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ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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WASHINGTON, DC 20515-6115
Majority (202) 225-3641
Minority (202) 225-2927

February 2, 2023

Peter Daszak, Ph.D.
President
EcoHealth Alliance
460 West 34th Street, 17th Floor
New York, NY 10001

Dr. Daszak:

Pursuant to Rules X and XI of the U.S. House of Representatives, we write to request information and documents from EcoHealth Alliance (EcoHealth) that could help support the Committee's potential legislative efforts to improve pandemic preparedness, strengthen NIH grant oversight, and enhance the biosafety of laboratory and field research.

The Committee is investigating management concerns related to EcoHealth Alliance's (EcoHealth) federal grants and proposals on bat coronaviruses. The management concerns include the adequacy of EcoHealth's monitoring of biosafety and research practices at the NIH grant subrecipient Wuhan Institute of Virology (WIV) ¹ required under 45 C.F.R. § 75.101. The NIH suspended EcoHealth's grant R01AI110964 since July 8, 2020, stemming from concerns that could include information pertinent to the origins of the COVID-19 pandemic. As noted by the NIH and in EcoHealth's correspondence with NIH, EcoHealth failed to obtain laboratory notebooks and electronic files of transgenic mice experiment(s) conducted by the WIV as a research activity supported by the NIH grant. This material failure violated the NIH grant terms and conditions. There is no evidence that the work from the experiment(s) was ever published. There is no substantiation of the experiment(s) other than the WIV's assertions to EcoHealth that included inconsistent and incomplete data representations. Thus, there was no scientific work product produced for the American taxpayers who helped finance these efforts, and no useful information to support pandemic preparedness efforts. Further, EcoHealth's lack of monitoring of the WIV research in accordance with NIH grant terms presented additional biosafety risks,

¹ All references to the WIV include the former names of the Chinese establishment, that include the Wuhan Institute of Microbiology, the Wuhan Microbiology Research Laboratory, the Hubei Provincial Institute of Microbiology and the Chinese Academy of Sciences. Wuhan Institute of Virology, CAS, *About WIV* (last accessed January 21, 2023), available at http://english.whiov.cas.cn/About_Us2016/Brief_Introduction2016/.

raising questions about the possibility that WIV biosafety lapses could have contributed to the origins of the COVID-19 pandemic.

This letter builds on our previous oversight efforts from the 117th Congress related to COVID origins/EcoHealth grant R01AI110964. There are still significant questions and requests from our previous COVID origins inquiries that were left unanswered. In particular, EcoHealth did not respond or even acknowledge our letter of April 19, 2021², concerning COVID origins/EcoHealth grant R01AI110964. Thus, we are incorporating many of these unanswered questions or requests in this letter.

The COVID-19 pandemic is a catastrophic biological incident resulting so far in the deaths of more than a million Americans and more than 6 million people worldwide. The threat of similar pandemics is increasing. As the Government Accountability Office (GAO) noted, globalization, climate change, and urbanization has increased the probability, intensity, and frequency of catastrophic biological incidents.³ A study in 2021 found a high probability of observing pandemics similar to COVID-19 (probability of experiencing it in one's lifetime is 38 percent), which may double in coming decades.⁴ The global proliferation of high-containment laboratories has similarly increased the probability of a catastrophic biological incident caused by the escape of a pandemic pathogen.⁵

Given these extraordinary circumstances and the need to prepare for the growing risk of future pandemics, our nation needs to be united in strengthening preparedness for future pandemics. We seek EcoHealth's cooperation in this investigation. If EcoHealth has determined it will not voluntarily cooperate with the requests, please provide electronic written notice within two business days specifying which requests you are declining to cooperate with and the stated reasons for voluntary noncooperation.

To assist our efforts, please provide the following by February 16, 2023:

Documents and Information Related to NIH Federal Awards

1. Please provide all federal award applications, progress reports, and research or project results prepared for NIH by EcoHealth related to NIH award number R01AI110964.

² See Letter from Committee Ranking Members (Full and Subcommittees, respectively) Cathy McMorris Rodgers, Brett Guthrie, Morgan Griffith to Dr. Peter Daszak, EcoHealth Alliance (April 19, 2021).

³ GAO, *Trends Affecting Government and Society*, GAO-22-3SP, 10 (April 2022). <https://www.gao.gov/assets/gao-22-3sp.pdf>

⁴ Marco Marani, Gabriel G. Katul, William K. Pan, and Anthony J. Parolari, *Intensity and frequency of extreme novel epidemics*, PNAS (August 23, 2021). <https://www.pnas.org/doi/10.1073/pnas.2105482118>

⁵ Duprex, W., Fouchier, R., Imperiale, M. *et al.* Gain-of-function experiments: time for a real debate. *Nat Rev Microbiol* **13**, 58–64 (January 2015). <https://doi.org/10.1038/nrmicro3405>

2. Please provide all financial conflict of interest disclosures, and disclosures of financial foreign support or foreign components prepared for NIH by EcoHealth for NIH award number R01AI110964.
3. All documents between EcoHealth and NIH related to NIH award number R01AI110964, including conditions of awards, requests for information, submissions of progress reports, discussion of research risks, and responses.
4. All documents between EcoHealth and grant sub-recipient, the WIV, related to terms of agreements, bat coronaviruses, genome or genetic sequencing, and/or laboratory safety practices pursuant to NIH award number R01AI110964.
5. All documents between EcoHealth and the NIH related to SARS CoV-2.
6. All documents between EcoHealth and the WIV related to SARS CoV-2.
7. All documents between Dr. Peter Daszak and Dr. Shi Zhengli since January 1, 2018.
8. What does EcoHealth know about research involving bat coronaviruses in the WIV laboratories in 2019, including but not limited to: possible bat coronavirus vaccine development; pathogenicity studies involving animal experiments; usage of passaging; Dual-Use Research of Concern; nucleotide synthesis; mutagenesis; genetic manipulation and gain of function techniques?⁶
9. Please identify all federal awards for which EcoHealth has been an award subrecipient and describe when any of those funds were used to support the WIV or WIV's activities from 2015 to present.
10. Has any research supported in whole or in part by NIH award number R01AI110964 been published in Mandarin only and is therefore not readily accessible for use by U.S. researchers? If so, please identify such research and articles.
11. Did EcoHealth or the WIV use translators while conducting NIH award number R01AI110964 together? If so, please describe all procurements and other arrangements for translation services, including the identity of the translators.
12. For all NIH funded work, please identify all Mandarin-fluent EcoHealth personnel and English-fluent WIV personnel who worked on the projects related to NIH award number R01AI110964.

⁶ U.S. National Institutes of Health, *Dual-Use Research* (Sept. 9, 2019), available at <https://oir.nih.gov/sourcebook/ethical-conduct/special-research-considerations/dual-use-research#:~:text=Dual%20Use%20Research%20of%20Concern,to%20public%20health%20and%20safety%2C>.

13. Pursuant to 45 C.F.R. sec. 75.352(d), how does EcoHealth monitor the handling and use of samples by its subrecipient, the WIV, to ensure the sub-award is used for authorized purposes?⁷
14. Of the bat viruses EcoHealth found in China, where are samples and the genomic or genetic sequences stored in the United States and how were the samples transported?⁸
15. Does EcoHealth have any virus samples or sequences related to the bats or pneumonia-like illness that sickened six miners in the Mojiang mine in southwestern China's Yunnan province, killing three, after their work removing bat feces?⁹ If so, please provide the location and identification information for the samples and/or sequences.
16. In 2020, Dr. Shi Zhengli of WIV published a genomic sequence for RaTG13. According to available information first published in 2016, RaTG13 is 96.2 percent similar to SARS-CoV-2 and was gathered in 2012 from bat caves in the Yunnan Province, then.¹⁰ This sequence is one of the most similar to SARS-CoV2 that is publicly known.
 - a. Why was the sample sequence not published until 2020?
 - b. Does EcoHealth have any reason to know if RaTG13 was ever used in research at WIV, including studies of transgenic mice with human cells infected with RaTG13?
 - c. Does EcoHealth have any other sequences or samples from the bat cave that were collected from the Yunnan bat caves in 2012?
 - d. Does EcoHealth have the WIV genome that corroborates their renaming of RaBtCoV/4991 to RaTG13?¹¹
 - e. Does EcoHealth have the genome or genetic sequences of the eight other related coronaviruses found in the same mine (the 7896 clade) that can be seen in slides shown by Dr. Shi Zhengli in webinars?¹² If so, please provide.

⁷ 45 C.F.R. sec. 75.352(d).

⁸ Nurith Aizenman, *Why the U.S. Government Stopped Funding A Research Project On Bats And Coronaviruses*, (Apr. 29, 2020), available at <https://www.npr.org/sections/goatsandsoda/2020/04/29/847948272/why-the-u-s-government-stopped-funding-a-research-project-on-bats-and-coronaviru>.

⁹ Rahalkar MC, Bahulikar RA, *Lethal Pneumonia Cases in Mojiang Miners (2012) and the Mineshaft Could Provide Important Clues to the Origin of SARS-CoV-2* (Oct. 20, 2020), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7606707/>.

¹⁰ Peng Zhou, et al, *Discovery of a novel coronavirus associated with the recent pneumonia outbreak in humans and its potential bat origin*, (Jan. 23, 2020) available at <https://www.biorxiv.org/content/10.1101/2020.01.22.914952v2.full.pdf>.

¹¹ Liji Thomas, *Scientists claim serious data discrepancies in RaTG13 sequence*, (Sept. 10, 2020) available at <https://www.news-medical.net/news/20200910/Scientists-claim-serious-data-discrepancies-in-RaTG13-sequence.aspx>.

¹² European Scientific Working Group on Influenza, *ESWI 2020 keynote lecture Zhengli Shi: From SARS to COVID-19, understanding the interspecies transmission of SARS-related coronaviruses* (Sept. 16, 2020), available at <https://eswi.org/eswi-tv/eswi2020-keynote-lecture-zhengli-shi-from-sars-to-covid-19-understanding-the-interspecies-transmission-of-sars-related-coronaviruses/>.

17. In addition to the eleven SARS-related bat coronavirus sequences EcoHealth and the WIV discovered in Yunnan Province, have any other genomic or genetic sequences for bat coronaviruses resulting from EcoHealth's five-year surveillance of SARS-CoVs in Yunnan Province bat caves, funded in part by NIH, been deposited in GenBank? If so, what accession numbers have been assigned to these sequences?¹³
18. Does EcoHealth have copies of the virus samples and sequences maintained in Dr. Shi Zhengli's database that were taken offline in September 2019?¹⁴ If so, please describe what EcoHealth has in this collection, and to what extent EcoHealth would make this collection publicly available.
19. EcoHealth has stated that it has unpublished data gathered over 15 years of working in China, and five years under a previous NIH grant.¹⁵ Please describe these records and to what extent EcoHealth will make these publicly available.
20. Prior to April 2020, did EcoHealth have access to the WIV databases that were made possible in whole or in part by NIH award number R01AI110964?
21. It was reported that EcoHealth and the WIV caught and sampled the blood of 10,000 bats, resulting in a discovery of 50 new coronaviruses and creating of a virus genomes catalog.¹⁶ Please produce a copy of this virus genomes catalog created by EcoHealth and the WIV.
22. EcoHealth and the WIV collected 15,000 bat samples, of which a subset of 50 bat samples "fall into a category that caused the 2002 outbreak of severe acute respiratory syndrome (SARS), and, now, the COVID-19 pandemic."¹⁷
 - a. How many of that 50-sample subset are closely related to SARS-CoV-2?
 - b. Please provide any identifying information for each sample in this category.

¹³ Ben Hu, et al, *Discovery of a rich gene pool of bat SARS-related coronaviruses provides new insights into the origin of SARS coronavirus*, PLOS PATHOGENS (Nov. 30, 2017), available at <https://journals.plos.org/plospathogens/article?id=10.1371/journal.ppat.1006698>.

¹⁴ Nurith Aizenman, *Why the U.S. Government Stopped Funding A Research Project On Bats And Coronaviruses*, (Apr. 29, 2020), available at <https://www.npr.org/sections/goatsandsoda/2020/04/29/847948272/why-the-u-s-government-stopped-funding-a-research-project-on-bats-and-coronaviru>.

¹⁵ Nidhi Subbaraman, *'Heinous!': Coronavirus researcher shut down for Wuhan-lab link slams new funding restrictions*, Nature (Aug. 21, 2020), available at <https://www.nature.com/articles/d41586-020-02473-4>.

¹⁶ *Why It Matters That The NIH Cancelled a Coronavirus Research Grant*, CBS 60 MINUTES (May 10, 2020), available at <https://www.cbsnews.com/news/nih-cancelled-coronavirus-research-grant-60-minutes-2020-05-10/>.

¹⁷ Nurith Aizenman, *Why the U.S. Government Stopped Funding A Research Project On Bats And Coronaviruses*, (Apr. 29, 2020), available at <https://www.npr.org/sections/goatsandsoda/2020/04/29/847948272/why-the-u-s-government-stopped-funding-a-research-project-on-bats-and-coronaviru>.

23. External access ended on September 12, 2019, to the WIV password protected *Batvirus.whio.v.ac.cn* database containing at least 100 unpublished bat virus sequences, for which Dr. Shi Zhengli is the administrator.¹⁸
- a. Did the WIV solely maintain the database related to research conducted under NIH funding or is the database jointly maintained by EcoHealth and the WIV?
 - b. Does EcoHealth maintain an independent database from the WIV related to research conducted under NIH funding?
24. Does EcoHealth have copies of a virus database portal, created by China's National Virus Resource Center in Beijing, which is affiliated with the WIV?¹⁹ If so, describe these records, and to what extent EcoHealth will make these publicly available.
25. Please identify research project(s) that tested Remdesivir on the viruses EcoHealth discovered through its NIH-funded research and identify which EcoHealth-discovered viruses were used.²⁰
26. A patent application related to the use of Remdesivir and chloroquine in the treatment for COVID-19 was submitted jointly by the WIV with the Military Medicine Institute of the People's Liberation Army Academy of Military Science in January 2020.²¹ Were samples or sequences derived from EcoHealth's work with the WIV used in research for this patent? If so, please describe the samples or sequences used.
27. All documents related to BANAL-52, a bat coronavirus discovered in Laos and is most similar to SARS CoV-2 publicly known.
28. All documents related to EcoHealth's work with bat coronaviruses found in Laos since January 1, 2017.

¹⁸ Julie Zaugg, *The virus hunters who search bat caves to predict the next pandemic*, CNN health (Apr. 26, 2020) available at <https://www.cnn.com/2020/04/26/health/virus-hunters-bat-cave-coronavirus-hnk-intl/index.html>.

¹⁹ Editorial Board, *We're still missing the origin story of this pandemic. China is sitting on the answers*, THE WASHINGTON POST (Feb. 5, 2021), available at <https://www.washingtonpost.com/opinions/2021/02/05/coronavirus-origins-mystery-china/?arc404=true>.

²⁰ *Why It Matters That The NIH Cancelled a Coronavirus Research Grant*, CBS 60 MINUTES (May 10, 2020), available at <https://www.cbsnews.com/news/nih-cancelled-coronavirus-research-grant-60-minutes-2020-05-10/>.

²¹ Mark Terry, *China's Wuhan Institute Files to Patent the Use of Gilead's Remdesivir for Coronavirus*, Biospace (Feb. 5, 2020), available at <https://www.biospace.com/article/china-s-wuhan-institute-files-to-patent-the-use-of-gilead-s-remdesivir-for-coronavirus/>.

Documents and Information Related to EcoHealth and the WIV Research Facilities

29. Was the WIV lab work funded by EcoHealth carried out at BSL-2, BSL-3, or BSL-4 level? If WIV work was carried out at various BSLs, please explain what type of work was conducted at each of the different BSLs.
30. What types of animal models does WIV work with?
 - a. Are the animals housed in separate facilities with separate ventilation systems?
 - b. Was the animal work performed in an Animal Biosafety Level (ABSL) laboratory, and if so, at what Biosafety Level?
31. Did the WIV have any laboratory environmental monitoring or surveillance program in place to minimize hazards to employees in 2019? If so, please provide details and include all WIV violations for which EcoHealth has direct or indirect knowledge.
32. What engineering and administrative controls as well as personal protective equipment were observed or leveraged at WIV in 2019? Please provide details and include all times for which EcoHealth has direct or indirect knowledge when safety protocols were not followed.
33. List of all the coronaviruses that the WIV laboratories were working with in 2019 related to NIH award number R01AI110964.
34. Names and positions of EcoHealth staff who have visited the WIV since January 1, 2018.

Research Involving Insertion of Furin Cleavage Site in Coronaviruses

35. All documents related to the DEFUSE proposal or any other proposals that included inserting a furin cleavage site in a coronavirus that EcoHealth submitted to the Defense Advanced Research Projects Agency (DARPA).
36. All documents related to any other research grant or research proposal that included insertion of a furin cleavage site in a coronavirus.
37. All documents between EcoHealth and Dr. Ralph Baric of the University of North Carolina-Chapel Hill and/or other persons associated with Dr. Baric's laboratory related to any research grant or research proposal that included insertion of a furin cleavage site in a coronavirus.

EcoHealth Financial Reporting

38. EcoHealth reported a \$195,498 cash award disbursed by wire to “Institute of Microbiology of Chinese Institute of” for “Grants and Assistance to Individuals Outside the U.S.” on its IRS Form 990, calendar year 2019.²² Please provide the full name and address of this recipient institution, the nature of its relationship with EcoHealth, and whether this institution has any relation to the WIV.
- a. Please identify U.S. government source(s) or agency responsible for the \$195,498 award, if applicable.
39. EcoHealth reported a \$319,570 cash award grant and a \$126,792 cash award grant disbursed by wire to China for the purpose of “[u]nderstanding the risk of bat coronavirus emergence” on its IRS Form 990, calendar year 2016.²³ The name of the organizations receiving the awards were left blank.²⁴ Please provide the full name and address of the organization(s) that received these cash award grants.²⁵
- a. What is relationship between these organizations and EcoHealth? Are these organizations related to the WIV?
- b. Please identify the U.S. government source(s) or agencies for the \$319,570 award and the \$126,792 award, if applicable.
40. EcoHealth reported a \$291,507 cash award disbursed by wire transfer to an unnamed recipient in China for “Grants and Assistance to Individuals Outside the U.S.” on its calendar year 2016, IRS Form 990.²⁶ The grant assistance was described as “Coronavirus & Emerging Diseases.”²⁷ Please provide the full name and address of the recipient, the relationship between the recipient and EcoHealth, and whether the recipient has any relationship to the WIV.
- a. Please identify the U.S. government source(s) or agencies for the \$291,507 award, if applicable.

Other compliance issues

41. Regarding the revision or updating of EcoHealth’s Year 4 progress report in 2020, NIH grants official Shaun Gratton stated that EcoHealth called the eRA service desk on September 16, 2020, to update the inclusion enrollment data.
- (a) Why was EcoHealth trying to update the grant's inclusion enrollment data on or around September 16, 2020?

²² Jessica Newman, *Preventing the next global pandemic with EcoHealth Alliance*, Global Impact (Aug. 31, 2020), <https://charity.org/give-global-blog/preventing-next-global-pandemic-ecohealth-alliance>.

²³ EcoHealth Alliance, *EcoHealth 990 final 2019, Schedule E, Parts I and II* (Feb. 2018), available at <https://www.ecohealthalliance.org/wp-content/uploads/2018/02/EHA-990-final-2016.pdf>.

²⁴ *Id.*, Schedule F, Part II.

²⁵ *Id.*

²⁶ EcoHealth Alliance, *EcoHealth 990 final 2019, Schedule F, Part III* (Feb. 2018), available at <https://www.ecohealthalliance.org/wp-content/uploads/2018/02/EHA-990-final-2016.pdf>.

²⁷ *Id.*

- (b) If the purpose of the call was to update the inclusion enrollment data, why are there no differences in the inclusion enrollment data for the September 16, 2020, and April 13, 2018, versions of the Year 4 report provided by the NIH? What data were actually updated?
- (c) When EcoHealth learned the Year 4 report was updated on September 16, 2020, e-mails and letters obtained under Freedom of Information Act requests indicate EcoHealth was surprised by this fact²⁸ and why did EcoHealth not remember trying to update the inclusion enrollment data on this date?
- (d) All other grants communications between EcoHealth and the NIH appear to have used e-mail. Why was this particular request to update the inclusion enrollment data made over the phone rather than via e-mail?
- (e) All documents related to the submission of the Year 5 progress report.
- (f) When did EcoHealth receive its first contact from the NIH about submission of the missing Year 5 progress report?

In addition, the Committee believes testimony from EcoHealth officials about these, and related matters will be necessary. Please contact Committee staff to identify appropriate personnel and schedule videotaped, transcribed interviews.

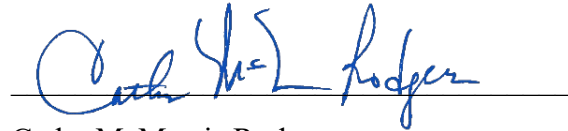
Finally, this letter serves as a formal request to preserve all existing and future records and materials in EcoHealth's possession relating to the topics addressed in this letter. You should construe this preservation notice as an instruction to take all reasonable steps to prevent the destruction or alteration, whether intentionally or negligently, of all documents, communications, and other information, including electronic information and metadata, that are or may be responsive to this congressional inquiry. This instruction includes all electronic messages sent using official and personal accounts or devices, including records created using text messages, phone-based message applications, or encryption software.

An attachment to this letter provides additional instructions for responding to the committee's request.

Your assistance is appreciated. If you have any questions, please contact Alan Slobodin and John Strom of the Majority Committee staff at (202) 225-3641.

²⁸ Email from Alexei Chmura, EcoHealth to Shaun Gratton, NIH (November 16, 2020).

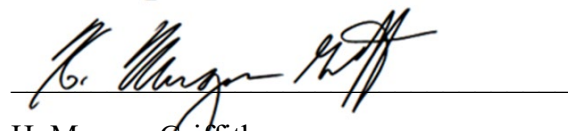
Sincerely,



Cathy McMorris Rodgers
Republican Leader
House Committee on Energy and
Commerce



Brett Guthrie
Republican Leader
Subcommittee on Health



H. Morgan Griffith
Republican Leader
Subcommittee on Oversight and
Investigations

Attachment

CC: The Honorable Frank Pallone, Ranking Member

The Honorable Anna G. Eshoo, Ranking Member, Subcommittee on Health

The Honorable Kathy Castor, Ranking Member, Subcommittee on Oversight and
Investigations

The Honorable Brad Wenstrup, D.P.M., Chair, Select Subcommittee on Coronavirus
Pandemic

The Honorable Raul Ruiz, M.D., Ranking Member, Select Subcommittee on
Coronavirus Pandemic