



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health  
National Institute of Allergy  
and Infectious Diseases  
Bethesda, Maryland 20892

May 28, 2016

Mr. Aleksei Chmura  
Senior Coordinator of Operations  
EcoHealth Alliance  
460 West 34<sup>th</sup> Street – 17<sup>th</sup> Floor  
New York, NY 10001

RE: 5R01AI110964-03

Dear Mr. Chmura:

Based upon information in the most recent progress report, NIAID has determined that the above referenced grant may include Gain of Function (GoF) research that is subject to the U.S. Government funding pause (<http://www.phe.gov/s3/dualuse/Documents/gain-of-function.pdf>), issued on October 17, 2014. The following specific aims appear to involve research covered under the pause:

Aim 3: Testing predictions of CoV inter-species transmission

As per the funding pause announcement, new USG funding will not be released for GoF research projects that may be reasonably anticipated to confer attributes to influenza, MERS, or SARS viruses such that the virus would have enhanced pathogenicity and/or transmissibility in mammals via the respiratory route. Therefore, the next non-competing segment of the award that starts June 1, 2016 cannot be released until a determination is reached based on the receipt and review of the information requested below. The research funding pause would not apply to characterization or testing of naturally occurring influenza, MERS, or SARS viruses, unless the tests are reasonably anticipated to increase transmissibility and/or pathogenicity.

NIAID requests that you provide the following information within 15 days of the date of this letter:

- **Determination as to whether the above research does or does not include GoF work subject to the funding pause.** Please provide a detailed explanation for this determination, including, but not limited to, descriptions of the MERS and MERS-like chimeric CoVs that you propose to create, and detailed descriptions of the experiments you plan to conduct. Your determination should also include whether each chimeric virus is reasonably anticipated to exhibit enhanced pathogenicity and/or transmissibility in mammals via the respiratory route compared to wild type MERS-CoV.

- **In addition, your progress report makes reference to two chimeric bat SARS-like CoVs constructed on a WIV-1 backbone.** NIAID requests additional information on these strains of SARS-like CoVs, including: the dates the strains were created; whether the chimeric viruses exhibit enhanced pathogenicity and/or transmissibility in mammals via the respiratory route compared to wild type SARS-CoV; and what research plans you have for these chimeric viruses.
- **If it is determined that the above research DOES include GoF work subject to the funding pause, provide detailed information on what research will remain viable with the removal of the GoF work and appropriate budget adjustments. Options include:**
  - For the specific aims that propose GoF work, provide a detailed description of changes that can be made to remove the GoF work but maintain the specific aim(s); or
  - Remove the specific aims and experiments that are subject to the pause from the Research Plan and request to have the award budget renegotiated.

If you have any questions about this matter please do not hesitate to contact the NIAID Program Officer.

Sincerely,

(b)(6)

Jenny Greer

Grants Management Specialist

NIAID/NIH/DHHS

(b)(6)

Erik J. Stemmy, Ph.D.

Program Officer

Division of Microbiology and Infectious Diseases

NIAID/NIH/DHHS

CC: Dr. Peter Daszak  
Ms. Mary Kirker  
Dr. Irene Glowinski  
Dr. Andrew Ford

**From:** [Aleksei Chmura](#)  
**To:** [Stemmy, Erik \(NIH/NIAID\) \[E\]](#)  
**Cc:** [Dr. Peter Daszak](#); [Greer, Jenny \(NIH/NIAID\) \[E\]](#)  
**Subject:** Re: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER  
**Date:** Tuesday, June 28, 2016 11:58:13 PM  
**Attachments:** [Response to GoF letter, 5R01AI110964 - 03 DASZAK, PETER.pdf](#)

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Dear Erik,

Prof. Zhengli Shi has confirmed that the Wuhan Institute of Virology Institutional Biosafety Committee would be immediately notified as per Peter's comments below. Please find the updated letter attached.

If you require further details, let us know anytime.

Sincerely,

-Aleksei

**Aleksei Chmura**  
*Authorized Organizational Representative &  
Senior Coordinator of Operations*

EcoHealth Alliance  
460 West 34th Street – 17th floor  
New York, NY 10001

(b)(6) (direct)  
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Aleksei MacDorian (Skype)

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On Jun 28, 2016, at 11:22, Stemmy, Erik (NIH/NIAID) [E]

(b)(6) wrote:

Thanks Peter! Please have Aleksei send us an updated letter once you have one.

Erik

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** Peter Daszak (b)(6)  
**Sent:** Tuesday, June 28, 2016 08:02 AM Eastern Standard Time



Dear Drs. Greer and Stemmy,

June 8, 2016

We appreciate your rapid review of our proposed work for year 3 of our R01 (5R01AI110964-03). We have provided the details you requested, below, including alternative strategies if we remove work that could be deemed gain of function. We look forward to your response and will modify our workplan accordingly. In the meantime, please rest assured that none of the proposed work for Specific Aim #3 that you have requested information about will begin.

**Determination as to whether the above research does or does not include GoF work subject to the funding pause.** Please provide a detailed explanation for this determination, including, but not limited to, descriptions of the MERS and MERS-like chimeric CoVs that you propose to create, and detailed descriptions of the experiments you plan to conduct. Your determination should also include whether each chimeric virus is reasonably anticipated to exhibit enhanced pathogenicity and/or transmissibility in mammals via the respiratory route compared to wild type MERS-CoV.

Firstly, we would like to reiterate that this work is *proposed* for year 3, and none has been conducted to date. Furthermore, we will not proceed with any of this unless we are given the go-ahead by NIAID. The goal of our proposed work to construct MERS and MERS-like chimeric CoVs is to understand the potential origins of MERS-CoV in bats by studying bat MERS-like CoVs in detail. The chimeric viruses will be used to ascertain receptor usage and infectivity of bat MERS-related CoVs *in vitro* and in a mouse model. To achieve this purpose, our aim is to firstly construct a MERS-CoV infectious clone based on the genomic sequence of EMC2012 (GenBank no. NC\_019843) and then chimeric CoVs with the replacement of the spike envelope genes from bat derived MERS-like CoVs. We have very recently discovered a small number (9 different strains) of bat MERS-like CoVs in 99 samples from bats in Guangxi, Guangdong, and Szechuan provinces. Phylogenetically, these bat viruses are not very close to MERS-CoV (only 63-66% homology to the S-protein of MERS-CoV).

We aim to test the chimeric viruses for receptor usage of DPP4 (the MERS-CoV receptor) in cells and then in DPP4 transgenic mice, to see if these bat viruses have any capacity to use the same receptor. That said, given the phylogenetic distance from MERS-CoV, we believe it is *highly unlikely* that these bat spike proteins attach to DPP4, and if so, that they would have any pathogenic potential. Finally, should any of these recombinants show evidence of enhanced virus growth >1 log in cells expressing the human, bat, mouse or other DPP4 receptor over wildtype parental backbone MERS-CoV strain or grow more efficiently in human airway epithelial cells, we will immediately: i) stop all experiments with the mutant, ii) inform our NIAID Program Officer and the Wuhan Institute of Virology IBC of these results and iii) participate in decision making trees to decide appropriate paths forward.

**In addition, your progress report makes reference to two chimeric bat SARS-like CoVs constructed on a WIV-1 backbone.**

NIAID requests additional information on these strains of SARS-like CoVs, including: the dates the strains were created; whether the chimeric viruses exhibit enhanced pathogenicity and/or transmissibility in

mammals via the respiratory route compared to wild type SARS-CoV; and what research plans you have for these chimeric viruses.

These two chimeric bat-like CoVs were constructed on September 24, 2015. They use the backbone of a group 2b SARS-like bat CoV WIV1 and the spike proteins of two newly discovered bat SL-CoVs (Rs7327 and RsSHC014). The construction of these chimeric viruses aims to understand the receptor usage and infectivity of bat SL-CoVs that may be progenitors of SARS-CoV. We have not yet tested the pathogenicity of these viruses in animals.

We believe that this work would not be considered GoF because the pause specifically targeted experiments that altered the pathogenicity or transmissibility of SARS-CoV, MERS-CoV and any influenza virus. Our molecular clone is WIV1, which is a group 2b SARS-like bat coronavirus that has never been demonstrated to infect humans or cause human disease. It is about 10% different from SARS-CoV. Thus, we feel that introducing other group 2b SARS-like bat coronavirus spike glycoproteins into WIV1 is not subject to the pause. Moreover, we are introducing progressively more distant S glycoproteins into WIV1 (The RBD of Rs7327 differs from WIV1 in several amino acid residues while RsSHC014 is even more distantly related phylogenetically), so it seems progressively less likely that any of these viruses would be more pathogenic or transmissible than the SARS-CoV. This is further supported by the fact that Prof. Ralph Baric's group (Menacherya *et al.*, 2015, *Nature Medicine*, 21 (12):1508-1512; Menacherya *et al.*, 2016, *PNAS*, 113 (11): 3048-3053) took WIV1 spike and inserted it onto a SARS-CoV backbone and showed reduced pathogenicity in mice with human ACE-2 relative to SARS-CoV (mortality rates were much lower, therefore this is *loss-of-function*). This strongly suggests that the chimeric bat spike/bat backbone viruses should not have enhanced pathogenicity in animals.

Finally, as proposed above for the MERS-like viruses, should any of these recombinants show evidence of enhanced virus growth >1 log in cells expressing the human, bat, mouse or civet receptor over wildtype parental backbone SARS-CoV strain or grow more efficiently in human airway epithelial cells, we will immediately: i) stop all experiments with the mutant, ii) inform our NIAID Program Officer and the Wuhan Institute of Virology IBC of these results and iii) participate in decision making trees to decide appropriate paths forward.

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- Remove the specific aims and experiments that are subject to the pause from the Research Plan and request to have the award budget renegotiated.

If these proposed activities within Specific Aim #3 are considered gain of function, we would propose changing them as follows:

- 1) Instead of the proposed work on MERS-like chimeric CoVs, we would
  - a. model the 3-D structure of bat MERS-like CoV spike to assess its potential to bond to DPP4; and
  - b. build pseudoviruses with MERS-like CoV spike to conduct experiments for DPP4 binding.

- 2) Instead of the proposed work on SARS-like chimeric bat CoVs, we would build pseudoviruses with the spike proteins from these viruses and assess receptor binding *in vitro*.

We look forward to your response to our letter and will not conduct any of this proposed work until we hear back from you.

Yours sincerely,

(b)(6)

Dr. Peter Daszak

PI  
President and Chief Scientist  
EcoHealth Alliance

Tel: (b)(6)

e-mail: (b)(6)

**To:** Stemmy, Erik (NIH/NIAID) [E]  
**Cc:** Greer, Jenny (NIH/NIAID) [E]; Aleksei Chmura  
**Subject:** RE: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

Sorry for not responding more quickly Erik – I've been at meetings for the last couple of weeks. You are correct to identify a mistake in our letter. UNC has no oversight of the chimera work, all of which will be conducted at the Wuhan Institute of Virology. This was a clerical error because we used some language that I asked Ralph Baric to give me because I wanted to make sure we followed an approach that has some precedence.

We will clarify tonight with Prof. Zhengli Shi exactly who will be notified if we see enhanced replication, and then amend and re-send the letter to you so it is clear. I will also confirm with Zhengli the make-up of the Wuhan Institute of Virology's Institutional Biosafety Committee. However, my understanding is that I will be notified straight away, as PI, and that I can then notify you at NIAID.

Apologies for the error!

Cheers,

Peter

**Peter Daszak**

*President*

EcoHealth Alliance  
460 West 34<sup>th</sup> Street – 17<sup>th</sup> Floor  
New York, NY 10001

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---

**From:** Stemmy, Erik (NIH/NIAID) [E] (b)(6)  
**Sent:** Monday, June 27, 2016 3:49 PM  
**To:** Peter Daszak  
**Cc:** Greer, Jenny (NIH/NIAID) [E]; Aleksei Chmura  
**Subject:** RE: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

Hi Peter,

Just wanted to follow up with you to see if you had a chance to look in to the IBC question I sent earlier this month. Please let us know.

Thanks,  
Erik

Sent with Good ([www.good.com](http://www.good.com))

-----Original Message-----

**From:** Stemmy, Erik (NIH/NIAID) [E]  
**Sent:** Friday, June 17, 2016 03:38 PM Eastern Standard Time  
**To:** Dr. Peter Daszak  
**Cc:** Greer, Jenny (NIH/NIAID) [E]; Aleksei Chmura  
**Subject:** RE: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

Hi Peter,

Thanks very much for providing the additional information. I did have a couple of follow up questions for you. Can you clarify where the work with the chimeric viruses will actually be performed? Your original application described the BSL3 facilities at the Wuhan Institute of Virology, but your response letter indicated that you would notify the UNC IBC if you observed enhanced replication with any of the proposed chimeras. Therefore it's not clear where the studies are being performed. Please also clarify whether EcoHealth Alliance has its own IBC, and how the UNC IBC would be involved in the oversight of this work.

Many thanks,  
Erik

Erik J. Stemmy, Ph.D.  
Program Officer  
Respiratory Diseases Branch  
Division of Microbiology and Infectious Diseases NIAID/NIH/HHS  
5601 Fishers Lane, Room 8E18  
Bethesda, MD 20892-9825  
Phone: (240)-627-3380  
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Getting ready to publish? Share the good news with your program officer asap! NIAID may be able to help publicize your article. And, remember to list your NIAID grant or contract number in the publication.

\*\*\*\*\*

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**From:** Greer, Jenny (NIH/NIAID) [E]  
**Sent:** Thursday, June 09, 2016 5:56 PM  
**To:** Aleksei Chmura (b)(6)  
**Cc:** Dr. Peter Daszak (b)(6); Stemmy, Erik (NIH/NIAID) [E]  
(b)(6)  
**Subject:** RE: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

Thank you for your quick response!

Jenny

Jenny Greer  
Grants Management Specialist  
DHHS/NIH/NIAID/DEA/GMP  
5601 Fishers Lane, Room 4E49, MSC 9833  
Bethesda, MD 20892-9824  
Phone: 240-669-2949  
Email: (b)(6)

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**From:** Aleksei Chmura (b)(6)  
**Sent:** Thursday, June 09, 2016 5:43 PM  
**To:** Greer, Jenny (NIH/NIAID) [E] (b)(6)  
**Cc:** Dr. Peter Daszak (b)(6); Stemmy, Erik (NIH/NIAID) [E]  
(b)(6); Kirker, Mary (NIH/NIAID) [E] (b)(6)  
Glowinski, Irene (NIH/NIAID) [E] (b)(6); Ford, Andrew (NIH/NIAID)  
[E] (b)(6)  
**Subject:** Re: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

Dear Jenny,

I concur with the detailed response that Dr. Daszak just sent to you in response to the Gain of Function questions in your email from 28th May. Please let me know

anytime, if you require any further information.

Many thanks!

**Aleksei Chmura**

*Authorized Organizational Representative &  
Senior Coordinator of Operations*

EcoHealth Alliance  
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New York, NY 10001

(b)(6) direct)  
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Aleksei MacDurian (Skype)

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On Jun 9, 2016, at 17:37, Greer, Jenny (NIH/NIAID) [E]

(b)(6) > wrote:

Peter,

Thank you for providing this response. We will review it shortly. In the meantime, I look forward to receiving concurrence from your authorized business official.

Thanks again!

Jenny

Jenny Greer  
Grants Management Specialist  
DHHS/NIH/NIAID/DEA/GMP  
5601 Fishers Lane, Room 4E49, MSC 9833  
Bethesda, MD 20892-9824  
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---

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

**Sent:** Thursday, June 09, 2016 5:23 PM

**To:** Greer, Jenny (NIH/NIAID) [E] (b)(6); Aleksei Chmura

(b)(6)

**Cc:** Stemmy, Erik (NIH/NIAID) [E] (b)(6); Kirker, Mary (NIH/NIAID) [E] (b)(6); Glowinski, Irene (NIH/NIAID) [E] (b)(6); Ford, Andrew (NIH/NIAID) [E]

(b)(6)

**Subject:** RE: Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

**Importance:** High

Dear Jenny and Erik,

Please find our response letter to your email below, attached. I really appreciate you giving us the chance to clarify these details and look forward to your decision on our proposed work. As stated clearly in the letter, we will not (of course) move forward with any of the proposed work in Specific Aim #3 until we hear back from you with directions.

Cheers,

Peter

**Peter Daszak**

*President*

EcoHealth Alliance

460 West 34<sup>th</sup> Street – 17<sup>th</sup> Floor

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---

**From:** Greer, Jenny (NIH/NIAID) [E] (b)(6)

**Sent:** Saturday, May 28, 2016 5:15 PM

**To:** Aleksei Chmura

**Cc:** Stemmy, Erik (NIH/NIAID) [E]; Peter Daszak; Kirker, Mary (NIH/NIAID) [E]; Glowinski, Irene (NIH/NIAID) [E]; Ford, Andrew (NIH/NIAID) [E]  
**Subject:** Grant Number: 5R01AI110964 - 03 PI Name: DASZAK, PETER

Dear Mr. Chmura,

Please find attached an important message about this grant. Your immediate response will be much appreciated.

All the best,

Jenny

Jenny Greer  
Grants Management Specialist  
DHHS/NIH/NIAID/DEA/GMP  
5601 Fishers Lane, Room 4E49, MSC 9833  
Bethesda, MD 20892-9824  
Phone: 240-669-2949  
Email: (b)(6)

*"Effective October 1, 2014, NIH closeout policy has changed (see [NOT-OD-14-084](#)). In order to avoid unilateral closeout, final reports must be submitted in a timely manner. Failure to submit accurate final reports could result in enforcement actions such as revisions to NOA funding levels, or delay in future funding."*

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Dear Drs. Greer and Stemmy,

June 8, 2016

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- 1) Instead of the proposed work on MERS-like chimeric CoVs, we would
  - a. model the 3-D structure of bat MERS-like CoV spike to assess its potential to bond to DPP4; and
  - b. build pseudoviruses with MERS-like CoV spike to conduct experiments for DPP4 binding.

- 2) Instead of the proposed work on SARS-like chimeric bat CoVs, we would build pseudoviruses with the spike proteins from these viruses and assess receptor binding *in vitro*.

We look forward to your response to our letter and will not conduct any of this proposed work until we hear back from you.

Yours sincerely,

(b)(6)

Dr. Peter Daszak

PI  
President and Chief Scientist  
EcoHealth Alliance

Tel: (b)(6)

e-mail: (b)(6)



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health  
National Institute of Allergy  
and Infectious Diseases  
Bethesda, Maryland 20892

July 7, 2016

Mr. Aleksei Chmura  
Senior Coordinator of Operations  
EcoHealth Alliance  
460 W. 34<sup>th</sup> Street – 17<sup>th</sup> Floor  
New York, NY 10001

RE: 5 R01AI110964-03

Dear Mr. Chmura:

Thank you for your correspondence of June 28th, 2016, regarding the October 17, 2014 White House announcement of a U.S. Government-wide pause on certain gain-of-function (GoF) experiments and its potential impact on your research (<http://www.whitehouse.gov/blog/2014/10/17/doing-diligence-assess-risks-and-benefits-life-sciences-gain-function-research>). The research funding pause pertains to GoF research projects that may be reasonably anticipated to confer attributes to influenza, MERS, or SARS viruses such that the resulting virus would have enhanced pathogenicity and/or transmissibility in mammals via the respiratory route.

NIAID reviewed the original grant application, and the additional information provided by you, and made the following assessments regarding Aim 3 of the above-referenced grant:

- NIAID is in agreement that the work proposed under Aim 3 to generate MERS-like or SARS-like chimeric coronaviruses (CoVs) is not subject to the GoF research funding pause. This determination is based on the following: (1) the chimeras will contain only S glycoprotein genes from phylogenetically distant bat CoVs; and (2) recently published work demonstrating that similar chimeric viruses exhibited reduced pathogenicity. Therefore it is not reasonably anticipated that these chimeric viruses will have enhanced pathogenicity and/or transmissibility in mammals via the respiratory route.
- NIAID acknowledges that if any of the MERS-like or SARS-like chimeras generated under this grant show evidence of enhanced virus growth greater than 1 log over the parental backbone strain, Dr. Daszak will immediately stop all experiments with these viruses and provide the NIAID Program Officer and Grants Management Specialist, and Wuhan Institute of Virology Institutional Biosafety Committee, with the relevant data and information related to these unanticipated outcomes.



Please remember that the institution must comply in full with all terms and conditions placed on this grant. As indicated above, NIAID determinations are based on information from multiple sources, but primarily on our communication with you about the details of your proposed experiments and your research results. Should NIAID's determination change based on information obtained through the U.S. Government GoF deliberative process, described here <http://www.phe.gov/s3/dualuse/Documents/gain-of-function.pdf>, you will be notified; however, until such time, or until the GoF research funding pause is lifted, NIAID's determination, indicated above, is final.

Please let us know if you have any questions, or if you require additional information.

Sincerely,

(b)(6)

Jenny Greer  
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NIAID/NIH/DHHS

(b)(6)

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