

July 18, 2023

Mr. Stéphane Bancel
Chief Executive Officer
Moderna, Inc.
200 Technology Square
Cambridge, MA 02139

Dear Mr. Bancel:

I write with regard to Moderna's announcement to develop and manufacture mRNA medicines in the People's Republic of China (PRC). Moderna's decision to partner with the Chinese Communist Party (CCP), and allow the genocidal regime exclusive access to critical intellectual property (IP), is disturbing. Let me be clear: the CCP is the U.S.' greatest geopolitical threat, and allowing this deal to go forward would be diametrically opposed to our national interests. Moderna has been the recipient of billions of American taxpayer dollars to research and provide vaccines to Americans to combat COVID-19. Mountains of circumstantial evidence show that the CCP, due to its negligence and secretiveness, is responsible for the start and spread of the COVID-19 pandemic. To this day, Beijing still has not approved Moderna, Pfizer, or any other non-Chinese vaccine for use in the PRC, which puts ordinary Chinese citizens, and the world, at risk to future COVID variants. Put simply, Beijing should not have access to this American taxpayer invested and hard-earned technology.

On July 5, 2023, Moderna announced that the company had signed a memorandum of understanding and a land collaboration agreement to research and manufacture new mRNA medicines in the PRC. Yicai, a Chinese state media outlet, reported that Moderna will invest \$1 billion in the country's mRNA development. During the COVID-19 pandemic, Moderna received nearly \$10 billion in American taxpayer dollars to research, manufacture, and distribute mRNA vaccines, including efforts to update the vaccines to address the latest variants. This funding allowed Moderna to develop a thorough understanding of how mRNA technology can be most effectively used to combat the virus and create a widely used product. Moderna has been able to build on their mRNA research to develop vaccines to combat respiratory syncytial virus (RSV) and flu. Significantly, under this agreement with the PRC, any vaccines developed in the PRC to treat new diseases would only be for use in the PRC. Allowing the PRC to monopolize the benefits of research and production that Moderna performs on Chinese soil is a betrayal of the American taxpayers whose hard-earned dollars made this technology possible.

The CCP, despite claims to the contrary, is not interested in advancing global health goals. During the height of the pandemic, Beijing refused to provide needed medical supplies to those countries which were perceived as opposing the PRC's geopolitical goals. Moreover, the CCP has a history of IP theft in the medical research field. According to the bipartisan,

bicameral U.S.-China Economic and Security Review Commission, Beijing has “mobilized large numbers of ‘nontraditional collectors of information’... to exploit legal gray zones to bring research discoveries with potential commercial, medical, or military value back to [the PRC].” During the pandemic, two Chinese nationals in collaboration with the PRC’s Ministry of State Security were indicted for hacking hundreds of governments, companies, and organizations in the United States, including those researching COVID-19 drugs, vaccines, and tests. If the PRC worked to steal hard-earned intellectual property remotely, it will certainly do so again with Moderna’s operations on the ground in the PRC—and its job will be easier, thanks to the misguided actions of your company.

You should not be fooled that Beijing is interested in mRNA technology to support the PRC’s civilian population. The CCP’s main purpose for investing in science and technology is to strengthen and modernize its armed wing, the People’s Liberation Army. Through the enactment of the Military-Civilian Fusion (MCF) policy, the CCP is pooling talent and resources to develop technology and attract talent that will boost its military capabilities. In addition, the PRC’s Thousand Talents Plan recruits thousands of researchers and scientists from abroad and requires them to only share their work with the CCP through legally binding contracts with the Party. Beijing’s lack of interest in meaningful and transparent cooperation in the field of medical innovation is immensely concerning and will only lead to increase the chance of conflict.

Moderna’s research in mRNA has yielded significant developments to protect public health, most notably during the COVID-19 pandemic as well as soon to be approved vaccines to combat RSV and flu. However, the company’s decision to partner with a regime that is known to steal IP and use its scientific prowess to threaten other nations is an issue of national security and global disease prevention. I request that you provide answers to the following questions:

1. How many years will Moderna’s memorandum of understanding with the PRC last?
2. How much money does Moderna intend to invest in mRNA medication development efforts in the PRC?
3. How much funding does Moderna receive from the U.S. federal government annually?
4. What steps does Moderna plan to take to protect vaccine technology funded by American taxpayers from being used to further the CCP’s MCF strategy?
5. For what purposes will Moderna’s mRNA technology be used in the PRC?
6. Can Moderna confirm that the medications developed in the PRC will only be for the exclusive use of the PRC nationals? Under what conditions would new vaccines be made available outside of the PRC?
7. Has Beijing requested that Moderna allow CCP committees to be established in any of its PRC-based facilities?

As a global leader in the development of vaccines that millions have relied on, it is critical that Moderna closely evaluate its decision to collaborate with an adversary government that is known to steal and abuse intellectual property, particularly as the information is related to global public health.

Thank you for your attention to this matter. I look forward to your prompt response.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Rubio", is centered on the page.

Marco Rubio
U.S. Senator