



United States Senate
Washington D.C. 20510

November 14, 2024

VIA ELECTRONIC TRANSMISSION

The Honorable Thomas A. Monheim
Inspector General of the Intelligence Community
Investigations Division, Reston 3
Washington, D.C. 20511

Dear Inspector General Monheim:

The COVID-19 pandemic has claimed over 1.2 million American lives and caused more than \$18 trillion in economic damage to the U.S, yet today the American people still do not have satisfactory answers from the U.S. Government about the origin of the outbreak.^{1,2} In May 2021, the White House tasked the Office of the Director of National Intelligence (ODNI) to lead the federal government in a focused 90-day review to more definitively assess the COVID-19 pandemic origin.³ Neither the focused probe or the ongoing review in the four years subsequent to the 90-day sprint have yielded a change in ODNI's assessment that a natural spillover or laboratory-related incident were equally likely to have started the pandemic.⁴ The ODNI claims the key to determining the COVID-19 origin will cooperation from China, which is implausible given China's propensity to suppress information unfavorable to China's image.

The ODNI assessment remains flawed. Witnesses claim that during the ODNI-led investigation, conflicted individuals may have censored the laboratory-origin related intelligence and, if true, this signals an alarming breach of integrity in the investigative process.⁵ New evidence from the U.S. Department of Defense (DoD) proves that the U.S. Intelligence Community (IC) had classified access in July 2021, to a proposed research plan that, if completed, could have produced a synthetic coronavirus in 2019 with the same unique construction as SARS-CoV-2 (SARS2).^{6, 7}

¹ U.S. Centers for Disease Control and Prevention, *Provisional Death Counts for COVID-19*, Deaths by Week and State (accessed Sept. 23, 2024) available at <https://www.cdc.gov/nchs/nvss/vsrr/covid19/index.htm>.

² Revell, Eric, *Commission Finds Covid Pandemic Caused \$18 Trillion in Economic Damage to US*, Fox Business (July 8, 2024) available at <https://www.foxbusiness.com/economy/commission-finds-covid-pandemic-caused-18-trillion-economic-damage-us>.

³ The White House, *Statement by President Joe Biden on the Investigation into the Origins of COVID-19*, Briefing Room (May 26, 2021) available at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/05/26/statement-by-president-joe-biden-on-the-investigation-into-the-origins-of-covid-19/>.

⁴ Office of the Director of National Intelligence, *Reports and Publications*, Newsroom (Accessed Sept. 30, 2024) available at <https://www.dni.gov/index.php/newsroom/reports-publications/reports-publications-2024>.

⁵ Markson, Sharri, *Biden probe censored expert claims that COVID was likely genetically engineered in a laboratory*, Sky News (Aug. 24, 2023) available at <https://www.skynews.com.au/world-news/world-exclusive-biden-probe-censored-expert-claims-that-covid-was-likely-genetically-engineered-in-a-laboratory/news-story/54b70e4d95974d528d8f754d1323232d>.

⁶ U.S. Department of Defense production to Lt. Col. Joseph Murphy, supplied to Senator Marshall's staff available at <https://www.marshall.senate.gov/wp-content/uploads/Senator-Marshall-Letter-to-IC-OIG-Oct-2024-DOD-records.pdf>.

⁷ Gartland, Annette, *Scientists say EcoHealth Alliance's DEFUSE proposal a blueprint for SARS-CoV-2*, Changing Times (Jan. 19, 2024) available at <https://changingtimes.media/2024/01/19/scientists-say-ecohealth-alliances-defuse-proposal-was-a-blueprint-for-sars-cov-2/>.

Today I write with urgency to request that your office investigate the federal government's COVID-19 origin analytical process and results. Investigation is warranted into the possibility that an integrity breach occurred during the federal probe and that the ODNI assessments may have errors, omissions or manipulated intelligence. The OIG investigation can uncover any deliberate actions which may rise to the level of misconduct, false statements, obstruction of federal proceedings, conspiracy, conflicts of interest, or infractions of administrative or civil laws.⁸

A SARS2 Genetic Engineering Blueprint

In March 2018, a New York-based nonprofit organization, EcoHealth Alliance (EcoHealth) proposed the "Project DEFUSE: Defusing the Threat of Bat-borne Coronaviruses," (DEFUSE) research to the Defense Advanced Research Projects Agency (DARPA), with long-time bat coronavirus research collaborators, Dr. Ralph Baric of the University of North Carolina, and scientists from the Wuhan Institute of Virology (WIV) in China, plus others.⁹ In the DEFUSE project, researchers would use risky gain-of-function (GoF) laboratory techniques to insert the unusual features of SARS2 into a SARS-like virus, then assess if those changes increased human infectivity.¹⁰ The WIV scientists planned to conduct the hazardous research in Wuhan, in close proximity where the COVID-19 pandemic outbreak began.¹¹

Soon after ODNI started leading the federal COVID-19 origin investigation in May 2021, new records from DoD show that on July 8, 2021, DARPA uploaded the unclassified DEFUSE files to its classified network for transmission "to the Intelligence Community as a part of the ongoing effort to determine the origin of the COVID-19 virus."¹² These previously unpublished DoD records were recently produced to U.S. Marine Corps Lieutenant Colonel Joseph Murphy (Lt. Col. Murphy).¹³

On July 8, 2021, Lt. Col. Murphy was working on the classified network at DARPA when he discovered the DEFUSE files, which were devoid of classified markings, contrary to classified record-keeping standards.¹⁴ Lt. Col. Murphy immediately reported the DEFUSE files to his chain of command and appropriate authorities, who assured him that the records were not classified.¹⁵ The DEFUSE records became public in September 2021.¹⁶

DARPA's transfer of DEFUSE to the IC "was the only reason proposal was on a classified network."¹⁷ Federal guidelines prohibit classifying previously unclassified records unless their disclosure could reasonably be expected to cause damage to national security.¹⁸ The DEFUSE records remain unclassified and did not undergo Original Classification Authority assignment, however, adding the DEFUSE records to the classified system for the reasons stated may violate U.S. government classification authorities.¹⁹ Investigation of potential record over-classification is warranted to determine if the transfer of records impeded the U.S. federal probe into the COVID-19 origin.²⁰

⁸ 18 U.S.C. § 1001 (False Statements); 18 U.S.C. § 371 (Conspiracy); 18 U.S.C. § 1505 (Obstruction of Proceedings); 18 U.S.C. § 208 (conflicts of interest); 5 C.F.R. Part 2635 as amended at 81 FR 81641 (effective Jan. 1, 2017) Standards of Ethical Conduct for Employees of the Executive Branch.

⁹ *Id.* at 6.

¹⁰ *Id.* at 7.

¹¹ *Id.* at 7.

¹² *Id.* at 6.

¹³ *Id.* at 6.

¹⁴ Lt. Col. Murphy authorized the release of his name and DoD records, on file with Senator Marshall's staff.

¹⁵ *Id.* at 6.

¹⁶ Lerner, Sharon, et al., *Leaked Grant Proposal Details High-Risk Coronavirus Research*, The Intercept (Sept. 23, 2021) available at <https://www.documentcloud.org/documents/21066966-defuse-proposal>.

¹⁷ *Id.* at 6.

¹⁸ Executive Order 12356 available at <https://www.archives.gov/federal-register/codification/executive-order/12356.html>.

¹⁹ *Id.* at 6.

²⁰ *Id.* at 18.

Relevance of Proposed Research

The DEFUSE proposal and related draft records are relevant to the COVID-19 origin investigation because the project outlined the scientific steps that could create SARS2, and it also confirmed the plan to purchase specific supplies needed to accomplish the synthetic virus creation, which are the exact enzymes discovered in SARS2.²¹

EcoHealth's research plan included dangerous gain of function (GoF) experiments that were designed to increase the human infectivity of the coronavirus pathogens.²² DARPA did not select the DEFUSE project for funding, in part, because EcoHealth did not create a risk mitigation plan for the GoF research.²³ However, former Director of the U.S. Centers for Disease Control and Prevention (CDC), Dr. Robert Redfield, has explained that even if a research project is not funded, research may be undertaken to test a proof of concept.²⁴ It is therefore possible the EcoHealth may have started this research project at the WIV, despite the project's non-selection by DARPA.

The new records from DoD validate that ODNI and the IC experts had access to the DEFUSE proposal and budget records, therefore investigation is warranted to determine if the DEFUSE proposal was evaluated. The OIG investigation can determine if the ODNI or IC evaluations of the DEFUSE records were impeded, misdirected or if the significance of the proposal was downplayed by advisors or staff.

Additional Matters for Investigation

The public deserves to know if the federal government's pandemic origin assessments have been unduly influenced or manipulated to keep the natural origin theory at the forefront. However, no evidence supports a natural origin. No SARS2 genomic or serological evidence was found in the over 80,000 domestic and wild animal samples tested in China.²⁵ Many aspects of the federal COVID-19 origin investigation process warrant IC OIG investigation, including the following:

- **Potential Expert Advisor Conflicts of Interest**

In the IC COVID-19 origin investigation, private sector scientists may not have disclosed their personal conflicts of interest before advising or influencing the IC. The ODNI consults with the Biological Sciences Experts Group (BSEG), a collection of non-government scientists created in 2006 to advise the IC on detection and evaluation of bioweapons threats.²⁶ BSEG activities are usually classified and participants are unknown unless a member publicly shares the affiliation, like Dr. Baric noted in his Curriculum Vitae.²⁷ Non-government scientists may have independently advised the IC or as members of a dedicated COVID-19 BSEG that was convened by ODNI in 2020.²⁸ Undisclosed conflicts of interest may have included professional reliance on federal grants, a bias towards risky pathogen research projects, or collaborative relationships with the WIV.²⁹ Investigation is warranted

²¹ *Id.* at 6.

²² *Id.* at 6.

²³ *Id.* at 6.

²⁴ KrasnoUNC Podcast, *Robert R. Redfield on Biosecurity: a US National Security Priority*, University of North Carolina (Oct. 15, 2024) available at <https://www.youtube.com/watch?v=FNB8TQaxbJo>.

²⁵ World Health Organization, *WHO-convened Global Study of Origins of SARS-CoV-2: China Part*, Joint Report (April 6, 2021) available at https://www.who.int/docs/default-source/coronaviruse/final-joint-report_origins-studies-6-april-201.pdf.

²⁶ Federation of American Scientists, *Biological Sciences Experts Group Concept Paper*, (Apr. 12, 2010) available at <https://irp.fas.org/eprint/bseg-concept.pdf>.

²⁷ University of North Carolina, *Curriculum Vitae of Ralph S. Baric* (accessed Oct. 24, 2024) available at https://sph.unc.edu/wp-content/uploads/sites/112/2016/09/CV_Ralph_Baric.pdf.

²⁸ U.S. House of Representatives, *Interview of Robert F. Garry*, page 190 (June 9, 2023) available at <https://oversight.house.gov/wp-content/uploads/2023/07/2023.06.09-Garry-Transcript-.pdf>.

²⁹ Andersen, K., *The Proximal Origin of SARS-CoV-2*, *Nature* (Mar. 17, 2020) available at <https://www.nature.com/articles/s41591-020-0820-9>.

to determine if conflicted scientists may have unknowingly or knowingly given materially false information about the COVID-19 origin to the IC, potentially in violation of federal law.³⁰

- **Potential Staff Conflicts of Interest**

The Mission Integration (MI) staff in ODNI led the collection of COVID-19 origin intelligence from each participating IC agency.³¹ The intelligence should have been fully referenced and presented to the National Intelligence Council (NIC), the division within ODNI that produces the final intelligence assessments.³² Witnesses have reported that some assessments from IC experts were marginalized.³³ At least one person detailed to the MI staff and involved in ODNI's pandemic origin investigation had a professional conflict of interest but did not recuse herself from the IC evaluation process.³⁴

- **China's Comprehensive Zoonotic Disease Outbreak Data**

In May 2019, the U.S. Centers for Disease Control and Prevention (CDC) facilitated a workshop in China that convened experts from China's human, animal and environmental health sectors to identify and prioritize the zoonotic diseases that posed the greatest risk for outbreak in China.³⁵ China's experts prepared for several months in advance of the workshop by collecting extensive epidemiological surveillance data and other information from the prior five to ten years of human and animal zoonotic disease case reports in China.³⁶ During the three day workshop, participants evaluated a variety of data to determine the top 30 zoonotic disease threats in the country.³⁷ China's experts then evaluated and prioritized which of the 30 pathogens would most likely cause a severe outbreak and harm to the country. **Of the 30 most dangerous zoonotic pathogens poised for outbreak in China, coronavirus only ranked as number 21 [emphasis added].**³⁸

The Chinese experts shared all the data with workshop participants, including the U.S. CDC, the U.S. Department of Agriculture, the U.S. National Institutes of Health (NIH), and the U.S. Department of Health and Human Services.³⁹ The OIG investigation can determine if the data from this 2019 workshop were obtained and evaluated by the IC as part of the ODNI-led COVID-19 origin probe.

- **Assurance that a Zoonotic Outbreak Would Not Start in Wuhan**

The IC COVID-19 origin investigation may not have included an evaluation of a bat coronavirus serological surveillance study published in 2018 by EcoHealth and the WIV, which is relevant to assessing if outbreak that started in Wuhan, China was caused by a natural spillover or a laboratory-

³⁰ 18 USC 1001.

³¹ Office of the Director of National Intelligence, *National Intelligence Council – What We Do, Mission Integration* (last accessed Oct. 15, 2024) available at <https://www.dni.gov/index.php/features/207-about/organization/national-intelligence-council?start=6#:~:text=National%20Intelligence%20Council%20%2D%20What%20We%20Do&text=They%20support%20the%20NIMs%20efforts,m0st%20pressing%20national%20security%20concerns>.

³² *Id.*

³³ On file with Senator Marshall's staff.

³⁴ Markson, Sharri, *US intelligence official linked to WHO was critical in downplaying Covid lab leak theory during Joe Biden's 90-day probe into virus origins*, Sky News (Nov. 27, 2023) available at <https://www.skynews.com.au/world-news/us-intelligence-official-linked-to-who-was-critical-in-downplaying-covid-lab-leak-theory-during-joe-bidens-90day-probe-into-virus-origins/news-story/70cec8fe1513491a421d45b12b45a8e7>. Additional witness statements are with Senator Marshall's staff.

³⁵ Wang X., et al., *Using a One Health approach to prioritize zoonotic diseases in China*, PLoS ONE 16(11): e0259706 (Nov. 19, 2019) available at <https://doi.org/10.1371/journal.pone.0259706>.

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

related incident.⁴⁰ The study was supported in part by research grant awards to EcoHealth from the U.S. NIH and the U.S. Agency for International Development (USAID).⁴¹

Researchers from EcoHealth and the WIV had experience conducting serological surveillance studies to detect evidence of bat coronavirus infection in populations in China.⁴² In one of their serosurveillance studies published in 2018, EcoHealth and the WIV aimed to detect evidence of human infection from bat coronaviruses in populations suspected of being at high risk for exposure.⁴³ To conduct the study, researchers compared antibody tests from high-risk populations to tests from a control group, which was a population not expected to have bat coronavirus disease exposure.⁴⁴ The control group data was used as the benchmark for comparison of tests from the high-risk groups.⁴⁵

In this 2018 study, EcoHealth and WIV scientists determined that Wuhan inhabitants had very low risk of exposure to bat coronavirus infections and used 240 samples from the Wuhan population to establish the control group benchmark for their studies.⁴⁶ Researchers included a map inset in the published research to depict the lengthy spatial distance from the population near the Jinning bat caves the low-risk population in the city of “Wuhan, where the negative control sera were collected.”⁴⁷ Researchers reported that Wuhan inhabitants, “have a much lower likelihood of contact with bats due to its urban setting,” which was more than 1000 kilometers/620 miles away from the mountainous regions of China where bat SARS-related viruses were endemic.⁴⁸

- **Misleading Assessment Report Language**

ODNI published four COVID-19 origin assessment reports with pervasive inconsistencies and ambiguous syntax, effectively rendering the reports misleading.⁴⁹ One example is ODNI’s implausible report that, “No IC analysts assess that SARS2 was the result of laboratory adaptation, although some analysts do not have enough information to make this determination.”⁵⁰ Also, ODNI redacted some IC agency names and other facts, which inhibits knowing which IC agencies participated, how differences in analytic judgment were fully considered, or if ODNI’s assessments represent the best available intelligence.

The Improbable COVID-19 Origin Assessment

ODNI asserts that a natural and laboratory-associated origin of the COVID-19 pandemic are equally credible, however, the Federal Bureau of Investigation (FBI) and the U.S. Department of Energy (DOE) assess that a lab-related origin is the most likely cause of the COVID-19 pandemic.⁵¹ Current and former government leaders with direct knowledge of the pandemic origin investigation also state that the

⁴⁰ Wang, N, et. al, *Serological Evidence of Bat SARS-Related Coronavirus Infection in Humans, China*, *Virologica Sinica*, (Mar. 2, 2018) available at <https://doi.org/10.1007/s12250-018-0012-7>.

⁴¹ *Id.* at 40.

⁴² Lerner, Sharon, et. al, *New Details Emerge About Coronavirus Research at Chinese Lab*, *The Intercept* (Sept. 6, 2021) available at <https://theintercept.com/2021/09/06/new-details-emerge-about-coronavirus-research-at-chinese-lab/>.

⁴³ *Id.* at 40.

⁴⁴ *Id.* at 40.

⁴⁵ *Id.* at 40.

⁴⁶ *Id.* at 40.

⁴⁷ *Id.* at 40.

⁴⁸ *Id.* at 40.

⁴⁹ *Id.* at 4.

⁵⁰ Office of the Director of National Intelligence, (U) *Potential Links Between the Wuhan Institute of Virology and the Origin of the COVID-19 Pandemic*, (June 23, 2023) available at <https://www.dni.gov/files/ODNI/documents/assessments/Report-on-Potential-Links-Between-the-Wuhan-Institute-of-Virology-and-the-Origins-of-COVID-19-20230623.pdf>.

⁵¹ Gordon, Michael and Strobel, Warren, *FBI Director Says Covid Pandemic Likely Caused by Chinese Lab Leak*, *WSJ* (Feb. 28, 2023) available at <https://www.wsj.com/articles/fbi-director-says-covid-pandemic-likely-caused-by-chinese-lab-leak-13a5e69b>.

pandemic most likely started from a laboratory-associated incident in China, which calls into question the credibility of the ODNI assessment.

For example, former ODNI Director John Ratcliffe testified to Congress that his informed assessment of the COVID-19 origin, “continues to be that a lab leak is the only explanation credibly supported by our intelligence, by science and by common sense.”⁵² Director Radcliffe also testified that the IC makes thousands of assessments each year using only a fraction of the COVID-19 origin intelligence it possesses.⁵³

Former CDC Director Dr. Robert Redfield, has repeatedly testified before Congress and publicly declared that as a clinical virologist, he argues that “the preponderance of evidence is that it's laboratory origin.”⁵⁴ Dr. Redfield articulated that the engineered alterations of SARS2, causing it to infect humans and not bats, are unlike any other natural coronavirus.⁵⁵ Dr. Redfield opined that some members of the scientific community prioritized protecting self-interests over truth to prevent regulation of risky Gain-of-Function research techniques.⁵⁶

The ODNI’s inability or unwillingness to issue a reasonable COVID-19 origin assessment after four and a half years is deeply troubling and does disservice to the world-class IC experts, to the U.S. government, and to all Americans. As a U.S. Senator from the great state of Kansas and as a licensed physician, I remain/[We will remain] steadfast in pursuing the truth about what started the most consequential public health emergency of our lifetimes.

I look forward to your leadership in pursuing facts through an IC OIG investigation that can inventory the evidence that has been evaluated, identify information gaps, and uncover any misconduct or disruption in the process that may have compromised the ODNI-led effort. To assist your investigation, please contact my staff to discuss sensitive information which cannot be disclosed in this letter.

Sincerely,

A handwritten signature in blue ink that reads "R. W. Marshall". The signature is written in a cursive, flowing style.

Roger W. Marshall, M.D.
United States Senator

⁵² U.S. House of Representatives, *Testimony of Former Director of National Intelligence John L. Ratcliffe*, Select Subcommittee on the Coronavirus Pandemic (Apr. 18, 2023) available at <https://oversight.house.gov/wp-content/uploads/2023/04/Ratcliffe-Prepared-Testimony.pdf>.

⁵³ *Id.*

⁵⁴ *Id.* at 24.

⁵⁵ *Id.* at 24.

⁵⁶ *Id.* at 24.