



AUGUST 07, 2020 | JUDICIAL WATCH

Judicial Watch Sues for HHS Records of Sales of Unusable Respirator Masks to the Indian Health Service



(Washington, DC) Judicial Watch announced today that filed a Freedom of Information Act (FOIA) lawsuit against the U.S. Department of Health & Human Services (HHS) for records related to the contract given to former White House Deputy Chief of Staff Zach Fuentes for KN95 masks, reportedly made in China, in

April 2020 (*Judicial Watch v. U.S. Department of Health & Human Services* (No. 1:20-cv-02147)).

The lawsuit was filed after the Indian Health Service (IHS), a component of HHS failed to respond to a May 28, 2020, FOIA request for:

- All records regarding the contract awarded to Zach Fuentes LLC for KN95 masks in April 2020. For purposes of clarification, this contract is identified by award number FY20-NAO-COVID19-PROFORMA KN95.
- This request includes, but is not limited to, any and all records of communication between any official, employee, or representative of the Indian Health Service and any other individual or entity regarding the contract, as well as any and all records regarding the quality of the masks provided under the contract.

The Indian Health Service in May 2020 **acknowledged**, as reported by ProPublica, that “1 million respirator masks it purchased from a former Trump White House official do not meet Food and Drug Administration standards for ‘use in healthcare settings by health care providers.’” The Indian Health Service awarded a \$3 million contract for the masks to an 11-day-old company run by former White House Deputy Chief of Staff Zach Fuentes.

ProPublica reports that Indian Health Service confirmed that the masks sold by Fuentes were “made by four Chinese manufacturers and are registered in an FDA database, but have not met the regulator’s relaxed pandemic-era standards for Chinese-made masks.”

“HHS needs to get its act together and answer our simple request about a coronavirus mask contract that seems to have wasted millions of tax dollars and is obviously suspect,” said Judicial Watch President Tom Fitton.

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