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House of Representatives
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October 25, 2022

Dr. Robert A. Brown
President
Boston University
One Silber Way
8th Floor
Boston, MA 02215

Dear Dr. Brown:

As Republican leaders on the committee in the U.S. House of Representatives with jurisdiction over public health, we write regarding concerns related to research that involves testing a lab-made hybrid version (combining Omicron with the original Wuhan strain) of the SARS-CoV-2 virus at Boston University's (BU) National Emerging Infectious Diseases Laboratories (NEIDL). Scientists from the BU facility posted results from their work in a preprint¹, a study that has yet to go through peer review. After the preprint was posted, a news article alleged that this research could have unleashed a new pathogen.² We note BU disputed that allegation and said the research made the virus less dangerous.³

BU has stated that the work was approved by the institutional biosafety committee (IBC) of BU's NEIDL, and by the Boston Public Health Commission.⁴ However, the research work was not cleared with the National Institute of Allergy and Infectious Diseases (NIAID) at the National Institutes of Health (NIH). BU has stated that the research did not have to be cleared

¹Da-Yuan Chen, *et al*, Role of spike in the pathogenic and antigenic behavior of SARS-CoV-2 BA.1 2 Omicron, bioRxiv (posted October 14, 2022), <https://www.biorxiv.org/content/10.1101/2022.10.13.512134v1.full.pdf>

²Caitlin Tilley and Mansur Shaheen, *EXCLUSIVE: 'This is playing with fire - it could spark a lab-generated pandemic': Experts slam Boston lab where scientists have created a new deadly Covid strain with an 80% kill rate*, THE DAILY MAIL (October 17, 2022), <https://www.dailymail.co.uk/health/article-11323677/Outrage-Boston-University-CREATES-Covid-strain-80-kill-rate.html>

³NEIDL Researchers Refute UK Article about COVID Strain, THE BRINK (October 17, 2022) <https://www.bu.edu/articles/2022/neidl-researchers-refute-uk-article-about-covid-strain/>

⁴ *Id.*

with NIAID because the experiments were carried out with funds from BU and that there was no gain of function with this research.⁵

Nevertheless, Dr. Emily Erbeling, director of NIAID's division of microbiology and infectious diseases, said the BU team's original grant applications did not specify that the scientists wanted to do this precise work. Nor did the group make clear that it was doing experiments that might involve enhancing a pathogen of pandemic potential in the progress reports it provided to NIAID.⁶ Asked if the research team should have informed NIAID of its intention to do the work, Dr. Erbeling said: "We wish that they would have, yes."⁷ Recent news reports indicate that the NIH is examining whether experiments in the study should have triggered a federal review.⁸

In light of these concerns, please provide the following by November 8, 2022:

1. All proposals and progress reports cited in the pre-print.
2. All proposals and progress reports sent to the NIAID related to the pre-print study.
3. For each of the NIH grants referenced⁹ in the pre-print, please provide a copy of the grant terms for each grant.
4. Any correspondence related to whether the study should be referred to P3CO review.
5. A listing of all funding streams to the BU NEIDL related to the pre-print study, including support for facilities, equipment, and personnel.
6. A copy of the submission on the research sent to the IBC and the Boston Public Health Commission.
7. According to STAT News: "[Dr. Ronald] Corley [Director of NEIDL] said that BU safety protocols require that if researchers produce a pathogen that is more virulent than the Wuhan strains, they must immediately report it to the Institutional Biosafety Committee (IBC). [Dr. Mohan] Saeed's study protocol further stipulated that if such an event occurred, he would immediately stop the work and destroy the viruses, Corley noted."¹⁰ Please provide a copy of the BU safety protocols including the reporting requirement to the IBC and a copy of the study protocol on research stoppage.

⁵ *Id.*

⁶ Helen Branswell, *Boston University researchers' testing of lab-made version of Covid virus draws government scrutiny*, STAT NEWS (October 17, 2022), <https://www.statnews.com/2022/10/17/boston-university-researchers-testing-of-lab-made-version-of-covid-virus-draws-government-scrutiny/>

⁷ *Id.*

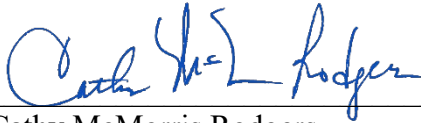
⁸ <https://www.cbsnews.com/news/boston-university-covid-experiments-nih-investigation/>

⁹ Five separate NIH grants were acknowledged in the BU preprint on the research: "This work was supported by..National Institutes of Health, NIAID 438 grants R01 AI159945 (to SB and MS) and R37 AI087846 (to MUG), NIH SIG grants S10-439 OD026983 and SS10-OD030269 (to NAC)...Clinical & Translational Science Institute (CTSI; IUL1TR001430)."

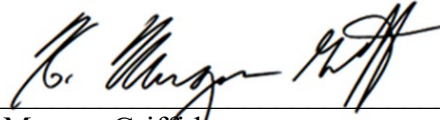
¹⁰ *Supra* note 6.

After sending these background materials, we would appreciate that BU provide a staff briefing with appropriate subject matter experts. If you have questions about this correspondence, please contact Alan Slobodin of the Minority Committee Staff.

Sincerely,



Cathy McMorris Rodgers
Republican Leader
Committee on Energy and Commerce



H. Morgan Griffith
Republican Leader
Subcommittee on Oversight and
Investigations
Committee on Energy and Commerce



Brett Guthrie
Republican Leader
Subcommittee on Health
Committee on Energy and Commerce

Cc: The Honorable Frank Pallone, Chair, House Energy and Commerce Committee
The Honorable Anna Eshoo, Chair, Subcommittee on Health
The Honorable Diana DeGette, Chair, Subcommittee on Oversight and Investigations