

# 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

### STAFF MEMORANDUM

**TO:** Select Subcommittee on the Coronavirus Pandemic Republican Members

**FROM:** Select Subcommittee on the Coronavirus Pandemic Republican Staff

**DATE:** May 16, 2024

**RE:** Key Takeaways of Dr. Francis Collins Transcribed Interview

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On January 12, 2024, Dr. Francis Collins, former director of the National Institutes of Health (NIH), testified during a transcribed interview before the Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee). Below are some key takeaways from this interview.

#### **I. The hypothesis that the COVID-19 pandemic was the result of a lab leak or lab related accident is not a conspiracy theory.**

Despite previously disagreeing with the lab leak theory—both in public and in private—Dr. Collins testified that the lab leak hypothesis is not a conspiracy theory.<sup>1</sup>

Q.	All it's calling for is a "yes" or "no." Is the possibility of a lab leak a conspiracy theory?
A.	You have to define what you mean by a lab leak.
Q.	Putting aside de novo, the possibility of a laboratory or research-related accident, a researcher doing something in a lab, getting infected with a virus, and then sparking the pandemic. Is that scenario a conspiracy theory?
A.	Not at this point. <sup>2</sup>

The investigation into the origins of COVID-19 is ongoing and there is no incontrovertible proof of either a zoonotic or a lab origin of SARS-CoV-2. Yet, this debate is so charged that

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<sup>1</sup> E-Mail from Francis Collins, M.D., Ph.D., Dir. Nat'l Insts. of Health, to Jeremy Farrar, Ph.D., *et. al.*, Dir. Wellcome Trust (Feb. 2, 2020), Ed Browne, *Scientist React as NIH Head Francis Collins Calls Wuhan Lab Leak Theories 'Misinformation,'* NEWSWEEK (Oct. 21, 2021).

<sup>2</sup> Transcribed Interview of Francis Collins, M.D., former Dir., Nat'l Insts. of Health, at 220-221 (Jan. 12, 2024) (hereinafter "Collins TI").

Americans were censored on social media, and it led to a change in the way scientific debate was conducted.<sup>3</sup> When asked, Dr. Collins unequivocally acknowledged that the origins question is still unsettled.

Q. We have talked about this an awful lot, I think I know the answer to the question, but I want to ask it. Is the origin of COVID-19 still unsettled science?

A. Yes.<sup>4</sup>

## II. The “6 feet apart” social distancing program that federal public health officials endorsed was likely not based on any science or data.

One of the most consequential COVID-19 pandemic-era guidelines was social distancing, which is commonly defined as maintaining at least six feet of separation from another person. This guideline was promulgated and implemented nationwide and nearly everyone in the country felt its effects—particularly students.

The six feet of separation recommendation had real life consequences. This guideline made it nearly impossible for schools nationwide to re-open due to the pressure from teachers unions to follow this guideline. In addition, businesses had to adapt at great cost or risk complete closure.

The six feet rule was one of the phrases and rules every single American knew during the pandemic, and it was largely arbitrary. In fact, an article in the British Medical Journal (BMJ) in August 2020, explained these rigid rules were based on an oversimplification of outdated science and experience of past viruses.<sup>5</sup> The six feet rule caused widespread economic and social damage to the American collective.

When asked about the scientific evidence and data that was analyzed before federal public health officials issued the six feet guidance, Dr. Collins testified he has yet to see evidence that supports the directive.

Q. Moving on to social distancing and the various regulations surrounding that. On March 22, 2020, the CDC issued guidance describing social distancing to include remaining out congregant settings, avoiding mass gatherings, and maintaining a distance of approximately six feet from others when possible. We asked Dr. Fauci where the six feet came from and he said it kind of just appeared, is the quote. Do you recall science or evidence that supported the six-foot distance?

A. I do not.

<sup>3</sup> Sarah Wheaton, *How the coronavirus split science in two*, POLITICO (Dec. 8, 2021).

<sup>4</sup> *Id.* at 224.

<sup>5</sup> Nicholas R. Jones, *et al.*, *Two meters or one: what is the evidence for physical distancing in COVID-19?*, BMJ (Aug. 25, 2020).

Q. Is that I do not recall or I do not see any evidence supporting six feet?

A. I did not see evidence, but I'm not sure I would have been shown evidence at that point.

Q. Since then, it has been an awfully large topic. Have you seen any evidence since then supporting six feet?

A. No.

### **III. The National Institutes of Health took appropriate action to terminate and later suspend the EcoHealth Alliance, Inc. grant in April 2020.**

On April 19, 2020, Dr. Michael Lauer, at the direction of his supervisor Dr. Lawrence Tabak, issued a letter to EcoHealth Alliance, Inc. (EcoHealth) and its president Dr. Peter Daszak, with instructions to terminate all subgrant funding to the Wuhan Institute of Virology.<sup>6</sup> On April 24, 2020, Dr. Lauer sent a letter completely terminating the “Understanding the Risk of Bat Coronavirus Emergence” grant.<sup>7</sup> This termination was later amended to be a full suspension pending EcoHealth’s ability to comply with NIH requests for information.

Due to insufficient grant oversight, neither NIH nor the National Institute of Allergy and Infectious Diseases (NIAID) were aware that EcoHealth was not in compliance with the terms of the grant from late 2019 until mid-2021. NIH may not have known about EcoHealth’s actions without proper intervention by former-President Donald Trump and former-White House Chief of Staff Mark Meadows.

The decision to terminate EcoHealth’s grant, due to concerns regarding its work with the WIV and its compliance with the terms of the grant, initiated a thorough and lengthy investigation into the organization and its actions. In an interim staff report recently published on May 1, 2024, the Select Subcommittee recommended the NIH and the Department of Health and Human Services (HHS) suspend and debar both EcoHealth and Dr. Peter Daszak. A recommendation, HHS complied with on May 15, 2024.

While Dr. Daszak, and others, suggested that the original grant termination and suspension were purely politically driven decisions After a thorough review, however, the evidence supports the termination of EcoHealth’s grant and shows that there was broad agreement amongst public health leadership that this was an appropriate course of action.

Q. Moving into 2020. Before we start with individual letters, we asked Dr. Lauer and he testified that he would not sign or send a letter that he disagreed with. Do you have any reason to doubt that assertion?

A. No.

<sup>6</sup> Letter from Michael Lauer, M.D., Dep. Dir. Of Extramural Research, Nat’l Insts. of Health, to Peter Daszak, Ph.D., et. al., Pres., EcoHealth Alliance, Inc. (Apr. 19, 2020).

<sup>7</sup> *Id.* at 48.

Q. Do you agree with every enforcement action the NIH took against EcoHealth?

A. Yes.<sup>8</sup>

**IV. NIH does not have sufficient oversight of foreign grant recipients and are potentially funding grants that may impact U.S. national security.**

The NIH grant processes are convoluted and flawed. Major systematic weaknesses could easily allow for an issue of national security to arise. One major issue is that once a grant is awarded, the principal investigator is entirely responsible for the work, conduct, and communication of any subgrantees, including in adversarial nations, with very little oversight from NIH.

It is apparent that NIH is severely lacking in their oversight of foreign laboratories. These grants, funded by taxpayers, allow for highly consequential scientific research to be conducted, potentially in known adversarial nations by known adversarial scientists.

Q. Thank you. We've asked a number of people regarding the vetting or certifying process of foreign labs that receive U.S. dollars. Do you know what that process is?

A. I do not.

Q. To your knowledge, does NIH certify foreign labs that receive U.S. dollars?

A. I don't know that.

Q. I guess my next question, if you don't know – if they're receiving U.S. money, how would NIH kind of make sure they follow the right BMBL standards or things like that?

A. That would be up to the staff to do that. I trust my staff when I was NIH director to have that kind of subject matter expertise.<sup>9</sup>

The Select Subcommittee, however, has found that NIH staff often lacks the necessary subject matter expertise to ensure U.S. taxpayer funds are being spent safely. A collaborative effort between NIH and the intelligence community is necessary to ensure that the millions of U.S. taxpayer dollars that are funneled to foreign labs through subgrant awards are spent to further our national interests, and also ensure that American scientific intellectual property and technology are properly safeguarded. Concerningly, Dr. Collins testified that he was unaware of a single country that is prohibited from receiving NIH grants.

<sup>8</sup> Collins TI, *supra* note 1, at 145.

<sup>9</sup> *Id.* at 37.

- Q. The kind of same questions that I imagine are similar answers. The process for vetting a foreign collaborator, do you know what that is?
- A. Only in the sense that the peer review process is going to look to see whether a proposal is being conducted by people who have the appropriate expertise.
- Q. Do you know if, during that process of otherwise, foreign collaborators go through a national security review?
- A. I do not, no.
- Q. Do you know if there are any countries that are kind of off limits for receiving NIH dollars?
- A. Off limits? Not that I know of.<sup>10</sup>

This lack of oversight and thorough vetting from the NIH creates new or exacerbates existing national security vulnerabilities that a potential adversary could exploit. The NIH provides billions of U.S. dollars to scientists to pursue their research. Many times, the recipients utilize foreign labs to aid their work. While that practice is not inherently wrong, it is troubling that the head of the NIH is unaware of a policy that ensures these laboratories are up to U.S. standards and not at odds with U.S. national interests.

- Q. Again, what we're trying to figure out is if, like, you get a proposal that has a foreign lab on it, if the NIH would do all the work themselves, or if they would call the State Department, or if they would call some other department to try to determine if that foreign lab is reputable.
- A. I don't know.<sup>11</sup>

#### **V. From Dr. Collins' perspective, Dr. Fauci invited him to the February 1, 2020 conference call.**

The February 1, 2020 conference call appears to be the genesis of many subsequent efforts—both by government officials and other scientists—to discredit and stigmatize the lab leak theory. Specifically, it was on this conference call that Dr. Fauci “prompted” the drafting of “The Proximal Origin of SARS-CoV-2”—a paper that has been repeatedly referenced to attempt to discredit the lab leak theory.

Dr. Collins testified that he first learned that this call would take place from Dr. Fauci and that Dr. Fauci invited him to join.

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<sup>10</sup> *Id.* at 38.

<sup>11</sup> *Id.* at 39.

Q. How were you made aware of this call?

A. I was, I think – again, it’s four years ago – initially informed by Dr. Fauci that the call was happening. And then, I think I got this email forwarded about what the agenda was going to be from Dr. Farrar, who was clearly the person organizing the call.

Q. Did Dr. Fauci ask you to join the call?

A. Yes.

This testimony contradicts earlier statements made by Dr. Fauci.<sup>12</sup>

**VI. Dr. Collins reaffirmed his belief that the targeted approach advocated by the signers of *The Great Barrington Declaration* was dangerous.**

The Great Barrington Declaration was one of the first publications that challenged the scientific basis of mass lockdowns. It was immediately labeled as a “dangerous fringe theory” by the media and scientists alike. Many who expressed their support for the Declaration were labeled as radicals and had their opinions censored. This lack of scientific engagement further perpetrated the public’s mistrust of government public health officials.

Dr. Collins testified to potentially using his position as Director of the NIH to attempt to quash this publication.

Q. The second to last line of question, “There needs to be a quick and devastating published takedown of its premise.” What did you mean by that?

A. I meant that this is a dangerous approach that could do great harm. I am looking for a response from credible experts to get that response out there quickly before this becomes somehow a U.S. policy, which seemed like a potential serious risk.

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<sup>12</sup> Letter from David Schertler, Esq., Counsel for Dr. Anthony S. Fauci, to Hon. Brad Wenstrup, D.P.M., Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. On Oversight & Reform (Mar. 27, 2023).