

JOHN D. DINGELL, MICHIGAN, CHAIRMAN

DEARY BIKORSKI, MINNESOTA
JOHN BRYANT, TEXAS
DOUG WALDREN, PENNSYLVANIA
CARDISS COLLINS, ILLINOIS
RON WYDEN, OREGON
DENNIS E. ECKART, OHIO
RICK BOUCHER, VIRGINIATHOMAS J. BLLEY, JR., VIRGINIA
NORMAN F. LEHT, NEW YORK
MICHAEL G. OXLEY, OHIO
MICHAEL BRURAKIS, FLORIDA
ALEX McHILLAN, NORTH CAROLINAMICHAEL F. BARRETT, JR.
CHIEF COUNSEL/STAFF DIRECTOR

U.S. House of Representatives
Subcommittee on Oversight and Investigations
of the
Committee on Energy and Commerce
Washington, DC 20515

January 23, 1990

Dr. William Raub
Acting Director
National Institutes of Health
Building 1, Room 126
Bethesda, Maryland 20892

Dear Dr. Raub:

On December 5, 1989, I wrote asking about certain revelations recently reported in the November 19 issue of the Chicago Tribune about Dr. Robert Gallo of the National Cancer Institute. The article reports on a number of significant discrepancies between Dr. Gallo's published articles on AIDS and the data in his laboratory records. The article alleges that the commercial test for AIDS originally patented in the United States from which Dr. Gallo and his assistants apparently profit personally was made with what appears to be the HIV isolate previously obtained in France. The article reports on evidence strongly suggesting that Dr. Gallo went to considerable lengths to keep secret the fact that he had grown the French AIDS virus in his own laboratory. Finally, facts reported in the article suggest that he subsequently engaged in a persistent attempt to convince the scientific community that he himself had isolated the AIDS virus in advance of the French, when his actual laboratory records allegedly show that this was not the case.

This article raises a number of disturbing questions suggesting the possibility that there may have been scientific misconduct. I wrote to you on December 5, 1989, asking a number of specific questions. Your reply of December 22, 1989, fails to answer many of the questions that I asked and provides nebulous responses to others. I repeat below for your convenience the questions I asked on December 5, and detail the information that has not yet been received.

1. "Has NIH been aware of the evidence published in this recent account in the Chicago Tribune?" Your letter does not answer this question directly. Please state specifically which information NIH was already aware of, and what information, if any, NIH was not aware of.

2. "Has NIH investigated any of these allegations? If so, please specify which allegations were investigated, the findings of those investigations, the factual basis for the findings, and copies of any reports." This question was not answered. Please provide a specific reply, listing any investigations, what was investigated, what the findings were, and what the factual bases were for these findings. If there have not been any investigations by the NIH prior to the recent National Cancer Institute "preliminary analysis" described in your letter, please state explicitly that this is the case.
3. "What allegations and concerns raised in the article, if any, have not been investigated?" Your letter does not answer this question. Please provide a specific reply.
4. "If they have not been investigated, does NIH plan to conduct an investigation of these allegations?" I understand from your letter that NCI is conducting an investigation of some of the issues raised in the Tribune article. Please specify what allegations are being examined.
5. "If so, what office and persons at NIH will be involved in performing the inquiry, and what procedures will be used?" Your letter simply leaves one to guess at the answer to this question. Please answer the question.
6. "When will the inquiry start and what is the estimated time for completion?" I gather from your letter that a preliminary inquiry is already under way. Please indicate the estimated time for completion of this preliminary inquiry.

Your letter states that the "preliminary analysis" by the NCI indicates that the Tribune article is in "many places ... inaccurate, incomplete, or otherwise seriously misleading." Please indicate specifically the inaccurate or misleading pieces of information in the article, and provide supporting evidence.

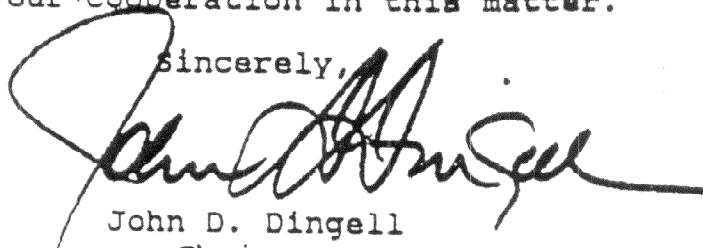
Your letter states the article provides no "new information." While I was not aware that many of the allegations and evidence in the Tribune article had been previously reported, I am less interested in whether the information is new, and much more interested in whether the information is true.

Dr. William Raub
January 23, 1990
Page 3

Please provide the requested information by Friday, February 9, 1990. If you have any questions regarding this matter, please contact Messrs. Peter Stockton or Bruce Chafin of the Subcommittee staff at 225-4441.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Dingell". The signature is written in black ink and is positioned above the typed name and title.

John D. Dingell
Chairman
Subcommittee on
Oversight and Investigations