



PRESS RELEASE

Former Senior NIAID Official Indicted for Concealing Federal Records During COVID-19 Pandemic

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For Immediate Release

U.S. Attorney's Office, District of Maryland

Greenbelt, Maryland – A former National Institute of Allergy and Infectious Diseases (NIAID) employee is facing indictment for his role in a scheme to evade Freedom of Information Act (FOIA) requests in connection with COVID-19 research grants.

David M. Morens, 78, of Chester, Maryland, is charged with conspiracy against the United States; destruction, alteration, or falsification of records in federal investigations; concealment, removal, or mutilation of records; and aiding and abetting. Morens served as a senior advisor in NIAID's Office of the Director from 2006 through 2022.

Kelly O. Hayes, U.S. Attorney for the District of Maryland, announced the indictment with Acting Attorney General Todd Blanche; FBI Director Kash Patel; Special Agent in Charge Jimmy Paul, FBI Baltimore Field Office; and Inspector General T. March Bell, U.S. Department of Health and Human Services Office of Inspector General (HHS-OIG).

"These allegations represent a profound abuse of trust at a time when the American people needed it most — during the height of a global pandemic," Blanche said. "As alleged in the indictment, Dr. Morens and his co-conspirators deliberately concealed information and falsified records in an effort to suppress alternative theories regarding the origins of COVID-19. Government officials have a solemn duty to provide honest, well-grounded facts and advice in service of the public interest — not to advance their own personal or ideological agendas."

"Circumventing records protocols with the intention of avoiding transparency is something that will not be tolerated by this FBI," Patel said. "Not only did Morens allegedly engage in the illegal obfuscation of his communications, but he received kickbacks for doing so. If you have engaged in activity conspiring against the United States, we will not stop until you face justice."

"When public officials deliberately circumvent the law to hide their communications from the public, they undermine the public's trust and the integrity of our institutions. This was especially true during the COVID-19 pandemic when transparency was needed most," Hayes said. "Our office will continue to hold accountable those who seek to evade their legal obligations for their own gain."

"As a public official, Morens was held to a higher standard and expected to dutifully follow the law," Paul said. "Morens allegedly violated the law by circumventing the required processes for retaining official documents."

"Public officials who disregard their legal obligations undermine the transparency that keeps our federal programs strong. The deliberate mishandling and concealment of records in a federal investigation is not just a breach of duty, it is a betrayal of public trust," Bell said. "HHS-OIG remains committed to working with our law enforcement partners to ensure that anyone who seeks to evade the law is held fully accountable."

As a senior advisor, Morens counseled Senior NIAID Official 1 and other senior-level NIAID staff on senior-level policies, developed recommendations and solutions for issues impacting the National Institutes of Health (NIH), and wrote and edited manuscripts. Morens also provided guidance and expertise to senior staff members on epidemiological studies and issues related to infectious disease planning and management.

Additionally, Morens gathered information from grantees and others in the scientific community to establish facts about the nature of COVID-19. This enabled Morens to understand NIH and NIAID's historical activities in coronavirus research, assist in formulating policy and procedures, and brief Senior NIAID Official 1 so he could then relay information to the President of the United States, Congress, and the public.

According to the indictment, Morens, Co-Conspirator 1, Co-Conspirator 2, and others conspired during the COVID-19 pandemic to defraud and commit several offenses against the United States after NIH terminated Co-Conspirator 1's grant. NIH terminated the grant, *Understanding the Risk of Bat Coronavirus Emergence*, based on allegations that COVID-19 emerged from the Wuhan Institute of Virology (WIV) in Wuhan, China. NIAID awarded the grant to Company #1 and Co-Conspirator 1, who made a subaward to the WIV.

Following the termination, Morens and Co-Conspirator 2 pledged to help Co-Conspirator 1 restore the termination of the bat coronavirus grant and counter the narrative that COVID-19 leaked from a lab. In anticipation that their communications would be requested through a FOIA Request, Morens, Co-Conspirator 1, and Co-Conspirator 2 agreed in writing to intentionally hide their communications, from public view, by corresponding using Morens's personal Gmail account, rather than his official NIH email account.

The indictment alleges that the conspirators used Morens's personal Gmail account to exchange non-public NIH information; correspond about their efforts to influence NIH to fund Company #1; exchange edits to drafts of letters addressed to NIH leadership for Company #1 and Co-Conspirator 1; and "back-channel" information to Senior NIAID Official 1. According to the indictment, each of these matters fell within Morens's role as senior advisor and constituted federal records that needed to be created, maintained, and exchanged on government systems.

Additionally, the indictment further alleges that Morens and Co-Conspirator 1 conspired to pay illegal gratuities. The indictment states that Co-Conspirator 1 gifted Morens wine for his "behind-the-scenes shenanigans," and arranged for its delivery to Morens's residence in Maryland. Morens then allegedly identified an official act that he could perform to "deserve" the gift, which was a scientific commentary in a prominent medical journal advocating that COVID-19 had natural origins. The indictment further alleges that Co-Conspirator 1 suggested he would provide Morens with additional things of value, including meals at Michelin-starred restaurants in Paris, New York, and Washington, D.C.

An indictment is not a finding of guilt. Individuals charged by indictment are presumed innocent until proven guilty at a later criminal proceeding.

If convicted, Morens faces up to five years in prison for conspiracy against the United States, 20 years for each count of destruction, alteration, or falsification of records in federal investigations, and three years for each count of concealment, removal, or mutilation of records. Actual sentences for federal crimes are typically less than the maximum penalties. A federal district judge determines sentencing after considering the U.S. Sentencing Guidelines and other statutory factors.

U.S. Attorney Hayes commended the FBI and HHS-OIG for their work in the investigation. Ms. Hayes also thanked Assistant U.S. Attorneys Joseph R. Baldwin and Bijon A. Mostoufi who are prosecuting the federal case.

For more information about the Maryland U.S. Attorney's Office, its priorities, and resources available to report fraud, visit justice.gov/usao-md and justice.gov/usao-md/report-fraud.

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