

118TH CONGRESS
1ST SESSION

H. R. 5379

To require the Secretary of Health and Human Services to publish all information in the possession of the Department of Health and Human Services relating to the origin of COVID–19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2023

Mr. ROY (for himself, Mr. GOSAR, Mr. BRECHEEN, Mr. BIGGS, and Mr. MOORE of Alabama) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Health and Human Services to publish all information in the possession of the Department of Health and Human Services relating to the origin of COVID–19, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “HHS COVID–19 Ori-
5 gin Transparency Act of 2023”.

1 **SEC. 2. PUBLICATION OF HHS INFORMATION RELATED TO**
2 **THE ORIGIN OF COVID-19.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of Health
5 and Human Services (in this section referred to as the
6 “Secretary”) shall—

7 (1) except as provided in subsection (d), publish
8 all information described in subsection (b); and

9 (2) submit a report to the Congress containing
10 a summary of each item of information that is de-
11 scribed in subsection (b) but withheld from such
12 publication pursuant to subsection (d).

13 (b) INFORMATION DESCRIBED.—The information de-
14 scribed in this subsection is any and all information in
15 the possession of the Department of Health and Human
16 Services (including any agency, office, operating or staff-
17 ing division, and any other component of the Department,
18 including the National Institutes of Health, the Centers
19 for Disease Control and Prevention, the Food and Drug
20 Administration, the Administration for Strategic Pre-
21 paredness and Response, the Health Resources and Serv-
22 ice Administration, the Office of National Security, the
23 Office of Inspector General, and any person under con-
24 tract to the Department) relating to the Coronavirus Dis-
25 ease 2019 (COVID-19) outbreak, coronavirus research in-
26 cluding vaccine development, or the concealment of infor-

1 mation about the COVID–19 outbreak, including any such
2 information that consists of—

3 (1) unpublished and unreleased records includ-
4 ing—

5 (A) the report titled “One Health Zoonotic
6 Disease Prioritization workshop in China” (pre-
7 pared by the Centers for Disease Control and
8 Prevention in 2019) and related records;

9 (B) all records pending authorization or
10 other approval from any organization of the
11 People’s Republic of China;

12 (C) coronavirus research genetic sequence
13 records in the Sequence Read Archive of the
14 National Institutes of Health and all requests
15 from higher educational institutions, research
16 institutions, or other persons or entities in
17 China to withdraw or delay sequence data pub-
18 lication;

19 (D) all research applications submitted to
20 an agency of the Public Health Service seeking
21 funding to undertake coronavirus-related re-
22 search that were not funded by the relevant
23 agency;

24 (E) all coronavirus records;

1 (F) all coronavirus research records, in-
2 cluding—

3 (i) grant applications, grant research
4 project annual progress reports, and final
5 reports; and

6 (ii) records of compensation for each
7 researcher—

8 (I) who was an employee or con-
9 tractor of the Government of the Peo-
10 ple's Republic of China or any entity
11 (including any public university) con-
12 trolled by such Government; and

13 (II) whose compensation was
14 funded in part, directly or indirectly,
15 by the Department of Health and
16 Human Services; and

17 (G) all records related to the suspension,
18 denial, termination, or other risk mitigation ac-
19 tions related to coronavirus research projects;

20 (H) all records of the Office of Inspector
21 General of the Department of Health and
22 Human Services that include—

23 (i) hotline records, including all refer-
24 rals from the operating divisions of the De-
25 partment of Health and Human Services,

1 including the National Institutes of
2 Health;

3 (ii) communications related to poten-
4 tial misconduct by employees of the De-
5 partment of Health and Human Services,
6 including Anthony Fauci and Francis Col-
7 lins;

8 (iii) communications related to poten-
9 tial monetary fraud or research misconduct
10 involving grants of the National Institutes
11 of Health, including any such grants
12 awarded to EcoHealth Alliance; and

13 (iv) all EcoHealth Alliance audit
14 records;

15 (I) all records involving EcoHealth Alliance
16 research projects and personnel including—

17 (i) all names, salaries, levels of effort,
18 and Department of State clearances;

19 (ii) all peer review records; and

20 (iii) all financial records;

21 (J) all outbreak-related communication
22 records including observations, reports, memo-
23 randa, and requests, except individually identifi-
24 able patient health information, from—

1 (i) all personnel of the Department of
2 Health and Human Services stationed in
3 China;

4 (ii) all foreign nationals from China
5 on visas sponsored directly or indirectly by
6 the Department of Health and Human
7 Services, including—

8 (I) personnel located in the
9 United States; and

10 (II) personnel teleworking from
11 China;

12 (K) all memoranda of understanding, data
13 sharing agreements, and intellectual property
14 transfer commitments between the Department
15 of Health and Human Services and academic or
16 public health institutions in the People's Repub-
17 lic of China, including—

18 (i) the Memorandum of Under-
19 standing for the Collaborative Program on
20 Emerging and Re-emerging Infectious Dis-
21 eases;

22 (ii) all material transfer agreements
23 and intellectual property transfer records
24 related to coronavirus research and vaccine
25 development; and

1 (iii) all agreements between Depart-
2 ment of Health and Human Services-spon-
3 sored principal investigators and any orga-
4 nization involving the transfer of
5 coronavirus research data to academic or
6 public health institutions in the People's
7 Republic of China; and

8 (L) analysis of the first 6,000 patients
9 hospitalized in Wuhan, China, of whom 1,100
10 had severe COVID-19 disease;

11 (2) a record pertaining to sick researchers in
12 Wuhan, China, during the fall of 2019, including for
13 any such researcher—

14 (A) the researcher's name, laboratory
15 name, laboratory role, symptoms, and date of
16 symptom onset;

17 (B) whether the researcher was involved
18 with or exposed to coronavirus research in
19 Wuhan research laboratories;

20 (C) whether the researcher visited a hos-
21 pital or medical clinic while they were ill; and

22 (D) a description of any other actions
23 taken by the researcher that may suggest they
24 were experiencing a serious illness at the time;

1 (3) a record pertaining to coronavirus research
2 conducted in cooperation with any Chinese national
3 public research university affiliated with and funded
4 by the Ministry of Industry and Information Tech-
5 nology of China, including Beihang University, Bei-
6 jing Institute of Technology, Harbin Engineering
7 University, Harbin Institute of Technology, Nanjing
8 University of Aeronautics and Astronautics, Nanjing
9 University of Science and Technology, Northwestern
10 Polytechnical University, PLA Naval University of
11 Engineering, PLA National Defence University,
12 PLA Information Engineering University, and the
13 PLA Academy of Military Science; and

14 (4) a record pertaining to concerns of bio-
15 weapon programs in China, including all records re-
16 lated to the evaluation and analysis of the SARS-
17 CoV-2 virus as a potential bioweapon, including
18 records from the Integrated Research Facility at
19 Fort Detrick.

20 (c) IDENTIFICATION OF INFORMATION SUPPLIED TO
21 INTELLIGENCE COMMUNITY.—In publishing information
22 pursuant to subsection (a), the Secretary shall identify
23 any such information that was supplied by the Depart-
24 ment of Health and Human Services to any agency of the
25 intelligence community in support of the intelligence com-

1 munity’s COVID–19 origins assessments from the onset
2 of the outbreak of COVID–19 through the date of enact-
3 ment of this Act.

4 (d) WITHHOLDING OF CERTAIN INFORMATION.—Ex-
5 cept as inconsistent with subsection (b), the Secretary
6 may, in accordance with other applicable law, withhold or
7 redact from publication under subsection (a)(1) any infor-
8 mation that—

9 (1) is classified and for which the Department
10 of Health and Human Services was not the original
11 classification authority;

12 (2) is individually identifiable information; or

13 (3) is national security, confidential commercial,
14 or proprietary information.

15 (e) DECLASSIFICATION.—The Secretary shall—

16 (1) to the extent necessary to publish pursuant
17 to subsection (a)(1) all information described in sub-
18 section (b), declassify any such information for
19 which the Department of Health and Human Serv-
20 ices was the original classification authority; or

21 (2) certify in the publication that no such clas-
22 sified information exists.

23 (f) FAILURE TO PUBLISH.—Beginning on the day
24 that is 91 calendar days after the date of enactment of
25 this Act—

1 (1) of the unobligated amounts appropriated or
2 otherwise made available to the immediate Office of
3 the Secretary of Health and Human Services—

4 (A) there is rescinded an amount equal to
5 \$1,000,000 for each calendar day on which the
6 Secretary of Health and Human Services
7 fails—

8 (i) to make the publication required
9 by subsection (a)(1); or

10 (ii) to submit the report required by
11 subsection (a)(2); and

12 (B) the amount so rescinded shall be de-
13 posited into the general fund of the Treasury
14 for the sole purpose of reducing the national
15 debt; and

16 (2) the Secretary may not reprogram or use
17 any other funds to replace any funds that are re-
18 scinded under paragraph (1).

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