

FOI Lawsuits on Origins of COVID-19, Gain-of-function Research and Biolabs

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U.S. Right to Know, a nonprofit investigative public health group, has filed numerous lawsuits against federal agencies for violating provisions of the Freedom of Information Act (FOIA). The lawsuits are part of our efforts to uncover what is known about the origins of novel coronavirus SARS-CoV-2, leaks or mishaps at biosafety labs, and the risks of gain-of-function research that seeks to augment the infectivity or lethality of potential pandemic pathogens.

We have filed more than 90 state, federal, and international public records requests seeking information about the origins of SARS-CoV-2, and the risks of biosafety labs and gain-of-function research.

Read more about [our findings so far](#), [why we are conducting this investigation](#), [recommended readings](#) and [documents we have obtained](#).

FOI lawsuits filed

(1) U.S. Department of State. On April 25, 2022, USRTK [filed a lawsuit](#) against the U.S. Department of State for violating provisions of FOIA. The lawsuit, filed in U.S. District Court for the District of Columbia, seeks documents and correspondence of State employees, including C.S. Eliot Kang, Ann Ganzer, David Feith, Bruce Turner, Robert Wood and Laura Gross, related to a State Dept. investigation of the origins of Covid-19, EcoHealth Alliance, gain-of-function research, dual use research of concern, the Global Virome Project, and other matters. Case 1:22-cv-01130-JMC.

(2) University of North Carolina at Chapel Hill. On April 18, 2022, USRTK [filed a lawsuit](#) against the University of North Carolina at Chapel Hill for violating the provisions of the North Carolina Public Records Act. The lawsuit, filed in North Carolina District Court in Orange County, seeks records for seven public records requests to the University of North Carolina, including: (1) emails between Prof. Ralph Baric, former Prof. Lishan Su or Ms. Toni

Baric with the Wuhan Institute of Virology or the Wuhan Center for Disease Control and Prevention or the EcoHealth Alliance, or others; (2) emails to or from Prof. Ralph Baric containing any of the search terms “DEFUSE” or “DARPA” or “DTRA”. Case 22CV463.

(3) Defense Threat Reduction Agency. On January 14, 2022, USRTK [filed a lawsuit](#) against the DTRA for violating provisions of the FOIA. The lawsuit, filed in U.S. District Court for the Northern District of California, seeks: (1) finished intelligence, documents and reports about accidents, containment failures or deliberate release of biological agents from facilities in 21 countries around the world; (2) assessments of risks, hazards and efficacy of BSL-2, BSL-3 and BSL-4 containment schemes (including flaws, failings or weaknesses) in those same 21 countries; and, (3) grant proposals and other documents from the EcoHealth Alliance and Metabiota. Case 3:22-cv-00299-JCS.

(4) National Institutes of Health. On November 8, 2021, USRTK filed a lawsuit against the NIH for violating provisions of the FOIA. The [lawsuit \(amended complaint](#) filed 2/10/22), filed in U.S. District Court in Washington, DC, seeks records for nine FOIA requests to NIH regarding the origins of SARS-CoV-2, and communications between the NIH and EcoHealth Alliance or the Wuhan Institute of Virology. The records requests also included EcoHealth Alliance grant applications, scientific reviews, funding agreements, and correspondence with Dr. Erik Stemmy, NIAID (NIH) project officer, as well as documents regarding NIH’s Rocky Mountain Laboratories (RML), the DARPA-funded Preventing Emerging Pathogenic Threats (PREEMPT) Program, and communication between the NIH and the World Health Organization (WHO) concerning the origins of COVID-19. This is our [second](#) FOIA lawsuit against NIH related to the origins of COVID-19. Case 1:21-cv-02936-TSC.

(5) U.S. Agency for International Development (USAID): On October 14, 2021, USRTK [filed a lawsuit](#) against USAID for violating provisions of the FOIA. The lawsuit, filed in U.S. District Court for the Northern District of California, seeks records related to USAID funding and oversight of EcoHealth Alliance (EHA), which was a lead consortium partner in USAID-funded projects in the Emerging Pandemic Threats (EPT) program. Initiated in 2009, USAID’s EPT PREDICT programs funded collaborations between EHA and researchers at University of California, Davis; Wuhan Institute of Virology; Metabiota, Inc.; and others, to study the pandemic potential of infectious diseases including bat-associated coronaviruses. Case 3:21-cv-08058-SK.

(6) U.S. Department of Health and Human Services (HHS): On October 14, 2021, USRTK [filed a lawsuit](#) against HHS for violating provisions of the FOIA. The lawsuit, filed in U.S. District Court for the Northern District of California, seeks correspondence between senior HHS employees, including Robert Kadlec, assistant secretary for preparedness and response, with the World Health Organization’s director general’s office, and others, related to the SARS-CoV-2 pandemic. Case 3:21-cv-08056-TSH.

(7) **University of Maryland:** On October 6, 2021, USRTK [filed a lawsuit](#) against the University of Maryland for violating provisions of the Maryland Public Information Act. The lawsuit, filed in Maryland Circuit Court for Prince George’s County, seeks correspondence and documents of Professor Rita R. Colwell, Distinguished University Professor at the University of Maryland at College Park, relevant to the origins of the ongoing COVID-19 pandemic. Colwell serves on the board of directors of the EcoHealth Alliance, which funded and conducted research with bat coronaviruses closely related to SARS-CoV-2 in collaboration with the Wuhan Institute of Virology and others. On June 10, 2022, Maryland

Judge John P. Davey [denied the University of Maryland's motion](#) for partial summary judgment. Case CAL21-11730.

(8) U.S. Food and Drug Administration: On Feb. 4, 2021, USRTK [filed a lawsuit](#) against the U.S. Food and Drug Administration (FDA) for violating provisions of FOIA. The lawsuit, filed in U.S. District Court for the Northern District of California, seeks documents and correspondence with or about China's Wuhan Institute of Virology, the Wuhan Center for Disease Control and Prevention, and the EcoHealth Alliance, which partnered with and funded the Wuhan Institute of Virology, among other subjects. Case 21-cv-00884-KAW.

(9) U.S. Department of Education: On Dec. 17, 2020 USRTK [filed a lawsuit](#) against the U.S. Department of Education for violating provisions of FOIA. The lawsuit, filed in U.S. District Court for the Northern District of California, seeks documents that the Education Department requested from the University of Texas' Medical Branch at Galveston about its funding agreements and scientific and/or research cooperation with China's Wuhan Institute of Virology. Case 3:20-cv-09117-DMR.

(10) U.S. Department of State: On Nov. 30, 2020 USRTK [filed a lawsuit](#) against the U.S. Department of State for violating provisions of FOIA. The lawsuit, filed in U.S. District Court for the Northern District of California, seeks documents and correspondence with or about China's Wuhan Institute of Virology, the Wuhan Center for Disease Control and Prevention, and the EcoHealth Alliance, which partnered with and funded the Wuhan Institute of Virology, among other subjects. See [news release](#). Case 3:20-cv-08415-JCS.

(11) National Institutes of Health: On Nov. 5, 2020 USRTK filed a lawsuit against National Institutes of Health (NIH) for violating provisions of FOIA. The lawsuit, filed in U.S. District Court in Washington, D.C., seeks correspondence with or about organizations such as the Wuhan Institute of Virology and the Wuhan Center for Disease Control and Prevention, as well as the EcoHealth Alliance, which partnered with and funded the Wuhan Institute of Virology. See [news release](#). Case 1:20-cv-03196-CKK.

U.S. Right to Know is an investigative research group focused on promoting transparency for public health. For more information about FOI lawsuits we have filed to vindicate the public's right to know, see our [FOIA litigation page](#).

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