

United States Senate

May 14, 2021

The Honorable Joe Biden
President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

America is a leader in ingenuity, innovation and new technologies, and the record-breaking development of the COVID-19 vaccine was no exception. Our Founding Fathers recognized the importance of innovation to this nation and enshrined that one of the duties of Congress is to have the enumerated power “...to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.” The power of patents and copyrights have led to some of the world’s greatest innovations in science, medicine and technology, making America the best place in the world for businesses to thrive.

That’s why the recent announcement that the White House would seek a waiver from the World Trade Organization’s (WTO) Trade-Related Aspects of Intellectual Property Rights (TRIPS), which would seriously undermine protections for innovation and investment, is so concerning. We know there are countries around the world, like Communist China, that are bent on stealing our research and intellectual property. Seeking such a waiver on the international stage only emboldens Communist China and other bad actors to steal U.S. and EU-based intellectual property, punishing companies that invested resources in the research and development needed to bring a vaccine to the marketplace, with no guarantee of success. As we saw last year, only four companies were able to successfully bring a drug into the market. Many forget that other large pharmaceutical companies were also working on vaccines and cancelled them due to poor clinical trial results. There are still companies working to develop their own vaccine. A TRIPS waiver would punish companies that were successful, and create a disincentive for companies developing new vaccines now and in the future. Forcing companies to turn over their intellectual property to the government is anti-free market and sets a dangerous precedent.

More government involvement is not the solution. A government takeover of this important industry would only slow down progress and stunt innovation. Government’s role should be to work with the private sector to encourage more collaboration between companies to expand production and secure additional supply chain. We have seen the government do

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this by helping these companies increase their vaccine production, and it does not require government to strip intellectual property protections.

The COVID-19 vaccine needs to be distributed widely across the globe in order to end this pandemic. Americans must be prioritized in vaccine distribution, but there are numerous countries that need our help and need access to the vaccine. That is why I support donating part of our vaccine supply to nations in need, including Venezuela. Right now, Nicolás Maduro is only distributing vaccines to those who have pledged political loyalty to him and his socialist dictatorship. This is just another tactic by Maduro to further oppress his people, who already suffer horribly under his regime.

I am also calling for the United States to consider providing vaccines to the Bahamas. The country of about 380,000 has only been able to vaccinate about 25,000 individuals, or 6.6% of its population.¹ Located as close as 50 miles from Florida, the Bahamas is an important economic hub for Florida and the United States, and its economy relies on the important tourism industry. I worked to connect the Bahamian government with your administration to help facilitate their vaccination program, but to my knowledge nothing has been done.

Throughout the pandemic, I have urged all levels of government to work together in a transparent, accountable manner, prioritizing a consistent flow of accurate, timely information. We have made tremendous progress when it comes to vaccine development, and we are getting closer to our goal of providing a vaccine to every American that wants one. Thanks to Operation Warp Speed, it is estimated that the U.S. will have upwards of 300 million extra vaccine doses by the end of July. Additionally, the White House has pledged to distribute 60 million doses of the stockpiled AstraZeneca vaccine. This provides the U.S. with the opportunity to assist nations around the world that are suffering from the COVID-19 virus.

We see the light at the end of this tunnel, but it will take a coordinated, global effort to reach our goal, and it is imperative that the State Department quickly develops a plan on how to efficiently and fairly distribute vaccines internationally to those in need, while safeguarding American innovation and intellectual property.

Sincerely,



Rick Scott
United States Senator

¹ <https://www.nytimes.com/interactive/2021/world/covid-vaccinations-tracker.html>