevent essential workers from having to make the difficult choice to go back to work *before* receiving their

911 NE 11TH AVENUE
SUITE 630
PORTLAND, OR 97232
(503) 326-7525

405 EAST 8TH AVE
SUITE 2020
EUGENE, OR 97401
(541) 431-0229

SAC ANNEX BUILDING
105 FIR ST
SUITE 201
LA GRANDE, OR 97850
(541) 962-7691

U.S. COURTHOUSE
310 WEST 6TH ST
ROOM 118
MEDFORD, OR 97501
(541) 858-5122

THE JAMISON BUILDING
131 NW HAWTHORNE AVE
SUITE 107
BEND, OR 97701
(541) 330-9142

707 13TH ST, SE
SUITE 285
SALEM, OR 97301
(503) 589-4555

[HTTP://WYDEN.SENATE.GOV](http://wyden.senate.gov)

PRINTED ON RECYCLED PAPER

test results. And, the regional Interpath Laboratory, which serves many rural Oregon counties, has capacity to process 6,000 COVID-19 tests daily with a 1-day turnaround, but they currently only have enough reagent to process 400-500 tests per day. With adequate supplies from the federal government, these Oregon hospitals and labs could be making an even greater difference than limited resources currently allow.

I have been raising concerns about the Trump administration's botched response to the COVID-19 pandemic since February, including repeatedly sounding the alarm on shortages of testing supplies, personal protective equipment and other supplies. Yet, I am still hearing from Oregonians that the supply chain for testing reagents is inadequate, unstable, unpredictable and fragile. The worsening reagent shortages in Oregon are the latest evidence that the Trump administration has used its DPA powers more for show than effect.

To better understand this critical supply chain shortage and the steps you are taking to address it, I urge you to, within seven days, provide me with the answers to the following questions:

1. Rural communities, especially the Indigenous and Hispanic populations, are being hit hard by COVID-19, yet continue to struggle to keep adequate supplies on hand. What steps is the administration taking to ensure testing supplies and equipment are being provided to providers serving rural and underserved communities with high rates of COVID-19 transmission?
2. Did you or do you plan to generate an official and documented plan to mobilize the private sector to acquire raw materials and manufacture testing supplies, especially reagents, under the DPA? If so, what is your timeline on invoking that power?
3. What data are the administration collecting regarding the extent to which communities across the country are experiencing shortages of materials necessary to a robust testing regime?
4. The U.S. Food and Drug Administration added reagents to their congressionally mandated device shortage list earlier in August. How are the data used to generate this list being used to inform increased production of testing reagents?
5. Given that influenza season will impose an increased load on our testing supplies, how is the administration preparing the supply chain?
6. Medical testing is increasing as patients resume routine health care visits, including for prenatal care and minor accidents. How is the administration bolstering testing capacity both for COVID-19 and for routine medical testing?
7. As children and staff, many of whom may be asymptomatic, return to schools, how is the administration planning for increased testing and supplies?

This continuing crisis has turned into a national tragedy. Our nation's leaders must step up and provide a response that meets the magnitude of this moment.

I look forward to your prompt response.

Sincerely,



Ron Wyden
United States Senator