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May 22, 2020

Via Email, Certified Mail, & FedEx

(b) (6

Michael S. Lauer, MD NIH Deputy Director for Extramural Research National Institutes of Health National Institute of Allergy and Infectious Diseases 1 Center Drive, Building 1, Room 144 Bethesda, Maryland 20892

Re: Termination of NIH Grant 2R01 AI 110964-6

Dear Dr. Lauer:

This firm represents EcoHealth Alliance, Inc. ("EcoHealth Alliance") with regard to the post-award decision by the National Institute of Allergy and Infectious Diseases ("NIAID"), an Institute within the National Institute of Health ("NIH"), under the Department of Health and Human Services ("HHS"), to terminate the project *Understanding the Risk of Bat Coronavirus Emergence*, funded under grant R01 AI 110964, on April 24, 2020 (the "Termination").

This letter, pursuant to NIH Grants Policy Statement Section 8.7 and 42 CFR 50, Subpart D, constitutes EcoHealth Alliance's first-level appeal of the Termination, which was "for convenience." As set forth in more detail below, the Termination is not authorized under the NIH Grants Policy Statement, arbitrary and capricious and an indefensible attack on public health and welfare given that it undermines a pivotal 10-year research project involving the origins, spread and threat of emerging bat coronaviruses during the peak of an unprecedented worldwide coronavirus pandemic. Accordingly, EcoHealth Alliance hereby demands that grant 2R01 AI 110964-6 be reinstated immediately.

BACKGROUND

A. <u>EcoHealth Alliance</u>

EcoHealth Alliance is a prominent New York-based nonprofit institution dedicated to protecting the health of people, animals, and the environment from emerging zoonotic diseases. For more than a decade, EcoHealth Alliance has been conducting cutting edge scientific research to identify hundreds of new coronaviruses ("CoVs") in bats and to study the capacity of these viruses to infect human cells. The purpose of this research is to identify high risk populations so international actors can leverage their resources to address potential pandemics. In cooperation with a global network of over seventy partners, including academic institutions, intergovernmental

and governmental agencies, infectious disease surveillance laboratories, and other international and national organizations in over thirty countries, EcoHealth Alliance's work has led to numerous scientific papers published in high impact journals. These publications have been critical in raising awareness of the threat that CoVs pose to global health, the global economy, and U.S. National Security.

EcoHealth Alliance has a long history of successful cooperation with NIH including multiple Research Project Grant R01 awards. In particular, Peter Daszak, EcoHealth Alliance's President and Chief Scientist, has been the Principal Investigator on five multidisciplinary R01s. All of these projects used modeling, epidemiology, laboratory, and field science to test hypotheses on the emergence of wildlife-origin viral zoonoses, including SARS-CoV, the Nipah and Hendra viruses, Avian influenza, and other bat-origin viruses. EcoHealth Alliance, a 501(c)(3) organization, is unique in that it goes one step further by leveraging its research goals to create an alliance of international collaborators that can advocate for real-world changes to protect high risk populations.

Notably, in collaboration with virologists in China, EcoHealth Alliance isolated and characterized SARSr-CoVs from bats that use the same human host cell receptor (ACE2) as SARS-CoV. This work provided critical reagents and resources that have advanced scientific understanding of virus-host binding and contributed to vaccine development. For example, the genetic sequences of the bat viruses that EcoHealth Alliance discovered under its NIH research funding, which were published online (Genbank & GISAID), have been used to test the effectiveness of the drug Remdesivir against not only SARS-CoV, but also MERS, and other potentially zoonotic or pre-pandemic bat CoVs. Significantly, this type of testing can be performed without the need for viral cultures or shipping viruses internationally.

B. NIH Awards And Extends EcoHealth Alliance Research Grant R01 AI 110964

In 2014, NIH issued EcoHealth Alliance a five-year research award for the project *Understanding the Risk of Bat Coronavirus Emergence*, funded under grant R01 AI 110964 (the "Project"). EcoHealth Alliance received additional awards for the Project each year between 2015 and 2018. Between 2015 and 2019, the Project resulted in the publication of more than twenty papers.

In 2019, EcoHealth Alliance submitted a renewal application to NIH through NIAID to extend the Project period for an additional five years. Upon filing of its renewal application, the Project was ranked as an "extremely high priority" (in the top 3%) by NIAID during its external review process. In light of its success and the importance of EcoHealth Alliance's work, on July 24, 2019, NIH reauthorized grant R01 AI 110964 and increased EcoHealth Alliance's funding. EcoHealth Alliance was issued a notice of award in the amount of \$733,750.00 (the "2019 Award"). The notice of award also extended the Project period for an additional five years to 2024. A copy of the notice of award is attached hereto as Exhibit A.

C. EcoHealth Alliance Agrees Not To Fund The Wuhan Institute Of Virology

During the pendency of the Project, in December of 2019, China reported a cluster of cases of pneumonia in Wuhan, Hubei Province. It was later determined that the cause of this pneumonia

was a novel CoV, severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), causing coronavirus disease (COVID-19). Thereafter, SARS-CoV-2 spread to nearly every country throughout the world. In response, EcoHealth Alliance has prioritized its efforts in conducting research that will be integral to developing an effective strategy to combat SARS-CoV-2.

On April 19, 2020, Michael S. Lauer, MD, NIH Deputy Director for Extramural Research, sent a letter to EcoHealth Alliance on behalf of NIH regarding a laboratory in China, the Wuhan Institute of Virology ("WIV"). WIV was a prior sub-recipient of a small portion of the R01 AI 110964 grant funds. The letter stated that, given allegations that COVID-19 "was precipitated by the release from WIV of the coronavirus responsible for COVID-19", NIH was pursuing suspension of WIV from participating in Federal programs. However, Mr. Lauer assured EcoHealth Alliance that "[t]his suspension of the sub-recipient does not affect the remainder of [EcoHealth Alliance's] grant assuming that no grant funds are provided to WIV following receipt of this email during the period of suspension." A copy of the letter is attached hereto as Exhibit B.

On April 21, 2020, Dr. Daszak of EcoHealth Alliance responded by email to Dr. Lauer stating that he could "categorically state that no funds from [sic] 2R01 AI 110964-6 have been sent to Wuhan Institute of Virology, nor has any contract been signed." Dr. Daszak further represented that EcoHealth Alliance would comply with all NIAID requirements. Dr. Lauer acknowledged (1) that no monies from grant 2R01 AI 110964-6 had gone to WIV and no contract between EcoHealth Alliance and WIV had been signed and (2) EcoHealth Alliance's agreement that it would not provide any funds to WIV until and unless directed otherwise by NIH. A copy of the email correspondence between NIH and EcoHealth Alliance is attached hereto as Exhibit C.

D. NIH Abruptly Terminates Research Grant 2R01 AI 110964-6 "For Convenience"

Notwithstanding NIH's representation that suspension of WIV would not affect the remainder of EcoHealth Alliance's 2019 Award, on April 24, 2020, NIH notified EcoHealth Alliance by letter that, effective immediately, the 2019 Award had been terminated by NIAID. The stated grounds for the Termination were: (1) convenience; (2) NIH's discretion not to award a grant, or to award a grant at a particular funding level; and (3) NIH's belief that the Project outcomes did not align with the program goals and agency priorities. A copy of the Termination is attached hereto as Exhibit D.

ARGUMENT

A. NIH Research Grants Are Not Subject To Termination For Convenience

"Termination for convenience" refers to the exercise of the government's right to bring to an end the performance of all or part of the work provided for under a contract prior to the expiration of the contract "when it is in the Government's interest" to do so. Federal agencies typically incorporate clauses in their procurement contracts which give them the right to terminate for convenience. Here, there is no clause in the terms and conditions applicable to the 2019 Award, or in the NIH Grants Policy Statement, that permits NIAID or NIH to issue a post-award decision to terminate a NIH research grant award "for convenience."

Moreover, the unprecedented assertion by NIH that active research grants can be terminated "for convenience" during the subject budget period renders Section 8.5.2 of the NIH Grants Policy Statement meaningless. See, e.g., Li v. Eddy, 324 F.3d 1109, 1110 (9th Cir. 2003) (rejecting suggested statutory interpretation on the grounds that the interpretation ran squarely against the canon of construction that courts interpret statutes so as not to render any section meaningless). Section 8.5.2 of the NIH Grants Policy Statement governs, inter alia, modification or termination of an award for misconduct. If NIH grants were terminable for convenience, NIH could always choose to terminate for convenience to avoid (1) the "for cause" restriction on grant terminations and (2) the labor intensive task of enforcing compliance through disallowing costs, withholding further awards, or wholly suspending the grant, pending corrective action.

B. NIH's Discretion Not To Award A Grant, Or To Award a Grant At A Particular Funding Level, Does Not Authorize A Post-Award Decision To Terminate

NIH's discretion regarding the "decision not to award a grant, or to award a grant at a particular funding level" does not give NIH the authority to issue a post-award decision terminating a duly awarded grant during the budget period. This purported discretion, which is based on language in the last paragraph of NIH Grants Policy Statement Section 2.4.4, entitled *Disposition of Applications*, concerns NIH's authority to reject incomplete or otherwise undesirable grant applications in the first instance only. The provisions of Section 2, generally, have no bearing on post-award decisions affecting duly approved grants for which specified funds have already been allocated. As the 2019 Grant in the amount of \$733,750.00 was awarded to EcoHealth Alliance on July 24, 2019, NIH's authority to deny initial grant applications does not allow NIH to terminate the 2019 Grant.

C. The Research Goals Of EcoHealth Alliance And NIAID Are Virtually Identical

NIH's contention that the Project's outcomes do not align with the agency's priorities is demonstrably false. First, the Project was ranked as "extremely high priority" on external review by NIAID less than nine months ago, before the discovery of SARS-CoV-2. Since this discovery, NIH has promulgated new grants seeking applicants to conduct research on the same issues covered by the Project and the 2019 Award.

In addition, there is substantial overlap between the four strategic research priorities on page 1 of NIAID's Strategic Plan for COVID-19 Research, published April 22, 2020, and the three Specific Aims of the Project. Both NIAID and EcoHealth Alliance seek to: (1) improve fundamental knowledge of SARS-Cov-2; (2) develop methods to assess the rate of infection and disease incidence; (3) contribute to the development of an effective vaccine; and (4) increase public health preparedness. Copies of the Project's Specific Aims and the NIAID Strategic Plan's four strategic research priorities for COVID-19 research are attached hereto as Exhibit E.

D. There Is No Rational Basis To Terminate The 2019 Award For Cause

The grounds and procedures for suspension and termination of awards are specified in NIH Grants Policy Statement Section 8.5.2 and 45 CFR Parts 75.371 through 75.373. Notably, Section

8.5.2 provides, *inter alia*, that NIH will generally suspend (rather than immediately terminate) a grant and allow the recipient an opportunity to take appropriate corrective action before NIH makes a termination decision. Through this lens, 45 CFR 75.372 provides that NIH may terminate a Federal award, in whole or in part, if: (1) the non-Federal entity fails to comply with the terms and conditions of the award; (2) for cause; (3) by the HHS awarding agency or pass-through entity with the consent of the non-Federal entity; or (4) by the non-Federal entity upon written notice to the HHS awarding agency setting forth the reasons for such termination, and other information. None of the foregoing predicate conditions exist here.

As of the date of the Termination, EcoHealth Alliance had not received any notice from NIH, NIAID, or HHS that it either failed to comply with any of the terms or conditions of the 2019 Award, or committed any misconduct in connection with the award. To the contrary, in email correspondence following EcoHealth Alliance's representation that it had not and would not give any funds from the 2019 Award to WIV, Aleksei Chmura, EcoHealth Alliance's Chief of Staff, memorialized the mutual agreement between NIH and EcoHealth Alliance that EcoHealth Alliance was in compliance with all requests. (Ex. C, p. 1). To be clear, EcoHealth Alliance clearly and unequivocally stated that it had not and will not distribute any funds from the 2019 Award to WIV.

In sum, there is no statutory, regulatory, or contractual basis for NIAID's termination of the Project, *Understanding the Risk of Bat Coronavirus Emergence*, funded under grant 2R01 AI 110964-6. However, please note that this letter is not intended to provide an exhaustive list of all possible grounds for reversal of the Termination and may not reflect all arguments and claims that EcoHealth Alliance will assert in the event that a formal second-level appeal of the Termination is required.

Should you wish to present evidence in an effort to refute any of the factual assertions made in this letter and/or to engage in good faith negotiations regarding appropriate terms and conditions for the resumption of funding for grant 2R01 AI 110964-6, we are prepared to review such evidence and to participate in such negotiations.

We await your response to this letter.

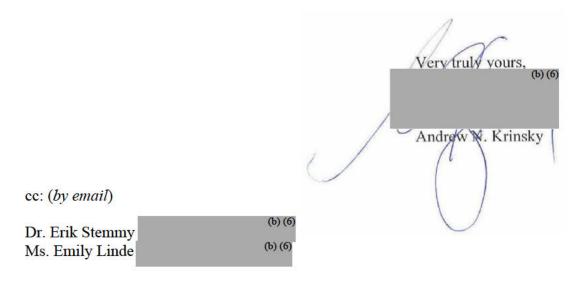


Exhibit A

Federal Award Date: 07/24/2019



NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Grant Number: 2R01Al110964-06 **FAIN:** R01Al110964

Principal Investigator(s): PETER DASZAK, PHD

Project Title: Understanding the Risk of Bat Coronavirus Emergence

Dr. Daszak, Peter PD/PI 460 West 34th Street Suite 1701 New York, NY 100012320

Award e-mailed to: (b) (6)

Period Of Performance:

Budget Period: 07/24/2019 – 06/30/2020 **Project Period:** 06/01/2014 – 06/30/2024

Dear Business Official:

The National Institutes of Health hereby awards a grant in the amount of \$733,750 (see "Award Calculation" in Section I and "Terms and Conditions" in Section III) to ECOHEALTH ALLIANCE, INC. in support of the above referenced project. This award is pursuant to the authority of 42 USC 241 42 CFR 52 and is subject to the requirements of this statute and regulation and of other referenced, incorporated or attached terms and conditions.

Acceptance of this award including the "Terms and Conditions" is acknowledged by the grantee when funds are drawn down or otherwise obtained from the grant payment system.

Each publication, press release, or other document about research supported by an NIH award must include an acknowledgment of NIH award support and a disclaimer such as "Research reported in this publication was supported by the National Institute Of Allergy And Infectious Diseases of the National Institutes of Health under Award Number R01AI110964. The content is solely the responsibility of the authors and does not necessarily represent the official views of the National Institutes of Health." Prior to issuing a press release concerning the outcome of this research, please notify the NIH awarding IC in advance to allow for coordination.

Award recipients must promote objectivity in research by establishing standards that provide a reasonable expectation that the design, conduct and reporting of research funded under NIH awards will be free from bias resulting from an Investigator's Financial Conflict of Interest (FCOI), in accordance with the 2011 revised regulation at 42 CFR Part 50 Subpart F. The Institution shall submit all FCOI reports to the NIH through the eRA Commons FCOI Module. The regulation does not apply to Phase I Small Business Innovative Research (SBIR) and Small Business Technology Transfer (STTR) awards. Consult the NIH website http://grants.nih.gov/grants/policy/coi/ for a link to the regulation and additional important information.

If you have any questions about this award, please contact the individual(s) referenced in Section IV.

Sincerely yours,

Tseday G Girma Grants Management Officer NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Additional information follows

SECTION I - AWARD DATA - 2R01Al110964-06





Approved Budget Total Amount of Federal Funds Obligated (Federal Share) TOTAL FEDERAL AWARD AMOUNT

\$733,750 \$733,750 \$733,750

AMOUNT OF THIS ACTION (FEDERAL SHARE)

\$733,750

SUMMARY TOTALS FOR ALL YEARS				
YR	THIS AWARD	CUMULATIVE TOTALS		
6	\$733,750	\$733,750		
7	\$709,750	\$709,750		
8	\$709,750	\$709,750		
9	\$709,750	\$709,750		
10	\$709,750	\$709,750		

Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project

Fiscal Information:

CFDA Name: Allergy and Infectious Diseases Research

CFDA Number: 93.855

EIN: 1311726494A1

Document Number: RAI110964B

PMS Account Type: P (Subaccount)

Fiscal Year: 2019

IC	CAN	2019	2020	2021	2022	2023
Al	8472364	\$733.750	\$709.750	\$709.750	\$709.750	\$709.750

Recommended future year total cost support, subject to the availability of funds and satisfactory progress of the project

NIH Administrative Data:

PCC: M51C B / OC: 414B / Released: (b) (6) 07/18/2019

Award Processed: 07/24/2019 12:03:26 AM

SECTION II - PAYMENT/HOTLINE INFORMATION - 2R01AI110964-06

For payment and HHS Office of Inspector General Hotline information, see the NIH Home Page at http://grants.nih.gov/grants/policy/awardconditions.htm

SECTION III - TERMS AND CONDITIONS - 2R01AI110964-06

This award is based on the application submitted to, and as approved by, NIH on the above-titled project and is subject to the terms and conditions incorporated either directly or by reference in the following:

- a. The grant program legislation and program regulation cited in this Notice of Award.
- b. Conditions on activities and expenditure of funds in other statutory requirements, such as those included in appropriations acts.

- c. 45 CFR Part 75.
- d. National Policy Requirements and all other requirements described in the NIH Grants Policy Statement, including addenda in effect as of the beginning date of the budget period.
- e. Federal Award Performance Goals: As required by the periodic report in the RPPR or in the final progress report when applicable.
- This award notice, INCLUDING THE TERMS AND CONDITIONS CITED BELOW.

(See NIH Home Page at http://grants.nih.gov/grants/policy/awardconditions.htm for certain references cited above.)

Research and Development (R&D): All awards issued by the National Institutes of Health (NIH) meet the definition of "Research and Development" at 45 CFR Part§ 75.2. As such, auditees should identify NIH awards as part of the R&D cluster on the Schedule of Expenditures of Federal Awards (SEFA). The auditor should test NIH awards for compliance as instructed in Part V, Clusters of Programs. NIH recognizes that some awards may have another classification for purposes of indirect costs. The auditor is not required to report the disconnect (i.e., the award is classified as R&D for Federal Audit Requirement purposes but non-research for indirect cost rate purposes), unless the auditee is charging indirect costs at a rate other than the rate(s) specified in the award document(s).

An unobligated balance may be carried over into the next budget period without Grants Management Officer prior approval.

This grant is subject to Streamlined Noncompeting Award Procedures (SNAP).

This award is subject to the requirements of 2 CFR Part 25 for institutions to receive a Dun & Bradstreet Universal Numbering System (DUNS) number and maintain an active registration in the System for Award Management (SAM). Should a consortium/subaward be issued under this award, a DUNS requirement must be included. See http://grants.nih.gov/grants/policy/awardconditions.htm for the full NIH award term implementing this requirement and other additional information.

This award has been assigned the Federal Award Identification Number (FAIN) R01Al110964. Recipients must document the assigned FAIN on each consortium/subaward issued under this award.

Based on the project period start date of this project, this award is likely subject to the Transparency Act subaward and executive compensation reporting requirement of 2 CFR Part 170. There are conditions that may exclude this award; see http://grants.nih.gov/grants/policy/awardconditions.htm for additional award applicability information.

In accordance with P.L. 110-161, compliance with the NIH Public Access Policy is now mandatory. For more information, see NOT-OD-08-033 and the Public Access website: http://publicaccess.nih.gov/.

In accordance with the regulatory requirements provided at 45 CFR 75.113 and Appendix XII to 45 CFR Part 75, recipients that have currently active Federal grants, cooperative agreements, and procurement contracts with cumulative total value greater than \$10,000,000 must report and maintain information in the System for Award Management (SAM) about civil, criminal, and administrative proceedings in connection with the award or performance of a Federal award that reached final disposition within the most recent five-year period. The recipient must also make semiannual disclosures regarding such proceedings. Proceedings information will be made publicly available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)). Full reporting requirements and procedures are found in Appendix XII to 45 CFR Part 75. This term does not apply to NIH fellowships.

Treatment of Program Income:

Additional Costs

SECTION IV - AI Special Terms and Conditions - 2R01AI110964-06

Clinical Trial Indicator: No

This award does not support any NIH-defined Clinical Trials. See the NIH Grants Policy Statement Section 1.2 for NIH definition of Clinical Trial.



The Research Performance Progress Report (RPPR), Section G.9 (Foreign component), includes reporting requirements for all research performed outside of the United States. Research conducted at the following site(s) must be reported in your RPPR:



This award reflects current Federal policies regarding Facilities & Administrative (F&A) Costs for foreign grantees including foreign sub-awardees, and domestic awards with foreign sub-awardees. Please see: Chapter 16 Grants to Foreign Organizations, International Organizations, and Domestic Grants with Foreign Components, <u>Section 16.6 "Allowable and Unallowable Cost"</u> of the NIH Grants Policy.

This award may include collaborations with and/or between foreign organizations. Please be advised that short term travel visa expenses are an allowable expense on this grant, if justified as critical and necessary for the conduct of the project.

The budget period anniversary start date for future year(s) will be July 1.

Dissemination of study data will be in accord with the Recipient's accepted genomic data sharing plan as stated in the page(s) 203 of the application. Failure to adhere to the sharing plan as mutually agreed upon by the Recipient and the NIAID may result in Enforcement Actions as described in the NIH Grants Policy Statement.

This award is subject to the Clinical Terms of Award referenced in the NIH Guide for Grants and Contracts, July 8, 2002, NOT Al-02-032. These terms and conditions are hereby incorporated by reference, and can be accessed via the following World Wide Web address: https://www.niaid.nih.gov/grants-contracts/niaid-clinical-terms-award All submissions required by the NIAID Clinical Terms of Award must be forwarded electronically or by mail to the responsible NIAID Program Official identified on this Notice of Award.

Awardees who conduct research involving Select Agents (see 42 CFR 73 for the Select Agent list; and 7 CFR 331 and 9 CFR 121 for the relevant animal and plant pathogens at http://www.selectagents.gov/Regulations.html) must complete registration with CDC (or APHIS, depending on the agent) before using NIH funds. No funds can be used for research involving Select Agents if the final registration certificate is denied.

Prior to conducting a restricted experiment with a Select Agent or Toxin, awardees must notify the NIAID and must request and receive approval from CDC or APHIS.

Select Agents:

Awardee of a project that at any time involves a restricted experiment with a select agent, is responsible for notifying and receiving prior approval from the NIAID. Please be advised that changes in the use of a Select Agent will be considered a change in scope and require NIH awarding office prior approval. The approval is necessary for new select agent experiments as well as changes in on-going experiments that would require change in the biosafety plan and/or biosafety containment level. An approval to conduct a restricted experiment granted to an individual cannot be assumed an approval to other individuals who conduct the same restricted experiment as defined in the Select Agents Regulation 42 CFR Part 73, Section 13.b (http://www.selectagents.gov/Regulations.html).

Highly Pathogenic Agent:

recommended containment level must be used.

NIAID defines a Highly Pathogenic Agent as an infectious Agent or Toxin that may warrant a biocontainment safety level of BSL3 or higher according to the current edition of the CDC/NIH Biosafety in Microbiological and Biomedical Laboratories (BMBL) (http://www.cdc.gov/OD/ohs/biosfty/bmbl5/bmbl5toc.htm). Research funded under this grant must adhere to the BMBL, including using the BMBL-recommended biocontainment level at a minimum. If your Institutional Biosafety Committee (or equivalent body) or designated institutional biosafety official recommend a higher biocontainment level, the highest

When submitting future Progress Reports indicate at the beginning of the report:

If no research with a Highly Pathogenic Agent or Select Agent has been performed or is planned to be performed under this grant.

If your IBC or equivalent body or official has determined, for example, by conducting a risk assessment, that the work being planned or performed under this grant may be conducted at a biocontainment safety level that is lower than BSL3.

If the work involves Select Agents and/or Highly Pathogenic Agents, also address the following points:

Any changes in the use of the Agent(s) or Toxin(s) including its restricted experiments that have resulted in a change in the required biocontainment level, and any resultant change in location, if applicable, as determined by your IBC or equivalent body or official.

If work with a new or additional Agent(s)/Toxin(s) is proposed in the upcoming project period, provide:

- o A list of the new and/or additional Agent(s) that will be studied;
- o A description of the work that will be done with the Agent(s), and whether or not the work is a restricted experiment;
- o The title and location for each biocontainment resource/facility, including the name of the organization that operates the facility, and the biocontainment level at which the work will be conducted, with documentation of approval by your IBC or equivalent body or official. It is important to note if the work is being done in a new location.

The Grants Management Specialist is responsible for the negotiation, award and administration of this project and for interpretation of Grants Administration policies and provisions. The Program Official is responsible for the scientific, programmatic and technical aspects of this project. These individuals work together in overall project administration. Prior approval requests (signed by an Authorized Organizational Representative) should be submitted in writing to the Grants Management Specialist. Requests may be made via e-mail.

Grants Management Specialist: Tseday G Girma

Email: (b) (6) Phone: (b) (6) Fax: 301-493-0597

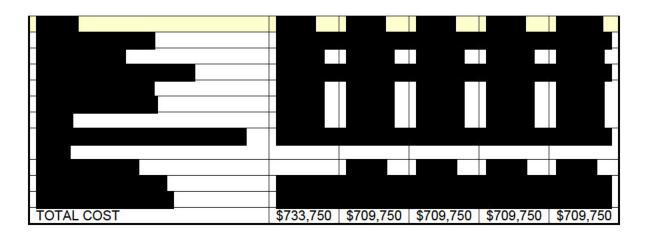
Program Official: Erik J. Stemmy

Email: (b) (6) Phone: (b) (6)

SPREADSHEET SUMMARY

GRANT NUMBER: 2R01AI110964-06

INSTITUTION: ECOHEALTH ALLIANCE, INC.



Facilities and Administrative Costs	Year 6	Year 7	Year 8	Year 9	Year 10
F&A Cost Rate 1	32%	32%	32%	32%	32%
F&A Cost Base 1	\$438,711	\$363,711	\$363,711	\$363,711	\$363,711
F&A Costs 1	\$140,388	\$116,388	\$116,388	\$116,388	\$116,388

Exhibit B

Date: April 19, 2020

From: Michael S Lauer, MD

NIH Deputy Director for Extramural Research

Lauer, Michael Digitally signed by Lauer, Michael (NIH/OD) [E] (NIH/OD) [E]

Date: 2020.04.19 10:47:40

To: Kevin Olival, PhD

Vice-President for Research

EcoHealth Alliance

(b) (6)

Naomi Schrag, JD

Vice-President for Research Compliance, Training, and Policy

Columbia University (b) (6)

Subject: Project Number 2R01AI110964-06

Dear Dr. Olival and Ms. Schrag:

EcoHealth Alliance, Inc. is the recipient, as grantee, of an NIH grant entitled "Understanding the Risk of Bat Coronavirus Emergence." It is our understanding that one of the sub-recipients of the grant funds is the Wuhan Institute of Virology ("WIV"). It is our understanding that WIV studies the interaction between corona viruses and bats. The scientific community believes that the coronavirus causing COVID-19 jumped from bats to humans likely in Wuhan where the COVID-19 pandemic began. There are now allegations that the current crisis was precipitated by the release from WIV of the coronavirus responsible for COVID-19. Given these concerns, we are pursuing suspension of WIV from participation in Federal programs.

While we review these allegations during the period of suspension, you are instructed to cease providing any funds from the above noted grant to the WIV. This temporary action is authorized by 45 C.F.R. § 75.371(d) ("Initiate suspension or debarment proceedings as authorized under 2 C.F.R. part 180"). The incorporated OMB provision provides that the funding agency may, through suspension, immediately and temporarily exclude from Federal programs persons who are not presently responsible where "immediate action is necessary to protect the public interest." 2 C.F.R. § 180.700(c). It is in the public interest that NIH ensure that a sub-recipient has taken all appropriate precautions to prevent the release of pathogens that it is studying. This suspension of the sub-recipient does not affect the remainder of your grant assuming that no grant funds are provided to WIV following receipt of this email during the period of suspension.

Exhibit C

1 Michael Lauer email 20 April 2020

From: Lauer, Michael (NIH/OD) [E] (b) (6)

Sent: Sunday, April 19, 2020 11:00 AM

To: (b)(6); Naomi Schrag (b)(6)

Cc: Black, Jodi (NIH/OD) [E] (b) (6)

Subject: Please read and acknowledge receipt -- Actions needed regarding

2R01Al110964-06 Importance: High

Dear Dr. Olival and Ms. Schrag

Please see attached.

Many thanks, Mike

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)

2 Kevin Olival email on 20 April 2020

From: Kevin Olival Subject: Re: Please read and acknowled Date: April 20, 2020 at 4:12:28 PM EDT	ക്ര dge receipt Actions needed regardi	ing 2R01AI110964-06
To: "Lauer, Michael (NIH/OD) [E]"	(b) (6)	
Cc: Naomi Schrag (b) (6)	"Black, Jodi (NIH/OD) [E]"	(b) (6)
Dear Mike,		
I received the attached letter, however please	note:	
 I am not the PI on this award. You should colleading this project for EcoHealth Alliance. Columbia University is not involved in this Nincluded. 	33.344.000.000.000	(b) (6) who is the PI and omi and Columbia University were

Kevin J. Olival, PhD

Thank you, Kevin

Vice President for Research

EcoHealth Alliance 460 West 34th Street, Suite 1701 New York, NY 10001

(direct) (b)(6) (mobile) 1.212.380.4465 (fax) www.ecohealthalliance.org

Re: Please read and acknowledge receipt -- Actions needed regarding 2R01AI110964-06

Lauer, Michael (NIH	/OD) [E]	(b) (6)
Mon 4/20/2020 4:31 PM		
To:Kevin Olival	(b) (б) Peter Daszak	(b) (6)
Сс:Naomi Schrag (b) (б)	(b) (б) ; Black, Jodi (NIH/OD) [E]	(b) (6); Lauer, Michael (NIH/OD) [E]
Importance: High		
① 2 attachments		
Screen Shot 2020-04-20 at 4.3	23 38 PM ppg: EcoHealth Alliance re Al gra	nt 4.19.20 ndf:

Thank you Kevin

- We need to work with a senior responsible business official usually PI's and senior business officials are different people.
- When I looked you up on the web, I see the Columbia logo (see attached screenshot). Specifically, it
 appears to be Columbia University > Ecology, Evolution, and Environmental Biology > EcoHealth
 Alliance (labeled as an "Affiliation/Department"). Thus the web profile makes it look to me as if
 EcoHealth Alliance is linked to Columbia University.
- In any case, I'm looping in Dr. Daszak.
- We need to know all sites in China that have been in any way linked to this award (Type 1 and Type 2). We have data in NIH, but we want to make absolutely sure that we're of the same understanding.

We greatly appreciate your prompt attention to this matter.

Best, Mike

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)

Re: Please read and acknowledge receipt -- Actions needed regarding 2R01Al110964-06 4 Michael Lauer email on 20 April 2020

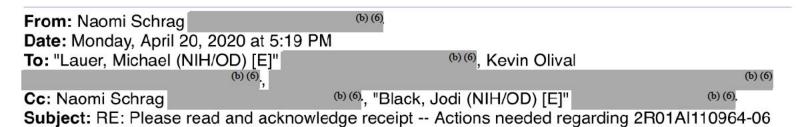
Lauer, Michael (NIH/OD	(b) (6)		
Mon 4/20/2020 6:34 PM			
To:Naomi Schrag	(b) (6); Kevin Olival	(b) (6) Peter Daszak	(b) (6);
Cc:Black, Jodi (NIH/OD) [E]	(b) (6); Lauer, Michael (NIH/OD) [E]	(b) (6);	
① 1 attachment			
Screen Shot 2020-04-20 at 4.23.38 I	PM.pna:		

Thanks Naomi – not the impression an observer would get looking at the website (see screen shot), but we understand about the grant.

If they "are entirely separate entities" then why does Columbia identify EcoHealth Alliance as an "Affiliation/Department" on its website.

Maybe with the label "Affiliation/Department" you would have a clearly visible disclaimer that says, "EcoHealth Alliance is not affiliated with nor a department of Columbia"? – although even that is internally contradictory.

Best, Mike



Dear Dr. Lauer,

Columbia and EcoHealth Alliance are entirely separate entities. Some individuals affiliated with EcoHealth Alliance do have adjunct appointments in Columbia's Ecology, Evolution, and Environmental Biology ("E3B") department, but we are not aware of any Columbia involvement with the referenced grant, and have found no agreement or record in our grants system to the contrary.

We would be happy to answer any additional questions. Thank you. Sincerely,
Naomi Schrag

Naomi J. Schrag

Vice President for Research Compliance, Training and Policy Office of Research Compliance and Training 475 Riverside Drive, Suite 840

New York, New York 10115

(b) (6)

www.researchcompliance.columbia.edu

RE: Please read and acknowledge receipt -- Actions needed regarding 2R01AI110964-06 5 Peter Daszak email on 21 April 2020

Peter Daszak		
Tue 4/21/2020 1:32 AM		
To:Lauer, Michael (NIH/OD) [E] (b) (6);	(b) (6); Naomi Schrag	(b) (6); Kevin Olival
Cc:Black, Jodi (NIH/OD) [E]	(b) (6);	

Dear Michael Lauer & Jodi Black - I now have your email and will deal with it directly with you and your staff. Naomi is correct that there is no involvement of Columbia University in this grant. I'm sure NIH has records to confirm that.

From this moment on, I will not cc any staff at Columbia as part of this discussion, and I hope you will also honor that. Respecfully, the discussion of whether or not EHA is an affiliate of CU is entirely irrelevant to the request that you contacted us about, and should remain a private matter between EcoHealth Alliance and Columbia University.

I'll look over your email and respond tomorrow.

Cheers,

Peter

Peter Daszak

President

EcoHealth Alliance 460 West 34th Street New York, NY 10001 USA

Website: www.ecohealthalliance.org

Twitter: @PeterDaszak

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

RE: Please read and acknowledge receipt -- Actions needed regarding 2R01AI110964-06

6 Peter Daszak email on 21 April 2020

Peter Daszak		
Tue 4/21/2020 7:03 PM		
To:Lauer, Michael (NIH/OD) [E]	(b) (6);	
Cc:Black, Jodi (NIH/OD) [E] (b)	(6); Aleksei Chmura	
Stemmy, Erik (NIH/NIAID) [E]	(b) (6);	(b) (6);
Importance: High		
🕽 1 attachment		
y rattaciinient		
EcoHealth Alliance re Al grant 4 19 20.pdf;		

Dear Michael – Confirming receipt of your email. I'm also cc'ing the following people so they're aware of this request:

- 1. Our AOR Dr. Aleksei Chmura, who has access to all our records
- 2. My Program Officer for this award, Dr. Erik Stemmy & the Division Director (DMID), Dr. Emily Erberding, so they are informed and aware of the request and our response.

That said we need some time to go through the request for information and will provide this as quickly as we can.

However, I can categorically state that no funds form 2R01Al110964-06 have been sent to Wuhan Institute of Virology, nor has any contract been signed. Furthermore, we will comply with NIAID requirements, of course.

Concerning the request for information on all of the sites linked to this award in China, you should be aware that these are documented in our progress reports over the course of the grant. As you can understand we are under enormous pressure to generate data related to the current pandemic, and we do not want to divert staff to this effort. We are hoping the previously filed reports will satisfy this request.

We are well aware of the political concerns over the origins of this outbreak. Our collaboration with Wuhan Institute of Virology has been scientific and we have been consistently impressed with the scientific capabilities of that laboratory and its research staff. Our joint work has led to a series of critical papers published in high impact journals that served to raise awareness of the future threat coronaviruses pose for global health and therefore US national security. Scientific insights with epidemiological significance have been jointly published and our relationship has always been open and transparent and with one concern only, scientific validity. We are concerned that current actions may jeopardize 15 years of fruitful collaboration with colleagues in Wuhan, who are working at the leading edge to design vaccines and drugs that could help us fight this new threat in future years. It is quite remarkable that of the 5 vaccine candidates listed by WHO that are already in human trials, 3 have been developed in China. That said, we of course will

do all we can to make sure any further questions from NIH or any Federal agency are addressed to our fullest knowledge.

Yours sincerely,

Peter Daszak

President

EcoHealth Alliance 460 West 34th Street New York, NY 10001 USA

Tel.: (b) (6)

Website: www.ecohealthalliance.org

Twitter: @PeterDaszak

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

7 Michael Lauer email on 21 April 2020

From:	Lauer, Michael (NIH/OD) [E]	(b) (6)	G			
Subject:	Re: Please read and acknowledge receipt	Actions ne	eeded regarding 2R01Al11096	64-06		ML
Date:	April 21, 2020 at 19:28					
To:	Peter Daszak (b) (6)				
Cc:	Black, Jodi (NIH/OD) [E] (b) (6)	, Aleksei C	Chmura	(b) (6)	Stemmy, Erik (NIH/NIAID) [E]	
	(b) (6), Erbelding, Emily (NII	I/NIAID) [E	E] (b) (6), L	auer, Micha	ael (NIH/OD) [E]	
	(b) (6)					

Many thanks Peter for your response.

We note that:

- No monies have gone to WIV on the Type 2 award and no contract has been signed.
- You agree that you will not provide any funds to WIV until and unless directed otherwise by NIH.
- All foreign sites for the Type 1 and Type 2 awards have been documented in the progress reports submitted to NIH.

We appreciate your working with us.

Best, Mike

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)

8 Aleksei Chmura email on 21 April 2020

From: Aleksei Chmura (b) (6)

Subject: Re: Please read and acknowledge receipt -- Actions needed regarding 2R01Al110964-06

Date: April 23, 2020 at 13:50

To: Lauer, Michael (NIH/OD) [E] (b) (6)

Cc: Peter Daszak (b) (6), Black, Jodi (NIH/OD) [E] (b) (6), Erik Stemmy (b) (6),

Erbelding, Emily (NIH/NIAID) [E] (b) (6)

Dear Mike,

I read that we are in agreement and in compliance with all requests. Please let us know if anything further is required. We will continue in our usual close communication with our Program Officer Erik Stemmy.

Sincerely,

-Aleksei

Aleksei Chmura

Chief of Staff & Authorized Organizational Representative

EcoHealth Alliance 460 West 34th Street, Suite 1701 New York, NY 10001

> (b) (6) (office) (b) (6) (mobile)

www.ecohealthalliance.org

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



From: Lauer, Michael (NIH/OD) [E] (b) (6)

Subject: Re: Please read and acknowledge receipt -- Actions needed regarding 2R01Al110964-06

Date: April 23, 2020 at 13:59

To: Aleksei Chmura (b) (6)

Cc: Peter Daszak (b) (6), Black, Jodi (NIH/OD) [E] (b) (6), Stemmy, Erik (NIH/NIAID) [E]

(b) (6), Erbelding, Emily (NIH/NIAID) [E] (b) (6), Lauer, Michael (NIH/OD) [E]

(b) (6), Compliance Review (b) (6

Many thanks Aleksei.

9 Michael Lauer email on 21 April 2020

Best, Mike



From: Lauer, Michael (NIH/OD) [E] (b) (6)

Subject: PLEASE READ -- Re: Please read and acknowledge receipt -- Actions needed regarding 2R01Al110964-06

Date: April 24, 2020 at 16:47

To: Aleksei Chmura (b) (6), Peter Daszak (b) (6)

Cc: Black, Jodi (NIH/OD) [E] (b) (6), Stemmy, Erik (NIH/NIAID) [E] (b) (6),

Erbelding, Emily (NIH/NIAID) [E] (b) (6), Linde, Emily (NIH/NIAID) [E] (b) (6), Lauer, Michael (NIH/OD) [E] (b) (6), Bulls, Michelle G. (NIH/OD) [E] (b) (6)

Dear Dr. Chmura and Dr. Daszak

Please see attached.

10 Michael Lauer email on 24 April 2020

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)



(b) (6) From: Aleksei Chmura

Subject: Re: PLEASE READ -- Re: Please read and acknowledge receipt -- Actions needed regarding 2R01Al110964-06

Date: April 27, 2020 at 23:57

To: Lauer, Michael (NIH/OD) [E] (b) (6)

Cc: Peter Daszak (b) (6), Black, Jodi (NIH/OD) [E] (b) (6), Erik Stemmy **Emily Erbelding** (b) (6), Linde, Emily (NIH/NIAID) [E] (b) (6), Bulls, Michelle G. (NIH/OD) [E]

(b) (6), Alison Andre

Dear Michael,

Could Peter and I have a quick chat with you sometime tomorrow (Tuesday) about your email, below?

Sincerely,

11 Aleksei Chmura email on 27 April 2020

-Aleksei

Aleksei Chmura, PhD

Chief of Staff

EcoHealth Alliance 460 West 34th Street, Suite 1701 New York, NY 10001

(b) (6) (office) (b) (6) (mobile) www.ecohealthalliance.org

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

Exhibit D



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

24 April 2020

Drs. Aleksei Chmura and Peter Daszak EcoHealth Alliance, Inc. 460 W 34th St Suite 1701 New York, NY 10001

Re: Termination of NIH Grant R01 AI 110964

Dear Drs. Chmura and Daszak:

I am writing to notify you that the National Institute of Allergy and Infectious Diseases (NIAID), an Institute within the National Institutes of Health (NIH), under the Department of Health and Human Services (HHS) has elected to terminate the project *Understanding the Risk of Bat Coronavirus Emergence*, funded under grant R01 AI110964, for convenience. This grant project was issued under the authorization of Sections 301 and 405 of the Public Health Service Act as amended (42 USC 241 and 284). This grant was funded as a discretionary grant as outlined in the NIH Grants Policy Statement, which states that the decision not to award a grant, or to award a grant at a particular funding level, is at the discretion of the agency, in accordance with NIH's dual review system.

At this time, NIH does not believe that the current project outcomes align with the program goals and agency priorities. NIAID has determined there are no animal and human ethical considerations, as this project is not a clinical trial, but rather an observational study.

As a result of this termination, a total of \$369,819.56 will be remitted to NIAID and additional drawdowns will not be supported. The remaining funds have been restricted in the HHS Payment Management System, effective immediately.

Please let me know if you have any questions concerning the information in this letter.

Sincerely,

Lauer, Michael (NIH/OD) [E]

Digitally signed by Lauer, Michael (NIH/OD) [E]

OD) [E]

Date: 2020.04.2416:41:16-04'00'

Michael S Lauer, MD

NIH Deputy Director for Extramural Research Email: (b) (6)

cc: Dr. Erik Stemmy Ms. Emily Linde



Exhibit E

SPECIFIC AIMS

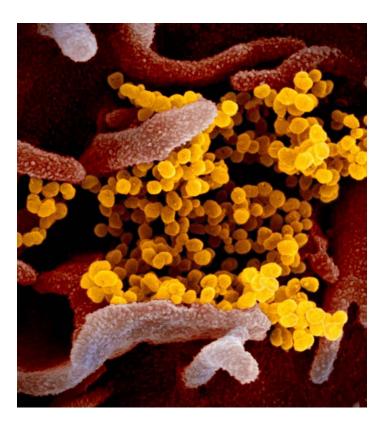
Zoonotic coronaviruses are a significant threat to global health, as demonstrated with the emergence of Severe Acute Respiratory Syndrome coronavirus (SARS-CoV) in 2002, and the continuing spread of Middle East Respiratory Syndrome (MERS-CoV). The wildlife reservoirs of SARS-CoV were identified by our group as bat species, and since then we have sequenced dozens of novel SARS-related CoV (SARSr-CoV) strains. Our previous R01 work demonstrates that bats in southern China harbor an extraordinary diversity of SARSr-CoVs, some of which are able to use human ACE2 to enter into human cells, can infect humanized mouse models to cause SARS-like illness, and evade available therapies or vaccines. We found that the bat hosts of SARSr-CoVs appear to no longer be traded in wildlife markets, and that people living close to bat habitats are the primary risk groups for spillover. At one of these sites, we found diverse SARSr-CoVs containing every genetic element of the wild-type SARS-CoV genome, and serological evidence of human exposure among people living nearby. Thus, there is significant potential for future spillover of SARSr-CoVs, and of public health impacts. Yet salient questions remain: Are there specific bat communities and sites that harbor CoV strains with higher risk for bat-to-human spillover? Which human behaviors drive risk of bat SARSr-CoV exposure that could lead to infection? Does human exposure to these viruses cause SARSlike or other illness? Can we characterize viral strain diversity, bat traits and human behaviors to assess risk of potential future CoV spillover? The proposed work in this renewal R01 builds on these findings to address these issues by conducting: 1) focused sampling of bats in southern China to identify viral strains with high predicted risk of spillover; 2) community-based, and clinic-based syndromic, sampling of people to identify spillover, and assess behavioral risk factors and evidence of illness; and 3) conduct in vitro and in vivo viral characterization and analyze epidemiological data to identify hotspots of future CoV spillover risk. This work will follow 3 specific aims:

<u>Aim 1:</u> Characterize the diversity and distribution of high spillover-risk SARSr-CoVs in bats in southern China. We will conduct targeted bat sampling at sites where we predict that undiscovered high risk SARSr-CoV strains exist. Bat sampling will be targeted geographically and by host species to test predictions about evolutionary diversity of SARSr-CoV. We will analyze RdRp and S protein sequences to test their capacity for spillover to people in Aim 3.

<u>Aim 2:</u> Community- and clinic-based surveillance to capture SARSr-CoV spillover, routes of exposure and potential public health consequences. We will conduct focused, targeted human surveys and <u>sampling to identify key risk factors for SARSr-CoV spillover and evidence of illness.</u> To maximize our opportunity of capturing human exposure to bat CoVs, we will conduct <u>community-based surveillance</u> in regions with high SARSr-CoV prevalence and diversity, and individuals having contact with bats. We will assess bat-CoV seropositive status against a small number of questions about human-wildlife contact and exposure. We will conduct <u>clinic-based syndromic surveillance</u> close to these sites to identify patients presenting with influenzalike illness and severe acute respiratory illness, assess their exposure to bats via a questionnaire, and test samples for PCR- and serological evidence of SARSr-CoV infection. We will conduct follow-up sampling to capture patients who had not yet seroconverted at the time of clinic visit.

<u>Aim 3</u>: *In vitro* and *in vivo* characterization of SARSr-CoV spillover risk, coupled with spatial and phylogenetic analyses to identify the regions and viruses of public health concern. We will characterize the propensity of novel SARSr-CoVs to infect people *in vitro* using primary human airway epithelial cells and *in vivo* using the transgenic hACE2 mouse model. We will use mAb and vaccine treatments to test our hypothesis that SARSr-CoVs with 10-25% divergence in S protein sequences from SARS-CoV are <u>likely able to infect human cells</u>, and to evade mAb therapeutics and vaccines. We will then map the geographic distribution of their bat hosts and other ecological risk factors to <u>identify the key 'hotspots' of risk for future spillover</u>.

Overall, our SARSr-CoV program serves as a model platform to integrate virologic, molecular and ecologic factors contributing to CoV emergence while informing high impact strategies to intervene and prevent future pandemics. This includes providing critical reagents, therapeutic interventions and recombinant viruses for future SARSr-CoV pandemic and public health preparedness.



This scanning electron microscope image shows SARS-CoV-2 (yellow), the virus that causes COVID-19, isolated from a patient in the United States, emerging from the surface of cells (pink) cultured in the lab. Credit: NIAID-RML

NIAID STRATEGIC PLAN FOR COVID-19 RESEARCH

FY2020 - FY2024 April 22, 2020





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Executive Summary

The National Institute of Allergy and Infectious Diseases (NIAID) at the United States (U.S.) National Institutes of Health (NIH) is committed to safeguarding the health of Americans and people around the world by accelerating research efforts to prevent, diagnose, and treat COVID-19 and characterize the causative agent of this disease, severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). This

NIAID Strategic Plan for COVID-19 Research builds on current trans-NIAID efforts to better understand SARS-CoV-2 pathogenesis, transmission, and mechanisms of protective immunity by expanding resources and activities that support rapid development of biomedical tools to more effectively combat this disease and pandemic. Given the urgency of the public health response, studies that inform efforts to control virus

Box 1 NIAID Strategic Plan for COVID-19 Research Mission

Conduct and support research on SARS-CoV-2 and COVID-19 to accelerate the development of safe and effective medical countermeasures that decrease disease incidence, mitigate morbidity and prevent mortality.

spread and mitigate morbidity and mortality, including therapeutic and vaccine development, are the priority. In addition, it is essential to develop rapid, accurate, point-of-care diagnostics—a critical asset to mitigating the spread of COVID-19.

The NIAID Strategic Plan for COVID-19 Research aligns with the priorities set by U.S. Government—wide task forces for the development of medical countermeasures. NIAID actively participates in COVID-19 task forces to identify opportunities, ensure open communication, encourage resource sharing, and avoid duplication of effort. The plan is structured around four strategic research priorities:

- Improve fundamental knowledge of SARS-CoV-2 and COVID-19, including studies to characterize
 the virus and how it is transmitted and understand the natural history, epidemiology, host
 immunity, disease immunopathogenesis, and the genetic, immunologic, and clinical associations
 with more severe disease outcomes. This includes accelerating the development of small and large
 animal models that replicate human disease.
- Support the development of diagnostics and assays, including point-of-care molecular and
 antigen-based diagnostics for identifying and isolating COVID-19 cases and serologic assays to
 better understand disease prevalence in the population. Diagnostics also will be essential for
 evaluating the effectiveness of candidate countermeasures.
- Characterize and test therapeutics, including identifying and evaluating repurposed drugs and
 novel broad-spectrum antivirals, virus-targeted antibody-based therapies (including plasma-derived
 intravenous immunoglobulin (IVIG) and monoclonal antibodies), and host-directed strategies to
 combat COVID-19.
- 4. Develop safe and effective vaccines against SARS-CoV-2, including support of clinical trial testing.

To accelerate research, NIAID will leverage current resources and global collaborations, including existing research programs and clinical trials networks. NIAID's research response to COVID-19 will build on experience with diseases caused by other zoonotic coronaviruses (CoVs), including severe acute

respiratory syndrome (SARS) and Middle East respiratory syndrome (MERS). NIAID will pursue public-private partnerships to facilitate the translation of research outcomes into life-saving public health interventions. Working with pharmaceutical companies, NIAID has already initiated Phase 1 clinical trials for candidate COVID-19 vaccines and therapeutics. A concerted effort will be made to include minority populations, as well as at-risk and vulnerable populations, in all aspects of NIAID-sponsored research to address health disparities between diverse groups. Characterization of the fundamental virology of SARS-CoV-2 and the immunological response to infection will inform future studies and facilitate the development of effective medical countermeasures. With collaboration from all agencies within the U.S. government and other key U.S. and global partners, NIAID will rapidly disseminate these results so that the information can be translated into clinical practice and public health interventions to combat the pandemic. As such, NIAID has already implemented open sharing of scientific data through publicly available websites and will continue to promote the prompt disclosure of SARS-CoV-2 and COVID-19 research data by the scientific community.

Research Plan

Priority 1: Improve fundamental knowledge of SARS-CoV-2 and COVID-19

Developing effective medical and public health countermeasures against a newly emergent virus like SARS-CoV-2 will require a better understanding of the complex molecular and immune mechanisms underlying infection and disease. Studies that delineate the viral lifecycle and host immune responses to infection can lead to the identification of novel targets for intervention against SARS-CoV-2 infection and COVID-19. Early studies suggest that the clinical manifestations of COVID-19 can vary significantly, and disease severity can range from mild to critical. Thus, a detailed understanding of the clinical course of disease, as well as the clinical, virologic, immunological, and genetic predictors of disease severity, are needed. Gaps also exist in our understanding of the dynamics of disease transmission in different populations over time, including the role of pediatric and elderly populations in viral spread, and the potential seasonality of viral circulation.

Objective 1.1: Characterize fundamental SARS-CoV-2 virology and immunological host response to infection

- Support the development and distribution of reagents and viral isolates to researchers. NIAID will
 continue to support both intramural and extramural researchers by developing reagents and assays
 for virus characterization and immunological analyses. NIAID will continue to accelerate SARS-CoV-2
 research by sourcing viral isolates and clinical specimens for the research community and placing
 them in repositories to help advance research and countermeasure development. In addition, NIAID
 - will place other critical reagents needed for assay development (e.g., pseudovirions and antigens) in publicly available repositories for distribution.
- Characterize virus biology and immunological responses to disease. A comprehensive understanding of the

Box 2

Priority 1: Improve fundamental knowledge of SARS-CoV-2 and COVID-19

Objective 1.1: Characterize fundamental SARS-CoV-2 virology and immunological host response to infection

Objective 1.2: Evaluate disease dynamics through natural history, transmission, and surveillance studies

Objective 1.3: Develop animal models that recapitulate human disease

biological processes involved in SARS-CoV-2 infection and the pathogenesis of COVID-19 are paramount to developing new medical countermeasures to fight the spread of disease. Building on prior research related to MERS and SARS coronaviruses, early studies confirmed several critical features of SARS-CoV-2 infection, including the primary host receptor, angiotensin converting enzyme 2 (ACE-2), and the structure of the virus receptor-binding domain. Studies that delineate the viral lifecycle and host immune responses to infection can lead to the identification of novel targets for intervention against SARS-CoV-2 infection and COVID-19. Understanding the function of essential viral proteins will be necessary for improving diagnostic and immunological assays, *in vitro* and *in vivo* models, and other resources needed to advance safe and effective medical countermeasure development. In addition, evaluating the dynamics of host-pathogen interactions at the molecular and cellular levels will be critical to advancing our understanding of viral pathogenesis and immune responses that contribute to SARS-CoV-2 infection.

- **Determine viral evolution and molecular epidemiology.** With a newly emergent virus like SARS-CoV-2, studies to characterize genetic diversity, including those that assess the potential for the virus to evolve and escape host immunity, are pivotal for understanding disease progression and transmission dynamics and may have implications for countermeasure development. Viral genomic analysis matched with patient clinical data will be important to identify biomarkers of virulence and establish paradigms of sequence diversity. In addition, evaluating viral sequence associations with disease outcomes, immune status, and viral replication will provide crucial data to accelerate the development of effective medical countermeasures.
- **Develop low-containment assays to study virus neutralization.** Studies using non-infectious pseudovirions can be conducted in labs without BSL-3 capacity, making them an important tool to enhance understanding of SARS-CoV-2 infection. This capability would enable researchers without high-containment infrastructure to study the dynamics of virus neutralization *in vitro*.
- Research into optimal public health prevention and mitigation modalities. Clinical trials including family members of a COVID-19 positive individual can be devised to evaluate transmission, prevention, and other mitigation measures within the household.

Objective 1.2: Evaluate disease dynamics through natural history, transmission, and surveillance studies

• Characterize disease incidence through surveillance studies. Clinical manifestations of COVID-19 can vary greatly, ranging from asymptomatic or mildly symptomatic to the development of pneumonia, acute respiratory distress syndrome, and even death. The variation in clinical presentation of COVID-19, combined with the challenges in diagnostic capacity, have made accurate initial assessments of disease incidence a formidable challenge. However, rapid point-of-care and point-of-need molecular tests, which became available in March 2020, will enable hospitals and other healthcare facilities to make informed decisions regarding patient isolation and care. Studies that leverage existing high-throughput diagnostic capacity along with these rapid tests will advance our understanding of disease incidence across the nation and will be a critical component of strategies to implement effective medical countermeasures. Combining these studies with broad serosurveillance studies across existing surveillance networks, including blood bank studies, would

-

¹ Wu Z and McGoogan JM. JAMA 2020 Feb 24. Epub. PMID 32091533.

provide a more complete picture of the scope of disease and the dynamics of infection. Detailed knowledge of host genetics and the human responses to infection across the lifespan will not only provide insights into new approaches for diagnosis, treatment, and prevention, but also may elucidate why individuals respond to SARS-CoV-2 in different ways. Reports to date suggest that COVID-19 resolves in most cases, implying that the immune system can keep the infection from progressing to severe disease in many individuals. However, additional research is needed to better understand why some people progress to severe disease, which will lend critical insights to medical countermeasure development.

- Assess the dynamics of disease transmission. Our current understanding of COVID-19 transmission is limited. While recent studies have suggested timeframes for virus survival in aerosols and on surfaces, the contributions of different routes of transmission and the dynamics of animal-tohuman and human-to-human transmission remain unclear. The diverse clinical presentations of COVID-19, including a high prevalence of asymptomatic cases, add further complexity to understanding transmission dynamics. Providing a clearer picture of the natural history of viral shedding is a priority, both in acute cases and in asymptomatic infection. Given the challenges of accurately diagnosing asymptomatic individuals because they do not present for treatment, determining the role they play in transmission would provide valuable insights. Elucidating the role of pediatric cases in the spread of SARS-CoV-2 is particularly important. Although pediatric COVID-19 cases are generally asymptomatic or have less severe clinical manifestations than those of adults, the role that children play in spreading the virus is unknown. Additionally, studies to identify potential animal reservoirs and better understand transmission from animals to humans are a research priority, as these reservoirs may lead to future virus introductions and re-emergence of disease in humans. Virus transmission depends on a complex interplay of host, viral, and environmental factors that contribute to disease incidence and spread. Identifying the factors that maintain the disease transmission cycle is critical to developing effective medical countermeasures and public health interventions that will prevent future pandemics.
- Determine disease progression through natural history studies. Delineating the natural history of COVID-19 will inform immunopathogenesis, viral tropisms and length of shedding, immune phenotypes, and both protective immunity and host susceptibility. Disease assessment using longitudinal cohort studies, including among high-risk populations such as healthcare workers and the elderly, are important to better understand disease pathogenesis and immune responses to infection. Biomarkers identified from these studies may provide valuable insights into predictors of disease severity.

Objective 1.3: Develop animal models that recapitulate human disease

• Develop small and large animal models that replicate SARS-CoV-2 pathogenesis. Developing animal models that recapitulate human disease is a vital early step toward understanding disease pathogenesis and testing the efficacy of medical countermeasures. Small animal models enable rapid, scalable analyses that are particularly valuable for screening countermeasure candidates for efficacy and addressing issues concerning vaccine-induced immune enhancement. Among the small animal models being tested, transgenic mice expressing the human ACE-2 receptor are a promising candidate. In parallel, development and characterization of large animal models, including non-human primates (NHPs) that mimic human COVID-19, are a pivotal step to advance promising

² ibid.

³ van Doremalen *N et al. N Engl J Med* 2020 Mar 17. Epub. PMID 32182409.

countermeasure candidates. Previous experience with related coronavirus diseases such as MERS and SARS suggests that replicating human disease, particularly its more severe manifestations, in an animal model may be challenging. Fundamental research assessing animal models ranging from mice to NHPs is already underway. NIAID will continue to support the development of small and large animal model candidates to better understand this emerging infection and investigate optimal ways to treat and prevent COVID-19. NIAID also will ensure that validated animal models are made available to the scientific community for evaluating priority countermeasures.

Priority 2: Support the development of diagnostics and assays

Availability of rapid, accurate Food and Drug Administration (FDA)-cleared or authorized diagnostics will increase testing capacity and are critical for identifying and rapidly isolating cases, tracking spread of the virus, managing patient care, and supporting clinical trials. Molecular tests specifically designed to detect SARS-Cov-2 RNA in clinical samples are able to detect low levels of pathogen in clinical samples and offer robust specificity in differentiating SARS-CoV-2 from other related viruses. Continuing to improve the speed and accuracy of molecular and antigen-based diagnostics and making them available at point- of-care will be paramount to accelerating the ability to mitigate disease spread in the current outbreak and any future outbreaks. The development of serologic assays would further bolster surveillance efforts, including the ability to identify individuals who may have resolved prior infection with SARS-CoV-2.

Objective 2.1: Accelerate the development and evaluation of diagnostic platforms

• Support the development, characterization and availability of reagents for diagnostic validation.

NIAID will support this effort through the development and testing of reagents for diagnostic validation that will be made available through NIAID-sponsored repositories.

Box 3

Priority 2: Support the development of diagnostics and assays

Objective 2.1: Accelerate the development and evaluation of diagnostic platforms

Objective 2.2: Develop assays to increase understanding of infection and disease incidence

- Support the development of new rapid diagnostics. NIAID will provide funding to support the development of new rapid diagnostics, including molecular tests and novel antigen detection tests with improved sensitivity, if deemed feasible based on natural history studies.
- Support the evaluation of promising diagnostics. In some cases, stakeholders that develop
 potential diagnostic tests do not have the infrastructure needed to rigorously validate those tests
 against clinical samples. NIAID will support the testing of promising diagnostics and provide the
 capacity for evaluating them with live virus samples using our biocontainment laboratories.

Objective 2.2: Develop assays to increase understanding of infection and disease incidence

Develop and validate SARS-CoV-2 serological assays. Serological tests, which detect host antibodies
to infectious agents, do not detect the presence of a pathogen directly but can be used as a
surrogate marker of infection. Developing more effective serologic tests would help provide
information on the extent of asymptomatic infections and cumulative disease incidence, for
example through serosurveillance studies. NIAID, with the Centers for Disease Control and

Prevention and the FDA, is developing tests that identify antibodies to SARS-CoV-2 proteins to determine seroprevalence rates and potentially help distinguish antibody responses in individuals receiving vaccines. NIAID will support the development and validation of additional serological assays for serosurveillance studies and as tools for testing the efficacy of promising vaccine or therapeutic candidates.

Priority 3: Characterize and test therapeutics

Currently, there are no FDA-approved or licensed therapeutics specific for coronaviruses. While traditional development pathways for therapeutics can take years, the urgency of the current outbreak underscores the need for rapid development and testing of promising therapeutics. Possible avenues for developing therapeutics include the evaluation of broad-spectrum antiviral agents (antivirals) that have shown promise for other coronaviruses and the identification of novel monoclonal antibodies (mAbs). For broad-spectrum antivirals, Phase 2/2b testing of the RNA polymerase inhibitor developed by Gilead, remdesivir, is already underway. Additional studies will be critical to identify promising therapeutic candidates and to advance them through clinical trial testing. To optimize findings during the pandemic, multiple clinical trials will be conducted in parallel among various populations, including both inpatient and outpatient studies.

Objective 3.1: Identify promising candidates with activity against SARS-CoV-2

- Screen protease inhibitor and nucleotide analogue class agents and other small molecules with documented activity against other coronaviruses SARS-CoV-2. Screening drugs that are already licensed by the FDA for other indications and might be efficacious against SARS-CoV-2 infection may provide a route to identifying a therapeutic for use in the current pandemic. Broad-spectrum antivirals that are already FDA approved or in clinical development for other indications—including those previously targeting SARS-CoV-1 and MERS CoV—can be evaluated for their potential activity against SARS-CoV-2 infections. Approved therapeutics for other infectious diseases also are being evaluated as possible treatments for COVID-19. By leveraging their existing efficacy, safety, and manufacturability data, the time to development and production can be reduced. NIAID also will continue working with partners to screen compound libraries for potential activity against SARS-CoV-2. For these studies, priority will be given to compounds based on in vitro screening data and
 - the existence of human safety data.
- Identify viral targets for therapeutic development.
 Advances in structural biology technology enable researchers to map key viral structures at an

Box 4

Priority 3: Characterize and test therapeutics

Objective 3.1: Identify promising candidates with activity against SARS-CoV-2

Objective 3.2: Conduct treatment studies to advance high-priority therapeutic candidates

unprecedented level. The Structural Genomics Centers for Infectious Diseases (SGCID) apply state-of-the-art, high-throughput technologies and methodologies, including computational modeling, x-ray crystallography, nuclear magnetic resonance imaging, and cryogenic electron microscopy, to experimentally characterize the three dimensional atomic structure of proteins that play an important biological role in human pathogens and infectious diseases. NIAID will continue to support use of this powerful technology to identify viral targets of SARS-CoV-2 for therapeutics or vaccines.

• Identify novel mAbs for use as therapy or prophylaxis. Data from early studies indicate that well-characterized convalescent plasma may provide a treatment benefit in COVID-19.⁴ Therefore, IVIG derived from convalescent plasma may also hold promise for treatment. Moreover, peripheral blood mononuclear cells and plasma are being used to identify novel neutralizing antibodies. Through collaborations with structural biologists, binding properties can be quickly assessed. Paired with assessment of neutralization activity, the most promising mAbs will be identified for further characterization in animal models and human trials.

Objective 3.2: Conduct treatment studies to advance high-priority therapeutic candidates

- Characterize and evaluate host-directed strategies for treatment of disease. Experience with other coronaviruses indicates that infection of the respiratory tract is rapid and damage is primarily mediated by the host inflammatory response. These conditions may make it difficult to modify COVID-19 with pathogen-directed therapeutics. Instead, host-directed strategies that target the immune response may exert a beneficial therapeutic effect. Host-directed strategies, including immune-modulating agents, will be investigated as potential therapeutic candidates.
- Conduct clinical trials to demonstrate safety and efficacy of lead therapeutic candidates. Many potential therapeutic candidates have been identified and are being tested in clinical trials.
 - o In March 2020, NIAID launched a multicenter, adaptive, randomized controlled clinical trial to evaluate the safety and efficacy of the investigational antiviral drug remdesivir (GS-5734) for the treatment of COVID-19 in hospitalized adults with laboratory-confirmed SARS-CoV-2 infection and evidence of lung involvement. The trial builds on recent studies by NIAID scientists showing that remdesivir can improve the disease course in rhesus macaques when administered promptly after viral challenge with the MERS CoV. The trial is also adaptive, allowing for additional arms should other therapeutics warrant assessment for efficacy.
 - NIAID is finalizing the protocol for the Big Effect Trial (BET), in which putative therapeutics that have existing human data and are readily available will be tested in patients hospitalized with lower respiratory tract disease. Each potential intervention will be given to approximately 75 patients and evaluated for mitigating disease symptoms. Candidate therapeutics that meet the criteria in this initial study will be further evaluated in larger clinical trials for which the infrastructure is already in place.
 - As mentioned above, identification of novel mAbs for therapy or prophylaxis is another strategic priority. These mAbs should be safe, highly effective, amenable to fast manufacturing, and easy to administer. They will be tested in clinical trials to develop immunotherapies for the prevention and early treatment of COVID-19, potentially in high-risk populations including healthcare workers.
- Conduct outpatient studies for mild COVID-19 cases. In cases of mild COVID-19 that do not require
 hospitalization, outpatient studies could be extremely valuable for testing promising, orally
 administered FDA-approved drugs that have existing safety data. The antiviral activity of
 hydroxychloroquine and azithromycin against SARS-CoV-2 has been the focus of many early

⁴ Roback JD and Guarner J. JAMA 2020 Mar 27. Epub. 32219429.

⁵ Newton AH et al. *Semin Immunopathol*. 2016;38(4):471-82. PMID 26965109.

⁶ de Wit E et al. *Proc Natl Acad Sci USA* 2020;117(12):6771-6. PMID 32054787.

therapeutic studies. ^{7,8,9} Testing of these and other candidates, including protease inhibitors and other molecules, in outpatient studies may provide critical efficacy data and could identify an existing drug or drug combination that is safe and effective against COVID-19.

• Conduct outpatient studies in high-risk populations. High-risk populations, including health care workers, the elderly or individuals with chronic conditions, are a critical target for the development of therapeutics. Conducting studies in patients with mild cases of COVID-19 among these high-risk groups would be of interest for identifying the benefits of early treatment strategies to mitigate the impact of infection. Therapeutic candidates that have once a day dosing could also be considered for pre-exposure prophylaxis (PrEP) in some of these populations.

Priority 4: Develop safe and effective vaccines against SARS-CoV-2

Developing a safe and effective SARS-CoV-2 vaccine is a priority for preventing future outbreaks of the virus. As vaccine candidates for MERS-CoV, SARS-CoV-1 and other coronaviruses have previously been developed, NIAID investigators and the scientific community are well poised to use similar approaches in the current pandemic. NIAID will leverage its broad intramural and extramural infrastructure to advance vaccine candidates through Phase 1 safety and dosing clinical trials, with considerations for Phase 2/2b clinical trials for the most promising candidates.

Objective 4.1: Advance promising vaccine candidates through clinical trial testing

- Conduct a Phase 1 clinical trial of (mRNA) platform candidate mRNA-1273. Given the urgency of
 the response effort to develop a safe and effective vaccine, NIAID is prioritizing promising vaccine
 candidates that can be rapidly produced and tested. NIAID, in collaboration with the biotechnology
 company Moderna, is conducting a Phase 1 clinical trial of a vaccine candidate that uses a
 messenger RNA (mRNA) vaccine platform expressing a NIAID-designed recombinant spike protein of
 SARS-CoV-2. The trial is being conducted at NIAID-funded clinical research sites, with the first
 enrolled individual receiving the vaccine on March 16, 2020.
- Prepare for a pivotal Phase 2/2b clinical trial of candidate mRNA-1273. Preparing for the likelihood of a seasonal recurrence of SARS-CoV-2 is imperative to the public health response. Given the theoretical risk of vaccine-enhanced respiratory disease, large Phase 2 trials are unlikely to launch until this possibility is evaluated in animal models. Planning for those animal studies is underway, and, assuming favorable results, a Phase 2/2b study could be launched later in 2020. This represents a historically fast timeline for the development and testing of a vaccine candidate. Additionally, these studies will provide information on correlates of immunity that will help accelerate the advancement of other vaccine candidates. If the mRNA-1273 vaccine candidate shows protection against SARS-CoV-2 infection in a Phase 2/2b trial, NIAID will work with government partners to ensure that the vaccine is manufactured in sufficient quantities to allow prompt distribution to those at highest risk of acquiring disease.

⁷ Gautret P et al. Int J Antimicrob Agents. 2020 Mar 20:105949. Epub. PMID 32205204.

⁸ Molina JM et al. 2020 Med Mal Infect. 2020 Mar 30. pii:S0399-077X(20)30085-8. Epub. PMID 32240719.

⁹ Chen Z et al. medRxiv 2020:2020.03.22.20040758. https://www.medrxiv.org/content/10.1101/2020.03.22.20040758v2

 Investigate additional candidates through NIAID vaccine programs. Although promising candidates may show efficacy in preclinical studies, many do not translate into effective vaccines in clinical trials. Therefore, it is crucial to support multiple promising

Box 5.

Priority 4: Develop safe and effective vaccines against SARS-CoV-2

Objective 4.1: Advance promising vaccine candidates through clinical trial testing

Objective 4.2: Advance vaccine development through assay and reagent development

Objective 4.3: Advance vaccine development through adjuvant characterization and development

preclinical candidates in the research and development pipeline. To that end, NIAID is advancing multiple additional SARS-CoV-2 vaccine candidates through its Rocky Mountain Laboratories (RML), including approaches that have shown promise against coronaviruses that cause SARS and MERS. Building on previous research to develop a MERS-CoV vaccine, scientists at RML are collaborating with Oxford University investigators to develop a SARS-CoV-2 vaccine that uses a chimpanzee adenovirus vector. RML investigators also are partnering with the biopharmaceutical company CureVac on an mRNA vaccine candidate and collaborating with the University of Washington on a universal coronavirus vaccine development. By leveraging its extensive expertise and research infrastructure, NIAID will continue working with partners and collaborators to advance promising SARS-CoV-2 vaccine candidates.

• Leverage existing vaccine approaches to target SARS-CoV-2. NIAID is pursuing multiple strategies to develop a COVID-19 vaccine. Building on past research on emerging pathogens, especially MERS-CoV and SARS-CoV-1 (the virus that causes SARS), NIAID is using previously developed vaccine platforms to rapidly assess the potential of SARS-CoV-2 vaccine candidates. This approach has already resulted in several promising strategies that may be leveraged for SARS-CoV-2, including vaccination using recombinant spike protein, chimpanzee adenovirus vaccine vector, virus-like particles, and live attenuated virus. In addition, NIAID is funding the development of novel vaccine candidates that will be efficacious across the lifespan, including in the elderly.

Objective 4.2: Advance vaccine development through assay and reagent development

Develop critical reagents to support vaccine development. Appropriate tools are needed to identify
the most promising vaccine candidates and advance the development of lead candidates as rapidly
as possible. To accelerate the vaccine pipeline, NIAID is generating master and working SARS-CoV-2
virus stocks and other reagents critical for developing SARS-CoV-2 immune assays, developing
quantitative tests for characterizing SARS-CoV2 assay material, developing a quantitative SARS-CoV2-specific ELISA, developing virus-specific neutralization assays, and developing quantitative assays
for assessing SARS-CoV-2 viral load.

Objective 4.3: Advance vaccine development through adjuvant characterization and development

Provide adjuvants to support vaccine development. Adjuvants are vaccine components that
improve vaccine efficacy by inducing long-lived protective immunity. Selection of appropriate
adjuvants is crucial for developing safe and effective vaccines. NIAID is working with multiple
collaborators to provide adjuvants to the research community for use in SARS-CoV-2 vaccine
candidates. These adjuvants are at various stages of development and include compounds that

specifically improve vaccine efficacy in elderly individuals or modulate host immunity toward protective responses while limiting or preventing harmful inflammatory responses.

Conclusion

The sudden emergence and rapid global spread of the novel coronavirus SARS-CoV-2 has created a daunting public health challenge. To address this challenge, NIAID is focusing its considerable expertise and emerging infectious disease resources to facilitate the development of medical countermeasures including diagnostics, therapeutics, and vaccines. The resulting discoveries will not only help mitigate the current pandemic, but also inform prevention, diagnosis, and treatment of future emerging infectious diseases.

A comprehensive strategy requires a coordinated effort among governmental, academic, private, and community-based organizations. The *NIAID Strategic Plan for COVID-19 Research* defines the areas of COVID-19 research within the NIAID mission and outlines the institute's research priorities and goals. This strategic plan builds on many other national efforts and represents a commitment from multiple U.S. government agencies to improve coordination of COVID-19 research and discovery efforts and the development of medical countermeasures.