

U.S. Sen. Johnson: Lack of response of National Institutes of Health show a complete disregard for congressional oversight and transparency

Posted on Friday, Aug 13, 2021

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

Aug. 13, 2021

Contact:

[Alexa Henning](#)

[Vanessa Ambrosini](#)

Sen. Johnson, Lawmakers to National Institutes of Health: Lack of Response Shows a Complete Disregard for Congressional Oversight and Transparency

Sens. Johnson, Paul, Lankford, Scott, Cotton, Marshall and Rep. Gallagher Request Information on Funding of Gain of Function Research

WASHINGTON – U.S. Sen. Ron Johnson (R-Wis.) on Thursday joined by Sens. Paul (R-Ky.), Lankford (R-Okla.), Scott (R-Fla.), Cotton (R-Ark.), Marshall (R-Kan.), and Rep. Mike Gallagher (R-Wis.) sent a follow up [letter](#) to Dr. Francis Collins, Director of

the National Institutes of Health (NIH) requesting further information on gain of function research and NIH's 2014 moratorium on funding for that research. This letter follows NIH's incomplete response to their [May 20 letter](#), the lawmakers point out the agency's refusal to provide a detailed response is unacceptable and that the American people deserve the complete truth about NIH's role in funding potentially risky gain of function research.

The members asked the following questions:

- Please explain whether NIH is aware of any approved non-gain of function grants that resulted in an experiment that yielded a virus with a gain of function.
- Did NIH ever independently evaluate whether the experiments conducted under the EcoHealth Alliance grant yielded a virus with a gain of function? If so, please explain. If not, why not.
- Please explain when NIH first became aware of the State Department investigation into the origins of COVID-19.
- Did NIH participate in the State Department's investigation into the origins of COVID-19? If so, please explain.
- Please provide all documents and communications referring or relating to the State Department investigation into the origins of COVID-19.
- Please provide all documents and communications between NIH and any entity including research institutions regarding the 2014 gain of function moratorium.

A full copy of the letter can be found [here](#) and below.

August 12, 2021

The Honorable Francis Collins, M.D., Ph.D.

Director

National Institutes of Health

9000 Rockville Pike

Rockville, MD 20892

Dear Director Collins:

On May 20, 2021, we sent you a letter requesting information on the National Institutes of Health's (NIH) 2014 funding pause on gain of function research.^[1] Your July 29, 2021, response failed to fully address the questions in our letter. Further, NIH's response to us appears to be nearly identical to your response to another senator's separate oversight request.^[2] Your refusal to provide detailed responses that fully address each oversight request is unacceptable.

Specifically, the May 20, 2021 letter included 17 requests for documents and information on the 2014 gain of function moratorium.^[3] Rather than provide detailed responses to each request, NIH only offered a summary about the gain of function research moratorium and its review process for such research.^[4] Further, NIH claimed that no National Institute of Allergy and Infectious Diseases (NIAID) funding was approved to support gain of function research at the Wuhan lab.^[5] Yet, your response appeared to suggest that even approved experiments could result in a virus with a gain of function.^[6] Without any more detailed information, it is unclear whether this has ever occurred.

NIH's lack of response to the May 20 letter shows a complete disregard for congressional oversight and transparency. Congress and the American people have a right to know the complete truth about NIH's role in funding potentially risky gain of function research. We expect you to specifically address all of our previous information requests and the additional requests below by no later than August 26, 2021:

Additional Requests

1. Please explain whether NIH is aware of any approved non-gain of function grants that resulted in an experiment that yielded a virus with a gain of function.
1. Did NIH ever independently evaluate whether the experiments conducted under the EcoHealth Alliance grant yielded a virus with a gain of function? If so, please explain. If not, why not.
2. Please explain when NIH first became aware of the State Department investigation into the origins of COVID-19.
1. Did NIH participate in the State Department's investigation into the origins of COVID-19? If so, please explain.
1. Please provide all documents and communications referring or relating to the State Department investigation into the origins of COVID-19.
1. Please provide all documents and communications between NIH and any entity including research institutions regarding the 2014 gain of function moratorium.

Requests from the May 20, 2021 letter

1. The 2014 moratorium defines gain of function research as “research projects that may be reasonably anticipated to confer attributes to influenza, MERS, or SARS viruses such that the virus would have *enhanced pathogenicity and/or transmissibility in mammals via the respiratory route.*”^[7] Is Dr. Baric’s research that reportedly created a chimeric virus related to SARS that could infect human airway cells^[8], or research that is “systematically constructing novel chimeric coronaviruses and [is] assessing their ability to infect human cells”^[9] considered gain of function research under the 2014 moratorium definition? If not, please explain why not.

1. Please explain what prompted the establishment of a moratorium on gain of function research in 2014.
 2. Who was involved in drafting the moratorium document?
 3. Who gave final approval of the moratorium document?
 4. Please explain why the moratorium stated that, “[a]n exception from the research pause may be obtained if the head of the USG funding agency determines that the research is urgently necessary to protect the public health or national security.”^[10]
 5. Who requested that the moratorium include this exception?
 6. How many studies received an exception during the moratorium period (2014-2017)?
 7. Please list all requests for exceptions and indicate what exceptions NIH granted.
 8. Who approved these exceptions?
 9. Please explain whether research connected to EcoHealth Alliance or Dr. Shi required an exception? If so, was an exception: a) requested; b) granted or denied? If so, who was involved in those evaluations and decisions?
 10. Was any EcoHealth Alliance grant ever forwarded for review pursuant to the P3CO Framework? If not, why not?
-
1. Please explain whether NIH reviewed Dr. Baric’s 2015 study^[11], as reported in the November 12, 2015 *Nature* article.^[12] If NIH reviewed this study, please explain how NIH evaluated the study’s risk level and how NIH reportedly determined the study was not “so risky as to fall under the moratorium.”^[13]
-
1. Did NIH request that Dr. Baric voluntarily comply with the 2014 moratorium? Please explain.
 2. Were any of Dr. Baric’s grant proposals ever forwarded for review pursuant to the P3CO Framework? If not, why not?
 3. After the moratorium went into effect, how many studies, which were already funded at the time, adopted a “voluntary pause on research”?^[14] Please provide a list of those studies.
 4. Provide the total number of grant proposals or projects that have been forwarded for review pursuant to the P3CO Framework since its establishment? How many of those grants have been approved?

1. Provide an explanation of what processes or procedures NIH used to ensure that a grant recipient was complying with the moratorium, including voluntary compliance.

Thank you for your attention to this matter.