

Fauci's \$ide Hu\$tle

HOW NIH LINED DR. ANTHONY FAUCI'S POCKETS WITH PRIZE MONEY

Records released by Chairman Paul reveal that Dr. Anthony Fauci, the highest-paid federal official in the U.S. government, stacked up cash prizes worth hundreds of thousands of dollars during COVID, with NIH's number two official serving as his personal awards manager and his taxpayer-funded staff writing the nominations for him. Some of the prizes came from American institutions, but the largest came from a foreign institution that wired him \$900,000.

WHAT THE DOCUMENTS SHOW

1. NIH's number two official personally assisted in ensuring Dr. Fauci received a \$900,000 prize.

In early 2021, NIH Principal Deputy Director Dr. Lawrence Tabak was tracking at least eight awards for Dr. Fauci at once, telling him his goal was "to support you in the strongest possible way" and mapping out how to get the cash cleared. The largest by far was the \$900,000 Dan David Award from a foundation affiliated with Tel Aviv University.

2. NIH's leadership acted as Dr. Fauci's advocates, not neutral gatekeepers.

Dr. Tabak and NIH's ethics lawyers argued Dr. Fauci's case up two levels, to HHS counsel and the independent Office of Government Ethics for getting the prize money approved, even drafting an escalation to the HHS Chief of Staff that leaned on Fauci's "visibility." When NIH ethics officers told Dr. Tabak that Dr. Fauci could not accept an award, Dr. Tabak told NIH Director Dr. Francis Collins, "We went all out, and failed." An NIH ethics official, Holli Jaffe, offered to "take the bullet" and break the news to Fauci, and noted the ethics counsel had been given "very specific orders" she felt she couldn't deviate from.

3. Dr. Fauci told the foundation he would accept the prize before the ethics review was finished.

On January 30, 2021, more than two months before he was given the green light from counsel, he wrote, "I told them (the Dan David Foundation) that I will accept the award," citing a 2011 prior review and an assurance from "the Israeli person" that nothing had changed. Dr. Fauci's ethics compliance on this appears to be a case of asking for forgiveness rather than permission.

4. Dr. Fauci asked his accountant how his prize would affect his taxes.

In a March 2021 letter to his personal accountant, Dr. Fauci wrote that he would receive the Dan David Prize from Israel in May of that year, asking, "do we need to figure this in my estimated taxes for 2021?" By that point, he had already told the foundation he would accept the money and was planning how to keep it.

5. Dr. Fauci authored his own award nominations and had other scientists sign them.

Dr. Fauci supplied the material and colleagues submitted it under their names. Recruiting Duke University's Dr. Barton Haynes in 2018, Dr. Fauci wrote, "As usual, I will supply all of the material." His office ran a similar operation for the 2022 John J. Carty Award for the Advancement of Science, with NIAID staff working to line up outside scientists to nominate him and Dr. Fauci's own deputy suggesting names, and for the 2020 Dan David nomination, which his chief of staff, Dr. Greg Folkers, drafted and Dr. Fauci himself helped write.

6. The nominations were traded among elite scientists, with major cash prizes on both ends.

Dr. Fauci nominated others for the same prize he later won, telling Dr. Haynes, "I nominated Zeke Emanuel... last year and he won." The favors came back around: after Dr. Charles Dinarello nominated Dr. Fauci for the \$900,000 Dan David Award, Dr. Dinarello asked Dr. Fauci to nominate him for the Shaw Prize, another seven-figure award, and Dr. Fauci agreed. The records raise the obvious question of a quid-pro-quo given the large amount of prize money at hand.

7. Staff treated the prize payout as a team win, and Fauci wasn't the only one hoping to collect.

When the approval came through, Fauci's assistant wrote, "Congratulations....you're rich!" and his chief of staff, Dr. Greg Folkers, said, "I want my 15%." The prize money was wired that May, with his personal passport and banking details provided by NIH staff on government email. In the same round, NIH National Cancer Institute's Dr. Steven Rosenberg also won a Dan David Prize, meaning two of NIH's most prominent figures each pocketed roughly \$900,000 from the same foreign institution in the same year.

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: FW: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Date: Wed, 10 Oct 2018 16:31:24 -0400

Importance: Normal

I will explain.,

From: Barton Haynes, M.D. <[REDACTED]@duke.edu>

Sent: Wednesday, October 10, 2018 3:34 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Re: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

You bet!!!

Let's do it

Best b

Sent from my iPhone

On Oct 10, 2018, at 11:23 AM, Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov> wrote:

Thanks, Bart. There is another one that looks possible for me if you are willing to do it. As usual, I will supply all of the material. It is the Dan David Prize. I will send you their e-mail separately in a minute.

From: Barton Haynes, M.D. <[REDACTED]@duke.edu>

Sent: Wednesday, October 10, 2018 12:56 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Fwd: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Here you go!

Best bart

Sent from my iPhone

Begin forwarded message:

From: The Shaw Prize <[REDACTED]@shawprize.org>

Date: October 10, 2018 at 10:47:35 AM MDT

To: Barton F Haynes <[REDACTED]@mc.duke.edu>

Subject: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019



The Shaw Prize

Dear Professor Barton F Haynes,

This letter is to confirm that we have received your nomination for The Shaw Prize in Life Science and Medicine 2019. The nomination cannot be edited any further but if you have any concerns or if an amendment is essential, you can contact us at any time on ██████@shawprize.org.

Thank you for your support,

The Shaw Prize Secretariat.



Released by Chairman Rand Paul

From: "Barton Haynes, M.D." <[REDACTED]@duke.edu>
To: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>
Cc: Kelly Soderberg <[REDACTED]@duke.edu>

Subject: RE: Heinz Award

Date: Mon, 10 Dec 2018 14:09:21 -0500

Importance: Normal

Inline-Images: ~WRD153.jpg; image001.png; image002.jpg

O they never did that I saw. Will ask Kelly?

Kelly did the Heinz folks get back to us?

Tony I am home all day today (we are snowed in and duke closed) so I am available all day to day if you want to talk. Best bart

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Monday, December 10, 2018 1:26 PM
To: Barton Haynes, M.D. <[REDACTED]@duke.edu>
Subject: Heinz Award

Bart:

Did the Heinz Award people ever get back to you about the requirements for nomination? Also, some time in the next week or so, we should catch up on a few things.

Best,
Tony

From: Fauci, Anthony (NIH/NIAID) [E]
Sent: Sunday, October 14, 2018 4:03 PM
To: 'Barton Haynes, M.D.' <[REDACTED]@duke.edu>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: RE: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Thanks, Bart. When you find out from them exactly what material we need for the nomination, please let me know and I will provide it.
Best,
Tony

From: Barton Haynes, M.D. [[mailto:\[REDACTED\]@duke.edu](mailto:[REDACTED]@duke.edu)]
Sent: Sunday, October 14, 2018 2:57 PM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Shannon Devine <[REDACTED]@duke.edu>; Kelly Soderberg <[REDACTED]@duke.edu>
Subject: RE: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Yep will do this straightaway. This is a good one I think for you. Best bart

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Sunday, October 14, 2018 2:53 PM
To: Barton Haynes, M.D. <[REDACTED]@duke.edu>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: FW: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Bart:

Another possible award would be the Heinz Award. The category would be for "The Human Condition". Paul Farmer has gotten this in the past. We can use the PEPFAR piece in addition to the science and NIAID leadership issue. We obviously will take care of all of that on my end. The only minor glitch is that in order to nominate me you need to write to them, send your CV and indicate that you want to serve as a nominator. They do this because they do not want just anyone nominating anyone. If you do not mind, could you write to them with your CV and indicate that you would like to be a nominator (see below for explanation). I got this from their website. Let me know what you think.
Many thanks.

Best,
Tony

Released by Chairman Rand Paul



RELATED NEWS
George Hatzopoulos, 3rd Heinz Awards recipient in Technology, the Economy and Employment, dies at 91 [go >>](#)

Arthur Mitchell, 7th Heinz Awards recipient for Arts and Humanities, dies at 84 [go >>](#)

John Luther Adams' work, In the Name of the Earth, to premiere in Central Park this Saturday [go >>](#)

ABOUT JOHN HEINZ **THE AWARDS** **RECIPIENTS** **CATEGORIES** **WHO WE ARE** **RESOURCES** **SEARCH**

to nominate

If you are interested in becoming a nominator:

Nominators are chosen on the basis of their expertise and experience in areas that are relevant to the Heinz Awards program. Individuals interested in being considered to serve as a nominator for the Heinz Awards program should send a letter of request and a current CV or resume to the following address. Your request will be forwarded to our Awards committee for consideration.

The Heinz Awards
625 Liberty Avenue
Suite 3200
Pittsburgh, PA 15222

Note: Individuals may not nominate a family member, co-worker or self-nominate. Nominees must be U.S. citizens.



THE HEINZ AWARDS **23RD** [awards](#) [criteria + selection](#) **[nominate](#)** [medallion](#)

From: Fauci, Anthony (NIH/NIAID) [E]
Sent: Sunday, October 14, 2018 2:14 PM
To: 'Barton Haynes, M.D.' <[REDACTED]@duke.edu>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: RE: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Bart:

I just realized as I was going through the details of the nomination for the Dan David Prize that the themes for the 2019 awards are not science/medicine. That was last year. And so we will hold off on this until medicine/science returns as a theme. Thanks anyway.
Best regards,
Tony

From: Barton Haynes, M.D. <[REDACTED]@duke.edu>
Sent: Wednesday, October 10, 2018 3:34 PM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: Re: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

You bet!!!

Let's do it

Best b

Sent from my iPhone

On Oct 10, 2018, at 11:23 AM, Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov> wrote:

Thanks, Bart. There is another one that looks possible for me if you are willing to do it. As usual, I will supply all of the material. It is the Dan David Prize. I will send you their e-mail separately in a minute.

From: Barton Haynes, M.D. <[REDACTED]@duke.edu>
Sent: Wednesday, October 10, 2018 12:56 PM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: Fwd: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Here you go!

Best bart

Sent from my iPhone

Begin forwarded message:

From: The Shaw Prize <[REDACTED]@shawprize.org>

Date: October 10, 2018 at 10:47:35 AM MDT

To: Barton F Haynes <[REDACTED]@mc.duke.edu>

Subject: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

[REDACTED]

The Shaw Prize

Dear Professor Barton F Haynes,

This letter is to confirm that we have received your nomination for The Shaw Prize in Life Science and Medicine 2019. The nomination cannot be edited any further but if you have any concerns or if an amendment is essential, you can contact us at any time on [REDACTED]@shawprize.org.

Thank you for your support,

The Shaw Prize Secretariat.

[REDACTED]

Released by Chairman Rand Paul

To: "Barton Haynes, M.D." <[REDACTED]@duke.edu>

Subject: RE: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Date: Wed, 10 Oct 2018 13:00:14 -0400

Importance: Normal

Thanks, Bart. There is another one that looks possible for me. It is the Dan David Prize. I nominated Zeke Emanuel (for Ethics work) last year and he won

From: Barton Haynes, M.D. [REDACTED]@duke.edu>

Sent: Wednesday, October 10, 2018 12:56 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Fwd: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019

Here you go!

Best bart

Sent from my iPhone

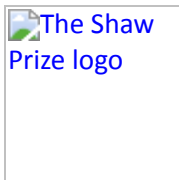
Begin forwarded message:

From: The Shaw Prize <[REDACTED]@shawprize.org>

Date: October 10, 2018 at 10:47:35 AM MDT

To: Barton F Haynes <[REDACTED]@mc.duke.edu>

Subject: Confirmation of your nomination for The Shaw Prize in Life Science and Medicine 2019



The Shaw Prize

Dear Professor Barton F Haynes,

This letter is to confirm that we have received your nomination for The Shaw Prize in Life Science and Medicine 2019. The nomination cannot be edited any further but if you have any concerns or if an amendment is essential, you can contact us at any time on [REDACTED]@shawprize.org.

Thank you for your support,

The Shaw Prize Secretariat.



Released by Chairman Rand Paul

To: "charles dinarello" <[REDACTED]@aol.com>

Subject: RE: Fauci nomination for Dan David Prize

Date: Wed, 16 Dec 2020 16:45:31 -0500

Importance: Normal

From: charles dinarello <[REDACTED]@aol.com>

Sent: Monday, November 16, 2020 9:48 AM

To: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Re: Fauci nomination for Dan David Prize

Yes, I suspected for you and all who work in tony's office. But there is a clear internal satisfaction in our work and now with the Moderna vaccine, you can take pride in long days and endless weekends. Please let me read the draft of the narrative.

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

From: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

To: charles dinarello <[REDACTED]@aol.com>

Sent: Mon, Nov 16, 2020 7:44 am

Subject: RE: Fauci nomination for Dan David Prize

COB does not exist for any of us

From: charles dinarello <[REDACTED]@aol.com>

Sent: Monday, November 16, 2020 9:43 AM

To: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Re: Fauci nomination for Dan David Prize

Thursday is a very good day. Please tell Tony that the announcement this morning of the success of the second mRNA vaccine for Covid-19 should be emphasized since it was Tony and NIAD that took the risk and put the money where it was needed. It should be in the long narrative (He is writing this). Tell him also that I have papers using mRNA vaccine against cytokines in mice for several years and they work and so I was thrilled that Tony took on this technology. As far as I know, mRNA vaccines have not been used previously in human trials. This abbreviation (COB) I think must mean Close of Business but COB really does not exist for me nor for Tony. Please let me read the draft of the long narrative. We have plenty of time.

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

From: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

To: charles dinarello <[REDACTED]@aol.com>

Sent: Mon, Nov 16, 2020 6:01 am

Subject: RE: Fauci nomination for Dan David Prize

This should be done by COB Thursday unless TF's calendar evolves/devolves

From: charles dinarello <[REDACTED]@aol.com>

Sent: Monday, November 16, 2020 12:07 AM

To: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Fauci nomination for Dan David Prize

How are you doing? We still have plenty of time.

Released by Chairman Rand Paul

From: "Folkers, Greg (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Schneider, Johanna (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Johnson, Martin S. (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Folkers, Greg (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: johanna, martin do u have

Date: Tue, 17 Nov 2020 11:31:54 -0500

Importance: Normal

Attachments: Fauci_nomination_for_Dan_David_award_2020-11-16_1330.docx

I am working on thus nomination for **the dan david award** for asf

Need to beef up the covid part –

Do u have language in the can (CJ, other) that u could share that delineates how we responded in many ways to covid?

I would tweak and fold a few key things into this

Disclaimer: Any third-party material in this email has been shared for internal use under fair use provisions of U.S. copyright law, without further verification of its accuracy/veracity. It does not necessarily represent my views nor those of NIAID, NIH, HHS, or the U.S. government.

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: charles dinarello <[REDACTED]@aol.com>

Cc: "Folkers, Greg (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Grady, Christine (NIH/CC/BEP) [E]" <[REDACTED]@cc.nih.gov>

Subject: RE: Dan David Prize Submitted

Date: Tue, 24 Nov 2020 15:24:42 -0500

Importance: Normal

Charles:

Many thanks and love from the Fauci family. Happy Thanksgiving to you and Edward.

Please stay safe and well.

Warm regards,

Tony

Anthony S. Fauci, MD

Director

National Institute of Allergy and Infectious Diseases

[REDACTED]
[REDACTED]
National Institutes of Health

Bethesda, MD [REDACTED]

Phone: [REDACTED]

FAX: [REDACTED]

E-mail: [REDACTED]@niaid.nih.gov

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From: charles dinarello <[REDACTED]@aol.com>

Sent: Tuesday, November 24, 2020 1:16 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Dan David Prize Submitted

What an ordeal to use the submission form when one cannot save it. It all must be done at once and no mistakes. Fortunately, I found a file with Tony's home and cell and NIH telephone numbers. These days, once communicates with the internet. But it's submitted and thank you Greg and Tony for doing most of the work. Each year the Dan David Prize committee asks me for nominees. I am on a lot of Israeli lists because I am on the Board of the Weizmann Institute and have an honorary degree from the Weizmann. This year, it was Public Health Present and Tony was the Obvious Nominee.

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Draft for your review

Date: Fri, 29 Jan 2021 17:26:55 -0500

Importance: Normal

Embedded: RE: _Dan_David_Prize

Disregard my request to talk, pls.

I believe the better approach is for you to write Gretchen and ask her to review the package she has (NAM) and the others (AAAS (re-review), CDC and Dan David) once her office receives them. We discussed that approach last evening. From me, Gretchen knows Tony wants final decisions and is pressing you to go to HHS to get them. Pls contact her first. Up until now, OGC has not been the reason for the delay. (I said last night that NAM's delay lies mostly with me.) Perhaps Gretchen only needs a reason to ask for a revised prioritization of her work.

To clarify:

NAM is pending with Gretchen. Once Randy gets it, he may agree with us and then there is no need for it to go to OGE.

Marilyn gave us comments on AAAS on Jan 7. We asked AAAS for more information on Jan 12, and pinged them on Jan 27.

CDC will go to OGC on Monday and it will be approved. (I misspoke before. We needed something from NIAID prior to forwarding the package to OGC, and we got that today.)

Dan David was reviewed in 2011 (Gretchen sent me the attached email), so if we can confirm a few things with Dan David – it's very likely we can, that should be approved too.

Re: GA Tech and Vanderbilt, we're in agreement that those are closed? Tony was told that he could not receive the money from GA Tech. He has not been told our conclusion re: Vanderbilt. (I attempted that in my draft status email this morning.) I briefly discussed both awards with Gretchen and she also agrees, but has not seen the paperwork. Her agreement was based on their grantee status.

If you still want to go to HHS, pls see below.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, January 29, 2021 1:36 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Schwetz, Tara (NIH/OD) [E] <[REDACTED]@nih.gov>

Subject: Draft for your review

Importance: High

Draft - let me know what you think. I would send to HHS C-O-S, his counselor Dawn O'Connell, and Anne Reid.

With apologies for adding to your very full plate. I am writing to you in my role as NIH Deputy Ethics Counselor to ask for help in expediting OGC's review of a number of awards for Dr. Anthony Fauci.

I am told (and appreciate) that OGC staff are now working on ethics clearance for new appointees, but several awards need (or soon will need) OGC's attention. Given the visibility of Dr. Fauci and the visibility of these prestigious awards it is becoming increasingly uncomfortable for him to explain why no decision has been reached. This will be further compounded by the latest award that Dr. Fauci has been notified about (the Dan David prize from Israel) which they wish to announce on Feb 15. To be clear, Dr. Fauci knows he can accept the honor of these awards, but each also comes with a

significant monetary award. The sponsors are eager for information as to whether he can accept the cash prizes. [Tony's assistant routinely tells the sponsors as soon as NIAID is notified that Tony is an award recipient that the cash prizes need heightened review. And we don't just want to say no; we want to try to get to yes. Yes takes time.]

Would it be possible to elevate the priority of the review of these awards by OGC please:

- National Academy of Medicine Gustav O. Lienhard award
- CDC Foundation Fries Prize
- AAAS Philip Abelson Prize
- The Dan David Prize

lat

Released by Chairman Rand Paul

From: "Weaver, Gretchen (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Subject: RE: Dan David Prize

Date: Fri, 29 Jan 2021 15:17:35 -0500

Importance: Normal

Holli: Here is discussion from 2011. If you can confirm that nothing has changed, including the "attendant events" that are now mentioned on the web site, this should be helpful. I did all of the leg work. Ed took this information to OGE and OGE accepted the award as bona fide even though the subject area to be recognized changes, etc.:

The Dan David Foundation awards three \$1 million Dan David Prizes each year (since 2002), recognizing past, present, and future achievements. For each time dimension, a field is chosen, and one or more recipients are selected. If more than one recipient is selected in a field, the cash prize is shared. The categories for 2012 are: Past – History/Biography; Present – Plastic Arts; and Future – Genome Research. Notably, laureates donate 10% of their prize money to graduate students of their choice. NASA and DOE employees are among the prior recipients (they received the award in 2007). International panels of experts in each of the fields to be recognized evaluate the nominees based upon the description of each field of recognition posted on the web site and submit reports to the Dan David Prize Board (an international panel selected by the Dan David Foundation Board). The DDP Board makes the final determination as to which nominee(s) in each category have achieved that which the prize is intended to recognize (as described in the category descriptions). More information is available at: <http://www.dandavidprize.org/>, including the composition of the DDP Board.

After reviewing the web site, other publicly available information, and the materials our NASA colleagues were able to provide, I made contact with the Chair of the Dan David Foundation Board, Professor Itamar Rabinovich, and the administrative Director of the Prize, Ms. Smadar Fisher. Based on all of the information I have been able to obtain, it appears that the Prize program is "owned" by the Dan David Foundation, although there is a relationship between it and Tel Aviv University pursuant to which Tel Aviv provides space and administrative support for the award program. Professor Rabinovich was the President of Tel Aviv University when Dan David began his Foundation and an agreement was reached. Professor Rabinovich confirmed that the Foundation could opt to move the administrative headquarters of the Prize out of the University.

Upon review of the web site, you may also notice reference to French Collaboration. The Dan David Foundation entered into an agreement with the French Government in 2006. Professor Rabinovich has said that this was intended to further the international outreach efforts of the Foundation. In alternating years the Prize ceremony is held in France. In exchange, two or three seats on the Dan David Prize Board "belong" to the French. The current composition of the Board is at: <http://www.dandavidprize.org/about/about-the-board.html>.

Based upon the available information, and in light of OLC's opinions (particularly the more recent award opinion covering the President's Nobel Prize), I do not think the Dan David Prize implicates the Emoluments Clause or the Foreign Gifts and Decorations Act.

Although Tel Aviv University is an NIH grantee, I do not think the Dan David Prize implicates our Supplemental Standard because the Prize appears to be from the Dan David Foundation, a separate entity that does not appear to be a grantee or otherwise have any business dealings with the NIH.

Moreover, although the recipient is expected to give a lecture (at a symposium, and in addition to acceptance remarks during the presentation ceremony), the Dan David Prize appears to be a *bona fide* award made as part of an established program of recognition that an NIH employee, including Dr. Collins, might be permitted to accept (assuming no change in the program or other individualized issue). Again, the award appears to be from the Dan David Foundation. I have found no record of any business interactions between NIH and the Dan David Foundation, so OGE's source limitation is not an issue. Although there is a symposium at which the recipients are expected to give a presentation, I have been told they

give talks about their work over the course of their careers, rather than current science and theory, and \$1 million is far outside of the range of typical honoraria paid for individual presentations. From videos available on the internet (at sites not presently blocked by NIH security measures), it appears that the Prize ceremony is quite elaborate, well-attended, and in keeping with what we expect such an event to “look like.” Press reports that coincide with the announcement of each year’s winners appear to reflect that this is a significant award/honor.

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Jaffe, Holli Beckerman (NIH/OD) [E] [REDACTED]@od.nih.gov>
Sent: Friday, January 29, 2021 2:16 PM
To: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Subject: FW: Dan David Prize

My quick thoughts

From: Jaffe, Holli Beckerman (NIH/OD) [E]
Sent: Friday, January 29, 2021 11:40 AM
To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Cc: Schwetz, Tara (NIH/OD) [E] [REDACTED]@nih.gov>
Subject: Dan David Prize

I’m lost as to what Tony wants you to raise with HHS at this VERY early time. It’s not a pending HHS matter yet, though once we transmit the package, HHS could be helpful in telling OGC that this is a top priority (and not clearing other OPDIVs’ appointees).

NEO needs time to assemble the package. From a quick review of the website, I know we’ll need to contact the award sponsor for additional information. For example:

- Laureates in each selected field are chosen by the Dan David Prize Board, based on the recommendations of International Review Committees comprised of world-renowned experts in the relevant fields. Will need to confirm that both the Review Committee and the DD Board used written selection criteria, either the same or different. Also need to know who makes up the Committee and Board (so can likely prove both are independent of Tel Aviv U.)
- Nomination requirements include: “A detailed description of the nominee’s work (1-2 pages), stipulating reasons why the nominee merits the Dan David Prize. Reference should be made to the importance of the work, its impact and its projected influence in the relevant field.” Might be able to use “importance of the work, its impact and its projected influence in the relevant field,” are selection criteria. Would need sponsor to confirm that selections are based on these factors.

Released by Chairman Rand Paul

- Prize winners are required to participate in the Award Ceremony and the Attendant Events. Will need to know what the details of the Award Ceremony and get a list of the Attendant Events. From the website, seems attendant events include a symposia.

Also, we need clarification of Tel Aviv University's involvement. The University's involvement could be consequential if NIAID has any projects with it. My guess is that the University is NOT involved in the recipient selection process; it appears to host the symposia. The latter involvement likely will not affect the determination.

How can I help?

Holli Beckerman Jaffe
Director, NIH Ethics Office


[@od.nih.gov](mailto:[redacted]@od.nih.gov)

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Draft for your review

Date: Fri, 29 Jan 2021 18:07:17 -0500

Importance: Normal

Sure, will do.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, January 29, 2021 5:50 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Schwetz, Tara (NIH/OD) [E] <[REDACTED]@nih.gov>

Subject: Re: Draft for your review

It would help if you drafted the note to Tony for me. but I will send it, from me.

Thanks

Larry

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Date: Friday, January 29, 2021 at 5:41 PM

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Draft for your review

Thanks Larry. I truly believe Gretchen is stuck – she was given very specific orders that she feels she cannot deviate from. And I'd be happy to "take the bullet for you" and write Tony. The matters have been in my office, not yours.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, January 29, 2021 5:37 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Schwetz, Tara (NIH/OD) [E] <[REDACTED]@nih.gov>

Subject: Re: Draft for your review

Ok – I will stand down and write to Gretchen as you suggest. Will run by draft.

I will also modify note that I will send to Tony and run by you before I hit send.

Larry

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Date: Friday, January 29, 2021 at 5:26 PM

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Draft for your review

Disregard my request to talk, pls.

I believe the better approach is for you to write Gretchen and ask her to review the package she has (NAM) and the others (AAAS (re-review), CDC and Dan David) once her office receives them. We discussed that approach last evening. From me, Gretchen knows Tony wants final decisions and is pressing you to go to HHS to get them. Pls contact her first. Up until now, OGC has not been the reason for the delay. (I said last night that NAM's delay lies mostly with me.) Perhaps Gretchen only needs a reason to ask for a revised prioritization of her work.

Released by Chairman Rand Paul

To clarify:

NAM is pending with Gretchen. Once Randy gets it, he may agree with us and then there is no need for it to go to OGE.

Marilyn gave us comments on AAAS on Jan 7. We asked AAAS for more information on Jan 12, and pinged them on Jan 27.

CDC will go to OGC on Monday and it will be approved. (I misspoke before. We needed something from NIAID prior to forwarding the package to OGC, and we got that today.)

Dan David was reviewed in 2011 (Gretchen sent me the attached email), so if we can confirm a few things with Dan David – it's very likely we can, that should be approved too.

Re: GA Tech and Vanderbilt, we're in agreement that those are closed? Tony was told that he could not receive the money from GA Tech. He has not been told our conclusion re: Vanderbilt. (I attempted that in my draft status email this morning.) I briefly discussed both awards with Gretchen and she also agrees, but has not seen the paperwork. Her agreement was based on their grantee status.

If you still want to go to HHS, pls see below.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Sent: Friday, January 29, 2021 1:36 PM
To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Cc: Schwetz, Tara (NIH/OD) [E] <[REDACTED]@nih.gov>
Subject: Draft for your review
Importance: High

Draft - let me know what you think. I would send to HHS C-O-S, his counselor Dawn O'Connell, and Anne Reid.

With apologies for adding to your very full plate. I am writing to you in my role as NIH Deputy Ethics Counselor to ask for help in expediting OGC's review of a number of awards for Dr. Anthony Fauci.

I am told (and appreciate) that OGC staff are now working on ethics clearance for new appointees, but several awards need (or soon will need) OGC's attention. Given the visibility of Dr. Fauci and the visibility of these prestigious awards it is becoming increasingly uncomfortable for him to explain why no decision has been reached. This will be further compounded by the latest award that Dr. Fauci has been notified about (the Dan David prize from Israel) which they wish to announce on Feb 15. To be clear, Dr. Fauci knows he can accept the honor of these awards, but each also comes with a significant monetary award. The sponsors are eager for information as to whether he can accept the cash prizes. [Tony's assistant routinely tells the sponsors as soon as NIAID is notified that Tony is an award recipient that the cash prizes need heightened review. And we don't just want to say no; we want to try to get to yes. Yes takes time.]

Would it be possible to elevate the priority of the review of these awards by OGC please:

- National Academy of Medicine Gustav O. Lienhard award
- CDC Foundation Fries Prize
- AAAS Philip Abelson Prize
- The Dan David Prize

lat

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@OD.NIH.GOV>

Subject: RE: Update on awards

Date: Sat, 30 Jan 2021 11:18:01 -0500

Importance: Normal

Larry:

Thanks for the note and many thanks to Holli for the effort she has put in. I understand completely about the Vanderbilt and Georgia Institute of Technology. I was not expecting to be able to accept the cash on these. I will accept the honor and they can give the cash to charities of their choosing. I am very pleased to hear about the "good" news, particularly about the Dan David Prize. I knew that we had previously (2011) reviewed it favorably and when I spoke to the Israeli person who informed me of the Award, he mentioned that everything was the same with this award as it was for the past 20 years, and so I am certain that nothing has changed, but you can check this. I told them that I will accept the award. They want to keep this confidential, but they will announce it to the world on February 15. I will send the official invitation to Holli as soon as I receive it in the mail. I really appreciate you and Holli helping out on this.

Best regards,

Tony

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Saturday, January 30, 2021 10:53 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Update on awards

Tony,

I certainly understand your frustration about the time that it has taken to reach decisions on a number of awards that have been pending for too long. I too am frustrated because my goal is to support you in the strongest possible way. I had extensive discussions with Holli Friday, and as we unpacked things, I realized that more progress has been made than I was aware of. Here is the current status of each award:

- First the good news:
 - **Partnership for Public Service's Service to America Award** – approved.
 - **Smithsonian Institution's Great American Medal Gold Medal** – approved.
 - **The Dan David Prize** – Holli raised this prize with Gretchen (HHS OGC) yesterday and Gretchen shared that the Dan David Prize was reviewed in 2011 and it was determined to meet the regulatory requirements. We need to confirm that certain aspects of the award have not changed since 2011 – Holli's quick review of website does not show any changes – and then most likely, you will be able to receive the cash prize. Please forward to Holli the letter notifying you of your selection, and any other written materials you receive from Dan David as soon as you receive them.
 - **CDC Foundation's Fries Prize** – this package is complete and will be transmitted to HHS OGC for final review on Monday. We expect a quick approval. As you may know, Harvey Alter received this prize in 2015 and he was approved to accept the cash prize.
 - **AAAS' Philip Abelson Prize** – HHS OGC reviewed the package and requested that we ask AAAS for additional information. Our request for the supplemental documentation is pending with AAAS. We will remind AAAS of this need this week, and I remain hopeful that this award will ultimately be approved. It will, however, take more time to get a final decision.
- Next, the unknown:

- **NAM's Gustav Liennard Award** – this is the most challenging package. After receiving additional information from NAM (I personally made the request to Victor in November), the completed package was submitted to HHS OGC in December. They determined that you cannot receive the cash prize based on a broad reading of an applicable regulation. We propose to appeal that interpretation to the US Office of Government Ethics (OGE) but we have arrived at a strategy that we think maximizes our chance at succeeding. We think our argument is reasonable, but the USG OGE still may reject it if they take a more conservative approach. If they do, we have no other recourse. In addition, the USG OGE is neck deep in vetting appointments for the new administration and once it gets to USG OGE it may get hung up for some time. So to get “two turns at bat”, we are first trying to convince the acting HHS OGC DAEO, Randy Hall, who serves as the HHS’ subject matter expert and is the POC for the USG OGE, to agree to our interpretation. If he does it won’t have to go to the USG OGE. If he doesn’t, we can still appeal directly to the USG OGE as a final attempt.
- Now the bad news:
 - **Vanderbilt University's Nichols-Chancellor Medal** and **GA Institute of Technology's Ivan Allen Jr. Prize for Social Courage** – unfortunately, you will not be able to accept the cash prizes associated with either of these awards because both award sponsors (Vanderbilt and GA Tech) are NIAID grantees. We did consider asking for an exception for these awards; however, neither award appears to comport with the exception for awards which “confer an exceptionally high honor in the fields of medicine or scientific research.”
 - Vanderbilt's Nichols-Chancellor's Medal is awarded “to those persons who define the 21st century and exemplify the best qualities of the human spirit.” Previous winners were Caroline Kennedy, Venus Williams, Amal Clooney and Ken Burns.
 - GA Tech's Ivan Allen Jr. Prize for Social Courage “shines a light on those around the world who bravely act to improve the human condition, often in the face of seemingly insurmountable challenges.” Previous winners were Hamilton E. Homes and Charlayne Hunter-Gault, Andrew Young and Jimmy and Rosalynn Carter

As neither award focuses on achievements in medicine or scientific research we must unfortunately deny the request to accept these awards’ cash prizes. As you know you can accept the honor of being these awards’ 2021 recipients, and I understand that you are proceeding along those lines. Also, the award sponsors may donate the cash prizes in your honor to charities of their choosing. I understand GA Tech is proceeding with such a designation and we will inform Vanderbilt of that option.

Holli plays the seminal role in assembling of the award packages, drafting follow-up correspondence with the award sponsors, and legal discussions with OGC. She will continue to monitor the developments with respect to each package and keep me informed of any change in status.

Please let me know if you have any questions.

Larry

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@OD.NIH.GOV>, "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: RE: Update on awards

Date: Sun, 31 Jan 2021 08:45:23 -0500

Importance: Normal

Thanks, Holli!

From: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Sent: Sunday, January 31, 2021 8:30 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Subject: RE: Update on awards

Good morning,

Late Friday we received a response from AAAS regarding the Abelson Prize. My staff sent the additional information to OGC last evening, and I sent a follow-up email this morning. I expect a decision on this award shortly, and I remain optimistic that it will be a positive outcome.

Holli

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Saturday, January 30, 2021 11:18 AM

To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: RE: Update on awards

Larry:

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Best regards,

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Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Update on awards

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Holli plays the seminal role in assembling of the award packages, drafting follow-up correspondence with the award sponsors, and legal discussions with OGC. She will continue to monitor the developments with respect to each package

and keep me informed of any change in status.

Please let me know if you have any questions.

Larry

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@OD.NIH.GOV>

Cc: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>, "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Billet, Courtney (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: FW: Dan David Prize

Date: Sun, 31 Jan 2021 08:44:45 -0500

Importance: Normal

Attachments: AnthonyFauci.pdf

Holli:

I just received the official notification of my winning the Dan David Prize (see attached). As you can see, they will be announcing it on February 15. Larry asked me to forward this to you as soon as I received it so that you can proceed with the official clearance. Many thanks.

Best regards,

Tony

From: Charlotte Halle [REDACTED]@tauex.tau.ac.il>

Sent: Sunday, January 31, 2021 4:39 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Dan David Prize

Dear Dr. Fauci,

Attached please find the notification letter informing you that you have been selected as a 2021 Dan David Prize Laureate.

The original letter will be sent to you by post.

Please confirm receipt of this email.

Best wishes,

Charlotte Hallé

Charlotte Hallé

Director

Dan David Prize

Office: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]@tauex.tau.ac.il

Website: www.dandavidprize.org

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Dan David Prize

Date: Sun, 31 Jan 2021 16:18:06 -0500

Importance: Normal

Yes, thankfully. I'll contact Gretchen tomorrow on Dan David to clarify what we need from the organization. I want to keep this package moving.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Sunday, January 31, 2021 9:27 AM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Re: Dan David Prize

We appear to be back to a more normal approach

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Date: Sunday, January 31, 2021 at 9:05 AM

To: Anthony Fauci <[REDACTED]@niaid.nih.gov>

Cc: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>, "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Billet, Courtney (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: RE: Dan David Prize

Thanks Tony, and congratulations on this tremendous honor. Please also forward the invitations to the Prize's online events once you receive them, and any other correspondence you receive from Dan David.

I will share this confidential information with OGC, and proceed to process the award. As Larry noted, the analysis for the award was completed several years ago, so do not expect any difficulties with reviewing and approving your award package.

I'll keep you posted on our developments.

Holli

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Sunday, January 31, 2021 8:45 AM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>; Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Billet, Courtney (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: FW: Dan David Prize

Holli:

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Tony

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Sent: Sunday, January 31, 2021 4:39 AM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
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The original letter will be sent to you by post.

Please confirm receipt of this email.

Best wishes,

Charlotte Hallé

Charlotte Hallé
Director
Dan David Prize
Office: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]@tauex.tau.ac.il
Website: www.dandavidprize.org

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Charlotte Halle" <[REDACTED]@tauex.tau.ac.il>

Cc: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Dan David Prize" <[REDACTED]@tauex.tau.ac.il>, "Billet, Courtney (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Greg Folkers ([REDACTED]@niaid.nih.gov)" <[REDACTED]@niaid.nih.gov>, "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@OD.NIH.GOV>

Subject: RE: Dan David Prize

Date: Mon, 01 Feb 2021 21:29:30 -0500

Importance: Normal

Charlotte:

I will accept the 2021 Dan David Prize. My Chief-of-Staff, Greg Folkers (copied here) will provide you with the information that you have requested below. The people in my Institute who can assist you with PR matters are Courtney Billet and Patricia Conrad, both of whom are copied on this e-mail. Please let me know if you have any questions. Many thanks.

Best regards,

Tony

Anthony S. Fauci, MD

Director

National Institute of Allergy and Infectious Diseases

[REDACTED]
National Institutes of Health

Bethesda, MD [REDACTED]

Phone: [REDACTED]

FAX: [REDACTED]

E-mail: [REDACTED]@niaid.nih.gov

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From: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>

Sent: Monday, February 1, 2021 4:01 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Subject: FW: Dan David Prize

Dear Dr. Fauci,

We keenly await confirmation that you will accept the 2021 Dan David Prize.

In the meantime, we write to you with some urgent requests regarding the announcement of the 2021 Dan David Prize laureates, scheduled for Monday February 15 at 1800 (Israel-time); in parallel we plan to notify the international and Israeli media that you are among those honored.

Should we be in touch directly with someone else regarding these requests?

We ask that within 2 days, you send us the following:

Released by Chairman Rand Paul

- 1) A high resolution photo (at least 1 MB in size; it will be blown up and printed in a large format so the quality of the photo is key). If you can send more than one option, that would be best. Please indicate if the photo requires a credit.
- 2) A short bio in layman's terms.
- 3) A short paragraph about your work and significant achievements, in laymen's terms.
- 4) A quote from you of up to two paragraphs in length, which includes a statement of reaction to your selection.

Alternatively

We would be happy to telephone you for a brief conversation to ask you a couple of questions, including about your reaction to being selected. If you prefer this, please send us your telephone number and a time you can be reached over the next few days.

- 5) Additionally we ask you to provide us with the name and contact information of a professional at your institution who can assist us with PR matters.

I will also mention that your photograph is the most urgent item on this list for us.

Thank you very much in advance for your cooperation and we look forward to further contact.

Yours sincerely,

Charlotte

Charlotte Hallé
Director
Dan David Prize
Office: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]@tauex.tau.ac.il
Website: www.dandavidprize.org

From: Charlotte Halle
Sent: Sunday, January 31, 2021 11:39 AM
To: [REDACTED]@niaid.nih.gov' <[REDACTED]@niaid.nih.gov>
Cc: [REDACTED]@niaid.nih.gov' <[REDACTED]@niaid.nih.gov>
Subject: Dan David Prize

Dear Dr. Fauci,

Attached please find the notification letter informing you that you have been selected as a 2021 Dan David Prize Laureate.

The original letter will be sent to you by post.

Please confirm receipt of this email.

Best wishes,

Charlotte Hallé

Released by Chairman Rand Paul

Charlotte Hallé

Director

Dan David Prize

Office:

Mobile:

Email: [\[REDACTED\]@tauex.tau.ac.il](mailto:[REDACTED]@tauex.tau.ac.il)

Website: www.dandavidprize.org

Released by Chairman Rand Paul

From: "Weaver, Gretchen (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>, "Hall, Randall (HHS/OGC)" <[REDACTED]@hhs.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Date: Tue, 16 Feb 2021 11:01:52 -0500

Importance: Normal

With apologies; I meant "now," not "not."

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division
[REDACTED]

phone: [REDACTED]

fax: [REDACTED]

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From: Weaver, Gretchen (NIH/OD) [E]

Sent: Tuesday, February 16, 2021 10:46 AM

To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@OD.NIH.GOV>; Hall, Randall (HHS/OGC) ([REDACTED]@hhs.gov) <[REDACTED]@hhs.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good morning. As a quick update on the status of this item, Randy and I talked and we have forwarded your note to OGE with a request that they consider the questions presented. We will keep you apprised of what we hear. That said, we have no idea when to expect a response given that OGE is heavily involved in working to bring the Biden team members on board across the entire Executive Branch. We will, however, be checking in.

I am not turning to focus on the Dan David Prize.

Best,

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, February 5, 2021 5:51 AM

To: Hall, Randall (HHS/OGC) <[REDACTED]@HHS.GOV>

Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>; Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Mr. Hall,

I write to request your concurrence that the exception to the gift prohibition at section 2635.204(d) does not prohibit Dr. Anthony Fauci from accepting the cash prize associated with the [National Academy of Medicine's](#) (NAM) 2020 Gustav O. Lienhard Award. Specifically, I ask you to find that: 1) the [National Academies of Sciences](#) (NAS), the umbrella organization under which NAM was established, is not a "person" under the regulations, and similarly, neither is NAM; or 2) if NAS is a "person," NAM and NAS are different "persons" because of NAM's independence from NAS; and/or 3) NAS is not a "person who can be substantially affected by the performance or nonperformance of [Dr. Fauci's NIH] duties." If you do not concur, I ask that you forward this discussion to the Office of Government Ethics for their consideration and determination of the applicability of the gift rule to the NAM Lienhard Award.

As you likely know, Dr. Fauci is the Director of the National Institute of Allergy and Infectious Diseases (NIAID). He was awarded the Lienhard award from NAM on October 19, 2020. The Lienhard award – a medal and \$40,000 – recognizes individuals for outstanding achievement in improving health care services in the United States. NIAID currently funds two Congressionally-mandated studies as well as six other projects including an Action Collaborative, a Board, two Forums and a Roundtable. NIAID contributes to the latter projects typically as one of several NIH Institutes and Centers. It is our understanding that due to a restructuring of NAS, all the business interactions between the Academies and Federal agencies go through NAS. Thus, NIAID has no current financial, contractual, or similar dealings with NAM.

In order for Dr. Fauci to accept the cash prize, we reviewed the exception to the gift rules for meritorious public service or achievement at section 2635.204(d) (emphasis added):

(1) An employee may accept a bona fide award for meritorious public service or achievement and any item incident to the award, provided that:

(i) The award and any item incident to the award are not from a **person** who has interests that may be substantially affected by the performance or nonperformance of the employee's official duties, or from an association or other organization if a majority of its members have such interests;

The definition of "person" is found at section 2635.102(k) and is:

(k) Person means an individual, corporation and subsidiaries it controls, company, association, firm, partnership, society, joint stock company, or any other organization or institution, including any officer, employee, or agent of such person or entity. For purposes of this part, a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities. The term is all-inclusive and applies to commercial ventures and nonprofit organizations as well as to foreign, State, and local governments, including the Government of the

District of Columbia. It does not include any agency or other entity of the Federal Government or any officer or employee thereof when acting in his official capacity on behalf of that agency or entity.

The “National Academy of Sciences (in this chapter, the “corporation”) is a federally chartered corporation.” 36 USC § 150301. Pursuant to its [Mission statement](#), NAS “is a private, non-profit society [and is] charged with providing independent, objective advice to the nation on matters related to science and technology.” The Act to Incorporate the National Academy of Sciences (aka [the Academy Charter](#)) states “the Academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art” [Academy Charter](#) at §3. While a corporation is a “person” under section 2635.102(k), I argue that the type of corporation that NAS is – a federally chartered corporation, with its exceptional mission to advise the Federal Government – is not the type of corporation that OGE intended to include in the definition. First, OGE could have, but did not include in the definition of “person” any discussion of federally chartered corporations, perhaps because of their uniqueness. And it’s this uniqueness which makes the application of section 2635.204(d) unnecessary. NIAID works with NAS because it is directed to do so by Congress and because NAS offers NIAID an expertise that cannot be found elsewhere. NAM did not “return the favor” to NIAID when it selected Dr. Fauci as its 2021 Lienhard awardee. Its relationship with NIAID is rooted in legislation and will continue regardless of an unrelated award to NIAID’s Director. Last, OGE stated that “[‘person’] does not include any agency or other entity of the Federal Government” I concede that NAS is not a part of the Federal Government. However, in 1997, Congress amended the Federal Advisory Committee Act (FACA) to include the National Academy of Sciences under some of FACA’s provisions. See Congressional Research Service report, [Congressional Chartering Nonprofit Organizations \(“Title 36 Corporations”\): What They Are and How Congress Treats Them](#) (July 14, 2008). There, CSR noted that the FACA amendment was:

[T]he first instance in which Congress has made [federally chartered corporations] subject to the provisions of a general management law, and while the action may be supportable on public policy grounds, it does, to the extent of the applicable provisions, diminish the private character of the affected organizations. As such, it constitutes a precedent with implications.

CSR Report at 7. FACA’s partial application to NAS further supports viewing NAS as a different kind of corporate entity that is outside of the regulatory definition of “person.” Therefore, if NAS is not a “person,” NAS’ non-person status extends to NAM, an entity established under NAS’ charter. Consequently, the pending NIAID-NAS matters do not make a gift from NAM a prohibited gift for Dr. Fauci under the applicable regulations.

In the alternative, if you find NAS to be a “person” under 2635.102(k), then you should not find it to be the same “person” as NAM. Even though NAM was established in 1970 under the charter of the National Academy of Sciences, the definition of “person” supports a finding that NAM is not a subsidiary of corporate parent NAS. The regulation explains that “for purposes of [Part 2635], a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary’s voting securities.” NAM does not issue voting securities, so NAS cannot control such securities; accordingly, NAM is not a subsidiary of NAS, but rather an independent entity. Furthermore, pursuant to NAM’s Articles of Organization (AoO), adopted May 19, 2015 (copy attached), “the governance of [NAM] shall reside in the President and Council to be elected from among the membership,” AoO Art. III, § 1, “NAM shall be solely responsible for the content of reports on projects that it undertakes, and such reports may be issued in its own name.” AoO Art. VI, § 2. NAM’s governing documents repeatedly show NAM’s independence from NAS. Last, NAM’s AoO gives it its own authority to establish awards. AoO Art. V. Thus, the Lienhard award and its associated cash prize are from NAM and NIAID’s commissioned studies and other projects from NAS do not make the award an impermissible gift under section 2635.204(d).

Finally, if NAS and NAM are a “person,” then they are not persons who are substantially affected by the performance or nonperformance of Dr. Fauci’s duties because both “compensation” in NAS’ charter as well as “substantially” in section 2635.204(d) must have meaning. NAS’ charter states: “[NAS] shall receive no compensation whatever for any services to the Government of the United States.” This is consistent with NAS’ status as a not-for-profit entity. NAS’ charter was codified in Title 36 at Sections 150301-150304, and Section 150303 reiterates that NAS “may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose.” If the statutory language means that NAS cannot receive any compensation for its investigations, examinations, experiments or reports commissioned by Federal

agencies, but rather only reimbursement of expenses, then NAS is not substantially affected by NIAID's projects. Furthermore, two of NIAID's projects with NAS were mandated by Congress. One project was started by another NIH Institute which NIAID later joined. Other collaborations were formed at the agency or department level, and not from the direct action of NIAID. Most importantly, every NAS project in which NIAID is involved is a large-scale project with numerous members. Being one of many means that NIAID's proportional contribution does not affect NAS substantially. For all of these reasons, Dr. Fauci would not be accepting an award from a person (NAS and/or NAM) who has interest that may be substantially affected by the performance or nonperformance of his official duties.

For the reasons provided above, a finding should be made that Dr. Fauci may accept the Lienhard Award and the cash prize associated with it from NAM. If you have any questions, please contact Holli Beckerman Jaffe, cc'd above.

Thank you for your consideration.

With best wishes,
Larry

Lawrence A. Tabak, DDS, PhD
Principal Deputy Director, NIH
Deputy Ethics Counselor, NIH

Released by Chairman Rand Paul

From: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: Re: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Date: Fri, 19 Feb 2021 00:58:45 -0500

Importance: Normal

Inline-Images: image001.png

It was worth a try...

Best,

Tara A. Schwetz, PhD

Associate Deputy Director, NIH

A: [REDACTED]

P: [REDACTED] | **M:** [REDACTED]

 cidimage001.png@01D639B9.FBF92330

From: Larry Tabak <[REDACTED]@nih.gov>

Date: Thursday, February 18, 2021 at 6:48 PM

To: Tara Schwetz <[REDACTED]@nih.gov>

Subject: FW: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Not surprising...but not a good conversation to have with ASF....

From: "Hall, Randall (HHS/OGC)" <[REDACTED]@HHS.GOV>

Date: Thursday, February 18, 2021 at 4:47 PM

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: Gretchen Weaver <[REDACTED]@od.nih.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good afternoon. [This is](#) to let you know that OGE has responded to our request to consider whether the gift rule exception for awards applies in the case of the Lienhard Award the NAM presented to Dr. Fauci. [Unfortunately](#), OGE has concluded that the NASEM/NAM is/are a "person" under the government-wide rules restricting gifts from outside sources and that they are a person that can be "substantially affected by the performance or non-performance" of Dr. Fauci's duties. As a result, we are unable to change our prior determination that he cannot accept the \$40,000 cash gift associated with the Lienhard Award.

Please let us know if you have any questions.

Randy

Randall J. Hall

Acting Associate General Counsel for Ethics

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From: Weaver, Gretchen (NIH/OD) [E]
Sent: Thursday, February 18, 2021 3:40 PM
To: Hall, Randall (HHS/OGC) ([REDACTED]@hhs.gov) <[REDACTED]@hhs.gov>
Subject: Final note to Dr. Tabak RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Randy – Did you want to respond to Dr. Tabak? I had forgotten that I rote to him on Tuesday to let him know we had sent the question to OGE (see below). This is what I would send, but let me know if you want to send and want something different. Thanks, Gretchen

Dr. Tabak:

Good afternoon. It is sooner than I expected, but I am writing because OGE has responded to our request. Unfortunately, OGE has concluded that the NASEM/NAM is/are a “person” under the government-wide rules restricting gifts from outside sources and that they are a person that can be “substantially affected by the performance or non-performance” of Dr. Fauci’s duties. As a result, we are unable to change our prior determination that he cannot accept the \$40,000 cash gift associated with the Lienhard Award.

Please let us know if you have any questions.

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Weaver, Gretchen (NIH/OD) [E]
Sent: Tuesday, February 16, 2021 10:46 AM
To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@OD.NIH.GOV>; Hall, Randall (HHS/OGC) ([REDACTED]@hhs.gov)
<[REDACTED]@hhs.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good morning. As a quick update on the status of this item, Randy and I talked and we have forwarded your note to OGE with a request that they consider the questions presented. We will keep you apprised of what we hear. That said, we have no idea when to expect a response given that OGE is heavily involved in working to bring the Biden team members on board across the entire Executive Branch. We will, however, be checking in.

I am not turning to focus on the Dan David Prize.

Best,

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, February 5, 2021 5:51 AM

To: Hall, Randall (HHS/OGC) <[REDACTED]@HHS.GOV>

Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>; Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Mr. Hall,

I write to request your concurrence that the exception to the gift prohibition at section 2635.204(d) does not prohibit Dr. Anthony Fauci from accepting the cash prize associated with the [National Academy of Medicine's](#) (NAM) 2020 Gustav O. Lienhard Award. Specifically, I ask you to find that: 1) the [National Academies of Sciences](#) (NAS), the umbrella organization under which NAM was established, is not a "person" under the regulations, and similarly, neither is NAM; or 2) if NAS is a "person," NAM and NAS are different "persons" because of NAM's independence from NAS; and/or 3) NAS is not a "person who can be substantially affected by the performance or nonperformance of [Dr. Fauci's NIH] duties." If you do not concur, I ask that you forward this discussion to the Office of Government Ethics for their consideration and determination of the applicability of the gift rule to the NAM Lienhard Award.

As you likely know, Dr. Fauci is the Director of the National Institute of Allergy and Infectious Diseases (NIAID). He was awarded the Lienhard award from NAM on October 19, 2020. The Lienhard award – a medal and \$40,000 – recognizes individuals for outstanding achievement in improving health care services in the United States. NIAID currently funds two Congressionally-mandated studies as well as six other projects including an Action Collaborative, a Board, two Forums and a Roundtable. NIAID contributes to the latter projects typically as one of several NIH Institutes and Centers. It is our

understanding that due to a restructuring of NAS, all the business interactions between the Academies and Federal agencies go through NAS. Thus, NIAID has no current financial, contractual, or similar dealings with NAM.

In order for Dr. Fauci to accept the cash prize, we reviewed the exception to the gift rules for meritorious public service or achievement at section 2635.204(d) (emphasis added):

(1) An employee may accept a bona fide award for meritorious public service or achievement and any item incident to the award, provided that:

(i) The award and any item incident to the award are not from a **person** who has interests that may be substantially affected by the performance or nonperformance of the employee's official duties, or from an association or other organization if a majority of its members have such interests;

The definition of "person" is found at section 2635.102(k) and is:

(k) Person means an individual, corporation and subsidiaries it controls, company, association, firm, partnership, society, joint stock company, or any other organization or institution, including any officer, employee, or agent of such person or entity. For purposes of this part, a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities. The term is all-inclusive and applies to commercial ventures and nonprofit organizations as well as to foreign, State, and local governments, including the Government of the District of Columbia. It does not include any agency or other entity of the Federal Government or any officer or employee thereof when acting in his official capacity on behalf of that agency or entity.

The "National Academy of Sciences (in this chapter, the "corporation") is a federally chartered corporation." 36 USC § 150301. Pursuant to its [Mission statement](#), NAS "is a private, non-profit society [and is] charged with providing independent, objective advice to the nation on matters related to science and technology." The Act to Incorporate the National Academy of Sciences (aka [the Academy Charter](#)) states "the Academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art" [Academy Charter](#) at §3. While a corporation is a "person" under section 2635.102(k), I argue that the type of corporation that NAS is – a federally chartered corporation, with its exceptional mission to advise the Federal Government – is not the type of corporation that OGE intended to include in the definition. First, OGE could have, but did not include in the definition of "person" any discussion of federally chartered corporations, perhaps because of their uniqueness. And it's this uniqueness which makes the application of section 2635.204(d) unnecessary. NIAID works with NAS because it is directed to do so by Congress and because NAS offers NIAID an expertise that cannot be found elsewhere. NAM did not "return the favor" to NIAID when it selected Dr. Fauci as its 2021 Lienhard awardee. Its relationship with NIAID is rooted in legislation and will continue regardless of an unrelated award to NIAID's Director. Last, OGE stated that "[p]erson" does not include any agency or other entity of the Federal Government" I concede that NAS is not a part of the Federal Government. However, in 1997, Congress amended the Federal Advisory Committee Act (FACA) to include the National Academy of Sciences under some of FACA's provisions. See Congressional Research Service report, [Congressional Chartering Nonprofit Organizations \("Title 36 Corporations"\): What They Are and How Congress Treats Them](#) (July 14, 2008). There, CSR noted that the FACA amendment was:

[T]he first instance in which Congress has made [federally chartered corporations] subject to the provisions of a general management law, and while the action may be supportable on public policy grounds, it does, to the extent of the applicable provisions, diminish the private character of the affected organizations. As such, it constitutes a precedent with implications.

CSR Report at 7. FACA's partial application to NAS further supports viewing NAS as a different kind of corporate entity that is outside of the regulatory definition of "person." Therefore, if NAS is not a "person," NAS' non-person status extends to NAM, an entity established under NAS' charter. Consequently, the pending NIAID-NAS matters do not make a gift from NAM a prohibited gift for Dr. Fauci under the applicable regulations.

In the alternative, if you find NAS to be a "person" under 2635.102(k), then you should not find it to be the same "person" as NAM. Even though NAM was established in 1970 under the charter of the National Academy of Sciences, the definition

of “person” supports a finding that NAM is not a subsidiary of corporate parent NAS. The regulation explains that “for purposes of [Part 2635], a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities.” NAM does not issue voting securities, so NAS cannot control such securities; accordingly, NAM is not a subsidiary of NAS, but rather an independent entity. Furthermore, pursuant to NAM’s Articles of Organization (AoO), adopted May 19, 2015 (copy attached), “the governance of [NAM] shall reside in the President and Council to be elected from among the membership,” AoO Art. III, § 1, “NAM shall be solely responsible for the content of reports on projects that it undertakes, and such reports may be issued in its own name.” AoO Art. VI, § 2. NAM’s governing documents repeatedly show NAM’s independence from NAS. Last, NAM’s AoO gives it its own authority to establish awards. AoO Art. V. Thus, the Lienhard award and its associated cash prize are from NAM and NIAID’s commissioned studies and other projects from NAS do not make the award an impermissible gift under section 2635.204(d).

Finally, if NAS and NAM are a “person,” then they are not persons who are substantially affected by the performance or nonperformance of Dr. Fauci’s duties because both “compensation” in NAS’ charter as well as “substantially” in section 2635.204(d) must have meaning. NAS’ charter states: “[NAS] shall receive no compensation whatever for any services to the Government of the United States.” This is consistent with NAS’ status as a not-for-profit entity. NAS’ charter was codified in Title 36 at Sections 150301-150304, and Section 150303 reiterates that NAS “may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose.” If the statutory language means that NAS cannot receive any compensation for its investigations, examinations, experiments or reports commissioned by Federal agencies, but rather only reimbursement of expenses, then NAS is not substantially affected by NIAID’s projects. Furthermore, two of NIAID’s projects with NAS were mandated by Congress. One project was started by another NIH Institute which NIAID later joined. Other collaborations were formed at the agency or department level, and not from the direct action of NIAID. Most importantly, every NAS project in which NIAID is involved is a large-scale project with numerous members. Being one of many means that NIAID’s proportional contribution does not affect NAS substantially. For all of these reasons, Dr. Fauci would not be accepting an award from a person (NAS and/or NAM) who has interest that may be substantially affected by the performance or nonperformance of his official duties.

For the reasons provided above, a finding should be made that Dr. Fauci may accept the Lienhard Award and the cash prize associated with it from NAM. If you have any questions, please contact Holli Beckerman Jaffe, cc’d above.

Thank you for your consideration.

With best wishes,
Larry

Lawrence A. Tabak, DDS, PhD
Principal Deputy Director, NIH
Deputy Ethics Counselor, NIH

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Date: Mon, 22 Feb 2021 16:03:11 -0500

Importance: Normal

I asked before I wrote you. No good news, but no bad news either. Gretchen reviewed the Dan David package and has some follow up questions about the events surrounding the prize, i.e., award ceremony and symposia. If they are the same as in past years (likely yes except this year's events will be virtual), then approval should be forthcoming.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Monday, February 22, 2021 3:57 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Schwetz, Tara (NIH/OD) [E] <[REDACTED]@nih.gov>

Subject: Re: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Yes please.

Have we received any good news to temper this with?

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Date: Monday, February 22, 2021 at 3:41 PM

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: FW: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Gretchen shared that OGE disagreed with our argument, and upheld OGC's determination that Tony cannot receive the cash prize associated with NAM award. Do you want me to draft an email to Tony for you?

From: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Sent: Monday, February 22, 2021 3:27 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: FW: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

My apologies; I thought you were copied on Randy's note to Larry. Please see below. I am forwarding the string that went.

Let me know if you have any questions.

Thanks,

Gretchen

Gretchen H. Weaver, J.D.

Supervisory/Senior NIH Ethics Counsel

DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Hall, Randall (HHS/OGC) <[REDACTED]@hhs.gov>
Sent: Thursday, February 18, 2021 4:47 PM
To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good afternoon. This is to let you know that OGE has responded to our request to consider whether the gift rule exception for awards applies in the case of the Lienhard Award the NAM presented to Dr. Fauci. Unfortunately, OGE has concluded that the NASEM/NAM is/are a "person" under the government-wide rules restricting gifts from outside sources and that they are a person that can be "substantially affected by the performance or non-performance" of Dr. Fauci's duties. As a result, we are unable to change our prior determination that he cannot accept the \$40,000 cash gift associated with the Lienhard Award.

Please let us know if you have any questions.

Randy

Randall J. Hall
Acting Associate General Counsel for Ethics
Alternate Designated Agency Ethics Official
Ethics Division
Department of Health and Human Services

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From: Weaver, Gretchen (NIH/OD) [E]
Sent: Tuesday, February 16, 2021 10:46 AM
To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@OD.NIH.GOV>; Hall, Randall (HHS/OGC) <[REDACTED]@hhs.gov>
Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good morning. As a quick update on the status of this item, Randy and I talked and we have forwarded your note to OGE with a request that they consider the questions presented. We will keep you apprised of what we hear. That said, we

have no idea when to expect a response given that OGC is heavily involved in working to bring the Biden team members on board across the entire Executive Branch. We will, however, be checking in.

I am now turning to focus on the Dan David Prize.

Best,

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, February 5, 2021 5:51 AM

To: Hall, Randall (HHS/OGC) <[REDACTED]@HHS.GOV>

Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>; Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Mr. Hall,

I write to request your concurrence that the exception to the gift prohibition at section 2635.204(d) does not prohibit Dr. Anthony Fauci from accepting the cash prize associated with the [National Academy of Medicine's](#) (NAM) 2020 Gustav O. Lienhard Award. Specifically, I ask you to find that: 1) the [National Academies of Sciences](#) (NAS), the umbrella organization under which NAM was established, is not a "person" under the regulations, and similarly, neither is NAM; or 2) if NAS is a "person," NAM and NAS are different "persons" because of NAM's independence from NAS; and/or 3) NAS is not a "person who can be substantially affected by the performance or nonperformance of [Dr. Fauci's NIH] duties." If you do not concur, I ask that you forward this discussion to the Office of Government Ethics for their consideration and determination of the applicability of the gift rule to the NAM Lienhard Award.

As you likely know, Dr. Fauci is the Director of the National Institute of Allergy and Infectious Diseases (NIAID). He was awarded the Lienhard award from NAM on October 19, 2020. The Lienhard award – a medal and \$40,000 – recognizes individuals for outstanding achievement in improving health care services in the United States. NIAID currently funds two Congressionally-mandated studies as well as six other projects including an Action Collaborative, a Board, two Forums and a Roundtable. NIAID contributes to the latter projects typically as one of several NIH Institutes and Centers. It is our understanding that due to a restructuring of NAS, all the business interactions between the Academies and Federal agencies go through NAS. Thus, NIAID has no current financial, contractual, or similar dealings with NAM.

In order for Dr. Fauci to accept the cash prize, we reviewed the exception to the gift rules for meritorious public service or achievement at section 2635.204(d) (emphasis added):

- (1) An employee may accept a bona fide award for meritorious public service or achievement and any item incident to the award, provided that:

Released by Chairman Rand Paul

(i) The award and any item incident to the award are not from a **person** who has interests that may be substantially affected by the performance or nonperformance of the employee's official duties, or from an association or other organization if a majority of its members have such interests;

The definition of “person” is found at section 2635.102(k) and is:

(k) Person means an individual, corporation and subsidiaries it controls, company, association, firm, partnership, society, joint stock company, or any other organization or institution, including any officer, employee, or agent of such person or entity. For purposes of this part, a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities. The term is all-inclusive and applies to commercial ventures and nonprofit organizations as well as to foreign, State, and local governments, including the Government of the District of Columbia. It does not include any agency or other entity of the Federal Government or any officer or employee thereof when acting in his official capacity on behalf of that agency or entity.

The “National Academy of Sciences (in this chapter, the “corporation”) is a federally chartered corporation.” 36 USC § 150301. Pursuant to its [Mission statement](#), NAS “is a private, non-profit society [and is] charged with providing independent, objective advice to the nation on matters related to science and technology.” The Act to Incorporate the National Academy of Sciences (aka [the Academy Charter](#)) states “the Academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art . . .” [Academy Charter](#) at §3. While a corporation is a “person” under section 2635.102(k), I argue that the type of corporation that NAS is – a federally chartered corporation, with its exceptional mission to advise the Federal Government – is not the type of corporation that OGE intended to include in the definition. First, OGE could have, but did not include in the definition of “person” any discussion of federally chartered corporations, perhaps because of their uniqueness. And it’s this uniqueness which makes the application of section 2635.204(d) unnecessary. NIAID works with NAS because it is directed to do so by Congress and because NAS offers NIAID an expertise that cannot be found elsewhere. NAM did not “return the favor” to NIAID when it selected Dr. Fauci as its 2021 Lienhard awardee. Its relationship with NIAID is rooted in legislation and will continue regardless of an unrelated award to NIAID’s Director. Last, OGE stated that “[‘person’] does not include any agency or other entity of the Federal Government . . .” I concede that NAS is not a part of the Federal Government. However, in 1997, Congress amended the Federal Advisory Committee Act (FACA) to include the National Academy of Sciences under some of FACA’s provisions. See Congressional Research Service report, [Congressional Chartering Nonprofit Organizations \(“Title 36 Corporations”\): What They Are and How Congress Treats Them](#) (July 14, 2008). There, CSR noted that the FACA amendment was:

[T]he first instance in which Congress has made [federally chartered corporations] subject to the provisions of a general management law, and while the action may be supportable on public policy grounds, it does, to the extent of the applicable provisions, diminish the private character of the affected organizations. As such, it constitutes a precedent with implications.

CSR Report at 7. FACA’s partial application to NAS further supports viewing NAS as a different kind of corporate entity that is outside of the regulatory definition of “person.” Therefore, if NAS is not a “person,” NAS’ non-person status extends to NAM, an entity established under NAS’ charter. Consequently, the pending NIAID-NAS matters do not make a gift from NAM a prohibited gift for Dr. Fauci under the applicable regulations.

In the alternative, if you find NAS to be a “person” under 2635.102(k), then you should not find it to be the same “person” as NAM. Even though NAM was established in 1970 under the charter of the National Academy of Sciences, the definition of “person” supports a finding that NAM is not a subsidiary of corporate parent NAS. The regulation explains that “for purposes of [Part 2635], a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities.” NAM does not issue voting securities, so NAS cannot control such securities; accordingly, NAM is not a subsidiary of NAS, but rather an independent entity. Furthermore, pursuant to NAM’s Articles of Organization (AoO), adopted May 19, 2015 (copy attached), “the governance of [NAM] shall reside in the President and Council to be elected from among the membership,” AoO Art. III, § 1, “NAM shall be solely responsible for the content of reports on projects that it undertakes, and such reports may be issued in its own name.” AoO Art. VI, § 2. NAM’s governing documents repeatedly show NAM’s independence from NAS. Last, NAM’s AoO gives it its own authority to

establish awards. AoO Art. V. Thus, the Lienhard award and its associated cash prize are from NAM and NIAID's commissioned studies and other projects from NAS do not make the award an impermissible gift under section 2635.204(d).

Finally, if NAS and NAM are a "person," then they are not persons who are substantially affected by the performance or nonperformance of Dr. Fauci's duties because both "compensation" in NAS' charter as well as "substantially" in section 2635.204(d) must have meaning. NAS' charter states: "[NAS] shall receive no compensation whatever for any services to the Government of the United States." This is consistent with NAS' status as a not-for-profit entity. NAS' charter was codified in Title 36 at Sections 150301-150304, and Section 150303 reiterates that NAS "may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose." If the statutory language means that NAS cannot receive any compensation for its investigations, examinations, experiments or reports commissioned by Federal agencies, but rather only reimbursement of expenses, then NAS is not substantially affected by NIAID's projects. Furthermore, two of NIAID's projects with NAS were mandated by Congress. One project was started by another NIH Institute which NIAID later joined. Other collaborations were formed at the agency or department level, and not from the direct action of NIAID. Most importantly, every NAS project in which NIAID is involved is a large-scale project with numerous members. Being one of many means that NIAID's proportional contribution does not affect NAS substantially. For all of these reasons, Dr. Fauci would not be accepting an award from a person (NAS and/or NAM) who has interest that may be substantially affected by the performance or nonperformance of his official duties.

For the reasons provided above, a finding should be made that Dr. Fauci may accept the Lienhard Award and the cash prize associated with it from NAM. If you have any questions, please contact Holli Beckerman Jaffe, cc'd above.

Thank you for your consideration.

With best wishes,
Larry

Lawrence A. Tabak, DDS, PhD
Principal Deputy Director, NIH
Deputy Ethics Counselor, NIH

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: FW: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Date: Tue, 23 Feb 2021 10:43:34 -0500

Importance: Normal

Had you sent Tony a copy of the request to OGE? If not, do you think it is worth sharing it with him now? While it wasn't successful, it was a big and difficult effort. Perhaps he'll appreciate it. I suggested language with and without forwarding your email to Randy.

Tony,

I write to inform you of the final decision regarding the cash prize associated with NAM's Lienhard Award. Unfortunately, we were not successful in our appeal. While you can accept the honor of being named the 2020 Lienhard awardee, you may not receive the cash. 1) For your information, below is the lengthy and detailed argument . . . **or** 2) We presented a lengthy and detailed argument first to HHS's Office of the General Counsel (OGC) and then to the independent US Office of Government Ethics (OGE) to persuade them that NAM's relationship with Government agencies is unique, and thus, an award from NAM should be viewed differently than one bestowed by other non-profit corporations. However, neither OGC nor OGE felt it was necessary to change their previous determination regarding NAM so that you would be permitted to accept the cash prize under the applicable regulations.

I'm disappointed that we did not get a different decision. You are deserving of the additional recognition.

LAT

From: Hall, Randall (HHS/OGC) <[REDACTED]@hhs.gov>

Sent: Thursday, February 18, 2021 4:47 PM

To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good afternoon. [This is](#) to let you know that OGE has responded to our request to consider whether the gift rule exception for awards applies in the case of the Lienhard Award the NAM presented to Dr. Fauci. [Unfortunately](#), OGE has concluded that the NASEM/NAM is/are a "person" under the government-wide rules restricting gifts from outside sources and that they are a person that can be "substantially affected by the performance or non-performance" of Dr. Fauci's duties. As a result, we are unable to change our prior determination that he cannot accept the \$40,000 cash gift associated with the Lienhard Award.

Please let us know if you have any questions.

[Randy](#)

[Randall J. Hall](#)

[Acting Associate General Counsel for Ethics](#)

[Alternate Designated Agency Ethics Official](#)

[Ethics Division](#)

[Department of Health and Human Services](#)

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From: Weaver, Gretchen (NIH/OD) [E]
Sent: Tuesday, February 16, 2021 10:46 AM
To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@OD.NIH.GOV>; Hall, Randall (HHS/OGC) ([REDACTED]@hhs.gov) <[REDACTED]@hhs.gov>
Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good morning. As a quick update on the status of this item, Randy and I talked and we have forwarded your note to OGE with a request that they consider the questions presented. We will keep you apprised of what we hear. That said, we have no idea when to expect a response given that OGE is heavily involved in working to bring the Biden team members on board across the entire Executive Branch. We will, however, be checking in.

I am not turning to focus on the Dan David Prize.

Best,

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]
fax: [REDACTED]

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From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Sent: Friday, February 5, 2021 5:51 AM
To: Hall, Randall (HHS/OGC) <[REDACTED]@HHS.GOV>
Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>; Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Subject: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Mr. Hall,

I write to request your concurrence that the exception to the gift prohibition at section 2635.204(d) does not prohibit Dr. Anthony Fauci from accepting the cash prize associated with the [National Academy of Medicine's](#) (NAM) 2020 Gustav O.

Lienhard Award. Specifically, I ask you to find that: 1) the [National Academies of Sciences](#) (NAS), the umbrella organization under which NAM was established, is not a “person” under the regulations, and similarly, neither is NAM; or 2) if NAS is a “person,” NAM and NAS are different “persons” because of NAM’s independence from NAS; and/or 3) NAS is not a “person who can be substantially affected by the performance or nonperformance of [Dr. Fauci’s NIH] duties.” If you do not concur, I ask that you forward this discussion to the Office of Government Ethics for their consideration and determination of the applicability of the gift rule to the NAM Lienhard Award.

As you likely know, Dr. Fauci is the Director of the National Institute of Allergy and Infectious Diseases (NIAID). He was awarded the Lienhard award from NAM on October 19, 2020. The Lienhard award – a medal and \$40,000 – recognizes individuals for outstanding achievement in improving health care services in the United States. NIAID currently funds two Congressionally-mandated studies as well as six other projects including an Action Collaborative, a Board, two Forums and a Roundtable. NIAID contributes to the latter projects typically as one of several NIH Institutes and Centers. It is our understanding that due to a restructuring of NAS, all the business interactions between the Academies and Federal agencies go through NAS. Thus, NIAID has no current financial, contractual, or similar dealings with NAM.

In order for Dr. Fauci to accept the cash prize, we reviewed the exception to the gift rules for meritorious public service or achievement at section 2635.204(d) (emphasis added):

(1) An employee may accept a bona fide award for meritorious public service or achievement and any item incident to the award, provided that:

(i) The award and any item incident to the award are not from a **person** who has interests that may be substantially affected by the performance or nonperformance of the employee's official duties, or from an association or other organization if a majority of its members have such interests;

The definition of “person” is found at section 2635.102(k) and is:

(k) Person means an individual, corporation and subsidiaries it controls, company, association, firm, partnership, society, joint stock company, or any other organization or institution, including any officer, employee, or agent of such person or entity. For purposes of this part, a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities. The term is all-inclusive and applies to commercial ventures and nonprofit organizations as well as to foreign, State, and local governments, including the Government of the District of Columbia. It does not include any agency or other entity of the Federal Government or any officer or employee thereof when acting in his official capacity on behalf of that agency or entity.

The “National Academy of Sciences (in this chapter, the “corporation”) is a federally chartered corporation.” 36 USC § 150301. Pursuant to its [Mission statement](#), NAS “is a private, non-profit society [and is] charged with providing independent, objective advice to the nation on matters related to science and technology.” The Act to Incorporate the National Academy of Sciences (aka [the Academy Charter](#)) states “the Academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art” [Academy Charter](#) at §3. While a corporation is a “person” under section 2635.102(k), I argue that the type of corporation that NAS is – a federally chartered corporation, with its exceptional mission to advise the Federal Government – is not the type of corporation that OGE intended to include in the definition. First, OGE could have, but did not include in the definition of “person” any discussion of federally chartered corporations, perhaps because of their uniqueness. And it’s this uniqueness which makes the application of section 2635.204(d) unnecessary. NIAID works with NAS because it is directed to do so by Congress and because NAS offers NIAID an expertise that cannot be found elsewhere. NAM did not “return the favor” to NIAID when it selected Dr. Fauci as its 2021 Lienhard awardee. Its relationship with NIAID is rooted in legislation and will continue regardless of an unrelated award to NIAID’s Director. Last, OGE stated that “[‘person’] does not include any agency or other entity of the Federal Government” I concede that NAS is not a part of the Federal Government. However, in 1997, Congress amended the Federal Advisory Committee Act (FACA) to include the National Academy of Sciences under some of FACA’s provisions. See Congressional Research Service report, [Congressional Chartered Nonprofit Organizations \(“Title 36 Corporations”\): What They Are and How Congress Treats Them](#) (July 14, 2008). There, CSR noted that the FACA amendment was:

[T]he first instance in which Congress has made [federally chartered corporations] subject to the provisions of a general management law, and while the action may be supportable on public policy grounds, it does, to the extent of the applicable provisions, diminish the private character of the affected organizations. As such, it constitutes a precedent with implications.

CSR Report at 7. FACA's partial application to NAS further supports viewing NAS as a different kind of corporate entity that is outside of the regulatory definition of "person." Therefore, if NAS is not a "person," NAS' non-person status extends to NAM, an entity established under NAS' charter. Consequently, the pending NIAID-NAS matters do not make a gift from NAM a prohibited gift for Dr. Fauci under the applicable regulations.

In the alternative, if you find NAS to be a "person" under 2635.102(k), then you should not find it to be the same "person" as NAM. Even though NAM was established in 1970 under the charter of the National Academy of Sciences, the definition of "person" supports a finding that NAM is not a subsidiary of corporate parent NAS. The regulation explains that "for purposes of [Part 2635], a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities." NAM does not issue voting securities, so NAS cannot control such securities; accordingly, NAM is not a subsidiary of NAS, but rather an independent entity. Furthermore, pursuant to NAM's Articles of Organization (AoO), adopted May 19, 2015 (copy attached), "the governance of [NAM] shall reside in the President and Council to be elected from among the membership," AoO Art. III, § 1, "NAM shall be solely responsible for the content of reports on projects that it undertakes, and such reports may be issued in its own name." AoO Art. VI, § 2. NAM's governing documents repeatedly show NAM's independence from NAS. Last, NAM's AoO gives it its own authority to establish awards. AoO Art. V. Thus, the Lienhard award and its associated cash prize are from NAM and NIAID's commissioned studies and other projects from NAS do not make the award an impermissible gift under section 2635.204(d).

Finally, if NAS and NAM are a "person," then they are not persons who are substantially affected by the performance or nonperformance of Dr. Fauci's duties because both "compensation" in NAS' charter as well as "substantially" in section 2635.204(d) must have meaning. NAS' charter states: "[NAS] shall receive no compensation whatever for any services to the Government of the United States." This is consistent with NAS' status as a not-for-profit entity. NAS' charter was codified in Title 36 at Sections 150301-150304, and Section 150303 reiterates that NAS "may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose." If the statutory language means that NAS cannot receive any compensation for its investigations, examinations, experiments or reports commissioned by Federal agencies, but rather only reimbursement of expenses, then NAS is not substantially affected by NIAID's projects. Furthermore, two of NIAID's projects with NAS were mandated by Congress. One project was started by another NIH Institute which NIAID later joined. Other collaborations were formed at the agency or department level, and not from the direct action of NIAID. Most importantly, every NAS project in which NIAID is involved is a large-scale project with numerous members. Being one of many means that NIAID's proportional contribution does not affect NAS substantially. For all of these reasons, Dr. Fauci would not be accepting an award from a person (NAS and/or NAM) who has interest that may be substantially affected by the performance or nonperformance of his official duties.

For the reasons provided above, a finding should be made that Dr. Fauci may accept the Lienhard Award and the cash prize associated with it from NAM. If you have any questions, please contact Holli Beckerman Jaffe, cc'd above.

Thank you for your consideration.

With best wishes,
Larry

Lawrence A. Tabak, DDS, PhD
Principal Deputy Director, NIH
Deputy Ethics Counselor, NIH

Released by Chairman Rand Paul

From: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

To: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Subject: Re: Dan David Prize winners include Fauci and Rosenberg

Date: Tue, 16 Feb 2021 08:58:30 -0500

Importance: Normal

Ok - thanks

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Date: Tuesday, February 16, 2021 at 8:36 AM

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: RE: Dan David Prize winners include Fauci and Rosenberg

The first I heard about Steve's selection was when I checked the website last evening for Tony's announcement. I wrote NCI Ethics and they knew about it from Steve but had not yet filed an award form. They will do so shortly.

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Tuesday, February 16, 2021 7:33 AM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: FW: Dan David Prize winners include Fauci and Rosenberg

So did we know about Rosenberg's award?

From: "Gottesman, Michael (NIH/OD) [E]" <[REDACTED]@mail.nih.gov>

Date: Tuesday, February 16, 2021 at 7:23 AM

To: Francis Collins <[REDACTED]@od.nih.gov>, NIH Director's Executive Committee <[REDACTED]@mail.nih.gov>

Subject: Re: Dan David Prize winners include Fauci and Rosenberg

Wow! A twofer.

Michael

From: "Collins, Francis (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Date: Tuesday, February 16, 2021 at 6:12:50 AM

To: "NIH Director's Executive Committee" <[REDACTED]@mail.nih.gov>

Subject: Dan David Prize winners include Fauci and Rosenberg

<https://apnews.com/article/joe-biden-donald-trump-science-pandemics-israel-25c3a68083ce77652a4330e944cced73>

Released by Chairman Rand Paul

From: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

To: Francis Collins <[REDACTED]@od.nih.gov>

Bcc: "Schwetz, Tara (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: FW: Decision on Gustav O. Lienhard Award

Date: Tue, 23 Feb 2021 22:08:07 -0500

Importance: Normal

Fyi; I don't think Tony will raise the issue, but just in case. We went all out, and failed...
Larry

From: Anthony Fauci <[REDACTED]@niaid.nih.gov>

Date: Tuesday, February 23, 2021 at 10:06 PM

To: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Cc: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Subject: RE: Decision on Gustav O. Lienhard Award

Larry:

Many thanks to you and Holli for trying so hard on my behalf. It is much appreciated.

Best regards,

Tony

From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Tuesday, February 23, 2021 1:54 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Decision on Gustav O. Lienhard Award

Tony,

With much credit to Holli, we presented a detailed argument first to HHS's Office of the General Counsel (OGC) (pasted below, reading bottom up) and then to the independent US Office of Government Ethics (OGE) to try to persuade them that NAM's relationship with Government agencies is unique, and thus, an award from NAM should be viewed differently than one bestowed by other non-profit corporations. Unfortunately, neither OGC nor OGE was convinced to change their previous determination regarding NAM so that you would be permitted to accept the cash prize under the applicable regulations.

I am very disappointed that we did not get a different decision. You are most deserving of the additional recognition.

Larry

From: Hall, Randall (HHS/OGC) <[REDACTED]@hhs.gov>

Sent: Thursday, February 18, 2021 4:47 PM

To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good afternoon. This is to let you know that OGE has responded to our request to consider whether the gift rule exception for awards applies in the case of the Lienhard Award the NAM presented to Dr. Fauci. Unfortunately, OGE has concluded that the NASEM/NAM is/are a "person" under the government-wide rules restricting gifts from outside sources and that they are a person that can be "substantially affected by the performance or non-performance" of Dr. Fauci's duties. As a result, we are unable to change our prior determination that he cannot accept the \$40,000 cash gift associated with the Lienhard Award.

Please let us know if you have any questions.

Randy

Randall J. Hall
Acting Associate General Counsel for Ethics
Alternate Designated Agency Ethics Official
Ethics Division
Department of Health and Human Services

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From: Weaver, Gretchen (NIH/OD) [E]
Sent: Tuesday, February 16, 2021 10:46 AM
To: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>
Cc: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@OD.NIH.GOV>; Hall, Randall (HHS/OGC) ([REDACTED]@hhs.gov) <[REDACTED]@hhs.gov>
Subject: RE: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Dr. Tabak:

Good morning. As a quick update on the status of this item, Randy and I talked and we have forwarded your note to OGE with a request that they consider the questions presented. We will keep you apprised of what we hear. That said, we have no idea when to expect a response given that OGE is heavily involved in working to bring the Biden team members on board across the entire Executive Branch. We will, however, be checking in.

I am not turning to focus on the Dan David Prize.

Best,

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

Sent: Friday, February 5, 2021 5:51 AM

To: Hall, Randall (HHS/OGC) <[REDACTED]@HHS.GOV>

Cc: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>; Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Request for concurrence -Gustav O. Lienhard Award -A. Fauci

Mr. Hall,

I write to request your concurrence that the exception to the gift prohibition at section 2635.204(d) does not prohibit Dr. Anthony Fauci from accepting the cash prize associated with the [National Academy of Medicine's](#) (NAM) 2020 Gustav O. Lienhard Award. Specifically, I ask you to find that: 1) the [National Academies of Sciences](#) (NAS), the umbrella organization under which NAM was established, is not a "person" under the regulations, and similarly, neither is NAM; or 2) if NAS is a "person," NAM and NAS are different "persons" because of NAM's independence from NAS; and/or 3) NAS is not a "person who can be substantially affected by the performance or nonperformance of [Dr. Fauci's NIH] duties." If you do not concur, I ask that you forward this discussion to the Office of Government Ethics for their consideration and determination of the applicability of the gift rule to the NAM Lienhard Award.

As you likely know, Dr. Fauci is the Director of the National Institute of Allergy and Infectious Diseases (NIAID). He was awarded the Lienhard award from NAM on October 19, 2020. The Lienhard award – a medal and \$40,000 – recognizes individuals for outstanding achievement in improving health care services in the United States. NIAID currently funds two Congressionally-mandated studies as well as six other projects including an Action Collaborative, a Board, two Forums and a Roundtable. NIAID contributes to the latter projects typically as one of several NIH Institutes and Centers. It is our understanding that due to a restructuring of NAS, all the business interactions between the Academies and Federal agencies go through NAS. Thus, NIAID has no current financial, contractual, or similar dealings with NAM.

In order for Dr. Fauci to accept the cash prize, we reviewed the exception to the gift rules for meritorious public service or achievement at section 2635.204(d) (emphasis added):

(1) An employee may accept a bona fide award for meritorious public service or achievement and any item incident to the award, provided that:

(i) The award and any item incident to the award are not from a **person** who has interests that may be substantially affected by the performance or nonperformance of the employee's official duties, or from an association or other organization if a majority of its members have such interests;

The definition of "person" is found at section 2635.102(k) and is:

(k) Person means an individual, corporation and subsidiaries it controls, company, association, firm, partnership, society, joint stock company, or any other organization or institution, including any officer, employee, or agent of such person or entity. For purposes of this part, a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary's voting securities. The term is all-inclusive and applies to commercial ventures and nonprofit organizations as well as to foreign, State, and local governments, including the Government of the District of Columbia. It does not include any agency or other entity of the Federal Government or any officer or employee thereof when acting in his official capacity on behalf of that agency or entity.

The "National Academy of Sciences (in this chapter, the "corporation") is a federally chartered corporation." 36 USC § 150301. Pursuant to its [Mission statement](#), NAS "is a private, non-profit society [and is] charged with providing

independent, objective advice to the nation on matters related to science and technology.” The Act to Incorporate the National Academy of Sciences (aka [the Academy Charter](#)) states “the Academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art” [Academy Charter](#) at §3. While a corporation is a “person” under section 2635.102(k), I argue that the type of corporation that NAS is – a federally chartered corporation, with its exceptional mission to advise the Federal Government – is not the type of corporation that OGE intended to include in the definition. First, OGE could have, but did not include in the definition of “person” any discussion of federally chartered corporations, perhaps because of their uniqueness. And it’s this uniqueness which makes the application of section 2635.204(d) unnecessary. NIAID works with NAS because it is directed to do so by Congress and because NAS offers NIAID an expertise that cannot be found elsewhere. NAM did not “return the favor” to NIAID when it selected Dr. Fauci as its 2021 Lienhard awardee. Its relationship with NIAID is rooted in legislation and will continue regardless of an unrelated award to NIAID’s Director. Last, OGE stated that “[‘person’] does not include any agency or other entity of the Federal Government” I concede that NAS is not a part of the Federal Government. However, in 1997, Congress amended the Federal Advisory Committee Act (FACA) to include the National Academy of Sciences under some of FACA’s provisions. See Congressional Research Service report, [Congressional Chartering Nonprofit Organizations \(“Title 36 Corporations”\): What They Are and How Congress Treats Them](#) (July 14, 2008). There, CSR noted that the FACA amendment was:

[T]he first instance in which Congress has made [federally chartered corporations] subject to the provisions of a general management law, and while the action may be supportable on public policy grounds, it does, to the extent of the applicable provisions, diminish the private character of the affected organizations. As such, it constitutes a precedent with implications.

CSR Report at 7. FACA’s partial application to NAS further supports viewing NAS as a different kind of corporate entity that is outside of the regulatory definition of “person.” Therefore, if NAS is not a “person,” NAS’ non-person status extends to NAM, an entity established under NAS’ charter. Consequently, the pending NIAID-NAS matters do not make a gift from NAM a prohibited gift for Dr. Fauci under the applicable regulations.

In the alternative, if you find NAS to be a “person” under 2635.102(k), then you should not find it to be the same “person” as NAM. Even though NAM was established in 1970 under the charter of the National Academy of Sciences, the definition of “person” supports a finding that NAM is not a subsidiary of corporate parent NAS. The regulation explains that “for purposes of [Part 2635], a corporation will be deemed to control a subsidiary if it owns 50 percent or more of the subsidiary’s voting securities.” NAM does not issue voting securities, so NAS cannot control such securities; accordingly, NAM is not a subsidiary of NAS, but rather an independent entity. Furthermore, pursuant to NAM’s Articles of Organization (AoO), adopted May 19, 2015 (copy attached), “the governance of [NAM] shall reside in the President and Council to be elected from among the membership,” AoO Art. III, § 1, “NAM shall be solely responsible for the content of reports on projects that it undertakes, and such reports may be issued in its own name.” AoO Art. VI, § 2. NAM’s governing documents repeatedly show NAM’s independence from NAS. Last, NAM’s AoO gives it its own authority to establish awards. AoO Art. V. Thus, the Lienhard award and its associated cash prize are from NAM and NIAID’s commissioned studies and other projects from NAS do not make the award an impermissible gift under section 2635.204(d).

Finally, if NAS and NAM are a “person,” then they are not persons who are substantially affected by the performance or nonperformance of Dr. Fauci’s duties because both “compensation” in NAS’ charter as well as “substantially” in section 2635.204(d) must have meaning. NAS’ charter states: “[NAS] shall receive no compensation whatever for any services to the Government of the United States.” This is consistent with NAS’ status as a not-for-profit entity. NAS’ charter was codified in Title 36 at Sections 150301-150304, and Section 150303 reiterates that NAS “may not receive compensation for services to the Government, but the actual expense of the investigation, examination, experimentation, and report shall be paid by the Government from an appropriation for that purpose.” If the statutory language means that NAS cannot receive any compensation for its investigations, examinations, experiments or reports commissioned by Federal agencies, but rather only reimbursement of expenses, then NAS is not substantially affected by NIAID’s projects. Furthermore, two of NIAID’s projects with NAS were mandated by Congress. One project was started by another NIH Institute which NIAID later joined. Other collaborations were formed at the agency or department level, and not from the direct action of NIAID. Most importantly, every NAS project in which NIAID is involved is a large-scale project with numerous members. Being one of many means that NIAID’s proportional contribution does not affect NAS substantially.

For all of these reasons, Dr. Fauci would not be accepting an award from a person (NAS and/or NAM) who has interest that may be substantially affected by the performance or nonperformance of his official duties.

For the reasons provided above, a finding should be made that Dr. Fauci may accept the Lienhard Award and the cash prize associated with it from NAM. If you have any questions, please contact Holli Beckerman Jaffe, cc'd above.

Thank you for your consideration.

With best wishes,
Larry

Lawrence A. Tabak, DDS, PhD
Principal Deputy Director, NIH
Deputy Ethics Counselor, NIH

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Greg Folkers ([REDACTED]@niaid.nih.gov)" <[REDACTED]@niaid.nih.gov>

Subject: FW: Dan David Prize - Information Letter

Date: Mon, 01 Mar 2021 07:18:24 -0500

Importance: Normal

Attachments: InformationLetter2021Fauci.docx

Please see me about this. I will explain.

From: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Sent: Thursday, February 25, 2021 7:52 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>

Subject: Dan David Prize - Information Letter

Dear Dr. Fauci

Please find attached a preliminary information letter.

Best wishes,

Avital Shiner

Project Coordinator

Dan David Prize

Office: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]@tauex.tau.ac.il

Website: www.dandavidprize.org

Released by Chairman Rand Paul

From: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: FW: Dan David Prize - Information Letter PASSPORT COPY

Date: Mon, 19 Apr 2021 11:27:23 -0400

Importance: Normal

Attachments: InformationLetter2021Fauci.docx; InformationLetter2021Fauci(1).docx; Fauci_passport.pdf

From: Conrad, Patricia (NIH/NIAID) [E]

Sent: Monday, March 1, 2021 9:48 AM

To: Dan David Prize <[REDACTED]@tauex.tau.ac.il>; Charlotte Halle <[REDACTED]@tauex.tau.ac.il>

Cc: Greg Folkers ([REDACTED]@niaid.nih.gov) <[REDACTED]@niaid.nih.gov>; Billet, Courtney (NIH/NIAID) [E]

<[REDACTED]@niaid.nih.gov>; Awwad, David (NIH/NIAID) [C] <[REDACTED]@niaid.nih.gov>; Fauci, Anthony (NIH/NIAID) [E]

<[REDACTED]@niaid.nih.gov>; Kimberly (NIH/NIAID) Barasch [C] ([REDACTED]@nih.gov) <[REDACTED]@nih.gov>

Subject: FW: Dan David Prize - Information Letter

Good afternoon:

Dr. Fauci asked that I respond to your letter on his behalf. I will be the overall point of contact for Dr. Fauci's participation in your event – I very much look forward to working with your team on this exciting honor. Below are the responses to your questions:

1. We are holding May 9, 2021 for the event. Please send us a run of show/timeline at your earliest convenience. If Dr. Fauci will be expected to make any remarks, please do let us know how long his remarks should be and any details related to his participation.
2. Symposia events the week of – please send any and all details as to what Dr. Fauci's role will be so that we can begin to make the appropriate preparations.
3. Monetary Award: Attached is a copy of Dr. Fauci's government passport as well as the information below in case it is hard to read:

Passport Number:

[REDACTED]

Passport Issue Date:

08/08/2019

Passport Expiration Date:

08/07/2024

4. PR/Press related inquiries: Courtney Billet is our Communications Director -please feel free to contact her regarding any media/social media questions or concerns.

Again, thank you and please let us know if you have any additional questions for us.

Best,
-patty

Patricia L. Conrad
Public Health Analyst and
Special Assistant to the Director
National Institute of Allergy and Infectious Diseases
The National Institutes of Health

Bethesda, Maryland

fax

Disclaimer:

The information in this e-mail and any of its attachments is confidential and may contain sensitive information. It should not be used by anyone who is not the original intended recipient. If you have received this e-mail in error please inform the sender and delete it from your mailbox or any other storage devices. National Institute of Allergy and Infectious Diseases (NIAID) shall not accept liability for any statement made that are sender's own and not expressly made on behalf of the NIAID by one of its representatives.

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Best wishes,

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Project Coordinator
Dan David Prize
Office: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]@tauex.tau.ac.il
Website: www.dandavidprize.org

Released by Chairman Rand Paul

From: "Mascola, John (NIH/VRC) [E]" <[REDACTED]@mail.nih.gov>

To: "Erbelding, Emily (NIH/NIAID) [E]" <[REDACTED]@nih.gov>, "Embry, Alan (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: FW: -

Date: Mon, 01 Mar 2021 21:38:21 -0500

Importance: Normal

Attachments: ME_DW_FDA_3_1_21_.pdf

FYSA

I will review with Barney, Karin and Julie at VRC to get some input of what this may mean.

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Monday, March 1, 2021 6:07 PM

To: Mascola, John (NIH/VRC) [E] <[REDACTED]@mail.nih.gov>

Cc: Lane, Cliff (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: FW: -

Let us discuss.

Anthony S. Fauci, MD

Director

National Institute of Allergy and Infectious Diseases

[REDACTED]
[REDACTED]
National Institutes of Health

Bethesda, MD

Phone: [REDACTED]

FAX: [REDACTED]

E-mail: [REDACTED]@niaid.nih.gov

The information in this e-mail and any of its attachments is confidential and may contain sensitive information. It should not be used by anyone who is not the original intended recipient. If you have received this e-mail in error please inform the sender and delete it from your mailbox or any other storage devices. The National Institute of Allergy and Infectious Diseases (NIAID) shall not accept liability for any statements made that are the sender's own and not expressly made on behalf of the NIAID by one of its representatives.

From: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>

Sent: Monday, March 1, 2021 5:21 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Re: -

Tony,

Here is the human dose IM studies in pregnant mice. We still have some concern over the data and are talking to all of the appropriate people.

Congratulations on the Dan David Prize

Hope you and your family are doing well.

Take care.

Drew

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Date: Monday, February 8, 2021 at 9:12 PM

To: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>

Subject: [External] RE: -

Drew:

Thanks for sending this. Looks like you have touched all the bases of informing people of your results. It would be interesting to see what human dose levels given IM do. I hope that all is well with you.

Congratulations on the Rosenstiel Award!

Best regards,

Tony

From: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>

Sent: Monday, February 8, 2021 10:06 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: -

Tony,

Hope all is well.

I wanted to alert you to some new data we generated with our nucleoside-modified mRNA-LNP vaccine. I attached a current version of a supplement request that has all of the new data. I have been working with a maternal-fetal researcher and we observed that using a dose 100-fold higher than current vaccines and given IV, the mRNA-LNPs go to the placenta and fetus, measured by translation of the mRNA and cause an immune response in the amniotic fluid. In non-pregnant female mice, the uterus and ovaries take up mRNA-LNPs and translate the mRNA. We are repeating these studies with human dose levels of mRNA-LNPs given IM and are waiting to release the findings until these studies are completed

I have spoken to the FDA, Moderna, BioNTech/Pfizer, and DARPA, who is doing a clinical trial with higher doses IV, about these findings. I have also spoken to Mary Marovich and Michael Pensiero, our program officer for 2 clinical trials for HIV mRNA-LNP vaccines. He will get us supplementary funding to investigate these findings.

Thank you for doing the Rosenstiel award.

Take care.

Drew

Drew Weissman, M.D., Ph.D.

[REDACTED]
[REDACTED]
Perelman School of Medicine at the University of Pennsylvania
Philadelphia, PA [REDACTED]
[REDACTED]

Released by Chairman Rand Paul

From: "Erbelding, Emily (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

To: "Bok, Karin (NIH/VRC) [E]" <[REDACTED]@nih.gov>

Subject: RE: -

Date: Tue, 02 Mar 2021 09:32:38 -0500

Importance: Normal

Thanks Karin.

I don't know what Drew Weismann is trying to accomplish with this.

Ultimately this is an FDA decision.

From: Bok, Karin (NIH/VRC) [E] <[REDACTED]@nih.gov>

Sent: Tuesday, March 2, 2021 8:51 AM

To: Erbelding, Emily (NIH/NIAID) [E] <[REDACTED]@nih.gov>

Subject: FW: -

I am sure you are also dealing with this, my answer to John below if helpful. Karin

John,

Thank you for sharing. I have no comments or concerns about this study, this is typically what you would see in mice with other types of vaccines as well, and it makes sense that mRNA is present in other sites as well, including placenta, etc. As a side note, I was part of the deliberation with CDC (ACIP/ACOG) that led to the permissive recommendation in pregnancy, and the assumptions from the authors below are very incorrect:

Assumption that all of mRNA-LNP degraded at injection site

Balancing perhaps differential risk/benefit ratio for maternal health vs fetal health

The SMEs on that call (especially obgyns) were aware that mRNA might reach the fetus. The only discussion was around the possibility of that mRNA to integrate into the nuclear DNA. And the second main concern was the fever caused by the vaccine, especially during the first trimester, but they went around that by recommending the administration of acetaminophen after vaccination. Needless to say both mom and baby's health are important.

CDC recently provided a nice overview of the over 30,000 pregnant women who have been vaccinated so far, with more than 200 deliveries with no safety concerns. All vaccines administered to pregnant women historically have been found safe for mother and baby, so when we recently discussed pregnancy and the J&J vaccine, there was no concern, they recommended its use also unanimously.

Let me know if you would like us (Emily, myself) to get a second opinion from the obgyns in the special populations working group (mainly Rich Beigi and Flor Muñoz)

Thanks!

Karin.

Karin Bok, MS, PhD
Senior Advisor, Vaccine Development
Office of the Director, Vaccine Research Center
National Institute of Allergy and Infectious Diseases
National Institutes of Health

From: "Mascola, John (NIH/VRC) [E]" <[REDACTED]@mail.nih.gov>
Date: Monday, March 1, 2021 at 9:37 PM
To: "Koup, Richard (NIH/VRC) [E]" <[REDACTED]@mail.nih.gov>, "Graham, Barney (NIH/VRC) [E]" <[REDACTED]@mail.nih.gov>, "Ledgerwood, Julie (NIH/NIAID) [E]" <[REDACTED]@nih.gov>, Karin Bok [REDACTED]@nih.gov>
Cc: "Sitar, Sandra (NIH/VRC) [C]" <[REDACTED]@mail.nih.gov>
Subject: FW: -

FYI. We should each review and then discuss.

Thanks,
John

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Monday, March 1, 2021 6:07 PM
To: Mascola, John (NIH/VRC) [E] <[REDACTED]@mail.nih.gov>
Cc: Lane, Cliff (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: FW: -

Let us discuss.

Anthony S. Fauci, MD
Director
National Institute of Allergy and Infectious Diseases

[REDACTED]
[REDACTED]
National Institutes of Health
Bethesda, MD

Phone: [REDACTED]
FAX: [REDACTED]
E-mail: [REDACTED]@niaid.nih.gov

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From: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>
Sent: Monday, March 1, 2021 5:21 PM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: Re: -

Tony,

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Released by Chairman Rand Paul

Congratulations on the Dan David Prize

Hope you and your family are doing well.

Take care.

Drew

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To: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>
Subject: [External] RE: -

Drew:

Thanks for sending this. Looks like you have touched all the bases of informing people of your results. It would be interesting to see what human dose levels given IM do. I hope that all is well with you.

Congratulations on the Rosenstiel Award!

Best regards,

Tony

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Sent: Monday, February 8, 2021 10:06 AM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: -

Tony,

Hope all is well.

I wanted to alert you to some new data we generated with our nucleoside-modified mRNA-LNP vaccine. I attached a current version of a supplement request that has all of the new data. I have been working with a maternal-fetal researcher and we observed that using a dose 100-fold higher than current vaccines and given IV, the mRNA-LNPs go to the placenta and fetus, measured by translation of the mRNA and cause an immune response in the amniotic fluid. In non-pregnant female mice, the uterus and ovaries take up mRNA-LNPs and translate the mRNA. We are repeating these studies with human dose levels of mRNA-LNPs given IM and are waiting to release the findings until these studies are completed

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Thank you for doing the Rosenstiel award.

Take care.

Drew

Drew Weissman, M.D., Ph.D.

[REDACTED]
Perelman School of Medicine at the University of Pennsylvania

Philadelphia, PA [REDACTED]
[REDACTED]

Released by Chairman Rand Paul

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>

Subject: Dan David Prize

Date: Thu, 04 Mar 2021 17:05:02 -0500

Importance: Normal

Hi Tony,

I write regarding an invitation to suggest candidates the referenced Prize. As I'm sure you know, Steve Rosenberg, NCI, was also selected as a Dan David Prize winner. Below is an excerpt from an email Steve received from Dan David inviting him to suggest candidates for its scholarship program. I assume you received a similar invitation. I discussed this with Gretchen Weaver in OGC, and it was determined that making such recommendations is impermissible under our regulations. Since this is an optional activity, I expect this won't cause any problems. Please let me know if you have any questions.

Doctoral / Postdoctoral Scholarships

Please note that you are welcome to suggest doctoral and postdoctoral researchers for the Dan David Prize scholarship. The candidate should submit an application through our website www.dandavidprize.org, adhering to all the relevant requirements. An ad-hoc committee headed by the Vice Rector of Tel Aviv University and members from the relevant departments will review the applications. Students recommended by the laureates will have high priority. Please note that the deadline for submitting an application is March 10, 2021.

Holli

Holli Beckerman Jaffe
Director, NIH Ethics Office

[REDACTED]
Bethesda, MD [REDACTED]

[REDACTED]
[REDACTED]@od.nih.gov

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@OD.NIH.GOV>

Cc: "Tabak, Lawrence (NIH/OD) [E]" <[REDACTED]@nih.gov>, "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: RE: Dan David Prize

Date: Thu, 04 Mar 2021 17:43:09 -0500

Importance: Normal

Holli:

I received a similar notice about the option of suggesting candidates for the scholarship program. I will tell them that they should choose whom they wish without any suggestions from me.

Thanks,

Tony

From: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Sent: Thursday, March 4, 2021 5:05 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

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Director, NIH Ethics Office

[REDACTED]
Bethesda, MD

[REDACTED]@od.nih.gov

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Barasch, Kimberly (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

Subject: FW: Dan David Prize

Date: Thu, 04 Mar 2021 17:43:36 -0500

Importance: Normal

Please print this out and put into the Dan David Prize folder. Thanks.

From: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Sent: Thursday, March 4, 2021 5:05 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

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Holli

Holli Beckerman Jaffe
Director, NIH Ethics Office

[REDACTED]
Bethesda, MD

[REDACTED]
[\[REDACTED\]@od.nih.gov](mailto:[REDACTED]@od.nih.gov)

Released by Chairman Rand Paul

From: "Jaffe, Holli Beckerman (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

To: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: RE: Dan David Prize

Date: Thu, 04 Mar 2021 17:47:19 -0500

Importance: Normal

Thanks Tony

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Thursday, March 4, 2021 5:43 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>; Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: RE: Dan David Prize

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Cc: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>

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Holli

Holli Beckerman Jaffe
Director, NIH Ethics Office

[REDACTED]
Bethesda, MD [REDACTED]

[REDACTED]@od.nih.gov

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Barasch, Kimberly (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

Subject: FW: Dan David Prize

Date: Thu, 04 Mar 2021 17:49:59 -0500

Importance: Normal

Into folder, please

From: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Sent: Thursday, March 4, 2021 5:47 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: RE: Dan David Prize

Thanks Tony

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Thursday, March 4, 2021 5:43 PM

To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Cc: Tabak, Lawrence (NIH/OD) [E] <[REDACTED]@nih.gov>; Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

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Holli

Released by Chairman Rand Paul

Holli Beckerman Jaffe
Director, NIH Ethics Office

Bethesda, MD

[@od.nih.gov](mailto:holli.jaffe@od.nih.gov)

Anthony S. Fauci, M.D.

Washington, D.C.

March 9, 2021

Dear [REDACTED]:

Enclosed please find my 2019 Tax Organizer together with the appropriate forms including W-2s, 1099R, 1099-G, 1099-INT, 1099-DIV, 1099-MISC, 1099-SSA, Schedule H (Form 1040) for my household employee and the 1095 C forms for me and my wife (we did not receive a 1095 B form). Similar to last year, I understand that you and [REDACTED] will be putting together the 1099-R for my Defined Benefit Plan. I have filled out all of the necessary information in the Organizer together with added comments. There are a few points some of which will be obvious from the Organizer, and other additional ones that I would like to bring to your attention:

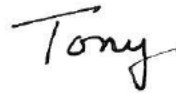
- 1) As per last year, I am enclosing three signed Forms 8879-F for the e-file signature authorizations for Form 1041 for each of my children's Trust. They are not yet filled out (I assume that you will do that), but I have signed them. Please let me know if I have done this correctly or if there is something else that I need to do with them.
- 2) My miscellaneous (non-government) income for 2019 with regard to royalties from McGraw-Hill for my textbook was \$308,436. (see enclosed 1099-MISC). I also received a \$5000 prize from The Partnership for Public Service (see enclosed 1099-MISC).
- 3) Please note that I will receive the Dan David prize from Israel in May 2021. This is a \$1 million prize. One hundred thousand dollars of which will be directly given to charity and so I will receive a check for \$900,000. Do we need to figure this in my estimated taxes for 2021?
- 4) With regard to the 529 Plans, I have not drawn on these this year since none of my daughters had tuition this year.

- 5) Please work with [REDACTED], me and Mr. [REDACTED] regarding how much I will be contributing to my Defined Benefit Plan this time around. As you know from previous returns, I am in the unusual situation where I must make RMDs from the Defined Benefit Plan because of my age at the same that I can also contribute to the plan because of my income.
- 6) K-1s – I have not yet received the K-1 forms from Jackson-Fillmore or from the Shopping Center Partnership. Jackson-Fillmore told me they likely would not have it to me until May. The Shopping Center Partnership (Dorian Plaza) has not contacted me yet. I guess that this may force us to file for an extension.

If you have any questions or if there is any further information or material that you need, please let me know.

Thank you and best regards.

Sincerely,

A handwritten signature in black ink that reads "Tony". The signature is written in a cursive, slightly stylized font.

Anthony S. Fauci, M.D.

Enclosures

Cc: [REDACTED]

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Miller, Louis (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Greg Folkers ([REDACTED]@niaid.nih.gov)" <[REDACTED]@niaid.nih.gov>

Subject: RE: Pepfar etc.

Date: Fri, 12 Mar 2021 12:16:46 -0500

Importance: Normal

Thank you, Louis. I appreciate very much your effort. Please let me know if there is anything that we can do on my end.

Best regards,

Tony

Anthony S. Fauci, MD

Director

National Institute of Allergy and Infectious Diseases

[REDACTED]
National Institutes of Health

Bethesda, MD [REDACTED]

Phone: [REDACTED]

FAX: [REDACTED]

E-mail: [REDACTED]@niaid.nih.gov

The information in this e-mail and any of its attachments is confidential and may contain sensitive information. It should not be used by anyone who is not the original intended recipient. If you have received this e-mail in error please inform the sender and delete it from your mailbox or any other storage devices. The National Institute of Allergy and Infectious Diseases (NIAID) shall not accept liability for any statements made that are the sender's own and not expressly made on behalf of the NIAID by one of its representatives.

From: Miller, Louis (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Friday, March 12, 2021 11:33 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: RE: Pepfar etc.

Dear Tony,

What I didn't tell you is that I have gone to a scientific leader in Sweden who is asking for people who would put in my nomination for you. I'll let you know when I hear. I feel strongly about the nomination.

Louis

Louis H. Miller

Head, Malaria Cell Biology Section

NIAID, NIH

[REDACTED] Rockville, MD [REDACTED]

Phone: [REDACTED] - FAX: [REDACTED] @niaid.nih.gov

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Wednesday, March 10, 2021 9:07 PM

To: Miller, Louis (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: RE: Pepfar etc.

Louis:

Thank you for your note and thank you for your offer to nominate me for the Nobel Peace Prize. I few other people have made this suggestion, but you are the first to explicitly offer to do the nomination. If you are still willing to do so, I strongly suggest that you work with my Chief of Staff, Greg Folkers, who has ready access to he precise and accurate information about me. In fact, If you forward the forms and instructions to Greg, he can actually do a draft that you could edit and sign. This would not be difficult since he has the information and the nomination for the Dan David Prize that I was recently awarded. I have copied Greg on this slide so that you can connect. Many thanks.

Best regards,

Tony

From: Miller, Louis (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Wednesday, March 10, 2021 6:31 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Pepfar etc.

Dear Tony,

I think that you have done so much for the developing world and the US. I believe that you would be a candidate for the Nobel Peace Prize. I would be willing to write it up if you agree.

Louis

Louis H. Miller

Head, Malaria Cell Biology Section

NIAID, NIH

[REDACTED] - [REDACTED] - Rockville, MD [REDACTED]

Phone: [REDACTED] - FAX: [REDACTED] - [REDACTED]@niaid.nih.gov

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Collins, Francis (NIH/OD) [E]" <[REDACTED]@od.nih.gov>

Subject: FW: -

Date: Tue, 16 Mar 2021 06:14:29 -0400

Importance: Normal

Attachments: ME_DW_FDA_3_1_21_.pdf

Francis:

I texted you to call me last night, but it was probably too late. Please give me a call about this at your convenience.

Thanks,

Tony

From: Fauci, Anthony (NIH/NIAID) [E]

Sent: Monday, March 15, 2021 9:35 PM

To: Erbeling, Emily (NIH/NIAID) [E] <[REDACTED]@nih.gov>

Subject: FW: -

Here are the Weissman data.

From: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>

Sent: Monday, March 1, 2021 5:21 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Re: -

Tony,

Here is the human dose IM studies in pregnant mice. We still have some concern over the data and are talking to all of the appropriate people.

Congratulations on the Dan David Prize

Hope you and your family are doing well.

Take care.

Drew

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Date: Monday, February 8, 2021 at 9:12 PM

To: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>

Subject: [External] RE: -

Drew:

Thanks for sending this. Looks like you have touched all the bases of informing people of your results. It would be interesting to see what human dose levels given IM do. I hope that all is well with you.

Congratulations on the Rosenstiel Award!

Best regards,

Tony

From: Weissman, Drew <[REDACTED]@pennmedicine.upenn.edu>
Sent: Monday, February 8, 2021 10:06 AM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: -

Tony,

Hope all is well.

I wanted to alert you to some new data we generated with our nucleoside-modified mRNA-LNP vaccine. I attached a current version of a supplement request that has all of the new data. I have been working with a maternal-fetal researcher and we observed that using a dose 100-fold higher than current vaccines and given IV, the mRNA-LNPs go to the placenta and fetus, measured by translation of the mRNA and cause an immune response in the amniotic fluid. In non-pregnant female mice, the uterus and ovaries take up mRNA-LNPs and translate the mRNA. We are repeating these studies with human dose levels of mRNA-LNPs given IM and are waiting to release the findings until these studies are completed

I have spoken to the FDA, Moderna, BioNTech/Pfizer, and DARPA, who is doing a clinical trial with higher doses IV, about these findings. I have also spoken to Mary Marovich and Michael Pensiero, our program officer for 2 clinical trials for HIV mRNA-LNP vaccines. He will get us supplementary funding to investigate these findings.

Thank you for doing the Rosenstiel award.

Take care.

Drew

Drew Weissman, M.D., Ph.D.

[REDACTED]
[REDACTED]
Perelman School of Medicine at the University of Pennsylvania
Philadelphia, PA [REDACTED]
[REDACTED]

Released by Chairman Rand Paul

From: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Cc: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>, "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: Dan David Prize - Fauci

Date: Sat, 10 Apr 2021 11:57:52 -0400

Importance: Normal

Good morning:

We have just received notice that Dr. Fauci is approved for payment for the Dan David Prize. I am adding Dr. Fauci here as well.

Please let us know what you require to transfer payment to Dr. Fauci. Thank you in advance for your response.

Best regards,

Patricia L. Conrad
Public Health Analyst and
Special Assistant to the Director
National Institute of Allergy and Infectious Diseases
The National Institutes of Health
[REDACTED]
Bethesda, Maryland [REDACTED]
[REDACTED] office

From: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Sent: Wednesday, March 24, 2021 7:25 AM

To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>

Cc: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>; [REDACTED]@niaid.nih.gov' <[REDACTED]@niaid.nih.gov>; Awwad, David (NIH/NIAID) [C] <[REDACTED]@niaid.nih.gov>

Subject: Posting Dan David Prize Award Certificate

Dear Patti and Kim,

Dr. Fauci's Dan David Prize laureate certificate has been shipped and is on its way to you.

For your convenience, I am attaching the number of the DHL delivery. We would appreciate it if you let us know once you have received it.

Best wishes,
Tami

Released by Chairman Rand Paul

Tami Noam
Project Coordinator
Dan David Prize
Office: [REDACTED]
[REDACTED]@tauex.tau.ac.il Email:
www.dandavidprize.org Website:

From: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Tuesday, March 16, 2021 1:55 PM
To: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>
Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>; Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>; Awwad, David (NIH/NIAID) [C] <[REDACTED]@niaid.nih.gov>; Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: RE: Quick request re Dan David Prize

Please fed ex to the address below to the Attention of Kim Barasch as Dr. Fauci's mail is delayed. I will ask Kim – cc'd here to track its arrival and make sure we send you an iphone picture when it arrives. Thank you.

National Institute of Allergy and Infectious Diseases
The National Institutes of Health
[REDACTED]
Bethesda, Maryland [REDACTED]
[REDACTED] office

From: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>
Sent: Tuesday, March 16, 2021 7:45 AM
To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>
Subject: Quick request re Dan David Prize

Dear Patti,

We are preparing a framed certificate and getting ready to mail it to Dr. Fauci. (We are hoping to get a photo or film of him holding the certificate, which we would use to represent him receiving the award during our online ceremony in May.)

Please provide the postal address where it would be most convenient for him to receive this certificate.

Many thanks,
Charlotte

Charlotte Hallé
Director
Dan David Prize
Office: [REDACTED]
Mobile: [REDACTED]

Email: [REDACTED]@tauex.tau.ac.il
Website: www.dandavidprize.org

Released by Chairman Rand Paul

Released by Chairman Rand Paul

From: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>

To: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Subject: RE: Dan David Prize - Fauci

Date: Tue, 13 Apr 2021 09:03:58 -0400

Importance: Normal

Dear Patty,

The prize money will be sent via bank transfer. We will ask for the account details next week. We hope to make the transfer the week after the award ceremony.

Best wishes,
Charlotte

From: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Saturday, April 10, 2021 6:58 PM

To: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Cc: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>; Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Dan David Prize - Fauci

Good morning:

We have just received notice that Dr. Fauci is approved for payment for the Dan David Prize. I am adding Dr. Fauci here as well.

Please let us know what you require to transfer payment to Dr. Fauci. Thank you in advance for your response.

Best regards,

Patricia L. Conrad
Public Health Analyst and
Special Assistant to the Director
National Institute of Allergy and Infectious Diseases
The National Institutes of Health

[REDACTED]
Bethesda, Maryland [REDACTED]

[REDACTED] office

From: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Sent: Wednesday, March 24, 2021 7:25 AM

To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Barasch, Kimberly (NIH/NIAID) [E]

Released by Chairman Rand Paul

<[REDACTED]@nih.gov>

Cc: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>; [REDACTED]@niaid.nih.gov' <[REDACTED]@niaid.nih.gov>; Awwad, David (NIH/NIAID) [C] <[REDACTED]@niaid.nih.gov>

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Best wishes,

Tami

Tami Noam

Project Coordinator

Dan David Prize

Office: [REDACTED]

[REDACTED]@tauex.tau.ac.il Email:

www.dandavidprize.org Website:

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Sent: Tuesday, March 16, 2021 1:55 PM

To: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>

Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>; Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>; Awwad, David (NIH/NIAID) [C] <[REDACTED]@niaid.nih.gov>; Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

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National Institute of Allergy and Infectious Diseases

The National Institutes of Health

[REDACTED]
Bethesda, Maryland [REDACTED]

[REDACTED] office

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Sent: Tuesday, March 16, 2021 7:45 AM

To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Subject: Quick request re Dan David Prize

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Please provide the postal address where it would be most convenient for him to receive this certificate.

Many thanks,
Charlotte

Charlotte Hallé

Director

Dan David Prize

Office:

Mobile:

Email: [\[REDACTED\]@tauex.tau.ac.il](mailto:[REDACTED]@tauex.tau.ac.il)

Website: www.dandavidprize.org

Released by Chairman Rand Paul

From: Israel Cohen <[REDACTED]@gmail.com>
To: [REDACTED]@yale.edu, [REDACTED]@aya.yale.edu, [REDACTED]@nih.gov
Cc: [REDACTED]@spectator.org, [REDACTED]@tamu.edu, [REDACTED]@niaid.nih.gov, [REDACTED]@tauex.tau.ac.il
<[REDACTED]@tauex.tau.ac.il>, [REDACTED]@tauex.tau.ac.il
Subject: Dan David Prize for Dr. Fauci
Date: Sat, 20 Mar 2021 05:54:28 -0400
Importance: Normal

Hello Prof. Elliott --

I saw your *American Spectator* article

Israel's \$1 Million Payoff to Dr. Fauci Violates the Constitution at

https://www.facebook.com/permalink.php?id=119049414803510&story_fbid=5199266416781759

I think it is fair to say that the occurrence of the Covid pandemic significantly increased the likelihood of Dr. Fauci becoming the sole recipient of one of the 3 Dan David Prizes awarded this year. The pandemic brought into sharp focus his contribution to this and other serious health crises during his career. The reasons for his visibility are cogently explained at

<https://theconversation.com/10-reasons-why-anthony-fauci-was-ready-to-be-the-face-of-the-us-pandemic-response-150596>

It is *not* fair to say that he received the \$1 million prize "as a payoff from Israel". The Dan David Foundation is a private charitable organization similar in concept to the organization that awards the Nobel prizes. The Dan David Prizes are almost as large but definitely not as well-known as the Nobel prize. https://en.wikipedia.org/wiki/Nobel_Prize
However, the method of determining who receives them is similar.

There are 12 members on the board of the Dan David Foundation. They are listed at <https://www.dandavidprize.org/about/the-board>

Four seem to be US citizens, including Henry Kissinger who was the US Secretary of State.

Four seem to be Israeli, including Ariel David (son of the founder) and Ariel Porat (president of Tel Aviv University).

Four seem to be French, including Emmanuel Roman who spent 18 years at Goldman Sachs.

There were 4 members on the Review Committee who evaluated potential recipients of the prize that Dr. Fauci received. They are listed at

<https://www.dandavidprize.org/about/review-committees>

- 1 - Prof Elizabeth Miller of the Faculty of Epidemiology & Population Health in London, UK.
- 2 - Prof Philip Greenland at Northwestern University in Chicago, IL.
- 3 - Prof. Fred Binka at the University of Health and Allied Sciences in Ghana.
- 4 - Prof. Daniel Cohen, Head of the School of Public Health at Tel Aviv University in Israel.

Five of the 16 people mentioned above are probably Israeli and none of them has any significant connection to the Israeli government.

Comment by Israel A. Cohen
Tel Aviv, Israel
inactive member of the Florida Bar

cc: Editor, Spectator
Barbara Gastel (Texas A&M)
NIAID news room
Ariel Porat, president, TAU
Dan David Prize email

Released by Chairman Rand Paul

From: "Elliott, Don" <[REDACTED]@yale.edu>
To: Israel Cohen <[REDACTED]@gmail.com>
Cc: "[REDACTED]@nih.gov" <[REDACTED]@nih.gov>, Wlady Pleszczynski <[REDACTED]@spectator.org>, "[REDACTED]@tamu.edu" <[REDACTED]@tamu.edu>, "[REDACTED]@niaid.nih.gov" <[REDACTED]@niaid.nih.gov>, "[REDACTED]@tauex.tau.ac.il" <[REDACTED]@tauex.tau.ac.il>, "[REDACTED]@tauex.tau.ac.il" <[REDACTED]@tauex.tau.ac.il>

Subject: Re: Dan David Prize for Dr. Fauci

Date: Sat, 20 Mar 2021 07:07:18 -0400

Importance: Normal

Dear Attorney Cohen,

Thank you for your email.

I agree that the term "payoff" in the headline is a little inflammatory and intended to attract attention.

Respectfully, whether Dr. Fauci does or does not merit professional recognition for his role in dealing with the pandemic is not the issue. The problem is a large financial reward to a U.S. government official from an institution that is closing tied to a foreign government. That is problematic for the reasons that I tried to explain in the article.

I hope you have considered whether you will still defend this practice when a university supported by a government with which you do not agree gives a large financial reward to a government official for a policy with which you also do not agree. That was the point of the article. It is accepting the financial component — if Dr. Fauci does indeed accept it — not the professional recognition that creates the impropriety. No personal affront to Dr. Fauci or to the Dan David Foundation or its distinguished board was intended.

But thank you for sharing your perspective and contributing to dialogue on this important issue.

E. Donald Elliott

Professor (adjunct) of Law
Yale Law School

[REDACTED]
New Haven CT [REDACTED]
[REDACTED]
c: [REDACTED]@yale.edu
<http://ssrn.com/author=881406>

On Mar 20, 2021, at 5:54 AM, Israel Cohen <[REDACTED]@gmail.com> wrote:

Hello Prof. Elliott --

I saw your *American Spectator* article

Israel's \$1 Million Payoff to Dr. Fauci Violates the Constitution at

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prize. https://en.wikipedia.org/wiki/Nobel_Prize

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4 - Prof. Daniel Cohen, Head of the School of Public Health at Tel Aviv University in Israel.

Five of the 16 people mentioned above are probably Israeli and none of them has any significant connection to the Israeli government.

Comment by Israel A. Cohen

Tel Aviv, Israel

inactive member of the Florida Bar

cc: Editor, Spectator

Barbara Gastel (Texas A&M)

NIAID news room

Ariel Porat, president, TAU

Dan David Prize email

Released by Chairman Rand Paul

From: "Pardi, Joe (NIH/OD) [E]" <[REDACTED]@nih.gov>

To: NEAC-Members <[REDACTED]@mail.nih.gov>

Subject: RE: Award for NEAC to review

Date: Fri, 26 Mar 2021 07:21:49 -0400

Importance: Normal

Attachments: 3-4-2021_-_Dan_David_Prize_in_Public_Health_(Anthony_Fauci)_updated_3-23-2021_-_SLP.pdf

Good morning NEAC Members,

Attached for your review is the 2021 Dan David Prize for Anthony Fauci MD, NIAID.

Thanks,

Joe

Joseph M. Pardi, RN, MPA, CCRC

National Institutes of Health (NIH) Ethics Office

Ethics Specialist / NEAC and Protocol Coordinator

Email: [REDACTED]@cc.nih.gov

Phone: [REDACTED]

Fax: [REDACTED]

<http://ethics.od.nih.gov>

SUMMARY OF ANALYSIS Released by Chairman Rand Paul AWARD WITH CASH PRIZE

REVIEW REQUIRED	☒	NEAC (\$2,500 or Above)	☐	NEAC Subcommittee (Below \$2,500)	
NEO Specialist	Linda Simmons			Receipt Date	2/17/2021
RECIPIENT					
Employee Name	Anthony Fauci			IC	NIAID
Employee has been counselled not to cash the check or accept an electronic transfer of funds until approval is received?				Page #	☒ YES ☐ NO
Can the employee's performance or non-performance of their official responsibilities have any effect on the donor (5 CFR 5501.111)?					☐ YES ☒ NO
Confirmation of 5 CFR 5501.111 <u>must</u> be included with package.				Page #	5-6
AWARD DETAILS					
Award Name	2021 Dan David Prize				
Sponsor Name	Dan David Foundation				
TOTAL CASH VALUE ASSOCIATED WITH AWARD				\$ 900,000	Page # 3
AWARD ANALYSIS					
The award has been made on a regular basis <u>or</u> funded to ensure its continuation if it is a first-time award?				Page #	16
The award has been given on a regular basis consistently since 2002.					
Under which selection of award recipient is made pursuant to written standards?				Page #	11
According to the Dan David Foundation website, The Dan David Prize covers three-time dimensions - Past, Present and Future - that represent realms of human achievement. Each year the International Board chooses one field within each time dimension since 2002. Nominees are evaluated by reviewing the importance of the work, its impact and its projected influence in the relevant field. https://www.dandavidprize.org/about/about-the-prize . It has been confirmed that the Review Committees are indeed independent from the Tel Aviv University and chaired by international experts.					
Is the recipient expected to present a lecture?				Page #	31
Expected to attend the award ceremony and virtual symposium at which recipients are expected to give a presentation. Presentations are talks about their work over the course of their careers, rather than current science and theory.					
NEO Specialist Summary Analysis					
The award was found to comply with 2635.204(d). Also confirmed that the organization is not seeking official action from the employee, subordinate, or agency under the employee's official responsibility (5501.111). The gifts associated with the award include a \$900,000 cash prize which have been found to be permissible and are not prohibited under the Emoluments Clause, nor the Foreign Gifts and Decorations Act. The Dan David Foundation and the website confirm that the 2021 Review Committee (See page 24-27) selected by the Dan David Foundation and the Foundation's Board (See pages 24-27) is responsible for the selection the Laureates. All of which act independently and not part of a foreign government.					
Based on the analysis above, this award meets the regulatory requirements of a bona fide award under 5 CFR 2635.204(d)					
NEO Specialist	Linda D. Simmons -S	Digitally signed by Linda D. Simmons -S Date: 2021.03.25 15:12:23 -04'00'	Supervisory Ethics Specialist	Sherri L. Park -S	Digitally signed by Sherri L. Park -S Date: 2021.03.25 15:17:38 -04'00'
Director, NEO	Holli B. Jaffe -S Digitally signed by Holli B. Jaffe -S Date: 2021.03.25 15:25:33 -04'00'				
NEAC Subcommittee Co-Chairs					



AWARD REVIEW WORKSHEET

Date Received	2/1/21	EMIS ID #	■
Ethics Official	Jeremy R. Tam	IC	NIAID
Employee Name	Anthony Fauci		
Full Name of Award	Dan David Prize		
Award Sponsor	Expected to attend the award ceremony and virtual symposium at which recipients are expected to give a presentation. Presentations are talks about		
Event Date	5/9/2021	Event Location	Virtual
Sponsor's Contact	Charlotte Halle		
Phone Number		Email	■@tauex.tau.ac.il

ALL GIFTS ASSOCIATED WITH AWARD:

Cash/stipend/cash equivalent	\$	900000
Tangible gift (e.g., trophy, crystal bowl, sculpture)	\$	1400
<u>Other Gifts being offered:</u>		
Award Ceremony Dinner, reception, entertainment	\$	
Can be accepted under WAG mechanism?	☐ Yes	☐ No
Travel expenses (e.g., meal, lodging, transportation, waived registration)	\$	
Can accept under Sponsored Travel?	☐ Yes	☐ No
List other items		
Total value of other items	\$	
Is Award on NEO's Approved List?	☐ Yes	☒ No
If Yes, date approved:		

If Yes, confirm no changes to:

- ☒ Cash Prize Amount
 ☒ Lecture Requirement
 ☒ Selection Process
 ☒ New Gifts Offered

Can the employee's performance or non-performance of their official responsibilities have any effect on the donor (5 CFR 5501.111)?

☐ Yes ☒ No

Documentation of confirmation must be included with package

Request for Approval to Accept Gifts Associated With An Award from an Outside Organization

US Department of Health and Human Services
National Institutes of Health

Use prescribed by NIH Manual 2400-10

Use this form only for awards which confer gifts consisting of cash or cash equivalent, or a tangible item or items valued at greater than \$20. When an award consists only of gifts of travel, meals, or a plaque, certificate, or trophy of little intrinsic value, use other methods to obtain approval, e.g., sponsored travel and/or the widely attended gathering exception. Provide all information.

1. EMPLOYEE NAME, TITLE, IC AND AGENCY ADDRESS FAUCI, ANTHONY S DIRECTOR NIAID NIH/NIAID [REDACTED] BETHESDA, MD [REDACTED]	2. REQUEST DATE 02/02/2021 3. OFFICE TELEPHONE NUMBER [REDACTED]
4. OUTSIDE ORGANIZATION (DONOR) OFFERING THE AWARD (Full Name and City, State or Country) Dan David Foundation Tel Aviv, Non-U.S.	5. DATE OF AWARD EVENT 05/09/2021
6. FULL NAME OF THE AWARD Dan David Prize	7. LOCATION OF AWARD EVENT (City, State or Country) Tel Aviv, Non-U.S.

8. AWARD CITATION The Dan David Prize recognizes and encourages innovative and interdisciplinary research that cuts across traditional boundaries and paradigms. It aims to foster universal values of excellence, creativity, justice, democracy, and progress and to promote th

9. Is the award offered by a private foundation? See note on Tax Consequences on page 3.
☒ No ☐ Yes If Yes, indicate your grade and annual salary:

10. a. Can your performance or non-performance of your official responsibilities have any effect on the donor?
 b. If the donor is an organization, does the majority of its members have such interests that could be affected by the performance or non-performance of your official duties?
☒ No to both a and b Continue to question 11
☐ Yes to either a or b If the award donor can be substantially affected by your performance or nonperformance of official duties, or is an association a majority of whose members may be, the award may not be approved. Continue to question 11.

11. Have you solicited the award?
☒ No Continue to question 12.
☐ Yes If you solicited the award, it cannot be approved nor accepted.

12. Do you agree to not accept the gifts incident to the award in return for being influenced in the performance or nonperformance of your official duties?
☒ Yes Continue to question 13.
☐ No If performance of your official duties will be influenced by accepting the gifts associated with the award, the award cannot be approved.

13. Does this award involve a tangible gift (other than cash or cash equivalent) valued at more than \$200 (e.g., a crystal bowl).
☐ No Continue with question 14.
☒ Yes The award must be confirmed by the DEC as a bona fide award made as part of an established program of awards, before the employee may accept. Submit the written criteria used to select award recipients, and proof that it is given on a regular basis or funded to ensure continuity. Seek assistance from your IC's Ethics Office.

14. Does this award involve a cash or equivalent gift.
☐ No Continue with question 15.
☒ Yes It must be reviewed through the NIH Ethics Office and confirmed as a bona fide award made as part of an established program of recognition before the employee may accept it. Contact your IC's Ethics Office as soon as possible.

15. Have you accepted gifts, including awards, from the same or different sources so frequently that a reasonable person would be led to believe that you are using your official position for private gain?
☒ No Continue with question 16.
☐ Yes If you have accepted gifts such that accepting this one would cause any appearance of impropriety, the award may not be approved.

16. Identify all cash, stipends, cash equivalents, tangible items, reimbursements, meals, lodging, transportation, entertainment, free attendance, or other benefits and gifts to be provided **personally** to the employee and/or members of the employee's family to be received at or in conjunction with the award event. Indicate the market value of each item.

	Employee	Family
☐ Cash/stipend/cash equivalent	\$ 900000	\$ N/A
☐ Award medallion, trophy, sculpture, or other tangible memento of the occasion which has utility and/or artistic merit and a commercial value in excess of \$20	\$ 1400	\$ N/A
☐ Awards ceremony dinner, reception, and/or entertainment (indicate number of family members attending: <u>0</u>)	\$ 0	\$ 0
☐ Travel expenses for meals, lodging, and/or transportation provided in-kind or through cost reimbursement Will sponsored travel be used? ☐ Yes ☒ No (If yes, annotate your sponsored travel that it is for an award.)	\$	\$
☐ Other items or benefits provided, e.g., journal subscription, organizational membership. Describe:	\$	\$
Totals*	\$ 901400	\$ 0

* ☐ NIH Ethics Advisory Committee (NEAC) jurisdiction: If the aggregate value of gifts for you and your family/guest is \$2500 or more, excluding official government travel (sponsored travel), the award must be reviewed by the NEAC. Travel expenses accepted personally by the employee (not sponsored travel) must be included in the aggregate value.

Attach a copy of the letter or electronic mail indicating that you are the intended recipient of the award.

17. EMPLOYEE'S STATEMENTS AND SIGNATURE:

- A. I have read the attached notices. I request permission to accept the award honor and the associated gifts as described above.
- B. **Disqualification Requirement:** I understand that I am recused (disqualified) immediately from all official matters involving or that could affect the award donor. If the award is approved, my recusal from matters involving the donor remains in effect for one year following the date I receive the award, and I will not participate in any official matters involving the award donor organization without prior authorization from my Deputy Ethics Counselor.

Sign & Date: Anthony FAUCI

02/01/2021

18. SUPERVISOR'S STATEMENT AND RECOMMENDATION:

(Omit for IC Directors)

The employee has no recent, current, or pending official matters with or that can affect the outside organization or a majority of its members (5 C.F.R. § 5501.111). If the award is approved, I will accept responsibility for all official matters from which the employee is recused due to the receipt of this award.

- ☒ Recommend Approval
☐ Do Not Recommend Approval

Sign & Date: Lawrence TABAK

03/19/2021

19. INTERMEDIATE REVIEWER

(IC DEC signs here for NEAC jurisdiction or NIH Senior employee)

Based on my review of the foregoing statements and supporting documentation in light of the requirements of 5 C.F.R. § 2635.204(d), I:

- ☐ Recommend Approval
☐ Recommend Approval with the Following Conditions:
☐ Do Not Recommend Approval

Sign & Date:

20. DEPUTY ETHICS COUNSELOR (OR DESIGNEE)

Based on my review of the foregoing statements and supporting documentation supplied by the employee, this constitutes my (written, when required) determination, pursuant to 5 C.F.R. § 2635.204(d), that the employee's request is:

- ☐ Approved as Requested
☐ Approved with the Following Conditions: _____
☐ Disapproved

Sign & Date:



January 29, 2021

Dr. Anthony Fauci
National Institutes of Health
[REDACTED]
Bethesda, MD [REDACTED]
USA

Award Letter

Dear Dr. Fauci,

It gives us great pleasure to inform you that you have been chosen as a laureate of the 2021 Dan David Prize for the Present Time Dimension in the field of Public Health.

The amount of the prize for each time dimension is US\$1 million. Please note that according to the Dan David Prize constitution, 10% of the award is donated as scholarships to doctoral and post-doctoral students conducting research in your field. In practical terms, this means your prize totals **US\$900,000.**

We wish to advise you that participation in the online Dan David Prize Award Ceremony, which will be broadcast from Tel Aviv University on Sunday, May 9, 2021, is requested in order to receive the award.

We will also ask you to participate in a couple of online events surrounding the prize. Invitations to these events will follow.

In usual circumstances, we would have been delighted to invite you to join us for a festive ceremony and related events at Tel Aviv University.

You may wish to consult our website www.dandavidprize.org for information regarding the Dan David Prize, in addition to photos and videos of past laureates, award ceremonies and events.



The official announcement of the 2021 Dan David Prize laureates will likely be held on Monday, Feb. 15, 2021 at 6:00 p.m. Israel time, and will be broadcast live on our Facebook page and website. Please note that we will confirm the date of the announcement closer to the time.

Our office will be in contact with you shortly regarding PR activities and materials.

On behalf of the Dan David Prize, we wish to once again extend our sincere congratulations on your receiving this honor.

Best wishes,

Prof. Ariel Porat
President, Tel Aviv University
Chairperson, Dan David Prize Board
Dan David Prize

Ms. Charlotte Hallé
Director
Dan David Prize

From: [Bennett, Arthur \(NIH/NIAID\) \[E\]](#)
To: [Simmons, Linda \(NIH/OD\) \[E\]](#)
Cc: [Tam, Jeremy \(NIH/NIAID\) \[E\]](#)
Subject: FW: Dan David Prize documentation
Date: Wednesday, February 17, 2021 1:52:46 PM

Hi Linda,

Please see Dr. Fauci's 5501.111 responses for the Dan David prize below.

Thanks,
Art

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Wednesday, February 17, 2021 1:51 PM
To: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: RE: Dan David Prize documentation

Art:

The answer to each of the 3 questions below is "false".

Best regards,

Tony

Anthony S. Fauci, MD
Director
National Institute of Allergy and Infectious Diseases

[REDACTED]
[REDACTED]
National Institutes of Health
Bethesda, MD [REDACTED]
Phone: [REDACTED]
FAX: [REDACTED]
E-mail: [REDACTED]@niaid.nih.gov

The information in this e-mail and any of its attachments is confidential and may contain sensitive information. It should not be used by anyone who is not the original intended recipient. If you have received this e-mail in error please inform the sender and delete it from your mailbox or any other storage devices. The National Institute of Allergy and Infectious Diseases (NIAID) shall not accept liability for any statements made that are the sender's own and not expressly made on behalf of the NIAID by one of its representatives.

From: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Wednesday, February 17, 2021 1:33 PM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: Dan David Prize documentation

Released by Chairman Rand Paul

Good afternoon Dr. Fauci,

We received a request from the NIH Ethics Office (NEO) for documentation regarding your interaction/involvement with the Dan David Foundation and Tel Aviv University. From our research, it does not appear that NIAID provides funding to either the University or the Foundation.

As we've had to do with other recent awards, please respond to the following which I'll forward to the NEO:

Under 5 CFR 5501.111, awards tendered to employees of the National Institutes of Health cannot be accepted from a person, organization, or other donor if any of the below statements is true. Can you please indicate whether each of the following statements is true or false?

- a. The Dan David Foundation and/or Tel Aviv University is seeking official action from you, any of your subordinates, or any agency component or subcomponent under your official responsibility.
- b. The Dan David Foundation and/or Tel Aviv University does business or seeks to do business with any agency component or subcomponent under your official responsibility.
- c. The Dan David Foundation and/or Tel Aviv University conducts activities substantially affected by the programs, policies, or operations of any agency component or subcomponent under your official responsibility.

Thanks,

Art

Arthur Bennett

Director, Office of Ethics

National Institute of Allergy and Infectious Diseases

[REDACTED] Rockville, MD [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]@niaid.nih.gov

Happy Black History Month! Our theme for this month is "Small actions, Big impact: Using Allyship to Enhance our Culture." We invite you to view this year's campaign on [EDI's website](#).

FINANCIAL DISCLOSURE

Awards, including cash, cash equivalents, meals, lodging, transportation, reimbursements, entertainment, free attendance, or other benefits incident thereto, received for the personal use, disposition, or retention by the employee valued individually in excess of \$134 and which aggregate \$335 or more must be disclosed by employees who file a financial disclosure report. Incumbent and termination filers of the SF-278 Public Financial Disclosure Report include this information on Schedule B, Part II of the form. Confidential Financial Disclosure Report (OGE-450) filers include these items in Part IV. (Note that the reporting threshold is determined every 3 years; check the financial disclosure requirements for the current amount.) Travel funds accepted by the agency under the sponsored travel (HHS-348) mechanism are gifts to the agency, rather than to the individual, and are not reported as personal gifts on the SF-278 nor on the OGE-450.

TAX CONSEQUENCES

Award recipients should consult their personal attorney, accountant, or other financial advisor concerning the treatment of awards and the benefits incident thereto for tax purposes. Ethics officials and government attorneys do not provide tax or other personal financial advice to government employees. Note that, pursuant to section 4941 and 4946 of Title 26 of the U.S. Code, awards and other payments received from private foundations, as defined under Section 509 of the Internal Revenue Code, may be prohibited for Presidential appointees, Schedule C employees, or other individuals compensated at pay levels at or above the lowest rate of basic pay for the Senior Executive Service under section 5382 of Title 5, United States Code, unless the recipients of the award are selected from the general public and consideration is not confined to government employees.

AGENCY GIFT ACCEPTANCE

If approval is obtained in advance, tangible items intended for display at and retention by the NIH that are accepted on behalf of the employee's component pursuant to an applicable agency gift acceptance authority statute are not reportable as personal gifts on the SF-278. Employees should consult their employing office, ascertain the availability of this option, and comply with applicable procedures. Travel reimbursement authorities contained in Section 1353 of Title 31 of the U.S. Code, as implemented by Part 304-1 of Title 41 of the Code of Federal Regulations, permit the Department to accept where appropriate, travel costs tendered by non-federal sources in connection with the recognition of federal employees for meritorious public service that is related to official duties.

CERTIFICATION

The signature of the employee on this form certifies that the statements made and information provided on this form are true, complete, and correct to the best of the individual's knowledge.

PRIVACY ACT STATEMENT

Section 7301 of Title 5 of the U.S. Code and Executive Order 12674, as implemented by Sections 2635.204(d) and 5501.111 of Title 5 of the Code of Federal Regulations, authorize the collection of this information. Disclosure of this information is mandatory for employees seeking authorization from an agency ethics official to accept awards, pursuant to Sections 2635.204(d)(1) and 5501.111 of Title 5 of the Code of Federal Regulations. Failure to provide the requested information will result in the denial of the request for approval. Falsification of the information required to be reported for this purpose may subject the employee to disciplinary action by the employing agency or other appropriate authority. Knowing and wilful falsification of information required to be reported may also subject the employee to criminal prosecution. The primary use of this information is to allow HHS supervisors and ethics officials to make necessary determinations concerning employee requests to receive awards. The information is also requested, pursuant to 5 C.F.R. §§ 2638.203(b)(9), (10), and (11), for the purpose of evaluating ethics program administration, as well as the Department's supplemental ethics regulations, to determine their continued adequacy and effectiveness in relation to current agency responsibilities and to ensure that prompt and effective action is taken to remedy violations or potential violations, or appearances thereof, of conflict of interest and related ethics provisions. Additionally, this information may be disclosed to: (1) the Office of Personnel Management, Office of Government Ethics, Merit Systems Protection Board, Office of the Special Counsel, Equal Employment Opportunity Commission, Federal Labor Relations Authority, Federal Service Impasses Panel, Federal Mediation and Conciliation Service, and an arbitrator, in carrying out their functions; (2) a Federal, State, or local agency charged with investigating or prosecuting violations of, or implementing, the law, in the event there is an indication of a violation or potential violation of civil, criminal or regulatory law; (3) a Federal, State, or local agency maintaining enforcement records or other pertinent records, such as current licenses, if necessary to obtain a record relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; (4) the National Archives and Records Administration or the General Services Administration in records management inspections; (5) the Office of Management and Budget during legislative coordination on privacy relief legislation; (6) Federal agencies with power to subpoena other Federal agencies' records; (7) a court or party in a court or Federal administrative proceeding if the Government is a party or in order to comply with a judge-issued subpoena; (8) private firms with which the Department may contract for the purpose of collating, analyzing, aggregating or otherwise refining records; (9) a Member of Congress or a Congressional office, pursuant to an inquiry made at the request of the individual who is a subject of the record; (10) the Department of Justice in defense of litigation; and (11) contractors and other non-Government employees working for the Federal Government to accomplish a function related to an Office of Government Ethics Government-wide system of records. This form will not be disclosed to any requesting person unless authorized by law. See the OGE/GOVT-1 Government-wide executive branch system of records.



THE PRIZE AND ITS SPIRIT



ABOUT

About The Prize

The Board

Selected Fields

Review Committees

☐ The Founder

☐ Dan David Foundation

Staff

International Collaboration

French Collaboration

Youth Essay Competition

The Dan David Prize is an international award, endowed by the Dan David Foundation and headquartered at Tel

Aviv University.

The Dan David Prize recognizes and encourages innovative and interdisciplinary research that cuts across traditional boundaries and paradigms. It aims to foster universal values of excellence, creativity, justice, democracy, and progress and to promote the scientific, technological and humanistic achievements that advance and improve our world.

Written Criteria

The Dan David Prize covers three time dimensions - **Past, Present and Future** - that represent realms of human achievement. Each year the International Board chooses one field within each time dimension. Following a review process of individuals nominated for the Prize, by independent Review Committees comprised of renowned scholars and professionals, the International Board then chooses the laureates for each field.

The **Past** refers to fields that expand knowledge of former times.

The **Present** recognizes achievements that shape and enrich society today.

The **Future** focuses on breakthroughs that hold great promise for improvement of our world.

Three prizes of one million US dollars each are granted annually in the fields chosen for the three time dimensions. The prizes are granted to individuals or institutions with proven, exceptional, distinct excellence in the sciences, arts, humanities, public service, and business, that have made and continue to make an outstanding contribution to humanity on the basis of merit, without discrimination of gender, race, religion, nationality, or political affiliation.

The Dan David Prize laureates donate 10% of their prize money to postgraduate students in their respective fields, thereby contributing to the community and advancing a new generation of scholars. It is also unique in its outreach efforts in the wider community. Since its inception, the Dan David Prize has embarked upon two exciting initiatives:

- The Dan David Prize, in conjunction with the Unit for Science Oriented Youth at Tel Aviv University has initiated the 'Name Your Hero' Essay Competition for High School Youth throughout Israel. High school students are encouraged to submit an essay describing the individuals they deem worthy of the Dan David Prize. The fields selected for a given year are influenced by the high school students' input and ideas.
- A Scholars Forum has been established comprising of Dan David Prize scholarship recipients from around the world doing research in the various selected fields since the inception of the Dan David Prize. This forum serves as a platform for Dan David Prize scholars to discuss research topics, present

Released by Chairman Rand Paul

individual research and exchange ideas and suggestions.

For a better understanding of the driving force behind the creation of the Prize, please [read](#) Mr. Dan David's speech at the Inaugurational Ceremony of the Prize, on May 12, 2001.

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[Dan David Foundation](#)



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NOMINATION GUIDELINES



NOMINATIONS

Nomination Guidelines

GENERAL INFORMATION

- Nominees for the Dan David Prize may be individuals or organizations.
- The individual or institution being nominated **has made a singular achievement or a series of achievements and continues to make** a unique, profound contribution to humanity, on a global scale, in one of the [selected fields](#) for the year in which the nomination is being made.
- The Dan David Prize is granted according to merit, without discrimination based on gender, race, religion, nationality or political affiliation.
- Laureates in each selected field are chosen by the Dan David Prize Board, based on the recommendations of International Review Committees comprised of world-renowned experts in the relevant fields.
- The Dan David Prize Board may select more than one laureate for each field if their achievements are considered to be of equal merit and impact in the relevant field.
- Joint nominations of up to 3 candidates may be submitted.
- Nominations must be submitted to the Dan David Prize, as detailed on the Dan David Prize Nomination Form.
- If a nominee is awarded the Dan David Prize, the right to this prize is not transferable.
- An individual or organization can only receive the Dan David Prize once for the same achievement and/or contribution.
- **Anyone** can nominate an individual or organization for the Dan David Prize. The **only** restriction is self-nomination.
- Self-nominations, including nominations for organizations in which the nominator is currently employed or serves as an officer, are not accepted.

- Prize winners are required to participate in the Award Ceremony and the Attendant Events.

NOMINATIONS ARE NOW CLOSED

NOMINATION FORM INFORMATION

- The nomination process **must** be completed **online** via the Dan David Prize website.
- The Nomination Form and all documentation must be submitted in **English only**.
- For inquiries, please contact [REDACTED] [@taux.tau.ac.il](mailto:[REDACTED]@taux.tau.ac.il), Tel: [REDACTED].

The following is required to complete the Nomination Application process:

Nominee's Details

- Personal and professional details
- Summary of nominee's achievements

Attachments (Supported formats: doc|rtf|docx|pdf, max size: 5MB)

- A detailed description of the nominee's work (1-2 pages), stipulating reasons why the nominee merits the Dan David Prize. Reference should be made to the importance of the work, its impact and its projected influence in the relevant field.
- A full Curriculum Vitae of the nominee or a detailed prospectus when nominating an organization (if available)
- A list of the nominee's most relevant publications or projects stating full bibliographical details (if available)
- Other relevant information

Joint Nominations

The Dan David Prize accepts joint nominations of up to three candidates. To complete this nomination, each of

Released by Chairman Rand Paul

the nominees' personal and professional details are required, together with a summary and detailed description of their joint work.

Confirmation of successful submission is provided electronically and a copy of the nomination material will be sent to the nominator by email.

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LAUREATES 2021

Funding since 2002

2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021

PAST
HISTORY OF HEALTH AND
MEDICINE

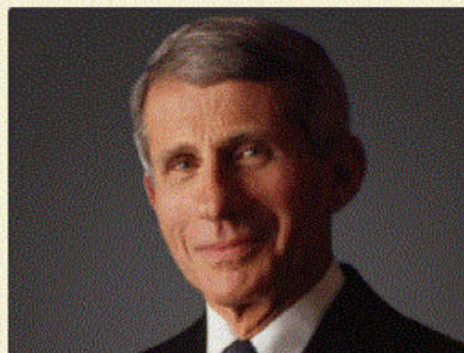
PRESENT
PUBLIC HEALTH

FUTURE
MOLECULAR MEDICINE



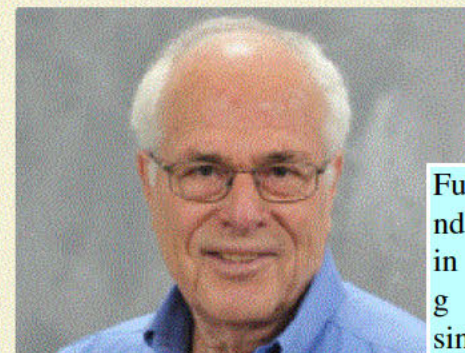
Prof. Alison Bashford

Prof. Alison Bashford has contributed immensely to the history of medicine and science by connecting it with global



Dr. Anthony Fauci

Anthony S. Fauci, M.D. is director of the National Institute of Allergy and Infectious Diseases (NIAID) at the U.S. National Institutes of Health, where he oversees an extensive research portfolio



Prof. Zelig Eshhar

Prof. Zelig Eshhar, an Israeli immunologist at the Weizmann Institute of Science, is a pioneer of the CAR-T cell approach and its application for cancer therapy.

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02

The object of the present agreement is to further advance achievements in culture and science worldwide, through the collaboration between the French Ministry of Culture and the Dan David Prize. The Ministry will endeavor to promote the Dan David Prize within the scientific community and other relevant communities in France and internationally.

According to the agreement, the Dan David Prize Award Ceremony will, as in the past, take place at Tel Aviv University this year, and in 2007 will take place in Paris, subsequently alternating between Tel Aviv and Paris each year.

The French Opera Garnier of Paris will host the ceremony when in Paris, providing also an artistic performance from its renowned repertoire.

Heading this joint project from France is the French Minister of Culture, Mr. Renaud Donnedieu de Vabres, assisted by his counsellor, Mr. Jean d'Haussonville.

Mr. Renaud Donnedieu de Vabres, in his capacity as Minister of Culture, will join the Dan David Prize Board, in addition to Professor Pierre-Gilles de Gennes of the Institut Curie, who will join the Board as a permanent member.

Please find below material relating to the signing ceremony and press conference which took place in Paris on February 24, 2006:



☐ Speech by Minister Renaud Donnedieu de Vabres



☐ Speech by Minister Renaud Donnedieu de Vabres - English Translation



☐ Speech by Mr. Dan David



☐ Speech by Mr. Dan David - English Translation



☐ Press Release Feb. 24, 2006

Photos of Signing Ceremony, Feb. 24, 2006

FRENCH MINISTRY OF CULTURE



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PRESENT - PUBLIC HEALTH



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Public health is a wide-ranging discipline aimed at improving health and preventing disease and disability. Its goals, which focus on entire populations rather than individuals, are achieved by promoting healthy lifestyles, researching disease and injury prevention, and preventing, detecting and responding to infectious diseases. Public health also works to limit health disparities by promoting healthcare equity, quality and accessibility.

Traditionally, infectious diseases have been the prime public health concern in much of the developing world, while challenges associated with aging, chronic diseases and cancer have been prioritized elsewhere. Yet, the arrival of the Covid-19 pandemic demonstrates that emerging infectious agents can constitute a major threat worldwide.

In recent years, the field of public health has suffered from reduced interest – from the public, governments and media. In the medical world, attention is lavished on cutting-edge yet expensive developments in treatment and surgery. Preventive medicine, which can help huge populations with a relatively modest investment, has often been sidelined or under-budgeted.

The pandemic highlights once more the need for increased investment in disease prevention and in all public health efforts – from epidemiology and biostatistics to health service management and public policy. Prevention is cost-effective for both communicable and non-communicable diseases and its benefits extend far beyond the health system. Past accomplishments in public health have yet to be reproduced within a concerted global effort to contain the Covid-19 pandemic.

The 2021 Dan David Prize for the Present Time Dimension will be awarded to an individual or organization making pioneering and prominent advances in the field of public health.

Released by Chairman Rand Paul

PROF. LINDA B. BUCK



Professor Linda Buck is a member of the Division of Basic Sciences at the Fred Hutchinson Cancer Research Center and an Affiliate Professor of Physiology and Biophysics at the University of Washington.

PROF. HÉLÈNE CARRÈRE D'ENCAUSSE



Permanent Secretary of the Académie Française and historian specializing in Russian history.

MR. ARIEL DAVID



Director, Dan David Foundation

PROF. KATHERINE E. FLEMING



Katherine E. Fleming is the Alexander S. Onassis Professor of Hellenic Culture and Civilization at New York University, where she also serves the university as Vice Chancellor and Deputy Provost.

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PROF. HANNA HOLBORN GRAY

Former President, University of Chicago
Emerita of History, University of Chicago



PROF. JOSHUA JORTNER

Professor of Chemistry, Tel Aviv University
Former President of the Israel National Academy of Sciences



DR. HENRY A. KISSINGER

Founder and Chairman, Kissinger Associates Inc.
Former US Secretary of State



PROF. JEAN-MARIE LEHN

Professor of Chemistry at the Collège de France
Director of the Laboratoire de Chimie Supramoléculaire

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PROF. ARIEL PORAT

President, Tel Aviv University

Alain Poher Professor of Law at Tel Aviv University

Chairperson, Dan David Prize Board



PROF. ITAMAR RABINOVICH

The Yona and Dina Ettinger Professor of Contemporary Middle Eastern History,
Tel Aviv University

Chair, Dan David Foundation



MR. EMMANUEL ROMAN

CEO of PIMCO



MR. FRANCIS WAHL

International Businessman



About

· Review Committees

REVIEW COMMITTEES 2021



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French Collaboration

HISTORY OF HEALTH AND MEDICINE

Prof. Mary E. Fissell - Chairperson

Department of the History of Medicine

Johns Hopkins University

Baltimore, MD

USA

Prof. Angela Ki Che Leung

Director and Chair of History

Hong Kong Institute for the Humanities and Social Sciences

University of Hong Kong

Hong Kong

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Faculty of Epidemiology & Population Health

London School of Hygiene & Tropical Medicine

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Hohoe, Ghana

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Paris, France

Prof. Huda Zoghbi

Molecular and Human Genetics
Baylor College of Medicine

Houston, TX
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Ludwig Institute for Cancer Research
University of California San Diego
La Jolla, CA
USA

Prof. Ronit Satchi-Fainaro
Department of Physiology and Pharmacology
Sackler Faculty of Medicine
Tel Aviv University
Israel

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Dan David Foundation



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Released by Chairman Rand Paul

From: [Weaver, Gretchen \(NIH/OD\) \[E\]](#)
To: [Simmons, Linda \(NIH/OD\) \[E\]](#)
Cc: [Gross, Avraham \(NIH/OD\) \[E\]](#); [Park, Sherri \(NIH/OD\) \[E\]](#)
Subject: RE: 204(d) Review Request
Date: Tuesday, March 23, 2021 9:45:08 AM
Attachments: [image001.png](#)

Thanks, Linda. I agree that this can be approved.

Gretchen

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

phone: [REDACTED]

fax: [REDACTED]

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From: Simmons, Linda (NIH/OD) [E] <[REDACTED]@nih.gov>
Sent: Tuesday, March 23, 2021 7:12 AM
To: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Cc: Gross, Avraham (NIH/OD) [E] <[REDACTED]@nih.gov>; Park, Sherri (NIH/OD) [E] <[REDACTED]@nih.gov>
Subject: 204(d) Review Request

Hello Gretchen,

Attached is the final award package for Dr. Fauci for the Dan David Prize. I followed up with Avraham and Sherri and we have determined that the Dan David Prize is the sole sponsor for the prize and all of their virtual events and not the Tel Aviv University. The Dan David Prize also confirmed that their relationship between them and the Tel Aviv University has not changed since 2011. Since the Dan David Prize is the type of entity which merely issues prizes, it would not be affected by Dr. Fauci's official responsibilities. Dr. Fauci responses of the 5501.111 included in the package will suffice because there are no other subcomponents which need to be evaluated since the sponsor which merely give out prizes would not likely have any CRADAs, grants, or other business which could be affected by Dr. Fauci. I've also attached his updated 2854 with the

corrected values for the cash prize and the value of the presentation item.

Linda D. Simmons



NIH Ethics Office (NEO)
National Institutes of Health

Bethesda, MD

[\[REDACTED\]@nih.gov](mailto:[REDACTED]@nih.gov)

(NEO)
(direct)

<https://ethics.od.nih.gov>

Released by Chairman Rand Paul

From: [Charlotte Halle](#)
To: [Simmons, Linda \(NIH/OD\) \[E\]](#)
Subject: RE: Dan David Foundation
Date: Thursday, March 4, 2021 3:41:33 AM

Hi Linda,

Yes, the Dan David Foundation funds both the event and the symposium.

Best,

Charlotte

From: Simmons, Linda (NIH/OD) [E] <[REDACTED]@nih.gov>
Sent: Wednesday, March 3, 2021 10:08 PM
To: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>
Subject: Re: Dan David Foundation

Thanks for getting back to me. When I say sponsor, I'm talking about who provides the funds to organize the event for the award ceremony and the symposium? In this case it's the Dan David Foundation, correct?

From: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>
Sent: Wednesday, March 3, 2021 2:52 PM
To: Simmons, Linda (NIH/OD) [E] <[REDACTED]@nih.gov>
Subject: RE: Dan David Foundation

Hi Linda,

Everything is scaled down this year because of the pandemic and no on-the-ground visit.

Therefore, this year, the attendant events include an online award ceremony for laureates and a symposium, which the Prize organizes. I'm not sure what you mean by the word sponsor. Might it be easier to speak by telephone, so we can clarify?

I am largely available tomorrow if that would suit you.

Best wishes,

Charlotte

From: Simmons, Linda (NIH/OD) [E] <[REDACTED]@nih.gov>
Sent: Tuesday, March 2, 2021 7:48 PM
To: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>
Subject: RE: Dan David Foundation

Hello Charlotte,

I just wanted a little clarity on the events being scheduled virtually surrounding the prize. We are asking for a list of events and sponsors so that we can determine the Dan David Foundation is sponsoring all of the events that Drs. Fauci and Rosenberg are required to attend.

Linda D. Simmons
[REDACTED]



From: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>
Sent: Monday, March 1, 2021 9:17 AM
To: Simmons, Linda (NIH/OD) [E] <[REDACTED]@nih.gov>
Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>
Subject: RE: Dan David Foundation

Dear Ms. Simmons,

Thank you for your email.

First I will confirm that there have been no changes to the Prize since 2011, when the Dan David Prize was previously approved. To answer your specific questions:

1. The attendant events include an award ceremony for laureates and a symposium in the laureate's field of expertise, attended by experts in the field, students and members of the general public. This year, due to the pandemic, the events will be online/virtual.
2. Participation in these events is requested by the Dan David Foundation and is a condition stipulated by the founder of the Prize.
3. There have been no changes in the relationship between the Dan David Foundation and Tel Aviv University since 2011 in relation to the Prize and the information on our website is correct.

Released by Chairman Rand Paul

4. The Review Committees are indeed independent from the university and are chaired by leading international experts in their field. The names of the 2021 Review Committees can be found on our website [here](#).
5. The guidelines outlined on our website are indeed the guidelines that the Dan David Prize Board uses to select all our laureates.

Please let us know if you have any further questions.

Best wishes,
Charlotte Hallé

Charlotte Hallé
Director
Dan David Prize
Office: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED] [@tauex.tau.ac.il](mailto:[REDACTED]@tauex.tau.ac.il)
Website: www.dandavidprize.org

From: Simmons, Linda (NIH/OD) [E] [REDACTED] [@nih.gov](mailto:[REDACTED]@nih.gov)>
Sent: Wednesday, February 24, 2021 11:31 PM
To: Dan David Prize <[\[REDACTED\]@tauex.tau.ac.il](mailto:[REDACTED]@tauex.tau.ac.il)>
Subject: Dan David Foundation

Ariel Porat and Charlotte Halle

My name is Linda Simmons and I represent the National Institutes of Health (NIH) Ethics Office. I am assigned to review the 2021 Dan David Prizes for the Future Time Dimension in the Field of Molecular (Dr. Rosenberg) and the Present Time Dimension in the field of Public Health (Dr. Fauci). The federal ethics regulations require that they receive an ethics clearance to accept the gifts associated with this award. Previously in 2011, our Office of General Counsel (OGC) approved the award(s) from the Dan David Foundation Prizes recognizing past, present, and future achievements and I have been given the task of confirming that the information the organization provided in 2011 is still the same.

- 1) What are ALL of the attendant events mentioned on the web site (i.e. the "couple of online events surrounding the prize" mentioned in the letters to Drs. Fauci and Rosenberg)? Can you provide a list of all of the virtual events mentioned in your letters.
- 2) The letter Drs. Fauci and Rosenberg received indicates that "we" (e.g. the letter authors) will be asking them to participate in a couple of online events. We need to confirm that the award donor only (Dan David Foundation) was requesting they attend these online events and not the Tel Aviv University?
- 3) We need to confirm whether anything has changed in the relationship between the Dan David Foundation and the Tel Aviv University in relation to the prize. As of 2011, we were able to confirm that the prize is "owned" by the Foundation and the university "merely" provides support. It states on your website <https://www.dandavidprize.org/about/about-the-prize> that the Dan David Prize is an international award, endowed by the Dan David Foundation and headquartered at Tel Aviv University. Is this information still accurate?
- 4) Regarding the review panels, the members of the panels for the 2021 awards are not listed on the web site. We need this information (for both NIH recipients) in order to, hopefully, confirm independence from the university. Can you provide us a list of the members of the review committee for 2021 and their affiliation that was responsible for reviewing the Present Time Dimension in the field of Public Health for Dr. Fauci and the Future Time Dimension in the field of Molecular Medicine for Dr. Rosenberg?
- 5) Regarding the selection criteria, the web site indicates that the Board makes the final decision, based on the recommendations, as to which nominee(s) have achieved the purpose the selected "dimension" is intended to honor. Are the guidelines for selection as stated on the web site about being considered on merit and impact in their relevant field are the same and were considered for Drs. Fauci and Rosenberg. <https://www.dandavidprize.org/prize/prize-nominations>

Linda D. Simmons



NIH Ethics Office (NEO)
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[REDACTED] (NEO)
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<https://ethics.od.nih.gov>

Released by Chairman Rand Paul

From: Weaver, Gretchen (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Sent: Friday, January 29, 2021 3:18 PM
To: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>
Subject: RE: Dan David Prize

Holli: Here is discussion from 2011. If you can confirm that nothing has changed, including the “attendant events” that are now mentioned on the web site, this should be helpful. I did all of the leg work. Ed took this information to OGE and OGE accepted the award as bona fide even though the subject area to be recognized changes, etc.:

The Dan David Foundation awards three \$1 million Dan David Prizes each year (since 2002), recognizing past, present, and future achievements. For each time dimension, a field is chosen, and one or more recipients are selected. If more than one recipient is selected in a field, the cash prize is shared. The categories for 2012 are: Past – History/Biography; Present – Plastic Arts; and Future – Genome Research. Notably, laureates donate 10% of their prize money to graduate students of their choice. NASA and DOE employees are among the prior recipients (they received the award in 2007). International panels of experts in each of the fields to be recognized evaluate the nominees based upon the description of each field of recognition posted on the web site and submit reports to the Dan David Prize Board (an international panel selected by the Dan David Foundation Board). The DDP Board makes the final determination as to which nominee(s) in each category have achieved that which the prize is intended to recognize (as described in the category descriptions). More information is available at: <http://www.dandavidprize.org/>, including the composition of the DDP Board.

After reviewing the web site, other publicly available information, and the materials our NASA colleagues were able to provide, I made contact with the Chair of the Dan David Foundation Board, Professor Itamar Rabinovich, and the administrative Director of the Prize, Ms. Smadar Fisher. Based on all of the information I have been able to obtain, it appears that the Prize program is “owned” by the Dan David Foundation, although there is a relationship between it and Tel Aviv University pursuant to which Tel Aviv provides space and administrative support for the award program. Professor Rabinovich was the President of Tel Aviv University when Dan David began his Foundation and an agreement was reached. Professor Rabinovich confirmed that the Foundation could opt to move the administrative headquarters of the Prize out of the University.

Upon review of the web site, you may also notice reference to French Collaboration. The Dan David Foundation entered into an agreement with the French Government in 2006. Professor Rabinovich has said that this was intended to further the international outreach efforts of the Foundation. In alternating years the Prize ceremony is held in France. In exchange, two or three seats on the Dan David Prize Board “belong” to the French. The current composition of the Board is at: <http://www.dandavidprize.org/about/about-the-board.html>.

Released by Chairman Rand Paul

Based upon the available information, and in light of OLC's opinions (particularly the more recent award opinion covering the President's Nobel Prize), I do not think the Dan David Prize implicates the Emoluments Clause or the Foreign Gifts and Decorations Act.

Although Tel Aviv University is an NIH grantee, I do not think the Dan David Prize implicates our Supplemental Standard because the Prize appears to be from the Dan David Foundation, a separate entity that does not appear to be a grantee or otherwise have any business dealings with the NIH.

Lecture

Moreover, although the recipient is expected to give a lecture (at a symposium, and in addition to acceptance remarks during the presentation ceremony), the Dan David Prize appears to be a *bona fide* award made as part of an established program of recognition that an NIH employee, including Dr. Collins, might be permitted to accept (assuming no change in the program or other individualized issue). Again, the award appears to be from the Dan David Foundation. I have found no record of any business interactions between NIH and the Dan David Foundation, so OGE's source limitation is not an issue. Although there is a symposium at which the recipients are expected to give a presentation, I have been told they give talks about their work over the course of their careers, rather than current science and theory, and \$1 million is far outside of the range of typical honoraria paid for individual presentations. From videos available on the internet (at sites not presently blocked by NIH security measures), it appears that the Prize ceremony is quite elaborate, well-attended, and in keeping with what we expect such an event to "look like." Press reports that coincide with the announcement of each year's winners appear to reflect that this is a significant award/honor.

Gretchen H. Weaver, J.D.
Supervisory/Senior NIH Ethics Counsel
DHHS/OGC/Ethics Division

[REDACTED]

phone: [REDACTED]

fax: [REDACTED]

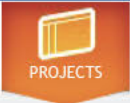
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From: Jaffe, Holli Beckerman (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Sent: Friday, January 29, 2021 2:16 PM



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Applications: 4 Awards: 0 Base Projects: 2 Contact Pls: 1 ALL MPIs: 1 External Orgs: 0 Awd Dir \$: 0 Contracts/Intramurals/IAA: 4 Who: All

Your criteria: PI Name Starts With 'Fauci, Anthony' Primary and Dual Projects ...Fy's = 2022,2021,2020,2019.....Intramurals

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1 1-4 of 4 Record(s)

New Sort Add Sort Level Active No Cost Extension Funded Admin Supp SORT: Principal Investigator Click header(s) to sort. Click again to change from asc to desc.

*	T	Act	IC	Project	FY	Links	PI Name	Project Title
1	☐	1	ZIA	AI000883-19	2019	Abs PUB Like	FAUCI, ANTHONY S	Interaction of HIV envelope with cell surface receptors
2	☐	1	ZIA	AI000887-20	2020	Abs PUB Like	FAUCI, ANTHONY S	Role of HIV Envelope Proteins In Viral Replication and HIV Pathogenesis
3	☐	1	ZIA	AI000883-20	2020	Abs PUB Like	FAUCI, ANTHONY S	Interaction of HIV envelope with cell surface receptors
4	☐	1	ZIA	AI000887-19	2019	Abs PUB Like	FAUCI, ANTHONY S	Role of HIV Envelope Proteins In Viral Replication and HIV Pathogenesis

1 1-4 of 4 Record(s)

COVID-19 is an emerging, rapidly evolving situation.

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[Research information \(NIH\)](#)

[SARS-CoV-2 data \(NCBI\)](#)

[Prevention and treatment information \(HHS\)](#)

6 items selected

6 results

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Filters applied: Abstract, in the last 1 year. [Clear all](#)

1 [Emerging Pandemic Diseases: How We Got to COVID-19.](#)

Morens DM, **Fauci AS.**

Cell. 2020 Sep 3;182(5):1077-1092. doi: 10.1016/j.cell.2020.08.021. Epub 2020 Aug 15.

PMID: 32846157 [Free PMC article](#). Review.

2 [SARS-CoV-2 Vaccines: Much Accomplished, Much to Learn.](#)

Connors M, Graham BS, Lane HC, **Fauci AS.**

Ann Intern Med. 2021 Jan 19:M21-0111. doi: 10.7326/M21-0111. Online ahead of print.

PMID: 33460347 [Free PMC article](#).

3 [2019: A Banner Year for Tuberculosis Research.](#)

Eisinger RW, Embry AC, Read SW, **Fauci AS.**

J Infect Dis. 2020 Nov 9;222(11):1768-1771. doi: 10.1093/infdis/jiaa051.

PMID: 32043109 [Free PMC article](#).

4 [Refocusing Research on Sexually Transmitted Infections.](#)

Eisinger RW, Erbeling E, **Fauci AS.**

J Infect Dis. 2020 Oct 1;222(9):1432-1434. doi: 10.1093/infdis/jiz442.

PMID: 31495889 [Free PMC article](#). Review.

5 [Kinetics of Plasma HIV Rebound in the Era of Modern Antiretroviral Therapy.](#)

Sneller MC, Huiting ED, Clarridge KE, Seamon C, Blazkova J, Justement JS, Shi V, Whitehead EJ, Schneck RF, Proschan M, Moir S, **Fauci AS**, Chun TW.

J Infect Dis. 2020 Oct 13;222(10):1655-1659. doi: 10.1093/infdis/jiaa270.

PMID: 32443148 Clinical Trial.

6 [The V2 loop of HIV gp120 delivers costimulatory signals to CD4⁺ T cells through Integrin \$\alpha_4\beta_7\$ and promotes cellular activation and infection.](#)

Goes LR, Sajani A, Sivo A, Olowojesiku R, Ray JC, Perrone I, Yolitz J, Girard A, Leyre L, Wibmer CK, Morris L, Gorini G, Franchini G, Mason RD, Roederer M, Mehandru S, Soares MA, Cicala C, **Fauci AS**, Arthos J.

Proc Natl Acad Sci U S A. 2020 Dec 22;117(51):32566-32573. doi: 10.1073/pnas.2011501117. Epub 2020 Dec 7.

PMID: 33288704 [Free PMC article](#).

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From: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Folkers, Greg (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: FW: DECISION: Anthony FAUCI's NIH 2854 approved

Date: Sat, 10 Apr 2021 11:52:15 -0400

Importance: Normal

Congratulations....you're rich!

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

From: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Friday, April 9, 2021 4:44 PM

To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: FW: DECISION: Anthony FAUCI's NIH 2854 approved

At last!!!!!!

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

From: NIHNEES <[REDACTED]@mail.nih.gov>

Sent: Friday, April 9, 2021 4:43 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: DECISION: Anthony FAUCI's NIH 2854 approved

SYSTEM-GENERATED MESSAGE; PLEASE DO NOT REPLY TO THIS MESSAGE VIA EMAIL.

The NIH 2854 for Dan David Prize has been approved.

Please go to <https://nees.nih.gov> and log in as employee/filer. Choose View the report, then click on the View/Print tab to open the pdf Request.

Remember, you are recused from all specific party matters where the award donor organization is a party to the matter, for one year following the date you will receive the award. This means that you may not participate in any official Government matter (e.g., grant or contract) in which the award donor is also a party (e.g., the grantee or contractor) until one year following the date you receive the award. If anyone attempts to discuss a Government matter involving the donor organization, please stop the discussion and refer the individual to your supervisor. If you have questions, contact your IC's ethics office. Contact information is available at <http://ethics.od.nih.gov/coord.pdf>.

Released by Chairman Rand Paul

From: "Folkers, Greg (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: RE: DECISION: Anthony FAUCI's NIH 2854 approved

Date: Sat, 10 Apr 2021 11:58:34 -0400

Importance: Normal

I want my 15%

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Subject: RE: DECISION: Anthony FAUCI's NIH 2854 approved

Date: Sat, 10 Apr 2021 16:43:40 -0400

Importance: Normal

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

From: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Saturday, April 10, 2021 11:52 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: FW: DECISION: Anthony FAUCI's NIH 2854 approved

Congratulations....you're rich!

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

From: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Friday, April 9, 2021 4:44 PM

To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: FW: DECISION: Anthony FAUCI's NIH 2854 approved

At last!!!!!!

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

From: NIHNEES <[REDACTED]@mail.nih.gov>

Sent: Friday, April 9, 2021 4:43 PM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: DECISION: Anthony FAUCI's NIH 2854 approved

SYSTEM-GENERATED MESSAGE; PLEASE DO NOT REPLY TO THIS MESSAGE VIA EMAIL.

The NIH 2854 for Dan David Prize has been approved.

Please go to <https://nees.nih.gov> and log in as employee/filer. Choose View the report, then click on the View/Print tab to open the pdf Request.

Released by Chairman Rand Paul

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Released by Chairman Rand Paul

From: "Barasch, Kimberly (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

To: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>, "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Subject: RE: Dan David Prize: Details for bank transfer

Date: Mon, 19 Apr 2021 16:24:09 -0400

Importance: Normal

Dear Charlotte,

To open the password protected PDF, please use: [REDACTED]

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Thank you,
Kim

Kim Barasch

Office of the Director

National Institute of Allergy & Infectious Diseases

[REDACTED]
[REDACTED] [nih.gov](#)

From: Charlotte Halle <[REDACTED]@tauex.tau.ac.il>

Sent: Sunday, April 18, 2021 9:39 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>

Cc: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Subject: Dan David Prize: Details for bank transfer

Dear Dr. Fauci,

In order to process the monetary aspect of the Dan David Prize, we ask that you fill out the attached form with details of the bank account into which you would like the sum to be deposited. All being well, the transfer will be made on or around May 10.

Please let me know if you have any questions.

Best wishes,
Charlotte

Charlotte Hallé

Director

Dan David Prize

Office: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED] [@tauex.tau.ac.il](#)

Website: www.dandavidprize.org

Released by Chairman Rand Paul

Released by Chairman Rand Paul

From: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

To: "[REDACTED]@niaid.nih.gov" <[REDACTED]@niaid.nih.gov>

Subject: Dan David Prize - Bank Transfer

Date: Tue, 11 May 2021 06:13:57 -0400

Importance: Normal

Attachments: Watch_the_ceremony.3.pdf; Anthony_Fauci_-_Swift.pdf

Dear Dr. Fauci,

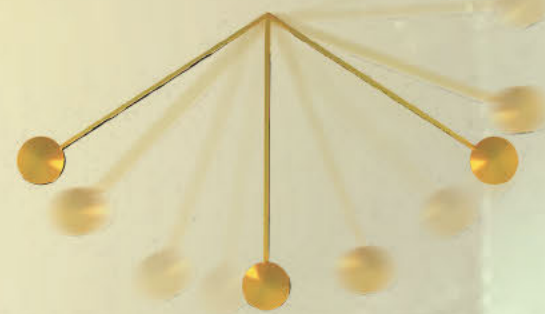
I am attaching a copy of the bank transfer. Please confirm that you have received the funds.

I am also attaching a flyer, with a link to ceremony screening.

Best wishes,
Tami

Tami Noam
Project Coordinator
Dan David Prize
Office: [REDACTED]
[REDACTED]@tauex.tau.ac.il Email:
www.dandavidprize.org Website:

Released by Chairman Rand Paul



DAN DAVID PRIZE



Watch:

The 2021 Dan David Prize Award Ceremony



In case you missed the live broadcast of the 2021 Dan David Prize Award Ceremony on Sunday, we invite you to watch it

HERE

We hope you enjoy the ceremony

BANK SWIFT

##SP##

##PAGE##

##EP##

2612491

TO: CITIBANK N.A.

U.S.A.

SENDER : BANK

:20: OUR REFERENCE NO.

:23B: BANK OPERATION CODE
CRED

:32A: VALUE DATE,CURRENCY,AMOUNT
210511USD900000,

:33B: CURRENCY/INSTRUCTED AMOUNT
USD900000,

:50F: ORDERING CUSTOMER

1/TEL AVIV UNIVERSITY

TEL AVIV

:57D: ACCOUNT WITH INSTITUTION

BANK

:59F: BENEFICIARY CUSTOMER

1/ANTHONY S FAUCI

2/NATIONAL INSTIT/ ALLERGY 31

3/US/BETHESDA

:70: REMITTANCE INFORMATION
PRICE DAN DAVID

:71A: DETAILS OF CHARGES
SHA

:71F: SENDER'S CHARGES
USD0,

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Dan David Prize" <[REDACTED]@tauex.tau.ac.il>

Subject: RE: Dan David Prize - Bank Transfer

Date: Sat, 15 May 2021 13:54:55 -0400

Importance: Normal

I have received the funds. Many thanks.

Best regards,

A.S. Fauci

Anthony S. Fauci, MD

Director

National Institute of Allergy and Infectious Diseases

[REDACTED]
National Institutes of Health

Bethesda, MD [REDACTED]

Phone: [REDACTED]

FAX: [REDACTED]

E-mail: [REDACTED]@niaid.nih.gov

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From: Dan David Prize <[REDACTED]@tauex.tau.ac.il>

Sent: Tuesday, May 11, 2021 6:14 AM

To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Dan David Prize - Bank Transfer

Dear Dr. Fauci,

I am attaching a copy of the bank transfer. Please confirm that you have received the funds.

I am also attaching a flyer, with a link to ceremony screening.

Best wishes,

Tami

Tami Noam

Project Coordinator

Dan David Prize

Office: [REDACTED]

[REDACTED]@tauex.tau.ac.il Email:

www.dandavidprize.org Website:

Released by Chairman Rand Paul

From: "Fauci, Anthony (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>
To: "Folkers, Greg (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>
Cc: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Auchincloss, Hugh (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Barasch, Kimberly (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

Subject: RE: Dinarello has a question

Date: Mon, 23 Aug 2021 16:25:22 -0400

Importance: Normal

Inline-Images: image002.jpg

I did not want Bart to nominate me for the Shaw Prize. If Charles wants me to nominate him for the Shaw Prize, I would be happy to do so. He would have to write the nomination as he has done in the past.

Anthony S. Fauci, MD
Director
National Institute of Allergy and Infectious Diseases

[REDACTED]
National Institutes of Health
Bethesda, MD

Phone: [REDACTED]
FAX: [REDACTED]
E-mail: [REDACTED]@niaid.nih.gov

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From: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Monday, August 23, 2021 3:25 PM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Auchincloss, Hugh (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>
Subject: RE: Dinarello has a question

This came to Bart

He asked you if you wanted him to nominate **you**

Don't know where that stands, nor what to do re: charles

From: Barton Haynes, M.D. <[REDACTED]@duke.edu>
Sent: Sunday, November 15, 2020 10:01 PM
To: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Anthony Fauci [E] <[REDACTED]@gmail.com>; Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Kelly Soderberg <[REDACTED]@duke.edu>
Subject: Fwd: Final Reminder to Nominate a Candidate for The Shaw Prize in Life Science and Medicine 2021

Released by Chairman Rand Paul

Hi Tony
Have you won this yet?

Want me to nominate you?

Best b

Sent from my iPhone

From: The Shaw Prize <[REDACTED]@shawprize.org>
Date: November 15, 2020 at 9:50:51 PM EST
To: "Barton Haynes, M.D." <[REDACTED]@duke.edu>
Subject: Final Reminder to Nominate a Candidate for The Shaw Prize in Life Science and Medicine 2021

[REDACTED]
[The Shaw Prize](#)

Dear Professor Barton F Haynes,
This letter serves as our renewed invitation to you to nominate a candidate for The Shaw Prize in Life Science and Medicine.
Please click on the link below to start the nomination process. If this is your first visit to this new round of 2021, you will be invited to set a password before you begin.

[BEGIN NOMINATION](#)

Please treat this invitation and nomination as highly confidential and kindly do not transfer the invitation for nomination to any other individual.
Thank you for your support and please note that all nominations must be received by the Shaw Prize **on or before 30 November 2020**.

Sincerely yours,
Peggy Ng
The Shaw Prize Secretariat

From: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Sent: Monday, August 23, 2021 11:39 AM
To: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Cc: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Auchincloss, Hugh (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>
Subject: Re: Dinarello has a question

Greg: I believe I have been asked by the Shaw prize people to nominate someone. However because I have been so busy I just discarded the request and no longer have the forms. I am not sure whether I can get another copy since I believe that Charles wants me to nominate him. Let us discuss. Thanks, Tony

On Aug 23, 2021, at 11:25 AM, Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov> wrote:

Do u know?

From: charles dinarello <[REDACTED]@aol.com>
Sent: Monday, August 23, 2021 11:24 AM
To: Folkers, Greg (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>
Subject: Dinarello has a question

I thoroughly enjoyed Tony's acceptance speech for the Dan David Prize and again I thank you for your essential role in the nomination process. Can you find out if Tony has been asked by the Shaw Prize committee to nominate someone.
Thanks. Charles

Released by Chairman Rand Paul

From: "Miller, Katherine (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

To: "Auchincloss, Hugh (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Holland, Steven (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Shaffer, Meredith (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

Subject: RE: Nominate Anthony Fauci as an exceptional candidate in infectious diseases for the 2022 John J. Carty Award for the Advancement of Science

Date: Fri, 17 Sep 2021 09:50:23 -0400

Importance: Normal

Thank you!

From: Auchincloss, Hugh (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Friday, September 17, 2021 9:40 AM

To: Miller, Katherine (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Holland, Steven (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Shaffer, Meredith (NIH/NIAID) [E] <[REDACTED]@nih.gov>

Subject: RE: Nominate Anthony Fauci as an exceptional candidate in infectious diseases for the 2022 John J. Carty Award for the Advancement of Science

You could ask Laurie Glimcher <[REDACTED]@dfci.harvard.edu> and Larry Corey <[REDACTED]@fredhutch.org>

From: Miller, Katherine (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Thursday, September 16, 2021 4:55 PM

To: Auchincloss, Hugh (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Holland, Steven (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>; Shaffer, Meredith (NIH/NIAID) [E] <[REDACTED]@nih.gov>

Subject: FW: Nominate Anthony Fauci as an exceptional candidate in infectious diseases for the 2022 John J. Carty Award for the Advancement of Science

Hi Hugh

How are you? I hope you are doing well in these extraordinary times.

Steve has asked that I help with the nomination of Dr. Fauci for the Carty award. The timeline is tight and the most immediate concern is the need for two reference letters from outside NIH (highlight below). I am happy to solicit the letters – have referees been identified?

I will also draft a letter and citation to send through the usual channels for review and I'll reach out to Greg for the abbreviated CV and top 12 publications unless you advise an alternative course.

Thank you and take care.

Best,

Katherine

From: Estes, Mary Kolb <[REDACTED]@bcm.edu>

Sent: Monday, September 13, 2021 11:55 AM

To: Collins, Francis (NIH/OD) [E] <[REDACTED]@od.nih.gov>

Subject: Nominate Anthony Fauci as an exceptional candidate in infectious diseases for the 2022 John J. Carty Award for the Advancement of Science

Dear Francis,

Released by Chairman Rand Paul

I am chairing the committee to review nominees for the **2022 John J. Carty Award for the Advancement of Science** that will be presented at the National Academy of Sciences meeting next spring.

The committee easily identify Dr. Fauci as an exceptional candidate for this award. I am writing ask if you would be willing and able to nominate him for this Award.

The **2022 John J. Carty Award** recognizes noteworthy and distinguished accomplishments in **infectious diseases**. The award is presented with a medal and a \$25,000 prize. Additional information, including past recipients, eligibility requirements, and more, can be found at <http://bit.ly/NASCartyAward>.

All nominations must be submitted [online](#). Unless otherwise stated, the following materials must be submitted:

1. **A letter from the nominator** describing the candidate's work and why he or she should be selected for the award. No more than three (3) pages.
2. **Curriculum vitae**. No more than two (2) pages (similar to CVs included with NSF proposals but other 2 page formats are acceptable).
3. **Bibliography** listing no more than twelve (12) of the nominee's most significant publications.
4. **Suggested citation**. A 50-word summary stating why the nominee should be considered for this award. Citation examples»
5. **Two letters of support**. *Support letters must be written by individuals from institutions outside both the nominator's and the nominee's institution.*

Nominations accepted through **Monday, October 4, 2021**.

Please let me know if your office can do this or if you have another suggestion for who I might contact.

Thank you and I look forward to hearing from you.

Sincerely,

Mary

Mary K. Estes, PhD
The Carty Award Selection Committee

Distinguished Service Professor
Department of Molecular Virology and Microbiology
Baylor College of Medicine
Houston, Texas [REDACTED]
[REDACTED] cell

Released by Chairman Rand Paul

From: "/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DF38103D75134F658AE2D356F0396B94-AFAUCI" <[REDACTED]@niaid.nih.gov>

To: "Conrad, Patricia (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>, "Bennett, Arthur (NIH/NIAID) [E]" <[REDACTED]@niaid.nih.gov>

Cc: "Barasch, Kimberly (NIH/NIAID) [E]" <[REDACTED]@nih.gov>

Subject: RE: Draft info - Dr. Fauci annual financial disclosure report

Date: Wed, 23 Mar 2022 11:20:59 -0400

Importance: Normal

Inline-Images: image001.png

Arthur:

Some corrections to you e-mail regarding gifts, awards, etc.:

1. The Dan David prize that was deposited in my bank account was \$899,960. 00, not \$901,400.
- 2) The Elliot Richardson Prize was officially \$25,000.00; however, I only received \$12,500 since they automatically gave \$12,500 of the \$25,000 to charity. That was a condition of the award.
- 3) My wife and I never attended the Amethyste at the French Ambassador's home. We were invited, but we did not attend.

Thanks,

Tony

Anthony S. Fauci, MD
Director
National Institute of Allergy and Infectious Diseases

[REDACTED]
National Institutes of Health
Bethesda, MD [REDACTED]
Phone: [REDACTED]
FAX: [REDACTED]
E-mail: [REDACTED]@niaid.nih.gov

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From: Conrad, Patricia (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Sent: Wednesday, March 23, 2022 11:11 AM

To: Bennett, Arthur (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Cc: Barasch, Kimberly (NIH/NIAID) [E] <[REDACTED]@nih.gov>; Fauci, Anthony (NIH/NIAID) [E] <[REDACTED]@niaid.nih.gov>

Subject: Re: Draft info - Dr. Fauci annual financial disclosure report

Thanks u. Adding ASF

Sent from my iPhone

On Mar 23, 2022, at 11:06 AM, Bennett, Arthur (NIH/NIAD) [E] <[REDACTED]@niaid.nih.gov> wrote:

Hi Patty and Kim,

I've checked our records regarding any gifts (awards, WAGs, etc.) that would need to be reported on Dr. Fauci's annual financial disclosure report. This is what I have:

1. Dan David Prize – Dan David Foundation. The ceremony was May 9, 2021. The value of the prize was \$901,400 (includes cash prize as well as award).
2. Elliott Richardson Prize – Academy of Public Administration. The ceremony was July 31, 2021. The value of the prize was \$25,000.
3. Philip H. Abelson Prize – American Association for the Advancement of Science (AAAS). The ceremony was February 8, 2021. The value of the prize was \$5,305.

Are you aware of any awards not listed here? – the many plaques, certificates, etc. don't meet the definition of gift and aren't reportable on the financial disclosure report.

I've also checked our records for any widely attended gatherings (WAGs), which can reportable if they meet the value threshold on the form (I believe it's \$415 this year) – the one WAG that would qualify for disclosure is the black tie event – Amethyste – at the French Ambassador's residence (Philippe Etienne) – held November 18, 2021. If both Drs. Fauci and Grady attended, it should be reported with a value of \$600.

I don't believe there are any other WAGs that meet the reporting threshold – and of course, disclosure would only be needed if he in fact attended.

Let me know if this is consistent with your records before I send anything to him.

Thanks,
Art

Arthur Bennett

Director, Office of Ethics

National Institute of Allergy and Infectious Diseases

[REDACTED] Rockville, MD [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]@nih.gov



We invite you to participate in Women's History Month 2022 with the theme *Representation Matters*. Visit the [EDI website](#) and join the conversation to discuss what representation means to you! #NIH_WHM