

December 1, 2024

VIA ELECTRONIC MAIL ONLY

Mitchell Benzine
Majority Counsel
Select Subcommittee on the Coronavirus
Pandemic
U.S. House of Representatives
2335 Rayburn House Office Building
Washington, D.C. 20515

Re: *Dr. Anthony S. Fauci*

Dear Mr. Benzine:

Thank you for sending advance drafts of certain sections of the report of the Select Subcommittee on the Coronavirus Pandemic (“the Select Subcommittee”). Frankly, we received hundreds of pages of the draft report from your office on the afternoon of Tuesday, November 26th and were told that any comments on behalf of Dr. Fauci had to be submitted by Noon today, December 1st, a period of four days that included the Thanksgiving Holiday. This is simply not enough time to prepare a comprehensive rebuttal to the allegations made in the draft report related to Dr. Fauci, given the fact that the record in this case includes thousands of pages of testimony as well as thousands of relevant documents.

With that caveat, we submit the following comments on behalf of Dr. Fauci. We address the individual sections of the draft report as you have titled them.

1. THE ORIGINS OF THE CORONAVIRUS PANDEMIC

- ***We disagree with the Subcommittee’s finding that the SARS-CoV2 likely emerged because of a laboratory leak.*** The Subcommittee’s finding in this regard ignores several recent scientific publications in peer-reviewed literature that conclude it is more likely that the origin of the virus was zoonotic and transferred from an animal to a human. We refer you to the following publications, which do not appear to be considered in your draft report.
 - Worobey M, et al: The Hunan Seafood Wholesale Market in Wuhan was the early epicenter of the COVID-19 pandemic. *Science* 377: 951-959, Aug. 26, 2022
 - Pekar JE, et al: The molecular epidemiology of multiple zoonotic origins of SARS-CoV-2. *Science* 377:960-966, Aug. 26, 2022
 - Holmes EC, et al: The origins of SARS-CoV-2: A critical review. *Cell* 184: 4848-4856, September 16, 2021; Holmes EC: The emergence and evolution of SARS-CoV-2. *Ann Rev Virol* 11:2.1-2.22, 2024

- Crits-Christoph A, et al: Genetic tracing of market wildlife and viruses at the epicenter of the COVID-19 pandemic. *Cell* 187: 5468-5482

The draft report also fails to mention public reports that four other federal government agencies and a national intelligence panel concluded that the pandemic likely started with natural transmission from animal to human.

- ***The Subcommittee’s finding that the scientific publication – “The Proximal Origin of SARS-CoV2” – was prompted by Dr. Anthony Fauci to disprove the Lab Leak theory is simply wrong.*** This finding is counter to all the evidence presented to the Subcommittee. Dr. Fauci suggested to Dr. Andersen and others on the February 1, 2020 telephone conference, which was initiated by Dr. Jeremy Farrar, that they publish their findings and opinions in a peer-reviewed scientific journal in order to be totally transparent, and they can then get input and critique from outside peers who would review the paper. Two of the authors of the article, Dr. Kristen Andersen and Dr. Robert Garry, testified before the Subcommittee that Dr. Fauci never pressured or even suggested to the authors that they come to any particular conclusion in that article. Dr. Andersen testified that the conclusion of the publication was that of the authors of the article, not Dr. Fauci. Even the evidence upon which you rely contradicts your conclusion. In fact, Dr. Fauci is conspicuously absent from many of the email exchanges upon which you rely to support this conclusion. While Dr. Fauci believed that further investigation into the origins of the virus would be important (and continues to hold that belief), he did not make any contribution to the content of the article. To assert that Dr. Fauci prompted the article for the purpose of disproving the lab leak theory is false and contradicted by direct evidence presented to the Subcommittee. We ask that you remove this finding.

2. GOVERNMENT PERPETRATED COVID-19 MISINFORMATION

Your finding that – “Public Health Officials, Especially Dr. Anthony Fauci, Incorrectly Characterized the Lab-Leak Theory as a ‘Conspiracy Theory’” – is completely wrong. There is no evidence that Dr. Fauci ever characterized the Lab-Leak Theory as a conspiracy theory. In fact, he explicitly stated in a transcribed interview and at a hearing that the lab leak theory is not a conspiracy theory. However, the discussion surrounding the lab leak theory has been rife with conspiracy theories, such as the claim that Dr. Fauci sneaked unnoticed into the CIA headquarters to try to convince CIA officials to debunk the lab leak theory, a claim which is fantastical and false. You completely distort Dr. Fauci’s statements in an interview in which he was asked about whether the virus originated from a “biological warfare center in Wuhan.” There is and was no evidence that the virus originated from a “biological warfare center in Wuhan.” One thing that is generally agreed upon is that China did not manufacture the virus for use in warfare. The National Intelligence Council in 2021

reported that the intelligence community agrees that the virus was not developed as a biological weapon. Moreover, as we explained above, the evidence before the Subcommittee is irrefutable that Dr. Fauci was *not* involved in the drafting or the content of the Proximal Origins article. Furthermore, as you point out, Dr. Fauci has consistently asserted that no conclusive determination has been made as to the origin of the virus and that the lab leak theory remains a possibility. He has always and continues to have an open mind as to the origin of the virus. We ask that you remove the phrase – “*Especially Dr. Anthony Fauci*” – from this finding.

3. VACCINE MANDATES WERE NOT SUPPORTED BY SCIENCE

- ***Your discussion of Dr. Fauci’s interview by journalist Michael Specter is misleading.*** Dr. Fauci testified before the Subcommittee that in his conversation with Mr. Specter, he was referring not only to the COVID vaccine mandates, but also generally to well-established vaccine mandates for children, which have saved countless lives by preventing measles, mumps, rubella pertussis, and other potentially fatal diseases. Dr. Fauci has made it clear that it is his view that not all objections to the COVID vaccines are unjustified. We ask that you remove the references to Dr. Fauci’s interview with Michael Specter on page 337.

4. THE SIX-FOOT DISTANCING REQUIREMENT

- ***Your characterization in the draft report that Dr. Fauci is responsible for the “six-foot” rule is incorrect.*** As Dr. Fauci has repeatedly testified and as unequivocally demonstrated by other independent evidence before the Subcommittee, the Center for Disease Control (“CDC”) was responsible for establishing the advisory guidance related to the six-foot rule. This was not Dr. Fauci’s decision, and it is unfair and misleading for your report to attribute that advisory guidance to him. We ask that the Subcommittee acknowledge in its report that Dr. Fauci was not responsible for any decisions related to guidance on six feet of separation.

5. MASKS AND MASK MANDATES

- In his deposition testimony regarding “mask mandates,” to which your report refers on page 204, Dr. Fauci explained that this again was a recommendation made by the CDC, not by Dr. Fauci. Moreover, Dr. Fauci testified that there is clear evidence that masks were effective in helping to prevent the transfer of the virus. We ask that you make this clear in your report.

6. THE COVID-19 PANDEMIC'S IMPACT ON AMERICAN WORKERS

- *Your statement on page 385 that “Furthermore, then-NIAID Director, White House Coronavirus Task Force member, and the country’s face of the pandemic, Dr. Anthony Fauci, made the decision to recommend that the President ‘shut down the country’” is false.* Dr. Fauci testified, and you have independent evidence to prove, that a “proposal” to “shut down the country” was made by Dr. Deborah Birx. At the time, Dr. Birx was serving as the White House Coronavirus Response Coordinator. As a member of the White House Coronavirus Response Team, Dr. Fauci, along with other members of the team including CDC Director Dr. Robert Redfield and Surgeon General Jerome Adams, supported Dr. Birx’s recommendation to then President Trump that he shut down the country. To imply that Dr. Fauci alone made the decision is patently wrong and we ask that that statement be removed from page 385 of your report.

We appreciate your consideration of the points we raise above and are happy to discuss them further.

Sincerely,



David Schertler

Danny Onorato

Counsel for Dr. Anthony S. Fauci

cc: The Honorable Raul Ruiz, M.D., Ranking Member
Select Subcommittee on the Coronavirus Pandemic