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PANDEMIC
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ACCOUNTABILITY
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SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

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| RICH MCCORMICK, Georgia | |

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- * Statement, U.S. State Department, “Adherence to and Compliance with Arms Control, Nonproliferation and Disarmament Agreements and Commitments”; submitted by Rep. Wenstrup.
- * Article, Washington Post, “A flu virus risk worth taking”; submitted by Rep. Wenstrup.
- * Article, Nature Medicine, “A SARS-like cluster of circulating bat coronaviruses”; submitted by Rep. Wenstrup.
- * Article, PLOS.org, “Discovery of the rich gene pool of bat SARS-related coronaviruses”; submitted by Rep. Wenstrup.
- * Article, Fauci, “Research on Highly Pathogenic H5N1 Influenza Virus”; submitted by Rep. Wenstrup.
- * Statement, “After Action Review of the Covid-19 Pandemic: Recommendations”; submitted by Rep. Wenstrup.
- * Letter, December 3, 2024, from Arnold & Porter to the Select Subcommittee; submitted by Rep. Ruiz.
- * Letter, Correspondence with Mitchell Benzine re: Draft Report Dated 12-1-2024; submitted by Rep. Ruiz.
- * Letter, December 3, 2024, from Counsel for the American Federation of Teachers to the Select Subcommittee; submitted by Rep. Ruiz.
- * Statement, U.S. Department of Health and Human Services Responses to Draft SSCP Report Dated November 29, 2024; submitted by Rep. Ruiz.

Documents are available at: docs.house.gov.

BUSINESS MEETING

Wednesday, December 4, 2024

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC
Washington, D.C.

The Subcommittee met, pursuant to notice, at 10:29 a.m., in room 2247, Rayburn House Office Building, Hon. Brad Wenstrup (Chairman of the Subcommittee) presiding.

Present: Wenstrup, Malliotakis, Miller-Meeks, Lesko, Cloud, Joyce, Greene, Jackson, McCormick, Ruiz, Dingell, Bera, and Tokuda.

Dr. WENSTRUP. The Select Subcommittee will please come to order. A quorum is present.

Without objection, the Chair is authorized to declare a recess at any time.

Pursuant to House Rule XI, Clause 2, the Chair may postpone further proceedings today on the question of approving any measure or matter or adopting an amendment on which a recorded vote or the ayes and nays may be ordered.

The Subcommittee will use the electronic system for recorded votes on amendments in passage of the report. Of course, should any technical issues arise, which I do not anticipate, we will immediately transition to traditional roll-call votes. Any procedural or motion-related votes during today's markup will be dispensed with by a traditional roll-call vote.

Now, pursuant to notice, I call up a report titled, "After Action Review of the COVID-19 Pandemic: Lessons Learned and a Path Forward."

The clerk will report the report, which has been distributed in advance.

The CLERK. A report titled, "After Action Review of the COVID-19 Pandemic: Lessons Learned and Path Forward."

Dr. WENSTRUP. I ask unanimous consent that the report be considered as read and open for amendment at any point.

Without objection, so ordered.

Dr. WENSTRUP. The Chair recognizes himself to offer an amendment in the nature of a substitute, and the clerk will report the amendment.

The CLERK. An amendment in the nature of a substitute to the report, offered by Dr. Wenstrup.

Dr. WENSTRUP. Without objection, the amendment is considered read, and the substitute will be considered as original text for the purposes of further amendment.

Dr. WENSTRUP. I now recognize myself for 5 minutes for a statement on the report.

And before I get started, I would like to introduce some articles for the record that are exemplary of the Select Subcommittee's finding that a lab leak is the most likely origin scenario, that the Chinese Communist Party was conducting dangerous research, and this type of dangerous research was notionally supported by the NIH.

I ask unanimous consent for a 2005 statement from the State Department that says China has a bioweapons program.

Without objection, so ordered.

Dr. WENSTRUP. I ask unanimous consent for a 2015 article by Dr. Ralph Baric and Dr. Zhengli Shi of China, where they created a chimera of two bat-borne coronaviruses that gained function.

Without objection, so ordered.

Dr. WENSTRUP. I ask unanimous consent for a 2017 article by the Wuhan Institute of Virology researcher Dr. Ben Hu, where he created multiple chimeras of coronaviruses under a BSL-2 condition at the Wuhan Institute of Virology.

Without objection, so ordered.

Dr. WENSTRUP. I ask unanimous consent for a 2011 article by Dr. Fauci and Dr. Collins that stated important information and insights can come from generating a potentially dangerous virus in the laboratory.

Without objection, so ordered.

Dr. WENSTRUP. I ask unanimous consent for a 2012 paper written by Dr. Fauci that stated that the benefits of gain-of-function research outweigh the risks.

Without objection, so ordered.

Dr. WENSTRUP. But I want to thank all of those that voluntarily presented to the Committee to give honest and forthright testimony. The report is the culmination of years of work and dedication. The Select Subcommittee held bad actors accountable, drove actual change in our public health agencies, and provided a roadmap for what to do and what not to do. I could go on and on about the findings of this report, but I think we will let the 500 pages and 2,000 footnotes speak for themselves.

Today, we are also releasing all previously unreleased interview transcripts and supplementary materials. We as a Subcommittee are also grateful to whistleblowers that courageously came forward, and through long hours and dedication, provided important evidence that we may not have found. Also, I want to thank the hard work of the professional staffers on this Subcommittee, and I feel that that is a must. Our staff was an extraordinary group of hard-working patriots seeking to fight for—and this is my favorite Superman motto—truth, justice, and the American way.

I want to thank my staff: Staff Director, Mitch Benzine; Chief Counsel, Eric Osterhues; Senior Counsel, Jack Emmer, Counsel, Madeline Brewer; Professional Staff Member, Peter Spectre; Professional Staff Member, Anna Blake Langley; Communications Di-

rector, Liz Lyons; Press Secretary, Olivia Coleman; and Director of Operations and Member Services, Marie Policastro.

In one scenario, years from now, people perhaps will have long forgotten what we did here, but if our work leads to a trustable system that is able to complete our goals of predicting, preparing, protecting us, and preventing the next pandemic, to me, that is reward enough. May God be with us and our future generations of Americans.

I now recognize the Ranking Member for a 5-minute statement on the amendment.

Dr. RUIZ. Thank you, Mr. Chairman. First, I would like to begin by entering into the record a number of letters and materials the Select Subcommittee has received in recent days from parties to investigations this Congress, including from Dr. Anthony Fauci, Dr. Francis Collins, the Department of Health and Human Services, and the American Federation of Teachers. These submissions memorialize substantive objections these parties have to the representations made in the majority's report, and I believe it is important that the record reflect their perspectives as well.

Dr. WENSTRUP. Without objection.

Dr. RUIZ. Thank you. Look, it goes without saying that both sides of the aisle have not always seen eye-to-eye in the Select Subcommittee this Congress, and it is clear from our two final reports, that as the Select Subcommittee concludes, we are leaving with different impressions of what we did or did not find. At various points, we have debated these issues, and I think the record is clear on where we all stand. So, as we wrap up these 2 years, I want to say a few final things.

First, I want to acknowledge the devastating loss of life that COVID-19 pandemic inflicted on families and communities across this country. More than 1 million Americans lost their lives too soon, and while we have overcome the darkest days of the COVID-19 pandemic, I recognize that as a Nation, we may never fully overcome this grief that all of us share, regardless of political party. It is always important to put humanity front and center and to reflect on the human loss and the human struggle that went through all of this pandemic. And oftentimes in politics and partisan war, there is a sense of forgetfulness of what people have faced and what truly is important for them.

Second, I want to thank the hundreds of thousands of doctors, nurses, first responders, healthcare workers, essential workers, scientists, business leaders, policymakers, moms and dads, and people who came together to mount America's response to the most significant public health crisis we have faced in a generation. Often, at great personal expense and sacrifice, millions of Americans put their neighbors before themselves to help ensure that we could make it through this challenging period. It is this selflessness that represents the best of what America has to offer, and it is this selflessness that gives me hope that despite our differences, we can find a path forward to safeguarding and strengthening our Nation's public health.

Now, I won't pretend that this process won't be messy at times, but it is my sincere belief that we can come together as true professionals to work through the noise of politics and partisanship to do

the real work of preventing and preparing for future pandemics, closing pathways for novel viruses to emerge, be they in nature or in a lab, strengthening our schools so that they can be better prepared to maintain safe in-person learning during future pandemics, fortifying infection prevention and control in nursing homes to keep our seniors safe, exploring how we can lay the groundwork for the rapid development of future vaccines and therapeutics for novel viruses when they inevitably emerge, and more. And in my opinion, we didn't do enough of that this Congress, and I consider that a missed opportunity. But as I said at our final hearing last month, just because we haven't yet come together to tackle these serious challenges doesn't mean we can't. And as I have said since the outset of the Congress, I am willing to work with anyone, Republican or Democrat, to move this work forward.

So, as we conclude the Select Subcommittee today, it is my hope that we can set aside the politics and commit to the forward-looking mission of meaningfully getting ahead of future viruses, because even after 2 years, I still believe that it is not too late to come together and do the work of saving future lives. And I truly appreciate all the Members being in the arena and debating and having good conversations of what we believe through practical scientific principles, or whether it is philosophical or ideological ways. All of those were valid concerns, and we came out better for it as individuals.

I want to thank the Members in the Democratic Committee who showed up consistently and gave it their all and were very well prepared for all of these meetings. I want to thank our wonderful staff under the leadership of Miles Lichtman, Joseph Romero, Dani Walker, and Alicia Yass, who have done excellent jobs while being here. And I also want to personally thank the Chairman, Chairman Wenstrup, for your service in the military, for your service in Congress, and for carrying this messy process forward to the best of your ability. I respect that. I respect you, and I thank you for your years of friendship and of service, and I congratulate you on your retirement and wish you nothing but the best for you and your family. And with that, I yield back. Thank you.

Dr. WENSTRUP. The question is now on the amendment in the nature of a substitute to the report.

All those in favor, signify by saying aye.

All those opposed, signify by saying nay.

In the opinion of the Chair, the ayes have it. The amendment in the nature of a substitute to the report is agreed to.

The question is now on favorably reporting the report, as amended.

All those in favor, signify by saying aye.

All those opposed, signify by saying nay.

In the opinion of the Chair, the ayes have it.

Pursuant to the vote, the Select Subcommittee hereby adopts this report titled, "After Action Review of the COVID-19 Pandemic: The Lessons Learned and a Path Forward."

Without objection, the motion to reconsider is laid on the table.

Finally, I want to ask unanimous consent for the recommendations that accompanied the report to be entered into the record.

Without objection, so ordered.

Dr. WENSTRUP. Thank you all. Pursuant to House Rule XI, Clause 2, Select Subcommittee Members shall have the right to file with the clerk of the Select Subcommittee supplemental additional minority and dissenting views within 2 days.

Without objection, so ordered.

Additionally, the staff is authorized to make necessary technical and conforming changes to the report reported today, subject to the approval of the minority.

Without objection, so ordered.

There has been a lot of hard work from both sides of the aisle through this whole process. I am grateful to everyone for their efforts, and I am pleased that we have come to this day and be able to put something forward for the American people to digest and move from.

If there is no further business for the Select Subcommittee, without objection and for the final time, the Select Subcommittee on the Coronavirus Pandemic stands adjourned.

[Whereupon, at 10:42 a.m., the Subcommittee was adjourned.]

