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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

GREGG RICHARD, STAFF DIRECTOR
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September 23, 2026

Chris Klomp, MBA
Chief Counselor, Office of the Secretary
Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Mr. Klomp,

On September 15, 2026, you testified before the U.S. Senate Committee on Finance (Committee) as part of your nomination to be Deputy Secretary of the U.S. Department of Health and Human Services (HHS or Department). During that testimony you committed to responding promptly to questions submitted in writing by members of this Committee.

I am holding you to that commitment given that for more than nine months I have requested the most favored nation (MFN) drug pricing agreements the Trump administration signed with pharmaceutical companies. These are the ones you negotiated, the ones Donald Trump holds up as historic, and the ones nobody outside the executive branch has been permitted to see absent extensive litigation.¹

The Trump administration continues to use Oval Office fanfare to gaslight Congress and the American people, suggesting these agreements offer the United States the “lowest prescription drug prices anywhere in the world.”² There is absolutely no proof to back up this claim; in fact, all available information suggests the primary beneficiaries of these sweetheart deals are the pharmaceutical companies that negotiated tariff relief, fast-track drug approvals, and blanket exemptions from international reference pricing Medicare pilot programs.³ While the Trump

¹ Dan Diamond & Riley Beggin, *Secret contracts reveal undisclosed terms in Trump’s drug-pricing deals*, THE WASHINGTON POST (Sept. 19, 2026), <https://www.washingtonpost.com/politics/2026/09/19/secret-contracts-reveal-undisclosed-terms-trumps-drug-pricing-deals/> (detailing that the only two agreements that have surfaced, with Pfizer and Eli Lilly, were pried loose through Freedom of Information Act litigation, and arrived heavily redacted).

² Sydney Lupkin, *A year ago, President Trump pledged to lower Medicaid drug prices. Has that happened?*, NPR (Sept. 17, 2026), <https://www.npr.org/2026/09/17/nx-s1-5971066/trump-rx-medicare-generous-drug-prices-pfizer-favored-nation>.

³ DEMOCRATIC STAFF OF S. COMM. ON FIN., 119TH CONG., TRUMP’S BIG PHARMA GIVEAWAY (April 21, 2026), https://www.finance.senate.gov/imo/media/doc/drug_deal_disclosure_act_accompanying_report.pdf.

administration has blocked my requests at every turn, my pursuit of transparency and facts will continue undeterred.

It started in December 2025, when I wrote with my House colleagues to five drug manufacturers asking what they had agreed to. The manufacturers told my staff that there were confidentiality terms in the agreements that prevented them from sharing information with the Committee. So, in March, I went straight to Donald Trump and asked him for the agreements directly. Nothing there either. A day later, I wrote to eleven more companies, this time with six of my colleagues, and in April, I wrote again alongside the leaders of every health committee in the House. The companies again pointed to confidentiality restrictions in the agreements that prevented them from revealing details to Congress.

On April 22, every Democrat on the Committee introduced a bill compelling the Department to make the agreements public. That same day, Robert F. Kennedy, Jr. took the witness chair in the same room where you sat last week. He told this Committee he was "happy to make the deals available, except for proprietary information and trade secrets." Then he pointed at you. He called you the architect behind the deals and offered to make you available to us.

My staff immediately followed up and were told you would check with the White House and get back to us shortly. That was five months ago. Nobody ever did.

Which brings me to September 8, when my staff sat down with you and handed you the written request incorporated in this letter. Instead of providing what Kennedy committed to the Committee in April, you offered to start an internal process with the Department's Office of General Counsel. Another process. Not a document, not a date, just words that something was beginning.

When we met on September 9, I made clear that process, qualifications, and words were an unacceptable response. So here we are, months later, with six written requests, legislation to compel release, and a Cabinet secretary's commitment. And I have not seen a single page.

I am not asking for a briefing, a summary, a fact sheet, a phone call, or another meeting where someone tells me a process has begun. I am also not asking for trade secrets or proprietary business information, and I will take Kennedy's carve-out as he offered it. I am asking for basic information and transparency, and anything short of the written agreements I will treat as a decision by HHS to thwart the oversight authority of the United States Senate.

As I said during the hearing, almost a year of unfulfilled promises and obfuscation of Congress amounts to an operational and moral failure. It is paramount that you stop playing games and provide a prompt, thorough response to the below request if you wish to demonstrate your willingness to cooperate on a bipartisan basis.

Please respond to each of the following requests by September 30, 2026. Where a question asks for underlying communications or documents, please provide that material rather than describing them.

Please produce the following in electronic, text-searchable format, with a privilege log for any document withheld or redacted in whole or in part. For each withholding, identify the document, the author, the recipients, the date, and the specific legal authority relied upon. A general assertion of confidentiality, deliberative process, or commercial sensitivity, without more, is not a sufficient basis for withholding from this Committee. Unless otherwise noted, the relevant period is January 20, 2025 to the present.

"Document" includes emails, text messages (including Signal), messages on any platform used for official business, memoranda, presentations, contracts, agreements, data files, and calendar entries. "Communications" includes those on personal devices or accounts to the extent they concern official business. Where a request seeks data, please produce the underlying data file, not a summary.

1. Please provide complete copies of all agreements between HHS or any component and any pharmaceutical manufacturer concerning most-favored-nation pricing, including all annexes, side letters, term sheets, and amendments, for each of the 26 manufacturers with which the Trump administration has announced agreements, and for every additional manufacturer with which an agreement has been announced or executed since January 20, 2025. For the avoidance of doubt, this request includes any letter of intent, memorandum of understanding, term sheet, agreement to participate, agreement to enter into a future agreement, confidentiality, non-disclosure, or non-disparagement agreement, whether or not reduced to a signed writing. If no signed written agreement exists with respect to any manufacturer publicly identified as having reached an agreement, state that in writing and identify the manufacturer. Please include:

- a. All analyses, estimates, or models of the projected savings from these agreements to Medicare, Medicaid, and consumers, including underlying assumptions and data;
- b. All documents concerning the interaction between MFN pricing and the statutory Medicaid Drug Rebate Program, including Best Price and existing state supplemental rebate agreements, and the 340B Program;
- c. All documents concerning the interaction between MFN pricing and the Medicare Drug Price Negotiation Program, including:
 - i. Whether any agreement addresses drugs selected or eligible for selection in any negotiation cycle; any commitment, assurance, or understanding provided to a manufacturer concerning future selection cycles, the negotiation process, renegotiation, or the small molecule qualified single source drug eligibility; and all legal analyses of the Department's authority to make any such commitment; and
 - ii. For each drug covered by an MFN agreement, any comparison of the MFN price to the Maximum Fair Price negotiated or under negotiation for that drug.
- d. All documents concerning the benchmarks HHS or CMS uses to evaluate whether a negotiated or agreed MFN price represents value to the federal government, and any application of those benchmarks to MFN prices;

- e. All communications between you, other HHS staff, Secretary Kennedy, President Trump, or White House personnel and any manufacturer or its representatives concerning these agreements, together with a list identifying every administration official who participated in the negotiation of any agreement, their title at the time, and the agreements on which each worked;
- f. All documents concerning any manufacturer's position on disclosure of the agreements to Congress;
- g. All documents concerning TrumpRx, including projected enrollment, transaction volume to date, and any analysis of whether purchases count toward deductibles or out-of-pocket maximums;
- h. The complete methodology, underlying data, and all supporting documents for the administration's July 2026 claim that TrumpRx has saved patients more than \$700 million, identifying the office and individuals who produced the estimate. If HHS does not collect prescription-level data through TrumpRx, state in writing what data the estimate was derived from;
- i. All documents concerning the term, expiration, or sunset of any MFN agreement, and any provision addressing manufacturer pricing after expiration, including any renewal provision, enforcement mechanism, penalty for noncompliance, and any provision addressing the agreement's status after January 20, 2029. If the agreements contain no enforcement mechanism, state that in writing;
- j. All documents concerning consideration provided to manufacturers in connection with these agreements, including tariff relief or exemption, FDA national priority or priority review vouchers, and any exemption or safe harbor from Medicare payment models or pilot discount programs;
- k. For the agreements announced on or about August 26, 2026 and August 31, 2026, all documents concerning the effect on state Medicaid programs, including any analysis of net cost or savings to states and to the federal government, and any consultation with state Medicaid directors;
- l. The May 2026 report projecting \$64.3 billion in federal and \$529 billion in total domestic savings, together with all underlying models, assumptions, and the specific savings attributable to agreements executed as of the date of production;
- m. For each agreement, a schedule identifying every drug covered, the MFN price or pricing formula applicable to each, and the percentage of the manufacturer's U.S. portfolio by revenue that the covered drugs represent; and
- n. All documents concerning whether any MFN agreement applies exclusively to the Medicaid program or extends to other federal programs or the commercial market.

2. Please provide:

- a. Complete copies of all participation agreements between CMS and any manufacturer under the GENEROUS Model, including all annexes, side letters, and amendments;

- b. All state applications to participate, all state participation agreements, the date each was executed, and a detailed description of any terms that vary among them;
- c. All documents concerning the pricing formula used to set GENEROUS prices, including the market-basket countries applied, and, for each covered drug, the resulting price;
- d. All data submitted by manufacturers to CMS concerning existing state supplemental rebate agreements, Best Price, or any other existing rebate arrangement, and all analyses comparing GENEROUS prices to those arrangements. If manufacturers have not provided such data, state that in writing and identify which manufacturers have not;
- e. All coverage criteria submitted by manufacturers as a condition of GENEROUS participation;
- f. All documents concerning any MFN commitment executed outside the GENEROUS Model, identifying the manufacturer and the mechanism used;
- g. All analyses of net savings to state Medicaid programs and to the federal government under GENEROUS, including any analysis of whether GENEROUS prices fall below prices states already obtain through existing supplemental rebates; and
- h. All communications with state Medicaid directors or state Medicaid programs concerning the model, including any concerning the September 2026 application deadline and the administration's September 2026 announcement of universal state participation.

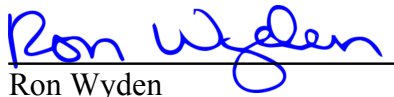
3. Please provide all documents concerning anything of value provided to manufacturers in connection with these agreements, including:

- a. Any exemption, carve-out, or safe harbor from the GLOBE or GUARD models, or any successor model, provided to any manufacturer; for each manufacturer, whether such an exemption exists and whether those models are named expressly; for manufacturers that signed before December 19, 2025, whether an exemption was later added by amendment; all analyses of savings foregone as a result; and all legal analyses of the Department's authority to exempt individual manufacturers from a CMS payment model by private agreement;
- b. All documents concerning the three-year exemption from Section 232 tariffs, including the legal authority, the approving officials, a list of manufacturers receiving relief, and the estimated value to each; and
- c. For every Commissioner's National Priority Vouchers awarded to date, the recipient, product, application date if any, award date, and stated basis; all documents identifying MFN participation as a qualifying national health priority; and all documents concerning vouchers awarded to sponsors that did not apply.

4. Please provide all documents concerning what information the administration intends to make public regarding the above, and on what timeline.

This administration is asking Congress to codify these agreements. If they are everything you say they are, there is no reason a member of Congress should be forbidden from reading them. I expect your response by September 30.

Sincerely,

A handwritten signature in blue ink that reads "Ron Wyden". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Ron Wyden
United States Senator
Ranking Member, Committee
on Finance