

Congress of the United States

House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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May 28, 2024

The Honorable Colleen Shogan, Ph.D.
Archivist of the United States
National Archives and Records Administration
700 Constitution Ave. NW
Washington, DC 20004

Dear Dr. Shogan:

The Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee) writes to you regarding National Archives and Record Administration's (NARA) investigation into Dr. David Morens's use of a personal e-mail to avoid transparency, including the Freedom of Information Act (FOIA), and potential wrongful disposition of official records.¹ Accordingly, it is the Select Subcommittee's understanding that this investigation is still open and ongoing. Based on new evidence, we are concerned that the National Institutes of Health (NIH) was not able to conduct a fulsome or thorough investigation and that many government records have not been properly captured.

On April 16, 2024, the Select Subcommittee announced a subpoena for records in Dr. Morens's personal custody and control that are pertinent to this investigation.² After examining these documents, we have significant reason to believe the above allegations are substantiated (*See e.g.* Enclosure 1) and that Dr. Morens also has a Proton Mail—an e-mail service that uses end-to-end encryption—account in addition to Gmail. It is unclear if NIH had knowledge of this other account during its investigation.

Furthermore, according to evidence in possession of the Select Subcommittee, Dr. Morens enlisted Dr. Peter Daszak, President of EcoHealth Alliance, Inc.—an individual and organization that are now suspended and proposed for debarment—to help collect records potentially responsive to the ongoing NIH and NARA investigations (*See e.g.* Enclosure 2).

We request a staff-level briefing regarding the breadth and status of NARA's open investigation into Dr. Morens's alleged disposition of federal records. In order to assist NARA's investigation, the Select Subcommittee is willing to share all documents in its possession.

¹ Letter from Laurence Brewer, Chief Records Officer, Nat'l Archives and Records Admin., to Nat'l Inst. of Health, (July 10, 2023).

² 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. (Apr. 16, 2024).

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The Select Subcommittee is authorized to investigate “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” under H. Res. 5. 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 R. Wenstrup, D.P.M.
Chairman

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

Enclosures (2)