

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE

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Dr. Tabak,

We write to continue our oversight of National Institutes of Health (NIH) grant awards to EcoHealth Alliance (EcoHealth). On January 6, 2022, the NIH sent two letters to EcoHealth related to its failure to comply with terms agreed upon for its NIH grants.¹ While we appreciate the NIH's current enforcement efforts to obtain EcoHealth's compliance, new information from recently disclosed information included in the recent NIH letters raises troubling concerns about EcoHealth's conduct upon which the NIH is either overlooking or taking insufficient action. Those concerns include withheld data and possible double billing, missing laboratory notebooks and electronic files related to humanized mice research at the Wuhan lab, and EcoHealth's private donations that may not have been reported to NIH. These concerns raise the prospect of possible fraud that require the NIH's heightened attention.

Withheld Data and Potential Double Billing

In June 2014 and during the gain-of-function research pause in the United States, NIH awarded grant R01AI110964 to EcoHealth for bat coronavirus research. EcoHealth then entered into a subaward agreement with scientists at the Wuhan Institute of Virology (WIV) for research assistance. During that time, EcoHealth also received awards from other U.S. agencies, including as a subgrant recipient from the U.S. Agency for International Development (USAID) to support scientific collaboration at the WIV.²

¹ Letters to EcoHealth Alliance (Jan. 11, 2022) *available at* <https://republicans-oversight.house.gov/wp-content/uploads/2022/01/January-2022-EHA-SAC-CAP-letter-final1.pdf>.

² Energy and Commerce Republicans, Letter to USAID (June 28, 2021) *available at* <https://republicans-energycommerce.house.gov/wp-content/uploads/2021/06/2021.06.22-USAID-Origins-Letter.pdf>.

Through its USAID project work, EcoHealth catalogued human and bat genomic sequence findings into a database used to create predictive maps of potential disease outbreaks and reported finding a high number of SARS-like coronaviruses in bats sampled in China.³ EcoHealth identified several novel bat coronaviruses.⁴ USAID also supported sampling by EcoHealth and its collaborative partners of more than 7,300 humans and animals in China.⁵ The human specimens were obtained from individuals with symptoms of an infectious disease meeting criteria that the most-likely cause had been ruled out through laboratory tests and supporting data was available.⁶

Research accomplishments in USAID PREDICT reports very closely resemble those reported by EcoHealth to NIH in its progress reports. The similarities are striking and include similar charts, graphics, sampling locations, and research discoveries. For example, virus detection was described in the USAID-China PREDICT report as, “Working in collaboration with NIAID-funded partners, we demonstrated that some of the newly discovered bat-CoVs were able to bind to human cells, infect them in vitro, and cause SARS-like disease in a lab animal model.”⁷ This is a research accomplishment EcoHealth also reported in its NIH progress reports.⁸ EcoHealth reported having access to tens of thousands of wildlife samples as a result of its NIH project and from a large multi-year contract from USAID for the PREDICT project.⁹

Recently published email documents show that Dr. Daszak worked to ensure that the USAID-catalogued sequences were not attributed to the USAID work in GenBank, the NIH genetic sequence database of all publicly available DNA sequences.¹⁰ In emails acquired by U.S. Right to Know, an EcoHealth USAID collaborator at Metabiota advised an EcoHealth staff member on April 20, 2020, that virus sequences detected in China as part of the USAID project were submitted to GenBank and scheduled for release in 10 days.¹¹ The EcoHealth staff member replied to delay uploading the sequences because **some** of the sequences were ready for

³ USAID, *PREDICT-Advancing Global Health Security at the Frontiers of Disease Emergence*, (June 5, 2021) available at https://ohi.vetmed.ucdavis.edu/sites/g/files/dgvnsk5251/files/inline-files/PREDICT%20LEGACY%20-%20FINAL%20FOR%20WEB%20-compressed_0.pdf.

⁴ Kirsten V.K. Gilardi, Jonna A.K. Mazet, *The United States Agency for International Development Emerging Pandemic Threat PREDICT Project – Global Detection of Emerging Wildlife Viral Zoonoses*, Fowler's Zoo and Wild Animal Medicine Current Therapy, Volume 9, Pages 110-116 (Sep. 28, 2018) available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7152072/>.

⁵ USAID, *PREDICT-Advancing Global Health Security at the Frontiers of Disease Emergence*, (June 5, 2021) available at https://ohi.vetmed.ucdavis.edu/sites/g/files/dgvnsk5251/files/inline-files/PREDICT%20LEGACY%20-%20FINAL%20FOR%20WEB%20-compressed_0.pdf.

⁶ *Id.*

⁷ USAID Predict China, One Health in Action (2009-2020) available at <https://static1.squarespace.com/static/5c7d60a711f7845f734d4a73/t/5f5fe4e59eeb3f245097cbac/1600120064528/FINAL+REPORT+COUNTRY-CHINA-FULL.pdf>.

⁸ EcoHealth grant documents available at <https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

⁹ *Id.*

¹⁰ U.S. Right to Know, EcoHealth Alliance wanted to block disclosure of Covid-19 relevant virus data from China (Jan. 10, 2022) available at <https://usrtk.org/biohazards-blog/ecohealth-alliance-wanted-to-block-disclosure-of-covid-19-relevant-virus-data-from-china/>.

¹¹ *Id.*

publication and time was needed to check the data, and also because the China institution must approve publication.¹²

Dr. Daszak then wrote, “All - It’s extremely important that we don’t have these sequences as part of our PREDICT release to Genbank at this point. As you may have heard, these were part of a grant just terminated by NIH...Having them as part of PREDICT will bring [sic] very unwelcome attention to UC Davis, PREDICT and USAID.”¹³ Dr. Daszak’s response raises questions about project funding he received from NIH and USAID for his work in China and the potential that both agencies were funding the same research. Suspicions of potential duplication of funding are further raised by the collaborator and staff logging the sequences as belonging to the USAID project.

On January 10, 2022, Dr. Daszak tweeted that sequences were discovered under NIH funding and that all SARSr-CoVs were uploaded into GenBank then publicized in the *Nature Communications* article referenced earlier that also identified EcoHealth’s private and anonymous funding sources.¹⁴ Dr. Daszak wrote, “**All** sequences of SARS-related coronaviruses discovered by EcoHealth Alliance in China were sequenced using NIH funding and have been made public in peer-reviewed scientific papers and via the publicly available Genbank database. The Genbank accession numbers for over 600 sequences can be found in the attached paper.” [Emphasis added].¹⁵ Dr. Daszak’s tweet representing that “all sequences...have been made public” contradicts the EcoHealth employee’s email stating that only some of the USAID-funded sequences from China would be published. We question if Dr. Daszak reported those sequences in the sequence data he reported as an accomplishment under USAID funding. It is imperative for NIH to make available all genomic sequencing data from Dr. Daszak and EcoHealth and compare EcoHealth documentation submitted to USAID.

Questions of grant coordination with another federal agency are also raised. In March 2018, EcoHealth submitted a bat coronavirus research proposal to Defense Advanced Research Projects Agency (DARPA), entitled “Project DEFUSE: Defusing the Threat of Bat-borne Coronaviruses.” The proposal included detailed plans to fund research that, among other risky experiment techniques, would insert a furin cleavage site into a bat coronavirus genetic sequence. The SARS-CoV-2 virus is a betacoronavirus that features a furin cleavage site in the spike protein, a characteristic that has never previously been detected in this family of coronaviruses. The function of the furin cleavage site in SARS-CoV-2 is significant because it is the essential mechanism for the virus entry into human lungs. DARPA ultimately rejected the proposal later in 2018.

However, in its Year Four NIH progress report submitted in April 2018, covering activities between June 2017 and May 2018, EcoHealth reported that Peter Daszak and WIV co-investigator Zhengli Shi introduced this project and discussed new opportunities about predicting and preventing zoonoses with NIAID and the Defense Advanced Research Projects Agency

¹² *Id.*

¹³ *Id.*

¹⁴ Daszak, Peter@PaterDaszak Twitter, Jan 10, 2022 9:52 pm *available at* <https://twitter.com/PeterDaszak/status/1480734382558224388?s=20>.

¹⁵ *Id.*

(DARPA), the National Academies of Science, Engineering and Medicine Forum on Microbial Threats and with organizations in China.¹⁶ The reference to DARPA in the Year Four progress report suggests that EcoHealth saw linkage between the DARPA proposal and its NIAID research grant. It is unclear whether the rejected DARPA proposal was funded elsewhere, and to what extent this proposal or any other ideas EcoHealth discussed with DARPA informed any EcoHealth communications with NIAID and/or any research activity funded by NIAID.

Missing Laboratory Notebooks and Electronic Files

In a January 6, 2022, letter to EcoHealth, the NIH reiterated its request for the laboratory notebooks and electronic files that led to the generation of bar figures and accompanying texts portraying weight loss and death in humanized mice experiments.¹⁷ The NIH letter confirmed that EcoHealth reported to NIH that notebooks or files created and retained by the sub-grantee, WIV, were not in EcoHealth's possession.¹⁸ EcoHealth claimed it had forwarded the NIH's request for those records to the WIV.¹⁹ Given the Chinese government's lack of cooperation with global public health requests and its known punishment of Chinese scientific institutions and scientists for cooperating with others outside China, there is little reason to believe that the WIV will actually provide these notebooks and files. EcoHealth's inability to substantiate these research experiments calls into question the validity of the entire research effort with the WIV, in addition to violating the terms of its NIH agreement. Because EcoHealth has received over \$16.8 million from NIH since 2005²⁰ and Dr. Daszak has worked as an NIH peer reviewer, the NIH grant requirements were well known to them, so the deliberateness of their noncompliance should be questioned.

Further, EcoHealth's admission that it did not have copies of the notebooks or the files raises new troubling issues that need to be resolved by the NIH.²¹ Since EcoHealth did not have notebooks or the files, the NIH needs to find out how EcoHealth was able to certify the validity of all figures and texts of the humanized mice experiment results reported in progress reports for Year Four and Year Five.²² The NIH needs to protect the integrity of the NIH grant oversight program and sponsored research. Since EcoHealth claims the WIV created and retained these records, presumably EcoHealth received documentation from the WIV to complete its progress reports.²³ To dispel the notion of research cover-ups or fabrication and to prove how EcoHealth

¹⁶ EcoHealth grant documents at page 273 *available at*

<https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

¹⁷ Letters to EcoHealth Alliance (Jan. 11, 2022) *available at* <https://republicans-oversight.house.gov/wp-content/uploads/2022/01/January-2022-EHA-SAC-CAP-letter-final1.pdf>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ NIH Reporter, Query results for *EcoHealth Alliance* (Jan. 13, 2022) *available at*

https://reporter.nih.gov/search/z_bHgzk69kCqeyiCfy-7fA/projects.

²¹ Letters to EcoHealth Alliance (Jan. 11, 2022) *available at* <https://republicans-oversight.house.gov/wp-content/uploads/2022/01/January-2022-EHA-SAC-CAP-letter-final1.pdf>.

²² EcoHealth grant documents *available at* <https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

EcoHealth grant documents *available at* https://s3.documentcloud.org/documents/21089573/priority-grants-for-foia-request-55058-first-look-institute-2_redacted.pdf.

²³ Letters to EcoHealth Alliance (Jan. 11, 2022) *available at* <https://republicans-oversight.house.gov/wp-content/uploads/2022/01/January-2022-EHA-SAC-CAP-letter-final1.pdf>.

prepared its certified progress reports, NIH should request that EcoHealth produce all documentation relied upon to validate its progress reports.

Finally, it is highly suspicious that EcoHealth and the WIV reported results from a single risky experiment conducted in one year into two separate progress reports for two different years. The research involved bat coronaviruses and humanized mice. During the Year Four reporting period between June 2017 and May 2018, EcoHealth conducted one experiment that caused some ACE2 Receptor humanized mice to get sick within six days after infection and die within two weeks of infection. However, EcoHealth reported the sick mice in its Year Four report (the first six days) and saved the lethal results (the full two weeks) to report in Year Five, in a delayed submission that was not received by the NIH until August 2021. The Year Five report covered experiments between June 2018 through May 2019.²⁴ The reporting of the humanized mice fatalities to NIH was delayed for three years.²⁵ Bifurcating the reporting of experiment results raises the question of whether EcoHealth and the WIV were covering up the deadly pathogenic results of risky research by concealing the mice deaths for an extended period of time (especially during the time of the grant renewal in mid-2019).

Further, EcoHealth represented in its Year Five report that the experiments were conducted between June 2018 and May 2019, evidenced by the statement, “In Year 5, we **continued** with *in vivo* infection experiments of diverse bat SARS-CoVs on transgenic mice expressing human ACE2.”²⁶ [Emphasis added]. EcoHealth’s questionable representation of the experiment dates raises questions about whether the humanized mice experiment results were stretched out into another year’s progress report to provide filler in the report and divert NIH’s attention away from the possibility of undisclosed research conducted in Year Five (2019). Questions about the possibility of undisclosed Year Five research are heightened because laboratory analysis was the only project activity EcoHealth planned during its final year of the five-year grant award. In the grant research strategy timeline and management plan section, EcoHealth reported that the duration of its lab data analysis and modeling activities would span the final four years of the project and conclude at the end of the award. No other research activities were planned during the final project year.²⁷

Other discrepancies in EcoHealth’s Year Five progress report heightens concerns arising from the missing substantiation of research. A close examination of the Year Five progress report dated August 3, 2021, covering the June 1, 2018 to May 30, 2019, project period shows that the chart examples are not in sequential order.²⁸ The report contains two different charts that

²⁴ Ecohealth Oct. 26, 2021 letter to NIH available at <https://www.documentcloud.org/documents/21097880-ecohealth-letter-contesting-claims>.

²⁵ EcoHealth grant documents available at <https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

²⁶ *Id.* The wording suggests that EcoHealth was continuing to conduct experiments, instead of organizing follow-up analysis of an experiment already conducted in the previous award year.

²⁷ EcoHealth grant documents at page 126 posted by *The Intercept* (Sept. 8, 2021) available at <https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

²⁸ EcoHealth grant documents posted by *The Intercept* (Oct. 21, 2021) available at <https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

are both labeled *Figure 2*, one on page 6 and the other on page 9.²⁹ The *Figure 2* on page six is also missing letters from some sampling site locations. For example, spaces are evident where the letter “P” should be in Jinning, Yunnan and instead reads, “J nn ng, Yunnan.”³⁰ On Year Five report page 11, the chart examples skip from from *Figure 4* directly to *Figure 8*.³¹ Another example from the Year Five report is how *Figure 13* is followed by *Figure 7*. The contents of some of the figures do not match what is described in the text. For example, the text states *Figure 7* shows rates of evolutionary transitions among alphacoronavirus families during evolution, but the actual figure shows immunofluorescence measurements for MERS-like CoVs.³² There are other similar inconsistencies between the figure numbers and what the text says and what the figures show. For example, there are also two different graphics that are labeled “Figure 1.”³³

Finally, there are inconsistencies in EcoHealth’s explanation surrounding the delayed submission of the Year Five progress report to the NIH. In his letter to the NIH of October 26, 2021, EcoHealth president Peter Daszak wrote that he did not submit the Year Five progress report because he was locked out of the system “starting” on July 24, 2019.³⁴ However, documents released under FOIA show Peter Daszak sent an email to the NIH that said he “is” now able to submit the Year Five progress report on July 24, 2019, and is about to do so.³⁵

Private Funding

With respect to private funding, documents show that EcoHealth has been receiving private donations that may not have been disclosed to the NIH.³⁶ On August 25, 2020, Nature Communications published *Origin and cross-species transmission of bat coronaviruses in China*, authored by EcoHealth president Peter Daszak and others.³⁷ Research funding sources are acknowledged as: award number R01AI110964 from the NIH National Institute of Allergy and Infectious Diseases (NIAID); cooperative agreement number GHN-A-OO-09-00010-00

²⁹ EcoHealth grant documents, page 6 and page 9, posted by *The Intercept* (Oct. 21, 2021) available at https://www.documentcloud.org/documents/21089573-priority-grants-for-foia-request-55058-first-look-institute-2_redacted.

³⁰ *Id.*

³¹ EcoHealth grant documents, page 11, posted by *The Intercept* (Oct. 21, 2021) available at https://www.documentcloud.org/documents/21089573-priority-grants-for-foia-request-55058-first-look-institute-2_redacted.

³² EcoHealth grant documents, page 17, posted by *The Intercept* (Oct. 21, 2021) available at https://www.documentcloud.org/documents/21089573-priority-grants-for-foia-request-55058-first-look-institute-2_redacted.

³³ EcoHealth grant documents, posted by *The Intercept* (Oct. 21, 2021) available at https://www.documentcloud.org/documents/21089573-priority-grants-for-foia-request-55058-first-look-institute-2_redacted.

³⁴ EcoHealth letter posted by *The Intercept* (Nov. 3, 2021) available at <https://www.documentcloud.org/documents/21097880-ecohealth-letter-contesting-claims>.

³⁵ Emails posted by White Coat Waste Project at 302, Andrew Kerr, Gain of Function Communications Between EcoHealth Alliance and NIAID, White Coat Waste Project (Nov. 4, 2021) available at <https://www.scribd.com/document/537027808/GainOf-Function-Communications-Between-EcoHealth-Alliance-And-NIAID>.

³⁶ Latinne, A., Hu, B., Olival, K.J. et al., *Origin and cross-species transmission of bat coronaviruses in China*, Nature Communications (Aug. 25, 2020) available at <https://www.nature.com/articles/s41467-020-17687-3>.

³⁷ *Id.*

from the USAID Emerging Pandemic Threats PREDICT project, the Chinese Academy of Sciences (XDB29010101), and National Natural Science Foundation of China (31770175, 31830096).³⁸ The funding description for EcoHealth continues: “All work conducted by EcoHealth Alliance staff after April 24th 2020 was supported by generous funding from The Samuel Freeman Charitable Trust, Pamela Thye, The Wallace Fund, & an Anonymous Donor c/o Schwab Charitable.”³⁹

In our review of available EcoHealth grant documents for NIH award R01AI11964, EcoHealth did not disclose the three named or anonymous financial sources.⁴⁰ However, because NIH has refused to cooperate fully with Congressional oversight and mostly released records under Freedom of Information Act (FOIA) requests to private entities, our review may be limited.

NIH terminated EcoHealth’s award R01AI110964 in April 2020 due to noncompliance. The award was later reinstated and then immediately suspended on July 8, 2020. On May 29, 2020, EcoHealth board member Randy Schekman of the Li Ka Shing Center, University of California at Berkeley, emailed EcoHealth president Peter Daszak that Schekman would be the intermediary for a \$500,000 donation to EcoHealth from an anonymous source to make up for the terminated NIH award:

Dear Peter,

I am part of the Rich Roberts group and helped to line-up more Laureates to join the petition to Azar and Collins. We don’t expect a response from them but we wish to make a constructive contribution to your essential work and have resolved to help find private funds to offset your loss. Our first success is with a foundation that makes anonymous contributions to various causes including in support of biomedical science. I am pleased to report that this group will provide the Ecohealth Alliance a grant of \$500,000 to at least partially offset the NIH funds that were withdrawn from your program. Since they wish to remain anonymous, I will be happy to serve as the intermediary in transfer of funds to your program. We can communicate about how to proceed.⁴¹

Instead of trying to cooperate with the NIH to get back into compliance, EcoHealth exploited the NIH’s grant suspension to boost fundraising and get donations from private sources. We do not know the amount of private funding provided to, or used by, EcoHealth to continue work on its suspended NIH grant, but the notification of private funding in May 2020 and citation of private funding sources in the August 25, 2020, Nature Communications indicates resources were available to EcoHealth in lieu of the suspended grant award. Another recent

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ EcoHealth grant documents *available at* <https://theintercept.com/document/2021/09/08/understanding-the-risk-ofbat-coronavirus-emergence/>.

EcoHealth grant documents *available at* https://s3.documentcloud.org/documents/21089573/priority-grants-for-foia-request-55058-first-look-institute-2_redacted.pdf.

⁴¹ U.S. Right to Know, *EcoHealth Alliance emails: University of Maryland* page 422 (Nov. 18, 2020) *available at* https://usrtk.org/wp-content/uploads/2020/11/Biohazard_FOIA_Maryland_Emails_11.6.20.pdf.

example of EcoHealth private funding is referenced in an August 31, 2020, publication that cites the Ford Foundation, the David and Lucile Packard Foundation, and Johnson & Johnson as additional private funding sources of EcoHealth.⁴²

Additionally, an email from EcoHealth spokesperson Robert Kessler to EcoHealth board members noted how Dr. Daszak appearing on CNN with Chris Cuomo and on CBS “60 Minutes” resulted in private donations:

P.S. An unexpected reaction to the 60 Minutes story has been an outpouring of support in my personal favorite form: donations. We’ve picked up more than \$3,000 today alone with the donations still coming in. A couple dozen people have created Facebook fundraisers in our name, as well. While most of these donations are only small amounts, each represents a new supporter that the development team can cultivate and a new advocate for our work. Overall, a really exciting day for EcoHealth Alliance.⁴³

Pursuant to the NIH grants financial conflict of interest policy, in alignment with 42 C.F.R. Part 50, each participating researcher is required “to submit an updated disclosure of significant financial interests within thirty days of discovering or acquiring (e.g., through purchase, marriage, or inheritance) a new significant financial interest.”⁴⁴ Significant financial interest is defined as the aggregated value within the twelve months preceding the disclosure that exceeds \$5,000.⁴⁵ EcoHealth is responsible for ensuring that all individual investigators, including subaward recipients, make all appropriate disclosures regarding other support, affiliations, and financial interests.⁴⁶ Likewise, NIH is responsible for ensuring that its grant recipients comply with all record and data retention requirements, including submission of records and data to NIH.

By virtue of funding EcoHealth’s research without considering undisclosed private donations, NIH would have over-funded EcoHealth’s award and thus, would have not funded other worthy research applications. The NIH needs to determine whether EcoHealth complied with these requirements for private donations. Any undisclosed conflict of interest also calls into question the scientific integrity and objectivity of EcoHealth’s research.

In light of our concerns, please provide written responses to the following questions and copies of the following documents by March 24, 2022:

1. Will NIH investigate whether EcoHealth’s research funded by NIH was also funded by USAID? If not, why not?

⁴² Roche, et al, *Was the COVID-19 pandemic avoidable? A call for a “solution-oriented” approach in pathogen evolutionary ecology to prevent future outbreaks* (Aug. 31, 2020) available at <https://doi.org/10.1111/ele.13586>

⁴³ U.S. Right to Know, *EcoHealth Alliance emails: University of Maryland* page 443 (Nov. 18, 2020) available at https://usrtk.org/wp-content/uploads/2020/11/Biohazard_FOIA_Maryland_Emails_11.6.20.pdf.

⁴⁴ C.F.R. Part 50

⁴⁵ 42 CFR § 50.603 Definitions, [https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-50#p-50.605\(b\)](https://www.ecfr.gov/current/title-42/chapter-I/subchapter-D/part-50#p-50.605(b))

⁴⁶ NIH Grants Policy Statement, *Section 2.5.1 Just-in-Time Procedures* (last accessed January 10, 2022) available at https://grants.nih.gov/grants/policy/nihgps/HTML5/section_2/2.5.1_just-in-time_procedures.htm,

2. Please provide copies of all NIH correspondence to and from EcoHealth Alliance since the July 8, 2020, grant suspension.
3. Is NIH seeking a copy of the Year 6 progress report for the EcoHealth grant (covering the 2019 -2020 timeframe)? If not, why not? If so, please provide.
4. Please describe the NIAID's understanding of the DARPA proposal referenced in EcoHealth's Year Four progress report.
5. Please provide all emails, correspondence, or any documents related to the EcoHealth's discussions with the NIAID about research proposals or ideas with DARPA.
6. We are troubled that research sponsored by NIH must first be reviewed and approved by an institution in China before NIH receives the data. Is this process a special arrangement NIH authorized for EcoHealth? When did NIH become aware that a foreign institution was intervening in the contractual relationship between NIH and an NIH grant recipient? Before sponsoring research to be conducted in a foreign country, does the NIH evaluate the likelihood that the government of such country will prohibit the NIH from obtaining any materials or data related to such research?
7. Will NIH investigate how EcoHealth was able to report the humanized mice experiment results in the Year 4 and Year 5 progress reports since (1) EcoHealth admitted it does not have copies of the laboratory notebooks and electronic files; and (2) EcoHealth did not create or retain these records? If not, why not?
8. Did EcoHealth provide the WIV with access to the NIH eraCommons system for grantees?
9. How did NIH assess the conflicts of interest in EcoHealth's research involving its anonymous financial source and the private financial sources referenced on page two of this letter?
10. Did EcoHealth disclose the private donations to NIH? If not, what actions will NIH take to obtain this reporting? If yes, how did NIH assess the conflicts of interest?

If you have questions about this correspondence, please contact Alan Slobodin of the Minority Committee Staff.

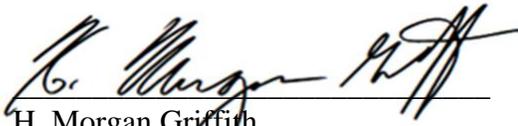
Sincerely,



Cathy McMorris Rodgers
Ranking Member
Committee on Energy and Commerce



Brett Guthrie
Ranking Member
Subcommittee on Health

A handwritten signature in black ink, appearing to read "H. Morgan Griffith", written over a horizontal line.

H. Morgan Griffith
Ranking Member
Subcommittee on Oversight and
Investigations