

**Congress of the United States**  
**Washington, DC 20515**

July 6, 2006

Mr. Mike Leavitt  
Secretary  
Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201-0004

Dear Secretary Leavitt:

As the looming threat of a pandemic flu continues, the need to take cost effective and time-saving steps to boost our capacity and response speed is vital. The free flow of information, in particular, can accelerate research, and the development of vaccines, saving lives. In the case of Avian Flu, the very properties we fear the most – the ease with which the virus is transmitted and its ability to kill its host – are encoded in the virus' genome. Yet the genetic sequences are currently only immediately available to a select group of researchers,<sup>1</sup> a practice which is hampering and delaying our ability to respond to the threat of the pandemic influenza. We will need as many scientific eyes as possible examining the problem.

Though an adequate response to a future pandemic will require the cooperation of all involved countries, the US should show leadership commensurate with its expertise and wealth. We therefore applaud your request of the World Health Assembly, the decision making body of the World Health Organization, that they "pledge with me to abide by four principles of pandemic preparedness: Transparency, rapid reporting, data sharing, and scientific cooperation."

We ask that you set these principles into motion by requiring data from HHS-funded research on avian influenza and genetic sequences, in particular, to be promptly deposited in a publicly accessible repository such as GenBank, the sequence database of the National Institutes of Health. Researchers for the Human Genome Project published their sequences in a public database within 24 hours. Calls for the immediate deposition of sequence data have come from some of the most renowned scientists in the world in the field of avian influenza.<sup>2</sup>

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<sup>1</sup> [Dreams of Flu Data](#), Nature, March 16, 2006 (See also Nature articles on May 26, 2006 and May 12, 2005); [Secret Avian Flu Archive](#), NY Times, March 16, 2006; [Labs Shouldn't Hoard Flu Data: Researcher](#), Toronto Star, March 12, 2006; [Scientists Rebels Against WHO Over Bird Flu](#), Wall Street Journal, March 16, 2006; [Bird Flu Fears Ignite Debate on Scientists' Sharing of Data](#), Washington Post, May 25, 2006.

<sup>2</sup> [Michael Osterholm](#), director of the Center for Infectious Disease Research and Policy at the University of Minnesota; [Steven Salzberg](#), Director of the Center for Bioinformatics and Computation Biology at the University of Maryland; [Dr. Ilaria Capua](#), Director of the Veterinary Institute which serves as Italy's reference center on bird flu, as well as Italy's reference center of the World Organization for Animal Health, and one of Europe's best-known experts on the bird flu virus; [Dr. David Lipman](#), Director of the National Center for Biotechnology Information at the NIH.

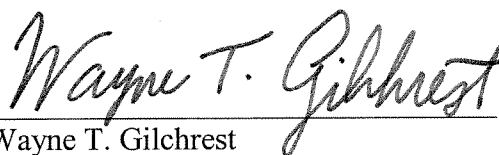
Some scientists and countries are reluctant to release their genetic and clinical data for fear of loss of scientific credit or that the information will be used to create a technology, such as a vaccine, that will then be priced out of their reach. In particular, certain countries are refusing to release their sequences. Unfortunately, those countries are reported to include several current or past hot spots for H5N1. These concerns can be satisfied. There are already public databases holding tens of thousands of genetic sequences that have intellectual property protections in place to prevent just such problems. While many countries may have policies in place to prevent the open sharing of such information, stressing the importance of rapid response worldwide is vital.

In the event of a pandemic, the public will need to be able to trust that their government and scientists are acting with the transparency, speed and cooperation you requested. The United States can take this opportunity to take on a critical leadership role.

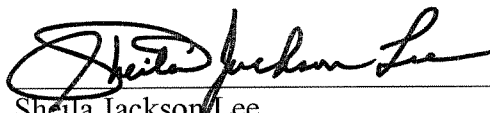
Sincerely,



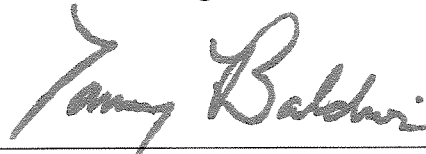
Dennis J. Kucinich  
Member of Congress



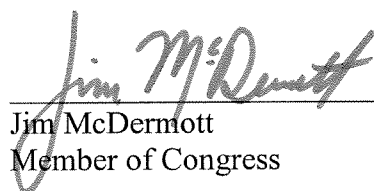
Wayne T. Gilchrest  
Member of Congress



Sheila Jackson Lee  
Member of Congress



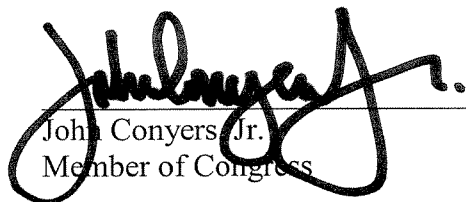
Tammy Baldwin  
Member of Congress



Jim McDermott  
Member of Congress



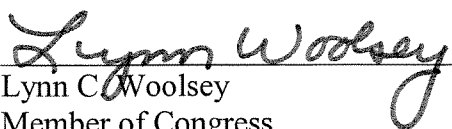
Diana DeGette  
Member of Congress



John Conyers, Jr.  
Member of Congress



Ellen O. Tauscher  
Member of Congress



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Lynn C. Woolsey  
Member of Congress



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Dale E. Kildee  
Member of Congress



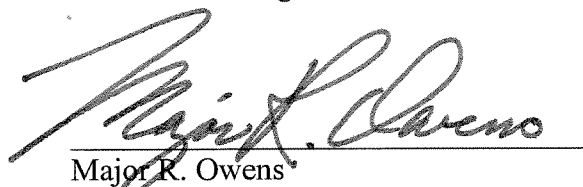
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John W. Olver  
Member of Congress



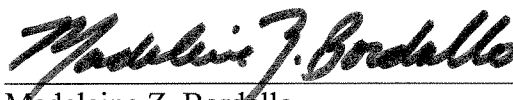
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William J. Jefferson  
Member of Congress



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Major R. Owens  
Member of Congress



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Madeleine Z. Bordallo  
Member of Congress



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Barbara Lee  
Member of Congress



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Bernie Sanders  
Member of Congress