

United States Senate

WASHINGTON, DC 20510

May 20, 2025

Secretary Robert F. Kennedy, Jr.
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, D.C. 20201

Dear Secretary Kennedy:

I write with deep concern regarding the state of leadership at the Centers for Disease Control and Prevention (CDC).

The nomination of Dr. Susan Monarez to lead the CDC on March 24, 2025¹ required your department to name a new Acting Director. However, in the two months since Dr. Monarez's nomination, your department has failed to do so,² leaving the CDC without leadership and exposing the agency to inefficiency, fragmentation, and compromised public health emergency readiness. Adding to this confusion, you recently testified that an attorney, who appears to lack any medical or public health experience, will be filling the position—though that remains unconfirmed.

Let me be clear: the absence of a CDC Director is a serious public health risk. The Director of the CDC has the sole authority to make critical decisions that affect millions of Americans. The Director is responsible for coordinating the response to emerging infectious disease outbreaks – which is now more important than ever, in the midst of our country's largest measles outbreak in over two decades. Additionally, as I pointed out during your hearing before our Committee on May 14, 2025, the Director is responsible for deciding whether to adopt the recommendations of the Advisory Committee on Immunization Practices (ACIP) and usually does so within 24-48 hours of submission. Many of the recommendations from the April 15-16 ACIP meeting still have not been finalized, potentially delaying the adoption of several important vaccine recommendations.

At this same May 14, 2025 hearing, you were questioned about the lack of CDC leadership and clarified that the Acting Director position has been filled by Mr. Matthew Buzzelli, an attorney, who serves as the current CDC Chief of Staff. You also stated that Mr. Buzzelli is a “public health expert.”³

I am deeply alarmed that this hearing was the first time we had learned about the promotion of Mr. Buzzelli to Acting Director of the CDC. Though you promised radical transparency as a hallmark of the Department of Health and Human Services (HHS) under your leadership, you

¹ Nathaniel Weixel, “Trump Picks New CDC Nominee, acting director Susan Monarez,” *The Hill*, March 24, 2025, <https://thehill.com/policy/healthcare/5211581-trump-picks-new-cdc-nominee-acting-director-susan-monarez/>.

² Jeremy Faust, “Scoop: CDC Has No Acting Director, sources confirm,” *Inside Medicine*, April 9, 2025, <https://insidemedicine.substack.com/p/scoop-cdc-has-no-acting-director>; Centers for Disease Control and Prevention, “CDC Leadership,” May 20, 2025, <https://www.cdc.gov/about/leadership/index.html>.

³ Jeremy Faust, “Breaking: RFK Jr. says Matthew Buzzelli, a lawyer with no public health experience, is the Acting CDC Director,” *Inside Medicine*, May 14, 2025, <https://insidemedicine.substack.com/p/breaking-rfk-jr-says-matthew-buzzelli>.

did not disclose the identity of our country's leading public health official until asked in public testimony, and the CDC itself will still not confirm if Mr. Buzzelli is, as you directly testified, Acting Director. Another cause for concern is that Mr. Buzzelli is wholly unqualified for the position and his CDC biography makes no mention of medical or public health experience.⁴

Additionally, I do not believe Mr. Buzzelli is legally eligible to fill the role of Acting Director and decisions made by him may be unenforceable. Pursuant to the Federal Vacancies Reform Act, only certain individuals may serve as an acting officer of a vacant office requiring Senate confirmation. By default, when an office becomes vacant, the first assistant to the office becomes the acting officer.⁵ In CDC's case, the first assistant to the Director is the Principal Deputy Director, followed by the following positions (in order):⁶

1. Deputy Director for Program and Science and CDC Chief Medical Officer
2. Deputy Director for Global Health
3. Director of the Office of Readiness and Response
4. Director of the National Center for Emerging and Zoonotic Infectious Diseases
5. Director of the National Institute for Occupational Safety and Health

If the staff member selected to serve as Acting Director is *not* the first assistant, they must be directed by the President to serve as an acting officer, and they must have served in the agency for at least 90 days in the year preceding the vacancy.

Mr. Buzzelli is not in any of the positions in the line of succession. Additionally, to my knowledge, Mr. Buzzelli has only served in the Department since February 24, 2025, which does not meet the 90-day threshold, and he has not been directed to take this position by President Trump. Accordingly, it appears that Mr. Buzzelli is both unqualified and legally ineligible to act as Acting Director of the CDC in any capacity, and indeed he does not appear to be performing key aspects of the position.

This instance is only the latest in a string of chaotic decisions by the Department of Health and Human Services, which reflect a complete lack of institutional knowledge and the absence of a logical, long-term strategic plan.

The lack of a competent medical or public health professional at the helm of the CDC puts millions of Americans' lives at stake. The American public deserves transparency around who, if anyone, is currently overseeing our country's premier public health agency, and leading on infectious disease responses.

I request that you respond to the following questions by May 21, 2025:

1. Is Matthew Buzzelli the Acting Director of the CDC?

⁴ Centers for Disease Control and Prevention, "Office of the Chief of Staff," February 24, 2025, <https://www.cdc.gov/about/leadership/cos.html>.

⁵ Valerie C. Brannon, *The Vacancies Act: A Legal Overview*, CRS Report No. R44997 (Washington, DC: Congressional Research Service, 2025), <https://www.congress.gov/crs-product/R44997>.

⁶ Order of Succession, 88 Fed. Reg. 23679 (2023), <https://www.federalregister.gov/documents/2023/04/18/2023-08169/order-of-succession>.

- a. If so, please provide evidence confirming Mr. Buzzelli is legally eligible to serve in an acting capacity, including the formal documentation appointing him to the position.
2. Please provide all formal action or decision memos signed by Mr. Buzzelli as Acting Director.
3. Please provide a biography explaining Mr. Buzzelli's public health credentials and relevant experience, which you claimed he has in the hearing on May 14, 2025.
4. Please indicate if Mr. Buzzelli is responsible for adopting the remaining ACIP recommendations.
 - a. If he is responsible, please provide a written explanation of why they have not yet been adopted.
5. Please indicate why Debra Houry, MD, MPH has not been named Acting Director, as her position (Acting Principal Deputy Director for Program and Science and Chief Medical Officer) is next in the CDC line of succession published to the Federal Register on April 18, 2023.
6. Will you commit to informing the public of any filled vacancies in advice-and-consent level positions in a timely manner?

Sincerely,



Lisa Blunt Rochester
United States Senator