

Senate HELP Committee Hearing on Robert F. Kennedy Nomination for HHS Secretary

On Thursday (January 30), the Senate Health, Education, Labor and Pensions (HELP) Committee held a hearing on President Trump's nomination of Robert F. Kennedy Jr. for Secretary of the Department of Health and Human Services (HHS). During the hearing, most Republicans voiced confidence in Mr. Kennedy and his Senate confirmation, but Chairman Bill Cassidy (R-LA) said he was "struggling" with the nomination over Mr. Kennedy's statements on vaccines. Many Democrats during the hearing questioned whether Mr. Kennedy was the right candidate to lead HHS. The dominant themes throughout the hearing were addressing chronic conditions through improved diet, Mr. Kennedy's position on vaccines, and federal research priorities, while some Democrats asked about the future of the Inflation Reduction Act's drug price negotiation program.

• For more information: <u>https://www.help.senate.gov/hearings/nomination-of-robert-f-kennedy-jr-to-serve-as-secretary-of-health-and-human-services</u>

Opening statements

Chairman Bill Cassidy (R-LA): In his statement, Chairman Cassidy said he, if confirmed, he looked forward to working with Mr. Kennedy to "address hyper-processed foods and reduce obesity." However, Chairman Cassidy said Mr. Kennedy's "past of undermining vaccine confidence with unfounded or misleading arguments is concerning." He shared the story of an 18-year-old patient with acute hepatitis B who was flown to a hospital for an emergency liver transplant. In addition to an invasive surgery, the patient was left with tens of thousands of dollars of medical debt for something could have been prevented with a \$50 vaccine. He noted that Mr. Kennedy has "a tremendous following" and questioned whether he could trust that Mr. Kennedy would support vaccines if confirmed to be HHS Secretary. <u>Full Statement.</u>

Ranking Member Bernie Sanders (D-VT): In his statement, Sanders congratulated Mr. Kennedy on coining the phrase Make America Healthy Again, saying that is a "goal that all of us share." He said it is "outrageous" that in the US the rich live longer than the working class and that people die because they "can't afford to get to a doctor." He said any initiative to make America healthy must involve lowering the price of drugs in the US, guaranteeing paid family and medical leave, and addressing climate change. <u>Full Statement</u>.

Witness testimony

Robert F. Kennedy, Jr., nominee to be Secretary of Health and Human Services: In his testimony, Mr. Kennedy said his journey to health care began as an environmental lawyer, learning how chemicals that harm fish can also harm humans. He said President Trump has embraced and elevated the Make America Healthy Again movement, adding that if confirmed, "I will do everything in my power to put the health of Americans back on track." Mr.

Kennedy said the best place to start is combating chronic disease, which he said has "no single culprit." Mr. Kennedy said that the media and many lawmakers during the Senate Finance Committee hearing claimed that he is anti-vaccine and anti-industry, but he said, "I am neither, I am pro-safety," adding, "All of my kids are vaccinated." He said the Make America Health Again movement will not succeed without partnership, and if confirmed he would "make sure our tax dollars support healthy foods. We will scrutinize the chemical additives in our food supply. We will remove the financial conflicts of interest in our agencies. We will create an honest, unbiased, science-driven HHS, accountable to the President, to Congress, and to the American people."

Q&A

Chairman Cassidy asked a series of questions, including whether Mr. Kennedy still believes Lyme disease was created as a military bioweapon. Mr. Kennedy said, "I've never believed that" and mentioned he saw it suggested in three books. Mr. Kennedy committed to ensuring that any CDC recommendation changes would be based on "peer-reviewed, consensus-based, widely accepted science" and when pressed, promised that the FDA would not "deprioritize or delay review and approval of new vaccines" and to keep vaccine review standards in line with historic norms. At the start and end of the hearing, Chairman Cassidy asked Mr. Kennedy to say "that the measles and hepatitis B vaccines do not cause autism." Mr. Kennedy repeatedly said he would do so, "if the data is there," adding that if the evidence shows the vaccines do not cause autism he would "apologize for any statements that misled people otherwise." But ultimately, he did not agree in the committee room, even after Chairman Cassidy revisited the topic at the end of the hearing, presenting a 2014 meta-analysis that refutes claims that the vaccines cause autism. Mr. Kennedy agreed to review the data with Chairman Cassidy and encouraged him to look at other studies that have come to other conclusions. Several times Mr. Kennedy referenced a study by Anthony Mawson, who has previously had studies on vaccines and autism retracted. At the end of hearing, Sen. Cassidy said he is "struggling" with Mr. Kennedy's nomination. He said they agree on the need for vaccine safety but they approach it differently, "I've approached it using the preponderance of evidence to reassure and you've approached using selected evidence to cast doubt."

Ranking member Sanders asked Mr. Kennedy whether he felt COVID-19 vaccine was success in saving lives. Mr. Kennedy said that he challenged the CDC recommendations for children as young as six, citing a lack of evidence that it would benefit kids and said the US does not have an adequate surveillance system to capture adverse reactions to vaccines. When asked about Republican proposals to cut Medicaid spending, Mr. Kennedy said President Trump does not want to deprive people of their care, he wants to make "Medicaid, Medicare, and Obamacare better. Mr. Kennedy said ranking member Sanders has been working to fix the system his entire career, and it remains "broken." Sen. Sanders also expressed concern with Mr. Kennedy's use of Andrew Wakefield's retracted research on autism and vaccines and put into the record 16 studies saying vaccines do not cause autism. Sen. Sanders also asked if Mr. Kennedy would implement the Inflation Reduction Act's drug price negotiation program. Mr. Kennedy said, "President Trump wants us to negotiate drug prices" and after follow up from Sen. Sanders said he would comply with the law.

Sen. Rand Paul (R-KY) spoke on the subjects of vaccines, public trust in government, and the evolution of science. He said he supports vaccines and believes they are "modern miracles," but raised questions about the vaccine schedule and said his family chose to delay the hepatitis B vaccine until his children were school aged and "that made me an awful person...because I questioned the government dictate." He said these topics are

"complicated" and the lack of debate is "why people distrust the government." Sen. Paul said there is no good science on what causes autism, and we should have an open mind when studying the possibilities. At the end, Chair Cassidy had a back and forth with Sen. Paul over the hepatis B vaccine and agreed, that if the mother's hepatitis B status is known, the vaccine could be delayed, but if it is not, vaccination is important because a child born to a mother with hepatitis B may have a 95% chance of becoming a chronic carrier.

Sen. Patty Murray (R-WA) spoke about the increase in incidence of cancer among women and asked Mr. Kennedy whether he stands by statements calling the human papillomavirus (HPV) vaccine "dangerous and ineffective." Mr. Kennedy said he litigated a class action lawsuit against the vaccine that is currently in court and that the courts would ultimately decide. When asked if he would recommend the HPV vaccine as HHS Secretary, Mr. Kennedy said he would follow the CDC schedule. Mr. Kennedy also said he would support the development of vaccines for the avian flu. Sen. Murray also asked Mr. Kennedy about a past accusation of sexual assault, which Mr. Kennedy said has already been "debunked." Sen. Murray warned her colleagues against voting for Mr. Kennedy, saying it would affirm his views on vaccines and lead to a resurgence in measles and other diseases.

Sen. Roger Marshall (R-KS) asked Mr. Kennedy to describe the importance of combating chronic disease. Mr. Kennedy said that the rate of chronic disease, childhood diabetes, and autism has grown in his lifetime and today 77% of American kids would not qualify for military service. He said, "Our country's not going to be destroyed because we got the marginal tax rate wrong. It is going to be destroyed if we get this issue wrong." Sen. Marshall said we have to "guard the physician-patient relationship" and ensure parents have the best, non-biased information. When asked about how farmers and ranchers fit into the Make America Healthy Again movement, Mr. Kennedy said farmers need an "off ramp from chemically intensive agriculture" and President Trump instructed him to ensure farmers are "full partners" in the movement.

Sen. Tammy Baldwin (D-WI) spoke critically of Mr. Kennedy's responses to her colleagues questions on vaccines, saying, the "data is out there." When asked about existing post-approval vaccine safety monitoring, Mr. Kennedy said the CDC's Vaccine Adverse Event Reporting System (VAERS) captures fewer than 1% of vaccine injuries. He said the CDC's Vaccine Safety Datalink is kept "under a lockbox" and public monitoring systems are "broken." Sen. Baldwin also asked Mr. Kennedy a series of questions on thresholds he would use to consider a drug safe, to which he replied it would depend on the drug and the patient population. When asked about his position on Mifepristone, Mr. Kennedy said he will implement President Trump's policy.

Del. Jim Moylan (R-Guam) spoke critically of his Democratic colleagues for pushing back because Mr. Kennedy questions science, adding that the growing number of children being diagnosed with autism warrants questioning. He said, "We should support the fact that Bobby questions. He's not saying he's against it. He's saying he's going to question it and let the studies follow where they will."

Sen. Tim Kaine (D-VA) spoke critically of a social media post on Mr. Kennedy's X account in July 2024 during his run for president that read, "On 9/11, it's hard to tell what is conspiracy theory and what isn't." Mr. Kennedy explained that the post was in response to "the dramatic drug in trust in our government" and that he didn't "take sides on 9/11." Sen. Kaine also entered into the record a several international studies on the positive affect of the HPV vaccine, as well as a blog post in which Mr. Kennedy wrote, "Gardasil is killing girls." When asked about his

financial interest in the litigation, Mr. Kennedy said he has not received any money from the HPV vaccine or any other vaccine and that he gave away his rights to any fees in that lawsuit.

Sen. Tim Scott (R-SC), who did not question Mr. Kennedy during yesterday's Senate Finance Committee hearing, asked Mr. Kennedy whether he will have HHS deputies who are pro-life. Mr. Kennedy said he would implement President Trump's policies and "President Trump has told me he wants to end late-term abortion." When pressed on his hiring, Mr. Kennedy said yes. When asked if he would continue to have an individual coordinating sickle cell disease related activities across HHS and other government agencies, Mr. Kennedy said yes and said he will support NIH research into gene therapies. Sen. Scott spoke of the IV fluid shortage in the wake of Hurricane Helene and asked Mr. Kennedy how he would prioritize efforts to prevent and reduce drug shortages, including for essential medicines. Mr. Kennedy said it is a priority for President Trump to bring essential medicine manufacturing back to the US, saying it is a national security threat. Mr. Kennedy also committed to fostering public-private partnerships that provide the government with key information of pharmaceutical supply chains and improve the long-term security and resiliency of the US drug supply.

Sen. Christopher Murphy (D-CT) asked Mr. Kennedy to confirm some of his statements made before the Senate Finance Committee yesterday. He asked if Mr. Kennedy had compared the US vaccine program to the Catholic churches paedophilia scandal. Mr Kennedy said no. He asked if Mr. Kennedy had compared the US vaccine program to Nazi death camps. Mr. Kennedy said no. And he asked if Mr. Kennedy had said that AIDS is a different disease in Africa than in the US. Mr. Kennedy confirmed that he did write that in his book, saying the "diagnostics for AIDS are very different in Africa and in the United States that the list of symptoms is almost completely different." Sen. Murphy submitted into the record his statements and said, referencing Del. Moylan's comments, "I don't want an HHS Secretary that's not going to question science. I think it's important to question science. But you're not questioning science, you've made up your mind."

Sen. Josh Hawley (R-MO) asked if Mr. Kennedy would repeal a Biden administration final rule, which was blocked in court, that prohibits recipients of federal funding from discriminating on the basis of gender identity. Mr Kennedy said yes, calling the Biden administration's rule is "anti-science." Mr. Kennedy added that people who have gender differences should be "respected" and "loved," but "loving them does sometimes mean saying no." When asked if he would reinstate President Trump's policy prohibiting fetal tissue from being used in NIH stem cell research, Mr. Kennedy said yes. When asked if he would support Trump's Title X rule from the first administration, Mr. Kennedy said yes. When asked about how he would examine the safety of mifepristone, Mr. Kennedy said, "I will implement President Trump's policies."

Sen. Maggie Hassan (D-NH) spoke critically about assertions that members of either political party do not want to the know the cause of autism and spoke of her journey as "the proud mother of a 36-year-old young man with severe cerebral palsy." She the problem with Mr. Kennedy's statements is not that he is questioning science, it is that he is re-litigating settled science that prevents further research into the true causes of autism. She said the scientific community has studied this repeatedly and that the *Lancet* retracted the 1998 Andrew Wakefield study that linked the measles vaccine to autism based on a sample size of 12 children. Sen. Hassan said that during the Senate Finance Committee hearing Mr. Kennedy demonstrated a "lack of knowledge about Medicare and Medicaid" so she asked if he could define Medicare Parts A, B and C. Mr. Kennedy incorrectly answered each

question. He also acknowledged that during the Senate Finance Committee hearing he misstated that Medicaid is fully funded by the federal government.

Sen. Tommy Tuberville (R-AL) asked Mr. Kennedy how he would address the attention deficit disorder problem in the US. Mr. Kennedy said there is a problem with overprescribing children Adderall and more broadly there is an overprescribing problem among adults in the US. He cited a study referenced at the Senate Finance Committee hearing by Peter Ghosh, co-founder of the Cochrane Collaboration, that concluded prescription drugs are the third largest cause of death in the US. He spoke critically of pharmaceutical ads on tv and of industry congressional donations. Sen. Tuberville said he "appreciates" Mr. Kennedy's work on vaccines and spoke about the need to improve the quality of US foods. Mr. Kennedy spoke critically of the FDA's Generally Recognized as Safe (GRAS) standard for determining if a chemical or substance is safe to use in food, saying it has resulted in 10,000 additives in US food, while Europe only allows 400.

Sen. Andy Kim (D-NJ) asked Mr. Kennedy if he supports medically assisted treatment for opioid addiction. Mr. Kennedy said yes, they are "medically necessary" and should be available as a treatment option. When asked if he supports GLP-1 drugs, Mr. Kennedy said they are "miracle drugs" but should not be the first line of treatment, especially for children. He spoke of the high cost burden to employers if every American who was overweight decided to take the drug and said he supports the drugs for people with morbid obesity and diabetes but they should be paired with prescriptions for exercise. When asked if he believes Wi-Fi radiation causes cancer, Mr. Kennedy said yes and he wants to see a case against the Federal Communications Commission go to court. When asked if he would support CDC's collection of firearm mortality data, Mr. Kennedy said he believes "we need to study all of the causes of mass shootings." Mr. Kennedy declined to answer whether he supports mRNA vaccine research and development saying he needed to look at the data.

Sen. Jim Banks (R-IN) said Mr. Kennedy has his "full support" and asked whether Mr. Kennedy considers the chronic disease epidemic is both a national security risk and public health risk. Mr. Kennedy said, "Absolutely," pointing to the differences in obesity rates between the US and Japan. To reverse this trend, he said we need to study the additives and remove the conflicts of interest embedded in regulatory bodies. When asked what he could do as HHS Secretary to reduce the US' reliance on China, Mr. Kennedy said bringing production of essential medicines from China to the US.

Sen. Lisa Blunt Rochester (D-DE) said she is concerned by Mr. Kennedy's "apparent lack of understanding of ... the basic responsibilities" of HHS, referencing his statements yesterday in which he was unclear about Medicare and Medicaid, his authorities under Emergency Medical Treatment & Labor Act (EMTALA). Sen. Blunt Rochester and Mr. Kennedy had a back-and-forth over whether a person who is experiencing severe pregnancy complications should be able to receive an emergency abortion to save the mother's life, with Mr. Mr. Kennedy saying yes, if it is necessary to save the life of a mother. Sen. Blunt Rochester asked if Mr. Kennedy believes programs directed at black maternal health would be included in President Trump's executive actions targeting diversity, equity, inclusion and accessibility (DEIA) and after some back-and-forth he said that decision would be up to Congress. At the end, Chairman Cassidy said, "For the record, treating a miscarriage or ectopic pregnancy is not an abortion."

Sen. Jon Husted (R-OH) spoke about federal government subsidizing unhealthy food and asked what role Mr. Kennedy would play to address that when the US Department of Agriculture has regulatory authority over SNAP. Mr. Kennedy said the majority of NIH's budget is directed at studying infectious disease, as opposed to chronic disease, which disproportionately impacts blacks. He said the NIH needs to allocate more resources to identifying the underlying environmental factors driving the obesity epidemic.

Sen. John Hickenlooper (D-CO) said he has concerns about Mr. Kennedy's statements on vaccines and accused Mr. Kennedy of being "reckless" in sharing misinformation on Lyme disease without thorough research. When asked about the CDC's statement on Wednesday (January 29) on the Inflation Reduction Act's drug price negotiation program, Mr. Kennedy said Mr. Trump is "absolutely committed to negotiating lower drug prices." When asked how those savings from the drug price negotiation program could be used for prevention, Mr. Kennedy said they need to move Medicare, Medicaid, and Obamacare to value-based care models and ensure NIH, CDC, and FDA identify and remove toxins from our food.

Sen. Ashley Moody (R-FL) said she is concerned science and medicine has become too "politicized" and hoped President Trump and, if confirmed, Mr. Kennedy would address that and uphold science. Mr. Kennedy agreed, saying the current system isn't working and that the US needs more transparency. He said if we want uptake of vaccines, we need restore trust.

Sen. Ed Markey (D-MA) asked Mr. Kennedy a series of questions related to his trip to Samoa. Mr. Kennedy said the purpose of his trip was not vaccines but that he ended up having conversations with people. While Mr. Kennedy maintained his trip was unrelated to the deadly Samoa outbreak, Sen. Markey said he disagreed, saying Mr. Kennedy's name and profile scared people from taking a vaccine. Sen. Markey said he would vote no on his candidacy because he thinks it's "too dangerous to risk the threat that misinformation is spread in our country."

Sen. Lisa Murkowski (R-AK) said she cares deeply about ensuring vaccines are safe and available and supports the focus on chronic diseases., but said we need to focus on everything, including life savings vaccines, to improve the health of Americans. She said vaccination is especially important in rural and small communities that can be devastated by infectious disease. considerable gains in Alaska to vaccinate people in rural areas where a disease can wipeout communities. Sen. Murkowski also asked about improving care for Native populations. He said he would immediately triple the budget to support tribes. Mr. Kennedy said he looked forward to working with her on those issues.

Sen. Angela Alsobrooks (D-MD) spoke of Mr. Kennedy's intent to "clean house" at the NIH, which is headquartered in Maryland. She said he told her in their meeting that he would replace the "bad scientists with good scientists" and asked Mr. Kennedy what makes a scientists or doctor qualified to work at NIH. Mr. Kennedy said someone who is "devoted to empirical methodology, to evidence-based science. Scientists who understand the importance of replication, the importance of publishing raw data and being open transparent about it." When asked if Mr. Kennedy would substitute his judgement for the judgement of scientists, he said no. Sen. Alsobrooks said that the Heritage Foundation created a "watch list of federal employees to go after Federal staff" and asked if such a list exists for HHS staff. Mr. Kennedy said, "Not that I know of." When asked if there is a list of "career scientists or Federal staff" that would be targeted for termination, he said "Not that I know of." Sen. Alsobrooks re-raised a question from yesterday, on his campaign continuing to raise funds and asked Mr. Kennedy about his past statement that black people should have a different vaccine schedule than whites. Mr. Kennedy said there is

a series of studies showing blacks have a stronger reaction to vaccines and that there are differences in response by race. Sen. Alsobrooks said that "is so dangerous" and his views are "dangerous to our views and our country."

Sen. Susan Collins (R-ME) said she is concerned about Mr. Kennedy's past statements on pausing infectious disease research and asked if we should instead do both. Mr. Kennedy said "absolutely," but added to date there has been an imbalance between infectious disease and chronic disease research. Sen. Collins pointed out it is Congress, not NIH that sets funding levels, but Mr. Kennedy said NIH decides who gets the funding. Sen. Collins also raised concerns from a teacher about reducing herd immunity and putting children with immune deficiencies at greater risk. Mr. Kennedy said vaccine rates are declining because people do not trust the government and he will restore that trust and vaccine uptake. When asked if he thinks polio vaccine is safe and effective, Mr. Kennedy said yes and said he would not reduce its availability. Sen. Collins said that a promising trial on Lyme disease vaccine is being conducted in Maine and asked what influence Mr. Kennedy would have over this vaccine if confirmed. Mr. Kennedy said there is no body who will fight harder to find a vaccine or treatment for Lyme disease than me, noting it has impacted his family.

If you have questions, please contact <u>Heather Meade</u> or <u>Heather Bell.</u>

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