

Whereas the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures by world leaders who must choose to end the pandemic and act accordingly;

Whereas the Delta variant that was first detected in India and increased COVID-19 deaths worldwide, making children dangerously ill, and reversing our progress in containing COVID-19 shows why *'no one is safe until everyone is safe'*;

Whereas the mismatch between the crisis we face and failure to date to deliver on the concrete actions needed to end the pandemic is disastrous and unacceptable;

Whereas new variants may prolong the COVID-19 crisis, and the next variant could be the mutation that makes vaccines ineffective and causes untold harm and suffering;

Whereas the only way to end the pandemic and safeguard Americans' health and economic security is for the U.S. government to deliver on President Biden's pledge to save lives worldwide by leading the global vaccination effort, including by specifically achieving the President's goal of 70 percent global vaccination by the United Nations General Assembly in September 2022;

Whereas less than 8 percent of the entire population of the African continent is vaccinated and most African nations are not projected to reach 10 percent vaccination in 2021;

Whereas less than five percent of people in developing countries have received at least one dose and many in developing nations will not have access to vaccination until 2023 absent significant increases in vaccine production and distribution;

Whereas absent a major increase in global production and supply of COVID-19 vaccines, treatments, diagnostic tests, and other COVID-19-related medical supplies, the pandemic will rage largely unmitigated among a significant share of the world's population, resulting in further mutation of the virus and increased hospitalizations and deaths ;

Whereas COVID-19 has killed 1 out of 500 Americans and the Delta variant elevated the global daily death tolls to 10,000 people daily;

Whereas COVID is estimated to cause the United States \$16 trillion in economic losses, accompanied by global losses that have impoverished hundreds of millions of people worldwide;

Whereas producing and delivering many more doses of an effective vaccine is the only path to eradicate this virus and end the pandemic everywhere;

Whereas, rich countries have yet to "donate" adequate amounts of vaccines to low- and middle-income countries, as less than 15 percent of the 1.97 billion doses pledged have actually been delivered;

Whereas an estimated 11 billion vaccines were needed to vaccinate 70 percent of the world's adults, and demand has since increased with some nations initiating booster programs and child vaccination plans;

Whereas, a major cause of the shortage is monopoly control of how much and where vaccines are made by a handful of pharmaceutical corporations that have consolidated their control using intellectual property barriers;

Whereas voluntary licensing arrangements have not fixed this problem given the handful of pharmaceutical corporations that are using intellectual property monopolies to limit production and supply and have refused to negotiate payment terms with qualified manufacturers in Africa, Latin America, and Asia creating production bottlenecks and thwarting production of vaccine doses around the world;

Whereas vaccine monopoly firms are focused not on global access, but on profitable markets as demonstrated by current producers prioritizing deliver of booster doses sold at increased prices in wealthy countries while most of the world's population remains unvaccinated;

Whereas the COVAX initiative aims to only vaccinate 20 percent of the population in developing nations by the end of 2021, and is unable to get enough supply to meet this modest goal;

Whereas people around the globe cheered when President Biden announced U.S. support for the temporary waiver of some WTO Agreement on Trade Related Aspects of Intellectual Property (TRIPS) rules;

Whereas in response to the Biden-Harris administration announcing support for a temporary COVID-19 emergency waiver of WTO intellectual property barriers, now more than 130 nations support a waiver of WTO intellectual property monopolies for pharmaceutical corporations;

Whereas Germany had pushed the European Union to oppose a temporary WTO waiver and, joined only by the UK and Switzerland, the three WTO members are blocking the rest of the world's nations that seek to end a few pharmaceutical corporations' monopoly control of COVID-19 medicines;

Whereas there has been no progress made in agreeing to a final WTO TRIPS waiver text since the waiver was initially proposed on October 2, 2020 and every week a waiver is not agreed to prolongs the pandemic;

Whereas breaking monopoly control over production not only means more vaccines but also will resolve vaccine supply chain shortfalls;

Whereas affordable access can be quickly scaled up for the new anti-viral COVID treatments that dramatically reduce death and serious illness given that, as small molecule drugs, they can be speedily produced by manufacturers and distributed through networks already functioning for HIV-AIDS medicines if intellectual property barriers are eliminated through enactment of a TRIPS waiver;

Whereas to most quickly translate enactment of a temporary COVID emergency TRIPS waiver into more vaccine shots in arms, more diagnostic tests detecting outbreaks and variants, and more treatments to help save lives, the United States must work with South Africa and other nations supporting a waiver to conclude a final text so a waiver can be enacted;

Whereas to most quickly translate the lifting of TRIPS-imposed intellectual property barriers into billions of vaccine shots in arms, the United States must leverage the public investment in research, development and pre-purchase of vaccines and exercise its existing rights and authorities to require the vaccine monopoly firms to share recipes via speedy technology transfer;

Whereas investments in international vaccine manufacturing hubs and infrastructure promotes U.S. health security, economic recovery and national security, and protects Americans from this pandemic and better prepares us for future pandemics;

Whereas 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, diagnostic tests, therapeutics, and treatments as quickly as possible;

Whereas a temporary TRIPS waiver does not threaten giving China and Russia, U.S. mRNA technology because such research has already been conducted by scientists around the world for decades, and the patents on the “Pfizer-BioNTech” vaccine are licensed to the Chinese firm Fosun Pharma to manufacture that vaccine for sale in China;

Whereas U.S. and European governments must unite to enact a WTO TRIPS waiver, require technology transfer, and otherwise facilitate access in low and middle income countries to high-quality mRNA vaccines.

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that to ensure the speediest end of the COVID-19 pandemic,—

(1) Vital U.S. partners, with shared values who also prioritize global cooperation and saving lives and livelihoods worldwide, must unite to remove all obstacles to global access to COVID-19 vaccines, diagnostics, treatments, oxygen, and other medical products to advance our common goal of quickly ending the COVID-19 pandemic;

(2) **The U.S. government must play its indispensable leadership role to work with South Africa and other nations to quickly finalize a WTO waiver**, overcome the opposition now blocking the 130 nations that support a waiver and secure swift adoption of a temporary COVID-19 waiver of the patent, copyright, industrial design and undisclosed data provisions of the WTO TRIPS Agreement with respect to vaccines, treatments, diagnostic tests and other medical products to prevent, contain or treat COVID-19 and the inputs and equipment to make such medical products **so that WTO rules no longer thwart others countries’ wider production of COVID-19 medicines**;

(3) **The U.S. government must leverage its massive taxpayer investments in vaccine development** and use existing legal authorities under the Defense Production Act, Bayh-Dole Act, and Section 1498 **to compel vaccine makers to share the vaccine recipe** with willing, qualified companies around the world for a fair royalty fee so more doses can be made as quickly as possible;

(4) **The U.S. government must launch and help fund a global manufacturing plan to increase and democratize vaccine production in regional hubs around the world** to produce 8 billion more doses by repurposing existing facilities and building new capacity, including by allocating funds to capital expenditures to establish additional COVID-19 mRNA vaccine manufacturing lines and providing funding for raw materials, technology transfer and royalty costs to scale-up production and shave years from the global pandemic; and

(5) **The U.S. government has an obligation to the American people, whose taxpayer funds helped to develop these lifesaving vaccines, to ensure that doses are ultimately delivered to those most in need around the world** so as to ensure the global vaccination that is necessary to end the pandemic.