

January 24, 2023

The Honorable Jeffrey A. Merkley
Chairman
Congressional Executive Commission on China
243 Ford House Office Building
Washington, DC 20515

The Honorable Christopher H. Smith
Chairman
Congressional Executive Commission on China
243 Ford House Office Building
Washington, DC 20515

The Honorable Marco Rubio
Ranking Member
Congressional Executive Commission on China
243 Ford House Office Building
Washington, DC 20515

The Honorable James P. McGovern
Ranking Member
Congressional Executive Commission on China
243 Ford House Office Building
Washington, DC 20515

Dear Senator Merkley, Representative Smith, Senator Rubio, and Representative McGovern:

Thank you for your letter concerning how authorities in China may be using technology that we provide.

Thermo Fisher Scientific's Mission is to enable our customers to make the world healthier, cleaner and safer. As the world leader in serving science, the company designs its products with great care. We engage in comprehensive training and educate our customers to help them use our products as designed. We also have policies regarding the ethical and responsible sale of our technology. These policies follow widely accepted global scientific and ethical standards.

In addition, we work with governments and regulators to contribute to good global policy, since governments and regulatory bodies can enforce and protect many things we cannot. It is worth noting, we abide by all U.S. and other applicable laws and regulations.

As you may recall from our prior discussions, DNA sequencing for human identification is an invaluable yet routine forensics tool. This technology is used to identify disaster victims including those in the Surfside, Florida condo collapse; to test sexual assault kits enabling our customers to reduce the backlog of untested kits in the U.S.; and to close cold cases, such as the notorious Golden State Killer.

With respect to the Tibet Autonomous Region, Thermo Fisher has reviewed media and NGO reports and evaluated the information and compared it with our own commercial data. The tenders cited by *The Intercept* – one Capillary Electrophoresis instrument in 2021 and approximately \$160,000 worth of kits and parts in 2022 – are entirely consistent with a law enforcement entity engaging in routine forensics investigations in a locality with a population on par with the Tibet Autonomous Region.

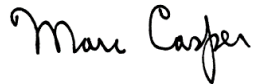
Based on the throughput and capabilities of the products, orders of this size could not reasonably support the widespread sampling reported in the media. Specifically, the instrument runs fewer than 100 samples in an 8-hour period. And the tender referenced, which was awarded to an authorized third-party in the local market, procures supplies for an entire calendar year. That quantity supports about 4,000 samples for the year, which is 350 per month. Therefore, there can be no reasonable basis to conclude that the tender could support the DNA collection efforts. Additionally, we have not made any other substantial deliveries in the region.

Thermo Fisher, therefore, is confident that the products that we or our distributors have provided are being used for their intended use in Tibet, namely police casework and forensics.

With respect to Xinjiang, we have continued to respond to requests for information about Thermo Fisher's policies and procedures. In June 2021, the *New York Times* contacted us about sales in Xinjiang, and we confirmed to the paper that there were no sales by Thermo Fisher or any authorized distributor to the entities listed in the transaction data provided to us.

Thermo Fisher Scientific looks forward to continuing to work with the commission. And we are also committed to continuing to work with the U.S. Government to ensure our products are being used as intended around the world.

Sincerely,



Marc N. Casper