

Congress of the United States
House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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July 23, 2021

Dr. Eric Lander
Director
Office of Science and Technology Policy (OSTP)
Executive Office of the President
Eisenhower Executive Office Building
1650 Pennsylvania Avenue
Washington, D.C. 20504

Dear Dr. Lander,

The Subcommittee on Investigations and Oversight of the Committee on Science, Space and Technology held a hearing last week to articulate the principles for transparency, scientific integrity, and objectivity that must accompany our continued efforts to understand infectious disease outbreaks. We must do a rigorous examination of whether our federal and global policies are working to reduce the threat of infectious disease.

As part of that effort, the United States government should evaluate whether its policies ensure laboratory safety around research on pathogens with pandemic potential and dual use research of concern (DURC). We are now keenly aware of both the utility of certain types of pathogen research in addressing infectious disease and creating vaccines, and of the potentially dire health consequences of a biosafety incident.

In 2012, OSTP issued the *U.S. Government Policy for Oversight of Life Sciences Dual Use Research of Concern*.^{1,2} The DURC Policy directed federal agencies to implement new risk mitigation plans for life-science experiments that could enhance the consequences or capacity for dissemination of fifteen specified agents and toxins. Notably, this list includes avian influenza and Ebola, but no coronaviruses. OSTP also issued a complementary policy in September 2014

¹ Available at <https://www.phe.gov/s3/dualuse/documents/us-policy-durc-032812.pdf>.

² *United States Government Policy for Institutional Oversight of Life Sciences Dual Use Research of Concern*. September 24, 2015. Available at <https://www.phe.gov/s3/dualuse/Documents/durc-policy.pdf>.

to support DURC oversight at the institutional level. May 2016, NIH National Science Advisory Board on Biosafety (NSABB) recommended greater federal oversight over gain-of-function research of concern (GOFROC), a subset of gain-of-function research.³ In January 2017, OSTP issued *Recommended Policy Guidance for Departmental Development of Review Mechanisms for Potential Pandemic Pathogen Care and Oversight*, which directed agencies to develop higher-level review protocols for federally funded research involving potential pandemic pathogens (PPP) in accordance with NSABB's recommendations.⁴

We ask that OSTP reexamine both the 2012 and 2014 policies on DURC and the 2017 PPP Policy to determine whether such policies are adequate for managing laboratory biosafety and biosecurity related to federally-funded research. We also ask that OSTP evaluate whether the covered agencies are carrying out the requirements contained in these directives in a satisfactory manner.

We appreciate your attention to these important issues. Please have your staff contact Janie Thompson of the Majority Staff at (202)-225-6375 or Anna Ferrara of the Minority Staff at 202-226-6371 if you have any questions.

Sincerely,



Bill Foster
Subcommittee Chairman
Investigations & Oversight



Jay Obernolte
Subcommittee Ranking Member
Investigations & Oversight

³ In May 2016, NSABB issued the report, *Recommendations for the Evaluation and Oversight of Proposed Gain-of-Function Research*. Available at https://osp.od.nih.gov/wp-content/uploads/2016/06/NSABB_Final_Report_Recommendations_Evaluation_Oversight_Proposed_Gain_of_Function_Research.pdf.

⁴ Available at https://osp.od.nih.gov/wp-content/uploads/2017_OSTP_P3CO_Policy_Guidance.pdf.