

United States Senate

May 11, 2021

The Honorable Joseph R. Biden
President of the United States of America
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear President Biden:

I write to you today to share my concerns with your administration's support for waiving intellectual property (IP) protections for COVID-19 vaccines and to urge you to reconsider your position. Suspending World Trade Organization (WTO) obligations to protect IP on COVID-19 vaccines would not only fail to significantly speed up vaccine distribution to the rest of the world, but it would set a dangerous precedent on IP protection at the international level and undermine American innovation.

IP protections are a foundation of American society, so much so, our Founding Fathers enshrined them in the Constitution. U.S. IP laws encourage robust innovation and investment, which is one of the reasons why we are able to be a global leader in vaccines and many other innovative therapies. Under Operation Warp Speed, the U.S. was able to develop, manufacture, and distribute COVID-19 vaccines in record time, helping us to combat the virus and allow us to finally see light at the end of the pandemic tunnel. Waiving IP protections under this proposal runs counter to long standing American values and will not enable faster vaccination globally. Moreover, proceeding as your administration has proposed provides for a technological windfall for adversaries such as China and Russia by giving away IP that has taken years of hard work and ingenuity by American scientists, not to mention billions in American investment, to perfect. We should focus on strengthening and enforcing our IP protections, not undermine them.

The U.S. should prioritize fighting COVID-19 internationally by getting more shots in arms in countries who need them without transferring critical technologies and undermining our global leadership position. As states across the nation turn down COVID-19 vaccines from the federal government due to surpluses and more than half of all American adults have received at least one dose, the U.S. should focus on increasing production and capacity to provide support for global vaccine supply and leading the world in vaccine manufacturing and distribution.

I respectfully urge your administration to withdraw your support for waiving IP protections for COVID-19 vaccines and terminate any plans to participate in negotiations at the WTO necessary to move this dangerous proposal forward.

Sincerely,



STEVE DAINES
United States Senator

CC: Ambassador Tai