

Congress of the United States

House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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WASHINGTON, DC 20515-6143

Majority (202) 225-5074
Minority (202) 225-5051

September 7, 2023

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue S.W.
Washington, D.C. 20001

Dear Secretary Becerra:

The Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee) is authorized to investigate the origins of the Coronavirus pandemic.¹ Emails produced under the Freedom of Information Act (FOIA) indicate that National Institutes of Health (NIH) officials used potentially unsecure platforms to discuss official business related to the early surveillance of COVID-19.² (Appendix I)

These emails appear to show an NIH employee directing another to communicate with a Chinese scientist via WeChat regarding official U.S. government business related to COVID-19. WeChat is a mobile phone app developed and controlled by Tencent, a Chinese company headquartered in Shenzhen, China. It has been widely reported that the Chinese government actively surveils communications on WeChat.³

It is highly concerning that official U.S. government business appears to have been conducted via servers which are known to be monitored by the Chinese government—especially business related to the onset of COVID-19 which the Chinese government has a particular interest in suppressing.

Given the possible national security implications, we write to you today to better understand the full scope of NIH's utilization of WeChat. Specifically, the Select Subcommittee requests the following information and documents as soon as possible but no later than September 21, 2023:

1. Unredacted versions of NIH's Tranche 5, August 31, 2021 production in response to National Public Radio's FOIA request #53738 (i.e., Emails from Drs. Fauci, Auchincloss, Lane, Handley, Morens, Mr. Folkers and Ms. Doepel, that include the

¹ H. Res. 5 § 4(a)(2023).

² <https://www.nih.gov/sites/default/files/institutes/foia/20210831-npr-production-tranche-5.pdf>.

³ Jing Yang, *WeChat Becomes a Powerful Surveillance Tool Everywhere in China*, THE WALL STREET JOURNAL (Dec. 22, 2020), available at <https://www.wsj.com/articles/wechat-becomes-a-powerful-surveillance-tool-everywhere-in-china-11608633003>.

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terms: coronavirus, severe acute respiratory syndrome coronavirus 2, Wuhan, 2019-nCoV, SARS-CoV-2 or COVID-19, from 12/1/19 through 1/31/20).

2. All of Dr. Ping Chen's WeChat communications regarding COVID-19.
3. All documents and communications between or among employees or contractors of the Department of Health and Human Services, including but not limited to NIH and the National Institute of Allergy and Infectious Diseases, that are regarding or reference WeChat.

The Select Subcommittee is authorized to investigate "the origins of the Coronavirus pandemic, including but not limited to "executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus pandemic" under H. Res. 5. To that end, the Select Subcommittee is tasked to learn from the U.S. response to the COVID-19 pandemic and recommend alterations where necessary to enhance our preparedness and responses in the future. To ask any follow-up or related questions please contact Committee staff at (202) 225-5074.

Thank you for your attention to this very important matter.

Sincerely,



Brad Wenstrup, D.P.M.
Chairman

cc: The Honorable Raul Ruiz, M.D., Ranking Member
Select Subcommittee on the Coronavirus Pandemic

Appendix I

From: Handley, Gray (NIH/NIAID) [E] [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1CEB55D4B673477391C9DA8A3EB3C75C-HANDLEYGR]
Sent: 1/28/2020 8:56:02 PM
To: Chen, Ping (NIH/NIAID) [E] [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e86e86eeef44552b2918975f5001d13-chenpi]
CC: Dominique, Joyelle (NIH/NIAID) [E] [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=5c55f75b58f14ab2b2ccbac0a881ccae-dominiquejk]; Rosa, William (NIH/NIAID) [E] [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6ad94c8f809d41ad91b1f78754f60c54-rosawi]; Lu, Tami (NIH/NIAID) [E] [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=683d9f298f344f53b273ce527aa15d9a-lutt]; Bernabe, Gayle (NIH/NIAID) [E] [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c78e95b3db24482ba3dcbdedc2d3a003-gbernabe]
Subject: RE: 2019-nCoV_PotentialContactsandSites_updated28Jan2020.xlsx

See below suggestions. Good to send it via WeChat. Thanks. G

From: Chen, Ping (NIH/NIAID) [E] (b)(6)
Sent: Tuesday, January 28, 2020 3:36 PM
To: Handley, Gray (NIH/NIAID) [E] (b)(6); Dominique, Joyelle (NIH/NIAID) [E] (b)(6); Rosa, William (NIH/NIAID) [E] (b)(6); Lu, Tami (NIH/NIAID) [E] (b)(6); Bernabe, Gayle (NIH/NIAID) [E] (b)(6)
Subject: RE: 2019-nCoV_PotentialContactsandSites_updated28Jan2020.xlsx

Gray, here is my draft. I am going to send with some Chinese language (I provided translation). Please let me know if this is acceptable. Thanks
Ping

(b)(5)

From: Handley, Gray (NIH/NIAID) [E] (b)(6)
Sent: Tuesday, January 28, 2020 3:25 PM
To: Dominique, Joyelle (NIH/NIAID) [E] (b)(6); Rosa, William (NIH/NIAID) [E] (b)(6); Lu, Tami (NIH/NIAID) [E] (b)(6); Bernabe, Gayle (NIH/NIAID) [E] (b)(6); Chen, Ping (NIH/NIAID) [E] (b)(6)
Subject: RE: 2019-nCoV_PotentialContactsandSites_updated28Jan2020.xlsx

I have asked Ping to reach out to George Gao to see if he is interested in having a research information sharing call with ASF. We will see if he even has time to respond.