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October 27, 2003

The Honorable Tommy G. Thompson
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Mr. Secretary:

I am writing to express my outrage about the existence of a “hit list” identifying more than 150 scientists researching HIV/AIDS, human sexuality, and risk-taking behaviors. After receiving this list from Republican members of Congress, NIH officials are now contacting researchers and raising fears that their research may be in danger of losing funding. Most disturbing, it appears that this list may have originated within HHS itself.

I urge you in the strongest possible terms to denounce this scientific McCarthyism. The targeted scientists are leading U.S. researchers who hold grants to study vital public health issues. Every grant passed a rigorous peer review at NIH, the world’s leading medical research agency, before receiving funding. Imposing ideological shackles on this research would be a serious public health mistake.

To put a stop to these attacks on science, you must identify their source. I urge you to launch an investigation to identify anyone at HHS who has actively participated in efforts to undermine peer-reviewed research at NIH.

The rest of this letter explains my concerns in more detail.

The List

On October 2, 2003, the Senate HELP Committee and House Energy and Commerce Committee held a joint hearing on the future of NIH. At the hearing, several Republican members of Congress repeatedly asked NIH Director Elias Zerhouni about several peer-reviewed grants that they described as “provocative.” Around the time of the hearing, congressional Republicans gave NIH an extensive list of targeted researchers and projects. This “hit list” appears to be part of a calculated effort to subvert science and scientists at NIH to a right-wing ideological agenda.

Titled "HHS Grant Projects," the list appears to be a printout of a computer spreadsheet with 399 rows. The first column is entitled "research director," then "institution," project title, grant number, project duration, title, and funding agency. More than 250 grants from more than 150 senior investigators are on the list. Some investigators are listed without any grants but with the statement "nothing found on HHS search." A few grants are listed as not having been funded. A number of the investigators and grants are italicized.

The subject areas of the grants generally cover HIV/AIDS, human sexuality, and risk-taking behaviors. These include grants to educate college students about sexually transmitted diseases, study female condoms, understand the natural history of cancer in men with HIV, help prevent suicide in gays and lesbians, identify risk factors for sexually transmitted diseases, decrease HIV-related stigma, and fight HIV transmission among rural drug users. Collectively, this research aims to promote scientific understanding that could save millions of lives around the world. Institutions sponsoring the grants are among the most distinguished in the country, including Baylor College, Emory University, Harvard University, Johns Hopkins University, the University of Wyoming, the University of Miami, Pennsylvania State University, the University of Kentucky, and the University of Washington.

Interspersed among the grants and researchers are added comments that apparently illustrate what those who put the list together find objectionable. For example, one Johns Hopkins University grant is titled simply "China-Cohort Development." Appended to this entry is the comment "HIV among Chinese 'injecting drug users and their sex partners.'"

Another comment exposes the calculation behind the list. One investigator is listed simply with the note: "has a couple of general health grants, but nothing related to the scope of our search" (emphasis added).

The NIH Response

When the list was passed to NIH from Republicans in Congress several weeks ago, it was not accompanied by any official request for review. As far as I am aware, there are no anticipated hearings, no planned audits, and nothing in writing about what the members intend to do with the list. Nonetheless, NIH considers the threat to grants on the list sufficiently serious that it has begun to use the list as the basis for a review of research. As part of this review, NIH officials are contacting investigators on the list.

According to NIH officials, the goal of this outreach is simply to obtain more information about the public health benefits of the research, so that the agency is in a better position to defend the grants from attack. Nonetheless, this action, however well-intentioned, is sending a dangerous message.

Soon after the calls began, I started to receive complaints from scientists. These complaints were sent to me through www.politicsandscience.org, a website maintained by the minority staff of the Committee on Government Reform. The scientists indicated their fear that the research could be de-funded. Other researchers called my office and asked whether they should expect to be subpoenaed at any moment.

All expressed concern about the implications for scientific integrity at NIH. One researcher wrote:

We are seriously concerned that extra-scientific criteria are being introduced into the NIH grant making process that until now has been based solely on the scientific merit and public health importance of proposed research.

This atmosphere of intimidation is unacceptable. These researchers, who are tackling serious and intractable health problems, have done nothing wrong. If NIH officials wanted simply to gather more information about the grants to be able to defend them, they could have simply reviewed the extensive details in the grant applications already on file at the agency. Contacting and alarming the researchers sets a terrible precedent.

If past is any prelude, no amount of detail about grants involving sexuality or condom use will satisfy those who are ideologically opposed to such research. The next step after information gathering is more information gathering, followed by audits and then more audits. This is the pattern that HHS has already established, for example, for CDC grantees that provide comprehensive sex education programs.¹ NIH should not start down this same path for hundreds of peer-reviewed grants.

Evidence of HHS Involvement

Even though the list came to NIH from Congress, it is very unlikely that such a list originated in Congress. In fact, there are strong clues that this was an inside job. Officials within HHS itself appear to have been directly involved in the creation of this list.

First, some of the information on the list is not publicly accessible. Most of the grants are listed with their amount of funding, data not available on the public NIH database of grants. However, such data are easily available on internal computer systems at HHS. Other entries on the list refer to grants that were not funded. Information on such grants is also not publicly accessible.

¹Letter from Rep. Henry A. Waxman to HHS Secretary Tommy G. Thompson (Aug. 14, 2003).

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Second, a number of researchers are listed without any corresponding grants but with the notation "nothing found on HHS search." It is apparent that someone created a list of researchers of concern and then conducted a search specifically for their projects. The most obvious meaning of "HHS search" in this context is a search actually conducted at HHS.

Third, the list is titled "HHS Grant Projects." Since all the listed grants are at NIH, it appears that the HHS may refer to the origin of the list, not the origin of the grants.

It would be appalling for the Department to be directly involved in the creation of a "hit list" of scientists and peer-reviewed research. Such involvement would send a clear message to scientists around the country that the Bush Administration is prepared to attack leading researchers and sacrifice scientific integrity at NIH to further a narrow right-wing ideological agenda.

Conclusion

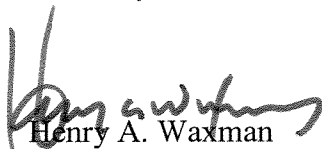
Over the last several months, I have been critical of a pattern of actions in the Bush Administration that interfere with science and scientists in order to further a political or ideological agenda. This pattern, which is detailed at www.politicsandscience.org, crosses more than 20 issue areas and has led to widespread condemnation in the scientific community. Just last week, I joined with several other members of Congress to call attention to the disturbing impact of privatization on NIH's scientific mission. I also posted a commentary from an anonymous senior scientist at NIH on the web site that details political interference with the agency's mission. This scientist was inspired to write because "a number of factors have threatened the mission of the Institutes and the morale of the staff."

The "hit list" of scientists and research grants indicates that this dangerous pattern continues. I urge you to rectify this situation immediately.

With leading investigators at top institutions concerned about the future of public health research, it is essential that you speak out on their behalf. I urge you to affirm your support of the NIH peer review process and the research it funds. I also request that you investigate fully any past or ongoing HHS involvement in these attacks on science.

I request a response to this letter by November 7, 2003

Sincerely,



Henry A. Waxman
Ranking Member