[Urging the Pause of the COVID Booster Administration to the General Population and Supporting Patent Waiver and Technology Information Transfer of Vaccines to Countries that Do Not Have Access]

Resolution urging President Joe Biden to pause distribution of COVID vaccine boosters to the general population and to take a leadership role in supporting the Trade-Related Intellectual Property Rights (TRIPS) waiver while promoting technology information transfer as it relates to vaccinations to low-to-middle income countries in order to end this global pandemic.

WHEREAS, In December of 2019, a new virus known as COVID-19 (the “virus”) was first detected and began to rapidly spread globally — killing people all over the world; and

WHEREAS, On March 11, 2020, Director General of the World Health Organization (“WHO”), Tedros Adhanom Ghebreyesus, characterized the virus a global pandemic as the number of deaths and affected countries grew; and

WHEREAS, At the start of 2021, wide distribution and administration of vaccines began in the United States with thousands of vaccination sites popping up all over the country; and

WHEREAS, In March of 2021, the Biden Administration announced that the U.S. Department of Health and Human Services (“HHS”) would invest $10 billion to expand access to vaccines and better serve low-income people of color and other underserved communities in response to the virus, citing equity as the center of the government’s virus response; and

WHEREAS, By the beginning of August 2021, over 50% of the entire U.S population had been fully vaccinated in contrast to low-income countries such as Ghana with 1% of the population fully vaccinated; and
WHEREAS, 80% of the vaccines administered globally have gone to high and upper-middle income countries despite these places accounting for less than half of the world’s population and only 0.4% of doses administered have been in low-income countries; and

WHEREAS, With the emergence of new variants of the virus, including the delta variant, the Biden Administration initially proposed a plan to roll out booster shots to all eligible individuals who have been fully vaccinated; and

WHEREAS, The WHO has called for a global moratorium on booster shots until the end of the year so that vaccine supplies could be redirected, highlighting the stark inequalities in providing boosters in high income countries while the global poor remains unvaccinated; and

WHEREAS, The WHO called on countries to stop providing extra doses of the vaccine or boosters until all nations vaccinate at least 40% of their population by the end of the year; and

WHEREAS, Public health officials and experts are skeptical of the booster’s effectiveness on fully vaccinated persons who are neither at a high risk of contracting the virus or 65 and older given the lack of supporting evidence and believe that vaccinating more people globally will have a greater effect of reducing the chances of another variant emerging; and

WHEREAS, On September 17, 2021, The U.S. Food and Drug Administration’s Vaccines and Related Biological Products Advisory Committee rejected a broad application to approve booster doses for the general population; and

WHEREAS, After much pushback and expert opinion, the Biden Administration has agreed to follow the Centers for Disease Control and Prevention (“CDC”) and FDA’s recommendation in allowing boosters for people who are at a high risk of contracting the virus
due to an underlying health condition or work environment and persons 65 and older but has
not indicated when boosters will be distributed to the general population; and
WHEREAS, The United States government has a surplus of vaccines, specifically 116
doses per 100 people, while low-income countries such as Yemen only have 1.1 doses per
100 people; and
WHEREAS, The Biden Administration has an ethical duty to distribute this surplus to
countries in need as opposed to providing the general population additional boosters with little
scientific data on its effectiveness for persons outside the categories the CDC and FDA
outlined; and
WHEREAS, Doctors warn that when vaccines are not globally available, more
countries will have uncontrolled outbreaks and new variants will emerge; and
WHEREAS, The United States, being one of the wealthiest countries globally, has a
moral obligation to the rest of the world to help bring an end to this pandemic; and
WHEREAS, This virus does not care about borders and will continue to spread and
mutate across the world if we do not get most of the global population vaccinated; and
WHEREAS, With diminished access to hospitals, ventilators, oxygen, and antiviral
drugs, these poor countries are suffering and their people are dying; and
WHEREAS, In order for these low to middle income countries to effectively vaccinate
their population, they need not only vaccine supply but a way for them to produce their own
vaccines and the infrastructure to go along with it; and
WHEREAS, The supply of vaccines is limited and will continue to be until supply is
increased via the Trade-Related Intellectual Property Rights (TRIPS) waiver ("the waiver") and
technology information transfer; and
WHEREAS, The TRIPS waiver, first proposed in October of 2020 for members of the
World Trade Organization ("WTO) and later revised in May of 2021, would waive for a period
of three years intellectual property rights protections for health products and technologies
regarding manufacture for the prevention, containment, or treatment of the virus, including
diagnostics, therapeutics, vaccines, medical devices, personal protective equipment; and
WHEREAS, The TRIPS waiver would allow nations that are part of the WTO to bypass
the barriers caused by intellectual property rights and to authorize generic manufactures in
their territories to begin producing vaccines; and
WHEREAS, Unlike most drugs, vaccines are large-molecule biological products which
require a great deal of information sharing and “know-how” in manufacturing that patents do
not contain; and
WHEREAS, In May of 2021, although the Biden Administration agreed to negotiations
about the waiver, no government action has been taken; and
WHEREAS, The United States needs to take a proactive role by supporting the waiver
and its implementation as well as promoting the free access of technology and information;
and
RESOLVED, That the Board of Supervisors urges President Biden to follow the CDC’s
recommendations and not administer boosters to the general population; and, be it
FURTHER RESOLVED, That the Board of Supervisors urges President Biden to
provide a timeline of when and how many vaccines will be distributed to low- and middle-
income countries; and, be it
FURTHER RESOLVED, That the Board of Supervisors urges President Biden to adopt
and implement the TRIPS waiver allowing for patent waivers as well as promote technology
information transfer to allow low- and middle-income countries to manufacture, implement,
and distribute vaccinations to end this global pandemic; and, be it
FURTHER RESOLVED, That the Board of Supervisors urges Congress to support the
waiver and its implementation while calling on other nations to do so as well; and, be it

Supervisor Ronen
BOARD OF SUPERVISORS
FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board to transmit copies of this Resolution to President Joseph Bicen and to San Francisco's delegation to the U.S. Congress, with a request to take all actions necessary to achieve the objectives of this Resolution.
Resolution urging President Joe Biden to pause distribution of COVID vaccine boosters to the general population and to take a leadership role in supporting the Trade-Related Intellectual Property Rights (TRIPS) waiver while promoting technology information transfer as it relates to vaccinations to low-to-middle income countries in order to end this global pandemic.

September 28, 2021 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani and Walton
Absent: 1 - Safai

September 28, 2021 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Stefani and Walton
Absent: 1 - Safai

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 9/28/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board