

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 28, 2024

The Honorable Monica M. Bertagnolli, M.D.
Director
National Institutes of Health
9000 Rockville Pike
Bethesda, MD 20892

Dear Director Bertagnolli:

The Select Subcommittee on the Coronavirus Pandemic (Select Subcommittee) wrote to the National Institutes of Health (NIH) regarding National Institute of Allergy and Infectious Diseases (NIAID) Senior Scientific Advisor, Dr. David Morens's, apparent mishandling of government information on June 29, 2023,¹ September 15, 2023,² and October 5, 2023.³ Specifically, the Select Subcommittee was concerned about Dr. Morens's use of personal e-mail accounts to avoid transparency, intentionally avoid transparency via the Freedom of Information Act (FOIA), and the possibility that he intentionally deleted official records—specifically records related to the origin of the COVID-19 pandemic.

On April 16, 2024, the Select Subcommittee announced a subpoena for pertinent documents from Dr. Morens's personal e-mails.⁴ These documents shed light on a troubling pattern in NIH, specifically the Office of the Director of NIAID, of disdain for or outright avoidance of public accountability (*see e.g.* Enclosure 1 and Enclosure 2).

I. NIAID Officials Forwarded Internal FOIA Deliberations to Outside Interested Parties.

As further described in Enclosure 1, evidence in possession of the Select Subcommittee suggests that NIAID officials would give forewarning of potentially damaging FOIA productions to non-governmental individuals, in particular, Dr. Peter Daszak, President of EcoHealth

¹ Letter from Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. On Oversight & Accountability, to Dr. David Morens, Senior Scientific Advisor, Nat'l Inst. Of Allergy & Infectious Diseases, (June 29, 2023).

² Letter from Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. On Oversight & Accountability, to Dr. David Morens, Senior Scientific Advisor, Nat'l Inst. Of Allergy & Infectious Diseases, (September 15, 2023).

³ Letter from Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic, H. Comm. On Oversight & Accountability, to Dr. David Morens, Senior Scientific Advisor, Nat'l Inst. Of Allergy & Infectious Diseases, (October 5, 2023).

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. (Apr. 16, 2024).

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Alliance, Inc. The Select Subcommittee is concerned that Dr. Morens' personal relationship with Dr. Daszak motivated him – against the interests of his employer – to help “one of [his] oldest and best friends” avoid scrutiny.

Date: Fri, 21 Jan 2022 5:29:56 PM -0500
Sent: Fri, 21 Jan 2022 5:29:17 PM -0500
Subject: RE: FW: Article about our correspondence with NIH on the terminated-now-suspended grant
From: Peter Daszak <[REDACTED]@ecohealthalliance.org>
To: David Morens <[REDACTED]@gmail.com>;
CC: Jeff Sturchio <[REDACTED]@msn.com>; Keusch, Gerald T <[REDACTED]@bu.edu>; Aleksei Chmura <[REDACTED]@ecohealthalliance.org>
Attachments: image001.jpg; image002.jpg; image003.gif; image004.gif; image005.gif; image006.jpg; image007.gif; image008.jpg; image009.gif

They're awful – US Right to Know – just out to cause trouble and drum up lab leak controversy.

I hope NIH can help reduce the amount that comes out – some of the emails between us all via your NIH account were a bit embarrassing re. criticizing the lab leakers and will be reported as showing that we were 'conspiring' together in some way...

Eventually, there will be no more to FOIA – that's the only silver lining.

Cheers,

Peter

Peter Daszak
President

EcoHealth Alliance
520 Eighth Avenue, Suite 1200
New York, NY 10018-6507
USA

Tel.: [REDACTED]
Website: www.ecohealthalliance.org
Twitter: [@PeterDaszak](https://twitter.com/PeterDaszak)

EcoHealth Alliance develops science-based solutions to prevent pandemics and promote conservation

From: David Morens <[REDACTED]@gmail.com>
Sent: Friday, January 21, 2022 5:15 PM
To: Peter Daszak <[REDACTED]@ecohealthalliance.org>
Cc: Jeff Sturchio <[REDACTED]@msn.com>; Keusch, Gerald T <[REDACTED]@bu.edu>; Aleksei Chmura <[REDACTED]@ecohealthalliance.org>
Subject: Re: FW: Article about our correspondence with NIH on the terminated-now-suspended grant

PS, just got a FOIA from Gary Ruskin of US Right to Know. This one is only to me and not Tony or the others, and asks for all corresp with anyone at EHA going back 5 years.

Do you know these guys? From their website they sound like they have done alot of alarmist things

d
David M. Morens, MD

MORENS_SUBPOENA_017820

II. The NIH FOIA Office May Have Been Complicit in the Destruction of Official Records.

As further described in the attached Enclosure 1, evidence in possession of the Select Subcommittee suggests that NIAID employees used the NIH FOIA Office to assist in the concealment or destruction of official records.

On Feb 24, 2021, at 9:21 AM, David Morens <[REDACTED]@gmail.com> wrote:

You are right, i need to be more careful. However, as i mentioned once before, i learned from our foia lady here how to make emails disappear after i am foia'd but before the search starts, so i think we are all safe. Plus i deleted most of those earlier emails after sending them to gmail. D

Sent from my iPhone
David M Morens
OD, NIAID, NIH

III. NIAID Employees Used Apparent Intentional Misspellings to Avoid FOIA Searches.

After an agency receives a FOIA request, it is common to employ key word search terms to identify and subsequently produce responsive documents to the requester. This process is vital to ensure transparency and accountability. However, it can be undermined by government employees that strategically use language to avoid key word searches. Evidence in possession of the Select Subcommittee suggests this may have been a common tactic within NIAID and routinely employed by Dr. Anthony Fauci's former-Chief of Staff, Greg Folkers.

From: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Monday, June 7, 2021 8:11 AM
To: NIAID OD AM <[REDACTED]@niaid.nih.gov>
Subject: anders\$ñ

MORENS_SUBPOENA_020054

Caroline Orr Bueno, Ph.D
@RVAwonk

Virologist Kristian Andersen, who was among those in communication with Dr. Fauci about the origins of #COVID19, appears to have deactivated his Twitter account.

He has been targeted & harassed pretty heavily since Fauci's emails were released. pic.twitter.com/xLHlwHJW4O

6/6/21, 6:03 PM

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From: Folkers, Greg (NIH/NIAID) [E] [REDACTED]@niaid.nih.gov>
Sent: Friday, June 4, 2021 9:36 PM
To: NIAID OD AM <[REDACTED]@niaid.nih.gov>; Billet, Courtney (NIH/NIAID) [E] [REDACTED]@niaid.nih.gov>; Routh, Jennifer (NIH/NIAID) [E] [REDACTED]@nih.gov>; Stover, Kathy (NIH/NIAID) [E] [REDACTED]@nih.gov>
Subject: ASF and all this may come up in interviews

In the recent [Bulletin of the Atomic Scientists](#) article, we have this quote

“It is clear that some or all of this work was being performed using a biosafety standard—biosafety level 2, the biosafety level of a standard US dentist’s office—that would pose an unacceptably high risk of infection of laboratory staff upon contact with a virus having the transmission properties of SARS-CoV-2....”

My understanding is that human coronaviruses including sarbecoviruses are routinely worked at in BSL-2 around the world as are many other viruses that can cause problems for people. The BSL level designation is decided by each country and is not related to perceived pandemic potential but largely to risk to the BSL workers.

For example, BSL-4 designation generally means deadly virus, infectious by aerosol, no vaccine against it, and no treatment for it. So, although rabies is 100% fatal in humans, it can be prevented by a vaccine and prevented by a post exposure serum, and (probably if not totally) not infectious by aerosol, thus it is BSL-2 even though among the deadliest of human viruses. Working with non-human coronaviruses at BSL-2 is widespread since these viruses are not known to infect humans.

David, Alan and others may have additional thoughts.

Attached is a fact sheet that I think comes from Ec~Health

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MORENS_SUBPOENA_019411

This evidence taken together suggests a conspiracy at the highest levels of NIH and NIAID to avoid public transparency regarding the COVID-19 pandemic. A pandemic that took the lives of more than one million Americans. If what appears in these documents is true, this is an apparent attack on public trust and must be met with swift enforcement and consequences for those involved.

We write to you to request a staff level briefing no later than June 4, 2024, regarding NIH’s document retention, transparency, FOIA, and personal e-mail policies. NIH serves the American taxpayer. The Select Subcommittee takes these allegations seriously and expects you

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do to. Further, the Select subcommittee reserves the right to request transcribed interviews with NIH employees regarding the issues outlined in this letter.

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,” and “executive branch policies, deliberations, decisions, activities, and internal and external communications related to the coronavirus pandemic.”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

Enclosures (2)

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