

Congress of the United States
Washington, DC 20515

April 8, 2022

President Joseph Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President,

According to recent reports, United States Trade Representative (USTR) Katherine Tai reached a tentative agreement with the European Union, India and South Africa to waive intellectual property (IP) protections for U.S. developed COVID-19 vaccines. We write you to convey our serious concerns about waiving these critical IP protections and urge you to do everything in your power to ensure this deal is not finalized.

The reported “compromise” neither protects the interests of the United States nor the patients in the developing world who depend on American-designed and American-made medicines. In fact, it would undermine the efforts of American scientists working diligently to develop the drugs needed to manage this current pandemic – and future ones, as well.

Thanks to Operation Warp Speed, all three FDA-authorized COVID-19 shots were largely developed in the United States. That was no coincidence. America leads the world in biotech research with 80 percent of all experimental medicines in the global development pipeline coming from U.S. labs. This is due, in no small part, to the fact that we have some of the strongest IP protections in the world.¹

Without these protections, biotech companies would not be able to easily raise the capital to fund their research and billions of patients worldwide would miss out on new medicines. Advocates of this waiver claim it will accelerate the global vaccination campaign by enabling generic drug companies in the developing world to create cheap, plentiful shots. This is false. In a May 2021 letter addressed to you, the issue was discussed and, as you well know, it would take months – if not years – for these countries to construct fully operational manufacturing facilities.

But the world is currently experiencing an excess of available vaccine doses, not a shortage.² Manufacturers have already produced 12 billion doses, enough to fully vaccinate every adult worldwide, and are expected to produce another 20 billion shots this year.³ Just last week, your own White House Coronavirus Response Coordinator Jeff Zients stated, “...vaccine supply is no longer the constraint to getting shots in arms around the world.”⁴ We could not agree more.

¹ <https://www.ncbi.nlm.nih.gov/books/NBK493100/>

² <https://www.economist.com/the-world-ahead/2021/11/08/what-to-expect-in-year-three-of-the-pandemic>

³ <https://www.uschamber.com/health-care/on-the-road-to-global-vaccinations-the-last-mile-remains-the-hardest>

⁴ <https://www.whitehouse.gov/briefing-room/press-briefings/2022/04/05/press-briefing-by-white-house-covid-19-response-team-and-hhs-public-health-officials-april-5-2022/>

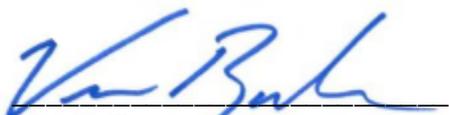
India and South Africa, the two countries at the forefront of this effort, both have a stockpile of available doses. India's Serum Institute, the country's largest vaccine manufacturer, recently stopped producing shots due to oversupply.⁵ Meanwhile, low vaccine uptake in South Africa has necessitated the destruction of tens of thousands of vaccine doses.⁶ As Dina Borzekowski, director of the Global Health Initiative at the University of Maryland notes, "The main problem among countries with low vaccination rates is *poor infrastructure to distribute shots.*"⁷

The agreement that USTR is reportedly set to move forward with will hamstring American medical innovation and destroy countless U.S. research jobs, all to address a supply problem that does not exist.

We are also deeply worried about the national security implications. The reported agreement allows any government or company to copy state-of-the-art American technology, inevitably ensuring that it falls into the hands of Russia, China and other adversaries that threaten the United States and our allies. Russia and China continue to pour money into the developing world to expand their influence,⁸ meaning any country they provide with sufficient aid would likely turn over U.S. intellectual property.

The reported deal jeopardizes America's scientific leadership and threatens our national security. We urge you and your administration to reverse course and reject this disastrous agreement.

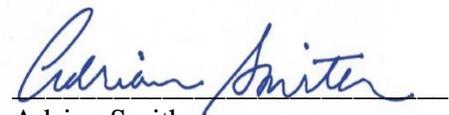
Sincerely,



Vern Buchanan
Member of Congress



Earl L. "Buddy" Carter
Member of Congress



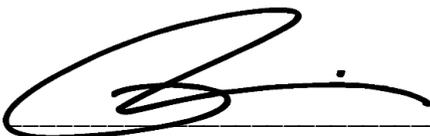
Adrian Smith
Member of Congress



Brett Guthrie
Member of Congress



Steven M. Palazzo
Member of Congress



Brian Mast
Member of Congress

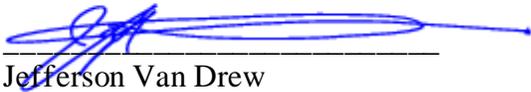
⁵ <https://news.yahoo.com/weve-all-gone-through-hell-serum-institute-ceo-on-impact-of-covid-19-around-the-world-214526535.html>

⁶ <https://www.news24.com/news24/southafrica/news/covid-19-100-000-pfizer-doses-to-expire-at-end-of-march-due-to-waning-vaccination-rates-20220304>

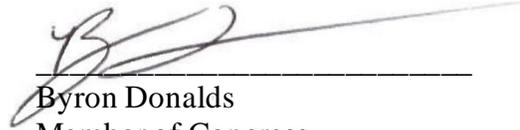
⁷ <https://apnews.com/article/coronavirus-pandemic-health-middle-east-africa-lifestyle-1f2c92d6a306819c363c87661dc7818d>

⁸ <https://www.washingtonpost.com/world/2022/01/11/china-russia-omicron-vaccine/>

CC: Secretary Gina Raimondo, United States Department of Commerce
Ambassador Katherine Tai, United States Trade Representative



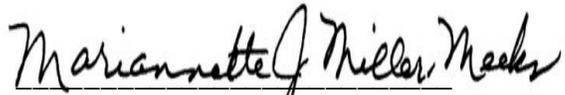
Jefferson Van Drew
Member of Congress



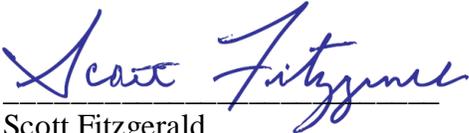
Byron Donalds
Member of Congress



Steve Chabot
Member of Congress



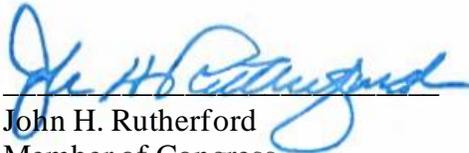
Mariannette J. Miller-Meeks, M.D.
Member of Congress



Scott Fitzgerald
Member of Congress



Richard Hudson
Member of Congress



John H. Rutherford
Member of Congress



Guy Reschenthaler
Member of Congress



Kelly Armstrong
Member of Congress



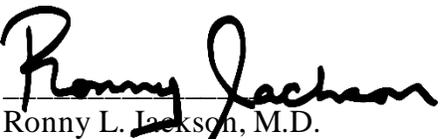
Kat Cammack
Member of Congress



Austin Scott
Member of Congress



H. Morgan Griffith
Member of Congress



Ronny L. Jackson, M.D.
Member of Congress



Tom Emmer
Member of Congress



Mike Bost
Member of Congress



Peter Meijer
Member of Congress



Fred Upton
Member of Congress



Larry Bucshon, M.D.
Member of Congress



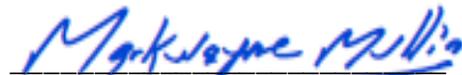
Ted Budd
Member of Congress



Carol D. Miller
Member of Congress



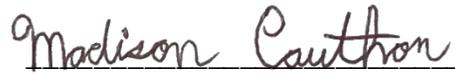
Jay Obernolte
Member of Congress



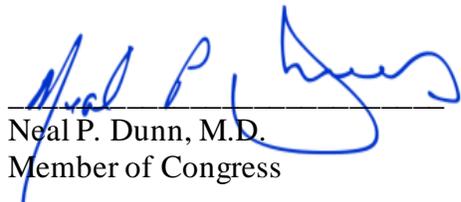
Markwayne Mullin
Member of Congress



Jason Smith
Member of Congress



Madison Cawthorn
Member of Congress



Neal P. Dunn, M.D.
Member of Congress



John R. Moolenaar
Member of Congress



Andrew R. Garbarino
Member of Congress



Beth Van Duyne
Member of Congress



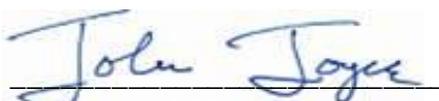
Darin LaHood
Member of Congress



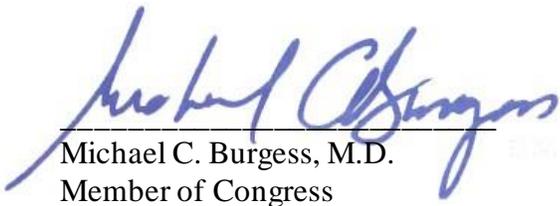
Tom Reed
Member of Congress



Ben Cline
Member of Congress



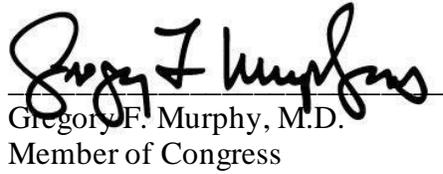
John Joyce, M.D.
Member of Congress



Michael C. Burgess, M.D.
Member of Congress



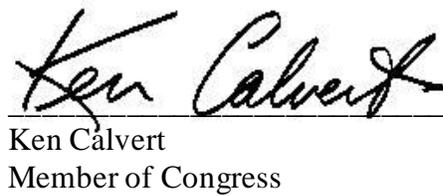
Carlos Gimenez
Member of Congress



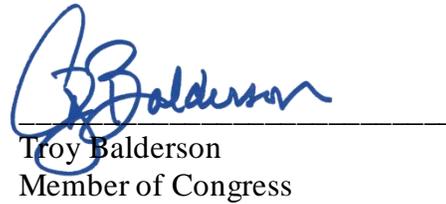
Gregory F. Murphy, M.D.
Member of Congress



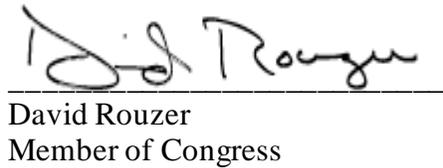
Ann Wagner
Member of Congress



Ken Calvert
Member of Congress



Troy Balderson
Member of Congress



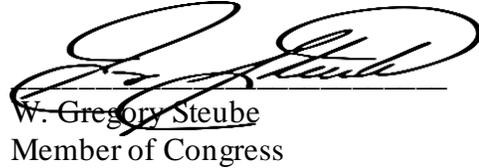
David Rouzer
Member of Congress



Ralph Norman
Member of Congress



Jodey C. Arrington
Member of Congress



W. Gregory Steube
Member of Congress



Tim Burchett
Member of Congress



Maria Elvira Salazar
Member of Congress



Michael Waltz
Member of Congress