

Congress of the United States

Washington, DC 20515

December 13, 2022

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Ave., SW
Washington, D.C. 20201

Dear Secretary Becerra:

Since April 2, 2020, Committee Republicans have been investigating the origins of the COVID-19 pandemic, including the Chinese Communist Party's (CCP) role in obscuring the truth regarding the initial outbreak, and whether any U.S. taxpayer dollars funded the Wuhan Institute of Virology's (WIV) dangerous gain-of-function research.¹ We have sent numerous letters to the U.S. National Institute of Allergy and Infectious Diseases (NIAID), the U.S. National Institutes of Health (NIH), and the U.S. Department of Health and Human Services (HHS). To date, these requests have either been ignored or the responses have been insufficient. As the lead agency orchestrating the COVID-19 pandemic response, your future cooperation is vital to our investigation.

During the 118th Congress, this investigation will be a priority for the Committee but also the global community. As stated by 18 experts in *Science* magazine, “[k]nowing how COVID-19 emerged is critical for informing global strategies to mitigate the risk of future outbreaks.”² Further, according to the *Lancet* COVID-19 Commission, “[i]dentifying [COVID-19’s] origins would provide greater clarity into not only the causes of the current pandemic but also vulnerabilities to future outbreaks and strategies to prevent them.”³ The origins of the disease that has taken the lives of more than six million people is still unknown.⁴ Uncovering the truth about the origins of COVID-19 is vital to U.S. national security, critical to the prevention of future pandemics, and will bring some semblance of closure to the families of those who lost loved ones during the pandemic.

Because your Department has been at the center of the pandemic since its inception, your documents and testimony are essential to informing the Committee about what the U.S. government knew regarding the origins of COVID-19 and when the government knew it.

¹ Letter from Hon. James Comer, et. al., Ranking Member, Subcomm. on the Environment, H. Comm. on Oversight & Reform, to Hon. Michael R. Pompeo, Sec’y, U.S. Dep’t of State (Apr. 2, 2020).

² Jesse D. Bloom, et. al., *Investigate the origins of COVID-19*, SCIENCE (May 14, 2021).

³ Jeffrey D. Sachs, et. al., *The Lancet Commission on lessons learned for the future from the COVID-19 pandemic*, THE LANCET (Sept. 14, 2022).

⁴ *Id.* (“Theories of accidental release from a lab and zoonotic spillover remain viable.”) (“...hypothesis about both natural and laboratory spillovers are in play and need further investigation.”).

On July 15, 2021, we wrote to NIH, pursuant to 5 U.S.C. §2954, requesting the same documents and information previously requested on May 28, 2021.⁵ To date, the Department and NIH have refused to produce any responsive documents or information not previously or immediately thereafter made public through a Freedom of Information Act (FOIA) request.

As a reminder, FOIA does not apply to Congressional requests. According to the statute itself, “[t]his section is not authority to withhold information from Congress.”⁶ Additionally, according to the Senate legislative report on FOIA, “[f]urther, it is made clear that, because this section only refers to the public’s right to know, it cannot, therefore be backhandedly construed as authorizing the withholding of information from the Congress, the collective representative of the public.”⁷ And again reinforced in a recent bipartisan and bicameral Committee letter stating, “guidance should underscore that FOIA ‘is not authority to withhold information from Congress.’”⁸

To assist the Committee with its investigation, including but not limited to areas involving the origins of COVID-19 and the CCP’s efforts to cover it up, please produce the following documents and information as soon as possible but no later than December 27, 2022:

1. All official calendars from November 1, 2019, through present for the following individuals:
 - a. Dr. Francis Collins;
 - b. Dr. Anthony Fauci;
 - c. Dr. Lawrence Tabak;
 - d. Dr. Hugh Auchincloss;
 - e. Dr. Michael Lauer; and
 - f. Dr. David Christian Hassell

2. All official phone records, including landlines and cell phones, from November 1, 2019, through present for the following individuals:
 - a. Dr. Francis Collins;
 - b. Dr. Anthony Fauci;
 - c. Dr. Lawrence Tabak;
 - d. Dr. Hugh Auchincloss;
 - e. Dr. Michael Lauer; and
 - f. Dr. David Christian Hassell

⁵ Letter from Hon. James Comer, et. al., Ranking Member, H. Comm. on Oversight & Reform, to Hon. Francis Collins, Director, U.S. Nat’l Insts. Of Health, and Anthony Fauci, Director, Nat’l Inst. Of Allergy & Infectious Diseases (July 15, 2021).

⁶ 5 U.S.C. §552(d).

⁷ S. Rep. No. 813 (1965).

⁸ Letter from Hon. Carolyn Maloney, et. al., Chairwoman, H. Comm. on Oversight & Reform, to Hon. Merrick Garland, Attorney Gen., U.S. Dep’t of Justice (Feb. 23, 2022).

3. All documents and communications regarding Scientific Review Group, including the Clinical Research and Field Studies of Infectious Diseases Study Section, review of R01AI110964, including but not limited to meeting minutes and a final report, memorandum, decision, or summary statement.
4. All documents and communications regarding NIAID National Advisory Allergy and Infectious Disease Council review of R01AI110964-01, including but not limited to meeting minutes and a final report, memorandum, decision, or summary statement.
5. All documents and communications between and among NIH, NIAID, and HHS employees regarding grant R01AI110964, to include all grant years and any subsequent related grants, from January 1, 2014 through present.
6. All documents and communications between and among NIH, NIAID, and/or HHS employees regarding the WIV from January 1, 2014, through present.
7. All documents and communications between and among NIH and/or NIAID employees and employees of the WIV from January 1, 2014, through present.
8. All documents and communications between and among NIH, NIAID, and/or HHS employees and EcoHealth employees, or affiliated individuals, regarding grant R01AI110964, to include all grant years and any subsequent related grants, from January 1, 2014, through present.
9. All documents and communications between and among NIH, NIAID, and/or HHS employees and EcoHealth employees, or affiliated individuals, regarding the letter published in *The Lancet* entitled “Statement in support of the scientists, public health professionals, and medical professionals of China combatting COVID-19.”
10. All documents and communications between and among NIH, NIAID, and/or HHS employees and EcoHealth employees, or affiliated individuals, regarding the paper published in *Nature Medicine* entitled “The Proximal Origin of COVID-19.”
11. All documents and communications between and among NIH and/or NIAID employees and HHS employees regarding R01AI110964 and any related review by the Potential Pandemic Pathogen Care and Oversight Framework (P3CO) review board.
12. All documents and communications regarding the formulation, creation, and publication of the October 17, 2014, U.S. Government Gain-of-Function Deliberative Process and Research Funding Pause on Selected Gain-of-Function Research Involving Influenza, MERS, and SARS Viruses.
13. All documents and communications regarding the formulation, creation, and publication of the December 19, 2017, Framework for Guiding Funding Decisions about Proposed Research Involving Enhanced Potential Pandemic Pathogens.

14. All drafts of “The Proximal Origins of SARS-CoV-2” between January 31, 2020, and March 17, 2020, including all drafts with track changes and comments visible.
15. All documents and communications regarding, referring, or relating to the February 1, 2020, teleconference or any subsequent telephone call, conference, or meeting regarding the origins of COVID-19.
16. All documents and communications regarding the drafting, publication, and critical reception of “The Proximal Origins of SARS-CoV-2” published in *Nature Magazine*.

Lastly, please contact Committee staff to schedule transcribed interviews for the following individuals.

HHS

1. Ms. Melanie Egorin, Assistant Secretary for Legislation; and
2. Mr. Samuel Bagenstos, General Counsel

NIH

3. Dr. Lawrence Tabak, Acting Director;
4. Ms. Adrienne Hallett, Associate Director, Legislative Policy and Analysis;
5. Dr. Michael Lauer, Deputy Director for Extramural Research; and
6. Ms. Michelle Bulls, Director, Office of Policy for Extramural Research Administration.

NIAID

7. Dr. Hugh Auchincloss, Acting Director;
8. Ms. Courtney Billet, Director, Office of Congressional and Government Relations;
9. Mr. Greg Folkers, Chief of Staff;
10. Dr. Ping Chen, Project Officer;
11. Dr. Erik Stemmy, Program Officer;
12. Dr. Cliff Lane, Deputy Director for Clinical Research and Special Projects;
13. Dr. Emily Erbeling, Director, Division of Microbiology and Infectious Diseases;
14. Ms. Emily Linde, Director, Grants Management Program;
15. Dr. Matthew Fenton, Director, Division of Extramural Activities;
16. Dr. Jill Harper, Deputy Director for Science Management; and
17. Dr. David Morens, Senior Scientific Advisor.

P3CO

18. Dr. David Christian Hassell, Senior Science Advisor, Office of the Assistant Secretary for Preparedness and Response
19. Dr. Ruben Donis, Chief Science Officer, Influenza Division, Biomedical Advanced Research and Development Authority
20. Dr. Jeffrey Taubenberger, Senior Investigator, Viral Pathogenesis and Evolution Section, NIH
21. Dr. Segaran Pillai, Director, Office of Laboratory Safety, Food and Drug Administration
22. Dr. Samuel Edwin, Director, Division of Select Agents and Toxins, Center for Preparedness and Response, Centers for Disease Control and Prevention
23. Dr. Ken Santora, Director, Division of Extramural Activities, National Institute on Aging, NIH
24. Dr. Daniel Jernigan, Acting Deputy Director, Public Health Science and Surveillance, Centers for Disease Control and Prevention
25. Dr. Carrie Wolinetz, Acting Chief of Staff and Associate Director for Science Policy, NIH
26. Mr. Garret Grigsby, Former Director, Office of Global Affairs, HHS
27. Ms. Alisa Hudgens, Acting Deputy Director, Office of National Security, HHS
28. Ms. Susan Sherman, Senior Attorney, HHS
29. Mr. Bill Hall, Deputy Assistant Secretary for Public Affairs, Public Health, HHS

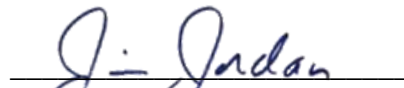
The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. To ask any follow-up or related questions, please contact the Committee on Oversight and Reform staff at 202-225-5074.

Thank you for your attention to this very important matter.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jim Jordan
Ranking Member
Committee on the Judiciary

cc: The Honorable Carolyn B. Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Jerrold L. Nadler, Chairman
Committee on the Judiciary