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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

April 1, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Brooke Rollins
Secretary
U.S. Department of Agriculture

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services

Dr. Susan Monarez
Acting Director
U.S. Centers for Disease Control and Prevention

Dear Secretary Rollins, Secretary Kennedy, and Acting Director Monarez:

On March 10, 2025, the U.S. Centers for Disease Control and Prevention (CDC) reported the current situation of the H5N1 Bird Flu, posting, “H5 bird flu is widespread in wild birds worldwide and is causing outbreaks in poultry and U.S. dairy cows with several recent human cases in U.S. dairy and poultry workers.”¹ I write regarding the origin of this outbreak.

Recent reporting suggests the North American outbreak of the bird flu came from a lab leak. Specifically, on November 4, 2024, the Poultry Fisheries & Wildlife Sciences journal published a research article by the McCullough Foundation titled *Proximal Origin of Epidemic Highly Pathogenic Avian Influenza H5N1 Clade 2.3.4.4b and Spread by Migratory Waterfowl*, which suggests that the current H5N1 bird flu outbreak in North America may have originated from the U.S. Department of Agriculture Southeast Poultry Research Laboratory (SEPR) conducting serial passage and gain-of-function research.² According to the McCullough Foundation, as of April 1, 2025, no U.S. government agency had publicly addressed or refuted these findings.³

¹ CDC, *H5 Bird Flu: Current Situation*, (March 10, 2025), <https://www.cdc.gov/bird-flu/situation-summary/index.html>.

² Hulscher N, Leake J, McCullough PA (2024), *Proximal Origin of Epidemic Highly Pathogenic Avian Influenza H5N1 Clade 2.3.4.4b and Spread by Migratory Waterfowl*, POULT FISH WILD SCI. 12:286, <https://www.longdom.org/open-access/proximal-origin-of-epidemic-highly-pathogenic-avian-influenza-h5n1-clade-2344b-and-spread-by-migratory.pdf>. The research article also notes that the Erasmus Medical Centre in Rotterdam, the Netherlands was another location of proximal origins for H5N1 Clade 2.3.4.4b. *Id.*

³ On file with Comm. staff. *See also*, Nicolas Hulscher, MPH (@NicHulscher), X (Mar. 8, 2024), <https://x.com/NicHulscher/status/1898480678431531162>.

The American people deserve transparency and accountability regarding this outbreak. So that Congress may conduct independent oversight, please provide detailed responses to the following questions no later than April 15, 2025:

1. Has the CDC or USDA investigated to determine whether SEPRL or another laboratory played a role in the current H5N1 outbreak? If so, what were the findings? If not, why hasn't an investigation been initiated?
2. Has the CDC or USDA performed any testing, such as genomic sequencing or trace analysis, to compare the outbreak strain to viruses handled at SEPRL or another facility? If so, what were the results? If not, why not?
3. What containment measures were in place at SEPRL at the time of the outbreak, and were they sufficient to prevent accidental release?
4. Has the CDC or USDA consulted with independent experts, such as virologists or biosafety experts, to review the possibility of a lab-origin outbreak?
5. Has the CDC or USDA issued a response to the findings presented by the McCullough Foundation? If so, what is it? If not, does the CDC or USDA plan to do so?
6. What specific biosafety training and compliance protocols are in place for personnel handling H5N1 at SEPRL?
7. In the past five years, has SEPRL or any other USDA research facility experienced biosafety incidents, leaks, or protocol violations related to avian influenza? If so, provide a list of incidents, leaks, and violations.
8. What oversight mechanisms does USDA have to ensure that high-containment labs comply with federal biosecurity regulations?
9. When was the last independent biosafety audit conducted at SEPRL, and what were its findings?
10. Has the CDC or USDA consulted with the National Institutes of Health (NIH) or the office of the Secretary of the Department of Health and Human Services (HHS) regarding the possibility that SEPRL was the source of the outbreak?
11. How is USDA monitoring the food supply amid concerns about H5N1 contamination in poultry and dairy products?

Thank you for your prompt attention to this matter. Should you have any questions, please contact Jace Pimentel of my Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Chairman
Committee on the Judiciary