

EMPOWER OVERSIGHT

Whistleblowers & Research



May 24, 2022

VIA ELECTRONIC TRANSMISSION: LINDA.CHAPMAN@SCIENCE.DOE.GOV

Linda Chapman, Freedom of Information Act Officer
U.S. Department of Energy Integrated Support Center - Oak Ridge
P.O. Box 2001
Oak Ridge, TN 37831

**RE: FOIA Request for Documents Related to Amy Catherine Sims'
Collaboration with EcoHealth Alliance**

Dear Ms. Chapman:

INTRODUCTION

Empower Oversight Whistleblowers & Research (“Empower Oversight”) is a nonpartisan, nonprofit educational organization dedicated to enhancing independent oversight of government and corporate wrongdoing. We work to help insiders safely and legally report waste, fraud, abuse, corruption, and misconduct to the proper authorities, and seek to hold those authorities accountable to act on such reports by, among other means, publishing information concerning the same.

BACKGROUND

Last year, *Newsweek* reported that the National Institutes of Health (“NIH”) funded risky “gain of function” virus research at the Wuhan Institute of Virology (“WIV”). This was done through an NIH grant that was made to EcoHealth Alliance, a nonprofit that is directed by Peter Daszak. EcoHealth Alliance subcontracted part of its NIH-funded research to WIV researchers.¹ When EcoHealth Alliance’s NIH grant later became public knowledge, reporters with two media outlets confirmed that research funded by it included gain-of-function and that funds were provided to the WIV.^{2, 3}

¹ Guterl, Fred, *Dr. Fauci Backed Controversial Wuhan Lab with U.S. Dollars for Risky Coronavirus Research* (April 28, 2020), available at <https://www.newsweek.com/dr-fauci-backed-controversial-wuhan-lab-millions-us-dollars-risky-coronavirus-research-1500741> (last accessed on May 9, 2022).

² Lerner, Sharon; Hvistendahl; Hibbett, Maia, *NIH Documents Provide New Evidence U.S. Funded Gain-Of-Function Research in Wuhan* (September 9, 2021), available at <https://theintercept.com/2021/09/09/covid-origins-gain-of-function-research/> (last accessed on May 19, 2022).

³ Eban, Katherine, *In Major shift, NIH admits Funding Risky Virus Research in Wuhan* (October 22, 2021), available at <https://www.vanityfair.com/news/2021/10/nih-admits-funding-risky-virus-research-in-wuhan> (last accessed on May 19, 2022).

On September 23, 2021, U.S. House of Representatives voted to include an amendment prohibiting the provision of federal funding to EcoHealth Alliance in the Fiscal Year 2022 National Defense Authorization Act (H.R. 4350).⁴

A month later, *The Washington Post* editorial board wrote that Mr. Daszak should testify before Congress to explain what he knows about the research conducted at the WIV.⁵ The editorial board wrote:

Mr. Daszak must answer these questions before Congress. His grants were federal funds, and it is entirely appropriate for Congress to insist on accountability and transparency. He might also help the world understand what really happened in Wuhan.

Mr. Daszak and Ralph Baric, who is reported to have worked with EcoHealth Alliance on a Defense Advanced Research Projects Agency grant application that included gain of function research on bat viruses,⁶ have collaborated with Amy Catherine Sims, a senior research scientist at the DOE's Pacific Northwest National Lab ("PNNL").⁷

RECORDS REQUEST

To shed light on Ms. Sims' collaboration with Messrs. Daszak and Baric and EcoHealth Alliance, pursuant to the Freedom of Information Act ("FOIA"),⁸ Empower Oversight hereby requests:

1. All communications to/from/copied to Ms. Sims that are to/from/copied to:
 - a. Peter Daszak or any employee, member, or officer of the EcoHealth Alliance.
 - b. Shi Zhengli or any employee, member, or officer of the WIV.
 - c. Ralph Baric or any employee, member, or officer of the University of North Carolina.

⁴ Press Release, *House Passes Reschenthaler Amendment Defunding EcoHealth Alliance* (September 23, 2021), available at <https://reschenthaler.house.gov/media/press-releases/house-passes-reschenthaler-amendment-defunding-ecohealth-alliance> (last accessed on May 19, 2022).

⁵ Editorial Board, *One Person Might Know What Really Happened In Wuhan* (October 25, 2021), available at <https://www.washingtonpost.com/opinions/2021/10/25/one-person-who-might-know-what-really-happened-wuhan/> (last accessed on May 19, 2022).

⁶ The Intercept, *The Lab-leak Theory Is Looking Stronger by the Day. Here's What We Know* (May 6, 2022), <https://theintercept.com/2022/05/06/deconstructed-lab-leak-covid-katherine-eban/> (last accessed on May 10, 2022).

⁷ PNNL, *Amy Sims: Biography* (Undated), available at <https://www.pnnl.gov/people/amy-sims> (last accessed on May 23, 2022); Menachery, Vineet D., et al., *SARS-like WIV1-CoV Poised for Human Emergence* (March 14, 2016), available at <https://www.pnas.org/doi/full/10.1073/pnas.1517719113> (last accessed on May 23, 2022); Springer Nature Switzerland AG, *EcoHealth: Editors* (2022), available at <https://www.springer.com/journal/10393/editors> (listing Ms. Sims as a "review editor" for EcoHealth Alliance's official public journal).

Battelle Memorial Institute operates PNNL and eight other national laboratories on behalf of DOE and the Department of Homeland Security. See, Battelle Memorial Institute, *National Laboratory Management and Operations* (2021), available at <https://www.battelle.org/laboratory-management> (last accessed on May 23, 2022).

⁸ 5 U.S.C. § 552.

- d. Jonna Mazet or any employee, member, or officer of the University of California, Davis.
 - e. Eddy Rubin or any employee, member, or officer of Metabiota.
 - f. Thomas Geisbert, Alan Barrett, Pei-Yong Shi or any employee, member, or officer of the University of Texas, Medical Branch.
 - g. Anthony Fauci or any employee, member, or officer of the National Institute of Allergy and Infectious Diseases.
 - h. Dean Carroll, Cara Chrisman or any employee, member, or officer of the U.S. Agency for International Development.
 - i. Any employee, member, or officer of the Wuhan Center for Disease Control and Prevention, the U.S. Army Medical Research Institute of Infectious Diseases, the Coalition for Epidemic Preparedness Innovations, the Defense Threat Reduction Agency, or the National Institutes of Health.
 - j. James Le Duc, Linfa Wang, David Franz, or Angela Rasmussen.
2. All communications to/from/copied to Ms. Sims that include one or more of the following phrases or terms:
- a. Wuhan or WIV
 - b. Gain of function
 - c. Coronavirus
 - d. Global Virome Project
 - e. Conspiracy
 - f. Lab leak
 - g. EcoHealth Alliance
 - h. PREDICT

DEFINITIONS

“COMMUNICATION(S)” means every manner or method of disclosure, exchange of information, statement, or discussion between or among two or more persons, including but not limited to, face-to-face and telephone conversations, correspondence, memoranda, telegrams, telexes, email messages, voice-mail messages, text messages, Slack messages, meeting minutes, discussions, releases, statements, reports, publications, and any recordings or reproductions thereof.

“DOCUMENT(S)” or “RECORD(S)” mean any kind of written, graphic, or recorded matter, however produced or reproduced, of any kind or description, whether sent, received, or neither, including drafts, originals, non-identical copies, and information stored magnetically, electronically, photographically or otherwise. As used herein, the terms “DOCUMENT(S)” or “RECORD(S)” include, but are not limited to, studies, papers, books, accounts, letters, diagrams, pictures, drawings, photographs, correspondence, telegrams, cables, text messages,

emails, memoranda, notes, notations, work papers, intra-office and inter-office communications, communications to, between and among employees, contracts, financial agreements, grants, proposals, transcripts, minutes, orders, reports, recordings, or other documentation of telephone or other conversations, interviews, affidavits, slides, statement summaries, opinions, indices, analyses, publications, questionnaires, answers to questionnaires, statistical records, ledgers, journals, lists, logs, tabulations, charts, graphs, maps, surveys, sound recordings, data sheets, computer printouts, tapes, discs, microfilm, and all other records kept, regardless of the title, author, or origin.

“PERSON” means individuals, entities, firms, organizations, groups, committees, regulatory agencies, governmental entities, business entities, corporations, partnerships, trusts, and estates.

“REFERS,” “REFERRING TO,” “REGARDS,” “REGARDING,” “RELATES,” “RELATING TO,” “CONCERNS,” “BEARS UPON,” or “PERTAINS TO” mean containing, alluding to, responding to, commenting upon, discussing, showing, disclosing, explaining, mentioning, analyzing, constituting, comprising, evidencing, setting forth, summarizing, or characterizing, either directly or indirectly, in whole or in part.

INSTRUCTIONS

The time span of this request covers January 1, 2017, to the present.

Requested records include all attachments to such records.

The words “and” and “or” shall be construed in the conjunctive or disjunctive, whichever is most inclusive.

The singular form shall include the plural form and vice versa.

The present tense shall include the past tense and vice versa.

In producing the records described above, you shall segregate them by reference to each of the numbered items of this public records request.

If you have any questions about this request, please contact Bryan Saddler by e-mail at bsaddler@empowr.us.

FEE WAIVER REQUEST

Empower Oversight agrees to pay up to \$25.00 in applicable fees, but notes that it qualifies as a “representative of the news media” and requests a waiver of any fees that may be associated with processing this request.

Empower Oversight is a non-profit educational organization as defined under Section 501(c)(3) of the Internal Revenue Code, which helps insiders safely and legally report waste, fraud, abuse, corruption, and misconduct to the proper authorities, and seeks to hold those authorities accountable to act on such reports by, among other means, publishing information concerning the same. Empower Oversight has no commercial interest in making this request.

Further, the information that Empower Oversight seeks is in the public interest because it is likely to contribute to the public understanding of Ms. Sims’ collaboration with Messrs. Daszak and Baric and EcoHealth Alliance on risky gain of function or other research.

Empower Oversight is committed to government accountability, public integrity, and transparency. In the latter regard, the information that that Empower Oversight receives that tends to explain the subject matter of this public records request will be disclosed publicly via its website, and copies will be shared with other news media for public dissemination.

For ease of administration and to conserve resources, we ask that documents be produced in a readily accessible electronic format.

Thank you for your time and consideration. Please don't hesitate to contact me with any questions.

Cordially,

/Jason Foster/

Jason Foster
Founder & President