

United States Senate  
WASHINGTON, DC 20510

August 8, 2023

Matthew M. Graves  
United States Attorney  
Office of the U.S. Attorney for the District of Columbia  
U.S. Department of Justice  
601D Street, NW  
Washington, DC 20001

Dear Mr. Graves:

I write to request your office open an investigation into the testimony made to the United States Senate Committee on Health, Education, Labor, and Pensions on May 11, 2021, by Dr. Anthony Fauci, former Director of the National Institute of Allergy and Infectious Diseases (NIAID).

In response to my questioning at the May 11, 2021 hearing, Dr. Fauci testified that “the NIH has not ever and does not now fund gain-of-function research in the Wuhan Institute of Virology”<sup>1</sup> In a subsequent hearing, I warned Dr. Fauci of the criminal implications of lying to Congress and offered him an opportunity to recant his previous statements. In response, Dr. Fauci stated that he had “never lied before the Congress” and “d[id] not retract that statement.”<sup>2</sup> Dr. Fauci’s testimony is inconsistent with facts that have since come to light.

On February 1, 2020, Dr. Fauci sent an email, which the House Select Subcommittee on the Coronavirus Pandemic recently released, acknowledging concerns that COVID-19 may have been genetically engineered because gain-of-function research was taking place in Wuhan before the pandemic. In the email, Dr. Fauci wrote, “scientists in Wuhan University are known to have been working on gain-of-function experiments to determine that molecular mechanisms associated with bat viruses adapting to human infection, and the outbreak originated in Wuhan.”<sup>3</sup>

Further, gain-of-function research in Wuhan was funded by the agency Dr. Fauci led. A paper entitled “Discovery of a rich gene pool of bat SARS-related coronaviruses provides new insights into the origin of SARS coronavirus” described in-depth the research carried out at the Wuhan Institute of Virology and funded through NIAID Award R01AI110964. Dr. Zheng-Li Shi details the research in which the spike genes from two uncharacterized bat SARS-related coronavirus strains, Rs4231 and Rs7327, were combined with the genomic backbone of another SARS-related coronavirus to create novel chimeric SARS-related viruses that showed cytopathic effects

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<sup>1</sup> *An Update from Federal Officials on Efforts to Combat COVID-19 Before the Senate Comm. on Health, Educ., Labor & Pensions*, 117th Cong. 39 (2021) (statement of Dr. Anthony Fauci, Dir., Nat’l Inst. of Allergy and Infectious Diseases).

<sup>2</sup> *The Path Forward: A Federal Perspective on the COVID-19 Response Before the Senate Comm. on Health, Educ., Labor & Pensions*, 117th Cong. (2021) (statement of Dr. Anthony Fauci, Dir., Nat’l Inst. of Allergy and Infectious Diseases).

<sup>3</sup> @COVIDSelect, TWITTER (Jul. 13, 2023), <https://twitter.com/COVIDSelect/status/1679606442414809090/photo/1>.

in primate epithelial cells and replication in human epithelial cells. These experiments combined genetic information from different SARS-related coronaviruses and combined them to create novel, artificial viruses able to infect human cells. This research, funded under NIAID Award R01AI110964, meets the definition of gain-of-function research.

In a report published on June 14, 2023, the Government Accountability Office (GAO) concluded the Wuhan Institute of Virology and Wuhan University received NIH funding.<sup>4</sup> The report noted that NIH funded the WIV's project "Understanding the Risk of Bat Coronavirus Emergence"<sup>5</sup> which included "genetic experiments to combine naturally occurring bat coronaviruses with SARS and MERS viruses, resulting in hybridized coronavirus strains."<sup>6</sup> Additionally, GAO determined NIH funded the Wuhan University's collaboration with WIV on viral detection in the Yunnan province.<sup>7</sup>

Pursuant to 18 U.S.C. § 1001, whoever "makes any materially false, fictitious, or fraudulent statement or representation" as part of "any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate" is subject to criminal fines and imprisonment of up to five years.

Before Congress, Dr. Fauci denied funding gain-of-function research, to the press he claims to have a dispassionate view on the lab leak hypothesis, and in private he acknowledges gain-of-function research at WIV to his colleagues.<sup>8</sup> His own colleagues have acknowledged Dr. Fauci's inconsistency.<sup>9</sup> A congressional hearing, however, is not the place for a public servant to play political games – especially when the health and well-being of American citizens is on the line.

For this reason, I request that you investigate whether Dr. Fauci's statements to Congress on May 11, 2021, violated 18 U.S.C. § 1001 or any other statute.

Sincerely,

A handwritten signature in blue ink that reads "Rand Paul". The signature is fluid and cursive, with the first and last names clearly legible.

Rand Paul, M.D.  
United States Senator

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<sup>4</sup> GOV'T ACCOUNTABILITY OFF., *FEDERAL RESEARCH: NIH Could Take Additional Actions to Manage Risks Involving Foreign Subrecipients* (2023).

<sup>5</sup> *Id.* at 30.

<sup>6</sup> *Id.* at 14.

<sup>7</sup> *Id.*

<sup>8</sup> David Zweig, *Anthony Fauci's Deceptions*, THE FREE PRESS (Aug. 7, 2023), <https://www.thefp.com/p/anthony-faucis-deceptions>.

<sup>9</sup> *Id.*