

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

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November 15, 2023

The Honorable Christi Grimm
Inspector General
Department of Health and Human Services

Dear Inspector General Grimm:

On August 14, 2023, I requested you initiate an investigation into Dr. David Morens, a senior scientific advisor at the National Institute for Allergy and Infectious Diseases (NIAID) who previously reported to Dr. Anthony Fauci, regarding his apparent mishandling of federal records.¹ I write to you today to provide additional information about Dr. Morens' use of a personal email account for official business and potential destruction of Department of Health and Human Services (HHS) records.

I recently obtained a June 17, 2021 email that appears to show Dr. Morens discussing steps he has taken to avoid keeping documents on "sensitive issues," including requesting his colleagues to email him at a private Gmail address.² In Dr. Morens' email (which he sent from his Gmail address) with the subject line: "CONFIDENTIAL WITHIN OUR SMALL GROUP, PLEASE," he referenced how HHS will respond to a June 11, 2021 letter that my colleagues and I wrote to HHS Secretary Becerra and then-National Institutes of Health (NIH) Director Francis Collins requesting documents related to NIH's handling of the COVID-19 pandemic and the origins of SARS-CoV-2.³ Dr. Morens informed his colleagues he has retained "very few" records on "these matters" and reiterated his preference that "correspondence on sensitive issues be sent to [him] at [his] gmail [sic] address[.]"⁴ Dr. Morens' complete email is copied below:

¹ Letter from Ron Johnson, Ranking Member, Permanent Subcomm. on Investigations, to Christi Grimm, Inspector General, Dep't of Health and Human Services, Aug. 14, 2023, <https://www.ronjohnson.senate.gov/services/files/2706FDB3-5161-4017-B231-40626B5149CB>.

² Email from David Morens, National Institute for Allergy and Infectious Diseases, to Peter Daszak, EcoHealth Alliance, et al., June 17, 2021 (on file with Subcomm.).

³ Letter from Ron Johnson, Ranking Member, Permanent Subcomm. on Investigations, and Sens. Rand Paul, James Lankford, Rick Scott, and Josh Hawley to Xavier Becerra, Secretary, Department of Health and Human Services and Francis Collins, M.D., Ph.D., Director, National Institutes of Health, June 11, 2021, <https://www.ronjohnson.senate.gov/services/files/53ED3ED4-1652-4F46-B89F-F0058382E9CA> (see Enclosure); Email from David Morens, National Institute for Allergy and Infectious Diseases, to Peter Daszak, EcoHealth Alliance, et al., June 17, 2021 (on file with Subcomm.).

⁴ *Id.*

June 17, 2021 Email from Dr. Morens to colleagues⁵

Dear ASTMH Colleagues,

The attached request for document production from 5 US Senators relates to some of the issues we have been dealing with over the past year, focusing on the origins of COVID- 19, the termination [sic] of NIH's major sarbecovirus grant, and related issues.

It requests documents from myself and the senior leadership of NIAID, and also mentions two other ASTMH members.

As you may know, NIH correspondence between me and others, including my boss, concerning COVID- 19 origins, had previously been FOIA'd and published in the press.

This request is NOT A FOIA, and I have not yet been asked to respond directly because, presumably, **HHS is deciding how to respond, if at all.**

Nevertheless, a couple things should be said here....

First, I have retained very few emails or documents on these matters, and continue to request that correspondence on sensitive issues be sent to me at my gmail [sic] address, [Dr. Morens' Gmail address].

I have tried to make sure I have retained no documents that might lead other members of ASTMH to be approached for similar document production. The exception is normal correspondence surrounding last year's publication in AJTMH of the two pieces on this subject. There is NO PROBLEM with those publications, and no reason to worry, since the papers were published and are widely available in the public domain, and I, as a co-author on one of those papers, have made my views widely known in a variety of venues in the press and in public.

My feeling about this is that I have nothing to hide or worry about, and that my views are based on scientific evidence, and I am comfortable in explaining and defending those. Furthermore, I am comfortable in defending the importance of the work done in [sic] terminated grant and why I believe this work must continue. I feel certain that the leadership here agrees with this.

So, in other words, I don't think there is anything to worry about because there is no "there" there.

But this is yet another reminder that it is important to speak up as scientists on critically important issues of the day. ASTMH can be proud that we have spoken up about these matters in the past, and I hope we will continue to do so.

Thanks, David Morens

⁵ *Id.* (emphasis added).

Based on this email, it appears that Dr. Morens may have intentionally deleted or destroyed records relating to the origins of COVID-19 given his admission that he has “retained very few emails or documents on these matters.”⁶ Further, Dr. Morens’ stated preference to receive correspondence on “sensitive issues” through Gmail shows an apparent evasion of federal record keeping requirements.

When I previously wrote to you, I included other examples of Dr. Morens’ statements referring to his own actions that appear to be in violation of federal record keeping and transparency laws. Specifically, in a September 9, 2021 email, Dr. Morens wrote that he “[tries] to always communicate on gmail [sic] because my NIH email is FOIA’d constantly.”⁷ Dr. Morens further asserted that for emails sent to his accounts that presumably could be subject to FOIA requests, he “will delete anything I don’t want to see in the New York Times.”⁸

Given Dr. Morens’ statements I shared with you in August 2023 and the June 17, 2021 correspondence above, the OIG must continue to conduct or immediately initiate a thorough investigation into Dr. Morens’ actions. In light of Dr. Morens’ apparent efforts to hinder HHS’s response to my June 11, 2021 letter, I am deeply concerned that HHS officials may have intentionally removed or destroyed responsive records on the origins of COVID-19 or on other aspects of the pandemic. I hope you and your office are taking this matter seriously.

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations

Enclosure

cc: The Honorable Richard Blumenthal
Chairman
Permanent Subcommittee on Investigations

The Honorable Colleen Shogan
Archivist of the United States
National Archives and Records Administration

⁶ *Id.*

⁷ Letter from Chairman Brad Wenstrup, Select Subcommittee on the Coronavirus Pandemic, to Dr. David Morens, National Institute of Allergy and Infectious Diseases (June 29, 2023) at 2, available at https://oversight.house.gov/wp-content/uploads/2023/06/2023.06.29-BRW-Letter-to-DM-Re.-Origins_Redacted_Final.pdf.

⁸ *Id.*

Enclosure

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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

June 11, 2021

The Honorable Xavier Becerra
Secretary
Department of Health and Human Services
200 Independence Ave S.W.
Washington, D.C. 20201

The Honorable Francis Collins, M.D., Ph.D.
Director
National Institutes of Health
9000 Rockville Pike
Rockville, MD 20892

Dear Secretary Becerra and Director Collins,

Pursuant to 5 U.S.C. § 2954 we, as members of the United States Senate Committee on Homeland Security and Governmental Affairs, write to request documents regarding the National Institutes of Health's (NIH) handling of the COVID-19 pandemic. The recent release of approximately 4,000 pages of NIH email communications and other documents from early 2020 has raised serious questions about NIH's handling of COVID-19.

Between June 1 and June 4, 2021, the news media and public interest groups released approximately 4,000 pages of NIH emails and other documents these organizations received pursuant to Freedom of Information Act requests.¹ These documents, though heavily redacted, have shed new light on NIH's awareness of the virus' origins in the early stages of the COVID-19 pandemic. In a January 9, 2020 email, Dr. David Morens, Senior Scientific Advisor to Dr. Fauci, emailed Dr. Peter Daszak, President of EcoHealth Alliance, asking for "any inside info on this new coronavirus that isn't yet in the public domain[.]"² In a January 27, 2020 reply, Dr. Daszak emailed Dr. Morens, with the subject line: "Wuhan novel coronavirus – NIAID's role in bat-origin Covs" and stated:

¹ See Damian Paletta and Yasmeen Abutaleb, *Anthony Fauci's pandemic emails: 'All is well despite some crazy people in this World'*, Washington Post June 1, 2021 <https://www.washingtonpost.com/politics/interactive/2021/tony-fauci-emails/> (discussing 800 pages of NIAID emails); Natalie Bertendorf and Jason Leopold, *Anthony Fauci's Emails Reveal The Pressure That Fell on One Man*, BuzzFeed News, June 1, 2021, <https://www.buzzfeednews.com/article/nataliebettendorf/fauci-emails-covid-response> (discussing more than 3000 pages of NIAID emails); Press release: *Judicial Watch Obtains Records Showing NIAID under Dr. Fauci Gave Wuhan Lab \$826k for Bat Coronavirus Research From 2014 to 2019*, Judicial Watch, June 4, 2021, <https://www.judicialwatch.org/press-releases/fauci-wuhan-826k/> (discussing 280 pages of NIAID emails and documents).

² Email from David Morens, Senior Scientific Advisor, Office of the Director, NIAID, to Peter Daszak, President, EcoHealth Alliance, Jan. 9, 2020.

Happy to have a phone call. re the Wuhan CoV, but just wanted to mention a few things for your information and hopefully to pass on to Tony Fauci for when he's being interviewed re. the new CoV: NIAID has been funding coronavirus research for the past 5 years...Collaborators include Wuhan Institute of Virology (currently working on the nCoV) and Ralph Baric.³

On February 1, 2020, just five days after Dr. Daszak's email about the Wuhan laboratory, Dr. Fauci sent an email to Dr. Hugh Auchincloss, with the subject line "Important" and attached a 2015 study by Dr. Ralph Baric and Zheng Li Shi of the Wuhan Institute of Virology, which discussed creating a "chimeric virus",⁴ Dr. Fauci wrote:

Hugh: It is essential that we speak this AM. Keep your cell phone on...Read this paper as well as the email that I will forward you now. You will have tasks today that must be done.⁵

It is unclear the extent to which NIH officials, including Dr. Fauci, considered the possibility that the virus originated in a laboratory and what, if any, actions they took to seriously investigate this possibility. It is also unclear why NIAID officials eventually decided to downplay the likelihood that the virus originated in a laboratory and, instead, promote that it originated naturally.⁶ In order to better assist Congress in performing its oversight function, please provide the following information:

1. All records involving Anthony Fauci, Hugh Auchincloss, David M. Morens, F. Gray Handley, Francis Collins, Ping Chen, Peter Daszak, Ralph Baric, Zheng Li Shi, Lawrence Tabak, Jeremy Farrar, Kristian Anderson, Feihu Yan, Steven Holland, or James Le Duc referring or relating to the Wuhan Institute of Virology, COVID-19, coronavirus,

³ Email from Peter Daszak, President, EcoHealth Alliance, to David Morens, Senior Scientific Advisor, Office of the Director, NIAID, Jan. 27, 2020.

⁴ Ralph Baric et al., *A SARS-like cluster of circulating bat coronaviruses shows potential for human emergence*, Nature Medicine, Nov. 9, 2015, <https://www.nature.com/articles/nm.3985>.

⁵ Email from Dr. Anthony Fauci, Director, NIAID, to Hugh Auchincloss, Principal Deputy Director, NIAID, Feb. 1 2020.

⁶ See e.g. Email from Dr. Kristian G. Anderson, Associate Professor, Scripps Research Institute, to Dr. Anthony Fauci, Director, NIAID Mar. 8, 2020 (Dr. Anderson thanks Dr. Fauci for his "leadership and guidance" on a paper on COVID-19's origins, that paper, published in Nature magazine 6 days after the email definitively rejected any "laboratory construct or a purposefully manipulated [SARS-CoV-2]", Kristian G. Anderson, et. Al. *The proximal origin of SARS-CoV-2*, Nature Medicine, Mar. 17, 2020, <https://www.nature.com/articles/s41591-020-0820-9>); Email from Dr. Jeremy Farrar, Director, Wellcome to Dr. Anthony Fauci, Director, NIAID Feb. 1, 2020 (discussing a teleconference with the authors of the Anderson paper, as well as Drs. Farrar and Christian Dorsten who would later sign the March 2020 Lancet letter stating SARS-CoV-2 had a natural origin, Peter Daszak, Christian Drosten, Jeremy Farrar, et. Al., *Statement in support of the scientists, public health professionals, and medical professionals of China combatting COVID-19*, Mar. 7, 2020, [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(20\)30418-9/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(20)30418-9/fulltext)).

EcoHealth Alliance, or Dr. Baric's 2015 coronavirus study;⁷

2. Complete and unredacted copies of all documents and communications responsive to the Washington Post's Freedom of Information Act (FOIA) request described in the June 1, 2021 article;⁸
3. Complete and unredacted copies of all documents and communications responsive to BuzzFeed News' FOIA request as described in the June 1, 2021 article;⁹
4. Complete and unredacted copies of all documents and communications responsive to Judicial Watch's FOIA request as described in the June 4, 2021 post;¹⁰ and
5. Complete and unredacted copies of all documents and communications responsive to the following FOIA request IDs:¹¹
 - a. 53801;
 - b. 54064;
 - c. 54085;
 - d. 54086;
 - e. 54087;
 - f. 55004;
 - g. 55006;
 - h. 55007; and
 - i. 55185.

5 U.S.C. § 2954 states:

An Executive agency, on request of the Committee on [Oversight and Reform] of the House of Representatives, or of any seven members thereof, or on request of the Committee on [Homeland Security and] Governmental Affairs of the Senate,

⁷ Ralph Baric et al., *A SARS-like cluster of circulating bat coronaviruses shows potential for human emergence*, Nature Medicine, Nov. 9, 2015, <https://www.nature.com/articles/nm.3985>. "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

⁸ Damian Paletta and Yasmeen Abutaleb, *Anthony Fauci's pandemic emails: 'All is well despite some crazy people in this World'*, Washington Post June 1, 2021 <https://www.washingtonpost.com/politics/interactive/2021/tony-fauci-emails/> (discussing 800 pages of NIAID emails).

⁹ Natalie Bertendorf and Jason Leopold, *Anthony Fauci's Emails Reveal The Pressure That Fell on One Man*, BuzzFeed News, June 1, 2021, <https://www.buzzfeednews.com/article/nataliebettendorf/fauci-emails-covid-response> (discussing more than 3000 pages of NIAID emails).

¹⁰ Press release: *Judicial Watch Obtains Records Showing NIAID under Dr. Fauci Gave Wuhan Lab \$826k for Bat Coronavirus Research From 2014 to 2019*, Judicial Watch, June 4, 2021, <https://www.judicialwatch.org/press-releases/fauci-wuhan-826k/> (discussing 280 pages of NIAID emails and documents).

¹¹NIH 2020 FOIA Log, <https://www.nih.gov/sites/default/files/institutes/foia/20210414-foia-log-2020.pdf>.

or any five members thereof, shall submit any information requested of it relating to any matter within the jurisdiction of the committee.¹²

The Senate Committee on Homeland Security and Governmental Affairs is charged with studying:

the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government, and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and the Governments relationships with the public.¹³

Please provide the information requested in this letter as soon as possible, but no later than 5:00 PM on June 25, 2021.

Sincerely,



Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations



Rand Paul
U.S. Senator



James Lankford
U.S. Senator



Rick Scott
U.S. Senator



Josh Hawley
U.S. Senator

¹² 5 U.S.C. § 2954.

¹³ S. Res. 70 (117th Cong.).