

Exhibit 503

Wenstrup Releases Alarming New Report on
“Proximal Origin” Authors, NIH Suppression of
the COVID-19 Lab Leak Hypothesis

<https://oversight.house.gov/release/wenstrup-releases-alarming-new-report-on-proximal-origin-authors-nih-suppression-of-the-covid-19-lab-leak-hypothesis/>

Full Report

<https://oversight.house.gov/wp-content/uploads/2023/07/Final-Report-6.pdf>

Press Release Published: Jul 11, 2023

Wenstrup Releases Alarming New Report on “Proximal Origin” Authors, NIH Suppression of the COVID-19 Lab Leak Hypothesis

WASHINGTON — Today, Select Subcommittee on the Coronavirus Pandemic Chairman Brad Wenstrup (R-Ohio) issued an interim staff report detailing the Select Subcommittee’s comprehensive investigation into the suppression of the lab-leak hypothesis by America’s leading public health officials through the drafting, publication, and critical reception of the infamous “The Proximal Origin of SARS-CoV-2” (“Proximal Origin”) publication. The report titled “The Proximal Origin of a Cover-Up: Did the ‘Bethesda Boys’ Downplay a Lab Leak?” reveals extensive influence by the NIH and the flawed analysis combined with an alarming lack of evidence that led the co-authors to argue in support of a genetic origin.

America’s leading health officials vilified and suppressed the lab leak theory in pursuit of a preferred, coordinated narrative that was not based in truth or science. The Select Subcommittee’s report proves that the conclusions championed by the co-authors of Proximal Origin are not only inaccurate, but were crafted to appease a stated political motive,” said **Chairman Wenstrup**. “Stifling scientific discourse and labeling those who believe in the possibility of a lab-leak as ‘conspiracy theorists’ caused irrefutable harm to public trust in our health officials. Americans deserve to know why honesty, transparency, and facts were abandoned. Our report is devoted to achieving that goal.”

Included in the report are previously unrevealed Slack messages and emails between the co-authors, unabridged transcripts of interviews with every U.S.-based contributor to the paper, and a detailed analysis of the coordinated effort to suppress the lab-leak theory.

Key findings from the report:

- **Dr. Fauci, Dr. Collins, and the NIH exerted undue influence over the drafting and publication of “Proximal Origin.”** Specifically, Dr. Fauci suggested the drafting of a paper regarding the lab leak theory to Dr. Andersen twice, while Dr. Collins pushed for publication and approved of the substance of “Proximal Origin.” The co-authors were so comfortable with the NIH’s involvement that they coined the name “Bethesda Boys” to describe the nation’s leading health officials.
- **“Proximal Origin” co-authors skewed available evidence when executing Dr. Fauci’s vision of a single narrative.** The facts and science relied upon to draw conclusions in “Proximal Origin” have never been proven or verified. Many of the arguments championed by the publication suffer from inaccurate assumptions and obvious inconsistencies.
- **Dr. Anderson made it clear the co-authors allowed politics to influence the science behind “Proximal Origin.”** In private slack messages, Dr. Anderson said, “Although I hate when politics is injected into science – but it’s impossible not to, especially given the circumstances.” The co-authors and Dr. Collins also attempted to downplay the lab leak theory seemingly motivated by an interest to defend China and play diplomat.
- **Nature initially rejected “Proximal Origin” because it didn’t sufficiently downplay the lab leak theory.** The co-authors amended their paper to include stronger language that would unequivocally rule out the lab-leak hypothesis to ensure approval by Nature Medicine. Read a full history of the drafts leading up to the final “Proximal Origin” publication [here \(https://oversight.house.gov/wp-content/uploads/2023/07/SSCP-Drafts-of-Proximal-Origin-1.pdf\)](https://oversight.house.gov/wp-content/uploads/2023/07/SSCP-Drafts-of-Proximal-Origin-1.pdf).
- **Investigating any egregious COVID-19 cover-up is essential to preserving future scientific integrity.** “Proximal Origin” is the 5th most impactful scientific paper in history. To date, it has been accessed over 5.8 million times and cited over 2,800 times. Given its colossal reach and its dubious

conclusions, it is necessary to analyze the process and publication of this paper to prevent the suppression of scientific discourse in future pandemics.

- **The Select Subcommittee's investigation is not over.** There are still outstanding requests for transcribed interviews and documents from Dr. Fauci and Dr. Collins. The Select Subcommittee will follow through on these requests.

Read the final, comprehensive report **here** (<https://oversight.house.gov/wp-content/uploads/2023/07/Final-Report-6.pdf>).

Transcribed interviews with the U.S.-based “Proximal Origin” contributors can be found below:

- **Dr. Kristian Andersen** (<https://oversight.house.gov/wp-content/uploads/2023/07/2023.06.16-Andersen-Transcript.pdf>)
- **Dr. Robert Garry** (<https://oversight.house.gov/wp-content/uploads/2023/07/2023.06.09-Garry-Transcript-.pdf>)
- **Dr. Ian Lipkin** (<https://oversight.house.gov/wp-content/uploads/2023/07/2023.04.06-Lipkin-Transcript.pdf>)
- **Dr. Michael Farzan** (<https://oversight.house.gov/wp-content/uploads/2023/07/2023.04.21-Farzan-Transcript.pdf>)

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SELECT SUBCOMMITTEE ON THE
CORONAVIRUS PANDEMIC

— CHAIRMAN BRAD WENSTRUP —

**THE PROXIMAL ORIGIN OF A
COVER-UP:**

**DID THE “BETHESDA BOYS” DOWNPLAY A LAB
LEAK?**

Interim Majority Staff Report

July 11, 2023

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EXECUTIVE SUMMARY

On February 16, 2020, Dr. Andrew Rambaut,¹ on behalf of himself and his co-authors, Dr. Kristian Andersen,² Dr. W. Ian Lipkin,³ Dr. Edward Holmes,⁴ and Dr. Robert Garry,⁵ posted “The Proximal Origin of SARS-CoV-2” on the website *Virological*.⁶ One month later, on March 17, 2020, “The proximal origin of SARS-CoV-2” (Proximal Origin) was published in *Nature Medicine*.⁷

Proximal Origin expressed two primary conclusions: (1) “[COVID-19]⁸ is not a laboratory construct or a purposefully manipulated virus,” and (2) “we do not believe that any type of laboratory-based scenario is plausible.”⁹

Since Proximal Origin was published, it has been accessed 5.84 million times.¹⁰ Further, it has garnered the third most attention of any paper of a similar age across all journals and the second most attention of any paper of a similar age in *Nature Medicine*.¹¹ Finally, it has received the fifth most attention of any paper ever tracked.¹²

This is one of the single most impactful and influential scientific papers in history, and it expressed conclusions that were not based on sound science nor in fact, but instead on assumptions. The question is why.

Since April 2020, House Republicans, specifically the Select Subcommittee on the Coronavirus Pandemic¹³ (Select Subcommittee) and the Committee on Oversight and Accountability¹⁴ (Committee), have been investigating the origins of the COVID-19 pandemic.¹⁵

¹ Dr. Andrew Rambaut: Institute of Evolutionary Biology, University of Edinburgh, Edinburgh, UK.

² Dr. Kristian Andersen: Department of Immunology and Microbiology, The Scripps Research Institute, La Jolla, CA, USA.

³ Dr. W. Ian Lipkin: Center for Infection and Immunity, Mailman School of Public Health of Columbia University, New York, NY, USA.

⁴ Dr. Edward Holmes: Marie Bashir Institute for Infectious Diseases and Biosecurity, School of Life and Environmental Sciences and School of Medical Sciences, The University of Sydney, Sydney, Australia.

⁵ Dr. Robert Garry: Tulane University, School of Medicine, Department of Microbiology and Immunology, New Orleans, LA, USA.

⁶ Kristian Andersen, Ph.D., et. al., *The Proximal Origin of SARS-CoV-2*, *VIROLOGICAL* (Feb. 16, 2020), <https://virological.org/t/the-proximal-origin-of-sars-cov-2/398>.

⁷ Kristian Andersen, Ph.D., et. al., *The proximal origin of SARS-CoV-2*, *NATURE MEDICINE* (Mar. 17, 2020) [hereinafter Proximal Origin].

⁸ For the purposes of this report, COVID-19 will be the primary nomenclature to describe the virus SARS-CoV-2 unless something different is in the title of a report or publication, then this report will use the name given by the primary authors.

⁹ Proximal Origin, *supra* note 7.

¹⁰ *Id.*

¹¹ *The proximal origin of SARS-CoV-2*, *ALTMETRIC* (last accessed July 3, 2023), <https://nature.altmetric.com/details/77676422#score>.

¹² *Id.*

¹³ Previously known as the Select Subcommittee on the Coronavirus Crisis.

¹⁴ Previously known as the Committee on Oversight & Reform.

¹⁵ Letter from Hon. Jody Hice, at. al., Ranking Member, Subcomm. on Govt. Operations, H. Comm. on Oversight & Reform, to Hon. Michael Pompeo, Sec’y, U.S. Dept. of State (Apr. 2, 2020).

This includes investigating whether government officials, particularly Dr. Anthony Fauci or Dr. Francis Collins, exerted any undue influence over Proximal Origin to wrongly downplay the theory that COVID-19 is the result of a laboratory or research related incident.

As of July 11, 2023, the Select Subcommittee has received more than 8,000 pages of documents from the U.S.-based Proximal Origin contributors and conducted five transcribed interviews—resulting in almost 25 hours of testimony.¹⁶ This report is the culmination of that work.

On January 31, 2020, Dr. Fauci “suggested” directly to Dr. Andersen draft a paper regarding a possible lab leak of COVID-19. Dr. Fauci warned that if Dr. Andersen determined COVID-19 was the result of a lab leak, then he would need to contact law enforcement. The next day, February 1, this time on a conference call with 11 international scientists, and included Dr. Collins and Dr. Tabak, Dr. Fauci again suggested drafting a paper regarding a possible lab leak. It was these two suggestions that prompted Dr. Andersen to begin drafting. A draft of what would become Proximal Origin was completed within hours.

After publication, Proximal Origin was used to downplay the lab leak hypothesis and call those who believe it may be true conspiracy theorists. Dr. Fauci and Dr. Collins tracked the paper through the review and publication process. And finally, Dr. Collins expressed dismay when Proximal Origin did not successfully kill the lab leak theory. He subsequently asked Dr. Fauci if there was anything more they could do. The next day, Dr. Fauci directly cited Proximal Origin from the White House podium.

On January 31, 2020, Dr. Fauci prompted Proximal Origin, which’s goal was to “disprove” the lab leak theory to avoid blaming China for the COVID-19 pandemic. Proximal Origin employed fatally flawed science to achieve its goal. And, finally, Dr. Collins and Dr. Fauci used Proximal Origin to attempt to kill the lab leak theory.

This is the anatomy of a cover-up.

¹⁶ Transcribed Interview of W. Ian Lipkin, M.D. by Select Subcomm. on the Coronavirus Pandemic Staff (Apr. 6, 2023); Transcribed Interview of Michael Farzan, Ph.D., by Select Subcomm. on the Coronavirus Pandemic Staff (Apr. 21, 2023); Transcribed Interview of Robert Garry, Ph.D., by Select Subcomm. on the Coronavirus Pandemic Staff (June 9, 2023); Transcribed Interview of Kristian Andersen, Ph.D., by Select Subcomm. on the Coronavirus Pandemic Staff (June 16, 2023); Transcribed Interview of ██████████ by Select Subcomm. on the Coronavirus Pandemic Staff (June 29, 2023).

THE BEGINNING OF PROXIMAL ORIGIN

The beginnings of Proximal Origin can be traced back to January 31, 2020—one day before the now infamous February 1 conference call with Dr. Fauci, Dr. Collins, and nearly a dozen international scientists. Prior to discussion of the idea for a paper, it is important to establish what Dr. Fauci knew by January 31, 2020.

Dr. Fauci was aware of the monetary relationship between the National Institute of Allergy and Infectious Disease (NIAID), the National Institutes of Health (NIH), EcoHealth Alliance, Inc. (EcoHealth), and the Wuhan Institute of Virology (WIV), despite claiming otherwise on numerous occasions.¹⁷ In addition to funding novel coronavirus research at the WIV, Dr. Fauci was aware or should have also been aware that:

1. NIAID worked with EcoHealth to craft a grant policy to sidestep the gain-of-function research moratorium at the time.¹⁸ This policy—designed by EcoHealth and acquiesced to by NIAID—allowed EcoHealth to conduct and complete dangerous experiments, with very little oversight, at the WIV that would have otherwise been blocked by the moratorium;¹⁹
2. EcoHealth was not in compliance with the grant that provided funds to the WIV. EcoHealth was required to submit its fifth annual progress report by September 30, 2019 and had yet to do so by January 31, 2020.²⁰ It became clear later, that EcoHealth hid this particular progress report to presumably hide a gain-of-function experiment conducted on a potentially infectious and lethal novel coronavirus;²¹
3. The WIV was operating with undertrained technicians and at a substandard biosafety level.²² While under these conditions, the WIV was working on novel coronaviruses; and
4. Viral gain-of-function research is inherently dangerous and Dr. Fauci is a proponent of this research, previously stating, “...important information can come from generating a potentially dangerous virus in the laboratory.”²³

¹⁷ E-Mail from Greg Folkers, Chief of Staff, Immediate Office of the Dir., Nat'l Inst. of Allergy & Infectious Diseases, to Anthony Fauci, M.D., et. al., Dir., Nat'l Inst. of Allergy & Infectious Diseases (Jan. 27, 2023) (on file with Select Subcomm. Staff).

¹⁸ Sharon Lerner & Mara Hvistendahl, *NIH Officials Worked with EcoHealth Alliance to Evade Restrictions on Coronavirus Experiments*, THE INTERCEPT (Nov. 3, 2021), <https://theintercept.com/2021/11/03/coronavirus-research-ecohealth-nih-emails/>.

¹⁹ *Id.*

²⁰ Letter from Lawrence Tabak, D.D.S., Ph.D., Principal Deputy Dir., Nat'l Insts. of Health, to Hon. James Comer, Ranking Member, H. Comm. on Oversight & Reform (Oct. 20, 2021) (On file with Select Subcomm. Staff).

²¹ *Id.*

²² AMERICAN EMBASSY BEIJING, CHINA OPENS FIRST BIO SAFETY LEVEL 4 LABORATORY, U.S. DEP'T OF STATE (Jan. 19, 2018) (On file with Select Subcomm. Staff).

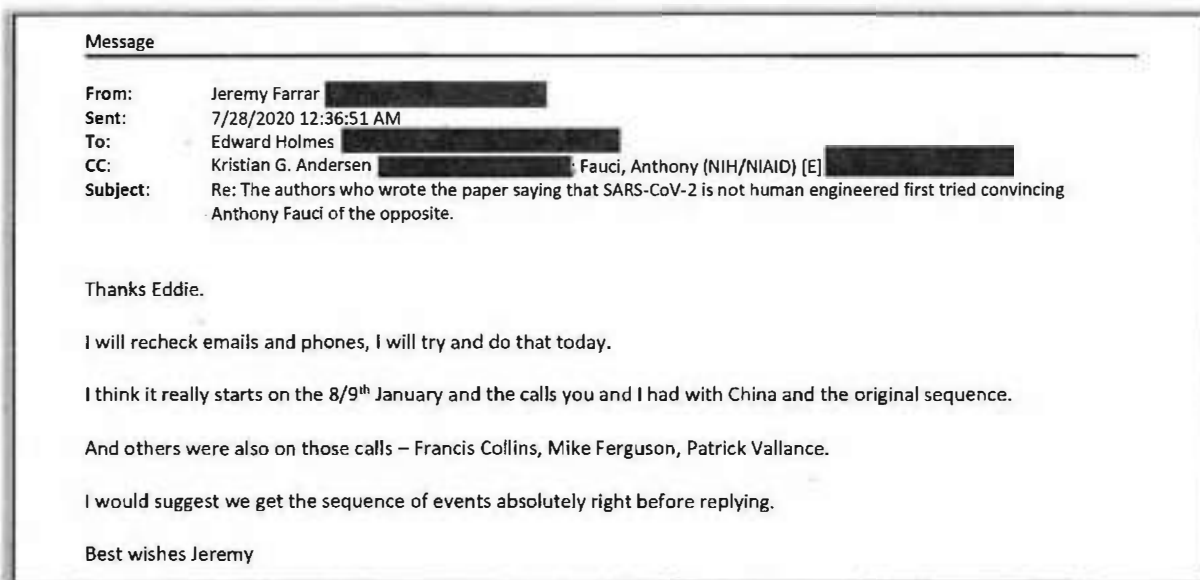
²³ Anthony S. Fauci, et. al., *A flu virus worth taking*, THE WASH. POST (Dec. 30, 2011), https://www.washingtonpost.com/opinions/a-flu-virus-risk-worth-taking/2011/12/30/gIqAM9sNRP_story.html.

By January 31, 2020, Dr. Fauci knew that NIAID provided funding to the WIV via EcoHealth, EcoHealth and the WIV were conducting potentially dangerous gain-of-function research on novel coronaviruses, this research was being conducted with lackluster oversight, EcoHealth was not in compliance with their grant reporting requirements, the WIV was operating at an insufficient biosafety level with poorly trained technicians, and that he had previously advocated for gain-of-function research to be conducted on deadly viruses.

Further by January 31, 2020, Dr. Fauci also knew there was a novel coronavirus ripping across the world that had never before seen features—some of which could be research derived—and that the United States just announced a Public Health Emergency.²⁴ All of these facts demonstrate that—if this virus was the result of a laboratory or research related incident—Dr. Fauci had a lot to lose. The story of Proximal Origin begins in early January 2020.

I. January 2020

According to Dr. Jeremy Farrar,²⁵ the initial discussions regarding the sequence of COVID-19 and any unusual aspects began on January 8 or 9.²⁶ At that point it is unclear what the concerns were or who exactly was involved, however the Select Subcommittee has subsequently learned those early calls included Chinese officials and Dr. Collins.²⁷ It is unclear what if any information Dr. Collins gathered and if this information was subsequently shared with any other U.S. government officials.



²⁴ See generally DETERMINATION THAT A PUBLIC HEALTH EMERGENCY EXISTS, U.S. DEP'T OF HEALTH & HUMAN SERVS. (Jan. 31, 2020), <https://aspr.hhs.gov/legal/PHE/Pages/2019-nCoV.aspx>.

²⁵ Dr. Jeremy Farrar: Chief Scientist, World Health Org.; Former Director, The Wellcome Trust, London, UK.

²⁶ E-Mail from Jeremy Farrar, Dir., Wellcome Trust, to Eddie Holmes, Ph.D., et. al., Professor, University of Sydney (July 28, 2020).

²⁷ *Id.*

According to Dr. Farrar he became aware of “chatter” suggesting the virus looked almost engineered to infect human cells in the last week of January.²⁸ In Dr. Farrar’s own words, “That got my mind racing. This was a brand-new virus that seemingly sprang from nowhere. Except that this pathogen had surfaced in Wuhan, a city with a BSL-4 virology lab which is home to an almost unrivalled collection of bat viruses.”²⁹ Dr. Farrar’s first concern was not the well-being of the planet, but instead, “[c]ould the novel-coronavirus be anything to do with ‘gain-of-function’ (GOF) studies?”³⁰ This is a type of research that Dr. Farrar, much like Dr. Fauci, believes to be “ultimately useful.”³¹

In addition to concerns that the pandemic resulted from GOF research, Dr. Farrar was also concerned about US-Sino relations—an interesting position for a British scientist to take. Dr. Farrar said:

US-China politics were in a bad place in January 2020...It was obvious that people would soon begin hunting for a scapegoat for what was rapidly turning into a global health disaster. Trump was seeking to blame the virus on China and was calling it the ‘China virus’ and ‘kung flu.’ The security services in the US were on high alert for any hint that would prop up the accusations.³²

This theme—of scientists attempting to be international relations experts—prevails throughout the conception, drafting, and publication of *Proximal Origin* and explains the hesitancy to blame China or otherwise say COVID-19 may have been the result of Chinese negligence.

Around this same time, Dr. Andersen shared his concerns regarding the possibility the COVID-19 pandemic was the result of a lab leak and that it had properties that may have been genetically modified or engineered—specifically the furin cleavage site—with Dr. Holmes.³³ According to Dr. Holmes, Dr. Andersen texted, “Eddie, can we talk? I need to be pulled off a ledge here.”³⁴

Dr. Andersen went on to express concerns regarding two distinct aspects of the virus—the receptor binding domain (RBD) and the furin cleavage site. Dr. Andersen also found a paper written by Dr. Ralph Baric and Dr. Zhengli Shi (Baric/Shi Paper) that purported to have inserted furin cleavage sites into SARS. As recounted by Dr. Farrar, this paper was a “how-to-manual for building the Wuhan coronavirus in a laboratory.”³⁵ Dr. Holmes responded, “fuck, this is bad” and “oh my god what worse words than that.”³⁶

²⁸ JEREMY FARRAR & ANJANA AHUJA, *SPIKE: THE VIRUS VS. THE PEOPLE THE INSIDE STORY* (2021).

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ Vincent Racaniello, *This Week in Virology* 940 (Sept. 28, 2022).

³⁴ *Id.*

³⁵ Farrar, *supra* note 28.

³⁶ *Id.*; Racaniello, *supra* note 33.

On January 30, 2020, Dr. Holmes relayed Dr. Andersen’s concerns to Dr. Farrar via his burner phone.³⁷ Dr. Andersen recalled Dr. Holmes saying that Dr. Farrar acted as Holmes’ “handler.”³⁸ Then, as Dr. Holmes characterized it, the conversations went from “zero to 100.”³⁹

II. January 31, 2020

During a transcribed interview with Select Subcommittee staff, Dr. Andersen testified that after discussing his concerns with Dr. Farrar, they began to organize a conference call.⁴⁰ The February 1 conference call was to be a forum for Dr. Andersen to “walk through my concerns and then...discuss it.”⁴¹ Dr. Andersen testified:

And Jeremy [Farrar] gets all of this set up. He, I’m sure, has been in touch with Tony Fauci at the time, reaches out to Dr. Fauci, asks him to call me.⁴²

It is unclear whether Dr. Farrar and Dr. Fauci had significant contact prior to the call, but it was at this point that Dr. Farrar alerted Dr. Fauci to potential concerns and they began orchestrating a conference call.⁴³ Dr. Fauci’s assistant replied, “Will call shortly...”⁴⁴

From: Jeremy Farrar [REDACTED]
Sent: Friday, January 31, 2020 5:23 PM
To: Fauci, Anthony (NIH/NIAID) [E] [REDACTED]
Subject: Phone call

Tony

Really would like to speak with you this evening

It is 10pm now UK

Can you phone me on +44 [REDACTED]

Jeremy

³⁷ *Id.*

³⁸ Transcribed Interview of Kristian Andersen, *supra* note 16.

³⁹ Racaniello, *supra* note 33.

⁴⁰ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁴¹ *Id.*

⁴² *Id.*

⁴³ E-Mail from Jeremy Farrar, Ph.D., Dir., Wellcome Trust, to Anthony Fauci, M.D., Dir., Nat’l Inst. of Allergy & Infectious Diseases, Nat’l Insts. of Health (Jan. 31, 2020).

⁴⁴ E-Mail from Patricia Conrad, Special Asst. to the Dir., Nat’l Inst. of Allergy & Infectious Diseases, Nat’l Insts. of Health, to Jeremy Farrar, Ph.D., Dir., Wellcome Trust (Jan. 31, 2020).

From: "Conrad, Patricia (NIH/NIAID) [E]" [REDACTED] on behalf of "Fauci, Anthony (NIH/NIAID) [E]" [REDACTED]
Date: Friday, 31 January 2020 at 22:34
To: Jeremy Farrar [REDACTED]
Subject: RE: Phone call

Will call shortly...

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 20892
[REDACTED]
[REDACTED] fax

Presumably, Drs. Fauci and Farrar discussed the concerns raised by Dr. Andersen and Dr. Holmes because after their call, Dr. Farrar responds to Dr. Fauci and asks him to call Dr. Andersen, stating, “[t]he people involved are: Kristian Andersen..., Bob Garry..., Eddie Holmes.”⁴⁵

From: Jeremy Farrar [REDACTED]
Sent: Friday, January 31, 2020 5:57 PM
To: Fauci, Anthony (NIH/NIAID) [E] [REDACTED]
Subject: Re: Phone call

Thanks Tony

Can you phone Kristian Anderson

[REDACTED]

He is expecting your call now.

The people involved are:

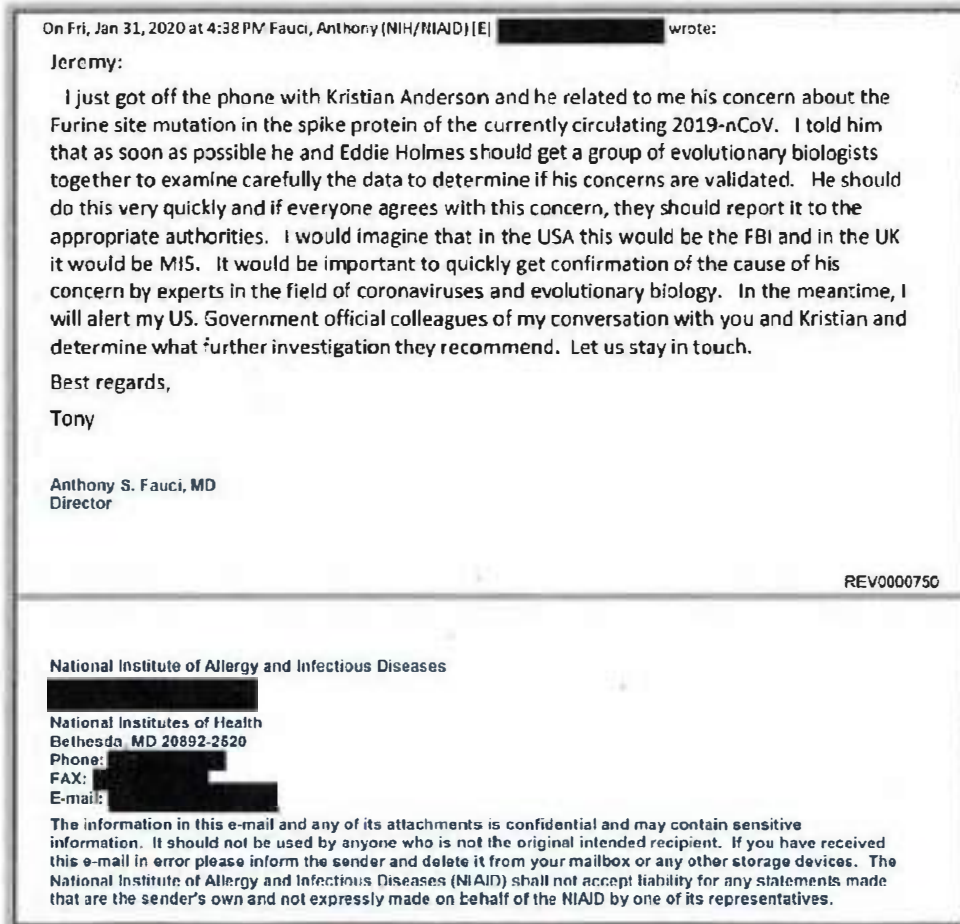
Kristian Anderson
<https://www.scripps.edu/faculty/andersen/>

Bob Garry
<https://medicine.tulane.edu/departments/microbiology-immunology-tulane-cancer-center/faculty/robert-f-garry-jr-phd>

Eddie Holmes
<https://sydney.edu.au/science/about/our-people/academic-staff/edward-holmes.html>

⁴⁵ E-Mail from Jeremy Farrar, Ph.D., Dir., Wellcome Trust, to Anthony Fauci, M.D., Dir., Nat’l Inst. of Allergy & Infectious Diseases, Nat’l Insts. of Health (Jan. 31, 2020).

Dr. Fauci then memorialized his January 31 conversation with Dr. Andersen.⁴⁶ In this e-mail, Dr. Fauci raises direct concerns regarding the furin cleavage site, directs Dr. Andersen to “get a group of evolutionary biologists together to examine carefully the data to determine if his concerns are validated,” and states that if there is a possibility COVID-19 came from a lab leak, they would need to “report it to the appropriate authorities.”⁴⁷ This appears to be Dr. Fauci’s first mention of setting up a conference call. Dr. Fauci concludes by saying, “...I will alert my U.S. Government official colleagues of my conversation...and determine what further investigation they recommend.”⁴⁸ It is unclear what exact steps, if any, Dr. Fauci took next.



According to Dr. Andersen, this was the first time he had ever spoken to Dr. Fauci personally, outside of potential interactions at conferences.⁴⁹ It was also on the January 31 phone call between Drs. Fauci and Andersen when the first discussion of a paper regarding a possible lab leak took place.⁵⁰

⁴⁶ E-Mail from Anthony Fauci, M.D., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, to Jeremy Farrar, Ph.D., Dir., Wellcome Trust, & Kristian Andersen, Ph.D., Professor, Scripps Research (Jan. 31, 2020).

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁵⁰ *Id.*

Q. Was this the first time that you had ever spoken to Dr. Fauci, like personally?

A. Probably. Yeah...

Q. Outside of conferences or --?

A. ***Sure. Yes. Yes. Absolutely, yes.***

Q. So, I think you testified, and you can correct me if this isn't a fair characterization, that Dr. Fauci suggested a peer-reviewed paper of some kind. When did that suggestion happen?

A. That happened - - again, the first phone call I had with him, which was immediately prior - - I think a day prior [January 31], right, to the conference call itself [February 1] where I relayed my initial concerns and findings. ***He specifically suggested considering writing a peer-reviewed publication on it, and specifically I remember hearing him saying that if you think this came from a lab, you should write this up as a peer-reviewed paper,*** so it can be judged by the peer community basically, yeah.⁵¹

What transpired next has been well documented. Dr. Fauci's Chief of Staff, Mr. Greg Folkers, forwarded him an article titled, "Mining coronavirus genomes for clues to the outbreak's origins."⁵² This article directly mentions the Baric/Shi Paper that Dr. Andersen found alarming before and links EcoHealth and the WIV.⁵³ Dr. Fauci forwards the paper to Dr. Farrar and Dr. Andersen and says, "This just came out today. You may have seen it. If not, it is of interest to the current discussion."⁵⁴ Dr. Andersen responded:⁵⁵

⁵¹ *Id.*

⁵² E-Mail from Greg Folkers, Chief of Staff, Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, to Anthony Fauci, M.D., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health (Jan. 31, 2020); Jon Cohen, *Mining coronavirus genomes for clues to the outbreaks' origins*, SCIENCE (Jan. 31, 2020).

⁵³ *Id.*

⁵⁴ E-Mail from Anthony Fauci, M.D., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, to Jeremy Farrar, Ph.D., Dir., Wellcome Trust, & Kristian Andersen, Ph.D., Professor, Scripps Research (Jan. 31, 2020).

⁵⁵ E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Anthony Fauci, M.D., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, to Jeremy Farrar, Ph.D., Dir., Wellcome Trust (Jan. 31, 2020).

From: Kristian G. Andersen [REDACTED]
Sent: Friday, January 31, 2020 10:32 PM
To: Fauci, Anthony (NIH/NIAID) [E] [REDACTED]
Cc: Jeremy Farrar [REDACTED]
Subject: Re: FW: Science: Mining coronavirus genomes for clues to the outbreak's origins

Hi Tony,

Thanks for sharing. Yes, I saw this earlier today and both Eddie and myself are actually quoted in it. It's a great article, but the problem is that our phylogenetic analyses aren't able to answer whether the sequences are unusual at individual residues, except if they are completely off. On a phylogenetic tree the virus looks totally normal and the close clustering with bats suggest that bats serve as the reservoir. The unusual features of the virus make up a really small part of the genome (<0.1%) so one has to look really closely at all the sequences to see that some of the features (potentially) look engineered.

We have a good team lined up to look very critically at this, so we should know much more at the end of the weekend. I should mention that after discussions earlier today, Eddie, Bob, Mike, and myself all find the genome inconsistent with expectations from evolutionary theory. But we have to look at this much more closely and there are still further analyses to be done, so those opinions could still change.

Best,
Kristian

Dr. Andersen clarified what “unusual features” he was referencing:

Q. Which features, at that time, were you talking about?

A. Yeah, I'm talking about, like, *the furin cleavage site, the receptor binding domain, and a few things associated with that, the BamHI restriction site* that I mentioned, as well as some features associated with that - - basically, what I ended up presenting the next day at that conference call.⁵⁶

Dr. Andersen subsequently confirmed that when he said the “genome inconsistent with expectations from evolutionary theory” he meant he thought COVID-19 could have been engineered:

Q. ...[W]as it the furin cleavage site and the RBD that looked inconsistent from evolutionary theory?

A. And when I'm saying the genome is inconsistent with expectations from evolutionary theory, it's a bit of *a fancy way of basically saying, like, look, guys, I think this could be engineered.*⁵⁷

The next day, February 1, 2020, a group of scientists, including Dr. Fauci, gathered via conference call for Dr. Andersen to present these findings and discuss a path forward.

⁵⁶ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁵⁷ *Id.*

III. February 1, 2020

On February 1, 2020, Dr. Farrar emails a large group to set up a conference call to discuss Dr. Andersen's concerns about the origins of COVID-19. The original attendee list included:

Kristian Andersen
Bob Garry
Christian Drosten
Tony Fauci
Mike Ferguson
Ron Fouchier
Eddie Holmes
Marion Koopmans
Stefan Pohlmann
Andrew Rambaut
Paul Schreier
Patrick Vallance.⁵⁸

Despite the invite being sent on February 1, Dr. Andersen testified that he was aware of the potential of a call prior to February 1.

- | |
|--|
| <p>Q. When did you first learn of this call? Was it when the roster was sent out, February 1st?</p> <p>A. No. I knew that the call was going to happen, because Eddie, myself had talked about it, and I talked to Jeremy Farrar... This is where I became aware of all the details surrounding the conference call.⁵⁹</p> |
|--|

During a transcribed interview with Select Subcommittee staff, Dr. Garry testified that he was also aware of the conference call prior to February 1:

- | |
|---|
| <p>Q. How were you invited to this call?</p> <p>A. I believe I received an email from Jeremy Farrar.</p> <p>Q. ...[T]o the best of you recollection, what day was that?</p> <p>A. Probably the day before or - - at most 2 days before, but I think it was the day before.⁶⁰</p> |
|---|

⁵⁸ E-Mail from Jeremy Farrar, Ph.D., Dir., Wellcome Trust, to Anthony Fauci, M.D., et. al., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health (Feb. 1, 2020).

⁵⁹ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁶⁰ Transcribed Interview of Robert Garry, *supra* note 16.

In addition to Dr. Fauci, the Select Subcommittee is aware that at least two other federal government officials were on the call despite not being on the official roster – Dr. Collins and Dr. Lawrence Tabak.

It appears from e-mails, that Dr. Fauci personally invited Dr. Collins.⁶¹

From: "Fauci, Anthony (NIH/NIAID) [E]" (b) (6)
Date: Saturday, 1 February 2020 at 15:48
To: Jeremy Farrar (b) (6)
Cc: Francis Collins (b) (6)
Subject: RE: Teleconference

Jeremy:
Francis will be on the call. He is trying to phone you.
Tony

From: "Fauci, Anthony (NIH/NIAID) [E]" (b) (6)
Date: Saturday, 1 February 2020 at 15:50
To: "Garry, Robert F" (b) (6); Jeremy Farrar (b) (6)
Cc: Patrick Vallance (b) (6); "Drosten, Christian" (b) (6);
(b) (6); Marion Koopmans (b) (6);
(b) (6); Edward Holmes (b) (6);
(b) (6); "Kristian G. Andersen" (b) (6);
Paul Schreier (b) (6); Michael FMedSci (b) (6);
Francis Collins (b) (6); "Tabak, Lawrence (NIH/OD) [E]" (b) (6)
(b) (6)

Subject: RE: Teleconference

Please include Francis Collins (copied here) on all subsequent correspondence regarding this call. Thanks.

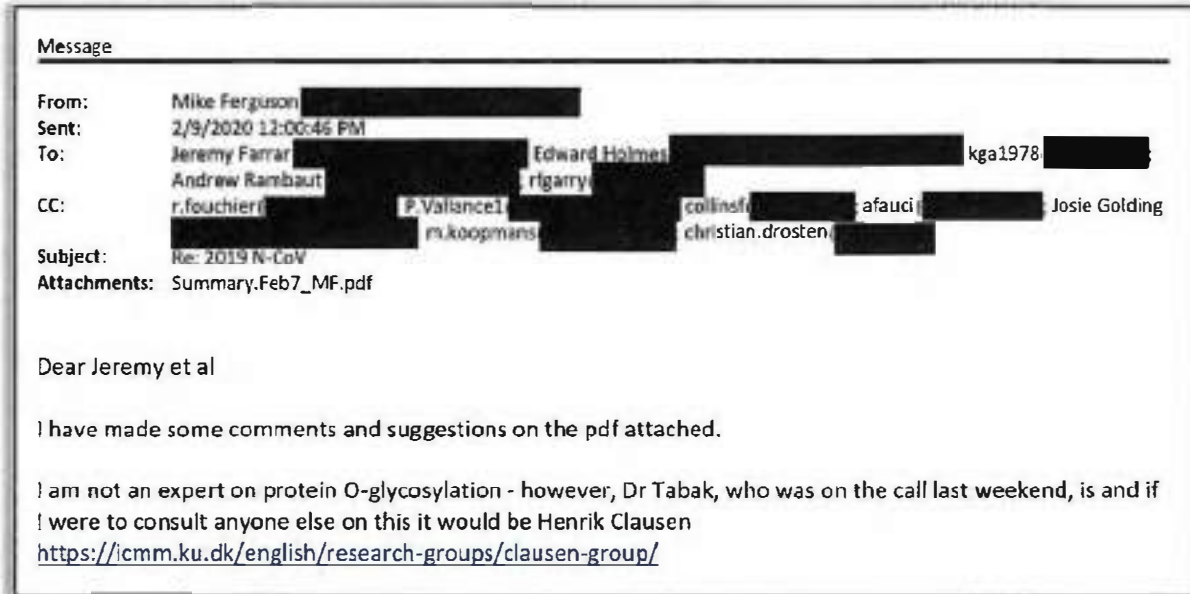
On March 24, 2023, the Select Subcommittee wrote to Dr. Fauci requesting he clarify whether he personally invited Dr. Collins to the conference call.⁶² On March 27, 2023, his counsel responded on his behalf stating, "As one would reasonably expect, Dr. Fauci advised his immediate supervisor, Dr. Francis Collins, that the call was taking place. Dr. Collins expressed an interest in joining the call."⁶³ This statement does not refute that Dr. Fauci invited Dr. Collins to join the conference call.

⁶¹ E-Mail from Anthony Fauci, M.D., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, to Jeremy Farrar, Ph.D., Dir., Wellcome Trust, & Francis Collins, M.D., Ph.D., Dir., Nat'l Insts. of Health (Feb. 1, 2020); E-Mail from Anthony Fauci, M.D., Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, to Robert Garry, Ph.D., et. al., Professor, Tulane School of Medicine (Feb. 1, 2020).

⁶² Letter from Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic, to Anthony Fauci, M.D. (Mar. 24, 2023).

⁶³ Letter from David Schertler & Danny Ornato, Counsel for Dr. Anthony S. Fauci, to Hon. Brad Wenstrup, Chairman, Select Subcomm. on the Coronavirus Pandemic (Mar. 27, 2023).

The Select Subcommittee now also believes that Dr. Tabak—the current Acting Director of NIH—was also on the conference call.⁶⁴



If this is accurate, it means that the Director of the NIH, the Deputy Director of the NIH, and the Director of NIAID all participated in the conference call.

Dr. Andersen recounted what he presented on the conference call:

- Q. And what, to the best of your recollection, and briefly, what did you present on the call?
- A. I presented the main findings I had, which was some of the features that I found to be unusual in the viral genome, including the receptor binding domain, the furin cleavage site, the damage, one site which is a restriction site, and also just outlining some of the research that have been ongoing at the Wuhan Institute of Virology. And I had a presentation, which you have as part of your exhibits too.
- Q. Regarding the Wuhan Institute of Virology, what did you present?
- A. Just in broad terms, the fact that they were culturing viruses from bats, or attempting to culture viruses from bats, isolate viruses from bat samples, which is not easy, in BSL-2; and, also, some of their chimeric work using WIV-1, for example, which is a common backbone that they are using; as well as just the general strategies

⁶⁴ E-Mail from Mike Ferguson, Professor, University of Dundee, to Jeremy Farrar, Ph.D., et. al., Dir., Wellcome Trust (Feb. 9, 2020).

around creating chimeric viruses, much of which I believe was done in BSL-2 and, as I mentioned, animal work in BSL-3. But those were my, sort of, concerns around the research and the reason, of course, for why we need to consider a potential lab leak as a scientific hypothesis, yes.⁶⁵

Dr. Andersen testified further that the primary participants on the call were himself, Dr. Rambaut, Dr. Holmes, Dr. Christian Drosten,⁶⁶ Dr. Ron Fouchier,⁶⁷ and Dr. Marion Koopmans.^{68,69} During their transcribed interviews, both Drs. Garry and Andersen were asked about any comments made by Drs. Fauci or Collins on the conference call.

According to Dr. Garry:

Q. Did [Dr. Fauci] say anything?

A. He didn't say a whole a lot.

Q. To your recollection - - what did he say?

A. He just acknowledged that he was there, but the details are not really clear. He really didn't say much of substance. It was, you know -- I mean, Jeremy Farrar was clearly sort of introducing and ending the meeting. It was his call to make. Neither Fauci or Collins really had much to say, other than just, you know, maybe a point of clarification here or there.

Q. ...Was Dr. Collins on the call?

A. He was on the call. What I remember was is that he was basically on and off the call, because I think he was having some kind of a social event at the time. So, he did come on and off. But he, you know, he made his presence, you know, just I'm here, basically, known a couple of times.

Q. Was that - - to your recollection, was that the substance of his speaking role?

⁶⁵ Transcribed Interview of Robert Garry, *supra* note 16.

⁶⁶ Dr. Christian Drosten: Professor, Deputy Coordinator Emerging Infections, German Center for Infection Research, DE

⁶⁷ Dr. Ron Fouchier: Deputy Head of the Erasmus MC Department of Viroscience, Erasmus MC, NL

⁶⁸ Dr. Marion Koopmans: Head of the Erasmus MC Department of Viroscience, Erasmus MC, NL

⁶⁹ Transcribed Interview of Kristian Andersen, *supra* note 16.

A. He really didn't offer anything scientifically.⁷⁰

According to Dr. Andersen:

Q. On the conference call -- we talked a little bit about it -- what do you recall Dr. Fauci saying, if he said anything?

A. I honestly don't remember Dr. Fauci, Collins -- I believe there might've been other NIH contingents on the call too. They probably had some questions, but I don't recollect that they -- they certainly didn't add anything of substance to the scientific discussion. Again, the discussions were: Jeremy said a few things to sort of set up the call and "here's what we're going to do," but, otherwise, the conversation was just between myself, Eddie Holmes, Andy Rambaut, Christian Drosten, Ron Fouchier in particular, so among the experts present on the call.

Q. Do you recall Dr. Collins saying anything on the conference call?

A. I do not, no.⁷¹

During their interviews, both Drs. Andersen and Garry were asked if Dr. Fauci ever directed them to write a paper regarding the origins of COVID-19. Dr. Garry testified, "he never directed that to me."⁷² However, Dr. Garry clarified, "I'm not privy to all the communications that Dr. Fauci had with the other authors."⁷³ Dr. Andersen testified that in addition to Dr. Fauci "suggesting" a paper about a potential lab leak on January 31, 2020, on the February 1 call Dr. Fauci "encouraged to, you know, follow the scientific process on this which ultimately ends up in peer-reviewed publications."⁷⁴ Dr. Andersen clarified that Dr. Fauci specifically mentioned drafting a peer-reviewed paper on January 31, stating, "he specifically mentioned that if I believed this was a lab leak, I should consider writing a peer-reviewed paper on it."⁷⁵

This is evidenced by Dr. Andersen's own emails.⁷⁶

⁷⁰ Transcribed Interview of Robert Garry, *supra* note 16.

⁷¹ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁷² Transcribed Interview of Robert Garry, *supra* note 16.

⁷³ *Id.*

⁷⁴ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁷⁵ *Id.*

⁷⁶ E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Claire Thomas, Edito, Nature (Feb. 12, 2020).

From: Kristian G. Andersen [REDACTED]
Sent: 12 February 2020 23:09
To: Clare Thomas
Subject: Interest in commentary/hypothesis on SARS-CoV-2 origins?

Dear Clare,

I can only imagine you must be crazy busy at the moment! I wanted to reach out to you to see if there would be interest in receiving a commentary/hypothesis piece on the evolutionary origins of SARS-CoV-2? There has been a lot of speculation, fear mongering, and conspiracies put forward in this space and we thought that bringing some clarity to this discussion might be of interest to Nature.

Prompted by Jeremy Farrah, Tony Fauci, and Francis Collins, Eddic Holmes, Andrew Rambaut, Bob Garry, Ian Lipkin, and myself have been working through much of the (primarily) genetic data to provide agnostic and scientifically informed hypotheses around the origins of the virus. We are not quite finished with the writeup and we still have some loose ends, but I wanted to reach out to you to see if this might potentially be of interest? We see this more as a commentary/hypothesis, as opposed to a more long-form Letter or Article.

Best,
Kristian

Kristian G. Andersen, PhD
Associate Professor, [Scripps Research](#)
Director of Infectious Disease Genomics, [Scripps Research Translational Institute](#)
Director, [Center for Viral Systems Biology](#)

The Scripps Research Institute
10550 North Torrey Pines Road, SGM-300A
Department of Immunology and Microbial Science
La Jolla, CA 92037

p: [REDACTED]
c: [REDACTED]
e: [REDACTED]
w: [REDACTED]

Assistant: [REDACTED]

When asked about this e-mail, Dr. Garry testified:

- Q. Did Dr. Andersen ever express this to you, the feeling that he was prompted by Dr. Farrar, Dr. Fauci, and Dr. Collins?
- A. I mean, I think in the -- in the broad sense. Yeah, I'm not quite so sure how to answer that. I mean, you know, this is the first time I'm actually seeing this email, the way he wrote it here. So, I'm a little surprised that he wrote it that way. I probably wouldn't have written it this way. But, you know, I think you're probably going to have to ask Kristian what he thought about, you know, why he put it that

way. Maybe he was, you know -- I don't know. I really shouldn't speculate on that. You probably need to ask him.⁷⁷

When asked about this email, Dr. Andersen confirmed that he was referencing the January 31 phone call with Dr. Fauci:

Q. What did you mean by “prompted by Jeremy Farrar, Tony Fauci, and Francis Collins”?

A. I mean specifically that -- again, as I've already explained, is that they prompted us to the idea of seriously considering the origin of the virus and to consider producing a paper on that...*And, again, remember my first conversation with Tony Fauci, where he specifically suggests that if I think this came from the lab, I should consider writing a scientific paper on it.*

Q. So that's what the - - the prompt he was referencing - - that first conversation?

A. *Correct.*⁷⁸

Through its investigation, the Select Subcommittee has learned that Dr. Fauci and the NIH exerted more influence over the conference call than previously disclosed. Further, by the end of the February 1 conference call, Dr. Fauci had suggested the drafting of a paper regarding the potential of a lab leak to Dr. Andersen twice. This suggestion was what “prompted” Dr. Andersen to draft Proximal Origin.

⁷⁷ Transcribed Interview of Robert Garry, *supra* note 16.

⁷⁸ Transcribed Interview of Kristian Andersen, *supra* note 16.

THE DRAFTING AND EDITING OF PROXIMAL ORIGIN

The first draft of a report that would become Proximal Origin was completed by 7:40 p.m. on February 1—only hours after the conference call. While it may not have been the goal of the conference call, a written product of some sort was certainly discussed and contemplated on the February 1 conference call. As Dr. Garry testified:

Well, you know, of course, we had the teleconference on February the 1st, 2020. And we had already, you know, had many discussions amongst ourselves, I mean. And by ourselves, I mean Kristian and Eddie and Andrew and I, with other people. So, you know, there were sort of notions and ideas circulating around.

And, you know, the possibility of the paper, we're scientists. We write papers. We communicate. We do, you know, we do science communication. That's the sort of the final stamp on a lot of work that you might do is to write up a paper. So, of course, I think that was in everyone's mind...

*And so, I think by, you know, by that February 1 teleconference, if you want to mark it there, I mean, it didn't take too many days after that.*⁷⁹

I. The Stated Goals

The goal of Proximal Origin was not to discover the origin of COVID-19 nor protect from future pandemics, but, instead, to disprove the lab leak theory. On two separate occasions, Dr. Andersen stated just that.

First, on February 8, 2020, Dr. Andersen wrote, “*Our main work over the past couple of weeks has been focused on trying to disprove any type of lab theory*, but we are a crossroad where the scientific evidence isn’t conclusive enough to say that we have high confidence in any of the three main theories considered.”⁸⁰

Second, on February 20, 2020, Dr. Andersen—in trying to defend the viability of Proximal Origin—wrote, “Unfortunately none of this helps refute a lab origin and the possibility must be considered as a serious scientific theory (which is what we do) and not dismissed out of hand as another ‘conspiracy’ theory. *We all really, really wish that we could do that (that’s how this got started), but unfortunately its just not possible given the data.*”⁸¹

⁷⁹ Transcribed Interview of Robert Garry, *supra* note 16.

⁸⁰ E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Christian Drosten, Ph.D., et. al., Deputy Coordinator for Emerging Infections, German Center for Infection Research (Feb. 8, 2020).

⁸¹ E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Claire Thomas, Ph.D., Senior Editor, Nature (Feb. 20, 2020).

On 8 Feb 2020, at 22:15, Kristian G. Andersen [REDACTED] wrote:

A lot of good discussion here, so I just wanted to add a couple of things for context that I think are important - and why what we're considering is far from "another conspiracy theory", but rather is taking a valid scientific approach to a question that is increasingly being asked by the public, media, scientists, and politicians (e.g., I have been contacted by Science, NYT, and many other news outlets over the last couple of days about this exact question).

To Ron's question, passage of SARS-like CoVs have been ongoing for several years, and more specifically in Wuhan under BSL-2 conditions - see references 12-15 in the document for a few examples. The fact that Wuhan became the epicenter of the ongoing epidemic caused by nCoV is likely an unfortunate coincidence, but it raises questions that would be wrong to dismiss out of hand. Our main work over the last couple of weeks has been focused on trying to *disprove* any type of lab theory, but we are at a crossroad where the scientific evidence isn't conclusive enough to say that we have high confidence in any of the three main theories considered. Like Eddie - and I believe Bob, Andrew, and everybody on this email as well - I am very hopeful that the viruses from pangolins will help provide the missing pieces. For now, giving the lab theory serious consideration has been highly effective at countering many of the circulating conspiracy theories, including HIV recombinants, bioengineering, etc. - here's just one example: <https://www.factcheck.org/2020/02/baseless-conspiracy-theories-claim-new-coronavirus-was-bioengineered/>.

As to publishing this document in a journal, I am currently not in favor of doing so. I believe that publishing something that is open-ended could backfire at this stage. I think it's important that we try to gather additional evidence - including waiting on the pangolin virus sequences and further scrutinize the furin cleavage site and O-linked glycans - before publishing. That way we can (hopefully) come out with some strong conclusive statements that are based on the best data we have access to. I don't think we are there yet.

Best,
Kristian

From: Kristian G. Andersen [REDACTED]
Sent: 20 February 2020 17:48
To: Clare Thomas
Subject: Re: Decision on Nature submission 2020-02-02583

Thanks Clare for letting me know so quickly. I'll discuss with the other authors to see what the best path would be - just one thing to make clear though, reviewer 2 is unfortunately wrong about "Once the authors publish their new pangolin sequences, a lab origin will be extremely unlikely". Had that been the case, we would of course have included that - but the more sequences we see from pangolins (and we have been analyzing/discussing these *very* carefully) the more unlikely it seems that they're intermediate hosts. They definitely harbor SARS-CoV-like viruses, no doubt, but it's unlikely they have a direct connection to the COVID-19 epidemic. Unfortunately none of this helps refute a lab origin and the possibility must be considered as a serious scientific theory (which is what we do) and not dismissed out of hand as another 'conspiracy' theory. We all really, really wish that we could do that (that's how this got started), but unfortunately it's just not possible given the data.

Thanks again for considering our manuscript and while we had of course hoped for a better outcome, we understand the decision.

Best,
Kristian


In addition to the specific goal of disproving the lab leak theory, according to Dr. Farrar, Proximal Origin was to be a “go to scientific statement to refer to.”⁸²

II. The Possible Motives

The first possible motive to downplay the lab leak theory is an interest by those involved to defend China and play diplomat. This motive was expressed by numerous individuals including Dr. Farrar (as discussed previously), Dr. Rambaut, Dr. Andersen, Dr. Fouchier, and Dr. Collins.


1. *Dr. Rambaut*

Dr. Rambaut, on February 2, 2020, communicating over a private Slack channel with Drs. Andersen, Holmes, and Garry, wrote, “*given the shit show that would happen if anyone serious accused the Chinese of even accidental release*, my feeling is we should say that given there is no evidence of a specifically engineered virus, we cannot possibly distinguish between natural evolution and escape so *we are content with ascribing it to natural process*.”⁸³

 **Andrew Rambaut** 11:53
Given the shit show that would happen if anyone serious accused the Chinese of even accidental release, my feeling is we should say that given there is no evidence of a specifically engineered virus, we cannot possibly distinguish between natural evolution and escape so we are content with ascribing it to natural processes.

2. *Dr. Andersen*

In response to Dr. Rambaut’s message above, Dr. Andersen replied, “*Yup, I totally agree that that’s a very reasonable conclusion. Although I hate when politics is injected into science – but its impossible not to, especially given the circumstances*.”⁸⁴

 **Kristian Andersen** 11:56
Yup. I totally agree that that’s a very reasonable conclusion. Although I hate when politics is injected into science - but it’s impossible not to, especially given the circumstances. We should be sensitive to that. (plus none of this matters at the moment)

Separately - having all of these discussions is really critical to countering ALL the friggin’ bullshit coming out and at the end of the day, that’s probably the most important things that’ll come out of this!

The latest being two novel viruses circulating... <https://www.biorxiv.org/content/10.1101/2020.01.30.926477v1>

(I’m starting to think that for outbreak research, the bioRxiv really needs to start screening submissions - it’s a slippery slope, but it’s justified at this stage)

⁸² E-mail from Jeremy Farrar, Ph.D., Dir., Wellcome Trust, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 8, 2020).

⁸³ Message from Andrew Rambaut, Ph.D., Slack (Feb. 2, 2020 11:53 a.m.).

⁸⁴ Message from Kristian Andersen, Ph.D., Slack (Feb. 2, 2020 11:56 a.m.)

3. Dr. Fouchier

Dr. Fouchier, in emails following the February 1 conference call, stated, "...further debate about such accusations would unnecessarily distract top researchers from their active duties and *do unnecessary harm to science in general and science in China in particular.*"⁸⁵

On 2 Feb 2020, at 08:38, R.A.M. Fouchier wrote:

Dear Jeremy and others,

This was a very useful teleconference. Given the evidence presented and the discussions around it, I would conclude that a follow-up discussion on the possible origin of 2019-nCoV would be of much interest. However, I doubt if it needs to be done on very short term, given the importance of other activities of the scientific community, WHO and other stakeholders at present. It is my opinion that a non-natural origin of 2019-nCoV is highly unlikely at present. Any conspiracy theory can be approached with factual information. I have written down some of the counter-arguments. It is a bit long (below) but wanted to share it with you anyway.

Thanks for organizing this on such short notice,
Kind regards
Ron

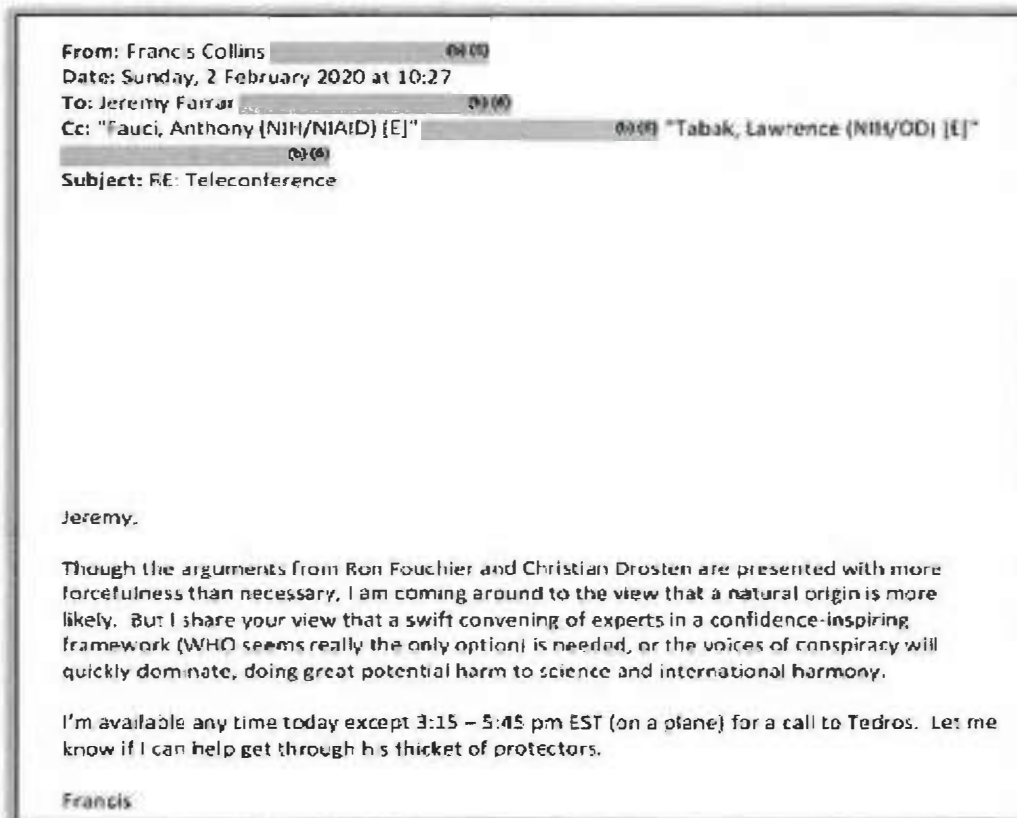
Ron's notes:

An accusation that nCoV-2019 might have been engineered and released into the environment by humans (accidental or intentional) would need to be supported by strong data, beyond reasonable doubt. It is good that this possibility was discussed in detail with a team of experts. However, further debate about such accusations would unnecessarily distract top researchers from their active duties and do unnecessary harm to science in general and science in China in particular. At present, the arguments that nCoV-2019 could have emerged from an animal source is much stronger than other possibilities.

⁸⁵ E-Mail from Ron Fouchier, Ph.D., Deputy Head of the Erasmus MC Department of Viroscience, Erasmus MC, to Jeremy Farrar, Ph.D., et. al., Dir. Wellcome Trust (Feb. 2, 2020).

4. Dr. Collins

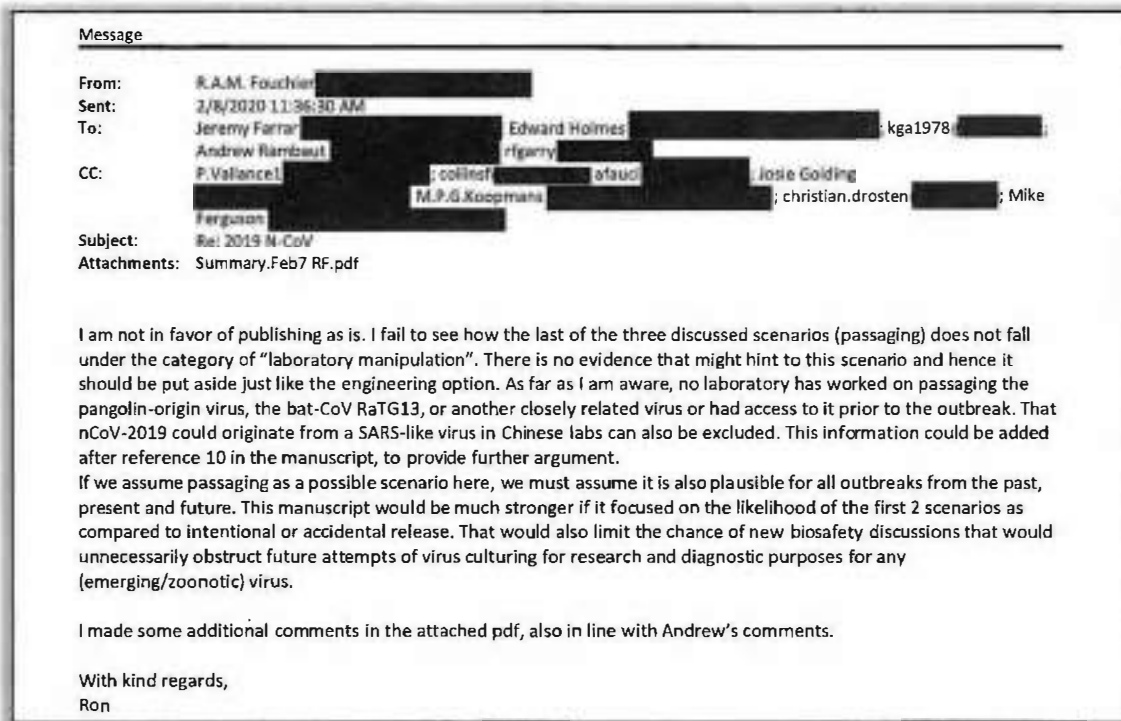
Dr. Collins, in emails following the February 1 conference call, stated, "...the voices of conspiracy will quickly dominate, *doing great potential harm to science and international harmony*."⁸⁶



The second possible motive to downplay the lab leak theory was to lessen the likelihood of increased biosafety and laboratory regulations. This was expressed by Dr. Farrar. In addition, Dr. Fouchier summed up similar sentiments in an email where he wrote, "This manuscript would be much stronger if it focused on the likelihood of the first 2 scenarios as compared to intentional or accidental release. *That would also limit the chance of new biosafety discussion* that would unnecessarily obstruct future attempts of virus culturing for research and diagnostic purposes for any (emerging/zoonotic virus)."⁸⁷

⁸⁶ E-Mail from Francis Collins, M.D., Ph.D., Dir. Nat'l Insts. of Health, to Jeremy Farrar, Ph.D., et. al., Dir. Wellcome Trust (Feb. 2, 2020).

⁸⁷ E-Mail from Ron Fouchier, Ph.D., Deputy Head of the Erasmus MC Department of Viroscience, Erasmus MC, to Jeremy Farrar, Ph.D., et. al., Dir. Wellcome Trust (Feb. 8, 2020).



III. The Involvement of Dr. Fauci, Dr. Collins, and Dr. Farrar

Throughout the drafting process, the authors of Proximal Origin were keenly aware of the influence of Dr. Fauci, Dr. Collins, and Dr. Farrar.

It appears a draft of Proximal Origin did not leave the authorship group until on or around February 4 or 5. Dr. Andersen wrote to Drs. Holmes, Garry, and Rambaut, “Unless others have further comments, I’d say this is ready to go up the chain.”⁸⁸ Dr. Holmes responds, “Works for me. Should I quickly check with Jeremy to see if he is happy for it to be circulated to the higher group?”⁸⁹ A few hours later, Dr. Holmes sends the first summary to Dr. Farrar:⁹⁰

⁸⁸ E-Mail from Kristian Andersen, Ph.D., Professor Scripps Research, to Robert Garry, Ph.D., et. al., Professor, Tulane School of Medicine (Feb. 5, 2020).

⁸⁹ E-Mail from Dr. Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor Scripps Research (Feb. 4, 2020).

⁹⁰ E-Mail from Dr. Edward Holmes, Ph.D., Professor, University of Sydney, to Robert Garry, Ph.D., et. al., Professor, Tulane School of Medicine (Feb. 4, 2020).

On Tue, Feb 4, 2020 at 12:36 PM Edward Holmes [REDACTED] wrote:

I've just passed to Jeremy.

PROFESSOR EDWARD C. HOLMES FAA FRS
ARC Australian Laureate Fellow

THE UNIVERSITY OF SYDNEY
Marie Bashir Institute for Infectious Diseases & Biosecurity,
School of Life & Environmental Sciences and School of Medical Sciences,
The University of Sydney | Sydney | NSW | 2006 | Australia

T
E [REDACTED]

Dr. Farrar immediately sent the draft to Dr. Fauci and Dr. Collins:⁹¹

From: Jeremy Farrar [REDACTED] (b) (6)
Sent: Tuesday, February 4, 2020 2:01 AM
To: Fauci, Anthony (NIH/NIAID) [E] <[REDACTED] (b) (6)>; Collins, Francis (NIH/OD) [E] [REDACTED] (b) (6) >
Subject: FW: Prevalence of infection and stage of the epidemic in Wuhan

Please treat in confidence – a very rough first draft from Eddie and team – they will send on the edited, cleaner version later.

Pushing WHO again today

In response to the draft, both Dr. Fauci and Dr. Collins expressed concern regarding the paper's inclusion of serial passage in a lab as a viable origin option. Dr. Collins wrote, "...repeated tissue culture passage is still an option – though it doesn't explain the O-linked glycans" and "I'd be interested in the proposal of accidental lab passage in animals (which ones?)." Dr. Fauci responded, "?? Serial passage in ACE2-transgenic mice."

After Dr. Farrar received their concerned responses, it appears he recounted them to Dr. Holmes, because Dr. Holmes emailed the other authors.⁹²

⁹¹ E-Mail from Jeremy Farrar, Ph.D., Dir. Wellcome Trust, to Anthony Fauci, Dir., Nat'l Inst. of Allergy & Infectious Diseases, Nat'l Insts. of Health, & Francis Collins, M.D., Ph.D., Dir., Nat'l Insts. of Health (Feb. 4, 2020).

⁹² E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Robert Garry, Ph.D., et. al., Professor, Tulane School of Medicine (Feb. 4, 2020).

On Tue, Feb 4, 2020 at 2:59 PM Edward Holmes [REDACTED] wrote:

Agreed. Timing is perfect.

Bob - a question from Jeremy:

"Quick question though - why could passage in animals in lab work add the glycans?"

Any thoughts?

Eddie

PROFESSOR EDWARD C. HOLMES FAA FRS
ARC Australian Laureate Fellow

THE UNIVERSITY OF SYDNEY
Marie Bashir Institute for Infectious Diseases & Biosecurity,
School of Life & Environmental Sciences and School of Medical Sciences,
The University of Sydney | Sydney | NSW | 2006 | Australia

T
E
[REDACTED]

This is apparently a question relayed based off feedback from Dr. Fauci and Dr. Collins.

Around this time, the authors were awaiting new sequences, Dr. Holmes wondered, "Should I tell Jeremy to hold sending the summary out to the group while we investigate more or does that really matter? He did say that more wildlife needed to be studied. *He's sent it to the Bethesda Boys.*"⁹³ Dr. Rambaut responds, "Perhaps we say we are adding new information? See whether he wants to hold off. *I suspect Bethesda will be sending it round already.*"⁹⁴ These are apparent references to Dr. Fauci and Collins. As Dr. Garry testified:

- | | |
|----|--|
| Q. | Who do you think the "Bethesda Boys" are? |
| A. | I'm not 100 percent sure, but I think <i>I can make an educated guess that this was Dr. Fauci and Dr. Collins.</i> |
| Q. | Is it your estimation that "Bethesda" also refers to Dr. Fauci and Dr. Collins? |
| A. | <i>Yes.</i> ⁹⁵ |

Further, Dr. Andersen testified:

- | | |
|----|---|
| Q. | Who is Dr. Holmes referencing when he says, "Bethesda Boys"? |
| A. | I don't know, but <i>I assume he means the NIH folks</i> and -- them, so that would be my best guess, yeah. |

⁹³ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Andrew Rambaut, Ph.D., et. al., Professor, University of Edinburgh (Feb. 5, 2020).

⁹⁴ E-Mail from Andrew Rambaut, Ph.D., Professor, University of Edinburgh, to Edward Holmes, Ph.D., et. al., Professor, University of Sydney (Feb. 5, 2020).

⁹⁵ Transcribed Interview of Robert Garry, *supra* note 16.

Q. Is it your same presumption that he's referencing NIH?

A. *That's my assumption, yes.*⁹⁶

On February 7, 2020, Dr. Farrar said, “will share with TC [teleconference] group over the weekend...”⁹⁷ On February 8, Dr. Farrar forwards a draft of Proximal Origin to the same participants of the February 1 conference call—further linking that call to the conception of Proximal Origin.⁹⁸

Within hours of receiving the draft, Dr. Fauci clearly worried about the possibility of serial passage in animals in a lab and asked the whole group, “Would serial passage in an animal in the laboratory give the same result as prolonged adaption in animals in the wild? Or is there something that is fundamentally different in what happens when you serial passage versus natural animal adaption?”⁹⁹ Dr. Garry responds, “It’s possible to fairly rapidly select for more pathogenic variants in the laboratory.”¹⁰⁰ Thus confirming Dr. Fauci’s fear of a potential lab leak.

It is clear, that all four authors, from the early stages, were concerned with Dr. Fauci and Dr. Collin’s thoughts regarding Proximal Origin.

In addition to Dr. Fauci and Dr. Collin’s involvement, Dr. Farrar led the drafting process and made at least one uncredited direct edit to Proximal Origin. Dr. Farrar, however, is not credited as having any involvement in the drafting and publication of Proximal Origin, when in fact he led the drafting process and made direct substantive edits to the publication.

Right before publication, on February 17, 2020, Dr. Lipkin emailed Dr. Farrar to thank him for leading the drafting process of Proximal Origin, to which Dr. Farrar responded that he will “push” the publisher.

⁹⁶ Transcribed Interview of Kristian Andersen, *supra* note 16.

⁹⁷ E-Mail from Jeremy Farrar, Ph.D., Dir. Wellcome Trust, to Edward Holmes, Ph.D., et. al. Professor, University of Sydney (Feb. 7, 2020).

⁹⁸ E-Mail from Jeremy Farrar, Ph.D., Dir. Wellcome Trust, to Edward Holmes, Ph.D., et. al. Professor, University of Sydney (Feb. 8, 2020).

⁹⁹ E-Mail from Anthony Fauci, M.D., Dir., Nat’l Inst. of Allergy & Infectious Diseases, Nat’l Insts. of Health, to Jeremy Farrar, Ph.D., et. al., Dir., Wellcome Trust (Feb. 8, 2020).

¹⁰⁰ E-Mail from Robert Garry, Ph.D., Professor, Tulane College of Medicine, to Anthony Fauci, M.D., et. al., Dir., Nat’l Inst. of Allergy & Infectious Diseases, Nat’l Insts. of Health (Feb. 8, 2020).

From: Jeremy Farrar
Sent: Monday, February 17, 2020 10:42 AM EST
To: Ian Lipkin
Subject: Re: Connections COVID-19

Yes I know and in US - why so keen to get out ASAP.
I will push Nature

On 17 Feb 2020, at 16:41, Ian Lipkin [REDACTED] wrote:

Jeremy,
Thanks for shepherding this paper. Rumors of bioengineering are now circulating in China.

Ian

Further, Dr. Andersen testified that Dr. Farrar was the “father figure” of Proximal Origin.¹⁰¹

In addition to leading the drafting and publication process, Dr. Farrar made at least one direct edit to Proximal Origin:¹⁰²

From: "Kristian G. Andersen" [REDACTED]
Date: Monday, 17 February 2020 at 18:11
To: Jeremy Farrar [REDACTED]
Cc: [REDACTED], "Garry, Robert F" [REDACTED], Edward Holmes [REDACTED], Ian Lipkin [REDACTED]
Subject: Re: Connections COVID-19

Sure, attached.

K

On Mon, Feb 17, 2020 at 9:02 AM Jeremy Farrar [REDACTED] wrote:

Sorry to micro-manage/microedit!

But would you be willing to change one sentence?

From
It is **unlikely** that SARS-CoV-2 emerged through laboratory manipulation of an existing SARS-related coronavirus.
To
It is **improbable** that SARS-CoV-2 emerged through laboratory manipulation of an existing SARS-related coronavirus.

¹⁰¹ Transcribed Interview of Kristian Andersen, *supra* note 16.

¹⁰² E-Mail from Jeremy Farrar, Ph.D., Dir., Wellcome Trust, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 17, 2020).

This evidence suggests that Dr. Farrar was more involved in the drafting and publication of Proximal Origin than previously known and possibly should have been credited or acknowledged for this involvement.

IV. The Involvement of Dr. Lipkin

Dr Lipkin was the only author of Proximal Origin that was not on the original February 1 conference call.¹⁰³ Dr. Lipkin confirmed he was not even invited to the conference call, and he had no prior knowledge of the call taking place.¹⁰⁴ Additionally, Dr. Lipkin testified:

Q.	When did you eventually learn of the call?
A.	Actually, I learned of it far more recently than you might expect - - I can't tell you precisely when, but I did not know about it in February of 2020.
Q.	The existence of the call or what was communicated on the call was not communicated to you during the drafting of Proximal Origin?
A.	That is correct. ¹⁰⁵

Despite the first draft of Proximal Origin being completed by February 1, Dr. Lipkin was not invited to join and was not sent a draft until February 10.¹⁰⁶ In that email, Dr. Holmes stated, "I'll have to chat with Jeremy in a little while to see if I can get you more directly involved."¹⁰⁷ It is unclear, why Dr. Farrar had approval over Dr. Lipkin's involvement.

Prior to be added as an author, Dr. Lipkin spoke to Dr. Holmes a few times. On at least one occasion, Dr. Lipkin raised concerns regarding the furin cleavage site. As Dr. Holmes recounted on February 10, "Ian Lipkin just called – very worried about the furin cleavage site and says that high ups are as well, inc. intel."¹⁰⁸ Dr. Holmes later said, "I think Ian thinks it's from a lab."¹⁰⁹

After reading the draft shared with him, Dr. Lipkin responded:¹¹⁰

¹⁰³ Transcribed Interview of W. Ian Lipkin, *supra* note 16.

¹⁰⁴ *Id.*

¹⁰⁵ *Id.*

¹⁰⁶ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Ian Lipkin, M.D., Professor, Columbia University (Feb. 10, 2023).

¹⁰⁷ *Id.*

¹⁰⁸ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Andrew Rambaut, Ph.D., et. al., Professor, University of Edinburgh (Feb. 10, 2020).

¹⁰⁹ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor Scripps Research (Feb. 11, 2020).

¹¹⁰ E-Mail from Ian Lipkin, M.D., Professor, Columbia University, to Eddie Holmes, Ph.D., Professor, University of Sydney (Feb. 11, 2020).

On 11 Feb 2020, at 9:01 am, Ian Lipkin [REDACTED] wrote:

It's well reasoned and provides a plausible argument against genetic engineering. It does not eliminate the possibility of inadvertent release following adaptation through selection in culture at the institute in Wuhan. Given the scale of the bat CoV research pursued there and the site of emergence of the first human cases we have a nightmare of circumstantial evidence to assess.

Ian

Dr. Garry testified that Dr. Lipkin "...made a nice authorship contribution" and that "he read the paper many times and made some good comments back and forth..." However, it appears that Dr. Lipkin was not added as an author for his expertise but instead for "gravitas."

Dr. Lipkin testified that he believed he was added to Proximal Origin because of his expertise:

Q. Why do you think Dr. Holmes invited you to join as an author?

A. I had written an article on why the risk of wild animal markets. I sent it to him, asked him to be a coauthor with me. He agreed. And my guess is that it was in that context that he invited me to join this paper.¹¹¹

However, this is not what the other authors discussed when considering whether to add him to the group. According to Dr. Holmes, the authors added Dr. Lipkin for "safety in numbers" and "in his own mind he brings a lot of gravitas...plus because he is involved in the GOF I think it add weights [sic]."¹¹²

¹¹¹ Transcribed Interview of W. Ian Lipkin, *supra* note 16.

¹¹² E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 12, 2020).

From: Edward Holmes [REDACTED]
Sent: Wednesday, February 12, 2020 1:15 AM
To: Kristian G. Andersen [REDACTED]; Garry, Robert F. [REDACTED]; Andrew Rambaut [REDACTED]
Subject: Fwd: A few thoughts on the summary

External Sender. Be aware of links, attachments and requests.

From Ian about the Feb 7 summary.

Think we should add him as an author. Safety in numbers. In his own mind he brings a lot of gravitas...plus because he is involved in the GOF I think it add weights. Happy to be over-ruled though.

PROFESSOR EDWARD C. HOLMES FAA FRS
ARC Australian Laureate Fellow

THE UNIVERSITY OF SYDNEY
Marie Bashir Institute for Infectious Diseases & Biosecurity,
School of Life & Environmental Sciences and School of Medical Sciences,
The University of Sydney | Sydney | NSW | 2006 | Australia
T [REDACTED]
E [REDACTED]

Dr. Garry testified that he agreed with Dr. Holmes, stating, “I mean, I think I must have agreed generally about it because I did concur with adding him as an author. I’m not sure I agree with every rationale there. I’m not sure that the GOF really adds much weight.”¹¹³

Dr. Andersen testified that he agreed with Dr. Holmes, stating, “I think he is an -- you know, he has done important work and including collaborated with Chinese authors. He’s a well-known individual within sort of the emerging infectious disease field. So, from that perspective, adding Ian as an author, yes, that helps add to the weight of the paper and the authors, and, like, look, these are really experts to have looked at this, yes.”¹¹⁴

V. A Flawed Scientific Analysis

The conclusions of Proximal Origin rest on three main arguments: (1) the presence of a non-optimal RBD and that RBD appearing in other viral sequences—particularly pangolins, (2) the presence or furin cleavage sites in other coronaviruses, and (3) the concept that any laboratory manipulation would have used an already published viral backbone.¹¹⁵ Each of these arguments is flawed and rests on unsupported assumptions.

Prior to completing the final scientific analysis, on February 8, Dr. Holmes wrote to his co-authors and said, “[s]uggestion is to redraft the doc to make it more of letter and come down more on the natural origin given the pangolin and glycan stuff. Sound ok? Should I start on that today.”¹¹⁶ It is unclear where that suggestion came from or if the authors believed it, but those are two data points they relied on to wrongly downplay the possibility of a lab leak. Considering

¹¹³ Transcribed Interview of Robert Garry, *supra* note 16.

¹¹⁴ Transcribed Interview of Kristian Andersen, *supra* note 16.

¹¹⁵ Proximal Origin, *supra* note 7.

¹¹⁶ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 8, 2020).

the involvement of Dr. Fauci, Dr. Collins, and Dr. Farrar it is a safe assumption that the suggestion to “come down more on natural origin” came from one of them.

1. *The Receptor Binding Domain*

“While the analyses above suggest that SARS-CoV-2 may bind human ACE2 with high affinity, computational analyses predict that the interaction is not ideal and that the RBD sequence is different from those shown in SARS-CoV to be optimal for receptor binding. Thus, the high-affinity binding of the SARS-CoV-2 spike protein to human ACE2 is most likely the result of natural selection on a human or human-like ACE2 that permits another optimal binding solution to arise. This is strong evidence that SARS-CoV-2 is not the product of purposeful manipulation.”¹¹⁷

As discussed in a May 26, 2020, Working Paper from the Defense Intelligence Agency (Working Paper), this argument rests on assumptions rather than facts. Instead of relying on scientific data or evidence, Proximal Origin assumes a methodology and intent of a fictional scientist.¹¹⁸ In essence, Proximal Origin argues that this fictional scientist would want to design the most optimal RBD possible, which COVID-19 does not possess. This argument was reiterated by Dr. Andersen:

We knew, based on, you know, much of the great research that Dr. Baric did with SARS-1 is that based on that were predictions of here's the optimal way in which a sarbecovirus will bind into the human ACE2 receptor. That is described in the literature, right? So, if you were to design a new receptor binding domain, presumably you would choose that, right? That would be the logical way to do it.

And SARS-2 doesn't have that at all. It has a completely different solution, right, which we had never seen before. Yet it still appeared to bind well to the human ACE2 receptor -- which we now know, yes, it does bind well to the human ACE2 receptor, but it binds well to a lot of other ACE2 receptors, right, not just human.

So, yeah, that's the idea behind, like, if you were to build this from scratch, you would take the solution that you already know works well. Because that's how science is done, molecular biology is being done.¹¹⁹

The Working Paper outlines that a more common approach is to simulate nature in the lab by taking novel coronaviruses and simulating recombination events—even by inserting furin

¹¹⁷ Proximal Origin, *supra* note 7.

¹¹⁸ CDR Jean-Paul Chretien & Dr. Greg Cutlip, *Working Paper 26 May 2020: Critical Analysis of Andersen et. al. The proximal origin of SARS-Cov-2*, DEFENSE INTELLIGENCE AGENCY (May 26, 2020).

¹¹⁹ Transcribed Interview of Kristian Andersen, *supra* note 16.

cleavage sites—instead of optimizing the virus.¹²⁰ This was explained further during a transcribed interview with [REDACTED]. He testified:

A. Well, they had pointed out that the receptor-binding domain would not have been predicted to be very good or optimal for infecting human cells. And for me that implied an assumption that if SARS-CoV-2, whatever was in lab, that it probably would have come about in that way where one might have a priori designed a sequence to infect human cells. And that certainly is possible, but we showed examples of the literature of novel coronaviruses being developed in different ways, and what we -- what we found was more of an empirical approach where one might take a backbone virus, a coronavirus from one species and insert part of a coronavirus from another species to observe the effects, and all serving stated purposes of developing medical countermeasures or improving public health. But what we saw in scientific practice was much more of an empirical approach and not -- not an approach by design to achieve a specific function.

Q. So, the reality was scientists more taking an approach to try to mimic natural recombination to see what those viruses would do in a human population?

A. Yes.

Q. Not with a stated goal of making the most effective coronavirus possible?

A. That's right.¹²¹

When asked if the arguments in Proximal Origin regarding the RBD rests on assumptions, Dr. Garry testified, "I suppose..."¹²²

*"The finding of SARS-CoV-like coronaviruses from pangolins with nearly identical RBDs, however, provides a much stronger and more parsimonious explanation of how SARS-CoV-2 acquired these via recombination or mutation."*¹²³

Again, according to [REDACTED], the discovery of a very similar RBD in a naturally occurring pangolin virus is largely irrelevant:

¹²⁰ CDR Jean-Paul Chretien & Dr. Greg Cutlip, *Working Paper 26 May 2020: Critical Analysis of Andersen et. al. The proximal origin of SARS-Cov-2*, DEFENSE INTELLIGENCE AGENCY (May 26, 2020).

¹²¹ Transcribed Interview of [REDACTED], *supra* note 16.

¹²² Transcribed Interview of Robert Garry, *supra* note 16.

¹²³ Proximal Origin, *supra* note 7.

So one of the -- the scenarios we laid out as plausible, and I think would still be plausible, is to begin with a bat origin coronavirus, something along the lines of RaTG13 but more similar to the -- or very, very closely similar to SARS-CoV-2, and then -- and then evaluate the effects of inserting a receptor-binding domain from another species, such as a pangolin. And that's consistent with work that we've seen published from various coronavirus research labs and would be consistent with the observed SARS-CoV-2 as well.¹²⁴

Dr. Garry agreed that this was an entirely plausible outcome:

Q. If I in theory were to take that particular pangolin spike protein and attach it to a backbone of some other virus, that product that I would have created, though, theoretically in a lab, would itself have had the six key amino acid mutations being discussed here, right? I know that's a -- hypothetical question.

A. The way you said it, hypothetically, sure.¹²⁵

Further, Dr. Garry admitted that the pangolin sequences “are interesting, but they, you know, by themselves, don’t tell you that, the virus was natural or from a lab.”¹²⁶

When asked if the arguments regarding the RBD put forth in Proximal Origin ruled out a lab origin, ██████████ testified, “[n]ot in my assessment.”¹²⁷ It is clear, the science and facts did not support Proximal Origin’s conclusion that COVID-19’s RBD “is strong evidence that SARS-CoV-2 is not the product of purposeful manipulation.”¹²⁸

2. *The Furin Cleavage Site*

“Polybasic cleavage sites have not been observed in related ‘lineage B’ betacoronaviruses, although other human betacoronaviruses, including HKU1 (lineage A), have those sites and predicted O-linked glycans. Given the level of genetic variation in the spike, it is likely that SARS-CoV-2-like viruses with partial or full polybasic cleavage sites will be discovered in other species.”¹²⁹

The central pillar of Proximal Origin’s argument is that science would find a furin cleavage site in a related coronavirus. This is a clear assumption with no proof or evidence. Further, there still has not been a furin cleavage site discovered in sarbecoviruses—the lineage COVID-19 belongs to—despite more than three years of searching.

¹²⁴ Transcribed Interview of ██████████, *supra* note 16.

¹²⁵ Transcribed Interview of Robert Garry, *supra* note 16.

¹²⁶ *Id.*

¹²⁷ Transcribed Interview of ██████████, *supra* note 16.

¹²⁸ Proximal Origin, *supra* note 7.

¹²⁹ *Id.*

Dr. Andersen confirmed this, stating, "...the furin cleavage site itself, which we had not seen in sarbecoviruses before."¹³⁰ Dr. Garry confirmed this, stating, "...SARS-Cov-2 so far is the only sarbecovirus that has a furin cleavage site."¹³¹ And Dr. Lipkin stated, "So, amongst the SARS-like viruses, and there are many coronaviruses, that was the first time that we'd seen that furin cleavage type."¹³² When asked, "Have there been any other SARS-related viruses...that has had a furin cleavage site?," Dr. Farzan stated, "No."¹³³ Finally, when asked, "...has there been a furin site observed in any viruses in the sarbecovirus family other than COVID-19?," [REDACTED] stated, "...not to my knowledge."¹³⁴

"The acquisition of both the polybasic cleavage site and predicted O-linked glycans also argues against culture-based scenarios. New polybasic cleavage sites have been observed only after prolonged passage of low-pathogenicity avian influenza virus in vitro or in vivo. Furthermore, a hypothetical generation of SARS-CoV-2 by cell culture or animal passage would have required prior isolation of a progenitor virus with very high genetic similarity, which has not been described. Subsequent generation of a polybasic cleavage site would have then required repeated passage in cell culture or animals with ACE2 receptors similar to those of humans, but such work has also not previously been described. Finally, the generation of the predicted O-linked glycans is also unlikely to have occurred due to cell-culture passage, as such features suggest the involvement of an immune system."

Again, according to the Working Paper, this argument rests on a false assumption that all research is published. As Dr. Garry testified:

Q. Is it possible - - maybe not probable, but possible - - that scientists do experiments they don't publish?

A. Sure.¹³⁵

And as Dr. Lipkin testified:

Q. Do you know of any researchers that don't publish everything they sequence?

A. Yes.¹³⁶

And as Dr. Farzan testified:

Q. ...have you ever conducted or known someone to conduct an experiment that they did not publish or make public?

¹³⁰ Transcribed Interview of Kristian Andersen, *supra* note 16.

¹³¹ Transcribed Interview of Robert Garry, *supra* note 16.

¹³² Transcribed Interview of W. Ian Lipkin, *supra* note 16.

¹³³ Transcribed Interview of Michael Farzan, *supra* note 16.

¹³⁴ Transcribed Interview of [REDACTED], *supra* note 16.

¹³⁵ Transcribed Interview of Robert Garry, *supra* note 16.

¹³⁶ Transcribed Interview of W. Ian Lipkin, *supra* note 16.

A. Sure.¹³⁷

Further, many involved in Proximal Origin or the February 1 conference call believe that it is possible to manipulate a novel coronavirus in a lab to force the selection of a furin cleavage site. In an email, Dr. Garry wrote, “Bottom line – I think that if you put selection pressure on a Cov without a furin cleavage site in cell culture you could well generate a furin cleavage site after a number of passages...”¹³⁸

From: Robert Garry [REDACTED]
Date: Tuesday, February 4, 2020 at 5:56 PM
To: Kristian Andersen [REDACTED], Edward Holmes [REDACTED]
Cc: "rambaut" [REDACTED]
Subject: Re: Summary - Invitation to edit

Kristian that's correct about everything he said for the P residue. It's what's shifted me to thinking that the insert of the furin site is the result of cell culture passage [or less likely intense transmission in a nonbat host]. Really need to see the data from Ron about generating the furin cleavage site on in vitro passage. Really!

CoV come with or without a furin site. CoV without a furin site are said to be non-cleaved and rely on endosomal proteases like cathepsin for entry. However if you infect a virus like SARS in culture in the presence of exogenous protease like trypsin its 100X more effective at entering because the spike gets cleaved and it can enter at the cell surface.

You have to infect flu viruses (the ones without the multibasic cleavage site) in the presence of trypsin, and include trypsin in the overlay if you want to get virus spread aka plaques.

This also contributes to the pathogenicity of - well - highly pathogenic flu virus – different tissues have different proteases and are able to “activate” flu to different extents - if the flu v has a furin cleavage site it has a lot more choices and can more easily go systemic.

This is an excellent review on CoV fusion – deals with all the complexities:
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3397359/>

Bottom line – I think that if you put selection pressure on a Cov without a furin cleavage site in cell culture you could well generate a furin cleavage site after a number of passages (but let's see the data Ron!). It will infect a lot better if it can effectively fuse at the cell surface and doesn't have to rely on endosomal cleavage and receptor mediated endocytosis..

Over Slack, Dr. Garry also stated, “you can synthesize bits of genes *de novo* with perfect precision then add them back in without a trace.”¹³⁹

¹³⁷ Transcribed Interview of Michael Farzan, *supra* note 16.

¹³⁸ E-Mail from Robert Garry, Ph.D., Professor, Tulane School of Medicine, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 4, 2020).

¹³⁹ Slack Message from Robert Garry, Ph.D. (Feb. 6, 2020 7:09 p.m.).

February 6th, 2020

- Robert Garry** 19:07
- You can also synthesize bits of the genes de novo with perfect precision then add them back in without a trace.
- And, excellent responses Andrew! You're doing much better than I would.
- Andrew Rambaut** 19:22
- True (but you are still going to get the sequence from somewhere - unless it is very short).
- Robert Garry** 19:24
- I'm thinking mostly about the PRRA to generate the furin site. Relatively easy to drop 12 bases in.
- The proline is the hang-up - why add that? Makes me think the cell culture passage scenario is possible/probably assuming this has in fact been observed before by Farzan and Fouchier.

This idea was reiterated by Dr. Fouchier, who stated, “Molecular biologists like myself can generate perfect copies of viruses without leaving a trace, eg the BAM HI site.”¹⁴⁰

Message

From: R.A.M. Fouchier [REDACTED]
Sent: 2/8/2020 2:50:00 PM
To: Andrew Rambaut [REDACTED]; Jeremy Farrar [REDACTED]
CC: Eddie Holmes [REDACTED]; Christian Drosten [REDACTED]; kga1978 [REDACTED]; rfgarry [REDACTED]; p.vallance1 [REDACTED]; collinsf [REDACTED]; afauci [REDACTED]; Josie Golding [REDACTED]; M.P.G. Koopmans [REDACTED]; Mike Ferguson [REDACTED]
Subject: Re: [ext] 2019 N-CoV

I do not understand Andrews argument “ The sequence data clearly and unambiguously rules out any form of lab construct or engineering of the virus. “. Molecular biologists like myself can generate perfect copies of viruses without leaving a trace, eg the BamHI site. The arguments for and against passaging and engineering are the same if you ask me.
Ron

Further, Dr. Garry testified that it would be possible to generate a furin cleavage site in a lab:

Q. But a novel coronavirus, if I just bring in a novel coronavirus, its still possible that I could create a furin cleavage site?

A. I mean, its possible. I - - you know, its possible.¹⁴¹

Additionally, Dr. Garry testified that a scientist could conduct serial passaging of a virus in animals to generate a furin cleavage site and that this virus would be undisguisable from a natural one.

Q. Would past evolutionary passage in an animal in a laboratory look the same as evolutionary passage in an animal in the wild?

¹⁴⁰ E-Mail from Ron Fouchier, Ph.D., Deputy Head of the Erasmus MC Department of Viroscience, Erasmus MC, to Andrew Rambaut, Ph.D., Professor, University of Edinburgh (Feb. 8, 2020).

¹⁴¹ Transcribed Interview of Robert Garry, *supra* note 16.

- A. *In principle, yes.* It's a very difficult experiment you are describing though.
- Q. Are people capable of conducting that experiment?
- A. They're capable of doing it. There would have to be a reason why they would want to do that. And just doing it on some random bat viruses is probably not something that most scientists would consider.
- Q. Could you put enough laboratory selection pressure on a novel coronavirus to generate a furin cleavage site?
- A. *I mean, is it possible? It's in the realm of-- it's something -- I mean most everything is possible, right?* Is it probable? Probably not, I would have to say. I mean, in principle, you know, lots of things can happen; you know, unexpected things can happen. But designing an experiment to actually make that happen, I'm not sure that there's any scientist that's really capable of doing that.¹⁴²

Dr. Andersen agreed when asked, “you could put enough pressure on a coronavirus to generate a furin cleavage site?” He responded, “I think as a hypothesis, I think it’s a good hypothesis.”¹⁴³

No known SARS related coronavirus or sarbecovirus—the lineage that COVID-19 belongs to—has a furin cleavage site and none have been found since the beginning of the pandemic. Further, those involved with Proximal Origin believed it to be possible to artificially create a furin cleavage site in the lab. When asked if the arguments regarding the furin cleavage site put forth in Proximal Origin ruled out a lab origin, ██████████ testified, “no, not in my mind.”¹⁴⁴

3. *The Novel Backbone*

“Furthermore, if genetic manipulation had been performed, one of the several reverse-genetic systems available for betacoronaviruses would probably have been used. However, the genetic data irrefutably show that SARS-CoV-2 is not derived from any previously used virus backbone.”

The authors are correct in that COVID-19 does not derive from any published backbone, but they once again assume that all data has been previously published, a faulty assumption. As noted in the Working Paper, “Recent technological innovations make it easier than ever for scientists to develop new reverse genetics systems.” When asked for more detail, ██████████ testified:

¹⁴² Transcribed Interview of Robert Garry, *supra* note 16.

¹⁴³ Transcribed Interview of Kristian Andersen, *supra* note 16.

¹⁴⁴ Transcribed Interview of ██████████, *supra* note 16.

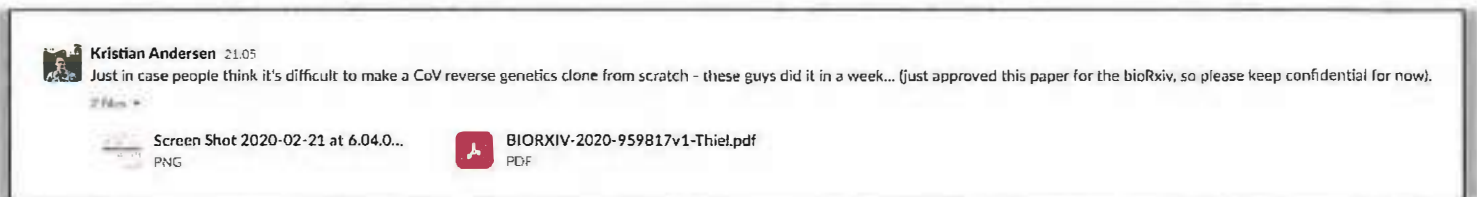
Q. So, it would be possible that there are novel backbones or novel reverse genetics systems that are out there but not published?

A. Yes.

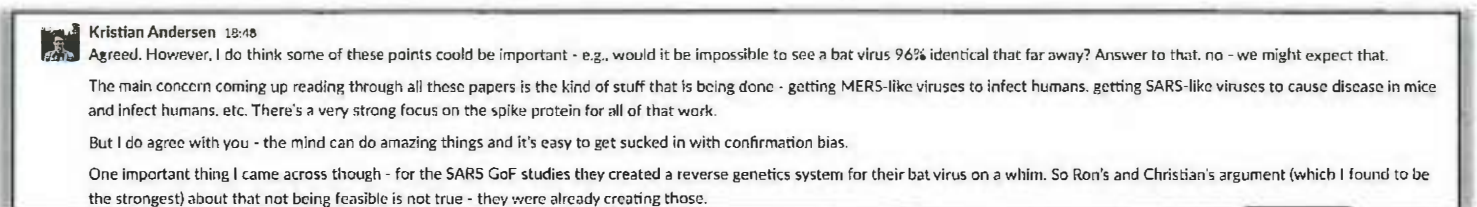
Q. And even simpler than that, not necessarily a novel backbone, but is it possible that researchers just used an unsequenced or unpublished coronavirus as the backbone?

A. Yes.¹⁴⁵

In their internal Slack communications, the authors rebut their own argument. Dr. Andersen writes, “Just in case people think it’s difficult to make a CoV reverse genetics clone from scratch – these guys did it in a week...”¹⁴⁶



Dr. Andersen wrote again, “One important thing I came across though – for the SARS GoF studies they created a reverse genetics system for their bat virus on a whim. So, Ron’s and Christian’s argument (which I found to be the strongest) about that not being feasible is not true – they were already creating those.”¹⁴⁷



The authors didn’t believe their own argument regarding an existing viral backbone or reverse genetics system.

Through the Select Subcommittee’s investigation, we discovered that Dr. Fauci and Dr. Collins were intimately involved in the day-to-day creation of Proximal Origin that the authors were so comfortable with their involvement they coined the term “Bethesda Boys” to describe the nation’s leading health officials, dubbed Dr. Farrar Proximal Origin’s “father figure,” added Dr. Lipkin as an author mid-draft to give “gravitas” to the paper, and each of the primary scientific points in Proximal Origin are fatally flawed.

¹⁴⁵ Transcribed Interview of ██████████, *supra* note 16.

¹⁴⁶ Slack message from Kristian Andersen, Ph.D. (Feb. 21, 2020 9:05 p.m.)

¹⁴⁷ Slack message from Kristian Andersen, Ph.D. (Feb. 2, 2020 6:48 p.m.)

THE PUBLICATION OF PROXIMAL ORIGIN

On February 6, 2020, Dr. Farrar apparently first suggested publishing Proximal Origin. According to Dr. Holmes, Dr. Farrar asked:¹⁴⁸

Message

From: Edward Holmes [REDACTED]
Sent: 2/6/2020 2:36:30 AM
To: Kristian G. Andersen [REDACTED]
CC: Garry, Robert F [REDACTED]; Andrew Rambaut [REDACTED]
Subject: Re: Summary - Invitation to edit

From Jeremy.

"Do you think in the report....possible to dampen down further the 'conspiracy' idea and make totally neutral?

Talking with Marion last night and with the WHO meeting next week....both wondering whether actually publishing this sooner, but ruthlessly on the science....is worthwhile to put that flag down..."

Thoughts?

PROFESSOR EDWARD C. HOLMES FAA FRS
ARC Australian Laureate Fellow

THE UNIVERSITY OF SYDNEY
Marie Bashir Institute for Infectious Diseases & Biosecurity,
School of Life & Environmental Sciences and School of Medical Sciences,
The University of Sydney | Sydney | NSW | 2006 | Australia
T [REDACTED]
E [REDACTED]

On February 7, 2020, Dr. Farrar suggested possible journals to publish Proximal Origin in:¹⁴⁹

On 7 Feb 2020, at 5:26 pm, Jeremy Farrar [REDACTED] wrote:

When can you update?

Lancet
Nature
NEJM

Will all review immediately, after quick QC, will share with WHO.

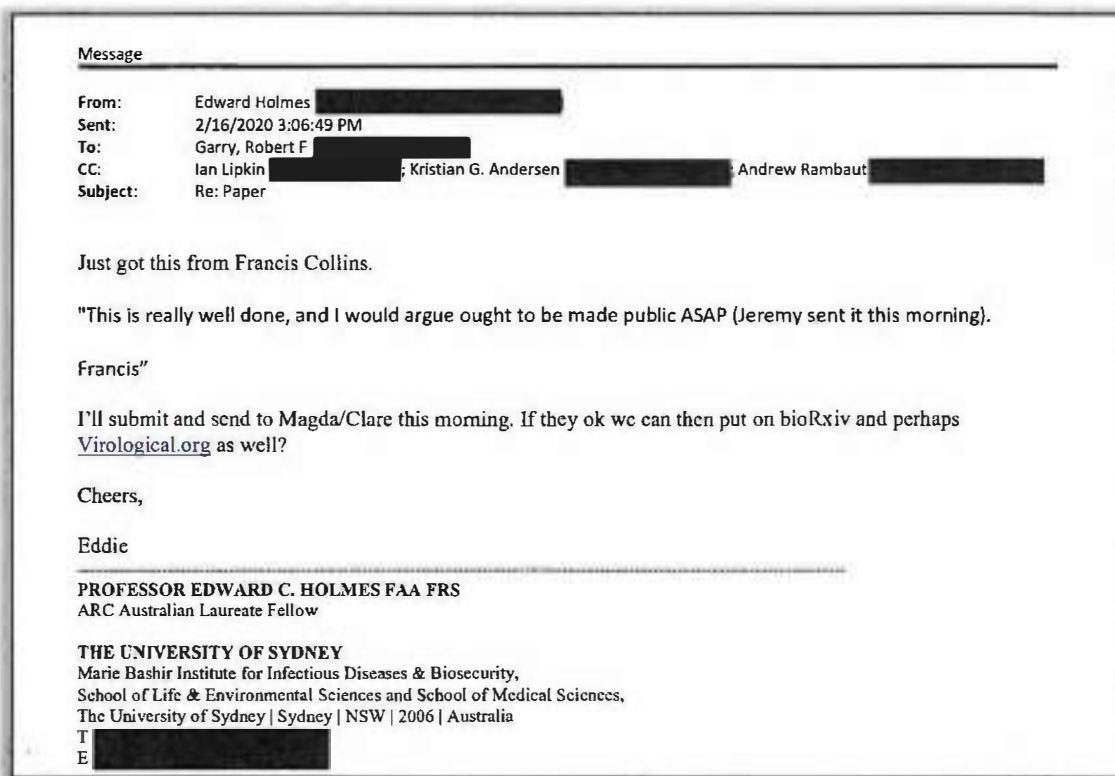
Can I help with any of the editors?

Who will be authors from your side?

¹⁴⁸ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 6, 2020)

¹⁴⁹ E-Mail from Jeremy Farrar, Ph.D., Dir. Wellcome Trust, to Edward Holmes, Ph.D., et. al., Professor, University of Sydney (Feb. 7, 2020).

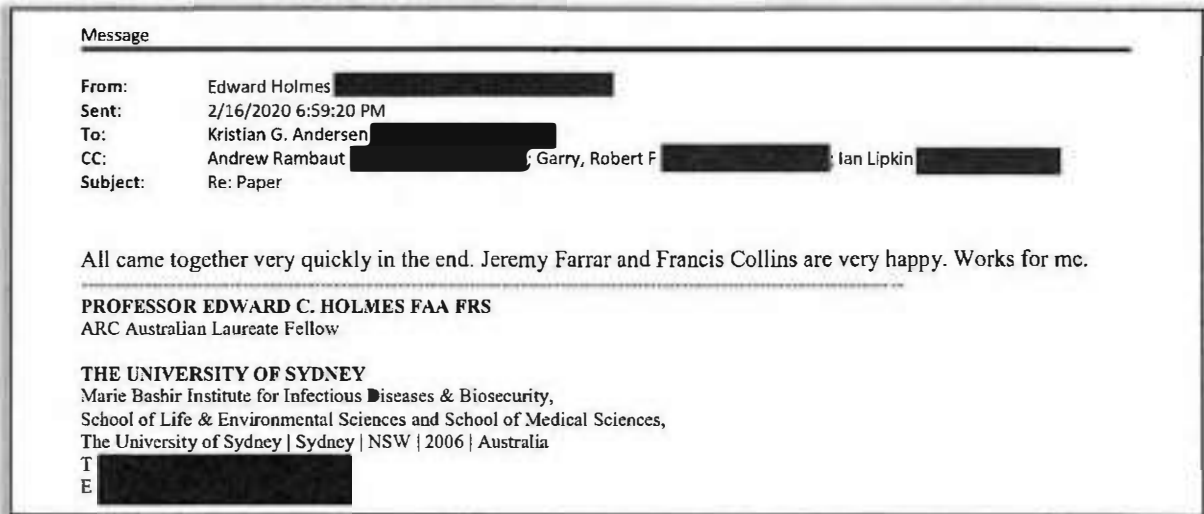
Then, right before Proximal Origin was made public, it received the final publication push and the seal of approval from Dr. Collins. In an email from Dr. Holmes, he recounted Dr. Collins writing, “This is really well done, and I would argue ought to be made public ASAP (Jeremy sent it this morning).”¹⁵⁰



Four hours later, Dr. Farrar and Dr. Collins signed off on publishing Proximal Origin. According to Dr. Holmes, “All came together very quickly in the end. Jeremy Farrar and Francis Collins are very happy. Works for me.”¹⁵¹

¹⁵⁰ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Robert Garry, Ph.D., et. al., Professor, Tulane College of Medicine (Feb. 16, 2020).

¹⁵¹ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (Feb. 16, 2020).



I. Rejection from Nature

On February 12, 2020, Dr. Andersen began pitching Proximal Origin to *Nature*.¹⁵² In his first pitch, as described above, he wrote, “[p]rompted by Jeremy Farrah [sic], Tony Fauci, and Francis Collins, Eddie Holmes, Andrew Rambaut, Bob Garry, Ian Lipkin, and myself have been working through much of the (primarily) genetic data to provide agnostic and scientifically informed hypothesis around the origins of the virus. We are not write finished with the writeup and we still have some loose ends, but I wanted to reach out to you to see if this might be potentially of interest? We see this more as a commentary/hypothesis, as opposed to a more long-form Letter or Article.”¹⁵³

Senior Editor at *Nature* Clare Thomas responds, “Yes please!”¹⁵⁴

On February 17, 2020, Dr. Holmes, on behalf of Dr. Andersen, submitted a manuscript titled, “The Proximal Origin of SARS-CoV-2” to *Nature* for review.¹⁵⁵ Later that day, Dr. Andersen followed up writing, “Sorry for contacting you again. The manuscript was put on Virological this morning, which has created some urgency from Wellcome, WHO, and others...this is an extremely rapidly evolving situation – which has unfortunately been amplified due to some recent “speculations” from parts of the US media.”¹⁵⁶

¹⁵² E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Claire Thomas, Editor, *Nature* (Feb. 12, 2020).

¹⁵³ *Id.*

¹⁵⁴ E-Mail from Clare Thomas, Editor, *Nature*, to Kristian Andersen, Ph.D., Professor, Scripps Research (Feb. 13, 2020).

¹⁵⁵ E-Mail from Clare Thomas, Editor, *Nature*, to Kristian Andersen, Ph.D., Professor, Scripps Research (Feb. 17, 2020).

¹⁵⁶ E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Claire Thomas, Editor, *Nature* (Feb. 17, 2020).

Ms. Thomas responded, “I have two reviewers looking at it already...”¹⁵⁷

The authors, themselves recommended reviewers. According to Dr. Garry, “[s]o as you know when you submit, you’ll need to suggest reviewers to include and exclude. Seems easy – there are some natural choices for both lists.”¹⁵⁸ Dr. Holmes responded, “Oh, yes the reviewers are easy...I think this is a slam dunk.”¹⁵⁹ These comments raise serious bias concerns with both the review of Proximal Origin and the peer review process generally. Neither Dr. Andersen nor Dr. Garry knew which suggested reviewers were included or excluded.

On 16 Feb 2020, at 7:36 pm, Garry, Robert F [REDACTED] wrote:

Yeah I know and that’s a good choice for him.

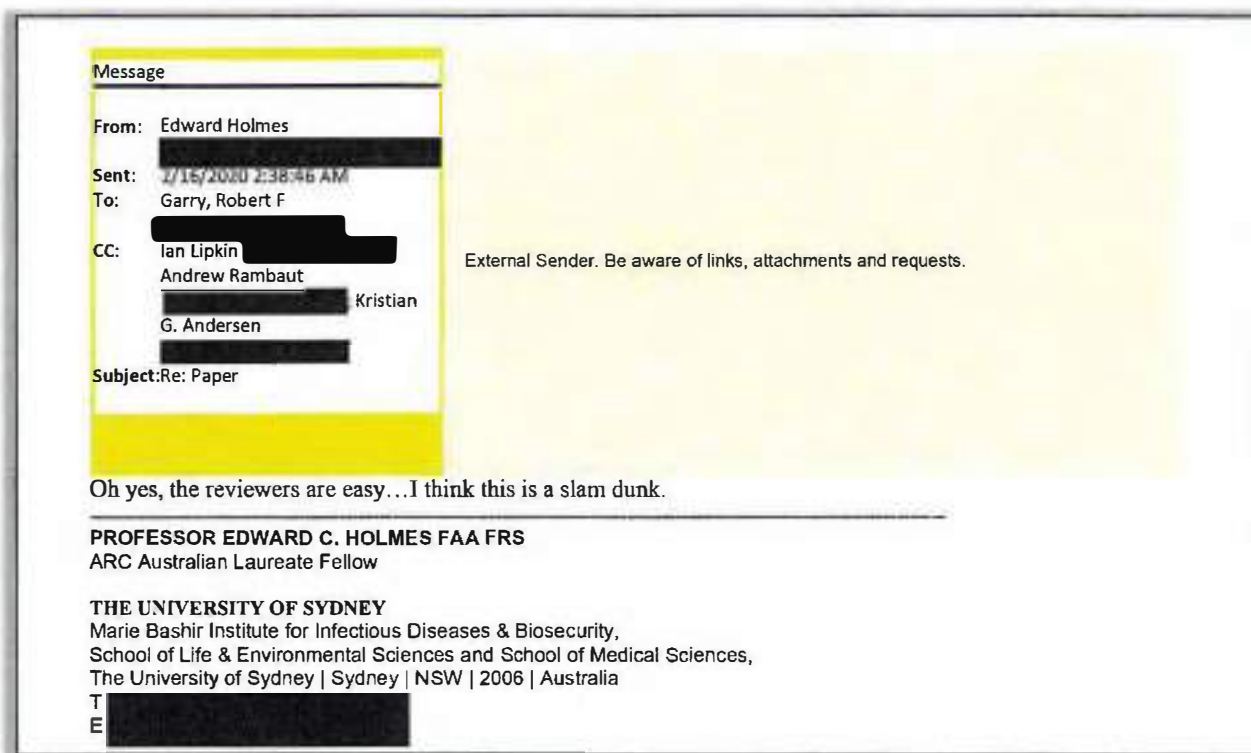
So, as you know when you submit you’ll need to suggest reviewers to include and exclude. Seems easy - there are some natural choices for both lists. Nature commentaries are peer reviewed iirc but I’m guessing they’ll push this as fast as possible.

Sent from my iPhone

¹⁵⁷ E-Mail from Clare Thomas, Editor, Nature, to Kristian Andersen, Ph.D., Professor, Scripps Research (Feb. 18, 2020).

¹⁵⁸ E-Mail from Robert Garry, Ph.D., Professor, Tulane College of Medicine, to Edward Holmes, Ph.D., et. al., Professor, University of Sydney (Feb. 16, 2020).

¹⁵⁹ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Robert Garry, Ph.D., et. al., Professor, Tulane College of Medicine (Feb. 16, 2020).



On February 20, 2020, *Nature* officially denied Proximal Origin for publication. Ms. Thomas stated, “We’ve now obtained two ref reports on the paper (appended below), and I’ve had the opportunity to discuss them with our chief editor Magdalena Skipper. In the light of the advice received I am afraid we have decided that we cannot offer to publish in *Nature*.”¹⁶⁰ The primary reason for denial, as stated by Ms. Thomas, was, “...one of our referees raised concerns (also emphasized to the editors) about whether such a piece would feed or quash the conspiracy theories.”¹⁶¹

Regarding the denial, Dr. Andersen testified:

Q. Did you ever get told why *Nature* originally rejected Proximal Origin?

A. They -- I think they rejected the paper because I think the reviewers felt that probably -- I mean, reviewer two was pretty critical about our conclusions of the paper and felt that they should have been stronger, and I think he had relayed those concerns to the editor, and I think that that would have been the reason.

Q. The conclusions that -- what do you mean?

¹⁶⁰ E-Mail from Clare Thomas, Editor, *Nature*, to Kristian Andersen, Ph.D., Professor, Scripps Research (Feb. 20, 2020).

¹⁶¹ *Id.*

A. Basically, that we -- because, again, we kept the possibilities of -- remember the submitted version to that was open-ended, agnostic as to whether it could have been a lab passage of the two versions of the natural origin that we discuss. And I think the editor probably felt that that was too open-ended. That was clearly what -- especially reviewer two pointed that out in their review, which we disagreed with.¹⁶²

Dr. Garry testified further:

Q. What were the reasons for the rejection?

A. They -- well, I mean, you can read all the reviews of the paper. They thought that we came down too strongly on the side that the virus had been of possible lab origin. And some of the reviewers wanted us to take that out, and we didn't think that was appropriate.¹⁶³

After the denial, Ms. Thomas suggested submitting to *Nature Medicine*.¹⁶⁴

II. Acceptance from Nature Medicine

On February 27, 2020, Dr. Andersen submitted Proximal Origin to *Nature Medicine*.¹⁶⁵ In his submission, Dr. Andersen wrote:

I believe Clare over at Nature might have mentioned our commentary on the proximal origins of the hCoV-19 virus last week. We have been incorporating some critical changes to the reviewer's comments, so I just wanted to reach out to you to see if you're still interested in having a look at this manuscript? We're still incorporating a few changes but will have all of this wrapped up shortly as we're on a tight deadline - the media interest in this has been enormous and hasn't slowed down (we have refrained from commenting until formal publication). The public interest has also been very high, with more than 65,000 reads of the blog post version over the last week.¹⁶⁶

After having been denied by *Nature* for not downplaying the possibility of a lab leak strongly enough, the authors decided to make this submission stronger. According to Dr. Andersen:

¹⁶² Transcribed Interview of Kristian Andersen, *supra* note 16.

¹⁶³ Transcribed Interview of Robert Garry, Ph.D., *supra* note 16.

¹⁶⁴ E-Mail from Clare Thomas, Editor, Nature, to Kristian Andersen, Ph.D., Professor, Scripps Research (Feb. 20, 2020).

¹⁶⁵ E-Mail from Kristian Andersen, Ph.D., Professor Scripps Research, to Joao Monterio, Editor, Nature Medicine (Feb. 27, 2020).

¹⁶⁶ *Id.*

- Q. You, and correct me if I'm wrong, said something along the lines earlier that the line: We do not believe that any type of laboratory-based scenario is plausible was added at some point?
- A. Correct. That was added to the final version of -- this was added after it went over to Nature Medicine, yes.
- Q. Did Nature Medicine add the line?
- A. No.
- Q. How did that process play out? How did that line get added?
- A. That's based on our edits to the paper. Again, as the editor at Nature Medicine states, is that he thought that the paper had grown significantly since the one he had seen from Nature. We had to shorten it. You need to trim this back down, more or less, to the size of the Nature version while retaining the major changes in response to the reviewers. And some of the responses to the reviewers was that the reviewer felt that we could be more specific on, for example, that lab origins were less likely than we initially entertained, and I agreed with that. I think we all agree with that, and those were changes that we incorporated. So that includes that we don't believe that any type of lab origin is plausible. It's something that was added in response to the reviewers, our own thinking of the topic, and then getting it published in Nature Medicine, as opposed to Nature.¹⁶⁷

On March 5, 2020, *Nature Medicine* accepted Proximal Origin for publication.¹⁶⁸

III. The Anonymous Whistleblower to Jon Cohen

On July 25, 2020, an anonymous whistleblower emailed Jon Cohen, a reporter for *Science* magazine and alleged that Proximal Origin plagiarized the arguments of others from the February 1 conference call.¹⁶⁹ The whistleblower also alleged that this was one of the reasons that *Nature* rejected the paper.¹⁷⁰ Mr. Cohen forwarded these claims to Dr. Andersen and Dr. Holmes and said, "Here's what one person who claims to have inside knowledge is saying behind your backs..."¹⁷¹

¹⁶⁷ Transcribed Interview of Kristian Andersen, *supra* note 16..

¹⁶⁸ E-Mail from Nature Medicine, to Kristian Andersen, Ph.D., Professor, Scripps Research (Mar. 5, 2020).

¹⁶⁹ E-Mail from Jon Cohen, Reporter, Science, to Kristian Andersen, Ph.D., Professor, Scripps Research, & Edward Holmes, Ph.D., Professor University of Sydney (July 25, 2020).

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

Dr. Andersen and Dr. Holmes then drafted a response to Mr. Cohen and forwarded their draft to Dr. Fauci and Dr. Farrar for approval.¹⁷² In this email, Dr. Andersen expresses concerns about confirming that the February 1 conference call took place, stating, “We need to reply back to Jon, which would include confirming that this meeting took did indeed take place with you and Jeremy present. Please let me know if you have any comments or concerns in this regard.”¹⁷³

While formulating their response, it is clear their highest priority was to protect Dr. Fauci. In response to Dr. Andersen, Dr. Farrar replies, “Can we get the sequence of events right and agreed before a substantive reply goes back to Jon?”¹⁷⁴ Dr. Holmes, responds with a revised draft and writes, “For Tony’s benefit a revised draft of the email to Jon is pasted below.”¹⁷⁵ While apparently Dr. Fauci never directly responded to Dr. Andersen, it is unclear if he had any contact with Dr. Farrar regarding this email exchange.

While the identity of the anonymous whistleblower is still unknown, the Proximal Origin authors have their own suspicions. Dr. Holmes opined, “...I’m 100% sure it was Ron who leaked it – he was the most angry – and I still think it was like Baric who emailed Jon Cohen.”¹⁷⁶ Dr. Rambaut responded, “I agree – most likely Ron doing the leaking.”¹⁷⁷

¹⁷² E-Mail from Kristian Andersen, Ph.D., Professor, Scripps Research, to Anthony Fauci, M.D., et. al., Dir., Nat’l Inst. Of Allergy & Infectious Diseases (July 28, 2020).

¹⁷³ *Id.*

¹⁷⁴ E-Mail from Jeremy Farrar, Ph.D., Dir., Wellcome Trust, to Kristian Andersen, Ph.D., et. al., Professor Scripps Research (July 28, 2020).

¹⁷⁵ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Jeremy Farrar, Ph.D., et. al., Dir. Wellcome Trust (July 28, 2020).

¹⁷⁶ E-Mail from Edward Holmes, Ph.D., Professor, University of Sydney, to Kristian Andersen, Ph.D., et. al., Professor, Scripps Research (July 28, 2020).

¹⁷⁷ E-Mail from Andrew Rambaut, Ph.D., Professor, University of Edinburgh, to Edward Holmes, Ph.D., et. al., Professor, University of Sydney (July 28, 2020).

On 28 Jul 2020, at 6:21 pm, Andrew Rambaut [REDACTED] wrote:

I agree - most likely Ron doing the leaking. Whoever it was that talked to the emailer was indignant that 'non-coronavirus-experts' were involved. I can't see any of the others having this sort of pompous, arrogant view of the world. Marion approached me well after this to help analyse the Dutch data. Christian I have worked with before on MERS. I doubt even that Ron was that bothered - probably just told the story to whoever it was and misremembered or 'enhanced' it for effect.

A

On 28 Jul 2020, at 03:58, Edward Holmes [REDACTED] wrote:

Pohlmann as on it and very good. Christian was also v. interested in the furin cleavage site (I've other emails).

Despite this, I'm 100% sure it is Ron who leaked it - he was the most angry - and I still think it was like Baric who emailed Jon Cohen.

I just thought "I would conclude that a follow-up discussion on the possible origin of 2019-nCoV would be of much interest" was very interesting.

PROFESSOR EDWARD C. HOLMES FAA FRS
ARC Australian Laureate Fellow

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School of Life & Environmental Sciences and School of Medical Sciences,
The University of Sydney | Sydney | NSW | 2006 | Australia

Through its investigation, the Select Subcommittee learned that Dr. Collins pushed for publication and approved the substance of Proximal Origin, *Nature* rejected Proximal Origin because it didn't downplay the lab leak theory enough, and the authors amended their paper to do just that to ensure approval by *Nature Medicine*.

THE CRITICAL RECEPTION AND USE OF PROXIMAL ORIGIN

Since Proximal Origin was published, it has been accessed 5.84 million times.¹⁷⁸ Further, it has garnered the third most attention of any paper of a similar age across all journals and the second most attention of any paper of a similar age in *Nature Medicine*.¹⁷⁹ Finally, it has received the fifth most attention of any paper ever tracked.¹⁸⁰ It has also been used to unequivocally rule out the possibility COVID-19 was the result of a lab leak.

On February 19, 2020, Proximal Origin was cited in the letter in *The Lancet* titled, “Statement in support of the scientists, public health professionals, and medical professionals of China combatting COVID-19.”¹⁸¹ Proximal Origin was cited as proof “this coronavirus originated in wildlife.”¹⁸²

On March 17, 2020, Dr. Andersen’s employer, Scripps Research, put out a press release regarding Proximal Origin titled, “The COVID-19 coronavirus pandemic has a natural origin, scientists say.”¹⁸³ Dr. Andersen is quoted in this release saying, “...we can firmly determine that SARS-COV-2 originated through natural process.”¹⁸⁴ Dr. Farrar’s organization, The Wellcome Trust, is also quoted in the release, stating, “they conclude that the virus is the product of natural evolution.”¹⁸⁵

The Select Subcommittee has learned that the NIH and NIAID were keenly anticipating the release of Proximal Origin. On February 19, 2020, the NIAID office of Communications spoke internally regarding the paper, stating, “The Office of Communications asked if we could alert them if this paper is accepted in a peer review journal. Do you know if the authors have submitted it to a journal?”¹⁸⁶

¹⁷⁸ Proximal Origin, *supra* note 7.

¹⁷⁹ Altmetric, *supra* 11.

¹⁸⁰ *Id.*

¹⁸¹ Charles Calisher, Ph.D., et. al., *Statement in support of the scientists, public health professionals, and medical professionals of China combatting COVID-19*, THE LANCET (Feb. 19, 2020).

¹⁸² *Id.*

¹⁸³ The COVID-19 coronavirus epidemic has a natural origin, scientists say, SCRIPPS RESEARCH (Mar. 17, 2020).

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

¹⁸⁶ E-Mail from Amanda Coleman, Nat’l Inst. Of Allergy & Infectious Diseases, Nat’l Insts. Of Health, to Reed Shabman, Program Office, Nat’l Inst. Of Allergy & Infectious Diseases, Nat’l Insts. Of Health (Feb. 19, 2020).

From: Coleman, Amanda (NIH/NIAID) [C] [REDACTED]
Sent: Wednesday, February 19, 2020 1:21 PM
To: Shabman, Reed (NIH/NIAID) [E] [REDACTED]
Cc: Brown, Liliana (NIH/NIAID) [E] [REDACTED]
Subject: RE: COVID-19 preprint of interest

Hi Reed – The Office of Communications asked if we could alert them if this paper is accepted in a peer reviewed journal. Do you know if the authors have submitted it to a journal?

Thank you,

Amanda Coleman [C]
[REDACTED]

An NIH employee responded stating, “I reached out to Kristian and team...the text is submitted to Nature. Kristian suggests that the office of Communication can communicate directly with Chris Emery [Scripps Research].”¹⁸⁷

From: Shabman, Reed (NIH/NIAID) [E]
Sent: Wednesday, February 19, 2020 3:30 PM
To: Coleman, Amanda (NIH/NIAID) [C] [REDACTED]
Cc: Brown, Liliana (NIH/NIAID) [E] [REDACTED], Chris Emery [REDACTED]
Subject: RE: COVID-19 preprint of interest

Hi Amanda,

I reached out to Kristian and team and copied his response below in italics. As you can see from his note, the text is submitted to Nature. Kristian suggests that the Office of Communications can communicate directly with Chris Emery (copied here).

REV0002496

Thanks,

Reed

Yes, it's been submitted for peer review (in Nature) and we are holding off on giving further comments to the media until it's been through that and published. Chris Emery from our communications department (cc'd here) is taking the lead on creating a press release / summary in lay language, as well as a Q&A with questions the public and policy makers might have - Wellcome is involved as well to help out. If there's interest on NIAID's side, I'm sure Chris and the team would welcome coordinatian/collaboration, so if you can please reach out to him directly.

*Best,
Kristian*

¹⁸⁷ E-Mail from Reed Shabman, Program Office, Nat'l Inst. Of Allergy & Infectious Diseases, Nat'l Insts. Of Health, to Amanda Coleman, Nat'l Inst. Of Allergy & Infectious Diseases, Nat'l Insts. Of Health (Feb. 19, 2020).

On March 26, 2020, Dr. Collins wrote a blog for the NIH regarding Proximal Origin.¹⁸⁸ In it he wrote, “A new study debunks such claims by providing scientific evidence that this novel coronavirus arose naturally.”¹⁸⁹ Dr. Collins concluded, “Either way, this study leaves little room to refute a natural origin for COVID-19.”¹⁹⁰

NIH wished to use Proximal Origin to downplay the possibility COVID was the result of a lab leak.

On April 16, 2020, more than two months after the original February 1 conference call and a month after Proximal Origin was published, Dr. Collins emailed Dr. Fauci expressing dismay that Proximal Origin did not successfully squash the lab leak theory. He stated, “I hoped the Nature Medicine article on the genomic sequence of SARS-CoV-2 would settle this...”¹⁹¹ Then Dr. Collins asked Dr. Fauci, “Wondering if there is something NIH can do to help put down this very destructive conspiracy...Anything more we can do?”¹⁹² Dr. Collins clearly insinuated that the NIH had previously taken steps to “put down” the lab leak theory.

The next day, on April 17, 2020, Dr. Fauci cited Proximal Origin from the White House podium:

Q.	Mr. President, I wanted to ask Dr. Fauci: Could you address these suggestions or concerns that this virus was somehow manmade, possibly came out of a laboratory in China?
Dr. Fauci.	There was a study recently that we can make available to you, where a group of highly qualified evolutionary virologists looked at the sequences there and the sequences in bats as they evolve. And the mutations that it took to get to the point where it is now is totally consistent with a jump of a species from an animal to a human. So, I mean, the paper will be available — I don't have the authors right now, but we can make that available to you. ¹⁹³

Dr. Fauci feigned ignorance regarding the paper, but this citation appears to be an attempt to satisfy Dr. Collins' concerns.

Even more, after the briefing, a reporter directly asked which paper Dr. Fauci was citing, and was then sent Proximal Origin. The reporter wrote, “Dr. Fauci on Friday said he would share

¹⁸⁸ Francis Collins, Genomic Study Points to Natural Origin of COVID-19, Nat'l Insts. Of Health (Mar. 26, 2020).

¹⁸⁹ *Id.*

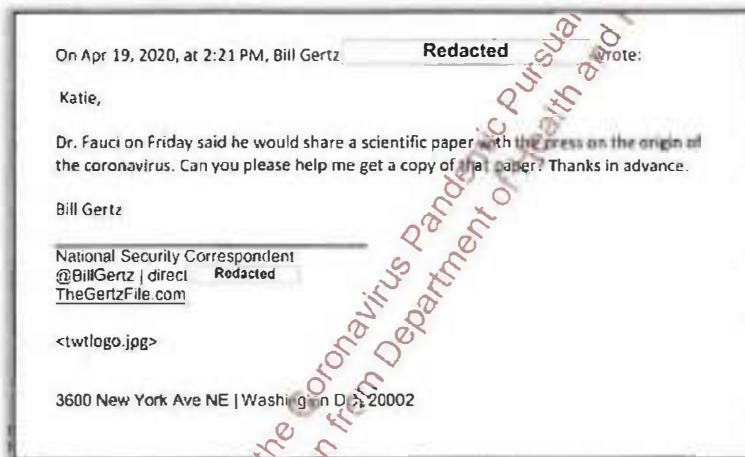
¹⁹⁰ *Id.*

¹⁹¹ E-Mail from Francis Collins, Dir., Nat'l Insts. Of Health, to Anthony Fauci M.D., Dir. Nat'l Inst. Of Allergy & Infectious Diseases, Nat'l Insts. Of Health (Apr. 16, 2020).

¹⁹² *Id.*

¹⁹³ Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing, The White House (Apr. 17, 2020).

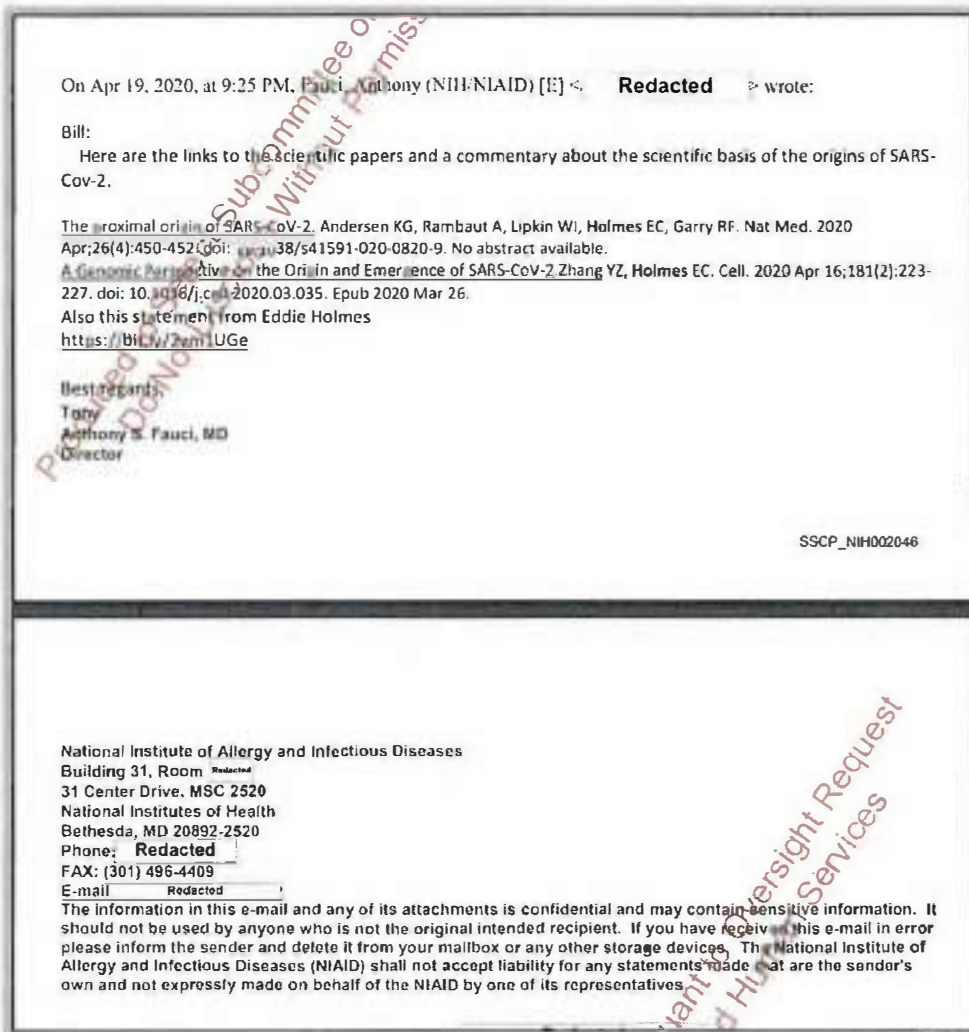
a scientific paper with the press on the origin of the coronavirus. Can you please help me get a copy of that paper?”¹⁹⁴



Dr. Fauci responded, “Here are the links to the scientific papers and a commentary about the scientific basis of the origins of SARS-Cov-2” and lists Proximal Origin.¹⁹⁵

¹⁹⁴ E-Mail from Bill Gertz, Correspondent, The Wash. Times, to Anthony Fauci, M.D., Dir. Nat’l Inst. Of Allergy & Infectious Diseases, Nat’l Insts. Of Health (Apr. 19, 2020).

¹⁹⁵ E-Mail from Anthony Fauci, M.D., Dir. Nat’l Inst. Of Allergy & Infectious Diseases, Nat’l Insts. Of Health, to Bill Gertz, Correspondent, The Wash. Times (Apr. 19, 2020).



Dr. Fauci later stated he may not have ever actually read Proximal Origin.¹⁹⁶ This raises questions of why he would cite a paper he did not even read from the White House podium as proof COVID-19 was not the result of a lab leak.

Through its investigation, the Select Subcommittee learned that Proximal Origin was used to downplay the possibility COVID-19 emerged from a lab leak in Wuhan, China and that the NIH and NIAID were keenly aware of its publication, and in fact participated in its crafting.

¹⁹⁶ Megan Stack, Dr. Fauci Could Have Said a Lot More, N.Y. TIMES (Mar. 28, 2020).

CONCLUSION

On January 31, 2020, Dr. Fauci “suggested” directly to Dr. Andersen draft a paper regarding a possible lab leak of COVID-19. Dr. Fauci warned that if Dr. Andersen determined COVID-19 was the result of a lab leak, then he would need to contact law enforcement. The next day, February 1, this time on a conference call with 11 international scientists, and included Dr. Collins and Dr. Tabak, Dr. Fauci again suggested drafting a paper regarding a possible lab leak. It was these two suggestions that prompted Dr. Andersen to begin drafting. A draft of what would become Proximal Origin was completed within hours.

The stated goal of Proximal Origin—the paper suggested and prompted by Dr. Fauci—was to “disprove” the lab leak theory. Dr. Andersen stated that refuting a possible lab leak was how Proximal Origin got started. While the exact motives to want to downplay a specific theory are not clear, the authors’ communications suggest they wanted to avoid blaming China and defend gain-of-function research. Dr. Fauci and Dr. Collins were intimately involved throughout the process—so much so that the authors coined the phrase “Bethesda Boys” to describe them.

The conclusions of Proximal Origin rest on three main arguments: (1) the presence of a non-optimal RBD and that RBD appearing in other viral sequences—particularly pangolins, (2) the presence or furin cleavage sites in other coronaviruses, and (3) the concept that any laboratory manipulation would have used an already published viral backbone. Each of these arguments is flawed and rests on unsupported assumptions.

When it came time to publish, Dr. Collins gave his approval for publication and said he was very happy with the final product. At first, the journal *Nature* rejected Proximal Origin because it did not discount a lab leak strong enough. In order to ensure publication in *Nature Medicine*, the authors claimed that no laboratory-based scenario is plausible, fulfilling *Nature*’s critique and attempting to kill the lab leak hypothesis.

After publication, Proximal Origin was used to downplay the lab leak hypothesis and call those who believe it may be true conspiracy theorists. Dr. Fauci and Dr. Collins tracked the paper through the review and publication process. And finally, Dr. Collins expressed dismay when Proximal Origin did not successfully kill the lab leak theory. He subsequently asked Dr. Fauci if there was anything more they could do. The next day, Dr. Fauci directly cited Proximal Origin from the White House podium.

On January 31, 2020, Dr. Fauci prompted Proximal Origin, which’s goal was to “disprove” the lab leak theory to avoid blaming China for the COVID-19 pandemic. Proximal Origin employed fatally flawed science to achieve its goal. And, finally, Dr. Collins and Dr. Fauci used Proximal Origin to attempt to kill the lab leak theory. This is the anatomy of a cover-up.