

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

January 26, 2021

Joseph R. Biden, Jr.  
President of the United States of America  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20502

Dear President Biden:

We write in appreciation for your leadership in fighting the COVID-19 pandemic both in the United States and around the world. As you correctly observed, we “know this virus transcends borders,” which is why “we need to continue fighting the virus overseas.” We wholeheartedly agree that “it’s not just being decent and honorable with what we can do, but it’s in our own naked interest” to engage internationally. “You can’t build a wall high enough to keep out a virus,” you rightly noted, “so we have an obligation in our own naked self-interest to help other countries.”

In that spirit, we wish to outline critical opportunities that we must seize as a country to crush the pandemic worldwide. As new data emerges about the quickly spreading Omicron variant, we know that the longer the global pandemic is allowed to run rampant, new, more virulent variants will continue to threaten health and economic wellbeing across the planet. As the United States quickly approaches 800,000 pandemic deaths with roughly 1,000 deaths continuing daily, we fear the COVID-19 pandemic that has produced nearly 5.5 million deaths globally will continue ravaging the globe if inequity and apathy prevail. The harm to U.S. public health and the economy if vaccine-resistant variants are allowed to evolve are almost unfathomable.

While we launch a major booster campaign at home, only 7.1 percent of people in low-income countries have received at least one dose, and vaccine supply remains a major problem. With limited technology sharing, low-income countries have depended on inconsistent vaccine donations, which have run behind projections. COVAX, the multilateral platform for distributing vaccines to developing nations, has managed to ship just 544 million doses so far, roughly a third of what it had planned to have sent by now. Given the challenges before us, we ask for your partnership in pursuing the following policies:

**Redouble efforts to pass the Build Back Better Act and restore its full allocation for pandemic preparedness:** Given the renewed urgency for forceful legislative action with the rise of the Omicron variant, the passage of the Build Back Better Act is more essential than ever. As early research shows waning protection from adenovirus-based vaccines and requirement of a third dose of mRNA-based vaccines for optimal effectiveness against Omicron, we believe that the current \$1.3 billion dedicated to pandemic preparedness in the Build Back Better Act should be restored to the initial House proposal of \$8 billion, with \$2 billion dedicated to global vaccine

manufacturing to rapidly and substantially expand much-needed global supply of mRNA vaccines. We ask for your support for this funding increase as you engage in negotiations with the Senate and House to enact the legislation.

**Additional funds for global COVID-19 response in Fiscal Year 2022 appropriations:** Experts and civil society organizations have calculated that \$17 billion is necessary to both save lives now and accelerate vaccine delivery and distribution, with the goal of achieving 70 percent vaccine coverage globally by mid-2022. This critical funding is necessary to ensure equitable delivery of vaccines, including those that the United States has already pledged to donate through COVAX.

**Redouble diplomatic efforts to share vaccine technology and intellectual property:** Vaccine manufacturers in wealthy countries have largely failed to share vaccine technology and adequately expand production for low-income countries, while rich countries have often hoarded the supplies that exist. We appreciate your support for temporarily waiving intellectual property rights for COVID-19 vaccinations, and we ask that you publicly clarify whether the United States supports the specific proposal presented by South Africa and India, along with over 100 other countries, to temporarily waive such protections related to the World Trade Organization's Trade-Related Aspects of Intellectual Property Rights (TRIPS). If the United States does not support it as drafted, we ask that you provide specific amendments to the text for evaluation and move quickly toward achieving consensus in that body. This proposal would help manufacturing plants around the world to increase production of COVID-19 vaccines. Producing vaccines in areas where they are most needed can limit the logistical hurdles of getting them to populations in need at the appropriate temperatures and storage conditions, close the dosage gap between wealthy and low-income countries, and lay the groundwork for a more diversified, equitable global response in future pandemics. We additionally ask that you use robust U.S. diplomacy to persuade European states to accede to this effort to temporarily waive these protections.

**Retain public control to ensure new capacity serves public interests and does not amount to government subsidy to Moderna and Pfizer:** We applaud your announced investment of several billion dollars to produce 1 billion doses of mRNA vaccine per year. However, for this investment to make the impact on supply and access that is needed, the U.S. government should scale the ambition of this plan to produce billions more doses per year and retain ownership over any new domestic manufacturing capacity that is established. We urge you to ensure that the U.S. government preserves the freedom to make critical decisions about operations, manufacturing partners, and technology, and to invite manufacturers throughout the world to receive training that would enable them to locally produce mRNA vaccines. Through a government-owned, contractor-operated (GOCO) facility, the United States can ensure vaccine access at a reasonable price to low- and middle-income countries, in addition to supporting domestic needs. Similarly, should the new SpFn vaccine emerging from the Walter Reed Army Institute of Research that promises resistance to all variants of COVID-19 prove safe and effective, we ask that the United States and any industry partner put the vaccine's intellectual property in the public domain and actively share its production technology with manufacturers throughout the world to ensure adequate supply,

access, and fair pricing. Additionally, we ask that any doses produced by industry partners be sold at cost of production.

**Use all legal tools at your disposal to proactively support global vaccine manufacturing efforts, including compelling technology transfer:** Arrangements entered into by Pfizer and Moderna to provide doses to low- and middle-income countries have been grossly inadequate, providing far too few doses, far too slowly, and sometimes only under onerous terms. So far, these firms have refused to share technology with willing and capable manufacturers, despite requests. Invoking the Defense Production Act and other legal tools, such as 28 U.S.C. § 1498 and authorities under the Bayh-Dole Act, would help jump-start global mRNA production so that COVID-19 vaccines could be produced where they are needed in 2022.

**Support new global emergency financing through the International Monetary Fund:** We applaud your reversal of the previous administration's opposition to an issuance of Special Drawing Rights, a reserve asset that is costless to U.S. taxpayers but provides emergency financing that allows low-income countries to strengthen their public health budgets, avert economic crises, and purchase imports such as medicine, personal protective equipment, food, and vaccines. The House of Representatives supported a new issuance of 1.5 trillion Special Drawing Rights in its State and Foreign Operations Appropriations and we ask for the administration's support for this lifesaving measure.

We believe that if the administration takes decisive action to increase the sharing of know-how and intellectual property for COVID-19 vaccines, expand both the production of vaccines and their distribution and delivery, and support the financing needs of low-income countries through additional multilateral measures, your goal of vaccinating the world will be realized in short order. We appreciate your partnership throughout the pandemic and stand ready to work with you to achieve maximum global vaccination rates and decisively end the COVID-19 pandemic.

Sincerely,



Pramila Jayapal  
Member of Congress

/s/  
Karen Bass  
Member of Congress

/s/  
Earl Blumenauer  
Member of Congress

/s/  
Jesús G. "Chuy" García  
Member of Congress

/s/  
Raúl Grijalva  
Member of Congress

/s/

Jamaal Bowman, Ed.D.  
Member of Congress

/s/

Mondaire Jones  
Member of Congress

/s/

Cori Bush  
Member of Congress

/s/

James P. McGovern  
Member of Congress

/s/

Andre Carson  
Member of Congress

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Grace Meng  
Member of Congress

/s/

Yvette D. Clarke  
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Jerrold Nadler  
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Bonnie Watson Coleman  
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Marie Newman  
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Peter A. DeFazio  
Member of Congress

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Eleanor Holmes Norton  
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Adriano Espaillat  
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Ilhan Omar  
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Sylvia R. Garcia  
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Mark Pocan  
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Ro Khanna  
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Ayanna Pressley  
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Teresa Leger Fernandez  
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Peter Welch  
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/s/  
Ritchie Torres  
Member of Congress

CC: Mr. Jeffrey Zients, COVID-19  
Response Team Coordinator