

Lawmakers Say DOD To Divert NIH Funds For Defense Budget

By **Madeline Lyskawa**

Law360 (September 4, 2026, 5:19 PM EDT) -- The U.S. Department of Defense is looking to "siphon" billions of dollars from the National Institutes of Health intended for biomedical research to supplement the agency's budget, according to top Democrats on the House and Senate Appropriations Committees.

Rep. Rosa DeLauro, D-Conn., and Sen. Patty Murray, D-Wash., both issued statements Thursday condemning a newly inked interagency agreement between the DOD and NIH, which they said was reached without notifying Congress, and which could give the DOD access to funding meant to support research to develop treatments for infectious diseases like malaria, tuberculosis, HIV and Ebola.

"This secretive attempt to siphon research funds away from NIH is outrageous. The interagency agreement needs to be terminated immediately," DeLauro said. "These funds were provided for lifesaving medical research, not as extra money for the Department of Defense."

DeLauro added, "It is no secret that the Department of Defense is facing enormous financial pressure because of President [Donald] Trump's war of choice with Iran. But the Trump administration cannot make American patients, families, and scientists pay the price."

Murray said in her statement that the agreement must be terminated immediately, urging Republicans in Congress to join them in using their power to make sure that happens.

"We cannot allow this administration to shred patients' hopes of new, lifesaving cures and treatments so that President Trump and Secretary [of Defense Pete] Hegseth can secretly fund their own priorities in defiance of Congress," Murray said.

In a statement to Law360 on Friday, a spokesperson for NIH referred to the interagency agreement as a "research partnership" between the DOD and NIH, which he said will only take place on a project-by-project basis and will allow the agencies to "collaborate on research projects to benefit both the public and members of the military." No projects have been identified for fiscal year 2026, the spokesperson said.

"There are many emerging health problems — such as biological, radiological or chemical challenges — that affect both civilian and military populations. It makes sense for NIH and [the Department of War] to share expertise and partner on research in these areas," the NIH spokesperson said, denying that there will be a "blanket transfer of funds" between the agencies.

But DeLauro said Thursday that the DOD already has programs that are funded by Congress "to research and develop medical countermeasures to chemical, biological, and nuclear threats, and does not need NIH funding to do so."

"The administration must provide Congress with a full accounting of how this interagency agreement was developed and exactly how much taxpayer money it is trying to transfer to DOD," DeLauro said.

A DOD spokesperson shared a copy of the agreement with Law360 on Friday, saying the deal "formalizes a productive collaboration between DOW and HHS and NIH, which Congress has long urged successive administrations to do to address systemic vulnerabilities."

"The assertion by any official that the agreement was made in secret, or for any other purpose, is false. Additionally, the transparent agreement does not constitute any blanket transfer of funds," the spokesperson said.

--Editing by Daniel King.

Update: This story has been updated to include a response from a DOD spokesperson.