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August 3, 2020

## Via Email and UPS Mail

Senator Charles Schumer 322 Hart Senate Office Building Washington, DC 20510

Senator Patty Murray 154 Russell Senate Office Building Washington, DC 20510

Dear Senator Schumer and Senator Murray:

This will confirm that Reed Smith, LLP has been retained to represent TeleTracking Technologies Inc. (TeleTracking), in connection to the United States Department of Health and Human Services (HHS), Assistant Secretary for Preparedness and Response and Biomedical Advanced Research and Development Authority (ASPR-BARDA) Contract No. 75A50120C00042 (the Contract). In this regard, the following will be in response to your joint correspondence to Michael Zamagias, Chairman and Chief Executive Officer of TeleTracking, dated July 22, 2020, regarding the same.

TeleTracking recognizes your concerns and seeks to fully cooperate in response to your questions regarding the Contract. However, we are obligated to advise you that the Contract is subject to a broad Non-Disclosure Agreement (NDA) that restricts TeleTracking's release of non-public information, including, but not limited to, confidential, privileged, and procurement-sensitive information. Notwithstanding these contractual restrictions, we are pleased to cooperate and provide other information, as permitted, in response to your letter.

TeleTracking is a healthcare technology company headquartered in Pittsburgh, Pennsylvania. For nearly 30 years, TeleTracking has empowered the world's largest healthcare systems — over 1,000 sites and counting — with actionable and meaningful data to make better, faster decisions about patient access and care. TeleTracking's goal is to provide all parties at the federal, state, and local level who need to make real-time resource allocation decisions with a shared situational awareness of the status of infrastructure and resources across the entire US healthcare system at any given moment.

Focused for more than three decades, TeleTracking has built unique world-class capabilities that make it a trusted and indispensable partner to hospitals and healthcare providers. Day in and day out, healthcare providers trust TeleTracking to aggregate and present data to efficiently manage bed capacity and track patient progression from admission through discharge, enabling the movement of millions of patients



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through large-scale, complex healthcare systems. Now more than ever, the global pandemic has illuminated the need for what TeleTracking does — providing the tools that enable efficient and timely data collection and the rapid identification of solutions that benefit patients, caregivers, and communities.

In August 2019, ASPR-BARDA publicly released Broad Agency Announcement, BAA-19-ASPR NEXT-SOL-75A50119R00044 (the BAA). Based on TeleTracking's success in the commercial market, TeleTracking believed its services could be of use to the federal government in disaster preparedness and readiness. Accordingly, TeleTracking submitted a white paper proposal in response to the BAA in September 2019, as later refined in December 2019. In this white paper proposal, TeleTracking described its ability to assist HHS with disaster preparedness and readiness related to hurricanes, pandemics, and other natural and manmade disasters. No contract with ASPR-BARDA resulted from the submission of the white paper proposal at that time. After COVID-19 started spreading in the United States, in March 2020, TeleTracking submitted a revised proposal in response to the same BAA, and ASPR-BARDA subsequently selected TeleTracking as a contractor. The Contract was executed on April 10, 2020, between TeleTracking and ASPR-BARDA.

The BAA is public and subject to full and open competition. The BAA has been and remains publicly available on SAM.gov since August 29, 2019, and it is therefore open to any company or member of the public to submit a responsive proposal, *available at* <a href="https://beta.sam.gov/opp/826a435bbae7570b1f9f66ab3fcb54bf/view?keywords=aspr%20next&sort=relevance&index=opp&is active=true&page=1">https://beta.sam.gov/opp/826a435bbae7570b1f9f66ab3fcb54bf/view?keywords=aspr%20next&sort=relevance&index=opp&is active=true&page=1</a>. The publicly available BAA stated it was "issued under paragraph 6.102(d)(2)(i) of the Federal Acquisition Regulation (FAR). Proposals selected for award are considered to be the result of full and open competition and in full compliance with 41 U.S.C. § 3301."

Furthermore, TeleTracking directs your attention to public and relevant remarks by Center for Disease (CDC) Director Robert Redfield Control Dr. R. on July 15. 2020. available at https://www.cdc.gov/media/releases/2020/s0716-covid-19-data.html. In these remarks, Director Redfield stated:

On the back end, whether collected by the CDC's system, the third party vendor, or the states, the data ends up aggregated in the HHS Protect platform, where **the CDC team and other federal response teams still have access to this information for their use in the response.** Additionally, state and local public health departments also have access to this information in HHS Protect which allows them to access and use the same information that the federal response teams are using.

No one is taking access or data away from CDC.

. . .

This has no effect on CDC's ability to use this data and continue churning out the daily data, the MMWRs, and the guidance we publish. In fact, the new infrastructure we have now actually provides our CDC team with easier access to a much broader variety of data sets than they would have without it.

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In further response to your questions, Insight Venture Management has no ownership or other interest in TeleTracking. TeleTracking provides no products, component parts, or services from China to HHS. TeleTracking appreciates the opportunity to answer your questions to the extent possible. Given the NDA, questions regarding the Contract should be directed to HHS.

As a business built from the ground up in Pittsburgh, TeleTracking is honored to partner with HHS and the CDC to provide the federal government with accurate and real-time data so that they can best provide for the health and safety of the American people.

Respectfully submitted,

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A. Scott Bolden

Reed Smith LLP