

Congress of the United States

House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

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

May 8, 2024

David Morens, M.D.
C/O Timothy D. Belevetz
Office Managing Partner
Ice Miller
200 Massachusetts Ave., N.W.
Suite 400
Washington, DC 20001

Dear Dr. Morens:

The Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee) has documents in its possession suggesting that you and your counsel are intentionally employing dilatory tactics in order to unreasonably stall your testimony until after Dr. Anthony Fauci's hearing on June 3, 2024.¹ This appears to be a poorly veiled attempt to protect Dr. Fauci, insulate him from the actions the Select Subcommittee is investigating, and obstruct the Select Subcommittee's investigation. Accordingly, your actions have left us no choice but to compel your testimony.

Date: Sat, 20 Apr 2024 10:15:09 AM -0400
Sent: Sat, 20 Apr 2024 10:14:14 AM -0400
Subject: RE: Today's news...
From: Peter Daszak <[REDACTED]@ecohealthalliance.org>
To: Keusch, Gerald <[REDACTED]@bu.edu>; Hotez, Peter Jay <[REDACTED]@bcm.edu>; [REDACTED]@proton.me>; Jeff Sturchio <[REDACTED]@msn.com>; Roberts, Rich <[REDACTED]@neb.com>;
CC: [REDACTED]@cugh.org; Aleksei Chmura <[REDACTED]@ecohealthalliance.org>; John Feigelson <[REDACTED]@ecohealthalliance.org>;

Great strategy Jerry. Each day of delay helps - They're trying to book David in for a public hearing between mine (May 1st) and Fauci's (June 3rd). David's lawyers are trying to negotiate and delay his til after Tony.

On June 29, 2023, the Select Subcommittee requested information from you relevant to our inquiry, including your use of personal e-mail and documents.² In response to that request,

¹ E-Mail from Peter Daszak, Ph.D., President, EcoHealth Alliance, Inc., to David Morens, M.D., et. al., Senior Scientific Advisor, Nat'l Inst. of Allergy & Infectious Diseases (April 20, 2024).

² Letter from Hon. Brad Wenstrup, D.P.M., Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm.

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you voluntarily produced a small portion of requested documents on November 20, 2023, and participated in transcribed interviews on December 29, 2023 and January 18, 2024. Although Select Subcommittee staff and your counsel had previously attempted to reach an accommodation regarding a more robust search and production of documents, unfortunately, after your transcribed interview, you abruptly ceased attempting to reach an agreement with the Select Subcommittee—despite repeated staff efforts to reduce or eliminate the burden and come to an agreement.

Then, on April 12, 2024, EcoHealth Alliance, Inc publicly posted e-mails that included you.³ Despite these e-mails being responsive to the Select Subcommittee’s previous requests, you had not produced these emails to the Select Subcommittee. In addition, the Select Subcommittee had information showing that you had failed to produce other responsive documents. As a result, on April 16, 2024, the Select Subcommittee was forced to announce a subpoena for these responsive documents.⁴ That same day, Select Subcommittee staff contacted your counsel to request your testimony at a public hearing on May 7, 2024.⁵

On April 22, 2024, your counsel asserted to Select Subcommittee staff that you were “unavailable” on May 7 and suggested four alternative dates.⁶ Select Subcommittee staff responded just eight minutes later and informed your counsel that a public hearing had already been scheduled and announced for May 1—a hearing the Select Subcommittee knows you had prior knowledge of—and that three of the four proposed dates were all days when Congress was not in session. Accordingly, staff offered May 22, 2024.⁷ A week later, on April 29, your counsel indicated that you were “unavailable” on May 22 and reiterated that the four proposed dates were the only dates you were available before June.⁸ The emails in possession of the Select Subcommittee call your stated unavailability into question.

The Select Subcommittee requires further testimony on these new documents and the reason you failed to previously produce them. The Select Subcommittee had hoped to engage in good faith negotiations to accommodate your schedule and avoid compulsory process. However, your unwillingness to seriously cooperate with our requests, negotiate a reasonable date, and produce all the responsive documents in your possession has unreasonably delayed our

on Oversight & Accountability, to David Morens, M.D., Senior Scientific Advisor, Nat’l Inst. of Allergy & Infectious Diseases (June 29, 2023).

³ *EcoHealth Alliance Releases Emails that are the Subject of False Allegations in the Press*, EcoHealth Alliance (April 12, 2024), available at <https://www.ecohealthalliance.org/2024/04/ecohealth-alliance-releases-emails-that-are-the-subject-of-false-allegations-in-the-press>.

⁴ Letter from Hon. Brad Wenstrup, D.P.M., Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. on Oversight & Accountability, to David Morens, M.D., Senior Scientific Advisor, Nat’l Inst. of Allergy & Infectious Diseases (April 16, 2024).

⁵ E-Mail from Staff, Select Subcomm. on the Coronavirus Pandemic, to Counsel, David Morens, M.D., Senior Scientific Advisor, Nat’l Inst. of Allergy & Infectious Diseases (April 16, 2024).

⁶ E-Mail from Counsel, David Morens, M.D., Senior Scientific Advisor, Nat’l Inst. of Allergy & Infectious Diseases, to Staff, Select Subcomm. on the Coronavirus Pandemic (April 22, 2024).

⁷ E-Mail from Staff, Select Subcomm. on the Coronavirus Pandemic, to Counsel, David Morens, M.D., Senior Scientific Advisor, Nat’l Inst. of Allergy & Infectious Diseases (April 22, 2024).

⁸ E-Mail from Counsel, David Morens, M.D., Senior Scientific Advisor, Nat’l Inst. of Allergy & Infectious Diseases to Staff, Select Subcomm. on the Coronavirus Pandemic (April 29, 2024).

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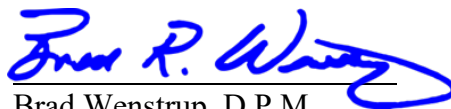
investigation. Your apparently improper attempts to hinder the Select Subcommittee's investigation are unacceptable and will not be tolerated.

House Resolution 5 specifically authorizes the Select Subcommittee to investigate “the origins of the Coronavirus pandemic, including but not limited to the Federal Government’s funding of gain-of function research,” “executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus pandemic,” and “cooperation by the executive branch and others with Congress, the Inspectors General, the Government Accountability Office, and others in connection with oversight of the preparedness for and response to the coronavirus pandemic.”⁹ House Resolution 5 also expressly authorizes the Committee on Oversight and Accountability to issue subpoenas returnable to the Select Subcommittee.¹⁰

Consistent with House Rule XI.2(m)(3)(A)(i), and Rule 12(g) of the Rules of the Committee on Oversight and Accountability, the Chairman of the Committee on Oversight and Accountability has authorized the attached subpoena, compelling your appearance at a public hearing on May 22, 2024 before the Select Subcommittee.

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

The Honorable Xavier Becerra, Secretary
U.S. Department of Health and Human Services

⁹ H. Res. 5 § 4(a)(2)(A)(i), (vii), (ix).

¹⁰ H. Res. 5, § 4(a)(3)(A)(ii).