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VIA U.S. MAIL AND EMAIL

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Paul R. Moore, Esq.
Office of the General Counsel
U.S. Department of Education
400 Maryland Ave., S.W., Room 6E300
Washington, D.C. 20202

Re: UT System Supplemental Response to Department of Education April 24, 2020 Notice of 20
U.S.C. § 1011f Investigation and Record Request

Dear Mr. Rubinstein and Mr. Moore:

I am writing on behalf of the University of Texas System (the “UT System”) in response to the Department of Education’s (“ED”) supplemental request for information and documents, which Mr. Moore sent via email on July 20, 2020 (“supplemental request”). This response supplements the information provided by the UT System in its June 12, 2020 letter to ED in response to its initial investigation and record request. Enclosed herein please find a document production Bates-labeled UTSsystem_000001–UTSystem_141558, which includes responsive and non-privileged documents relating to eleven Chinese individuals who were identified in ED’s supplemental request.

The UT System respectfully requests that this letter and all documents in its production that have been marked (in whole or in part) “FOIA Confidential Treatment Requested by Univ of Texas System” be treated as confidential treatment under the Freedom of Information Act, 5 U.S.C. § 552, et seq. (“FOIA”), 18 U.S.C. § 1905, ED’s rules relating to confidential information, including those in 34 C.F.R. § 5.11, and other applicable laws and regulations. This information is subject to exemptions from FOIA disclosure, including but not limited to the exemptions set forth in 5 U.S.C. § 552(b)(4).¹

¹ If any person (including any government employee who is not a member of the your office’s staff) should request an opportunity to inspect or copy the documents provided, we request that you promptly notify us of such request as required by 34 C.F.R. § 5.11(d).

In the spirit of the UT System's continuing cooperation with ED, below are summaries in response to certain requests in order to facilitate your understanding of the attached materials.

I. Two WIV Scientists Who Visited UTMB/GNL for Training

In the supplemental request, ED requested additional information about the two Wuhan Institute of Virology ("WIV") scientists who visited the University of Texas Medical Branch at Galveston ("UTMB") and the Galveston National Laboratory ("GNL") for training as part of a four-person Chinese delegation described in the UT System's June 12, 2020 letter, including: (1) the nature of the visit and information provided; (2) the names of the scientists; (3) their duties; and (4) the names of the UTMB/GNL personnel that facilitated this delegation's visit.

A. Nature of the Visit and Information Provided

The training consisted of a two-and-a-half day presentation on general best practices for operating Biosafety Level 3 (BSL-3) facilities. The training was held on April 16-18, 2018.

B. Names of the Scientists

The WIV scientists were Dr. Yi Huang (Research Associate, WIV) and Dr. Han Xia (Associate Professor, WIV, and a former post-doctoral fellow at UTMB).

C. Duties

Dr. Huang and Xia were laboratory researchers with certain administrative-related duties.

D. Names of UTMB/GNL Personnel Who Facilitated the Visit

The training course was instructed by Vickie Jones (EHS Consultant, UTMB), and the personnel primarily involved in coordinating the visit were Dr. James Le Duc (Director, GNL), Connie Holubar (Director of Operations, GNL) and Anne-Sophie Brocard (Biosafety Program Director, Institutional Biosafety Officer, Alternate Responsible Officer and Assistant Professor, UTMB).²

² The following people also helped with coordinating certain aspects of the visit: Sharon Walters (Senior Program Coordinator, UTMB), Je T'aime Newton (EHS Consultant, UTMB), Corrie Ntifor (EHS Consultant, UTMB), Analilia Guerra (Administrative Coordinator, UTMB), Belinda Rivera (Consultant, UTMB) and Sheri Brodie (Specialist, UTMB).

Please refer to the following documents, among others, for more detailed information about these WIV scientists who visited UTMB and the GNL for training: UTSsystem_002922–UTSystem_002924; UTSsystem_064052–UTSystem_064053; UTSsystem_141408– UTSsystem_141415; UTSsystem_141122–UTSystem_141239.

II. Short-Term Visits and Training Sessions

In the supplemental request, ED requested additional information about the short-term visits and training sessions hosted by UTMB/GNL and attended by WIV personnel that were referenced in the UT System's June 12, 2020 letter, including: (1) when, where and how many visits or training sessions there were; (2) the topics of the training sessions; (3) which WIV-affiliated personnel visited or were trained; (4) which UTMB/GNL personnel were involved; and (5) their then and current duties. Below are the dates of each referenced visit with the responsive information you requested.

A. April 1-5, 2013 – Joint UTMB/FDA Pilot Course

This online course was attended by Dr. Zhiming Yuan and Dr. Zhengli Shi of the WIV. The course was developed in conjunction with the FDA and other federal partners to facilitate the sharing of best practices regarding data quality for animal studies conducted in maximum containment laboratories,³ and was also attended by representatives from the WHO, NIH, FDA, NIAID, USAMRIID and India. The course was conducted remotely on April 1-5, 2013, but international participants only had access to the program for the first day. The UTMB/GNL personnel responsible for setting up Dr. Yuan's and Dr. Shi's access to the course were Ashley Kingsley (Assistant Training Manager, UTMB) and Steve Fawcett (Regulatory IT Compliance Specialist, UTMB). See UTSsystem_084715–UTSystem_084716.

B. April 27-28, 2015 – Visit by WIV Director

On April 27 and 28, 2015, WIV Director Dr. Zhiming Yuan visited UTMB and the GNL to discuss potential BSL-4 operation training opportunities and to explore the potential for collaborative research in the future. While in Galveston, Dr. Yuan was given a tour of portions of the GNL's facilities. The UTMB/GNL personnel who were primarily responsible for facilitating Dr. Yuan's visit were Dr. Dennis Bente (Associate Professor, UTMB) and Dr. Han Xia (Post-doctoral Fellow, UTMB). Imelda Mendoza (Procurement Officer, UTMB) assisted with logistical and administrative matters associated with the visit.

³ See generally *Training Course: Achieving Data Quality and Integrity in Maximum Containment Laboratories*, U.S. FOOD AND DRUG ADMIN., available at <https://www.fda.gov/emergency-preparedness-and-response/mcmmi-professional-development-activities/training-course-achieving-data-quality-and-integrity-maximum-containment-laboratories>.

Several UTMB faculty members also met with and/or attended a meal with Yuan during his visit.⁴ See UTSysystem_064448–UTSysystem_064452.

C. April-May 2016 – Short-Term Biocontainment Training

Dr. Dasheng Zheng of the WIV attended this short-term training at UTMB related to building management, basic laboratory operations and general biocontainment practices. The UTMB/GNL personnel who were primarily responsible for facilitating Dr. Zheng's visit were Drs. James Le Duc (Director, GNL), Dennis Bente (Associate Professor, UTMB), Miguel Grimaldo (Assistant Professor, Director of Institutional Biocontainment Resources, UTMB) and Han Xia (Post-doctoral Fellow, UTMB). Several other UTMB personnel were involved with administrative arrangements and logistics.⁵ See UTSysystem_011848–UTSysystem_011857; UTSysystem_000864–UTSysystem_000873; UTSysystem_016758–UTSysystem_016763.

D. October 6, 2017 – Visit by WIV Deputy Director

WIV Deputy Director Dr. Xi Zhou visited UTMB and presented a one-hour seminar at UTMB on antiviral RNAi immunity from insects to humans. The UTMB/GNL faculty member who was primarily responsible for facilitating Dr. Xi's visit was Dr. Pei-Yong Shi (Professor, UTMB). The UTMB personnel primarily responsible for the logistical and administrative matters involved with the visit were Amber Teschendorf (Research Associate, UTMB), Rebecca Whitton (Administrative Staff, UTMB) and Valerie Rodecap (Senior Administrative Manager, UTMB). Dr. Xi also met briefly with several UTMB/GNL personnel⁶ and had lunch with UTMB students. See UTSysystem_090693–UTSysystem_090694; UTSysystem_000062–UTSysystem_000064.

⁴ The faculty members included James Le Duc (Director, GNL), Thomas Ksiazek (Professor, UTMB), Miguel Grimaldo (Assistant Professor, Director of Institutional Biocontainment Resources, UTMB), Yingzi Cong (Associate Professor, UTMB), Lynn Soong (Professor, UTMB), Jiaren Sun (Associate Professor, UTMB), Chien-Te Tseng (Associate Professor, UTMB), Tian Wang (Associate Professor, UTMB), Alexander Freiberg (Associate Professor, UTMB), Belinda Rivera (Lab Bio Training Consultant, UTMB) and Jason Hardcastle (Senior Lab Biosafety Training Specialist, UTMB).

⁵ These personnel included Dr. Scott Weaver (Chair of the Department of Microbiology & Immunology, UTMB), Andrew McNees (Administrator, UTMB), Ana Ramos (Senior Administrative Manager, UTMB) and Imelda Mendoza (Procurement Officer, UTMB).

⁶ The UTMB/GNL personnel who met briefly with Dr. Xi were Drs. James Le Duc (Director, GNL), Hongjie Xia (Post-doctoral Fellow, UTMB), Saravanan Thangamani (Associate Professor, UTMB), Grant Hughes (Assistant Professor, UTMB), Ricardo Rajsbaum (Assistant Professor, UTMB), Andrew Routh (Assistant Professor, UTMB) and Shelton Bradrick (Assistant Professor, UTMB).

E. April 16-18, 2018 – BSL-3 Training

This training is described at Part I above.

F. August 5-8, 2018 – Visit by WIV Director

Dr. Zhiming Yuan returned to UTMB and presented a seminar on the WIV’s BSL-4 laboratory. Dr. Yuan toured portions of the GNL during this visit. The UTMB/GNL personnel who were primarily responsible for facilitating Dr. Yuan’s visit were Dr. James Le Duc (Director, GNL) and Dr. Pei-Yong Shi (Professor, UTMB). Several UTMB personnel met with Yuan during his visit.⁷ The UTMB personnel primarily responsible for the logistical and administrative matters involved with the visit were Melissa Jones (Internet Production Designer, UTMB) and Analilia Guerra (Administrative Coordinator, UTMB). See UTSystem_002665–UTSystem_002667; UTSystem_004966; UTSystem_004930–UTSystem_004933.

III. Additional information about the six post-doctoral fellows and the two visiting scientists

In the supplemental request, ED requested additional information about the six post-doctoral fellows and the two visiting scientists referenced in the UT System’s June 12, 2020 letter, including: (1) the names of those personnel; (2) the subject-matter of their research; (3) to whom they reported; and (4) the duties of the person(s) to whom they reported. Responsive information is provided in the tables below:

Post-Doctoral Fellows

Name	Fellowship Dates	Subject Matter Researched at UTMB	Lab Supervisor	Supervisor’s Role
Han Xia	2013-2016	Crimean Congo Hemorrhagic Fever Virus and other tick-borne viruses	Dennis Bente	Associate Professor
Shan Chao	2015-2019	Zika Virus	Pei-Yong Shi	Professor

⁷ The personnel who met with Dr. Yuan included Dr. Dennis Bente (Associate Professor, UTMB), Dr. Alex Freiberg (Associate Professor, UTMB), Chad Connally (Biocontainment and Emergency Management Program Manager, UTMB), Corrie Ntiforo (EHS Consultant, UTMB), Je T’aime Newton (EHS Consultant, UTMB), Dr. Miguel Grimaldo (Assistant Professor, Director of Institutional Biocontainment Resources, UTMB), Dr. David Beasley (Professor, UTMB), Dr. Slobodan Paessler (Professor, UTMB), Dr. Cheng Huang (Assistant Professor, UTMB), Dr. Chien-Te Tseng (Professor, UTMB), Dr. Tian Wang (Professor, UTMB), Dr. Thomas Ksiazek (Professor, UTMB), Dr. Yingzi Cong (Professor, UTMB), Dr. Chao Shan (Post-doctoral Fellow, UTMB) and Dr. Xuping Xi (Post-doctoral Fellow, UTMB).

Name	Fellowship Dates	Subject Matter Researched at UTMB	Lab Supervisor	Supervisor's Role
Huanle Luo	2013-2019	West Nile Virus	Tian Wang	Associate Professor
Jia Hu	2013-2015	E. Coli	Alfredo Torres	Professor Associate Dean of Faculty Affairs and Professional Development; Chief Diversity Officer
Hongjie Xia	2016-Present	Zika Virus	Pei-Yong Shi	Professor
Xuping Xie	2016-2019	Emerging viruses with a focus on flaviviruses	Pei-Yong Shi	Professor

Visiting Scientists

Name	Fellowship Dates	Subject Matter Researched at UTMB	Lab Supervisor	Supervisor's Role
Xianwen Zhang	2016-Present	Zika Virus	Pei-Yong Shi	Professor
Rongjuan Pei	2017-2018	Zika Virus, Dengue Virus, Hepatitis	Pei-Yong Shi	Professor

For more information concerning these post-doctoral fellows and visiting scientists, please see UTSsystem_010749–UTSystem_010759; UTSsystem_001459–UTSystem_001461; UTSsystem_001462–UTSystem_064128–UTSystem_064137; UTSsystem_002049–UTSystem_002050; UTSsystem_059558–UTSystem_059559; UTSsystem_001569–UTSystem_001570; UTSsystem_001572–UTSystem_001611; UTSsystem_001612–UTSystem_001624; UTSsystem_018705–UTSystem_018711; UTSsystem_069467–UTSystem_069472; UTSsystem_096079–UTSystem_096080.

IV. January 2018 Joint U.S.-China Workshop at UTMB

In ED's supplemental request, ED requested additional information about the January 16-18, 2018 joint U.S.-China workshop organized by the U.S. National Academy of Sciences ("NAS") and the Chinese Academy of Sciences ("CAS"), which was hosted at UTMB, including: (1) the purpose of the conference; (2) the names of the presenters at the conference from UTMB/GNL; and (3) the names of the attendees from UTMB/GNL and China.

A. Purpose of the Conference

This conference was co-sponsored by the NAS and CAS and followed-up on a conference previously held in Wuhan, China on May 17-19, 2017. The purpose of the conference was to encourage cooperation between China and the United States in the areas of global health, biosafety and biosecurity. The conference included discussions about research into emerging infectious diseases, public health issues and biocontainment facility engineering.

B. UTMB Presenters and Attendees

The UTMB attendees and/or presenters included Dr. Dennis Bente (Associate Professor, UTMB), Dr. Trevor Brasel (Assistant Professor, UTMB), Dr. Melissa Eitzen (Director, Regulatory Operations, UTMB), Dr. Alex Freiberg (Associate Professor, UTMB), Dr. Marino Garcia-Blanco (Professor, UTMB), Dr. Miguel Grimaldo (Assistant Professor, Director of Institutional Biocontainment Resources, UTMB), Dr. Thomas Ksiazek (Professor, UTMB), Dr. James Le Duc (Director, GNL), Dr. Shinji Makino (Professor, UTMB), Dr. David Niesel (Professor, UTMB), Corrie Ntiforo (EHS Consultant, UTMB), Dr. Pei-Yong Shi (Professor, UTMB) and Dr. Scott Weaver (Chair of the Department of Microbiology & Immunology, UTMB). *See* UTSsystem_010110–UTSystem_010111.⁸

C. Chinese Attendees

Attendees from China included Drs. Zhigao Bu (Harbin Veterinary Research Institute), Xinwen Chen (WIV), Gong Cheng (Tsinghua University), Dexin Li (China CDC), Zhengli Shi (WIV), Yi Shi (Chinese Academy of Sciences), Wei Wu (China CDC) and Xi Zhou (WIV). *See* UTSsystem_010110–UTSystem_010111.⁹

⁸ Dr. Thomas Geisbert (Professor, UTMB) was originally scheduled to speak at the conference, but had a last minute conflict arise. *See* UTSsystem_064068.

⁹ Dr. Zhiming Yuan (Director, WIV) was scheduled to attend, but was unable to because of visa issues. *See* UTSsystem_006347–UTSystem_006349.

V. UTMB Scientists Who Attended WIV-Affiliated Conferences

In ED's supplemental request, ED requested additional information about the UTMB scientists referenced in the UT System's June 12, 2020 letter who attended conferences and symposia involving WIV-affiliated scientists, including: (1) their names; and (2) their duties.

In its June 12, 2020 letter, the UT System referred generally to between one to three UTMB scientists who attended conferences that took place between 2014 and 2018 where WIV had a role in organizing or hosting the conference. This information relates to six such conferences which were identified between 2014 and 2018. The UTMB scientists who attended these conferences and their respective duties are set forth below:¹⁰

Name	Role	Conference
Thomas Ksiazek	Professor, UTMB	First CAS-NAS Joint Workshop (Sept. 29-30, 2015); Second CAS-NAS Joint Workshop (May 17-19, 2017)
James Le Duc	Director, GNL	7th International Symposium on Emerging Viral Diseases (Oct. 19-21, 2016); Second CAS-NAS Joint Workshop (May 17-19, 2017)
Pei-Yong Shi	Professor, UTMB	Second CAS-NAS Joint Workshop (May 17-19, 2017); 8th International Symposium on Emerging Viral Diseases (Oct. 20-22, 2018)
Dennis Bente	Associate Professor, UTMB	6th International Symposium on Emerging Viral Diseases (Oct. 29-31, 2014)

¹⁰ It would be impractical and unduly burdensome to attempt to identify each and every UTMB scientist who may have attended a conference or symposia that also was attended by a scientist or individual otherwise affiliated with the WIV. To best respond to ED's request, the UT System provided responsive information within a known date range for conferences that were organized or hosted by the WIV. However, UTMB scientists routinely attend conferences all over the world, including in China, that were also attended by WIV scientists. For example, Dr. James De Luc attended the Wuhan International Symposium on Medical Virology in October 2013, which was hosted by Wuhan University and attended by at least one WIV scientist. See UTSysystem_012835–UTSysystem_012838. On January 8-10, 2019, Drs. Pei-Yong Shi and James De Luc also attended the fourth CAS-NAS Joint Workshop in Harbin, China, which was also attended by WIV scientists. See UTSysystem_051435–UTSysystem_051470.

Name	Role	Conference
Kenneth Plante	Associate Director, Curator, WRCEVA, UTMB	6th EVAg ¹¹ Meeting (Oct 17-18, 2017)

We hope this additional information is helpful. Please let us know if you have any difficulties accessing the enclosed documents or have any additional questions.

Respectfully,

/s/ Fry Wernick

Ephraim (Fry) Wernick

Enclosures

¹¹ The European Virus Archive – Global (“EVAg”) – is a European Union-funded non-profit dedicated to the conservation and distribution of materials in the field of virology. See *The EVAg project*, EUROPEAN VIRUS ARCHIVE – GLOBAL, available at <https://www.european-virus-archive.com/evag-project>. The WIV is Core Partner of the EVAg, and UTMB’s World Reference Center for Emerging Viruses and Arboviruses is a participating organization in that project.