



'Why Hide the Information'? Lawsuit Seeks Documents Related to Fauci's Wife

Description

USA: A [lawsuit](#) filed in federal court accuses the U.S. government of stonewalling because officials won't release documents pertaining to the employment and potential conflicts of interest involving Christine Grady, Ph.D., chief of the National Institutes of Health (NIH) Department of Bioethics — and wife of White House Chief Medical Adviser Dr. Anthony Fauci.

American Transparency, a nonprofit operating as OpenTheBooks.com, filed the complaint July 12 in the U.S. District Court for the District of Columbia against the U.S. Department of Health and Human Services (HHS).

The HHS is the parent agency of the NIH, which in turn is home to the National Institute of Allergy and Infectious Diseases (NIAID), headed by Fauci.

The lawsuit describes OpenTheBooks as “the largest private repository of United States public-sector spending.” [Judicial Watch](#), a legal watchdog group, is assisting with the suit via its legal counsel, Paul J. Orfanedes.

According to the lawsuit, OpenTheBooks on April 8 filed a Freedom of Information Act (FOIA) request with the NIH, seeking the following records:

- All employment contracts, modifications and addendums regarding Grady since she was hired as chief of the Department of Bioethics.
- Any confidentiality agreements/documents, conflict-of-interest waivers or documents, ethics disclosures and financial and/or economic interest disclosure documents.
- Grady's current job description.

The NIH on April 28 acknowledged the FOIA request but has not since communicated with the nonprofit.

The lawsuit states:

“As of the date of this Complaint, Defendant has failed to: (i) determine whether to comply with the

requests; (ii) notify Plaintiff of any such determination or the reasons therefor; (iii) advise Plaintiff of the right to appeal any adverse determination; or (iv) produce the requested records or otherwise demonstrate that the requested records are exempt from production.”

The lawsuit claims the NIH legally was required to produce a final determination on the FOIA request by May 26 — 30 days after the initial filing — but failed to do so.

Adam Andrzejewski, CEO and founder of OpenTheBooks, told The Defender that “while NIH could claim ‘administrative exhaustion,’ they failed to do so on the timeline laid out by law.”

OpenTheBooks is asking the court to order the NIH to “conduct a search for any and all records responsive to plaintiff’s FOIA requests and demonstrate that it employed search methods reasonably likely to lead to the discovery of [these records].”

The plaintiff also is asking the court to “enjoin [the] Defendant from continuing to withhold any and all non-exempt records,” as well as the awarding of attorneys’ fees and other relief.

“Some of the information we seek is quite basic,” Andrzejewski said, including Grady’s actual job description and employment terms.

“It’s all material to our investigation because Grady is the top ethics officer at NIH. It is astonishing that highly compensated bureaucrats, especially ones dealing in the public health space, go about their jobs without a simple way for the public to understand what it is they do.”

Tom Fitton, president of Judicial Watch, [said](#) in a statement:

“We have good reason to believe that these financial disclosure records will give Americans a more complete picture of the conflicts of interest that have compromised NIH — and Dr. Fauci.

“That our client had to file a federal lawsuit to gain access to this basic information speaks volumes.”

This isn’t the first time Andrzejewski’s organization has had to fight to obtain similar information about Fauci.

“OpenTheBooks had to ask for much the same information regarding Dr. Fauci, previously, despite his being perhaps one of the most powerful federal employees in history,” Andrzejewski said.

“Much of our oversight ... is focused around conflicts of interest by scientists employed with our tax dollars. Does the leading bioethicist have any ethical concerns the public should know about?”

Andrzejewski described some of his organization’s previous efforts:

“In January 2021, we broke the findings that Fauci was the top-paid federal employee out earning everyone, including the president.

“You may remember Senator Robert Marshall questioning Fauci in a January 2022 hearing, with Fauci insisting all his compensation and financial disclosures were readily available to the public.

“Marshall cited our investigation (published in Forbes at the time), and it led to the ‘hot mic’ moment of

Fauci muttering ‘what a moron.’”

Remarking on his organization’s collaboration with Judicial Watch, Andrzejewski said:

“Judicial Watch does incredible work litigating FOIA cases on our behalf, and [the organization’s] president, Tom Fitton, said it well: ‘We have good reason to believe that these financial disclosure records will give Americans a more complete picture of the conflicts of interest that have compromised NIH and Dr. Fauci.’”

In an email blast to subscribers, OpenTheBooks wrote:

“The two Faucis live a conflict of interest: at breakfast, the office, and again at the dinner table.

“The top bioethicist surely must be ethical, right? So why hide the information?

“But again NIH is stonewalling, and again we’re suing to open the books on behalf of you, the taxpayer.”

Andrzejewski told The Defender such stonewalling, far from being an extraordinary case, appears to be the norm for the NIH.

“We believe the NIH is using expensive taxpayer-funded litigation to keep taxpayers in the dark,” he said.

“For example, we’ve learned the NIH is past due on 633 FOIA requests. That’s evidence that they are understaffed on their freedom of information desk.

On the other hand, Andrzejewski said, the NIH employs 86 public relations officers.

“So they fully staff their PR team,” he said. Those numbers “provide some perspective” on the agency’s priorities.

Fauci says it’s ‘likely’ he’ll be investigated

Soon after OpenTheBooks filed its latest lawsuit, Fauci told the media Republican lawmakers will likely investigate him, should the GOP take control of Congress in this year’s midterm elections.

Fauci has already come under fire by Republican lawmakers, who last month questioned him over funding provided by his agency to third-party groups conducting research in China.

Lawmakers asked Fauci about at least \$8 million in funding for research in China since 2020, and also asked him if, as NIAID director, he would halt such funding.

Fauci said that isn’t possible, and praised his agency’s research projects with “Chinese colleagues” that “have led to some major advances in biomedical research.”

On Tuesday, Fauci said he will likely step down from his position as director of the NIAID in the next few years, but has no plans to retire.

In a recent interview with Politico, referring to a potential investigation on the part of Republican

lawmakers, he said:

“They’re going to try and come after me, anyway. I mean, probably less so if I’m not in the job.

“I don’t make that a consideration in my career decision.”

In the same interview, Fauci said if called to testify, he would emphasize the importance of vaccines and boosters, even as he claimed that “we’re going to be living with this,” referring to COVID-19, for some time to come.

Fauci said it is “difficult,” but not impossible, to develop updated COVID-19 vaccines due to the rapid emergence of variants, but that a regular vaccination schedule, akin to the flu vaccine, may emerge within the next six months to two years.

He did not clarify whether, like the flu vaccine, any future COVID-19 vaccines would also be entirely voluntary, without coercive measures such as vaccine passports, mandates and restrictions on travel and movement.

In separate remarks made recently, Fauci admitted “vaccines — because of the high degree of this virus — don’t protect overly well, as it were, against infection.”

He claimed, however, “they protect quite well against severe disease leading to hospitalization and death.”

Robert F. Kennedy, Jr., Children’s Health Defense chairman and chief legal counsel, speaking recently to The Epoch Times, said it is “astonishing” that mainstream media is not holding Fauci accountable for his remarks.

Kennedy said:

“It’s astonishing that mainstream media allows [Fauci] to blindly make that statement without any effort to hold him accountable for the costly national policies and the lockdowns that were utterly built upon his initial assertion that the vaccines would prevent transmission and end the pandemic.”

“If they don’t prevent transmission, then how does he justify the mandates? Particularly for children?”

Latest lawsuit part of a broader investigative effort

Andrzejewski told The Defender the lawsuit calling for the release of documents pertaining to Grady is part of a broader look at Grady and Fauci, adding he believes Congress should investigate the matter.

Noting, for instance, that Grady’s ethics studies provided “ethical support” to Fauci’s pandemic countermeasure policies, Andrzejewski said:

“Christine Grady did the ethics studies to backstop and clear her husband’s pandemic policy prescriptions.

“She claimed she investigated ‘a million angles’ of COVID healthcare policy. Congress needs to hold hearings and we would love to be a part of it.”

Building on the line of questioning Fauci faced during Congressional hearings last month, Andrzejewski said:

“Congress needs to force open the books on the \$400 million in royalty payments to scientists during the last decade. We need to be able to follow the money and see all the details.”

“In June, led by U.S. Senator Rand Paul, five senators on the Senate Homeland Security Committee wrote a transparency demand letter to NIH based on our oversight work for a unredacted database of royalty payments. NIH refused to produce anything by the deadline.”

Andrzejewski said through his own organization’s “multiyear effort to pull back the curtain and follow the money regarding the inner workings at NIH,” they have discovered the agency and its scientists “... have a massive stream of third-party payments coming in from private companies like pharmaceuticals.”

These are royalty payments for medical and public health innovations made through NIH research and used in private enterprise, Andrzejewski said.

“We estimate that since 2010, \$350-400 million of such payments have flowed into NIH and to 2,000 individual scientists including leaders like Dr. Fauci and former NIH-director Francis Collins.”

These payments may be indicative of additional — and perhaps substantially more — conflicts of interest, Andrzejewski argued.

Andrzejewski said:

“Every one of these individual payments represents a potential conflict of interest when it comes to how NIH spends its research time and to what projects they offer grants and contracts.

“It’s a revolving door of over \$30 billion in annual grants and contracts going out to the medical community (with our tax dollars), and then scientists receiving royalty payments from undisclosed payers (up to \$400 million every ten years).”

This financial “revolving door” appears to be fostering a culture of secrecy at the NIH, said Andrzejewski, who pointed out that in the NIH grants, the agency:

“... continues [to] redact the name of the royalty payer (think pharmaceutical company), the invention (patent/license number), and the individual scientist’s payment amount.

“They are acting like they have a lot to hide.”

Moreover, the power and influence Fauci has amassed should itself be investigated, according to Andrzejewski:

“It would also be good to know more as to how Dr. Fauci ended up in a position where he’s paid more

than his boss, more than the HHS Secretary and even more than the President.

“This Fauci-Grady case study could also perhaps lead to reform when it comes to ethical and financial disclosure requirements across NIH.”

Andrzejewski said his organization’s efforts have succeeded in attracting some attention from members of Congress.

“During the review of next year’s HHS budget, Rep. John Moolenaar questioned NIH Acting Director Lawrence Tabak about our work around royalty payments,” Andrzejewski said.

“He got Tabak to concede there was the appearance of a conflict of interest and urged him to make the information available quickly.”

A group of five senators on the Homeland Security and Government Affairs Committee, led by Sen. Rand Paul, sent a letter to Tabak demanding answers, but “so far, NIH is ignoring them just like they’re ignoring OpenTheBooks,” he said.

While mainly Republican members of Congress have raised questions about Fauci, Andrzejewski said the issue isn’t partisan.

“It’s important to note that we have expressed a desire for further investigation, but we absolutely believe it ought to be a nonpartisan issue,” he said.

“If elected officials want to restore trust in agencies like NIH, both sides of the aisle should want transparency for the public.”

By Michael Nevradakis, Ph.D.

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Date Created

07/22/2022