

**Congress of the United States**  
**Washington, DC 20515**

August 20, 2020

Alex Azar  
Secretary  
Department of Health and Human Services  
200 Independence Ave. SW  
Washington, DC 20201

Mark T. Esper  
Secretary  
Department of Defense  
1400 Defense Pentagon  
Washington, DC 20301

Moncef Slaoui  
Chief Advisor  
Operation Warp Speed  
Department of Health and Human Services  
200 Independence Ave. SW  
Washington, DC 20201

Dear Secretary Azar, Secretary Esper, and Mr. Slaoui,

Following recent admissions from Moderna that taxpayers have been financing the full development costs of the mRNA-1273 vaccine, we write requesting more information concerning how HHS is protecting this investment in funding and procurement agreements. Taxpayers are serving as the angel investors in COVID-19 vaccine and therapeutic development, assuming the costs and risk. It is imperative that they also receive the benefit and a stake in the outcome.

In July, Acting Director of the Biomedical Advanced Research and Development Authority (BARDA) Gary Disbrow testified to the Senate Appropriations Committee, “When we are doing contracting for acquisition, we seek consideration to the U.S. government for our previous investment, and it’s more than just a dollar per dollar investment, it is also the cost of capital because the U.S. government took the risk to make that investment.” To assure this commitment is being met, we respectfully request that you provide the following information:

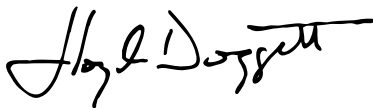
1. All federal support provided to Moderna in support of mRNA-1273 research, development, and manufacturing, including:
  - a. Patents and patent applications with U.S. government coinventors, or on which there is disclosure of U.S. government interest. Please include the numbers and

expiration dates of such patents and the numbers and filing dates of such patent applications.

- b. Grants, cooperative research and development agreements, licensing agreements, funding agreements, and other transactions related to mRNA-1273. Please include:
  1. The agency, program, institute, or other U.S. government entity providing the support, and an itemized breakdown of the amount, period, and scope of work supported
  2. Other federal nonfinancial support, including but not limited to, the use of federal personnel, facilities, and equipment
  3. Number of participants per clinical trial, and age, sex, race, and comorbidities of participants
  4. Locations of any manufacturing sites receiving federal support, including the amounts, period, and scope of work supported
2. How federal investments are taken into consideration in making pricing determinations in procurement agreements, and what you are doing to ensure these investments are taken into account with regard to mRNA-1273. Please also include the estimated cost to produce a dose of mRNA-1273, and itemized breakdowns of the amounts of funding Moderna has asserted to you that they have invested in the research, development, and manufacturing of mRNA-1273. Please include any steps you have taken, or plan to take, to verify the amounts Moderna has asserted they invested.
3. Manufacturing and distribution agreements with entities other than Moderna to produce and distribute supplies of mRNA-1273, including the entity names, amounts, period, and scope of work in these agreements. Please include any compensation, including but not limited to royalty fees, Moderna is receiving from the U.S. government or other entities for the licensing and production of mRNA-1273.
4. Measures you are taking to ensure timely access to mRNA-1273 in lower- and middle-income countries have timely access to mRNA-1273, including but not limited to, sharing U.S. government-owned technology with the World Health Organization COVID-19 Technology Access Pool (C-TAP) and encouraging Moderna to do the same.

We appreciate your immediate attention to these important questions to provide full transparency on the immense taxpayer investments in mRNA-1273.

Sincerely,



---

Lloyd Doggett



---

Katie Porter