

**From:** [Peter Daszak](#)  
**To:** [Fenton, Matthew \(NIH/NIAID\) \[E\]](#); [Erbelding, Emily \(NIH/NIAID\) \[E\]](#); [Cassetti, Cristina \(NIH/NIAID\) \[E\]](#); [Linde, Emily \(NIH/NIAID\) \[E\]](#); [Post, Diane \(NIH/NIAID\) \[E\]](#); [Stemmy, Erik \(NIH/NIAID\) \[E\]](#)  
**Cc:** [Aleksi Chmura](#)  
**Subject:** Confidential RE: Regarding 2R01AI110964-06  
**Date:** Thursday, April 29, 2021 1:48:22 PM  
**Attachments:** [Response to letter of 4.13.21.pdf](#)  
[To Daszak 4 13 21.pdf](#)

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Just to keep you all aware. Michael Lauer got back to us within a few hours with a further request re. detailed information on how we monitored WIV compliance in the first 5 years of our funding ("To Daszak.." letter attached). I believe he's fishing for material to support his earlier insinuation that EHA has done a poor job of monitoring biosafety, and that this was in breach of some Federal CFR codes. We did not, and we were not – we complied with all CFR's in the way we managed our award, and are audited annually on these issues by an outside company that considers us in a 'low risk' category. It is however, very worrying that he seems to be trying to provide cover so that he can publicly state that we weren't in compliance. He cited these CFRs again in the attached letter, and my "scientist-to-scientist" response is attached. I also sent over 40 docs over to him.

I'll let you know what their response is. Any nudging you could give to Dr. Lauer would be welcome. I realize that the politics are not great right now, but this is science, not politics, and we have a job to do in trying to identify the next COVID-like disease, which is surely out there and probably already spilling over somewhere in S. China.

Cheers,

Peter

**Peter Daszak**

*President*

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*EcoHealth Alliance develops science-based solutions to prevent pandemics and promote conservation*

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**From:** Peter Daszak (b) (6)

**Sent:** Sunday, April 11, 2021 5:11 PM

**To:** (b) (6); 'Erbelding, Emily (NIH/NIAID) [E]'  
(b) (6); 'Cristina (NIH/NIAID) Cassetti' (b) (6);  
(b) (6); 'Post, Diane (NIH/NIAID) [E]' (b) (6);  
'Erik (NIH/NIAID) Stemmy' (b) (6)

**Cc:** 'Aleksei Chmura' (b) (6)

**Subject:** FW: Regarding 2R01AI110964-06

**Importance:** High

Dear all,

I'm just forwarding my response (attached letter and email chain below) to Michael Lauer re. the 10 conditions imposed on the grant to EcoHealth Alliance.

I've tried to stick to a logical argument, but I'm also mindful of the dozens of FOIA requests targeting EHA and myself and that previous letters have been leaked to the press, so have made sure all details are laid out. I do not aim to make this letter public, of course and am sending this to you confidentially.

As per my email to Dr. Lauer below, the intent of this letter is to demonstrate in good faith what we believe are reasonable efforts to address these conditions and to state the limits of what is possible. The goal is full and rapid reinstatement of our funding – not only because of the damage this has already done to our organization and my personal safety, but more importantly because coronaviruses are likely continuing to spill over into people in the region and our research may help reduce that risk.

Thanks for all your help and support and I will let you know what I hear back from the Director's Office in due course.

Cheers,

Peter

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**From:** Peter Daszak (b) (6)  
**Sent:** Sunday, April 11, 2021 4:36 PM  
**To:** 'Lauer, Michael (NIH/OD) [E]' (b) (6)  
**Cc:** Aleksei Chmura (b) (6); 'Lauer, Michael (NIH/OD) [E]' (b) (6)  
**Subject:** Regarding 2R01AI110964-06  
**Importance:** High

Dear Dr. Lauer,

Please find attached a detailed response to your two previous letters.

I hope you will take our response in the way it was intended – a good faith effort to address as far as is reasonably possible the general concerns that NIH has expressed to us, with a goal of rapid and full removal of the suspension on funding for this critically important work.

Cheers,

Peter

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**From:** Lauer, Michael (NIH/OD) [E] (b) (6)  
**Sent:** Wednesday, March 10, 2021 5:37 AM  
**To:** Peter Daszak (b) (6)



**Cc:** Aleksei Chmura (b) (6); Lauer, Michael (NIH/OD) [E]  
(b) (6)  
**Subject:** Re: Regarding 2R01AI110964-06

Dear Dr. Daszak

Attached please find two letters that I sent you previously.

Sincerely,  
Michael S Lauer, MD

Michael S Lauer, MD  
NIH Deputy Director for Extramural Research  
1 Center Drive, Building 1, Room 144  
Bethesda, MD 20892  
Phone: (b) (6)  
Email: (b) (6)

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**From:** Peter Daszak (b) (6)  
**Date:** Thursday, March 4, 2021 at 10:02 PM  
**To:** "Lauer, Michael (NIH/OD) [E]" (b) (6)  
**Cc:** Aleksei Chmura (b) (6) [Peter Daszak:] REDACTED>  
**Subject:** Regarding 2R01AI110964-06

Dear Dr. Lauer,

I spoke yesterday with my program officer and other NIAID staff regarding our grant on the risk of coronavirus emergence (2R01AI110964-06) that includes collaboration with scientists at the Wuhan Institute of Virology, China. [Peter Daszak:] REDACTED joined the meeting and told me about his conversation with you about the conditions currently in place on our grant and my efforts to address some of them via my recent work in Wuhan with the WHO. He also commented that you would be willing to talk with me, as PI of this award, about a pathway to reinstate this grant. I would very much value this and am emailing to see if we can arrange a time that's suitable for you, perhaps next week if possible?

I'm cc'ing my assistant REDACTED, who can help arrange a suitable time, and also our Chief of Staff Aleksei Chmura, who I would hope could join us, as someone who can access any relevant information on this award, and gained his own Ph.D as part of our original R01 work in China. I want to reassure you that I would not request to talk with legal counsel or bring them into a conversation, and that this would be a discussion with scientists focused on the goals of the grant, focused on research to protect us all against further coronavirus spillover.

Sincerely,

Peter

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## EcoHealth Alliance

Dr. Michael Lauer  
Deputy Director for Extramural Research,  
NIH, Bethesda, MD.

**Re: R01AI110964 and 2R01AI110964**  
**"Understanding the Risk of Bat Coronavirus Emergence"**

April 23rd 2021

Dear Dr. Lauer,

I am responding your letter of 4/13/21 regarding our response to conditions placed on the suspended NIH grant 2R01AI110964 "*Understanding the Risk of Bat Coronavirus Emergence*". In particular, this letter addresses your request for documentation on our assessment of WIV's compliance with terms of our subcontracts from the initial (now expired) 5-year award:

*"...copies of all EcoHealth Alliance – WIV subrecipient agreements as well as any and all other documents and information describing how EcoHealth Alliance monitored WIV's compliance with the terms and conditions of award .... NIH must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts" (45 C.F.R. § 75.364); and must have "timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents" (id.). These requirements flow down to subawards to subrecipients. 45 C.F.R. § 75.101. "Non-Federal entities must comply with requirements in [45 C.F.R. Part 75] regardless of whether the non-Federal entity is a recipient or subrecipient of a Federal award." 45 C.F.R. 75.101. As the grantee, EcoHealth was required to have in place, "A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this part." 45 C.F.R. § 75.352(a)(5)..."*

As requested, we have supplied all EcoHealth Alliance-WIV subrecipient agreements, as well as documents pertaining to EHA's monitoring of WIV's compliance with the terms and conditions of award. The attached documents demonstrate that we have fulfilled all requirements in the CFR codes listed in your letter excerpted above. These documents include:

1. EcoHealth Alliance 2016-2019 Subrecipient Monitoring Forms for WIV. EcoHealth Alliance began this formal subrecipient monitoring policy in 2016 as per OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR 200) ("Uniform Guidance"), specifically §200.331.
2. 2006-2018 WIV Annual Reports. In addition, NIH has full reports on the programmatic results that we filed annually.
3. Wuhan Institute of Virology contracts and invoices for all 5 Years of Grant R01AI110964: 2014-2019
4. Federal Funding Accountability & Transparency Act Reports for WIV. From 2015 – 2019
5. Annual Independent Audit Reports from 2014-2019
6. Inter-Institutional Agreements from DHHS for WIV 2014 & 2019

We hope these documents satisfy your request by demonstrating that EcoHealth Alliance maintained detailed records of our appropriate monitoring of WIV's performance against the conditions of our initial (now expired) R01 grant and our contracts with them.

We also would like draw your attention to our letter dated 4.11.2021 regarding plans for biosafety monitoring for the renewal R01, under which we had not yet set up a subcontract with WIV, specifically:

**"8. Provide copies of all EcoHealth Alliance – WIV subrecipient agreements as well as any other documents and information describing how EcoHealth Alliance monitored WIV's compliance with the terms and conditions of award, including with respect to biosafety.**

As we related in response to your letter of 4/19/2020 that asked us to suspend work with WIV, we had not yet set up a subcontract with WIV for the period of this award, therefore no such subrecipient agreements exist. Our plan was to monitor WIV's compliance as we had in the 5 years prior, by means of semi-annual meetings with the lead investigator and assessments of compliance against all conditions of the award. Additionally, following the NIH's termination, then reinstatement and suspension of our funding, we have contracted with a leading lab biosafety contractor based in Southeast Asia (Dr. Paul Selleck) who has extensive experience commissioning, accrediting and auditing BSL-2, -3, and -4 labs, and has worked for over a decade at the BSL-4 Australian Animal Health Lab. We will be using their services where appropriate for foreign lab subcontractees to assess lab biosafety procedures and conduct audits, including following the full reinstatement of 2R01AI110964. Finally, we have appointed a Senior Field Veterinarian who will oversee all EcoHealth Alliance fieldwork in the region and ensure continued compliance with biosafety when conducting animal capture, sampling and sample handling. We have done this at EcoHealth Alliance's own expense, despite our unblemished record on biosafety, to pre-empt calls for further sanctions against our work given the continued attacks against EcoHealth Alliance in the press after the termination of our NIH grant."

We believe the attached documents lay out details of how we had previously monitored compliance according to the federal codes you cite, and the above response lays out an appropriate plan for biosafety monitoring. Together, we believe they appropriately and fully addresses your condition #8 for full reinstatement with access to funding for the renewal phase of the R01.

Yours sincerely,

(b) (6)

Dr. Peter Daszak, President

(t) (b) (6); (e) (b) (6)