

The Honorable Joe Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Cc: Katherine Tai, United States Trade Representative
Jeffrey Zients, White House Coronavirus Response Coordinator
Gayle E. Smith, State Department Coordinator for Global COVID Response and Health Security

June 22, 2021

Please Speedily Secure Implementation of a COVID-19 Emergency Waiver of WTO TRIPS Rules for Vaccines, Tests and Treatments

Dear President Biden:

We commend you for putting the United States on the right side of history by announcing support for the temporary COVID-19 emergency waiver of some World Trade Organization (WTO) intellectual property monopolies so we can end the pandemic's death and economic devastation as speedily as possible. Reversing Donald Trump's self-defeating blockage of WTO negotiations for a waiver of pharmaceutical monopolies under the Agreement on Trade Related Aspects of Intellectual Property (TRIPS) elevates the United States as a global leader with a mission to save lives and restore livelihoods.

Congratulations on the speed with which you made vaccines available to the US public. Keeping Americans safe from COVID-19 and revitalizing the American economy to build back better relies on people worldwide having access to COVID-19 vaccines, as well as diagnostic tests, treatments, personal protective equipment, and other COVID-19 specific health as quickly as possible. The temporary WTO TRIPS waiver is key to that mission. It is also critical to saving millions of lives globally.

It is outrageous that the European Union and a very few other WTO members continue to oppose a TRIPS waiver even as more transmissible variants are fueling new waves of death and devastation raging through India, Brazil, Nepal, Vietnam and additional countries. We respectfully request that the U.S. government engage all possible efforts to persuade waiver-opposing WTO member countries to engage in the text-based negotiations in good faith and agree on a timely and effective waiver.

We the undersigned organizations respectfully urge you to speedily secure a waiver that is:

- **Comprehensive:** The U.S. government must secure swift adoption of a temporary waiver of the patent, copyright, industrial design and undisclosed data rules of the WTO's TRIPS Agreement with respect to COVID-19-related medical products. The scope of the waiver must extend beyond vaccines to also cover the diagnostic tests needed to detect

outbreaks and variants; the treatments, ventilators and other medical devices necessary to shorten lockdowns and save the lives of the millions who will contract COVID-19 before sufficient vaccine doses can be made and the materials, components, means and methods of manufacturing such goods.

- **Swift:** The WTO Director General's December 2021 deadline for a final waiver text is far too late to meet the urgency of the pandemic, which requires agreement on a waiver in a matter of weeks, not months.
- **Long-lasting:** A waiver must be of sufficient duration to incentivize and sustain increases in manufacturing capacity for and output of medical goods to prevent, contain or treat COVID-19, taking into consideration that the pandemic may yet escape current vaccines. We support the waiver sponsors' proposal that the initial waiver last three years and be regularly reviewed thereafter, particularly given uncertainties around variants, the need for boosters, and what levels of immunization may be needed.

Current global production capacity of COVID-19 vaccines, medicines, and diagnostic tests cannot come close to meeting global needs to detect, treat, prevent, or contain COVID-19. Absent significant increases in vaccine production, many in developing nations will not have access to vaccines until 2024. This lag would mean more deaths and the greater chances for development of new variants that can undermine vaccines' achievements to date.

Every country should have the right to develop and make their own vaccines free from the worry that they and their suppliers would be sued by IP holders. To date, vaccine intellectual property rightsholders have refused to issue open licenses under transparent and accountable terms and conditions, and transfer technology fully to and negotiate payment terms with qualified manufacturers in Africa, Asia, and Latin America, creating supply shortages and production bottlenecks and prohibiting urgently needed production of doses worldwide. The worst global health crisis in a century has resulted in at least 3.5 million deaths worldwide and is conservatively estimated to cost the U.S. alone [\\$16 trillion](#) in [economic losses](#), accompanied by yet greater global losses that have impoverished hundreds of millions of people worldwide.

We are in a race against time to save lives and prevent new variants. Absent a major increase in vaccines, treatments, diagnostic tests, ventilators, and other COVID-19-related medical supplies, the pandemic will rage largely unmitigated among a significant share of the world's population. COVID-19 infections will increase, resulting in increased deaths and long-term damage to the health of millions of people, a dragging blow to the global economy and a risk that vaccine-resistant variants will put the world back on lockdown and evade immunity for those previously infected and/or vaccinated. The long-term impact on people's health and the world's health system would be unprecedented.

To most quickly translate enactment of a temporary COVID-19 emergency TRIPS waiver into billions of vaccine shots in arms, the U.S. government additionally must deploy tools to rapidly promote technology transfer and know-how sharing, and leverage existing legal authorities. To protect U.S. health, economic recovery and security, the United States should launch an [ambitious global vaccine manufacturing program](#) to scale up production in the United States

and, equally as important, in regional manufacturing centers around the world to produce and supply 8 billion more doses by repurposing existing facilities and building new capacity, including by allocating [\\$2 billion](#) in funds to capital expenditures to establish additional COVID-19 mRNA vaccine manufacturing lines and providing \$23 billion in funding for raw materials, technology transfer and royalty costs to scale up production and shave years from the global pandemic. These additional initiatives can most speedily ensure the TRIPS waiver facilitates more production here and abroad of needed COVID-19 medicines.

Low- and middle-income countries are prepared to locally mass produce vaccines as soon as a TRIPS waiver is approved. The idea that these countries do not have the skills and capacity to roll this out is false and founded on racism and neocolonialism.

As U.S. Trade Representative Tai [said](#) when announcing the Biden-Harris administration's support for waiving WTO intellectual property barriers, the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures. As citizens of the world, we cannot sit and watch a repeat of the horror during the AIDS pandemic, when millions of people died while countries and companies refused to share life-saving antiretrovirals. We are morally obliged to make the TRIPS waiver happen as soon as possible. We look forward to working with you to meet this moment.

Sincerely,

ActionAid USA
Agricultural Justice Project
AIDS Healthcare Foundation
Alliance for Global Justice
Alliance for Retired Americans
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers
American Friends Services Committee
American Jewish World Service
American Medical Student Association
Americas Program/MX
Amnesty International
Association of Flight Attendants-CWA
Association of Western Pulp & Paper Workers Union
Avaaz
AVAC
Backbone Campaign
Black AIDS Institute
Black Health Commission
Campaign for America's Future
Center for Biological Diversity
Center for Common Ground
Center for Digital Democracy
Center for Global Justice
Center for International Policy
Center for Policy Analysis on Trade and Health
Center for Popular Democracy
Centro de los Derechos del Migrante, Inc.

Citizens Trade Campaign
Coalition of Labor Union Women (CLUW)
CODEPINK
Communications Workers of America (CWA)
Council on American-Islamic Relations (CAIR)
Center for Science in the Public Interest (CSPI)
Dean's Beans Organic Coffee Company
Debs-Jones-Douglass Institute
Democratic Socialists of America
Disruption Project
Doctors For America
Doctors For Global Health
Doctors Without Borders / Médecins Sans Frontières USA
Dolores Huerta Foundation
Drug Prices are Too High
Drugs for Neglected Diseases initiative (DNDi), North America
Earth Action, Inc.
Earth Island Institute
EcoEquity
Environmentalists Against War
Evangelical Lutheran Church in America
Fair World Project
Family Farm Defenders
Fight for the Future
Free Speech For People
Friends of Angola
Global Action to Prevent War and Armed Conflict

Global Exchange
Global Justice Institute of Metropolitan Community Churches
Greenpeace USA
Health Alliance International
Health GAP (Global Access Project)
Hip Hop Caucus
Holy Cross International Justice Office
Hope Border Institute
Human Rights Watch
Indivisible
Institute for Agriculture and Trade Policy
Institute for Policy Studies - Global Economy Project
International Association of Machinists and Aerospace Workers
Jewish World Watch
Jobs With Justice
Justice is Global
Labor Network for Sustainability
Latin America Working Group
Maryknoll Office for Global Concerns
Moana Nui
Move To Amend
National Family Farm Coalition
National Latino Farmers & Ranchers Trade Association
National Nurses United
National Organization for Women
Network in Solidarity with the People of Guatemala (NISGUA)
NETWORK Lobby for Catholic Social Justice
New Rules for Global Finance
Nicaragua Center for Community Action
Other98
Our Revolution
Oxfam
Partners in Health
Peace Action
People For the American Way
People's Action
Physicians for a National Health Program
Popular Resistance
PrEP4All

Presbyterian Church (USA) Office of Public Witness
Pride at Work
Progressive Democrats of America
Progressive Doctors
Progressive Leadership Alliance of Nevada
Public Citizen
Quixote Center
Rainforest Information Centre
Revolving Door Project
Right to Health Action
RootsAction.org
Rural Coalition
Salud y Farmacos
Service Employees International Union (SEIU)
Sierra Club
Sisters of Charity of Nazareth Congregational Leadership
Sisters of Charity of Nazareth Western Province Leadership
Social Security Works
Society of Development and Care
Sojourners
Sunrise Movement
T'ruah: The Rabbinic Call for Human Rights
Task Force on the Americas
The Episcopal Church
The Oakland Institute
The United Methodist Church - General Board of Church and Society
Trade Justice Alliance
Transport Workers Union of America
Treatment Action Group
Unitarian Universalists for a Just Economic Community
United Church of Christ, Justice and Witness Ministries
United Electrical, Radio and Machine Workers of America (UE)
Uplift International
U.S. PIRG
Washington Office on Latin America
Wild Heritage
Win Without War
World Renew