

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

STATE OF MISSOURI *ex rel.* ERIC S.  
SCHMITT, Attorney General, and

STATE OF LOUISIANA *ex rel.* JEFFREY  
M. LANDRY, Attorney General,

*Plaintiffs,*

v.

JOSEPH R. BIDEN, JR., in his official  
capacity as President of the United States, *et*  
*al.*;

*Defendants.*

Case No. 3:22-cv-01213

**DECLARATION OF DR. JAYANTA BHATTACHARYA**

I, Dr. Jayanta Bhattacharya, declare as follows:

1. I am an adult of sound mind and make this statement voluntarily, based upon my knowledge, education, and experience.

2. I am a former Professor of Medicine and current Professor of Health Policy at Stanford University School of Medicine and a research associate at the National Bureau of Economic Research. I am also Director of Stanford's Center for Demography and Economics of Health and Aging. I hold an M.D. and Ph.D. from Stanford University. I have published 161 scholarly articles in peer-reviewed journals in the fields of medicine, economics, health policy, epidemiology, statistics, law, and public health, among others. My research has been cited in the peer-reviewed scientific literature more than 13,000 times.

3. I have dedicated my professional career to the analysis of health policy, including infectious disease epidemiology and policy, and the safety and efficacy of medical interventions.

I have studied extensively and commented publicly on the necessity and safety of vaccine requirements for those who have contracted and recovered from COVID-19 (individuals with “natural immunity”). I am intimately familiar with the emergent scientific and medical literature on this topic and pertinent government policy responses to the issue both in the United States and abroad.

4. I have served as an expert witness in many cases involving challenges to COVID-19 restrictions such as mask mandates and lockdowns, including as an expert on behalf of the Missouri Attorney General’s Office. My writings on COVID-19-related issues has appeared in both scientific journals (like the *Journal of the American Medical Association* and the *International Journal of Epidemiology*) and in the popular press around the world (including the *Wall Street Journal*, *Newsweek*, *the Telegraph*, *the Spectator*, and many other outlets). I have appeared as a invited guest on national and international news programs, including Fox News, BBC, CNN, NPR, Sky News, NewsMax, GB News, and other stations in the US, the UK, Australia, and elsewhere.

5. Because of my views on COVID-19 restrictions, I have been specifically targeted for censorship by federal government officials.

6. On October 4, 2020, I and two colleagues—Dr. Martin Kulldorff, a professor of medicine, biostatistician, and epidemiologist at Harvard University; and Dr. Sunetra Gupta, an epidemiologist with expertise in immunology, vaccine development, and mathematical modeling of infectious diseases at the University of Oxford—published online the “Great Barrington Declaration.”<sup>1</sup>

7. The Great Barrington Declaration questioned the then-prevailing governmental policies of responding to COVID-19 with lockdowns, school shutdowns, and similar restrictions. It stated:

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<sup>1</sup> Great Barrington Declaration, <https://gbdeclaration.org/>.

“As infectious disease epidemiologists and public health scientists we have grave concerns about the damaging physical and mental health impacts of the prevailing COVID-19 policies, and recommend an approach we call Focused Protection.” *Id.*

8. The Declaration called for an end to economic lockdowns, school shutdowns, and similar restrictive policies on the ground that they disproportionately harm the young and economically disadvantaged while conferring limited benefits. The Declaration stated: “Current lockdown policies are producing devastating effects on short and long-term public health. The results (to name a few) include lower childhood vaccination rates, worsening cardiovascular disease outcomes, fewer cancer screenings and deteriorating mental health – leading to greater excess mortality in years to come, with the working class and younger members of society carrying the heaviest burden. Keeping students out of school is a grave injustice.” *Id.*

9. It asserted that “[k]eeping these measures in place until a vaccine is available will cause irreparable damage, with the underprivileged disproportionately harmed. ... We know that vulnerability to death from COVID-19 is more than a thousand-fold higher in the old and infirm than the young. Indeed, for children, COVID-19 is less dangerous than many other harms, including influenza.” *Id.*

10. The Declaration endorsed an alternative approach called “Focused Protection,” which called for strong measures to protect high-risk populations while allowing lower-risk individuals to return to normal life with reasonable precautions: “The most compassionate approach that balances the risks and benefits of reaching herd immunity, is to allow those who are at minimal risk of death to live their lives normally to build up immunity to the virus through natural infection, while better protecting those who are at highest risk. We call this Focused Protection.” *Id.*

11. The Declaration stated, “Those who are not vulnerable should immediately be allowed to resume life as normal. Simple hygiene measures, such as hand washing and staying home when sick should be practiced by everyone to reduce the herd immunity threshold. Schools and universities should be open for in-person teaching. Extracurricular activities, such as sports, should be resumed. Young low-risk adults should work normally, rather than from home. Restaurants and other businesses should open. Arts, music, sport and other cultural activities should resume. People who are more at risk may participate if they wish, while society as a whole enjoys the protection conferred upon the vulnerable by those who have built up herd immunity.”  
*Id.*

12. At the time of its publication on October 4, 2020, the Great Barrington Declaration was co-signed by 43 medical and public health scientists and medical practitioners. Since its publication, the online version of the Declaration has been co-signed by 930,528 people, including 15,883 medical and public health scientists, 47,037 medical practitioners, and 867,612 concerned citizens, as of the morning of June 4, 2022.

13. The Great Barrington Declaration received an immediate backlash from senior government officials who were the architects of the lockdown policies, such as Dr. Anthony Fauci; World Health Organization Director-General Tedros Adhanom Ghebreyesus; and the United Kingdom’s health secretary, Matt Hancock.

14. Because it contradicted the government’s preferred response to COVID-19, the Great Barrington Declaration was immediately targeted for suppression by federal officials. On October 8, 2020, four days after the Declaration’s publication, then-Director of NIH, Dr. Francis Collins, emailed Dr. Anthony Fauci and Cliff Lane at NIH/NIAID about the Great Barrington Declaration. This email stated: “Hi Tony and Cliff, See: <https://gbdeclaration.org/>. This proposal from the three

fringe epidemiologists who met with the Secretary seems to be getting a lot of attention – and even a co-signature from Nobel Prize winner Mike Leavitt at Stanford. There needs to be a quick and devastating published take down of its premises. I don't see anything like that online yet – is it underway? Francis.” This email was produced over a year later in response to FOIA requests.<sup>2</sup>

15. To my knowledge, no “quick and devastating *published* take down” of the Declaration’s “premises” ever appeared—at least, none by any qualified scientist. (Dr. Fauci, instead, would refer to a criticism published by a journalist at Wired magazine.) Instead, what followed was a relentless *covert* campaign of social-media censorship of our dissenting view from the government’s preferred message.

16. After the publication of the Great Barrington Declaration, I and my colleagues, Dr. Kulldorff and Dr. Gupta, and our views, were repeatedly censored on social media. Soon after we published the Declaration, Google deboosted search results for the Declaration, pointing users to media hit pieces critical of it, and placing the link to the actual Declaration lower on this list of results.<sup>3</sup> A prominent online discussion site, Reddit, removed links to the Declaration from COVID-19 policy discussion fora.<sup>4</sup> In February 2021, Facebook removed the Great Barrington Declaration page without explanation before restoring it a week later.<sup>5</sup>

17. On March 18, 2021, Dr. Scott Atlas of Stanford University, Dr. Kulldorff, Dr. Gupta, and I participated in a two-hour roundtable discussion with Governor Ron DeSantis of Florida. During

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<sup>2</sup> Wall Street Journal Editorial Board. (2021) “How Fauci and Collins Shut Down Covid Debate” *Wall Street Journal*. Dec. 21, 2021. <https://www.wsj.com/articles/fauci-collins-emails-great-barrington-declaration-covid-pandemic-lockdown-11640129116>

<sup>3</sup> Fraser Myers (2020) “Why Has Google Censored the Great Barrington Declaration?” *Spiked Online*. October 12, 2020. <https://www.spiked-online.com/2020/10/12/why-has-google-censored-the-great-barrington-declaration/>

<sup>4</sup> Ethan Yang (2020) “Reddit’s Censorship of The Great Barrington Declaration” *American Institute for Economic Policy Research*. Oct. 8, 2020. <https://www.aier.org/article/reddits-censorship-of-the-great-barrington-declaration/>

<sup>5</sup> Daniel Payne (2021) “Facebook removes page of international disease experts critical of COVID lockdowns” *Just the News*. February 5, 2021. [https://justthenews.com/nation/technology/facebook-removes-page-international-disease-experts-who-have-been-critical-covid?utm\\_source=breaking-newsletter&utm\\_medium=email&utm\\_campaign=newsletter](https://justthenews.com/nation/technology/facebook-removes-page-international-disease-experts-who-have-been-critical-covid?utm_source=breaking-newsletter&utm_medium=email&utm_campaign=newsletter)

the discussion, the participants (including me) questioned the efficacy and appropriateness of requiring children to wear face masks, including in school. For example, Dr. Kulldorff stated, “children should not wear face masks, no. They don’t need it for their own protection and they don’t need it for protecting other people either.” I stated that requiring young children to wear face masks is “developmentally inappropriate and it just doesn’t help on the disease spread. I think it’s absolutely not the right thing to do.” Dr. Atlas stated, “There’s no scientific rationale or logic to have children wear masks in schools.” (These are all views that are strongly supported by scientific research, both before and since we made these comments.)

18. The video of the March 18, 2021 roundtable discussion was promptly censored on social media.<sup>6</sup> YouTube removed the video, claiming that it “contradicts the consensus of local and global health authorities regarding the efficacy of masks to prevent the spread of COVID-19.” Notably, the efficacy of masks, especially cloth masks, has been widely questioned by scientists and public health authorities.

19. In the wake of the Great Barrington Declaration and Dr. Collins’ October 8, 2020 email to Dr. Fauci, my colleague Dr. Kulldorff also experienced extensive censorship on social media.

20. Dr. Kulldorff has publicly summarized the online and social-media censorship experienced by the Great Barrington Declaration and its co-authors after its publication. As he stated, “We got together and we wrote the Great Barrington Declaration—a one-page thing. We argued for better focused protection of older, high-risk people, at the same time, as we let children and young adults

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<sup>6</sup> Wall Street Journal Editorial Board. (2021) “YouTube’s Assault on Covid Accountability” *Wall Street Journal*. April 8, 2021. <https://www.wsj.com/articles/youtubes-assault-on-covid-accountability-11617921149>

live near normal lives so as to minimize the collateral public health damage from these lockdowns and other measures.”<sup>7</sup>

21. As Dr. Kulldorff recounted, after its publication, “there was sort of an organized campaign against the Great Barrington Declaration with various sort of strange accusations, that it was let-it-rip, which is the opposite. We thought that we were like exorcism, eugenics, clowns, anti-vaxxers, that we did financial gains, even though the opposite is true. We were accused of threatening others, which none of us have done, Trumpian, libertarian and Koch funded, pseudo scientists, and that we received a free lunch when we were at Great Barrington writing this declaration.” *Id.*

22. In particular, the Great Barrington Declaration was censored online. This included suppression in searches by Google, the parent company of YouTube: “when the Great Barrington Declaration came up, at the very beginning, it comes up at the top in the search engine in Google, but then suddenly it wasn’t there. Instead, what was there was those who criticized it. Other search engines had it at the top, but not Google....” *Id.*

23. The Great Barrington Declaration was also censored on social media. As Dr. Kulldorff reported, “There were some issues with ... Twitter, Facebook, YouTube, and LinkedIn.” *Id.*

24. Among other things, the Declaration was censored on Facebook based on a flimsy rationale: “Facebook, they took down the Great Barrington Declaration page for a week, no explanation. The offending post was that we argued that, with the vaccines, which at that time had just come out, we should prioritize giving it to the older, high-risk people. That’s what caused Facebook to close it down.” *Id.*

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<sup>7</sup> The Epoch Times (2021), “Censorship of Science, with Dr. Martin Kulldorff, Dr. Scott Atlas, and Dr. Jay Bhattacharya,” May 2, 2021. [https://www.theepochtimes.com/live-censorship-of-science-with-dr-martin-kulldorff-dr-scott-atlas-and-dr-jay-bhattacharya\\_4343061.html](https://www.theepochtimes.com/live-censorship-of-science-with-dr-martin-kulldorff-dr-scott-atlas-and-dr-jay-bhattacharya_4343061.html).

25. The co-authors of the Great Barrington Declaration also experienced personal social-media censorship. Dr. Kulldorff recounts several examples, including an instance where Twitter censored his tweet stating that “Thinking that everyone must be vaccinated is as scientifically flawed as thinking that nobody should. COVID vaccines are important for older, higher risk people and their caretakers, not those with prior natural infection or for children.” *Id.* He also recounts being locked out of Twitter for three weeks “because I tweeted about masks, saying that, ‘By claiming that masks are a good protection, some older people will sort of believe that, and they will go and do things and get infected, thinking that it protects the way it doesn’t. That’s not so good. So, they might die because of this misinformation about the masks.’... For three weeks, I had no access to Twitter because of this tweet.” *Id.*

26. Twitter also censored Dr. Kulldorff’s speech arguing that healthcare facilities should emphasize hiring workers with natural immunity instead of firing them, because they have the best protection from COVID-19: “Here, another one... [N]ot even I was allowed to read this tweet, they removed it completely. I was arguing that since the people who have recovered from COVID, they’re the ones who have the best immunity, better than those who are vaccinated. So, they are the ones who are least likely to spread it to others. So, hospitals should hire nurses like that or doctors like that and use them for the most frail, oldest patients at the geriatric ward or the ICUs because they’re least likely to infect these patients.” *Id.*

27. Dr. Kulldorff also recounted YouTube’s censorship of our roundtable with Governor DeSantis: “On YouTube, we did a round table in April with Governor Ron DeSantis in Florida. It was me and Dr. Scott Atlas, Dr. Jay Bhattacharya, and Dr. Sunetra Gupta. And we talked, for example, about the fact that children don’t need to have masks. And we argued against vaccine passport; there was some rumbling starting about vaccine passport. So, then, we sort of thought,



‘Let’s try to argue against that from the very beginning before it sort of takes off.’ So, that was removed by YouTube, which is owned by Google.” *Id.*

28. Dr. Kulldorff also experienced censorship on LinkedIn, which is a common vehicle for speech among professionals. As he stated, “LinkedIn, which is owned by Microsoft, they also censor. So, this was an article... It was an interview I did with The Epoch Times on the dangers of vaccine mandates.... [LinkedIn said], ‘Only you can see this post.’ So, I could still read my post, but nobody else could.” *Id.* He also recounted “another one. I actually didn’t write anything. I just reposted a LinkedIn post by a guy from Iceland and what he did, he just cited what the Icelandic chief epidemiologist had said, which is sort of the equivalent of the CDC director in the U.S. So, this is the official public health authority in Iceland, but that was censored.” *Id.*

29. LinkedIn also censored our public criticism of government officials, such as Dr. Fauci. As Dr. Kulldorff stated, “Together with Dr. Bhattacharya, we wrote a Newsweek article about how Fauci fooled America with the various things about public health, and LinkedIn took that away also.” *Id.*

30. As Dr. Kulldorff notes, LinkedIn eventually terminated his account for posting about the benefits of natural immunity: “Later on, LinkedIn actually closed down my account.... [T]his was the last post before suspension, ‘By firing staff with natural immunity after COVID recovery, hospitals got rid of those least likely to infect others.’” *Id.*

31. As Dr. Kulldorff noted in his public comments, social-media censorship has not focused solely on the co-authors of the Great Barrington Declaration, but has swept in many other scientists as well: “Twitter, LinkedIn, YouTube, Facebook, they have permanently suspended many accounts—including scientists.” *Id.* These censorship policies have driven scientists and others to self-censorship, as scientists like Dr. Kulldorff restrict what they say on social-media platforms to

avoid suspension and other penalties: “I have continued to speak up, but I have since self-censored myself. Because these are important channels of communication, so I don’t want to be removed. So, I’m careful with what I say.” *Id.* “[C]ensuring, it leads to self-censoring. And also, it leads to self-censoring of people ... are victims of these censoring because they see that somebody else is censored. ‘Okay. I don’t want to be suspended. So, I better be careful with what I say.’ And of course, that’s the purpose of authoritarians and the purpose of those things. And sometimes, where they sort of kind of randomly select who they censor, what they sensor, because they want people to be uncertain about what they can and cannot say.” *Id.*

32. Having observed and lived through the government-driven censorship of the Great Barrington Declaration and its co-authors, it is clear to me that these attacks were politically driven by government actors. As I stated, in remarks alongside those of Dr. Kulldorff, “One of the motivations for that was a motivation to create a consensus within the public that... an illusion of consensus within the public that there was no scientific dissent against lockdowns. The reason why the Great Barrington Declaration, they reacted that way... [W]e got this viral attention, [that] was a problem for this group [*i.e.*, Dr. Collins, Dr. Fauci, and other government officials]. It posed a political problem for them because they wanted to tell the public that there was no dissent. And so, they had to destroy us. They had to do a devastating takedown. It was a political problem they were solving... I think that’s the immediate context for why they did what they did.” *Id.*

33. Dr. Kulldorff aptly summarized our experiences: “it has been really stunning to be a scientist during these last two years. It’s kind of been absurd. We have NIH Director Collins and NIAID Director Fauci thinking that you promote science by silencing scientists through published takedowns. It’s pretty absurd. We have a geneticist and a virologist thinking they know

epidemiology better than epidemiologists at Oxford, Harvard and Stanford, and calling them instead fringe epidemiologists.” *Id.*

I swear or affirm under penalty of perjury that the foregoing is true and correct.

Dated: June 4, 2022

Signed: /s/ Jayanta Bhattacharya