

“Fired for being right”: Trump admin whistleblower testifies to Congress



Enlarge / Rick Bright, former director of the Biomedical Advanced Research and Development Authority, steps out of the hearing room before testifying about the government response to the novel coronavirus pandemic to the House Energy and Commerce Committee on Capitol Hill May 14, 2020 in Washington, DC.

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US Rep. Anna Eshoo (D-Calif.) and other Democratic lawmakers

today blasted the Trump administration for demoting Rick Bright, the whistleblower who says his early warnings about the COVID-19 pandemic and supply shortages were ignored.

“Dr. Bright has filed one of the most specific and troubling whistleblower complaints I have ever seen,” Eshoo said today. “He was the right person with the right judgment at the right time. He was not only ignored, he was fired for being right. We can’t have a system where the government fires those who get it right and reward those who get it completely wrong.”

Eshoo’s comments came in her opening statement during a hearing held by the House Energy and Commerce Committee’s Subcommittee on Health, which Eshoo chairs. Eshoo criticized the Trump administration for “incompetence, denial, delay, and a disorganized response.”

“I’m tired of those who bear the responsibility accepting none of it while deflecting blame on others, [including] the previous administration, the World Health Organization, the Wuhan lab, anywhere but where the blame belongs,” she said. Eshoo said that three Trump administration officials “refused to testify” at today’s hearing. Those officials are Health and Human Services (HHS) Secretary Alex Azar, Assistant Secretary for Preparedness and Response Robert Kadlec, and White House trade advisor Peter Navarro, she said.

Republican members of Congress objected to today’s hearing, saying it’s premature and shouldn’t be held until there’s time to conduct more research and obtain more documents. Republicans also criticized Bright for fighting the Trump administration’s attempt to make anti-malaria drugs available for widespread use to fight COVID-19—Bright responded that studies suggested the drug’s risks outweighed the potential benefits.

As we wrote yesterday, Bright warned Congress that “2020 will be the darkest winter in modern history” if the United States

ignores warnings from scientists that it's too early to fully reopen the economy.

Republican “confused” by Bright’s status

Bright is still a government employee. He was head of the Biomedical Advanced Research and Development Authority (BARDA) until he says he was transferred to the National Institutes of Health (NIH) in a “retaliatory demotion.”

Bright’s current status as a government employee was probed in questioning today by Rep. Markwayne Mullin (R-Okla.). Bright told Mullin that “I have been on sick leave since I was pushed out of my position” and that he is being treated for high blood pressure. “This has been very stressful to be removed suddenly without explanation from my role,” Bright said. “It’s a life change. My physician has been working closely with me to manage my hypertension and stress.”

Bright also said that he switched from using sick time to using vacation time this week in order to prepare for the congressional hearing. Mullin said he was “confused” by Bright’s explanation, because “you’re too sick to go into work, but you’re well enough to come here while you’re still getting paid from the United States government.”

“You are an employee of the federal government, and I just want to make sure you’re not doing something to deceive the American people at the same time getting paid by the United States government,” Mullin told Bright. Mullin noted that Bright is paid a \$285,000 salary.

Bright’s complaint is being investigated by the US Office of Special Counsel (OSC), which reportedly found “reasonable grounds to believe” that the Trump administration retaliated against Bright in violation of the Whistleblower Protection

Act. The OSC reportedly recommended that the HHS reinstate Bright to his role at BARDA while the OSC continues its investigation. Bright said today that he is in the middle of the transition from BARDA to NIH and that his paychecks are apparently now coming from NIH, but he added that he has not accepted the new role.

Not enough time

Rep. Greg Walden (R-Ore.) said that Bright's "allegations are serious, and they deserve a real investigation" but complained that there wasn't enough time to conduct research and get documents before today's hearing. Rep. Michael Burgess (R-Texas) called the hearing "premature," noting that "no final determination" of a violation of the Whistleblower Protection Act has been made.

Bright quoted internal emails and other documents in his whistleblower complaint but said that he was locked out of his email on April 20 "so I didn't have full records available to me."

"If I had access to my email from HHS there might be additional supporting information in that email," Bright said. "I do not know the status, if that's been deleted or wiped. I just haven't had access to it."

Republicans defends chloroquine push

Democrats said that Bright demonstrated courage in being a whistleblower and testifying to Congress, and they asked him to provide more details about his reassignment and the shortcomings of the administration's pandemic response. Bright said he believes that his fight against widespread availability of chloroquine, including his decision to share internal emails with a Reuters journalist, "was the straw that

broke the camel's back and escalated my removal."

As we detailed in our overview of Bright's whistleblower complaint, Bright accused the Trump administration of attempting to "score a short-term political victory" by "pressur[ing] BARDA to promote the malaria drug chloroquine as a therapeutic for COVID-19, despite a clear lack of scientific support."

Bright says that he and another concerned colleague brokered a compromise in which the drug would remain "in the hands of healthcare professionals and out of the hands of the public," ensuring that "the drugs were administered to patients only under close physician supervision and who were known to be infected with the virus." But he alleges that "the administration nevertheless continued to push for expanded, unsupervised access to chloroquine and hydroxychloroquine, in blatant violation of the EUA [Emergency Use Authorization] issued by its own FDA and regardless of the risk to the American public."

Several Republican lawmakers today pressed Bright on his fight against widespread availability of chloroquine, pointing out that some doctors reported anecdotal evidence of the drug working against COVID-19. Doctors often use drugs off-label "if they don't see a viable alternative" and don't "wait for the government bureaucracy to approve it" if there's anecdotal evidence that it works, Rep. Larry Bucshon (R-Ind.) said. Bucshon is a physician.

"This is why doctors are using this drug," he said. "Whether it's right or not, data will show. If two years from now we have the studies and we say 'that stuff really would have worked and the government stopped that from being used,' if I was a family of a person who was stopped from getting hydroxychloroquine, I'd be pretty mad."

Rep. Morgan Griffith (R-Va.) made a similar argument. "You

said on hydroxychloroquine that one of the problems is you might have an irregular heartbeat,” Griffith said to Bright. “If you’re worried about not having a heartbeat at all—you’re not worried about [an] irregular [heartbeat] if you don’t have one at all. Am I not correct about that? That’s the concern, people were dying out there and here was the first [drug] that showed some promise. Why wouldn’t we want to accept an offer from a manufacturer to give us a lot of this and have it out there for widespread use if the doctors chose?”

Bright responded that clinical trials are needed to test claims based on anecdotal evidence, and that “we need to be cognizant of those risks and make sure those drugs are used in a very safe and controlled manner.” Bright also said that a summary report from scientists “indicated the evidence for [the drug’s] benefit was weak and evidence for safety concerns was stronger.”

The FDA on April 24 issued a warning about hydroxychloroquine and chloroquine, saying the drugs’ use for COVID-19 “should be limited to clinical trial settings or for treating certain hospitalized patients.”

Democrats were convinced that Bright’s warnings to the Trump administration should have been followed.

“It appears clear from the whistleblower report that the Trump administration prioritized political calculations above public health with regard to chloroquine and hydroxychloroquine,” Rep. Doris Matsui (D-Calif.) said. “Despite the lack of data supporting the clinical benefits for treatment and prevention of COVID-19, the Trump administration promoted the drug’s use to the American people because it was seen as a big immediate win.”

Democrats blast “misguided and chaotic response”

While the Trump administration rushed to deploy chloroquine, Bright says his warnings about shortages of masks, other supplies, and the drug remdesivir were ignored. Bright said today that when he complained about shortages of various supplies, “I was told that my urgings were causing a commotion and I was removed from those meetings.”

Rep. G.K. Butterfield (D-N.C.) complained that “we still don’t have enough testing supplies. I don’t understand how and why that is possible. I understand that converting an auto plant to build ventilators might take a little time, but how can we be struggling to get adequate supplies of simple supplies like swabs? What does this say about the federal response o the coronavirus outbreak?”

“It says to me that there is no master, coordinated plan on how to respond to this outbreak,” Bright responded. “We don’t have a strategy or plan in place that identifies each of those critical components and we don’t have a designated agency that is sourcing those critical components and coming up with a strategy to come up with those supplies when we need them. We need this comprehensive national strategy, that’s end to end and includes every component to make sure we can respond and protect American lives.”

Among the Democrats praising Bright was Rep. John Sarbanes (D-Md.), who said that the Trump administration “ignoring and dismissing your input was not harmless malpractice because there is every reason to believe that if that input had been heeded, particularly your pleas for action in the early days of the pandemic, it might have saved thousands of lives.”

“I want to thank you for coming forward, I want to thank you for blowing the whistle on the misguided and chaotic response

to this pandemic,” Sarbanes said.

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