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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

August 27, 2018

**VIA ELECTRONIC TRANSMISSION**

The Honorable Dr. Francis Collins  
Director  
National Institutes of Health

Dear Dr. Collins,

On May 16, 2018, I wrote to you to express concerns regarding a study on the effects of daily alcohol consumption conducted by the National Institute on Alcohol Abuse and Alcoholism (NIAAA). The study was reportedly funded in part by donations from the alcohol industry that had been solicited by NIH employees in violation of the agency's policies.<sup>1</sup> In a July 17, 2018, response to the Committee, you confirmed that NIAA employees had, in fact, violated NIH policies by soliciting gift funding for the study and by circumventing procedures designed to ensure fair competition for NIH research funding. You also confirmed that the NIH will end its funding for the study as a result of these violations and their implications for the credibility and integrity of the project.

The violations that you describe are serious in nature, and I commend your decision to end the study and hold those responsible for violating NIH policies accountable. However, Congress must be apprised of the steps you have taken to actually discipline these employees as well as the steps you have taken to ensure this never happens again. In addition, the NIH must disclose to Congress the total amount of taxpayer money that will have been spent on the study once it is finally closed. As such, based on the information provided in your July 17 letter, I have several additional questions. Please provide answers to the following no later than September 12, 2018:

1. With respect to the employees who were found to have violated NIH policies, where are they in the disciplinary process? Once the process is complete, will you update the Committee on the conclusion? If not, why not? As a reminder, the Privacy Act authorizes agencies to disclose information to Congress so that its constitutional oversight of Executive Branch misconduct is not thwarted.

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<sup>1</sup> Roni Caryn Rabin, *Federal Agency Courted Alcohol Industry to Fund Study on Benefits of Moderate Drinking* (March 17, 2018), <https://www.nytimes.com/2018/03/17/health/nih-alcohol-study-liquor-industry.html>

2. Have you attempted to determine whether the employees who violated NIH policies in this case engaged in similar kinds of activities in regard to other studies undertaken by the NIAAA? If so, which studies? If not, why not?
3. Have you attempted to determine whether other employees at the NIH or its components, including the NIAAA, who were not involved in this particular study have engaged in similar kinds of activities in regard to other studies? If so, which studies? If not, why not?
4. How much money will have been spent on the “Multi-Site Randomized Control Trial of Health Effects of Moderate Drinking” by the time that the “orderly closeout” that you describe in your July 17 letter is completed?

Thank you in advance for your prompt attention to these matters. Should you have any questions, please contact Josh Flynn-Brown of my Judiciary Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary