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April 2, 2024

The Honorable Gene Dodaro
Comptroller General
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Dodaro:

We write to request that the Government Accountability Office (GAO) examine the extent to which the National Institutes of Health (NIH) adequately safeguards research funds from national security concerns related to the Chinese military or over the unethical use of human beings in research studies, especially from entities of concern in China.

Recent reports have raised concerns about the NIH's ability to screen for national security issues. A six-month investigation by *Vanity Fair* found that for a decade, warnings were issued by the Department of Energy (DOE) to the NIH, with disagreement between the DOE and NIH, concerning the risk that U.S.-funded biology research could be misused by overseas partners.[1] Recent reports from the U.S. Department of Health and Human Services (HHS) Office of the Inspector General (OIG) and GAO, including one from January, have noted NIH safeguarding problems regarding foreign grant recipients.[2] Recently, a student from China who was headed to the National Cancer Institute was repatriated at Dulles Airport after interrogation from Department of Homeland Security officials about ties to the Chinese government, Chinese military, or state laboratories.[3]

Concerns about the NIH's ability to vet foreign collaborators have also arisen from the Committee's investigation of the origins of the COVID-19 pandemic. To examine these concerns

[1] Katherine Eban, *Secret Warnings About Wuhan Research Predated the Pandemic*, Vanity Fair (Nov. 21, 2023), https://www.vanityfair.com/news/2023/11/covid-origins-warnings-nih-department-of-energy.
[2] HHS OIG, The National Institutes of Health Did Not Receive 81 of 109 Required Audit Reports for Foreign Grant Recipients, A-05-21-00019, (Dec. 14, 2023), https://oig.hhs.gov/oas/reports/region5/52100019.asp. *See* U.S. Gov't Accountability Office, GAO-24-106227, Research Security: Strengthening Interagency Collaboration Could Help Agencies Safeguard Federal Funding from Foreign Threats (2024), https://www.gao.gov/assets/d24106227.pdf.
[3] Associated Press, *China Protests Treatment of Its Students at Dulles and other U.S. Entry Points*, NBC News (Jan. 29, 2024) https://www.nbcnews.com/news/world/china-protests-treatment-students-dulles-us-entry-points-rcna136298.

in depth, Majority Committee staff havemade a preliminary review of NIH records and other public information suggesting serious and troubling vulnerabilities in the NIH's ability to safeguard its funds from research of concern. NIH Grants Policy Statement 16.2 requires disclosure of collaboration with a foreign researcher expected to result in co-authorship. The preliminary review raises questions about whether required foreign component disclosures were made at the time of application, and if disclosed, whether the NIH's reviews of such disclosures were adequate.

NIH funding tied to researchers with affiliations with the "Seven Sons of National Defense"

The Chinese Communist Party (CCP) is building links between China's civilian universities, military, and security agencies. Those efforts, carried out under a policy of leveraging the civilian sector to maximize military power (known as "military–civil fusion"), have accelerated in the past decade.[4] The "Seven Sons of National Defense" are a group of seven universities with historical ties with China's military defense industry. The universities of the "Seven Sons of National Defense" include:

- Beihang University in Haidian, Beijing
- Beijing Institute of Technology in Haidian, Beijing
- Harbin Engineering University in Harbin, Heilongjiang
- Harbin Institute of Technology in Harbin, Heilongjiang
- Nanjing University of Aeronautics and Astronautics in Nanjing, Jiangsu
- Nanjing University of Science and Technology in Nanjing, Jiangsu
- Northwestern Polytechnical University in Xi'an, Shaanxi

They are directly administered by the State Administration for Science, Technology, and Industry for National Defense (SASTIND), and their academic disciplines focus predominantly on science and technology with dual-use applications.[5] The depth of the Seven Sons' integration with the military suggests that it would be more accurate to describe them as defense universities than as civilian universities. In fact, they call themselves "defense science, technology and industry work units" or parts of the "defense system."[6]

Majority Committee staff identified several NIH-funded (in part or in full) studies co-authored by a researcher with an affiliation to a university that is part of the Seven Sons of National Defense. Among these NIH-funded studies are the following:

[4] Alex Joske, *The China Defence Universities Tracker*, Australian Strategic Policy Inst. (Nov. 25, 2019), https://www.aspi.org.au/report/china-defence-universities-tracker.
[5] Ryan Fedasiuk & Emily Weinstein, Universities and the Chinese Defense Technology Workforce, Center for Security and Emerging Technology (CSET) Issue Brief (Dec. 2020), https://cset.georgetown.edu/wp-content/uploads/CSET-Universities-and-the-Chinese-Defense-Technology-Workforce.pdf.
[6] Joske, *supra* note 4.

- 2022 study on aryl olefins - Co-author listed affiliation with School of Materials Science & Engineering, Beijing Institute of Technology; Financial support for the work provided by NIHGMS.[7]
- 2023 article on retinal cell functions – Co-author listed affiliation with College of Energy and Power Engineering, Nanjing University of Aeronautics and Astronautics; Financial support provided NIH Brain Initiative grant and award.[8]
- 2023 study on psychotic spectrum disorder – Co-author listed affiliation with College of Computer Science and Technology, Nanjing University of Aeronautics and Astronautics; Study supported by three different grants from NIMH and one grant from NIGMS.[9]
- 2023 eye research study – Co-author listed affiliation with Beijing Advanced Innovation Center for Biomedical Engineering, School of Engineering Medicine, Beihang University. Beijing.[10] Measurements provided by institutes supported an NIH National Eye Institute funded program.
- 2023 leukemia study – Co-author listed affiliation with School of Life Sciences and Technology, Harbin Institute of Technology.[11] Funding in part provided by NIH/NCI Cancer Center support grants, with four co-authors supported individually through NIH grants.
- 2023 article on MHC class 1 molecules – Co-author listed affiliation with Center for Quantum Technology Research and Key Laboratory of Advanced Optoelectronic Quantum Architecture and Measurements, School of Physics, Beijing Institute of Technology.[12] This work was supported in whole, or in part, by three grants funded by NIH National Institute of Allergy and Infectious Diseases (NIAID).
- 2023 research paper on aflatoxin contamination of the food supply – Co-author listed affiliation with Environmental Biology and Health Division, Nanjing University of Science and Technology. Funded in part with NIH grant supported by NIH Fogarty International Center and National Cancer Institute.[13]

This group of studies is only a sub-sample that suggests a much greater number of NIH-supported studies with a co-author affiliated with one of the Seven Sons of National Defense. Data Abyss, a tracker of U.S. funded Chinese defense research, found dozens if not hundreds of results for NIH-funded studies involving a co-author affiliated with one of the Seven Sons of National Defense for the 2001-2023 timeframe.

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[7] He Huang & Tristan H. Lambert, *Regiodivergent Electrophotocatalytic Aminooxygenation of Aryl Olefins*, 2022 J. Am. Chem. Society 18803-09 (2022), https://pubs.acs.org/doi/abs/10.1021/jacs.2c08951.

[8] Suva Roy, et al., *Large-Scale Interrogation of Retinal Cell Functions by 1-Photon Light-Sheet Microscopy*, 3 Cell Reports 100453 (2023), https://doi.org/10.1016/j.crmeth.2023.100453.

[9] T.P. DeRamus, et al., *Multimodal Data Fusion of Cortical-Subcortical Morphology and Functional Network Connectivity in Psychotic Spectrum Disorder*, 35 Neuroimage: Clinical 103056 (2022), https://pubmed.ncbi.nlm.nih.gov/35709557/.

[10] Ronald A. Schachar, et al., *Finite Element Analysis of Zonular Forces*, 237 Experimental Eye Research (2023), https://www.sciencedirect.com/science/article/abs/pii/S0014483523003305.

[11] Zach H. Gray et al., *Epigenetic Balance Ensures Mechanistic Control of MLL Amplification and Rearrangement*, 186 Cell 21 4528-45, (2023), https://doi.org/10.1016/j.cell.2023.09.009.

[12] Lenong Li et al., *Crystal Structures of MHC Class I Complexes Reveal the Elusive Intermediate Conformations Explored During Peptide Editing*, 14 Nature Comm. 5020 (2023), https://www.nature.com/articles/s41467-023-40736-6#Sec1.

[13] Daniel Oduro-Mensah, et al., *Cocoa-Associated Filamentous Fungi for the Biocontrol of Aflatoxigenic Aspergillus Flavus*, 63 J. of Basic Microbiology 1279-92 (2023), https://doi.org/10.1002/jobm.202300163.

In apparent contrast to the NIH, we note that the U.S. Department of Defense (DOD) maintains a separate list identifying foreign institutions that DOD has concluded have a history of problematic behavior, such as stealing intellectual property or supporting their country's military or intelligence services. "The list includes China's 'Seven Sons of National Defense,' a set of seven universities regarded as having close ties with the country's military."[14] It is unknown whether the NIH maintains a similar list.

The national security impact about the dual use of NIH-funded research by researchers with links to Chinese military research has also been highlighted. The dual-use nature of STEM and biomedical research is particularly challenging given that it is conducted in academia that is exploited by China. A national security analyst testified[15] before the U.S. – China Commission in 2022 about an illustrative example of a U.S. university professor who received funding from the NIH to develop hearing aids using AI applications applied to audio signal processing and speech segregation. The analyst stated that:

> While working on this NIH-funded research, [the] professor was recruited through the Thousand Talents Program, holding a concurrent appointment at Northwestern Polytechnical University's School of Marine Science & Technology, Northwestern Polytechnical University (NWPU) is one of . . . China's "Seven Sons of National Defense" universities and extensively supports PLA [People's Liberation Army (PLA) Navy programs. Its School of Marine Science & Technology conducts 'scientific research and personnel training in the fields of underwater weaponry, hydroacoustic engineering, underwater vehicles, and marine engineering.' In other words, NWPU hired this U.S. professor to help develop underwater warfare applications (probably involving submarines) from the NIH-funded signal processing technology. [16]

The analyst stated that the NIH is not equipped nor mandated to assess national security risks associated with potential future applications of the type of research it funds, and DoD has no oversight or control over what other federal agencies fund. The analyst concluded his testimony: "The PRC has a history of diverting research to military use applications, and, although such research is not overseen by DoD, the research runs the risk of affecting or undermining the U.S. military's future warfighting capabilities. The lack of oversight or scholarship over such exploitation of STEM and biomedical research makes it impossible to determine how pervasive or successful China's efforts in this area have been."[17]

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[14] Mitch Ambrose, *DOD to Screen Researchers for Risky Foreign Ties*, AIP (July 20, 2023), https://ww2.aip.org/fyi/dod-to-screen-researchers-for-risky-foreign-ties.

[15] Jeff Stoff, *Reassessing Threats to US Innovation Posed by China and Implications for Safeguarding Future Supply Chains*, Redcliff Enterprises LLC (June 9, 2022), https://www.uscc.gov/sites/default/files/2022-06/Jeff_Stoff_Testimony.pdf.

[16] *Id.*

[17] *Id.*

NIH funding tied to other questionable Chinese research entities including BGI

Records from the NIH Office of Laboratory Animal Welfare (OLAW) also indicate active support to Chinese entities with ties to the Chinese military.[18] The Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals[19] requires that institutions, including foreign institutions[20] have an OLAW-approved Animal Welfare Assurance before carrying out any activities involving live vertebrate animals to control their own animal facilities. The appearance on the OLAW list means that an institution can receive HHS PHS funds for animal research.

Southern Medical University appears on NIH's OLAW Assurance Number list, which means that it can receive HHS PHS funds. Southern Medical University, formerly known as First Military Medical University, affiliated to the People's Liberation Army of China (PLC), is an institution of higher learning in Guangzhou, the capital city of Guangdong Province, China.[21]

Wuxi AppTec also appears on NIH's OLAW Assurance Number list. WuXi Biologics is a pharmaceutical manufacturing and research-services giant that helps Chinese and foreign pharma and biotech companies design, discover, manufacture, and test drugs, especially synthetically produced "biologics."[22] WuXi Biologics is one member of a whole family of firms related to corporate parent WuXi AppTec. It has been noted that Chinese state media have dubbed WuXi the "Huawei" of China's pharmaceutical sector. WuxiAppTec has three subsidiaries on the OLAW list: (1) WuXi AppTec (Chengdu) Co. Ltd., F23-00586; (2) -WuXi AppTec (Shanghai) Co., Ltd., F16-00281 (A5969-01); and (3) -WuXi AppTec (Suzhou) Co. Ltd., F18-00387.

Concerns over Wuxi AppTec were raised by a recent analysis from the Jamestown Foundation that concluded:

> WuXi AppTec is a model of embedding state ambition with corporate success, showcasing how biotechnology enterprises are playing a pivotal role in advancing the PRC's strategic objectives. This model also shows the critical need for robust data privacy measures and transparent practices. As WuXi AppTec continues to expand its global footprint, its commitment to safeguarding sensitive information against misuse becomes paramount. However, its links to the Chinese state at the local and national level, as well as the PLA, suggest that the firm could put Party priorities over those

[18] *Institutions with a PHS Approved Animal Welfare Assurance*, Nat'l Inst. Of Health, https://olaw.nih.gov/assured/app/index.html (last updated Mar. 26, 2024).
[19] *PHS Policy on Humane Care and Use of Laboratory Animals*, (2015), https://olaw.nih.gov/policies-laws/phs-policy.htm.
[20] *Update of Sample Animal Welfare Assurance for Foreign Institutions*, Office of Laboratory Animal Welfare NOT-OD-10-083 (Apr. 16, 2010), https://olaw.nih.gov/resources/documents/foreign.htm.
[21] *Southern Medical University*, GoToUniversity, https://www.gotouniversity.com/university/southern-medical-university.
[22] Matthew Johnson, *China's Grand Strategy for Global Data Dominance*, Hoover Institution Stanford University (Apr. 2023), https://www.hoover.org/sites/default/files/research/docs/Johnson_ChinasGrandStrategy_Web.pdf.

> of its customers around the world, including US citizens, if called upon to do so.[23]

Majority Committee staff also found NIH funding tied to BGI, a firm based in Shenzhen picked by the Chinese government to build and operate the China National GeneBank, "a vast and growing government-owned repository that includes genetic data drawn from millions of people around the world."[24] The Department of Defense in 2022 officially listed BGI as one of several "Chinese military companies" operating in the United States, and a 2021 U.S. intelligence assessment linked the company to the Beijing-directed global effort to obtain even more human DNA, including from the United States. The staff's investigative review found 44 instances of the NIH funding BGI projects.

The NIH, as a primary funder of medical research in the U.S., supports projects that may include sensitive genetic data, raising concerns about data security and the potential misuse of this information. Within the NIH Office of the Director, there were three instances of funding projects with BGI Genomics, highlighting a strategic intersection of U.S. biomedical research at the director level with international genomic expertise. This collaboration, while potentially enriching scientific understanding and innovation, necessitates careful consideration of data privacy, bioethical standards, and the broader implications of such international scientific partnerships. The National Cancer Institute contributed to 10 BGI projects. NCI's focus on cancer research intersects with BGI's genomic studies, potentially offering valuable insights but also posing risks if the data is misappropriated.

<u>NIH funding tied to the unethical use of Chinese ethnic minority data in research studies</u>

Preliminary review by Majority committee staff has found NIH-funded studies, including studies solely funded by the NIH, that are highly suspected of involving unethical use of Chinese ethnic minority data or supporting researchers linked to such studies, although the studies are not funded by the NIH.

Retracted liver transplant study. There are indications that an NIH-funded liver transplant study was sourced from executed prisoners in China. In 2017, Liver International retracted a 2016 study because of concerns that its data on the safety of liver transplantation of organs was sourced from executed prisoners in China. The action, taken despite a denial by the study's authors that such organs were used, comes after an Australian clinical ethicist and colleagues authored a letter to the editor of *Liver International* on January 30, 2017, calling for the paper's retraction in the "absence of credible evidence of ethical sourcing of organs."[25] The retracted study stated that it

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[23] Sunny Cheung et al., *Red Genes: Assessing Wuxi AppTec's Ties to the Party-Army-State*, 24 Jamestown Foundation China Brief 31-43 (2024), https://jamestown.org/program/red-genes-assessing-wuxi-apptecs-ties-to-the-party-army-state/.

[24] Joby Warrick & Cate Brown, China's Quest for Human Genetic Data Spurs Fears of a DNA Arms Race, Washington Post (Dec. 13, 2023), https://www.washingtonpost.com/world/interactive/2023/china-dna-sequencing-bgi-covid/.

[25] Dalmeet Singh Chawla, *Study Retraction Reignites Concern Over China's Possible Use of Prisoner Organs*, Science (Feb. 6, 2017), https://www.science.org/content/article/study-retraction-reignites-concern-over-china-s-possible-use-prisoner-organs.

was "supported by the intramural program of the National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health."[26]

Chinese Ethnic Minority Data. Majority Committee Staff found the following papers involving Chinese ethnic minority data that were NIH-funded in part or in full:

- Elevated urinary lipocalin-2, interleukin-6, and monocyte chemoattractant protein-1 levels in children with congenital ureteropelvic junction obstruction - - keyword(s) "People's Hospital of Xinjiang Uygur Autonomous Region" - National Institutes of Health (USA) grant R01DK101736.[27]
- Glutathione peroxidase 4–regulated neutrophil ferroptosis induces systemic autoimmunity - - keyword(s) "People's Hospital of Xinjiang Uygur Autonomous Region for patient recruitment" - NIH grants no. R01AR064350 (to G.C.T) and no. R37AI049954 (to G.C.T).[28]
- Kaposi's sarcoma-associated herpesvirus seropositivity is associated with type 2 diabetes mellitus: A case–control study in Xinjiang, China - - keyword(s) "Xinjiang, China" - United States National Institutes of Health Fogarty International Center (grant numbers D43 TW001492) and NCI (grant number CA75903) to CW. YZ and TZ were Fogarty fellows.[29]

Forced Organ Harvesting. Majority Committee staff also found the following NIH-funded researchers linked to forced organ harvesting.

Researcher XianChang Li[30] has received NIH funding, including during the period these papers were published. However, these specific papers were not NIH- funded. The following affiliations to Organ Transplant Center and/or Key laboratory would have to be disclosed in his biosketch to the NIH:

- Organ Transplant Center, The First Affiliated Hospital, Sun Yat-sen University, Guangzhou, China.
- Guangdong Provincial Key Laboratory of Organ Donation and Transplant Immunology, Guangzhou, China.
- Guangdong Provincial International Cooperation Base of Science and Technology (Organ Transplantation), Guangzhou, China.
- Immunobiology and Transplant Science Center, Houston Methodist Research Institute, Houston, Texas.

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[26] *Id.*
[27] L Yu et al., *Elevated Urinary Lipocalin-2, Interleukin-6 and Monocyte Chemoattractant Protein-1 Levels in Children with Congenital Ureteropelvic Junction Obstruction*, 15 J. Pediatric Urology 44.e1-44.e7., https://doi.org/10.1016/j.jpurol.2018.10.007.
[28] Pengchong Li et al., *Glutathione Peroxidase 4-Regulated Neutrophil Ferroptosis Induces Systemic Autoimmunity*, 22 Nature Immunology 1107-17 (2021), https://doi.org/10.1038/s41590-021-00993-3.
[29] Meng Cui et al., *Kaposi's Sarcoma-Associated Herpesvirus Seropositivity is Associated with Type 2 Diabetes Mellitus: A Case-Control Study in Xinjiang, China*, 80 Int'l J. Infectious Diseases 73-79 (2019), https://doi.org/10.1016/j.ijid.2019.01.003.
[30] *Faculty, Xian Chang Li, MD, PhD*, Houston Methodist, https://www.houstonmethodist.org/faculty/xianchang-li/ (last visited Mar. 26, 2024); *see also* Funding verifiable through the NIH Reporter, https://reporter.nih.gov/.

Li co-authored the following papers with Jiefu Huang, who has been linked to the PRC's forced organ harvesting program by multiple NGOs and news media:[31]

- The first case of ischemia-free organ transplantation in humans: A proof of concept;[32]
- Ischaemia-free liver transplantation in humans: a first-in-human trial;[33]
- The era of "Warm Organ Transplantation" is coming;[34]

A China Organ Harvest Research Center (COHRC) report in 2018 noted:

> For example, Tan Jianming, Vice President of the Fuzhou General Hospital of Nanjing Military Command, had reportedly performed more than 4,200 kidney transplants as of 2014. Among his patients was a 35-year old male at Shanghai General Hospital in September 2003. In two weeks, Tan was able to acquire 4 sets of kidneys with blood samples, but none of them matched. In March 2004, Tan managed to obtain 4 more sets of kidneys in rapid succession for the same patient, the last of which matched successfully. Thus, 8 pairs of kidneys were explanted for just one patient.[35]

Tan Jianming had a partially NIH funded paper in 2013.[36]

The China Organ Harvest Research Center report also stated, "In another example, Zhu Tongyu at Zhongshan Hospital affiliated with Fudan University performed a fourth kidney transplant for the same patient."[37] Zhu Tongyu in part was funded by the NIH during 2017-2019.

These findings are based on information from NIH data and the public domain. We are troubled that there may be ongoing violations of the NIH's policy on Foreign Component disclosure on NIH awards. Thus, we suspect the dimensions of these concerns are much broader.

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[31] Stephanie Kirchgaessner, *Vatican Defends Inviting Chinese Ex-Minister to Organ Trafficking Talks*, Guardian (Feb. 6, 2017), https://www.theguardian.com/world/2017/feb/06/vatican-defends-inviting-chinese-ex-minister-huang-jiefu-to-organ-trafficking-talks; Didi K. Tatlow, *Transplant Chief in China Denies Breaking Vow to Ban Prisoners' Organs*, N.Y. Times (Nov. 25, 2015), https://www.nytimes.com/2015/11/26/world/asia/china-organ-transplants-prisoner-donations-huang-jiefu.html.

[32] Xiaoshun He et al., *The First Case of Ischemia-Free Organ Transplantation in Humans: A Proof of Concept*, 18 Am. J. Transplantation : official journal of the American Society of Transplantation and the American Society of Transplant Surgeons 737-744 (2018), https://doi.org/10.1111/ajt.14583.

[33] Zhiyong Guo et al., *Ischaemia-Free Liver Transplantation in Humans: A First-in-Human Trial*, 16 Lancet Regional Health Western Pacific 100260 (2021), https://doi.org/10.1016/j.lanwpc.2021.100260.

[34] Zhiyong Guo et al., *The Era of "Warm Organ Transplantation" is Coming*, 18 Am. J. Transplantation 2092-93 (2018), https://doi.org/10.1111/ajt.14935.

[35] China Organ Harvest Research Center (COHRC), Transplant Abuse in China Continues Despite Claims of Reform (2018), https://www.chinaorganharvest.org/app/uploads/2018/06/COHRC-2018-Report.pdf.

[36] Antonello Pileggi et al., *Mensenchymal Stromal (Stem) Cells to Improve Solid Organ Transplant Outcome: Lessons from the Initial Clinical Trials*, 18 Cellular Transplantation 672-81 (2013), 10.1097/MOT.0000000000000029.

[37] *Supra* note 34.

To understand the extent of these vulnerabilities and the NIH's ability to safeguard federal funds, we request that the GAO examine the following:

1. Does the NIH conduct vetting in any way for Principal Investigators (PIs) for foreign links and/or links to concerning research or data sets during the grants award process? Is the NIH prohibited from granting awards to PIs with an affiliation to an institution on any U.S.-Government list, such as the entity list, denied persons list, etc.? Has the NIH evolved its vetting process to conduct searches beyond Google[38]? Does the NIH prohibit NIH funded PIs from collaborating with foreign military institutions, such as any of the Chinese "Seven Sons of Defense"?

2. Does the NIH prohibit or restrict the ability of a NIH-funded PI from co-authoring publications under NIH extramural or intramural funding with an entity of concern such as those appearing on any U.S.-Government list (entity list, 1260H list, denied persons etc. as found on the International Trade Administration's Consolidated Screening List[39])?

3. The Government of Canada recently published a list of "Named Research Organizations,"[40] which are prohibited from receiving funding. Does the NIH have a similar list of institutions prohibited from receiving NIH funding?

4. Under the NIH's "Foreign Component" policy as found in NIH-Grants Policy Statement 16.2,[41] has the NIH taken any corrective actions against an institution and/or PI who has not disclosed "a collaboration with investigators at a foreign site anticipated to result in co-authorship" during the grants application process?[42] Does the NIH proactively track or audit publications post award to see if foreign components that resulted in co-authorship were initially disclosed during the grants application process?

5. Does the NIH have any restrictions on PIs conducting NIH-funded extramural research on specific data sets due to ethical concerns? Has the NIH ever requested a PI retract an NIH-funded (either in whole or in part) scientific publication due to the data set being focused on Chinese ethnic minority data, such as that from Tibetans or Uyghurs? Does the NIH have the ability and/or authority to request an NIH-funded scientific study be retracted? What is the NIH policy on using research that was collected unethically?

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[38] HHS OIG, Vetting Peer Reviewers at NIH's Center for Scientific Review: Strengths and Limitations, OEI-01-19-00160 (Sep. 2019), https://oig.hhs.gov/oei/reports/oei-01-19-00160.pdf.
[39] *Data Visualization, CSL Search*, Int'l Trade Admin., https://www.trade.gov/data-visualization/csl-search.
[40] *Sensitive Technology Research Areas*, Gov't of Canada, https://science.gc.ca/site/science/en/safeguarding-your-research/guidelines-and-tools-implement-research-security/sensitive-technology-research-areas (Jan. 16, 2024); *Named Research Organizations*, Gov't of Canada, https://science.gc.ca/site/science/en/safeguarding-your-research/guidelines-and-tools-implement-research-security/named-research-organizations (Feb. 9, 2024).
[41] *NIH Grants Policy Statement, §16.2 Eligibility*, Nat'l Inst. of Health, https://grants.nih.gov/grants/policy/nihgps/HTML5/section_16/16.2_eligibility.htm?Highlight=%22foreign%20component%22 (last updated Dec. 2022).
[42] U.S. Gov't Accountability Office, GAO-24-106227, Strengthening Interagency Collaboration Could Help Agencies Safeguard Federal Funding from Foreign Threats (2024), https://www.gao.gov/products/gao-24-106227.

6. Does the NIH work with NGOs to prohibit NIH-funded PIs from collaborating with Chinese entities and/or PIs who are involved in what is known as "China's Forced Organ Harvesting Program"? Is the NIH aware of any NIH-funded PIs who have collaborated with Chinese PIs involved in China's Forced Organ Harvesting Program as disclosed by multiple NGO organizations?

7. Does the NIH consider the potential for dual-use (military and civilian applications – such as the requirements under China's "Military Civil Fusion")[43] resulting from NIH funded research? If so, what actions has the NIH taken to vet and restrict awards that have dual-use potential?

If you have any questions, please contact Majority Committee staff at (202) 225-3641. Thank you for your attention to this request.

Sincerely,

Cathy McMorris Rodgers
Chair
Committee on Energy and Commerce

H. Morgan Griffith
Chair
Subcommittee on Oversight and Investigations

Brett Guthrie
Chair
Subcommittee on Health

CC: The Honorable Frank Pallone, Ranking Member
The Honorable Anna Eshoo, Ranking Member, Subcommittee on Health
The Honorable Kathy Castor, Ranking Member, Subcommittee on Oversight and Investigations

[43] U.S. Dep't of State, *Military-Civil Fusion and the People's Republic of China*, https://www.state.gov/wp-content/uploads/2020/05/What-is-MCF-One-Pager.pdf.