

117TH CONGRESS  
1ST SESSION

# H. CON. RES. 60

Expressing the sense of Congress that the United States Government must take steps to end the pandemic now.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2021

Ms. SCHAKOWSKY (for herself, Mr. BLUMENAUER, Ms. DELAURO, Mr. DOGGETT, Mr. CASTRO of Texas, Mr. ESPAILLAT, Mr. GARCÍA of Illinois, Ms. LEE of California, Ms. JACOBS of California, Mr. KHANNA, Mr. KRISHNAMOORTHY, Mr. POCAN, and Ms. PRESSLEY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## CONCURRENT RESOLUTION

Expressing the sense of Congress that the United States Government must take steps to end the pandemic now.

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 progress in containing

COVID–19, shows why “no one is safe until everyone is safe”;

Whereas the mismatch between the crisis faced 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 COVID–19 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 United States Government to deliver on President Biden’s pledge to save lives worldwide by leading the global COVID–19 vaccination effort, including by specifically achieving the President’s goal of 70 percent global COVID–19 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 against COVID–19, and most African nations are not projected to reach 10 percent COVID–19 vaccination in 2021;

Whereas less than 5 percent of people in developing countries have received at least 1 dose, and many in developing nations will not have access to COVID–19 vaccination until 2023 absent significant increases in COVID–19 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–19 is estimated to cause the United States \$16,000,000,000,000 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 COVID–19 vaccine is the only path to eradicate this virus and end the pandemic everywhere;

Whereas rich countries have yet to “donate” adequate amounts of COVID–19 vaccines to low- and middle-income countries, as less than 15 percent of the 1,970,000,000 doses pledged have actually been delivered;

Whereas an estimated 11,000,000,000 COVID–19 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 COVID–19 vaccination plans;

Whereas a major cause of the shortage is monopoly control of how much and where COVID–19 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 COVID–19 vaccine doses around the world;

Whereas COVID–19 vaccine monopoly firms are focused not on global access, but on profitable markets, as demonstrated by current producers prioritizing delivery of booster doses sold at increased prices in wealthy countries while most of the world’s population remains unvaccinated against COVID–19;

Whereas the COVAX initiative aims to only vaccinate 20 percent of the population against COVID–19 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 United States support for the temporary waiver of some World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (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 United Kingdom and Switzerland, the 3 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 ini-

tially 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 COVID–19 vaccines, but it also will resolve COVID–19 vaccine supply chain shortfalls;

Whereas affordable access can be quickly scaled up for the new antiviral COVID–19 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–19 emergency TRIPS waiver into more COVID–19 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 COVID–19 vaccine shots in arms, the United States must leverage the public investment in research, development, and prepurchase of COVID–19 vaccines and exercise its existing rights and authorities to require the COVID–19 vaccine monopoly firms to share recipes via speedy technology transfer;

Whereas investments in international COVID–19 vaccine manufacturing hubs and infrastructure promote United States health security, economic recovery, and national

security, and protect Americans from this pandemic and better prepare the United States for future pandemics;

Whereas keeping Americans safe from COVID–19 and revitalizing the American economy to build back better rely on people worldwide having access to COVID–19 vaccines, diagnostic tests, therapeutics, and treatments as quickly as possible; and

Whereas a temporary TRIPS waiver does not threaten giving United States mRNA technology to China and Russia because such research has already been conducted by scientists around the world for decades, and the patents on the Pfizer-BioNTech COVID–19 vaccine are licensed to the Chinese firm Fosun Pharma to manufacture that COVID–19 vaccine for sale in China: Now, therefore, be it

1        *Resolved by the House of Representatives (the Senate*  
 2        *concurring)*, That it is the sense of Congress that to en-  
 3        sure the speediest end of the COVID–19 pandemic—

4                (1) United States and European governments  
 5        should unite to enact a World Trade Organization  
 6        (WTO) Agreement on Trade-Related Aspects of In-  
 7        tellectual Property Rights (TRIPS) waiver, require  
 8        technology transfer, and otherwise facilitate access  
 9        in low- and middle-income countries to high-quality  
 10        COVID–19 mRNA vaccines;

11                (2) vital United States partners, with shared  
 12        values who also prioritize global cooperation and sav-  
 13        ing lives and livelihoods worldwide, should unite to

1 remove all obstacles to global access to COVID–19  
2 vaccines, diagnostics, treatments, oxygen, and other  
3 medical products to advance the common goal of  
4 quickly ending the COVID–19 pandemic;

5 (3) the United States Government should play  
6 its indispensable leadership role to work with South  
7 Africa and other nations to quickly finalize a WTO  
8 TRIPS waiver, overcome the opposition now block-  
9 ing the 130 nations that support a waiver, and se-  
10 cure swift adoption of a temporary COVID–19 waiv-  
11 er of the patent, copyright, industrial design, and  
12 undisclosed data provisions of the WTO TRIPS  
13 Agreement with respect to COVID–19 vaccines,  
14 treatments, diagnostic tests, and other medical prod-  
15 ucts to prevent, contain, or treat COVID–19 and the  
16 inputs and equipment to make such medical prod-  
17 ucts, so that WTO rules no longer thwart others  
18 countries’ wider production of COVID–19 medicines;

19 (4) the United States Government should lever-  
20 age its massive taxpayer investments in COVID–19  
21 vaccine development and use existing legal authori-  
22 ties under the Defense Production Act, Bayh-Dole  
23 Act, and section 1498 of title 28, United States  
24 Code, to compel COVID–19 vaccine makers to share  
25 the COVID–19 vaccine recipe with willing, qualified

1 companies around the world for a fair royalty fee so  
2 more doses can be made as quickly as possible;

3 (5) the United States Government should  
4 launch and help fund a global manufacturing plan to  
5 increase and democratize COVID–19 vaccine pro-  
6 duction in regional hubs around the world to  
7 produce 8,000,000,000 more COVID–19 vaccine  
8 doses by repurposing existing facilities and building  
9 new capacity, including by allocating funds to capital  
10 expenditures to establish additional COVID–19  
11 mRNA vaccine manufacturing lines and providing  
12 funding for raw materials, technology transfer, and  
13 royalty costs to scale up production and shave years  
14 from the global pandemic; and

15 (6) the United States Government has an obli-  
16 gation to the American people, whose taxpayer funds  
17 helped to develop these lifesaving COVID–19 vac-  
18 cines, to ensure that doses are ultimately delivered  
19 to those most in need around the world so as to en-  
20 sure the global COVID–19 vaccination that is nec-  
21 essary to end the pandemic.

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