

United States Senate
WASHINGTON, DC 20510

September 16, 2021

VIA ELECTRONIC TRANSMISSION

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

Dear Dr. Collins:

On June 28, 2021, we wrote to you requesting answers to seven questions pertaining to the NIH's role and responsibility with respect to the Sequence Read Archive (SRA) relating to COVID-19 data. On September 8, 2021, your office provided a response that failed to fully and completely answer all seven questions and failed to provide the requested records.

As we have made clear to you, Congress has a constitutional responsibility to engage in oversight of the executive branch and the executive branch has an obligation to Congress and the American people to substantively respond. In light of our responsibility and your obligation in that regard, we are reposing the unanswered questions from our June 28, 2021, letter. If you are unable to respond to each question and provide the requested records, please explain why that is the case.

In addition, we'd like to note that in your most recent letter, you stated that the National Center for Biotechnology Information has initiated "an independent review of the [Sequence Read Archive] processes and standard operating procedures" with respect to the withdrawal request relating to the COVID-19 data.¹ You also noted that NIH "conducted an analysis of withdrawal requests from January 2020 through June 2021."² With that in mind, we request the final report of investigation, or an equivalent document, for the latter review and an explanation for why that review was done. Further, we request that you answer several additional questions, provide the requested records and schedule a briefing to address your answers no later than September 30, 2021:

¹ Letter from Lawrence A. Tabak, Principal Deputy Director, NIH, to Sens. Grassley, Blackburn, Marshall (Sept. 10, 2021).

² *Id.*

1. With respect to deleting data from the NIH Sequence Archive, please name all personnel that have the authority to do so. In your answer, please provide the names and titles of the personnel that were involved in the deletion of SARS-CoV-2 data.
2. With respect to the *Wall Street Journal* report, which Chinese researcher(s) requested that the data be deleted from the NIH Sequence Read Archive?³ When did the deletion occur?
3. After deletion, does the NIH Sequence Read Archive maintain any accessible back-up of the deleted data? If so, please provide all records to us.
4. Please list all collaborating partners to the NIH Sequence Read Archive.
5. In the past five years, how many researchers and other personnel associated with the communist Chinese government, as well as those not associated with the Chinese regime, have requested that data be deleted from the NIH Sequence Read Archive? Please list by requestor, date, reason, and the information to be deleted. Please also note whether and when that material was in fact deleted.
6. More specifically, in the past five years, how many researchers and other personnel associated with the communist Chinese government, as well as those not associated with the Chinese regime, have requested that data be deleted from the NIH Sequence Read Archive relating to coronaviruses? Please list by requestor, date, reason, and the information to be deleted. Please also note whether and when that material was in fact deleted.
7. In your letter, you stated NCBI has initiated “an independent review of the SRA processes and standard operating procedures” with respect to the withdrawal request relating to the COVID-19 data.
 - a. When was that review initiated?
 - b. Which unit and personnel will be involved in the review?
 - c. What are the other countries that have requested withdrawal of data from the database?
 - d. Do you plan to analyze withdrawal requests that occurred prior to the COVID-19 outbreak? If not, why not?

³ Amy Dockser Marcus, Betsy McKay, Drew Hinshaw, *Chinese Covid-19 Gene Data That Could Have Aided Pandemic Research Removed from NIH Database*, WALL ST. J. (June 23, 2021), <https://www.wsj.com/articles/covid-19-gene-data-that-could-have-aided-research-on-early-epidemic-removed-from-database-11624472105>; Amy Dockser Marcus and Drew Hinshaw, *After Covid-19 Data Is Deleted, NIH Reviews How its Gene Archive Is Handled*, WALL ST. J. (Sept. 13, 2021), <https://www.wsj.com/articles/after-covid-19-data-is-deleted-nih-reviews-how-its-gene-archive-is-handled-11631545490>

Thank you for your attention to this important matter.

Sincerely,



Charles E. Grassley
Ranking Member
Committee on the Judiciary



Marsha Blackburn
U.S. Senator



Roger Marshall, M.D.
U.S. Senator