#### The Honorable Charles Schumer

Senate Majority Leader Washington, DC 20510

## The Honorable Ron Wyden

Chairman Senate Committee on Finance Washington, DC 20510

## The Honorable Patty Murray

Chairman Senate Committee on Health, Education, Labor, and Pensions Washington, DC 20510

#### The Honorable Mitch McConnell

Senate Minority Leader Washington, DC 20510

## The Honorable Mike Crapo

Ranking Member Senate Committee on Finance Washington, DC 20510

#### The Honorable Richard Burr

Ranking Member Senate Committee on Health, Education, Labor, and Pensions Washington, DC 20510

# February 22, 2021

Dear Leaders Schumer and McConnell, Chairmen Wyden and Murray, and Ranking Members Crapo and Burr,

As public health experts and professionals, we write to urge that you swiftly consider and confirm President Joe Biden's nominee for Secretary of the Department of Health and Human Services (HHS), California Attorney General Xavier Becerra. It has been roughly one month since Joe Biden was sworn in as president. Given the once-in-a-century pandemic that has infected roughly 80 million Americans and caused the death of more than 500,000 Americans, it is critical that the Department have leadership in place to guide and coordinate the federal response and oversee many of the nation's most urgent priorities, including the administration of COVID-19 vaccines, the safe return to in-person learning, and ensuring Americans can sign-up for health coverage during the recently launched Special Enrollment Period.

HHS is charged with protecting the health of the nation and providing essential human services to the American people. The role of the Secretary has never been more critical as it is now – given the responsibility for managing efforts between its vital agencies, including the Centers for Disease Control and Prevention, the Food and Drug Administration, the U.S. Public Health Service, the National Institutes of Health, the Centers for Medicare and Medicaid Services, and the Administration for Community Living. Each of these agencies will play a critical role in the Biden-Harris administration's policy responses to COVID-19, from CDC's role in tracking the virus and supporting state and local health departments, CMS's role in providing health insurance to tens of millions of Americans, and the FDA's role in evaluating new treatments and vaccines.

Attorney General Becerra is the leader the Department needs during this crisis. As California's Attorney General he has not only led the nation's second-largest law enforcement agency but also prioritized actions to protect the health of Californians. His health care legacy includes challenging

efforts to overturn the Affordable Care Act (ACA) and actions by drug manufacturers to keep lower-cost generic drugs from entering the market. He also secured a \$575 million settlement with Sutter Health, one of California's largest hospital chains, after arguing the system was driving up the costs of medical care.

Even before his tenure as California's Attorney General, Mr. Becerra has been a health care leader. Attorney General Becerra's longstanding commitment to addressing health inequities will ensure that the Department's response to the COVID-19 pandemic is centered on the communities hardest hit by the crisis. And his service on the Ways and Means Committee has given him a deep understanding of the federal health care programs he will be charged with overseeing as Secretary. Throughout his years in public service, Mr. Becerra has consistently sought out consensus solutions, including reaching across the aisle to find areas of common interest. During the debate over the ACA, then-Congressman Becerra helped resolve a dispute between members from rural and urban areas about the appropriate allocation of Medicare payments. Most recently, he has joined broad coalitions of attorneys general to advocate for a more robust COVID-19 federal response, such as leading a multistate, bipartisan effort with Louisiana Attorney General Jeff Landry to urge the federal government to use its legal authority to increase the availability of the COVID-19 treatment, Remdesivir.

As the Biden administration enters its second month, it is deeply alarming that the Senate has yet to confirm Mr. Becerra. We urge the Senate to act quickly to ensure that the Department has in place a capable and compassionate leader at its helm.

Sincerely,

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