

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

Testimony before the

House Committee on Oversight and Accountability
Select Subcommittee on the Coronavirus Pandemic

“Overseeing the Overseers:
A Hearing with NIH Deputy director, Dr. Lawrence Tabak”

Lawrence A. Tabak, D.D.S., Ph.D.
Principal Deputy Director

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Thank you, Chairman Wenstrup, Ranking Member Ruiz, and distinguished Members of the Subcommittee. I appreciate the opportunity to be here today to discuss your inquiry into the origins of COVID-19. It has been an honor to serve the National Institutes of Health (NIH) in various roles over the past 24 years; first as Director of the National Institute of Dental and Craniofacial Research from 2000-2010, the Principal Deputy Director and the Deputy Ethics Counselor of NIH since 2010, and most recently as the Acting NIH Director from December 2021 until November 2023. I am pleased to continue my service as the NIH Principal Deputy Director under the leadership of NIH Director, Dr. Monica Bertagnolli.

I have deep respect for the role of congressional oversight. NIH prioritizes transparency and working with Congress on their oversight responsibilities and requests. To that end, since the beginning of 118th Congress, NIH has worked diligently with HHS to respond to letters and inquiries from this Subcommittee along with the Committee on Energy and Commerce as part of your joint inquiry. Among other efforts, we have provided written responses to numerous requests for information, made dozens of document productions, comprising nearly 30,000 pages of documents, and facilitated transcribed interviews with almost a dozen current and former NIH employees. This is in addition to a multitude of requests and inquiries from other congressional committees in the House and Senate. I am here today to continue to work with the Members of the Subcommittee to provide information you seek for your inquiry.

Like you, NIH strongly believes that a thorough, expert-driven investigation into the origins of SARS-CoV-2 is critical to prepare the United States and the world for the next potential pandemic. The urgency to uncover the pandemic's origins has been a global call, and the current and previous Administrations both supported efforts to enable independent investigations into the origins of SARS-CoV-2. To that end, we have also worked to publicize data generated in connection with the study of COVID-19, as rapidly as possible.

Unfortunately, and frustrating to many, we still do not know with certainty how this virus came to be. A June 2023 report released by the Office of the Director of National Intelligence summarized the intelligence agencies' views on the possible origins of SARS-CoV-2. Among the various possibilities, this report assessed that two hypotheses – a natural exposure to an infected animal or a laboratory-associated incident – are most plausible. NIH agrees with that assessment. The body of publicly available scientific evidence thus far suggests a natural evolution, and

points to the theory that SARS-CoV-2 may have come from a wild animal market in Wuhan. Importantly, after an intensive investigation, agencies in the U.S Intelligence Community agreed that the virus was not developed as a biological weapon and most agencies assessed that SARS-CoV-2 most likely was not genetically engineered.

The fact that we have not yet definitively identified the origin of SARS-CoV-2 is not a surprise. It took 14 years to find a single bat population that contained all the necessary genetic components of SARS-CoV-1, the virus that caused the 2003 SARS epidemic. And we still do not know the origins of the 2014 Ebola outbreak. Confirming the origin of a virus with 100 percent certainty is rarely fast or easy, and often not even possible. Nonetheless, we must continue to learn more about SARS-CoV-2 and the viruses origins. Until we have more information, we must be open to all possibilities and follow where the science leads us. A full understanding of the origins of SARS-CoV-2 will require cooperation from other countries, including China, which is why an independent investigation with coordination from the intelligence community remains critical.

Importantly, although some of the scientific research into the origins of SARS-CoV-2 is supported by NIH, NIH is neither an investigatory nor regulatory agency. Rather, we are a research-funding agency. Indeed, NIH is the largest public funder of biomedical research in the world. Nearly 83 percent of the NIH budget is used to support extramural research through competitive grants and contracts. In FY 2023 alone, NIH supported almost 59,000 awards and issued grants to 2,743 academic institutions, research institutes, hospitals, small businesses, and other organizations.

NIH funding is guided in part by expert review by scientific peers – known as the peer review process. The rigorous two-level peer review process is structured to identify the most meritorious extramural research in all areas of study. The first level of the process is a review by individuals with expertise in the subject of the research proposal known as the Scientific Review Group. This group summarizes and critiques the proposed research resulting in a numerical value, called the overall impact score, indicating the reviewers' judgment of the likelihood that the project will have significant impact on its area of science. This summary is provided to the relevant Institute or Center Advisory Council to review and to the Institute or Center Director who is ultimately responsible for making decisions about which projects will be funded, and if

so, by how much. Peer review depends on multiple levels of expert review and is designed to focus on the scientific and technical merit of a proposal. However, it is important to keep in mind that while peer review is critical to NIH's ability to make informed funding decisions, Institutes and Centers make funding decisions based on a variety of factors.

In all instances, recipients of NIH grant funds must comply with all applicable Federal statutes, regulations, and policies. Recipients of NIH grants funds must also comply with all terms and conditions in the Notice of Award (including both standard and special conditions), the NIH Grants Policy Statement, and the NIH Guide for Grants and Contracts (for new requirements and policy changes). Additionally, grant recipients must also follow their institutional requirements. NIH and its recipient institutions share responsibility for compliance and oversight to ensure good stewardship of Federal funds. Recipients are expected to properly administer sponsored activities and comply with applicable regulations and policies. However, when necessary, NIH and HHS can take compliance actions including, but not limited to, imposing specific award conditions, disallowing all or part of the cost of the activity or action not in compliance, wholly or partially suspending or terminating the Federal award, or initiating suspension or debarment proceedings.

We may not know the origin of the COVID-19 pandemic yet, but we have learned a great deal to improve the Nation's preparedness for future pandemics. Decades of investment in fundamental biomedical research were essential to NIH's rapid development of safe and effective vaccines and treatments, as well as diagnostics. The pandemic also demonstrated the need to build, leverage, and sustain partnerships across the U.S. Government, Academia, Industry, and Non-profit organizations. It was essential to rapidly integrate clinical trial networks across sectors to streamline and expedite research efforts during the emergency. This includes rapid data sharing. Through many NIH hosted systems, data sharing with scientific collaborators accelerated the field tremendously by allowing for immediate public access to COVID-19 publications. This also allowed for open scrutiny of research outcomes as well as advanced collaborative discoveries across the globe. This all needs to be done with careful consideration and safe data sharing practices to protect research participants. These advances can be leveraged in future pandemics to produce an even more robust and rapid response.

The world looks to science for definitive answers. However, the complexities of nature take time to unravel. Scientific discovery is iterative – our understanding constantly evolves as new discoveries build upon old ones. We continually seek to improve scientific approaches - to drive toward more rapid, efficient, and accurate assessments of the world around us. With your partnership and support, NIH will continue to make good on these efforts.

Thank you for your time and I welcome your questions.